



FRANKSTON CITY  
COUNCIL

# Ordinary Meeting

# A G E N D A

22 May 2017





# COUNCIL CHAMBERS

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

Cr. McCormack

Cr. Mayer

Cr. Aitken

Cr. Hampton

Cr Bolam

Cr. O'Reilly

EMT

Cr. O'Connor

Cr. Toms

MEDIA

EMT

Guest Speaker

MEDIA

**Gallery**





# THE COUNCIL MEETING

## Welcome to this Meeting of the Frankston City Council

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

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

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

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

## When are they held?

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

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

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

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

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

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

*must not be accepted by the Chair.*

**88. Chair May Remove**

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

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

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

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

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

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

- **Items Brought Forward**

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

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

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

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

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

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

- **Presentation of Petitions and Joint Letters**

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

· **Presentation of Reports**

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

· **Presentation of Delegate Reports**

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

· **Urgent Business**

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

· **Closed Meetings**

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

· **Opportunity to address Council**

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

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

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

**Disclosure of Conflict of Interest**

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

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

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

## **Agenda Themes**

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

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

**MAYOR**



## NOTICE PAPER

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### ALL COUNCILLORS

NOTICE is hereby given that an Ordinary Meeting of the Council will be held at the Civic Centre, Davey Street, Frankston, on 22 May 2017 at 7pm.

### COUNCILLOR STATEMENT

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

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

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

### OPENING WITH PRAYER

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

### ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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



## BUSINESS

1. **PRESENTATION TO COMMUNITY GROUPS**  
Nil
2. **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**  
Ordinary Meeting No. OM300 held on 1 May 2017.
3. **APOLOGIES**  
Nil
4. **DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST**
5. **PUBLIC QUESTION TIME**  
Nil
6. **HEARING OF SUBMISSIONS**  
Nil
7. **ITEMS BROUGHT FORWARD**
8. **PRESENTATIONS / AWARDS**  
Nil
9. **PRESENTATION OF PETITIONS AND JOINT LETTERS**  
Nil
10. **DELEGATES' REPORTS**  
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Dennis Hovenden

**CHIEF EXECUTIVE OFFICER**

18/05/2017

Frankston City



**Executive Summary****11.1 Amend Section 173 Agreement 32/2014/S173 - 54 Norman Avenue and 13 Fleetwood Lane, Frankston South - To Amend the Section 173 Agreement**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	1. Planned City for Future Growth
Strategy:	1.1 Work with other tiers of Government, industry and business to create more jobs and job skills in Frankston
Priority Action	1.1.1 Attract and promote more industry, small business and large employers into Frankston City to grow more jobs

**Purpose**

This report considers the merits of the planning application to amend the Section 173 Agreement for 54 Norman Avenue and 13 Fleetwood Lane, Frankston South by the addition to Clause 4.1 of the words '*...or any alternate future Development Permit approved by Frankston City Council*'.

**Recommendation (Director Community Development)**

That the Responsible Authority agrees to amend the registered Section 173 Agreement.

**Key Points / Issues**

- This proposal is to amend the Section 173 Agreement under the Planning and Environment Act 1987 for the subject site to include the wording '*...or any alternate future Development Permit approved by Frankston City Council*'.
- The purpose of the registered Section 173 Agreement is to not build or allow to be built on any allotment any building or structure other than that approved under Permit No. 144/2012/P (development). The permit is currently valid.
- The amendment to the Agreement is necessary to enable the land owners to seek a planning permit from Council to construct an alternative proposal on the site, despite the land having been subdivided based on the layout of the development permit.
- The applicant has lodged a fresh planning permit application (544/2016/P) to construct a three storey building addition above and to the rear of the existing shops at 52 and 54 Norman Avenue as well as 13 Fleetwood Lane, which includes three dwellings. The application is currently being considered by Council officers. A new subdivision application is also proposed for the subject site (54 Norman Avenue), based on the layout of the new development proposal. Both new applications rely on the approval of the proposed amendment to the Section 173 Agreement.
- The proposal is considered appropriate as the zoning of the land (Commercial 1 Zone) encourages mixed uses, including residential development.
- Additionally, this will allow Council to ensure that any new development proposal is consistent with the current planning controls.
- The application is being reported to Council as the application is to amend the Section 173 Agreement.

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

**11.1 Amend Section 173 Agreement 32/2014/S173 - 54 Norman Avenue and 13 Fleetwood Lane, Frankston South - To Amend the Section 173 Agreement****Executive Summary****Financial Impact**

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

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

The permit application fee paid to Council is \$780.00 The average cost to process a planning application is \$1,729.00 leaving a shortfall of \$949.00.

**Consultation**1. External Referrals

No external referrals are required for this application.

2. Internal Referrals

No internal referrals are required for this application.

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:

- Sending notices to all the affected parties.
- Mail to adjoining owners and occupiers; and
- Two (2) sign erected on the site frontages

As a result of the public notification, one objection was 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 no detrimental impact on the environment.

The proposal is expected to impact positively on the economy through creation of construction jobs and economic growth once the Section 173 Agreement has been amended. It is also expected to have positive social implications in the form of increasing housing supply and diversity.

**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.

Policy Impacts

Council has assessed the Section 173 Agreement amendment application in accordance with the relevant sections of the *Planning and Environment Act 1987*.

**11.1 Amend Section 173 Agreement 32/2014/S173 - 54 Norman Avenue and 13 Fleetwood Lane, Frankston South - To Amend the Section 173 Agreement****Executive Summary**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 risk implications.

**Conclusion**

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

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**ATTACHMENTS**

Attachment A: Title Search 54 Norman Avenue and 13 Fleetwood Lane, Frankston South

Attachment B: Permit No. 148/2014/P (Subdivision)

**11.1 Amend Section 173 Agreement 32/2014/S173 - 54 Norman Avenue and 13 Fleetwood Lane, Frankston South - To Amend the Section 173 Agreement**  
**Officers' Assessment**

### Summary

<b>Existing Use</b>	Take Away Food Premises (Fish and Chips)
<b>Site Area</b>	186 square metres (total)
<b>Proposal</b>	To vary Clause 4.1 of Section 173 Agreement AL323131R to "Should the Land be subdivided in reliance upon the Subdivision Permit, the Owner covenants and agrees that the Land must only be developed in accordance with the Development Permit or any alternate future Development Permit approved by Frankston City Council, to the satisfaction of the Council."
<b>Site Cover</b>	N/A
<b>Permeability</b>	N/A
<b>Zoning</b>	Commercial 1 Zone
<b>Overlays</b>	<ul style="list-style-type: none"> <li>• Significant Landscape Overlay (Schedule 4)</li> <li>• Design and Development Overlay (Schedule 9)</li> </ul>
<b>Neighbourhood Character Precinct</b>	Frankston South 10
<b>Reason for Reporting to Council</b>	Application is to amend the Section 173 Agreement

### Background

#### **Subject Site**

The subject site consists of two lots (and common property) that are regular in shape, located between Norman Avenue and Fleetwood Lane, Frankston South.

The lots were created as part of a two (2) lot subdivision approved by planning permit 148/2014/P, issued on 27/3/2014.

Lot 1 has a frontage of 6.1 metres to Norman Avenue, depth of 14 metres and an area of 86 square metres. Lot 2 has a frontage of 5 metres to Fleetwood Lane, depth of 16.4 metres and an area of 83 square metres.

No easements exist on site, however, a 1 metre wide common property area runs along the length of the northern side of Lot 2 and is 17 square metres in size.

The site has a fall of approximately 3.5 metres from north east (front) to south west (rear).

Lot 1 currently contains a take away food premises (fish and chips) and Lot 2 is vacant.

**11.1 Amend Section 173 Agreement 32/2014/S173 - 54 Norman Avenue and 13 Fleetwood Lane, Frankston South - To Amend the Section 173 Agreement  
Officers' Assessment****Locality**

The site is within the Norman Avenue Neighbourhood Centre, which is a strip of shops in a residential area in Frankston South. The shops are bounded by Fleetwood Crescent to the north, Norman Avenue to the east, Fleetwood Lane to the west and dwellings to the south.

The area is undergoing incremental transition from single dwellings on a lot to multi-unit and townhouse developments, which are generally double storey. A number of permits have also been issued for the shops in Norman Avenue, including shop-top dwellings at 50 and 56 Norman Avenue.

**Site History**

Previous planning permit applications for the site include:

- Planning Permit No. 144/2012/P issued on 28/9/2012 to construct one (1) double storey dwelling to the rear of the existing shop. The permit was amended 21/8/2014 under Section 72 by granting permission for the proposal under Design and Development Overlay (Schedule 9), which was gazetted after the permit was originally issued. The permit has also been extended twice and the most recent extension requires works to commence by 28 September 2018.
- Planning Permit No. 148/2014/P issued on 27/3/2014 for a two (2) lot subdivision. The subdivision has been completed and titles issued.

Two applications have been lodged with Council and are currently being considered by Council officers:

- Planning Permit Application No. 544/2016/P to use the land at 52 and 54 Norman Avenue, Frankston South for three (3) dwellings and construct a three (3) storey building addition, construct additions to an existing shop and take away food premises, reduce the number of car parking spaces required (Clause 52.06-5), waive loading and unloading requirements (Clause 52.07) and bicycle facility requirements (Clause 52.34).
- Planning Permit Application No. 625/2016/P at 54 Norman Avenue and 13 Fleetwood Lane, Frankston South for a two (2) lot subdivision. This application seeks to resubdivide the land to accord with the proposed development layout of Planning Permit Application No. 544/2016/P.

**Proposal**

The proposal is to vary the Section 173 Agreement by (as relevant):

Amending Section 4.1 (underlined for emphasis)

- *'Should the Land be subdivided in reliance upon the Subdivision Permit, the Owner covenants and agrees that the Land must only be developed in accordance with the Development Permit, to the satisfaction of the Council.*

Amending the current wording of the underlined section to:

- *'...in accordance with the Development Permit or any alternate future Development Permit approved by Frankston City Council, to the satisfaction of the Council.'*

**Details of Section 173 Agreement**

The title to the subject land is affected by an Agreement under Section 173 of the Planning and Environment Act 1987 AL323131 dated 28/8/2014.

**11.1 Amend Section 173 Agreement 32/2014/S173 - 54 Norman Avenue and 13 Fleetwood Lane, Frankston South - To Amend the Section 173 Agreement  
Officers' Assessment**

The agreement requires that the land must be developed only in accordance with Planning Permit 144/2012/P.

The Section 173 Agreement was registered on 28 November 2014 as a requirement of Condition 2 of Planning Permit No. 148/2014/P.

***Notification of Proposal***

Notification of the planning application was given pursuant to the requirements of Section 178C of the *Planning and Environment Act 1987* whereby all affected parties were notified of the request to amend the Section 173 Agreement.

Notification was given in the form of:

- Sending notices to all the affected parties.
- Sending notices to the owners and occupiers of adjoining land.
- Displaying two notices on the subject site (fronting Norman Avenue and Fleetwood Lane).

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

The grounds of objection are summarised as follows:

- Lack of on-street parking and traffic in Norman Avenue.

No resolution between parties was achieved.

**Response to Grounds of Objection**

In response to the objector's concerns the following assessment has been undertaken:

**Objection:** *Lack of on-street parking and traffic in Norman Avenue.*

**Response:** These matters are not related to the subject application to amend the Section 173 Agreement. The amendment to the Agreement will allow for the further consideration of the permit application for the subject site and adjoining land at 52 Norman Avenue, for the construction of a three storey building addition above and to the rear of the existing shops, which includes three dwellings. This application will be advertised and assessed on its merits and the matters raised would be relevant in that consideration, rather than for the subject application to amend the Section 173 Agreement.

A Notice of Decision to approve the amendment to the Section 173 Agreement was issued on 30 March 2016 whereby the objector could apply for a review of the decision (21 days) at the Victorian Civil and Administrative Tribunal (VCAT). No review of Council's decision was received at VCAT.

**Discussion*****Assessment***

In assessing this application, consideration has been given to the following:

- The purpose of the agreement is to ensure the land is developed in accordance with Planning Permit No. 144/2012/P.

**11.1 Amend Section 173 Agreement 32/2014/S173 - 54 Norman Avenue and 13 Fleetwood Lane, Frankston South - To Amend the Section 173 Agreement  
Officers' Assessment**

- The purpose of the amendment is to insert the wording '*unless with the agreement of the responsible authority*' to allow the owner to develop the land by obtaining written consent or any written relevant approvals, even though the permits and plans have now expired.
- The Section 173 Agreement needs to include the wording '*or any alternate future Development Permit approved by Frankston City Council,*' as currently no alternative proposal to develop the site can be considered by Council, given the agreement requires the land to be developed in accordance with Permit No. 144/2012/P. The amendment is therefore considered appropriate, as it would allow Council to consider the new development proposal currently lodged with Council, in accordance with the current planning controls.
- The amendment would not disadvantage any person as a permit will still be required by the Agreement, or the land will still have to be developed in accordance with the original permit 144/2012/P. Planning approvals and subsequent notification (to affected parties, adjoining occupiers and owners) will be required pursuant to the Commercial 1 Zone, the Design and Development Overlay Schedule 6 and perhaps pursuant to the Significant Landscape Overlay Schedule 4.
- The intent of the Section 173 Agreement was to ensure development was constructed in accordance with Permit No. 144/2012/P. This will requirement will remain, unless a permit is issued for an alternative proposal.
- This proposal to amend the agreement will not allow anything to be done that is in breach of the planning scheme or planning permit, as the land is zoned Commercial 1 Zone which encourages mixed use development.
- Council approval is proposed to complete the amendment of the existing Section 173 Agreement that applies to the site.

**Conclusion**

It is considered the proposal to amend the Section 173 Agreement is unlikely to have a negative impact on amenity of the surrounding area.

Therefore, in accordance with the recommendations of this report, it is considered the application should be supported.

**11.1 Amend Section 173 Agreement 32/2014/S173 - 54 Norman Avenue and 13 Fleetwood Lane, Frankston South - To Amend the Section 173 Agreement  
Officers' Assessment****Recommendation (Director Community Development)**

That Council has given consideration to Section 178E(3)(a) and the other matters in Section 178B of the Planning and Environment Act 1987 in respect to Planning Application 32/2014/S173/A and resolves to Amend Section 173 Agreement AL323131R to vary Clause 4.1 of Section 173 Agreement AL323131R to "Should the Land be subdivided in reliance upon the Subdivision Permit, the Owner covenants and agrees that the Land must only be developed in accordance with the Development Permit or any alternate future Development Permit approved by Frankston City Council, to the satisfaction of the Council."



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of**

Page 1 of 1

**Land Act 1958**

VOLUME 11815 FOLIO 642

Security no . 124062365258E

Produced 13/09/2016 11.22 am

**LAND DESCRIPTION**

Lot 1 on Plan of Subdivision 728179V.  
 PARENT TITLE Volume 10257 Folio 495  
 Created by instrument PS728179V 31/08/2016

**REGISTERED PROPRIETOR**

Estate Fee Simple  
 Joint Proprietors  
 BENO FRANCIS MAX SIEBENMANN  
 KRYSTAL IRENE SIEBENMANN both of 137 KARS STREET FRANKSTON VIC 3199  
 PS728179V 31/08/2016

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AE884415E 07/02/2007  
 LA TROBE FINANCIAL ASSET MANAGEMENT LTD  
 TRANSFER OF MORTGAGE AL695342X 19/02/2015

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987  
 AL323131R 28/08/2014

**DIAGRAM LOCATION**

SEE PS728179V FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NUMBER	PLAN OF SUBDIVISION	STATUS	DATE
PS728179V (S)		Registered	31/08/2016

-----END OF REGISTER SEARCH STATEMENT-----

Additional information (not part of the Register Search Statement)

Street Address: 54 NORMAN AVENUE FRANKSTON SOUTH VIC 3199

**OWNERS CORPORATIONS**

The land in this folio is affected by  
 OWNERS CORPORATION 1 PLAN NO. PS728179V

DOCUMENT END



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

Page 1 of 1

VOLUME 11815 FOLIO 643

Security no : 124062364851W  
Produced 13/09/2016 11:12 am**LAND DESCRIPTION**

Lot 2 on Plan of Subdivision 728179V.  
PARENT TITLE Volume 10257 Folio 495  
Created by instrument PS728179V 31/08/2016

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Joint Proprietors  
BENO FRANCIS MAX SIEBENMANN  
KRYSTAL IRENE SIEBENMANN both of 137 KARS STREET FRANKSTON VIC 3199  
PS728179V 31/08/2016

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AB884415E 07/02/2007  
LA TROBE FINANCIAL ASSET MANAGEMENT LTD  
TRANSFER OF MORTGAGE AL695342X 19/02/2015

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987  
AL323131R 28/08/2014

**DIAGRAM LOCATION**

SEE PS728179V FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NUMBER	PLAN OF SUBDIVISION	STATUS	DATE
PS728179V (S)	PLAN OF SUBDIVISION	Registered	31/08/2016

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 13 FLEETWOOD LANE FRANKSTON SOUTH VIC 3199

**OWNERS CORPORATIONS**

The land in this folio is affected by  
OWNERS CORPORATION 1 PLAN NO. PS728179V

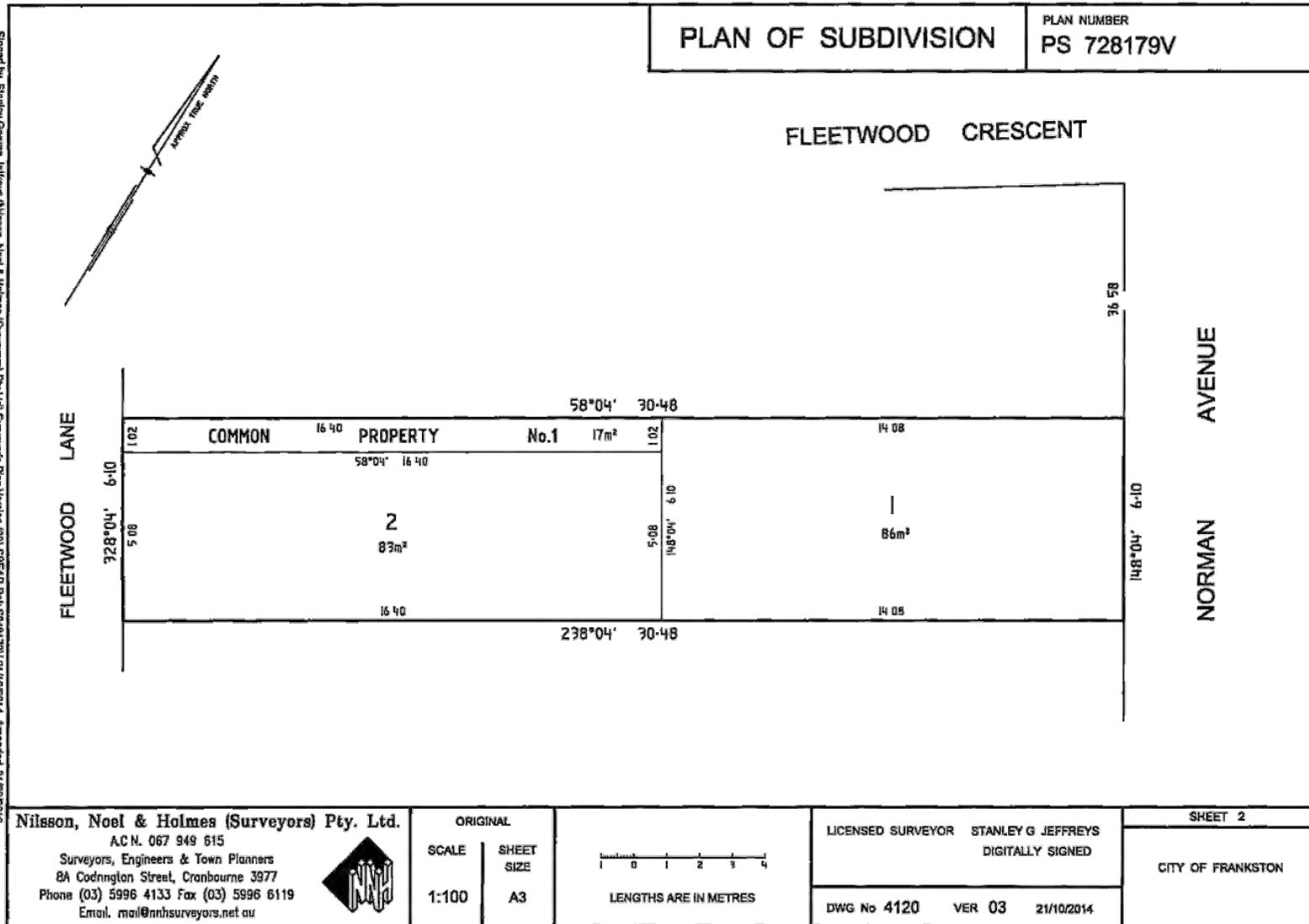
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Signed by Council Frankston City Council, Council Ref. 52/2014/S, Original Certification 28/10/2014, S.O.C. 28/08/2015

<b>PLAN OF SUBDIVISION</b>		LV USE ONLY <b>EDITION 1</b>	PLAN NUMBER <b>PS 728179V</b>	
<b>LOCATION OF LAND</b> Parish FRANKSTON Township - Section 4 Crown Allotment: 11 (PART) Crown Portion: - Title Reference VOL 10257 FOL 495 Last Plan Reference LOT 398 ON LP 42226 Postal Address. 54 NORMAN AVENUE, (at time of subdivision) FRANKSTON SOUTH 3199 MGA94 Co-ordinates E 334 315 Zone: 65 (of approx centre of land in plan) N 5 773 975		Council Name CITY OF FRANKSTON		
<b>VESTING OF ROADS AND/OR RESERVES</b>		<b>NOTATIONS</b>		
IDENTIFIER	COUNCIL / BODY / PERSON			
NIL	NIL			
<b>NOTATIONS</b>				
THIS IS A SPEAR PLAN Depth Limitation DOES NOT APPLY Staging. This is not a staged subdivision Planning Permit No. 148/2014/P  <b>OWNERS CORPORATION NOTATION</b> LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, ENTITLEMENT & LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION ADDITIONAL INFORMATION AND IF APPLICABLE, OWNERS CORPORATION RULES  Survey. This plan is based on survey This survey has been connected to permanent marks no(s) in proclaimed Survey Area No. 75				
<b>EASEMENT INFORMATION</b>				
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO ALL LAND IN THIS PLAN				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
Nilsson, Noel & Holmes (Surveyors) Pty Ltd. A.C.N. 067 949 615 Surveyors, Engineers & Town Planners 8A Codrington Street, Cranbourne 3977 Phone (03) 5996 4133 Fax (03) 5996 6119 Email mail@nnhsurveyors.net.au		LICENSED SURVEYOR STANLEY G JEFFREYS DIGITALLY SIGNED REF 4120 DWG No 4120S VER 03 21/10/2014		Sheet 1 of 2 sheets Original sheet size A3 PLAN REGISTERED TIME 11 20 AM DATE 31/08/16 G ANGELINI Assistant Registrar of Titles

Signed by Stanley George Jeffreys (Nilsson, Noel & Holmes (Surveyors) Pty Ltd) Surveyor's Plan Version (03) SPEAR Ref. S049173V 21/10/2014, Amended 31/08/2016



Signed by Stanley George Jeffreys (Nilsson, Noel & Holmes (Surveyors) Pty Ltd) Surveyor's Plan Version (03) SPEC48 Ref: SW4873V 21/10/2014, Amended 31/09/2016

Signed by Council Frankston City Council Council Ref: S22014S Original Certification 29/10/2014, S.O.C. 29/08/2015

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**Application by a responsible authority for the  
making of a recording of an agreement  
Section 181 Planning and Environment Act 1987**

**Form 18**

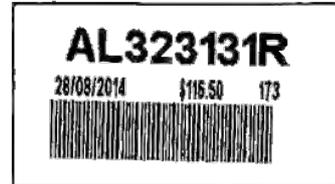
Lodged by: *BENJ SIEGENMANN*  
Name: *BENJ SIEGENMANN*

Phone: *0414780327*

Address: *14/174 BARKLY ST ST KILDA*

Ref: *32/2014/S173*

Customer Code: *4120S*



The Authority having made an agreement referred to in section 181(1) of the **Planning and Environment Act 1987** requires a recording to be made in the Register for the land.

Land:

*volume 10257 folio 495*

Authority:

*Frankston City Council of Civic Centre, Cnr Davey & Young Streets, Frankston 3199*

Section and Act under which agreement made.

*Section 173 of the **Planning and Environment Act 1987***

A copy of the Agreement is attached to this Application:

Signature for the Authority: .....

Name of Officer: .....

DENNIS HOVENDEN  
CHIEF EXECUTIVE OFFICER  
FRANKSTON CITY COUNCIL  
IN THE STATE OF VICTORIA

Date: .....

A SENIOR OFFICER OF THE COUNCIL AS  
DEFINED IN THE LOCAL GOVERNMENT ACT 1989

*22 July 2014.*



**FRANKSTON CITY COUNCIL**

and

**THE OWNER DESCRIBED IN THE SCHEDULE**

**AGREEMENT MADE PURSUANT TO  
SECTION 173 OF  
THE PLANNING AND ENVIRONMENT ACT 1987**

Property The Land described in the Schedule

**AL323131R**



**PARTIES**

- 1 **FRANKSTON CITY COUNCIL**  
of Cnr Davey and Young Streets, Frankston Vic 3199  
("Council")
- 2 The Owner described in the Schedule  
("Owner")

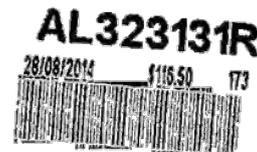
**RECITALS**

- A This Agreement is a standard agreement drafted by Russell Kennedy Pty Ltd. The parties to this Agreement are each responsible for the proper completion of clause 8 to this Agreement and the proper execution of this Agreement.
- B The Council is the responsible authority under the Act for the Scheme.
- C The Owner is registered or is entitled to be registered as proprietor of the Land as set out in the Schedule.
- D The Development Permit provides for the development of the Land.
- E The Subdivision Permit provides for the subdivision of the Land in a manner consistent with the development of the Land in accordance with the Development Permit.
- F The Subdivision Permit contains a condition requiring the Owner to enter into a section 173 Agreement to require the development of the Land to be in accordance with the Development Permit.
- G If the Land is encumbered by a mortgage, the mortgage is identified in the Schedule and the Mortgagee is identified in the Schedule.
- H This Agreement has been entered into in order to:
  - comply with the Subdivision Permit;
  - prohibit, restrict or regulate the use or development of the Land; and
  - achieve and advance the objectives of planning in Victoria or the objectives of the Scheme in relation to the Land.
- I This Agreement is made under Division 2 of Part 9 of the Act.

**THE PARTIES AGREE THAT:****1 DEFINITIONS**

In this Agreement:

- 1.1 "Act" means the *Planning and Environment Act 1987*
- 1.2 "Agreement" means this Agreement, including the Schedule and the recitals to this Agreement.
- 1.3 "Business Day" means Monday to Friday excluding public holidays in Victoria.



## 2

- 1.4 "Land" means the land within the Scheme as described in the Schedule.
- 1.5 "Mortgagee" means the person or persons registered (if any) or entitled from time to time to be registered (if any) by the Registrar of Titles as mortgagee of the Land or any part of it
- 1.6 "Development Permit" means the planning permit identified in the Schedule as amended from time to time authorising the use (if applicable) and development of the Land
- 1.7 "Scheme" means the Frankston Planning Scheme or any other planning scheme which applies to the Land from time to time.
- 1.8 "Subdivision Permit" means the planning permit identified in the Schedule as amended from time to time authorising the subdivision of the Land

**2 COMMENCEMENT**

This Agreement comes into force on the date it was made as set out above

**3 TERMINATION OF AGREEMENT****3.1 Termination**

This Agreement ends when the Owner has complied with its obligations under this Agreement or earlier by mutual agreement between the parties

**3.2 Cancellation of Agreement**

As soon as reasonably practicable after this Agreement has ended, the Council must, at the request and at the cost of the Owner, apply to the Registrar of Titles under section 183(2) of the Act to cancel the recording of this Agreement on the Register.

**4 OWNER'S COVENANTS****4.1 Development of the Land**

Should the Land be subdivided in reliance upon the Subdivision Permit, the Owner covenants and agrees that the Land must only be developed in accordance with the Development Permit, to the satisfaction of the Council

**4.2 Successors in title**

Until this Agreement is recorded on the folio of the Register which relates to the Land pursuant to section 181 of the Act, the Owner must ensure that the Owner's successors in title give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement including requiring the successors in title to execute a deed agreeing to be bound by the terms of this Agreement. Until that deed is executed, the Owner, being a party to this Agreement, remains liable to perform all of the Owner's obligations contained in this Agreement.

**4.3 Further assurance**

The Owner must do all things necessary (including signing any further agreement, acknowledgment or document) to enable the Council to record this Agreement on the folio of the Register which relates to the Land.



#### 4.4 Payment of Council's costs

The Owner agrees to pay on demand to the Council the Council's costs and expenses (including any legal fees incurred on a solicitor-client basis) of and incidental to the preparation, execution, recording and enforcement of this Agreement.

#### 4.5 Mortgagee to be bound

The Owner covenants to obtain the consent of any Mortgagee to be bound by the covenants in this Agreement if the Mortgagee becomes mortgagee in possession of the Land.

#### 4.6 Indemnity

The Owner covenants to indemnify and keep the Council, its officers, employees, agents, workmen and contractors indemnified from and against all costs, expenses, losses or damages which they or any of them may sustain incur or suffer or be or become liable for or in respect of any suit action proceeding judgement or claim brought by any person arising from any non-compliance with this Agreement.

#### 4.7 Non-compliance

If the Owner has not complied with this Agreement within 14 days after the date of service on the Owner by the Council of a notice which specifies the Owner's failure to comply with any provision of this Agreement, the Owner covenants:

- 4.7.1 to allow the Council its officers, employees, contractors or agents to enter the Land and rectify the non-compliance,
- 4.7.2 to pay to the Council on demand, the Council's reasonable costs and expenses ("Costs") incurred as a result of the Owner's non-compliance,
- 4.7.3 to pay interest at the rate of 2% above the rate prescribed under section 2 of the *Penalty Interest Rates Act 1983* on all moneys which are due and payable but remain owing under this Agreement until they are paid in full,

and the Owner agrees

- 4.7.4 to accept a certificate signed by the Chief Executive Officer of the Council (or any nominee of the Chief Executive Officer) as prima facie proof of the Costs incurred by the Council in rectifying the Owner's non-compliance with this Agreement,
- 4.7.5 that any payments made for the purposes of this Agreement shall be appropriated first in payment of any interest and any unpaid Costs of the Council and then applied in repayment of the principal sum;
- 4.7.6 that all Costs or other monies which are due and payable under this Agreement but which remain owing shall be a charge on the Land until they are paid in full; and
- 4.7.7 if the Owner executes a mortgage as required by clause 4.10.4, any breach of this Agreement is deemed to be a default under that mortgage



**4.8 Council access**

The Owner covenants to allow the Council and its officers, employees, contractors or agents or any of them, to enter the Land (at any reasonable time) to assess compliance with this Agreement.

**4.9 Covenants run with the Land**

The Owner's obligations in this Agreement are intended to take effect as covenants which shall be annexed to and run at law and in equity with the Land and every part of it, and bind the Owner and its successors, assignees and transferees, the registered proprietor or proprietors for the time being of the Land and every part of the Land

**4.10 Owner's warranty**

The Owner warrants and covenants that:

- 4 10 1 the Owner is the registered proprietor (or is entitled to become the registered proprietor) of the Land and is also the beneficial owner of the Land,
- 4 10 2 there are no mortgages, liens, charges or other encumbrances or leases or any rights inherent in any person other than the Owner affecting the Land which have not been disclosed by the usual searches of the folio of the Register for the Land or notified to the Council;
- 4.10.3 no part of the Land is subject to any rights obtained by adverse possession or subject to any easements or rights described or referred to in section 42 of the *Transfer of Land Act 1958*, and
- 4 10 4 until this Agreement is recorded on the folio of the Register which relates to the Land, the Owner will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of the Land or any part of the Land without first disclosing to any intended purchaser, transferee, assignee or mortgagee the existence and nature of this Agreement.

**5 GENERAL****5.1 No fettering of Council's powers**

This Agreement does not fetter or restrict the Council's power or discretion in respect of any of the Council's decision making powers including but not limited to an ability to make decisions under the *Local Government Act 1989*, and the Act or to make or impose requirements or conditions in connection with any use or development of the Land or the granting of any planning permit, the approval or certification of any plans of subdivision or consolidation relating to the Land or the issue of a Statement of Compliance in connection with any such plans

**5.2 Time of the essence**

Time is of the essence as regards all dates, periods of time and times specified in this Agreement



**AL323131R**

5

**5.3 Governing law and jurisdiction**

This Agreement is governed by and is to be construed in accordance with the laws of Victoria. Each party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts and tribunals of Victoria and waives any right to object to proceedings being brought in those courts or tribunals.

**5.4 Enforcement and severability**

5.4.1 This Agreement shall operate as a contract between the parties and be enforceable as such in a Court of competent jurisdiction regardless of whether, for any reason, this Agreement were held to be unenforceable as an agreement pursuant to Division 2 of Part 9 of the Act.

5.4.2 If a Court, arbitrator, tribunal or other competent authority determines that a word, phrase, sentence, paragraph or clause of this Agreement is unenforceable, illegal or void, then it shall be severed and the other provisions of this Agreement shall remain operative.

**6 NOTICES****6.1 Service of notice**

A notice or other communication required or permitted, under this Agreement, to be served on a person must be in writing and may be served:

6.1.1 personally on the person,

6.1.2 by leaving it at the person's address set out in this Agreement,

6.1.3 by posting it by prepaid post addressed to that person at the person's current address for service; or

6.1.4 by facsimile to the person's current number notified to the other party.

**6.2 Time of service**

A notice or other communication is deemed served

6.2.1 if served personally or left at the person's address, upon service,

6.2.2 if posted within Australia to an Australian address, two Business Days after posting;

6.2.3 if served by facsimile, subject to the next clause, at the time indicated on the transmission report produced by the sender's facsimile machine indicating that the facsimile was sent in its entirety to the addressee's facsimile; and

6.2.4 if received after 5 00pm in the place of receipt or on a day which is not a Business Day, at 9.00am on the next Business Day.

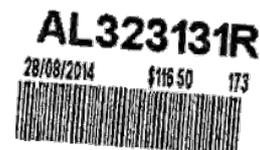
**7 INTERPRETATION**

In this Agreement, unless the contrary intention appears:

7.1 the singular includes the plural and vice versa;

## 6

- 7.2 a reference to a document or instrument, including this Agreement, includes a reference to that document or instrument as novated, altered or replaced from time to time;
- 7.3 a reference to an individual or person includes a partnership, body corporate, government authority or agency and vice versa,
- 7.4 a reference to a party includes that party's executors, administrators, successors, substitutes and permitted assigns;
- 7.5 words importing one gender include other genders,
- 7.6 other grammatical forms of defined words or expressions have corresponding meanings,
- 7.7 a covenant, undertaking, representation, warranty, indemnity or agreement made or given by
- 7.7.1 two or more parties, or
- 7.7.2 a party comprised of two or more persons,
- is made or given and binds those parties or persons jointly and severally;
- 7.8 a reference to a statute, code or other law includes regulations and other instruments made under it and includes consolidations, amendments, re-enactments or replacements of any of them;
- 7.9 a recital, schedule, annexure or description of the parties forms part of this Agreement;
- 7.10 if an act must be done on a specified day that is not a Business Day, the act must be done instead on the next Business Day;
- 7.11 if an act required to be done under this Agreement on a specified day is done after 5.00pm on that day in the time zone in which the act is performed, it is taken to be done on the following day,
- 7.12 a party that is a trustee is bound both personally and in its capacity as trustee,
- 7.13 a reference to an authority, institution, association or body ("original entity") that has ceased to exist or been reconstituted, renamed or replaced or whose powers or functions have been transferred to another entity, is a reference to the entity that most closely serves the purposes or objects of the original entity,
- 7.14 headings and the provision of a table of contents are for convenience only and do not affect the interpretation of this Agreement



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7

**8 THE SCHEDULE**

<b>8.1</b>	<b>DATE OF THIS AGREEMENT</b>	<b>2014</b>
<b>8.2</b>	<b>THE OWNER</b>	Beno Francis Max Siebenmann and Krystal Irene Siebenmann both of 54 Norman Avenue Frankston South Victoria 3199
<b>8.3</b>	<b>THE LAND</b>	Lot 398 on Plan of Subdivision 042226 being the whole of the land in certificate of title volume 10257 folio 495
<b>8.4</b>	<b>ADDRESS OF THE LAND</b>	54 Norman Avenue Frankston South Victoria 3199
<b>8.5</b>	<b>DEVELOPMENT PERMIT</b>	144/2012/P issued by Council on 28 September 2012
<b>8.6</b>	<b>SUBDIVISION PERMIT</b>	148/2014/P issued by Council on 27 March 2014
<b>8.7</b>	<b>CONDITION OF THE SUBDIVISION PERMIT WHICH REQUIRES THIS SECTION 173 AGREEMENT</b>	02
<b>8.8</b>	<b>THE MORTGAGE</b>	AE884415E Australian Executor Trustees Ltd.

**AL323131R**  
 28/09/2014 \$116.50 173  


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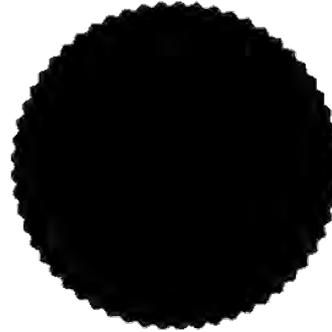
8

**EXECUTED** as an agreement under Division 2 of Part 9 of the Act

**THE COMMON SEAL of FRANKSTON CITY** )  
**COUNCIL** was affixed in the presence of )

Councillor

Chief Executive Officer



**SIGNED SEALED AND DELIVERED** )  
by Beno Francis Max Siebenmann in the )  
presence of )

Witness

*J. Raeburn.*

*B. Siebenmann*

**SIGNED SEALED AND DELIVERED** )  
by Krystal Irene Siebenmann in the presence )  
of: )

Witness

*J. Raeburn.*

*K. Siebenmann*

**AL323131R**



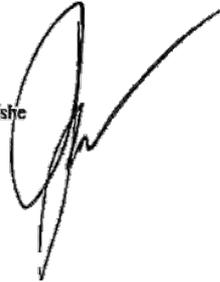
Delivered by LANDATA® Land Victoria timestamp 13/09/2016 11 12 Page 11 of 11

### Consent of Mortgagee

Australian Executor Trustees Ltd under Mortgage AE884415E which encumbers the land consents to the Owner entering into this Agreement and agrees to be bound by the terms and conditions of this Agreement if the Mortgagee becomes Mortgagee in possession of the Land

Executed for and on behalf of Australian Executor Trustees Limited A.C.N. 007 869 794 by its duly authorised attorney

**Peter Daniel Moore**  
Who confirms that he/she is a partner of the firm of Gadens Lawyers 24/600 Bourke Street Melbourne Victoria and that he/she has no notice of The revocation of his/her power. Pursuant to Power of Attorney Dated 6 June 2007



**AL323131R**

28/08/2014 \$115.50 173



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Signed by Council Frankston City Council, Council Ref 52/2014/S, Original Certification 28/10/2014, S.O.C. 26/08/2015

<b>PLAN OF SUBDIVISION</b>		LV USE ONLY <b>EDITION 1</b>	PLAN NUMBER <b>PS 728179V</b>
<b>LOCATION OF LAND</b> Parish <b>FRANKSTON</b> Township. - Section <b>4</b> Crown Allotment <b>11 (PART)</b> Crown Portion: - Title Reference: <b>VOL 10257 FOL 465</b> Last Plan Reference <b>LOT 398 ON LP 42226</b> Postal Address. <b>54 NORMAN AVENUE,</b> (at time of subdivision) <b>FRANKSTON SOUTH 3199</b> MGA94 Co-ordinates: <b>E 334 315 Zone 55</b> (of approx centre of land in plan) <b>N 5 773 975</b>		Council Name <b>CITY OF FRANKSTON</b>	
<b>VESTING OF ROADS AND/OR RESERVES</b>		<b>NOTATIONS</b>	
<b>IDENTIFIER</b>	<b>COUNCIL / BODY / PERSON</b>		
<b>NIL</b>	<b>NIL</b>		
<b>NOTATIONS</b>			
THIS IS A SPEAR PLAN Depth Limitation <b>DOES NOT APPLY</b> Staging. This is not a staged subdivision Planning Permit No <b>148/2014/P</b>  <b>OWNERS CORPORATION NOTATION</b> LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, ENTITLEMENT & LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION ADDITIONAL INFORMATION AND IF APPLICABLE, OWNERS CORPORATION RULES  Survey: This plan is based on survey This survey has been connected to permanent marks no(s) In proclaimed Survey Area No <b>75</b>			
<b>EASEMENT INFORMATION</b>			
LEGEND <b>A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)</b>			
SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO ALL LAND IN THIS PLAN			
<b>Easement Reference</b>	<b>Purpose</b>	<b>Width (Metres)</b>	<b>Origin</b>
<b>Nilsson, Noel &amp; Holmes (Surveyors) Pty. Ltd.</b> A.C.N 067 949 615 Surveyors, Engineers & Town Planners 8A Cadrington Street, Cranbourne 3977 Phone (03) 5996 4133 Fax (03) 5996 6119 Email mail@nnhsurveyors.net.au		LICENSED SURVEYOR <b>STANLEY G JEFFREYS</b> DIGITALLY SIGNED REF <b>4120</b> DWG No <b>4120S</b> VER <b>03</b> 21/10/2014	Sheet 1 of 2 sheets Original sheet size A3 PLAN REGISTERED TIME 11 20 AM DATE 31/08/16 G ANGELINI Assistant Registrar of Titles





## Department of Environment, Land, Water & Planning

### Owners Corporation Search Report

Land Parcel	Entitlement	Liability
Common Property 1	0 00	0 00
Lot 1	100 00	100 00
Lot 2	100.00	100 00
Total	200.00	200 00

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation

Statement End



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

Page 1 of 1

VOLUME 11815 FOLIO 644  
No Coft exists

Security no : 124062668150Y  
Produced 04/10/2016 09:12 pm

**LAND DESCRIPTION**

Common Property 1 on Plan of Subdivision 728179V.  
PARENT TITLE Volume 10257 Folio 495  
Created by instrument PS728179V 31/08/2016

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor

OWNERS CORPORATION 1 PLAN NO. PS728179V of 137 KARS STREET FRANKSTON VIC  
3199  
PS728179V 31/08/2016

**ENCUMBRANCES, CAVEATS AND NOTICES**

Any encumbrances affecting Common Property that are derived from an encumbrance shown on titles to lots affected by the Owners Corporation.

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987  
AL323131R 28/08/2014

**DIAGRAM LOCATION**

SEE PS728179V FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NUMBER	PLAN OF SUBDIVISION	STATUS	DATE
PS728179V (S)		Registered	31/08/2016

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

**OWNERS CORPORATIONS**

The land in this folio is affected by  
OWNERS CORPORATION 1 PLAN NO. PS728179V

DOCUMENT END



## Department of Environment, Land, Water & Planning

### Owners Corporation Search Report

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OWNERS CORPORATION 1  
PLAN NO PS728179V

The land in PS728179V is affected by 1 Owners Corporation(s)

#### Land Affected by Owners Corporation

Common Property 1, Lots 1, 2

#### Limitations on Owners Corporation

Unlimited

#### Postal Address for Service of Notices:

137 KARS STREET FRANKSTON VIC 3199  
OC031708D 31/08/2016

#### Owners Corporation Manager

NIL

#### Rules

Model Rules apply unless a matter is provided for in Owners Corporation Rules.  
See Section 139(3) Owners Corporation Act 2006

#### Owners Corporation Rules.

NIL

#### ADDITIONAL OWNERS CORPORATION INFORMATION.

OC031708D 31/08/2016

#### Notations

NIL

#### Entitlement and Liability

NOTE - Folio References are only provided in a Premium Report



## Department of Environment, Land, Water & Planning

### Owners Corporation Search Report

Land Parcel	Entitlement	Liability
Common Property 1	0.00	0 00
Lot 1	100.00	100.00
Lot 2	100.00	100 00
Total	200.00	200.00

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation

Statement End

Planning Permit 148/2014/P, signed on 27/03/2014, by Vanessa Leanne Herde (Frankston City Council). SPEAR Ref: S049173V



# PLANNING PERMIT

FORM 4 Section 63 & 86

<b>PERMIT NUMBER:</b>	148/2014/P
<b>RESPONSIBLE AUTHORITY:</b>	Frankston City Council
<b>PLANNING SCHEME:</b>	Frankston Planning Scheme
<b>ADDRESS OF THE LAND:</b>	54 Norman Avenue, Frankston South 3199
<b>THE PERMIT ALLOWS:</b>	Two (2) lot subdivision

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

**No alteration and Changes**

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

**Statement of Compliance**

- A Statement of Compliance will not be issued until EITHER:-
  - All buildings and works approved under Planning Permit No. 144/2012/P issued on 28 September 2012 have been completed to the satisfaction of the Responsible Authority,

OR

  - The owner of the site enters into an agreement under Section 173 of *the Planning and Environment Act 1987* with the Responsible Authority which addresses the following matters:-
    - The development of all land, as shown on the plan of subdivision, to be in accordance with Planning Permit No. 144/2012/P issued on 28 September 2012;

The applicant must cover all costs relating to the preparation and registration of the Agreement (including costs incurred by the Responsible Authority).

The Section 173 Agreement must be registered in accordance with the provisions of Section 181 of the Planning and Environment Act 1987.

**Drainage Requirements**

- Each lot shown on the endorsed plans must be drained to the satisfaction of the Responsible Authority.

**Utility Requirements**

<b>Date Issued:</b> <u>27 March 2014</u>	<b>Signature for the Responsible Authority</b> _____
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Planning Permit 148/2014/P, signed on 27/03/2014, by Vanessa Leanne Herde (Frankston City Council). SPEAR Ref: S049173V



# PLANNING PERMIT

PERMIT NUMBER: 148/2014/P

Conditions Continued –

4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
5. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
6. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
7. The owner of the land must enter into an agreement with:
  - a. A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b. A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

## Permit Expiry

8. This permit will expire if one of the following circumstances applies :-
  - (a) The subdivision is not certified within two years of the date of this permit.
  - (b) The subdivision is not registered within five years of the date of certification.

The Responsible Authority may extend the periods referred to in (a) if a request is made in writing before permit expiry or within six (6) months of the permit expiry date.

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.

## Notes

- A. Prior to the sale, transfer, assignment or other disposal of or leasing or parting with possession of any part of the land subject to this permit, a copy of the permit must be given to the purchaser, transferee, assignee, lessee, occupier or other person of that part of the land.
- B. Any request for an extension of time, or variation/amendment of this permit must be lodged with the relevant fee.

Date Issued: **27 March 2014**

Signature for the  
Responsible Authority \_\_\_\_\_

Planning Permit 148/2014/P, signed on 27/03/2014, by Vanessa Leanne Herde (Frankston City Council). SPEAR Ref: S049173V

## IMPORTANT INFORMATION ABOUT THIS PERMIT

### WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

### CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The Responsible Authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

### WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit, or
- if no date is specified, from:
  - (i) the date of the decision of the Victorian Civil & Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
  - (ii) the date on which it was issued, in any other case.

### WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if: -
  - the development or any stage of it does not start within the time specified in the permit, or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan or subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if -
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development, or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision -
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under the permit before the expiry.

### WHAT ABOUT APPEALS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil & Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil & Administrative Tribunal.
- An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil & Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- An application for review must also be served on the Responsible Authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil & Administrative Tribunal.

Application for review forms and guides are available at [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au), Ground Floor 55 King Street Melbourne or by contacting VCAT customer service on (03) 9628-9777.

**(LAST PAGE OF PERMIT)**

**Executive Summary****11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	1. Planned City for Future Growth
Strategy:	1.1 Work with other tiers of Government, industry and business to create more jobs and job skills in Frankston
Priority Action	1.1.1 Attract and promote more industry, small business and large employers into Frankston City to grow more jobs

**Purpose**

This report considers the merits of the planning application

- To use the land for sale and consumption of liquor (Restaurant and Cafe Licence)
- Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay
- Reduce the number of car parking spaces required under Clause 52.06-5
- Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Recommendation (Director Community Development)**

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

**Key Points / Issues**

- The proposal is to use land at 132 Nepean Highway, Seaford for sale and consumption of liquor (Restaurant and Cafe Licence); construct buildings and works; reduce the number of car parking spaces required; and waive loading/unloading and bicycle facility requirements.
- It is proposed to retain the existing building on site and construct an uncovered pergola to the rear. The building and rear pergola will be used for a restaurant, which liquor will be sold in association with the restaurant and café licence sought between 7:00 am to 12.00 midnight on all days.
- The restaurant will have a maximum capacity of 120 patrons between 4.00 pm and 12.00 midnight Monday to Friday and on weekends and 80 patrons at other times. A car parking reduction of up to 43 spaces is also sought.
- While the application is generally considered reasonable, the car parking reduction on weekdays until 4.00pm as well as weekends is not supported due to the impact on the availability of car parking within the immediate area. Council's traffic engineers have recommended that the number of patrons at these times should be limited to 50 (a reduction of 15 spaces), which forms part of the officer's recommendation.
- The proposed start time of 7.00 am is also not supported and a later start time of 11.00 am will be required, in line with other licensed premises in the area.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

**Executive Summary**

- The proposal is considered to be consistent with the planning controls and policy as it will encourage retail, entertainment and commercial uses in a commercial area. It is considered to be appropriately situated within Seaford Neighbourhood Activity Centre and will contribute to the vibrancy of the area.
- 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**

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

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

The permit application fee paid to Council is \$814. The average cost to process a planning application is \$1,729 which is a shortfall of \$915.

**Consultation**

1. External Referrals

The application was referred externally to CFA, who did not object to the proposal.

2. Internal Referrals

The application was referred internally to Council's Traffic Engineer and Community Strengthening Department, who support the proposal subject to conditions.

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, ten (10) objections and nine (9) letters of support 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 no impact on the environment.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### Executive Summary

It is considered that the proposed licensing of the restaurant will bring economic growth and employment opportunities in the area.

The proposed consumption of liquor at the premises will be in conjunction with serving of meals and therefore the impact on the amenity of the surrounding area will be limited.

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

##### Charter of Human Rights and Responsibilities

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

##### Legal

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

- Clause 34.01 (Commercial 1 Zone).
- Clause 44.06 (Bushfire Management Overlay).
- Clause 52.06 (Car Parking).
- Clause 52.07 (Loading and Unloading of Vehicles).
- Clause 52.27 (Licensed Premises).
- Clause 52.34 (Bicycle Facilities).

##### Policy Impacts

The relevant State and Local Planning Policies are:

- Clause 11 – Settlement
- Clause 13.05 – Bushfire
- Clause 15.01 – Urban Environment
- Clause 17 – Economic Development
- Clause 18 – Transport
- Clause 21.04 – Settlement
- Clause 21.05 – Environmental Risk
- Clause 21.08 – Economic Development
- Clause 21.10 – Built Environment and Heritage

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.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Executive Summary**

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: Site plan (including red line area) and elevations

Attachment B: Traffic Report

Attachment C: Additional Traffic Report

Attachment D: Cumulative Impact Assessment

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### Officers' Assessment

#### Summary

<b>Existing Use</b>	Vacant
<b>Site Area</b>	694sqm
<b>Proposal</b>	<ul style="list-style-type: none"> <li>- To use the land for sale and consumption of liquor (Restaurant and Cafe Licence)</li> <li>- Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay</li> <li>- Reduce the number of car parking spaces required under Clause 52.06-5</li> <li>- Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)</li> </ul>
<b>Site Cover</b>	64.4%
<b>Permeability</b>	Nil
<b>Zoning</b>	Commercial 1 Zone
<b>Overlays</b>	<ul style="list-style-type: none"> <li>• Design and Development Overlay (Schedule 6)</li> <li>• Bushfire Management Overlay</li> </ul>
<b>Neighbourhood Character Precinct</b>	N/A (Commercial Zone)
<b>Reason for Reporting to Council</b>	Application associated with Liquor

#### Background

##### **Subject Site**

The site is a vacant retail tenancy located on the eastern side of Nepean Highway in Seaford.

The site is regular in shape, with a frontage of 15.2 metres to Nepean Highway and depth of 45.7 metres. It has an overall area of 696 square metres and is not affected by any easements. The east (rear) boundary abuts a laneway from which it has vehicle access.

The subject site currently contains a brick building which occupies the majority of the site and a concreted area (with a partly constructed pergola) to the rear. The site does not contain any existing vegetation.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Officers' Assessment**

#### ***Locality***

The subject site forms part of the Seaford Neighbourhood Activity Centre, and is surrounded by commercial development. Other shops are located on adjoining lots to the north and south, while a carpark is located to the east. To the west of the site is the Seaford Foreshore Reserve.

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

Previous planning permit applications for the site include:

- Planning permit 207/2011/P was issued by VCAT 13 December 2012 for construction of nine (9) dwellings and a restricted recreation facility (gymnasium) in a three storey high building with a basement car park; use of the ground floor of the building for a gymnasium; and construction of a verandah located within a Road Zone Category 1. The permit was amended 8 May 2013 pursuant to section 91 of the Planning and Environment Act 1987, by amending Condition 1. An extension of time was issued for works to commence by 13 December 2016. The permit, however, has not been acted on.
- Planning Permit 345/2011/P was issued by Council 12 December 2011 for buildings and works to the existing building in association with the use of the land for the purposes of a restricted recreation facility (gymnasium) and a reduction in the provision of car parking. The permit was acted on, however that use has now ceased.

#### ***Proposal***

The proposal is to use the land to sell and consume liquor with a Restaurant and Café Licence for a new restaurant. The proposed hours for the serving of liquor are:

- Monday to Sunday, 7:00 am – midnight (excluding Anzac Day operation which will occur from midday – midnight).

The maximum capacity of the restaurant will be 80 patrons between 7am to 4pm and 120 from 4pm to midnight and all day on weekends. 88 seats are shown on the floorplan within the premises and 16 seats in the courtyard area to the rear. The verandah area immediately in front of the restaurant is also proposed to be included in the licenced area, however, no seats are shown on the plan.

The application also seeks retrospective approval for the construction of a 2.7m high pergola (uncovered) over the courtyard at the rear, which will be enclosed by a 2.6m high fence. 5 car spaces are also shown at the rear of the site, which would be accessed via the rear laneway.

The shopfront glazing and signage are also proposed to be renewed.

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

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

- Clause 11 – Settlement
- Clause 13.05 – Bushfire

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Officers' Assessment**

- Clause 15.01 – Urban Environment
- Clause 17 – Economic Development
- Clause 18 – Transport

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

- Clause 21.04 – Settlement
- Clause 21.05 – Environmental Risk
- Clause 21.08 – Economic Development
- Clause 21.10 – Built Environment and Heritage
- Clause 21.11 – Transport

#### **Planning Scheme Controls**

A Planning Permit is required pursuant to:

- Clause 34.01-4 (Commercial 1 Zone) of the Frankston Planning Scheme to construct a building and carry out works (for the rear pergola).
- Clause 44.06-1 (Bushfire Management Overlay) of the Frankston Planning Scheme to construct a building and carry out works associated with a retail premises (for the rear pergola).
- Clause 52.06-3 (Car Parking) of the Frankston Planning Scheme to reduce the number of car parking spaces required under Clause 52.06-5 associated with the use of land as a restaurant.
- Clause 52.07 (Loading and Unloading of Vehicles) of the Frankston Planning Scheme to waive loading and unloading requirements.
- Clause 52.27 (Licensed Premises) of the Frankston Planning Scheme to use land to sell or consume liquor as a new licence is required under the *Liquor Control Reform Act 1998*.
- Clause 52.34 (Bicycle Facilities) to waive bicycle facility requirements.

#### **Notification of Proposal**

The grounds of objection are summarised as follows:

- Traffic, parking, loading/unloading and bicycle facilities
- Noise from live music
- Liquor license and hours of operation

A Residents Discussion Meeting was held on Tuesday 2nd May 2017. The meeting was attended by a Councillor, the applicant, the owner, a number of objectors and supporters, and Planning Officers. The meeting provided an opportunity to discuss the key concerns of the objectors and provide clarification of the proposal.

No resolution between parties was achieved.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Officers' Assessment**

#### ***External Referrals***

- **CFA**

CFA did not raise any concerns with the proposal and did not require any conditions.

#### ***Internal Referrals***

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

- **Social and Community Planning**

There are no significant concerns with this application and it appears to have the potential to contribute to the vibrancy of Seaford Village as one of the local area's main activity centres. To ensure access to the Seaford Village is maintained, any detrimental impacts on car parking must be considered, including the adequate provision of disabled parking. Consideration should also be given to the premises being fully accessible in meeting the Disability (Access to Premises – Buildings) Standards 2013 as relevant.

- **Traffic Engineer**

The applicant is seeking a reduction of a minimum of 27 spaces. That equates to 85% of the statutory required amount of parking spaces. The traffic survey completed by TTM traffic consultant only covers one Friday. A similar survey shall be completed for the weekend also.

Based on the survey results in the TTM report, it is clear that there is no capacity within the precinct to absorb the short fall of 27 spaces for the trading period between 7am – 4pm, with the closest car park (South Car Park) fully occupied and only 7 car spaces available in the precinct at the busiest lunch time trading hour at 12pm. More parking spaces become available from 3pm onwards.

It is noted there are more parking vacancies within the precinct from 4pm onward that could absorb the short fall of 48 spaces. However parking occupancy is likely to increase during summer months with longer daylight hours and activities at the foreshore.

Council acknowledges this location is relatively well serviced by public transport and there will be multi-purpose trips.

In respect to this application, the number of car parking spaces it seeks a reduction for is excessive and Traffic is not supportive of the proposal. Notwithstanding, a maximum of 75% reduction would be an acceptable threshold. i.e. 50 patrons, 20 car spaces, with 5 spaces onsite. This equates to a reduction in 15 spaces.

A bicycle facilities waiver is acceptable given there is an existing bicycle hoop directly outside of its shop frontage.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Officers' Assessment**

#### **Discussion**

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

It is considered that the proposal meets the objectives of the relevant State and Local Planning Policies as the proposed licensed restaurant is located within an existing retail/commercial area where food and drink premises are allowed as of right. The proposal will not reduce the public amenity of the area nor will it result in an environment that would cause safety concerns or hazards to the local community. The proposal will add to the vibrancy of the area as it will assist to provide a destination which will bring customers.

##### ***Car Parking and Bicycle Facilities***

The proposal is for the proposed restaurant to accommodate 80 patrons between 7am to 4pm Monday to Friday and 120 from 4pm to midnight and on weekends. Under Clause 52.06 (Car Parking), 32 spaces are required for 80 patrons in a restaurant and 48 spaces for 120 patrons. As 5 spaces are provided onsite, a reduction of 27 and 43 spaces is required for the specified times (respectively).

In the context of the subject site, the standard rates of car parking provision are likely to overestimate the parking demand for the proposal, given the good accessibility of the site by alternative modes of transport (due to the proximity to Seaford Railway Station and bus routes). Multi-purpose trips are also likely, as the site is located within the Neighbourhood Activity Centre and also close to the beach.

There are 174 public car parking spaces available on-street and in various car parks nearby, such as along Nepean Highway, Station Street, immediately east of the site and at the Seaford Community Centre. These can accommodate some of the overflow car parking for customers of the restaurant, particularly in the late afternoon and evening.

A reduction in car parking requirements is therefore considered acceptable, although not to the extent sought in this application.

The site was previously used as a restricted recreation facility (gym) which was limited to 22 patrons by a permit condition. The 10 spaces previously provided onsite was regarded as appropriate, though it is noted this would equate to an oversupply of 4 spaces if considered today (using the Place of Assembly rate). In Planning Permit 207/2011/P (which was not acted on), VCAT considered that a reduction in car parking for the gym to just one space was appropriate.

The Traffic Assessment provided includes an assessment of just one weekday (Friday 7 October 2016) and therefore is not regarded as a thorough assessment of the car parking availability in the area. In particular, it does not include a weekend survey. It does, however, indicate there is strong demand for parking on weekdays until 3pm, after which it tapers off. This is consistent with the findings of a Traffic Assessment conducted for the recent Seaford RSL application (490/2011/P/A), which was approved by Council on 30 January 2017.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

**Officers' Assessment**

The parking survey suggests there will be sufficient available public car parking in the immediate area around the site for patrons in the late afternoon and evening. This will accommodate the 120 patrons sought during these hours. It also reflects the nature of many businesses in the area, which are retail and closed in the evening. The extent of the reduction sought in the morning and on weekends, however, is not regarded as appropriate.

Parking demand peaks during the morning and in the afternoon until around 2.30pm. There is a low vacancy rate of between 7 - 24 spaces from 11.30am to 2.30pm, as described in the applicant's Traffic Report. The Traffic Report for the RSL did include a weekend survey and an even lower vacancy rate was found to occur during the early afternoon.

The reduction of 27 car spaces which is sought during these hours is significantly greater than those issued for other premises nearby, such as the restaurant at 20 Station Street, which had a reduction of 10 spaces under Planning Permit 22/2014/P. The Seaford RSL (17 Station Street) was also allowed a reduction of only 11 spaces recently by Council on 30 January 2017, under an amendment to Planning Permit 490/2011/P.

The application has been referred to the Council Traffic Engineer who objected to the reduction sought in the mornings and weekends, due to the low parking availability at these times.

The submitted survey information demonstrates car parking vacancies within the surrounding area are limited until late afternoon. To ensure that one particular site does not derive the full benefit of the on-street parking, is it considered reasonable to reduce the number of patrons, which will reduce the intensity of parking demand generated by the proposed restaurant. A reduction of patron numbers to 50 patrons will limit the parking reduction to 15 car spaces instead of the 27 spaces sought during these hours. The reduction will provide for retaining some of the existing vacancy for other uses or any future uses seeking to establish in the area. This requirement is considered to provide for reasonable sharing of public parking and limitation of amenity impacts associated with the reduction of the car parking requirement.

The proposed restaurant, which has a floor area of 270sqm as well as a rear courtyard, requires the provision of 6 bicycle parking spaces (3 for customers and 3 for staff) under Clause 52.34 of the Frankston Planning Scheme. None is provided on-site and a waiver is sought. It is considered acceptable to waive this requirement for customers as there is an existing bicycle hoop along the frontage of the site provided to the shopping centre.

It is considered, however, that facilities should be provided for staff and will be required as a condition of permit.

***Loading and unloading***

No loading/unloading facilities are provided onsite. There is a loading zone located in the laneway at the rear of the site, approximately 20m north. It is considered this will meet the purpose of Clause 52.07 (Loading and unloading) as the loading zone is within reasonable distance of the site and would avoid any adverse effects on traffic flow in the carpark at the rear of the site.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Officers' Assessment**

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

The proposal meets the purposes of Clause 52.27 (Licensed Premises), subject to a reduced number of patrons as discussed earlier. The site is considered appropriately located as it is within the existing commercial area. The amenity impacts are reasonably limited as liquor is to be sold only with food.

#### Type of Licence

The Restaurant and Café Licence is appropriate for businesses whose predominant activity at all times is the preparation and serving of meals for consumption on the premises. As the predominant service undertaken on the subject site is the serving of meals, it is considered that the proposed type of liquor licence is appropriate in this instance.

#### Amenity

The proposed hours are generally consistent with other licenced premises in the area, e.g. Seaford RSL (24 hours), restaurant at 20 Station Street (11 am – 11.30 pm) and a café at 16 Station Street (9 am – 10.30 pm), although the start time of 7 am is earlier than most permits issued for restaurants by Council. It is considered a condition of permit to require a later start time of 11 am is appropriate.

The proposal is also regarded as consistent with the use of the land as a restaurant. Council's Social and Community Planning Department has not objected to the proposal and advised the proposal would have a positive impact on the Seaford Activity Centre, subject to the appropriate consideration of parking impacts.

It is noted the hours sought are inconsistent with the normal trading hours on ANZAC Day and Good Friday. The subject premises will therefore be required to operate for the same hours other restaurants in the area on these days.

#### Cumulative Impact

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

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

Given the applicant is proposing to serve liquor until 12.00 midnight and there are a number of licensed premises located close to the subject site, a Cumulative Impact Assessment of the proposal is required.

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

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)****Officers' Assessment**

A planning permit is not required to use land for a restaurant in a Commercial 1 Zone and accordingly the proposed restaurant and café licence is consistent with the planning outcomes sought for this area.

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

The site is approximately 30 metres north of residential properties fronting Nepean Highway and accordingly the proposal will increase the number of patrons, particularly in the evening. This is regarded as reasonable, however, as the subject site is part of the Seaford Activity Centre and the 120 patrons sought during these hours is not an excessive amount for a restaurant.

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

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

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

Given the good availability of public transport as well as parking in the area, it is unlikely patron dispersal will be an issue.

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

The closing times of other licensed premises (including café/restaurants and bottle shops) are at 11pm or earlier and it is therefore unlikely patrons will remain in the area to consume liquor elsewhere. The Seaford RSL is the only premises operating after the subject site. Given the proposal is for a restaurant and accordingly liquor will be served with food, it is unlikely there will be any new impacts due to the proposed closing time.

Given the nature of the proposal and the unlikelihood of negative cumulative impacts, no mitigation measures are considered necessary, beyond those which will be required for the licence itself as part of the licencing process.

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

#### 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.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Officers' Assessment**

#### ***Bushfire Management Overlay***

The Seaford Foreshore and Kananook Creek Reserve have vegetation which will be 53 and 86 metres away (respectively) from the proposed rear pergola. The Bushfire Management Statement provided classifies the Foreshore vegetation as scrub, which requires a minimum defendable space of 27 metres for a BAL12.5 construction standard. The Creek vegetation is classified as woodland, which requires a minimum space of 33m for a BAL12.5m. Given these spaces include the carpark to the east and the rest of the existing building on the site, as well as the Nepean Highway further west, there is reasonable assurance these areas will remain defendable space.

The subject site has access to a fire hydrant and must include a 500 litre static water supply. The site has existing vehicle access and accordingly access objectives are met.

The Bushfire Management Statement and CFA both recommend no bushfire protection measures be required as a permit condition. Under the Bushfire Management Overlay, however, it is mandatory that all permits for buildings and works under the overlay include a condition requiring the implementation of measures. A condition of permit will therefore require a Bushfire Management Plan be provided, including a minimum BAL12.5 construction standard and 5000 litre static water supply, in accordance with the mandatory requirements of Clause 52.47.

#### ***Buildings and Works***

The proposal includes buildings and works for a pergola, with 5 parking spaces provided at the rear. Provision has been made for bin storage. As noted earlier, the proposal will require modification to accommodate a loading bay. A fence is shown to the rear, with no details for its height, material or colour. A condition of permit will require these to be shown and the fence to be finished in a subdued and non-reflective colour.

The buildings and works to the front of the building will include 80% clear glazing and accordingly it does not require a planning permit. A business identification sign is also shown on the elevation, which has not been included in the proposal. A condition of permit will require any sign displayed to conform to the commercial area regulations for signage (i.e. not more than 8 square metres in size). The elevation will also be required to be removed from the plans, given it does not include any buildings or works that are proposed or require a planning permit.

The proposed parking area will require modification to the existing kerb that divides the subject land and rear laneway. A condition of permit will require car parking and drainage plans to ensure the proposal does not result in excessive runoff into the rear laneway and carpark as well as ensure the parking is constructed and line marked.

#### **Response to objection concerns**

Most of the concerns raised have been discussed earlier, however, those which have not been addressed are as follows:

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Officers' Assessment**

- Noise from live music

The definition of a restaurant in Clause 74 (Land Use Terms) of the Frankston Planning Scheme includes "entertainment and dancing". As a planning permit is not required for the use of land for a restaurant in the Commercial 1 Zone, the playing of live music for entertainment or dancing in association with the restaurant is allowed under the Scheme.

### **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 restaurant.

### **Conclusion**

On balance and subject to the inclusion of permit conditions it is considered that the proposal satisfies the requirements of the State and Local Planning Policy Framework and the purpose of the Commercial 1 Zone (Clause 34.01), Bushfire Management Overlay (Clause 44.06) as well as Clauses 52.06 (Car Parking), 52.07 (Loading and Unloading of Vehicles), 52.27 (Licensed Premises) and 52.34 (Bicycle Facilities) of the Frankston Planning Scheme and warrants support.

Therefore, it is recommended that a Notice of Decision to Grant a Planning Permit be issued.

### **Recommendation (Director Community Development)**

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 537/2016/P

- To use the land for sale and consumption of liquor (Restaurant and Cafe Licence)
- Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay
- Reduce the number of car parking spaces required under Clause 52.06-5
- Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

at 132 Nepean Highway, Seaford subject to the following conditions:

### **Plans**

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application (or some other specified plan) but modified to show:
  - a. West elevation removed from the plans and all other elevations drawn to scale and with orientation labelling.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Officers' Assessment**

- b. Dimensions for the proposed pergola and fence.
- c. A printed material and colour schedule for the pergola and fence, which consist of muted and non-reflective colours.
- d. Outdoor seating in the proposed area on Nepean Highway.
- e. 5000 litre static water supply for fire fighting purposes.
- f. 3 staff bicycle spaces in accordance with Clause 52.34-4 (Design of bicycle spaces).
- g. Car Parking and Drainage plan in accordance with Condition 9.
- h. Bushfire Management Plan in accordance with Condition 12.

#### **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.

#### **Satisfactorily Completed**

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

#### **Liquor Licence Requirements**

4. Unless with the prior written consent of the Responsible Authority, the selling or consumption of alcohol must only take place at the premises during the following hours:
  - 11:00 am – 12:00 midnight Monday – Sunday
  - 12:00 noon – 12:00 midnight Good Friday & Anzac Day

#### **Amenity**

5. The licensee/permit holder 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/permit relates during or immediately after trading hours authorised by the licence/permit.
6. The amenity of the area must not be detrimentally affected by the development and/or use through the:-
  - a. Parking of vehicles and loading / unloading of vehicles;
  - b. Transport of materials, goods or commodities to or from the land;
  - c. Appearance of any building, works or materials;
  - d. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;\
  - e. Presence of vermin; or

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### **Officers' Assessment**

f. In any other way.

to the satisfaction of the Responsible Authority.

7. Under this permit signage displayed on the site must at all times satisfy the as-of-right Category 1 - Commercial areas provisions (Clause 52.05-7).

#### **Patron Numbers**

8. A maximum of 50 patrons will be permitted at any one time between 7:00 am and 4:00 pm on all days and 120 patrons at other times, unless with the prior written consent of the Responsible Authority.

#### **Drainage**

9. Prior to commencement of the use and development construction detailed design plans for the proposed car parking area and drainage computations of the internal stormwater drainage system, including the method of connection to the existing Council drainage infrastructure must be submitted to, approved by and be to the satisfaction of the Responsible Authority.

10. 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.

#### **Car Parking and Access**

11. Before the use allowed by this permit starts, areas set aside for parking vehicles, loading bays, access lanes and paths as shown on the endorsed plans must be :-
- Constructed to the satisfaction of the Responsible Authority.
  - Properly formed to such levels that they can be used in accordance with the plans.
  - Surfaced with an all-weather sealcoat.
  - Drained and maintained to the satisfaction of the Responsible Authority.
  - 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.

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

### **Officers' Assessment**

#### **Bushfire Management Overlay**

12. Before the use and/or development starts a Bushfire Management Plan must be submitted to and approved by the Responsible Authority, showing the proposed pergola to be constructed to a minimum bushfire attack level of BAL 12.5 and a static water supply for fire-fighting and property protection purposes in accordance with Clause 52.47-2.3 (Water supply and access objectives).
13. The bushfire mitigation measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

#### **Permit Expiry**

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

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

#### **Notes**

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

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

**11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)**

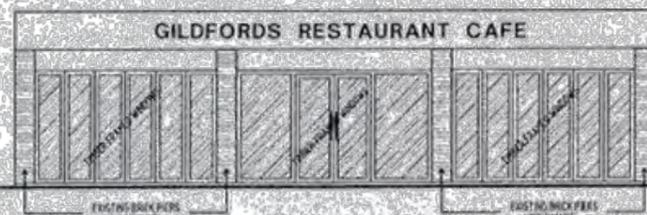
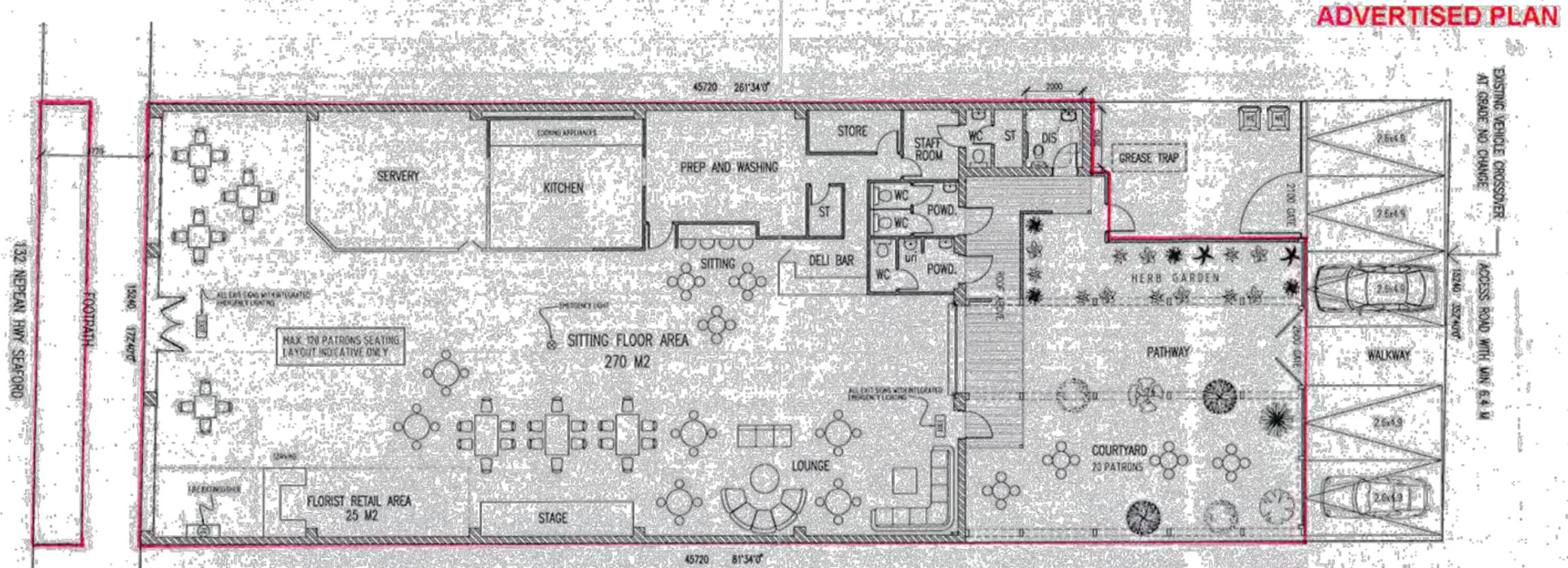
**Officers' Assessment**

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

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:

- c. Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started;
- d. 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.



**AREAS SCHEDULE**

SITTING FLOOR AREA	270 M2
KITCHEN & STAFF AREA	120 M2
FLORIST RETAIL AREA	25 M2
COURT YARD & STORAGE	170 M2
CARPARK AREA	75 M2
<b>TOTAL AREA</b>	<b>660 M2</b>

PROPOSED RESTAURANT CAFE FOR MR & MRS OZBEK		date: 08 FEBRUARY 2017	sheet: 1
		scale: 1:100	DWG No:
		drawn: C & G OZBEK	11/2016

**ADVERTISED PLAN**



**NORTH ELEVATION**



**SOUTH ELEVATION**

PROPOSED RESTAURANT CAFE FOR MR. & MRS. OZBEK		date: 08 FEBRUARY 2017	sheet: 2
		scales: 1:100	DWG No: 11/2016
		drawn: C & G OZBEK	

**AMENDED PLANS**

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment B: Traffic Report**



**PROPOSED CHANGE OF USE TO A RESTAURANT  
132 NEPEAN HIGHWAY, SEAFORD  
PARKING ASSESSMENT REPORT**

**Prepared By**  
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**Prepared For**  
**Guildfords Restaurant Cafe**  
**132 Nepean Highway,**  
**Seaford Vic 3198**

**11<sup>th</sup> October 2016**



**1. INTRODUCTION AND SCOPE**

TTM Consulting (Vic) Pty. Ltd. has been requested by the Applicant to prepare a parking assessment report for a proposed change of use to a restaurant at 132 Nepean Highway, Seaford.

This report describes the expected traffic impacts of the proposal, including the likely effects on car parking availability and use, and concludes that there are no traffic or parking grounds which should warrant refusal of the sought planning application.

**2. EXISTING CONDITIONS**

**2.1 The Subject Site**

The site has a total area of 696 square metres with approximately 15.24 metres of frontage to Nepean Highway and a Right of Way at the rear of the site.

The following figure shows the location of the subject site and the surrounding street network.



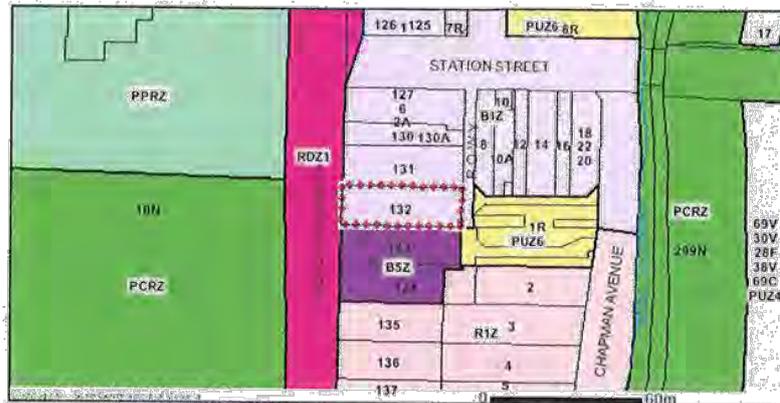
**SITE LOCALITY PLAN**

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment B: Traffic Report**



The site is located within the Commercial 1 Zone (B1Z) in the Frankston Planning Scheme.



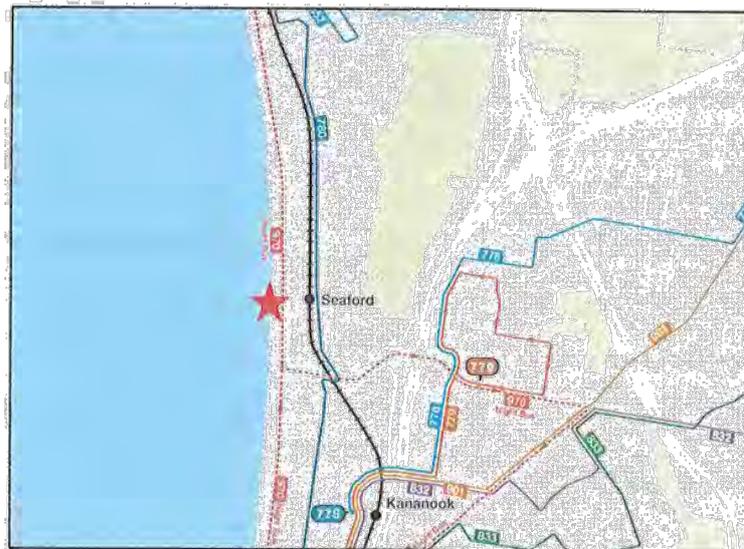
**ZONING MAP FOR SUBJECT SITE AND SURROUNDS**

The subject site is located within a vibrant Activity Centre and a florist currently operates on the subject site. The site has 5 on-site parking spaces at the rear of the site.

**2.2 Existing Public Transport Facilities Proximate to the Site**

The site is well serviced by Public Transport with the following facilities proximate to the site :-

- Seaford Train Station is near the site and provide connections to the Melbourne CBD and the southern suburbs.
- Bus Route 780.





**2.3 Availability of Car Parking in the Locality**

TTM Consulting (Vic) Pty. Ltd. undertook surveys of parking utilisation within close proximity of the site to determine the existing demand for parking in the area. The following map shows the areas which were included in our surveys.



**PARKING AREAS SURVEYED**

**Attachment B: Traffic Report**



The table attached in Appendix A summarises the existing parking inventory, controls, utilisation and availability at the time of our surveys. Loading zones and full-time permit zones were excluded from each of the surveys.

The following graph summarises the demand and availability throughout the survey period.

**Parking Demand - Friday 7th October**



The parking demand surveys confirm that at lunchtime there is a high demand for parking, however the demand falls to about 50% occupancy in the evening when a large number of the businesses in the area have closed for the day.



### 3. THE PROPOSAL

The Applicant has applied for a change of use to a restaurant use with 120 seats contained within a floor area of 555 square metres and a reduction of on-site parking. The proposal includes the retention of a small amount of retail floor space for the purpose of a florist. However, the floor area retained for this is quite small and I would consider it an ancillary to the primary restaurant use on the site.

The hours of operation will be 7:00am to 11:00pm, 7 days a week.

A copy of the development plan is attached in Appendix B.

### 4. PARKING DEMANDS, REQUIREMENTS AND LIKELY IMPACT

#### 4.1 Planning Scheme Parking Requirement

The parking requirement for the proposal is based upon Table 1 to Clause 52.06 of the Planning Scheme. The following table provides a summary of the Planning Scheme parking requirements for the proposed development.

Planning Scheme Use	Parking Scheme Parking Requirement Rate	Inventory	Parking Requirement
Restaurant	0.4 spaces per patron	120no.	48
<b>Total Parking Spaces Required</b>			<b>48 no.</b>

The Planning Scheme parking requirement for the proposal is 48 spaces for which the proposal seeks a reduction of 43 parking spaces against the requirements of the Planning Scheme.

Clause 52.06-6 sets out the requirement for a responsible authority to allow a reduction in the parking provisions. The cornerstone of allowing a reduction is a car parking demand assessment.

*An assessment of the car parking demand likely to be generated by the use with regard to the following factors, as appropriate :-*

- *Multi-purpose trips within an area.*
- *The variation of car parking demand over time.*
- *The short-stay and long-stay car parking demand.*
- *The availability of public transport in the locality.*
- *The convenience of pedestrian and cyclist access to the site.*
- *The provision of bicycle parking and end of trip facilities for cyclists.*
- *The anticipated car ownership rates of likely or proposed occupants (residents or employees).*



*An assessment of the appropriateness of allowing fewer spaces to be provided than the number likely to be generated by the use, with regard to the following, as appropriate :-*

- *Any relevant local planning policy or incorporated plan.*
- *The availability of car parking including :-*
  - *Efficiencies gained from the consolidation of shared car parking spaces.*
  - *Public car parks intended to serve the land.*
  - *On street parking in nonresidential zones and streets in residential zones specifically managed for non-residential parking.*
  - *On street parking in residential zones for residential use.*
- *Any adverse economic impact a shortfall of parking may have on the economic viability of an activity centre.*
- *The future growth and development of an activity centre.*
- *Any car parking deficiency associated with the existing use of the land.*
- *Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge scheme or cash-in-lieu payment.*
- *Local traffic management.*
- *The impact of fewer car parking spaces on local amenity including pedestrian amenity and the amenity of nearby residential areas.*
- *The need to create safe, functional and attractive parking areas.*
- *Access to or provision of alternative transport modes.*
- *The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.*
- *The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.*
- *Any other relevant considerations.*

#### **4.2 Parking Requirement for Existing Use**

The current permitted use on the site is a 'Shop', which has a parking requirement of 4 spaces per 100 square metres. With a floor area of 595 square metres and 5 on-site parking spaces, the existing use has a parking reduction of 18 parking spaces. This proposal is seeking an increase in the parking reduction of 25 spaces to 43 spaces.



#### 4.3 Likely Parking Demand

Based upon the parking requirements of the Planning Scheme, the proposed use will generate parking at a rate of 0.4 spaces per person in attendance. For evening trade a parking demand of 0.4 spaces per person in attendance is likely to be reflective of the actual demand rate. Thus evening parking demand beyond the site will be up to 43 spaces. The parking demand surveys confirm that there is adequate public parking on Friday evening to accommodate this demand.

At lunchtime the proposed use will generate a significant amount of patronage from those that work in the area or undertaken other business in the precinct, thus parking demand is likely to be less than 0.1 spaces per patron in attendance. On this basis, 120 seats will generate demand for 12 parking spaces and a spillover onto the surrounding street network of up to 7 spaces, for which there is adequate provision proximate to the site.

#### 4.4 Justification for a Waiver of On-Site Parking

Key considerations in the subject case include :-

- Provision for 5 on-site parking spaces is adequate to accommodate the long term parking demand generated by the proposal, with short-term parking accommodated within the public parking areas about the site.
- The area is well located within the public transport network.
- The car parking credit associated with the existing use of the land.

Considering the Clause 52.06 "decision guidelines", a waiver of the on-site parking requirement as set out by the Planning Scheme is justified on the basis of the following.

Planning Scheme Assessment	Response
<i>An assessment of the car parking demand likely to be generated by the use with regard to the following factors, as appropriate :-</i>	
• <i>The short-stay and long-stay car parking demand.</i>	Parking demand surveys indicate adequate available public parking to service demand generated by customers, with the staff parking demand accommodated on site.
• <i>The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.</i>	The restaurant will form part of the wider precinct and will attract custom from people that are already working, shopping or living in the area. These people will have either arrived to the area by another mode of transport or already parked elsewhere and walked to the site. This is particularly relevant during the lunchtime period.
• <i>The availability of public transport in the locality.</i>	The site is well located to numerous public transport facilities as detailed in Section 2.2.

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment B: Traffic Report**



<i>Planning Scheme Assessment</i>	<i>Response</i>
<ul style="list-style-type: none"> <li><i>The variation of car parking demand over time.</i></li> </ul>	<p>The restaurant parking demands are anticipated to peak at a different time of day to that of the surrounding retail uses. This temporal displacement will reduce the peak parking demand generated by the proposal, allowing for the increased utilisation of public parking opportunities.</p>
<p><i>An assessment of the appropriateness of allowing fewer spaces to be provided than the number likely to be generated by the use, with regard to the following, as appropriate :-</i></p>	
<ul style="list-style-type: none"> <li><i>Access to or provision of alternative transport modes.</i></li> </ul>	<p>The site is well located to numerous public transport facilities as detailed in Section 2.2.</p>

## 5. LOADING REQUIREMENTS

Clause 52.07 of the Planning Scheme outlines the Loading and Unloading requirements. Specifically Clause 52.07 states the following :-

### *Purpose*

*To set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.*

### *Requirements to be met*

*No building or works may be constructed for the manufacture, servicing, storage or sale of goods or materials unless :-*

- Space is provided on the land for loading and unloading vehicles.*
- The driveway to the loading bay is at least 3.6 metres wide. If a driveway changes direction or intersects another driveway, the internal radius at the change of direction or intersection must be at least 6 metres.*
- The road that provides access to the loading bay is at least 3.6 metres wide.*

*A permit may be granted to reduce or waive these requirements if either :-*

- The land area is insufficient.*
- Adequate provision is made for loading and unloading vehicles to the satisfaction of the responsible authority.*

The Applicant is seeking a waiver of an on-site loading area.

Loading for the existing use on the site currently occurs from the streets abutting the site or the on-site parking spaces at the rear of the site. The change of use to Restaurant is unlikely to alter the number of weekly deliveries to the site. Thus I consider the waiver of on-site loading to be appropriate.



## 6. BICYCLE PARKING REQUIREMENTS

Table 1 in Clause 52.34-3 of the Planning Scheme outlines the number of bicycle spaces that should be provided for the subject proposal, which is summarised as follows.

Proposed Use	Equivalent Planning Scheme	User	Parking Scheme Parking Requirement Rate	No.	Parking Requirement
Restaurant	Restaurant	Staff	1 to each 100 sqm of floor area available to the public.	555 sqm	6 no.
		Customer	2 plus 1 to each 200 sqm of floor area available to the public if the floor area available to the public exceeds 400 sqm.	555 sqm	5 no.
<b>Total Bicycle Parking Required</b>					<b>11 no.</b>

The Applicant has no provision for on-site bicycle parking and it is therefore recommended that some provision is made for bicycle parking.

The staff provision could be provided on-site in the bin storAGe area which is a secure area accessible to staff only.

Provision for customers should be by way of some bicycle racks located on the footpath verge.

## 7. ON-SITE PARKING SPACE

The provision of on-site parking for a commercial use triggers a Building Code requirement for a disabled parking space.

There is a proposed walkway between two of the parking spaces at the rear of the site that is 2.2 metres wide, when this width is combined with the existing parking space width, the width is 4.8 metres wide, which satisfies the dimension requirements in AS2890.6 for a disabled parking space.



## 8. SUMMARY AND CONCLUSIONS

The proposed change of use to a restaurant at 132 Nepean Highway, Seaford is appropriate in a parking context. The analysis of the development is summarised as follows :-

- The Applicant is seeking a reduction of on-site parking requirement as required by the Planning Scheme. The reduction is appropriate given :-
  - There are adequate parking spaces within close proximity of the site.
  - The area is well located within the public transport network.
  - The size of the site and the existing building restricts the possibility of providing additional on-site parking.
  - The current parking controls already protect the amenity of local residents with a mix of parking controls including Permit zone.
- The waiver of an on-site loading facility is appropriate.
- There is an opportunity to provide some on-site bicycle parking for staff use.
- There is adequate provision for a disabled parking space at the rear of the site.

There are no traffic or parking grounds which should warrant refusal of the sought Planning Permit.

**TTM Consulting (Vic) Pty. Ltd.**

A handwritten signature in black ink, appearing to read 'Damien Hancox', is written over a light blue horizontal line.

**Damien Hancox**

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment B: Traffic Report**

## **APPENDIX A**

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment B: Traffic Report**

Location	Controls	Inventory	Friday 7th October 2016											
			11:30 AM	12:00 PM	12:30 PM	1:00 PM	1:30 PM	2:00 PM	2:30 PM	3:00 PM	3:30 PM			
Nepean Hwy - South of Station St	P	4	4	4	4	4	4	4	4	4	4	3	3	3
	1P***	6	2	5	5	4	4	6	6	5	5	2	2	4
	15min P***	2	1	1	0	1	1	0	1	1	1	2	2	2
	1P***	1	1	1	1	1	1	1	1	1	1	1	1	1
Station St South	15min P***	3	2	3	3	1	2	2	3	3	3	3	3	
Station St North	1P***	9	9	8	8	9	9	7	7	7	7	7	7	
South Car Park	2P*	31	31	29	31	29	28	28	25	16	13	13	13	
Broughton Street	2P*	31	31	30	31	31	31	31	31	28	30	30	30	
North Car Park	PZ**	18	18	18	18	18	18	18	18	18	18	18	18	
Nepean Hwy - North of Station	3P*	16	16	16	16	16	13	13	16	12	11	11	11	
	15min P***	3	3	1	3	1	3	3	2	2	3	3	3	
	1P***	23	23	23	23	22	22	22	16	18	22	22	22	
West Car Park	4P***	35	29	29	27	30	27	27	28	18	17	17	17	
<b>Total</b>		<b>174</b>	<b>163</b>	<b>163</b>	<b>163</b>	<b>164</b>	<b>157</b>	<b>157</b>	<b>150</b>	<b>123</b>	<b>126</b>	<b>126</b>	<b>48</b>	
<b>Parking Spaces Available</b>		<b>11</b>	<b>7</b>	<b>11</b>	<b>11</b>	<b>10</b>	<b>17</b>	<b>17</b>	<b>24</b>	<b>51</b>	<b>51</b>	<b>51</b>	<b>48</b>	

\* 9am-6pm: Mon-Sat  
 \*\* 9am-3pm: Mon-Thurs  
 \*\*\* 8am-8pm

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

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Location	Controls	Inventory	Friday 7th October 2016											
			4:00 PM	4:30 PM	5:00 PM	5:30 PM	6:00 PM	6:30 PM	7:00 PM	7:30 PM	8:00 PM			
Nepean Hwy - South of Station St	P	4	3	2	2	3	3	3	1	1	1	1	1	
	1P***	6	2	1	2	2	3	2	3	3	3	3	3	
	15min P***	2	0	1	1	1	1	0	0	0	0	0	1	
Station St South	1P***	1	1	1	1	0	0	1	1	1	1	0	0	
Station St North	15min P***	3	3	3	3	3	3	3	3	3	2	2	2	
South Car Park	1P***	9	9	8	5	8	9	9	9	7	7	6	6	
Broughton Street	2P*	31	11	7	6	10	10	10	15	16	14	14	14	
North Car Park	2P*	31	29	22	29	22	29	29	30	24	21	21	21	
	PZ**	18	18	18	10	5	5	7	7	4	3	3	3	
	3P*	16	10	8	7	5	4	3	3	3	3	3	3	
Nepean Hwy - North of Station	15min P***	3	3	3	2	2	3	1	3	3	3	3	3	
West Car Park	1P***	23	23	23	15	21	19	20	20	22	23	23	23	
	4P***	35	13	8	9	10	4	2	2	1	1	1	1	
	Total	174	119	107	87	87	85	91	82	75	75	99	99	
Parking Spaces Available		55	67	75	87	87	89	83	92	92	99	99	99	

\* 9am-6pm:Mon-Sat.  
 \*\* 9am-5pm:Mon-Thurs  
 \*\*\* 8am-8pm

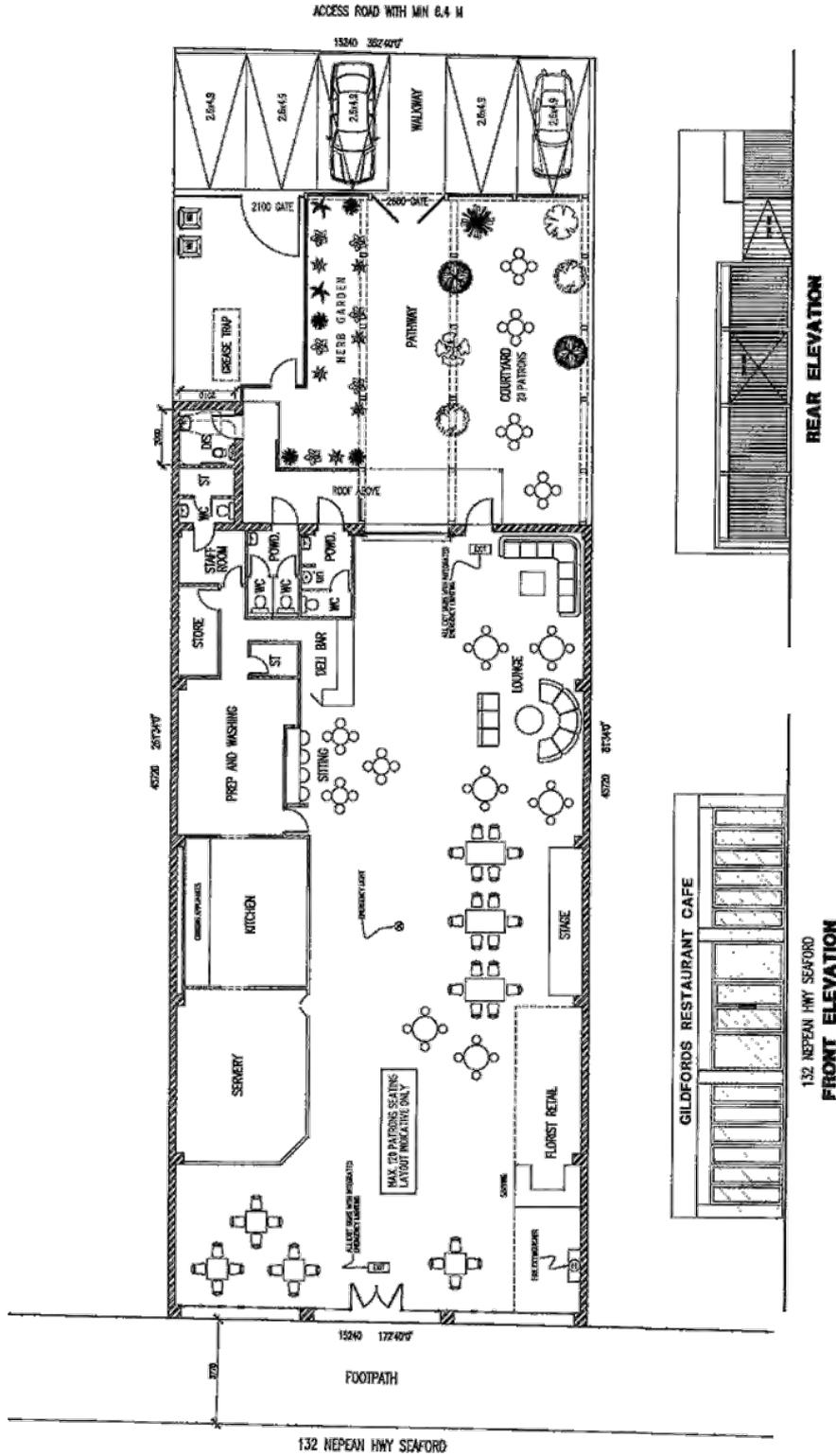
11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment B: Traffic Report**

## **APPENDIX B**

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

Attachment B: Traffic Report



	PROPOSED RESTAURANT CAFE	DATE: 05 OCTOBER 2016	SHEET: 1
	FOR MR. & MRS. OZBEK	SCALE: 1:500	DWG. NO: 11/2016
		DRAWN: C & E OZBEK	



*A1614597V Traffic Impact Assessment 1.1.doc*

20<sup>th</sup> October 2016

City of Frankston  
PO Box 490  
Frankston VIC 3199

Dear Sir / Madam,

**Proposed Additional Patrons during Weekday Daytime Hours – Seaford RSL Club, 17 Station Street, Seaford**

**1. Overview**

We have been commissioned by Seaford RSL Club c/o LGS Legal to undertake a traffic impact assessment at the above premises that addresses issues relating to projected car parking demand, potential overflow of car parking impacts onto the nearby streets and Council car parks during peak periods.

**2. Site Context**

The site currently operates as a public bar, with a bistro dining area and gaming facilities. See <http://www.seafordrsl.com.au/>. Opening hours are Monday to Wednesday from 10am to 10.30pm, Thursday from 10am to 11.30pm, Friday and Saturday from 10am to 12am, and Sunday from 11am to 10pm. The club has a permit with a limit of 98 patrons on site (i.e. inside the building and the beer garden) at any one time between 10am and 5pm Monday to Friday). There are 36 marked on-site car parking spaces.

The site abuts a commuter railway line, with Seaford Railway Station located 15m to the south (i.e. on the southern side of Station Street). The club's on-site car park is not barrier controlled, implying that illegal parking from commuters, shoppers and traders can and does occur from time to time.

Nearby off-site parking areas that are accessible by patrons during weekday hours include time restricted on-street spaces along Station Street and Broughton Street, car park off Chapman Avenue and the all-day (subject to purchase of a ticket) Seaford North Reserve car park (the southern-most of 3 car parks associated with the reserve) which is minimally used during this period.

*Suite 5.04 Level 5, 365 Little Collins Street, Melbourne VIC 3000*

**Telephone: 03 9016 9865**  
*melbourne@mltraffic.com.au*

**Facsimile: 1300 739 523**  
*www.mltraffic.com.au*

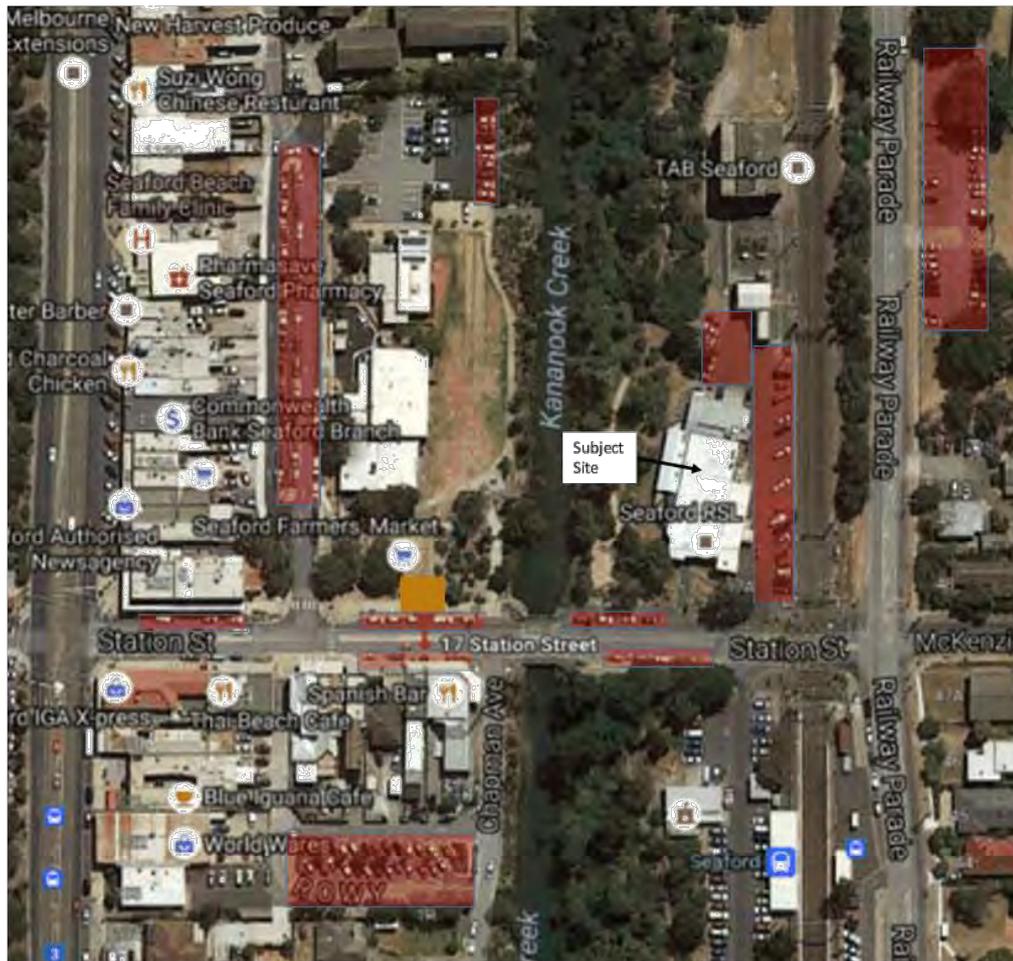
ML Traffic Engineers Pty Ltd  
ABN 69 148 048 257

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment C: Additional Traffic Report**



This 50-space car park is located within 150m's walking distance to the RSL club. A footpath runs along the northern side of Railway Parade. The pedestrian crossing at the intersection of Railway Parade and Station Street is signal controlled. The pedestrian path traverses the level crossing, with gates that prevent pedestrian thoroughfare when the boom gates on Station Street are down.



**Figure 1: Aerial View of Subject Site, and Parking Areas (On-Site and Off-Site) that are accessible to Staff and Patrons**



**Figure 2: Controlled Pedestrian Crossing on Railway Parade, and across the Railway Line**

### **3. Proposal**

The proposal is to increase the patronage limit of the club from 98 patrons to 150 patrons on site (i.e. inside the building and the beer garden) at any one time between 10am and 5pm Monday to Friday).

### **4. Car Parking Impacts**

A parking rate of 0.4 space per patron applies to a gambling premises, licensed hotel, restaurant or tavern as per Clause 52.06 of the Frankston Planning Scheme. The additional 52 patrons will generate an additional parking demand of 20 spaces (20.8 rounded down as per Clause 52.06's practice).

Parking supply and utilisation surveys were undertaken at various times of the day on Friday, 7<sup>th</sup> October 2016, Thursday, 13<sup>th</sup> October 2016 and Saturday, 15<sup>th</sup> October 2016. See Figure 1 (on page 2) and Table 1. The following comments apply:

- There are in excess of 45 off-site parking spaces at all times.
- At the surveyed times, there were around 3 vacant on-site spaces during lunch hours. However, it is likely that there will be times within the weekday lunch period when there is no on-site parking vacancy.



- There are typically between 5 and 7 vacant spaces available within the 32-space 2-hour time restricted between 9am and 6pm Monday to Friday car park that is located off Chapman Avenue during lunch hours.
- There are in excess of 30 vacant spaces available during weekday daytime hours within the 50-space all-day parking area (subject to purchase of a ticket) Seaford North Reserve car park (the southern-most of 3 car parks associated with the reserve), which is located within 150m from the club, and has satisfactory and safe pedestrian infrastructure (controlled road and railway line crossings, and footpath along the north side of Railway Parade).
- The Saturday lunch time survey was included as a point of comparison, noting that the proposed patronage increase applies to Monday to Friday from 10 am to 5pm.
- Kerbside parking areas on Station Street, between Chapman Avenue (the fringe of the shopping area) and the subject site were occupied during the survey times. These spaces are 1-hour time restricted between 9am and 6pm Monday to Friday, with minimum hourly turnover.
- The impact of an additional 20 (20.8 rounded down) off-site car parking spaces, based on Clause 52.06's parking rate of 0.4 space per patron for a gambling premises and/or a tavern can be readily accommodated at all times.

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment C: Additional Traffic Report**



Parking Location			Parking Restrictions	Supply	Parking Occupancy					
					Friday, 7 Oct 16	Friday, 7 Oct 16	Friday, 7 Oct 16	Friday, 7 Oct 16	Thursday, 13 Oct 16	Saturday, 15 Oct 16
				1100	1230	1400	1530	1200	1300	
Station Street	North Side	Between Broughton Street and Chapman Avenue	1P	5	5	5	4	5	5	5
	South Side	Between Chapman Avenue and Broughton Street	1P (excluding disabled)	1	1	1	1	1	1	1
Station Street	North Side	Between Chapman Avenue and Railway Parade	1P 9am to 6pm Mon to Fri, 9am to 1pm Sat	4	4	4	4	4	4	4
	South Side	Between Railway Parade and Chapman Avenue	1P 9am to 6pm Mon to Fri, 9am to 1pm Sat	5	4	5	5	5	5	5
Station Street	North Side	Between Nepean Highway and Broughton Street	1P	4	4	3	4	4	3	4
	South Side	Between Broughton Street and Nepean Highway	15 min (not considered due to very short duration)							
Broughton Street	Median Angled	Between off-street car park and Station Street	2P 9am to 6pm Mon to Fri, 9am to 1pm Sat	20	18	20	17	16	20	20
	East Side	Between off-street car park and Station Street	2P 9am to 6pm Mon to Fri, 9am to 1pm Sat	9	8	9	8	7	9	9
Carpark - Seaford North Reserve		One of several - this parking area is located closest to the subject site	P Ticket (excluding disabled) 6am to 4pm Mon to Fri	50	13	12	16	13	11	31
Carpark - Off Chapman Avenue		Behind the shops	2P 9am to 6pm Mon to Sat	32	25	25	24	16	26	21
Carpark - Off Broughton Street		Excludes permit zone restricted (trader, specific users) spaces	3P 9am to 6pm Mon to Fri, 9am to 1pm Sat	10	8	9	5	6	8	6
On-Site Car Park			Tenant	36	25	32	33	17	33	34
Total Supply				176						
Total Number of Parked Cars in the Survey Area					115	125	121	94	125	140
Total Number of Vacant Spaces					61	51	55	82	51	36

**Table 1: Parking Occupancy Data**

If you have any questions regarding the contents of this report, please do not hesitate to ring me on 0413 295 325, or email me at [mlee@mltraffic.com.au](mailto:mlee@mltraffic.com.au).

Yours sincerely,

**Michael Lee**  
**Principal**

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment D: Cumulative Impact Assessment**

\* Cumulative Impact Assessment

Guidance is provided by Practice Note 61 issued by the Ministry which in essence seeks to assess the addition of an additional licence into an area, particularly licences that trade later than 11pm which is the basis of this application.

The subject premises are located in a Commercial 1 Zone and Neighbourhood Activity Centre which contains a number of other Licensed Premises (not including BYO Permits).

- \* Seaford RSL - Licensed Club
- \* IGA X-press - Packaged Liquor Licence
- \* Bottlemart - Packaged Liquor Licence
- \* Blue Iguana - On-Premises Licence
- \* Seaford Breeze - On-Premises Licence
- \* Spanish Bar - Restaurant & Cafe Licence

The proposal to establish a Restaurant & Cafe Licence at this location could be seen as a positive cumulative impact as it is a different category of licence with a focus on food which is different to the other licences in the immediate area.

Packaged Liquor Licences allow the sale of liquor in sealed containers for off-premises consumption.

The RSL with a Full Club Licence has a focus on providing a range of services to Members.

The two remaining licences within the immediate area are both On-Premises Licences where the focus is on the provision of liquor with food being an ancillary component.

The addition of a Restaurant & Cafe Licence in the context of the established Neighbourhood Activity Centre will add to the range and diversity of licensed premises in the area.

The proposal will ensure that the provision of liquor is not the major activity and meets the purpose of the zone which encourages retail and entertainment uses.

Whilst this application may identify a potential cluster of licensed premises within a 100m radius, the cumulative impact is positive and supported by policy.

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment D: Cumulative Impact Assessment**

Further Assessment - Cumulative Impact

Practice Note 61 provides a range of matters that may be considered as part of an application.

Existing Context

The subject premises are in a Commercial 1 Zone and on a busy main road.

Surrounding uses to the east and north are generally commercial in nature and to the west is the foreshore area and public parking.

A major public carparking area is at the rear of the site, utilised 24 hrs a day.

There are some residential premises to the south east of the site but in the main they are well removed from the subject premises.

Business is strongly supported by various provisions of the Planning Scheme at all levels.

This proposal is consistent with anticipated planning outcomes.

Mix Of Existing Licensed Premises

Information previously provided shows that there are a range of other Licensed Premises in the vicinity, 6 in total. These range from bottleshops (2) to the RSL On-Premises (2) and Restaurant & Cafe (1). In essence apart from the RSL and Bottleshops the 3 remaining licenses are all food oriented.

The inclusion of another such business at this location will add to the range and diversity of licensed premises in the precinct and are an appropriate mix.

None of the businesses identified including the subject premises are unlikely to have any adverse amenity impacts.

Transport & Dispersal

In the context of this application it is submitted that this aspect is of little relevance.

The hours of trade sought are modest and unlikely to impact the area.

The business will generally cater for a local need.

Parking is readily available onstreet in the precinct.

Trading hours sought are similar with other uses in the area.

Public transport is available close to the site.

Impact Mitigation

The layout of the subject premises has a focus towards Nepean Highway although there is a small, rear courtyard area. Patrons will enter/exit via Nepean Hwy.

The Directors of the applicant have completed the required industry training.

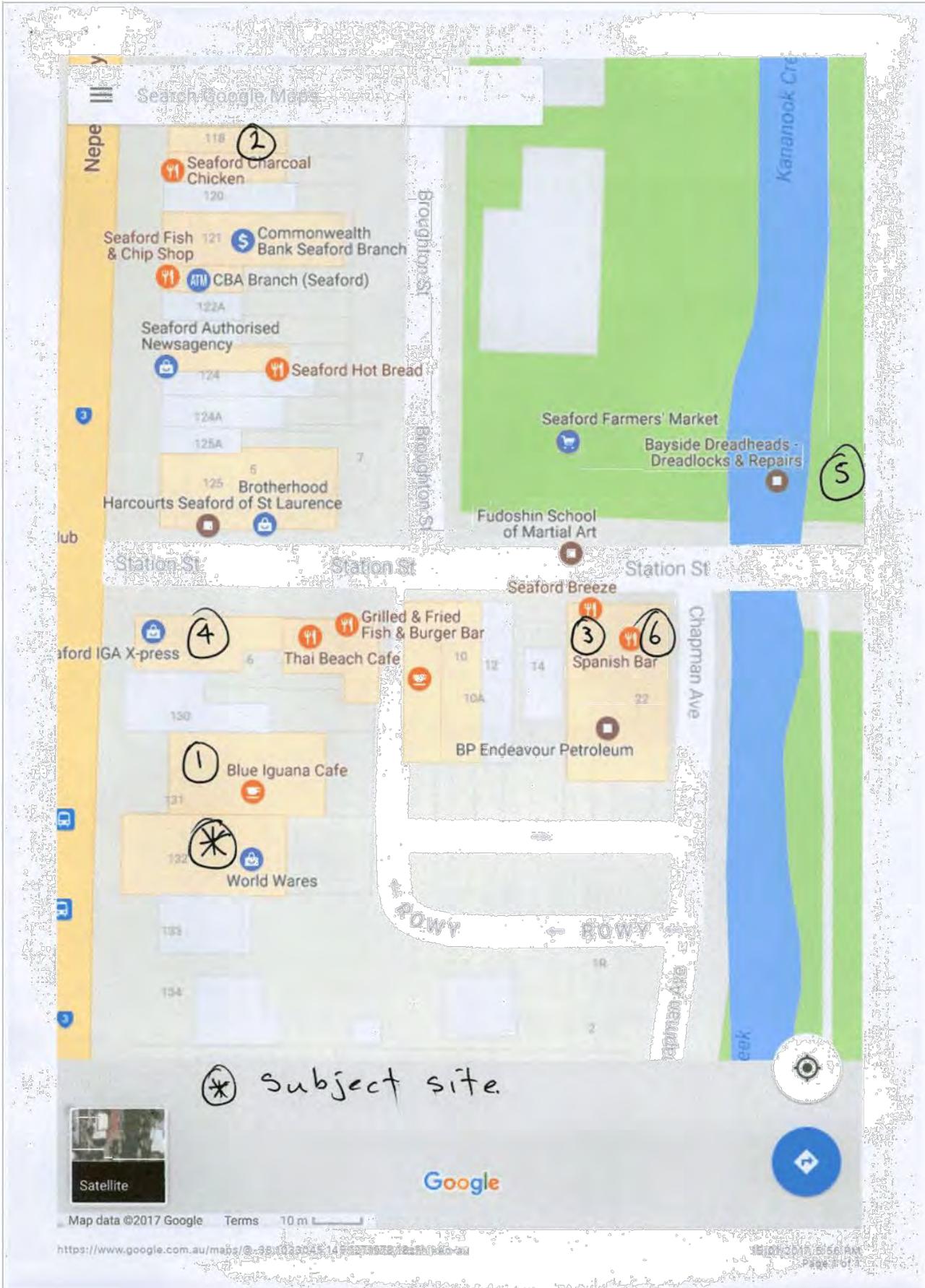
Patron numbers sought are modest and should have no adverse impact on the area.

Adequate facilities for patrons are provided onsite.

The nature of the business as a Restaurant with a focus on food and limited entertainment is unlikely to raise concerns.

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

Attachment D: Cumulative Impact Assessment





11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

Attachment D: Cumulative Impact Assessment

①

## Liquor Licences and Applications Online




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### Liquor Licences and Applications Online

**Search Results**

Results based on the following search item:  
Postcode = 3198

Listing displayed in the following order: by Premises name, then by Suburb, Licence number

Licences found: 37

## Search Results

### Permanent Licences

---

**32063313: NO PREMISES NAME GIVEN, SEAFORD 3198**

Licence Type: Packaged liquor  
 Licensee: BALEOST PTY LTD *5/115-116 Railway Pk*  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points

[View Licence](#)
[Google Map](#)
X

---

**32225266 501 BOOSTER CAFE, SEAFORD 3198**

Licence Type: Restaurant and cafe  
 Licensee: CYPRIOTIS ENTERPRISES PTY LTD *8/2-8 Peninsula Rd*  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points

[View Licence](#)
[Google Map](#)
X

---

**32058342 AUSTIN ROAD BOTTLE SHOP, SEAFORD 3198**

Licence Type: Packaged liquor  
 Licensee: B&M COMMERCIAL INVESTMENTS PTY LTD *148-150 Austin Rd*  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points

[View Licence](#)
[Google Map](#)
X

---

**33750002 BAYSIDE WINES & SPIRITS, SEAFORD 3198**

Licence Type: Pre-retail  
 Licensee: SICUREZZA PTY LTD *1/79 Brunel Rd*  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points

[View Licence](#)
[Google Map](#)
X

---

**31421380 BELVEDERE BOWLS CLUB, SEAFORD 3198**

Licence Type: Restricted Club  
 Licensee: BELVEDERE BOWLS INC *East Rd, Seaford*  
 Nominee: MILLARD, MAURICE  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points

[View Licence](#)
[Google Map](#)
X

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**31409053 BELVEDERE TENNIS CLUB, SEAFORD 3198**

Licence Type: Restricted Club  
 Licensee: BELVEDERE TENNIS CLUB INC *East Rd, Seaford*  
 Nominee: DIANNE L COOPER  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points

[View Licence](#)
X

[https://liquor.vcglr.vic.gov.au/ajarn\\_internet/ajarn\\_internet.asp?WCID=seaford%203198&ID=32063313](https://liquor.vcglr.vic.gov.au/ajarn_internet/ajarn_internet.asp?WCID=seaford%203198&ID=32063313)
16/01/2017 5:08PM Page 3 of 8

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

Attachment D: Cumulative Impact Assessment

The map displays a coastal area with a blue shaded region. To the right, a list of liquor licenses is provided, each with a 'View Licence' and 'Google Map' button. Handwritten annotations in blue and black ink are present next to several entries, including a circled '2' at the top right, a circled asterisk, and various street names and numbers.

License Number	Business Name	Address	Handwritten Annotations
32286131	BLUE IGUANA CAFE, SEAFORD 3198	2/131 Nepean Hwy	(2), *
32021701	BWS BEER, WINE, SPIRITS, SEAFORD 3198	Nepean Hwy & Seaford Rd	X
31267249	CHINA GARDEN RESTAURANT, SEAFORD 3198	840 7/366 Frankston - Dandy Rd	X
32309109	CRACKERJACK WATERFRONT CAFE, SEAFORD 3198	110 Nepean Hwy	X
31424079	FRANKSTON & DISTRICT BASKETBALL ASSOCIATION, SEAFORD 3198	90 Bardia Ave	X
36071334	FRANKSTON WOMENS CRICKET CLUB, SEAFORD 3198	1 B Brunel Rd	X
32105432	FRANKSTON WRANGLERS CLUB, SEAFORD 3198	4-6 Carder Ave	X

https://liquor.vcgf.vic.gov.au/alarms-internet/alarms-internet/NSP/FWC-select\_license\_rev2/NCU  
 12/05/2017, Seaford Page 2 of 2

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

Attachment D: Cumulative Impact Assessment

3 (circled)

**36139750 GRAVITY ZONE, SEAFORD 3198** 25 Oliphant way  
 Licence Type: Renewable Limited  
 Licensee: GRAVITY SEAFORD PTY LTD.  
 Nominee: MCMILLAN, SCOTT  
 Star Rating: ★★☆☆☆ (3 Stars)  
 Demerit Points: 0 Points  
 X

**36118136 LONG ISLAND VILLAGE SERVICES ASSOCIATION, SEAFORD 3198** 1-3 Overton Rd  
 Licence Type: Renewable Limited  
 Licensee: LONG ISLAND VILLAGE SERVICES ASSOCIATION INC.  
 Nominee: OAKLEY, JAMES  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points  
 X

**32609321 MR BANKS BREWING CO, SEAFORD 3198** 12 Hi-Tech Place  
 Licence Type: Wine & Beer Producer's  
 Licensee: MR BANKS BREWING CO PTY LTD  
 Star Rating: ★★☆☆☆ (3 Stars)  
 Demerit Points: 0 Points  
 X

**32065705 NEPEAN CELLARS, SEAFORD 3198** 118 Nepean Hwy  
 Licence Type: Packaged liquor  
 Licensee: WGO INVESTMENT GROUP P/L  
 Star Rating: ★★☆☆☆ (3 Stars)  
 Demerit Points: 0 Points  
 X (circled)

**31412365 NORTH SEAFORD TENNIS CLUB, SEAFORD 3198** Halifax st.  
 Licence Type: Restricted Club  
 Licensee: NORTH SEAFORD TENNIS CLUB INC  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points  
 X

**32265444 PENINSULA SAUNA & SPA SEAFORD, SEAFORD 3198** 2/16 Cumberland Dr  
 Licence Type: Late night (on-premises)  
 Licensee: SHIANTI PTY LTD  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points  
 X

**36106430 PINES/SEAFORD FISHING CLUB, SEAFORD 3198** 39 Milne Ave,  
 Licence Type: Renewable Limited  
 Licensee: PINES/SEAFORD FISHING CLUB INC  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points  
 X

[https://liquor.vcgr.vic.gov.au/alarm\\_internet/alarm\\_internet.asp?VC=ca18&Licence\\_no=3198](https://liquor.vcgr.vic.gov.au/alarm_internet/alarm_internet.asp?VC=ca18&Licence_no=3198) 15/05/2017 5:05 PM Page 2 of 6



11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

Attachment D: Cumulative Impact Assessment



**Nominee:** ROWLANDS, BRETT ASHLEY  
**Star Rating:** ★★★★★ (5 Stars)  
**Demerit Points:** 0 Points  
[View Licence](#) [Google Map](#)

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**31916961 SEAFORD TAVERNER, SEAFORD 3198**  
**Licence Type:** Late night (general)  
**Licensee:** AUSTRALIAN LEISURE AND HOSPITALITY GROUP LIMITED  
**Nominee:** RATTUE, DEAN ROBERT *Seaford / Franksto-Dandy*  
**Star Rating:** ★★★★★ (5 Stars)  
**Demerit Points:** 0 Points  
[View Licence](#) [Google Map](#) X

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**36124802 SEAFORD TIGERS CRICKET CLUB, SEAFORD 3198**  
**Licence Type:** Renewable Limited  
**Licensee:** SEAFORD TIGERS CRICKET CLUB INC  
**Nominee:** MULVOGUE, BRADLEY *Belvedere Reserve*  
**Star Rating:** ★★★★★ (5 Stars)  
**Demerit Points:** 0 Points  
[View Licence](#) [Google Map](#) X

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**31402035 SEAFORD UNITED SOCCER CLUB, SEAFORD 3198**  
**Licence Type:** Restricted Club  
**Licensee:** SEAFORD UNITED SOCCER CLUB  
**Nominee:** BAULCH, JOSEPHINE MARY *North Seaford Reserve*  
**Star Rating:** ★★★★★ (5 Stars)  
**Demerit Points:** 0 Points  
[View Licence](#) [Google Map](#) X

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**31410216 SOUTHERN DISTRICTS RUGBY CLUB INC, SEAFORD 3198**  
**Licence Type:** Restricted Club  
**Licensee:** HUNTER, ROBERT JAMES *Riviera Park*  
**Nominee:** RICHARD BARTLEY  
**Star Rating:** ★★★★★ (5 Stars)  
**Demerit Points:** 0 Points  
[View Licence](#) [Google Map](#) X

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**31405376 SOUTHERN UMPIRES ASSOCIATION, SEAFORD 3198**  
**Licence Type:** Restricted Club  
**Licensee:** SOUTHERN UMPIRES ASSOCIATION INC *Kananook Reserve*  
**Nominee:** J E KLAVER *McCulloch Ave.*  
**Star Rating:** ★★★★★ (5 Stars)  
**Demerit Points:** 0 Points  
[View Licence](#) [Google Map](#) X

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**32319463 SPANISH BAR, SEAFORD 3198** *20 station st.*  
**Licence Type:** Restaurant and cafe  
**Licensee:** GONZALEZ, ADRIAN  
**Star Rating:** ★★★★★ (4 Stars)  
**Demerit Points:** 0 Points  
[View Licence](#) [Google Map](#) (\*)

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**31212163 SUZIE WONG CHINESE RESTAURANT, SEAFORD 3198**

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

Attachment D: Cumulative Impact Assessment

**31271971 THAI BEACH CAPE, SEAFORD 3198** *BYO 7/113-114 Nepean Hwy*

Licence Type: BYO Permit  
 Licensee: HUANG, LIHUA  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

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**31271971 THAI BEACH CAPE, SEAFORD 3198** *2 Station Str*

Licence Type: BYO Permit  
 Licensee: THAI BEACH CAFE PTY LTD  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

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**36129535 THE WHISKY COMPANY, SEAFORD 3198** *162A Fontescue Ave*

Licence Type: Renewable Limited  
 Licensee: NIPPY SWEETIE HOLDINGS PTY LTD  
 Star Rating: ★★★★★ (5 Stars)  
 Demerit Points: 0 Points

[View Licence](#) [Google Map](#)

[Return to Top](#)

OTHER LINKS | Victorian Commission for Gambling and Liquor Regulation  
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 Sun 15/01/2017 17:05:08

[http://liquor.vic.gov.au/State/Internet/iam/Intend/ASP/INT-2016/132/Nepean\\_parkway](#) Page 9 of 9

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment D: Cumulative Impact Assessment**

①

***On-Premises Licence***

***Licence No. 32286131***

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 2017

**Licensee** SOTHEAR SAO

**Address for service of notices** 23 ALDERNEY ROAD  
SPRINGVALE SOUTH 3172

**Licensed premises address** SHOP 2/131 NEPEAN HIGHWAY  
SEAFORD 3198

**Trading as** BLUE IGUANA CAFE

***Additional person(s) endorsed on licence***  
SOKRASMEY CHEAV (Licensee)

**TYPE OF LICENCE**

This licence is an on-premises 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 PATRON CAPACITY**

39 patrons

**TRADING HOURS**

Good Friday & Anzac Day

Between 12 noon and 11pm

On any other day

Between 11am and 11pm

**APPROVALS/CONSENTS**

Section 120(2)(e). Persons under the age of 18 years are permitted on the licensed premises other than in the company of a responsible adult.

1) This approval does not apply after 11pm on any day.

2) This approval does not apply when live or amplified music other than background music is provided.

3) When this approval applies tables and chairs must be placed in position on the licensed premises so as to be available for at least 75% of the patrons attending the premises at any one time.

End of Conditions - Printed on 15/01/2017

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment D: Cumulative Impact Assessment**

②

***Packaged Liquor Licence***

***Licence No. 32065705***

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 2017

**Licensee**      **WGQ INVESTMENT GROUP P/L**

**Address for service of notices**      **2/5 WILLOW GROVE  
CANTERBURY 3126**

**Licensed premises address**      **118 NEPEAN HIGHWAY  
SEAFORD 3198**

**Trading as**      **NEPEAN CELLARS**

**TYPE OF LICENCE**

This licence is a packaged liquor licence and authorises the licensee to supply liquor in sealed containers, bottles or cans on the licensed premises for consumption off the licensed premises during the trading hours specified below.

The licensee must comply with the Code of Conduct determined by the Minister pursuant to section 11(5) of the Liquor Control Reform Act 1998.

**TRADING HOURS**

**On any day other than Sunday, Good Friday, ANZAC Day or Christmas Day**  
**Sunday**  
**ANZAC Day**

**Between 9am and 11pm**  
**Between 10am and 11pm**  
**Between 12 noon and 11pm**

**End of Conditions - Printed on 15/01/2017**

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment D: Cumulative Impact Assessment**

(3)

***On-Premises Licence***

***Licence No. 32281505***

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 2017

**Licensee JOHN LEWIS**

**Address for service of notices  
16 STATION STREET  
SEAFORD 3198**

**Licensed premises address  
16 STATION STREET  
SEAFORD 3198**

**Trading as SEAFORD BREEZE CAFE & RESTAURANT**

***Additional person(s) endorsed on licence***

**SHAUNA LEWIS (Licensee)**

**TYPE OF LICENCE**

This licence is an on-premises 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**

35 patrons

**TRADING HOURS**

Good Friday	Between 12 noon and 10.30 p.m.
Anzac Day (Tuesday to Saturday)	Between 12 noon and 10.30 p.m.
Tuesday to Saturday	Between 9 a.m. and 10.30 p.m.

End of Conditions - Printed on 15/01/2017

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment D: Cumulative Impact Assessment**

4

***Packaged Liquor Licence***

***Licence No. 32001298***

**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 2017**

**Licensee**      **AUYAR PTY LTD**

**Address**      **127 NEPEAN HIGHWAY**  
**for service**    **SEAFORD 3198**  
**of notices**

**Licensed**      **127 NEPEAN HIGHWAY**  
**premises**      **SEAFORD 3198**  
**address**

**Trading as**      **SEAFORD CELLARS**

**TYPE OF LICENCE**

This licence is a packaged liquor licence and authorises the licensee to supply liquor in sealed containers, bottles or cans on the licensed premises for consumption off the licensed premises during the trading hours specified below.

The licensee must comply with the Code of Conduct determined by the Minister pursuant to section 11(5) of the Liquor Control Reform Act 1998.

**TRADING HOURS**

**On any day other than Sunday, Good Friday, ANZAC Day or Christmas Day**  
**Sunday**  
**ANZAC Day**

**Between 9am and 11pm**  
**Between 10am and 11pm**  
**Between 12 noon and 11pm**

**End of Conditions - Printed on 15/01/2017**

11.2 Planning Application 537/2016/P - 132 Nepean Hwy Seaford - To use the land for sale and consumption of liquor (Restaurant and Cafe Licence); Construct buildings and works in a Commercial 1 Zone and Bushfire Management Overlay; Reduce the number of car parking spaces required under Clause 52.06-5; Waive the requirements of Clauses 52.07 (Loading and unloading of vehicles) and 52.34 (Bicycle Facilities)

**Attachment D: Cumulative Impact Assessment**

(5)

**Full Club Licence**

**Licence No. 32105563**

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 2017

<b>Licensee</b>	<b>SEAFORD RSL SUB BRANCH INC</b>	<b>Licensed premises address</b>	<b>STATION STREET SEAFORD 3198</b>
<b>Address for service of notices</b>	<b>P O BOX 22 SEAFORD 3198</b>		
<b>Trading as</b>	<b>SEAFORD RSL SUB BRANCH</b>		

**Additional person(s) endorsed on licence**

**BRETT ASHLEY ROWLANDS** - approved as nominee, and is liable as if the licensee, until ceasing to manage and control the licensed premises

**TYPE OF LICENCE**

This licence is a full club licence and authorises the licensee to supply liquor on the licensed premises during the trading hours specified below:-

- (a) to a member of the club for consumption on or off the licensed premises; and  
(b) to an authorised gaming visitor or guest of a member for consumption on the licensed premises

**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**

Monday to Friday Between 10am and 5pm  
Beer Garden (52 patrons) Overall maximum (98 patrons)

At any other time  
Beer Garden (52 patrons) Overall maximum (400 patrons)

**TRADING HOURS**

For consumption off the licensed premises -  
Monday to Saturday, excluding Good Friday & ANZAC Day  
Good Friday  
ANZAC Day(falling on Monday to Saturday)  
ANZAC Day(falling on a Sunday)  
Sunday(not being an ANZAC Day)

At any time  
Between 12noon and 11.00pm  
Between 12noon and 12midnight  
Between 12noon and 11.00pm  
Between 12midnight and 1.00am, & 10.00am and 11.00pm

For consumption on the licensed premises -

In the Beer Garden -  
Good Friday  
ANZAC Day

Between 12noon and 11 00pm  
Between 7.00am and 11.00pm On any other day Between 10.00am and 11.00pm

In the Remainder of the Premises -

Monday to Saturday, excluding Good Friday & ANZAC Day  
Good Friday  
ANZAC Day(falling on Monday to Saturday)  
ANZAC Day(falling on a Sunday)  
Sunday(being Christmas Eve or Day; New Year's Eve or Day)  
Sunday(not being an ANZAC Day)

At any time  
Between 12noon and 11.30pm  
Between 7.00am and 12midnight  
Between 7.00am and 11.30pm  
Between 12midnight and 1.00am; & 10.00am and midnight  
Between 12midnight and 1.00am; & 10.00am and 11.30pm

End of Conditions - Printed on 15/01/2017

**Executive Summary****11.3 February Town Planning Progress Report**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To provide Council with an update on the exercise of planning delegation by Council officers for the month of February 2017.

**Recommendation (Director Community Development)**

That Council receives and notes the report

**Key Points / Issues**

This report provides Council with an update on the exercise of planning delegations by Council officers on the following items:

- Planning applications received;
- Planning decisions;
- Subdivision applications received;
- Subdivision decisions;
- Planning Scheme amendments;
- VCAT Appeal register; and
- VCAT decisions.

In February 2017, 42 applications were received and 47 applications determined. All of the decisions made in February were made under delegation. A total of 51.1% of decisions were made within 60 days.

Sixteen (16) decisions related to multi-unit dwelling applications. Fourteen (14) of these decisions complied with Council's Multi-dwelling Visitor Car Parking Guidelines. One (1) did not comply with the Guidelines and was refused under delegation on a number of grounds and the remaining application lapsed and was not considered.

Until the end of the financial year seven (7) matters are listed to be heard by VCAT. Council will be represented by planning consultants in three (3) matters, and by officers in the remaining matters. Representation at VCAT is a cost to Council in the order of \$3,000-\$10,000 per case depending on length and complexity of hearing.

Council has received two (2) planning applications for development valued over \$1 million in February. This has generated fees to the Metropolitan Planning Levy (MPL)(charged by the State Government) that total \$39,143.00. This financial year a total of \$115,893.70 has been paid to the State Government by applicants for approvals in Frankston.

**11.3 February Town Planning Progress Report****Executive Summary****Financial Impact**

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

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

**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

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.

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 an overview of the activities and decisions made by its planning teams.

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**ATTACHMENTS**

Attachment A: February Town Planning Progress Report

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/02/2017 To 28/02/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
41/2017/P	North-East	1105 Frankston-Dandenong Road, Carrum Downs 3201	Buildings and works for the purpose of constructing a residential aged care building	1/02/2017
64/2017/P	North-East	20 Barnett Avenue, Carrum Downs 3201	Four (4) Lot Subdivision	7/02/2017
67/2017/P	North-East	17 Coaldrake Street, Carrum Downs 3201	Four (4) Lot Subdivision	7/02/2017
65/2017/P	North-East	11 Tucker Boulevard, Carrum Downs 3201	Two (2) Lot Subdivision	7/02/2017
66/2017/P	North-East	28 Barnett Avenue, Carrum Downs 3201	Two (2) Lot Subdivision	7/02/2017
53/2017/P	North-East	605 Dandenong-Hastings Road, Skye 3977	Undertake earthworks	7/02/2017
60/2017/P	North-East	67 Broderick Road, Carrum Downs 3201	To develop the land for fifty (50) dwellings, a forty nine (49) lot subdivision and remove vegetation	8/02/2017
56/2017/P	North-East	12 Woodland Mews, Langwarrin 3911	The construction of one (1) double storey dwelling	9/02/2017
58/2017/P	North-East	1 Luscombe Avenue, Carrum Downs 3201	To construct one (1) dwelling to the rear of the existing dwelling (two (2) dwellings)	13/02/2017
63/2017/P	North-East	6 Barnett Avenue, Carrum Downs 3201	Six (6) Lot Subdivision	17/02/2017
75/2017/P	North-East	129 Hall Road, Carrum Downs 3201	To display business identification signage	24/02/2017
<b>North-East Ward Total = 11</b>				
46/2017/P	North-West	2 Gordon Avenue, Frankston 3199	Three (3) lot subdivision	2/02/2017
2/2017/P	North-West	2 Eula Court, Frankston 3199	Certificate of Compliance	3/02/2017
57/2017/P	North-West	19 Riviera Street, Seaford 3198	To construct two (2) three storey dwellings & a two (2) lot subdivision	7/02/2017
49/2017/P	North-West	22 Armata Crescent, Frankston North 3200	Two (2) lot subdivision	7/02/2017
54/2017/P	North-West	58 Fortescue Avenue, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	10/02/2017
61/2017/P	North-West	5 Lorraine Street, Frankston 3199	To construct three (3) double storey dwellings	14/02/2017
69/2017/P	North-West	Shop 12/110 Ashleigh Avenue, Frankston 3199	Change of use into swim school	20/02/2017
71/2017/P	North-West	18 Jasmine Court, Frankston 3199	Three (3) lot subdivision	21/02/2017
73/2017/P	North-West	212 – 214 Cranbourne Road, Frankston 3199	Seven (7) lot subdivision	27/02/2017

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/02/2017 To 28/02/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
<b>North-West Ward Total = 9</b>				
45/2017/P	South	23 Bembridge Avenue, Frankston South 3199	Extension to existing dwelling	1/02/2017
42/2017/P	South	8 Eyre Court, Frankston South 3199	To construct a pergola in a Design and Development Overlay Schedule 9 (Retrospective)	2/02/2017
43/2017/P	South	7 Palm Court, Frankston 3199	Extension to an existing dwelling	3/02/2017
52/2017/P	South	42 Seaview Road, Frankston South 3199	Removal of two (2) trees	3/02/2017
62/2017/P	South	6 Balmoral Walk, Frankston 3199	To display business identification signage	3/02/2017
47/2017/P	South	5 Balamara Court, Frankston South 3199	To remove four (4) trees	3/02/2017
55/2017/P	South	157 Humphries Road, Frankston South 3199	Extension to an existing dwelling	7/02/2017
48/2017/P	South	14 Argyle Street, Frankston 3199	Three (3) lot subdivision	7/02/2017
51/2017/P	South	610 Robinsons Road, Langwarrin South 3911	To construct one (1) dwelling	9/02/2017
59/2017/P	South	8 Idon Avenue, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and a two (2) lot subdivision	15/02/2017
68/2017/P	South	2 Orrong Avenue, Frankston 3199	Extensions to an existing dwellings	17/02/2017
74/2017/P	South	1/18 Bruarong Crescent, Frankston South 3199	To construct a deck	17/02/2017
72/2017/P	South	310 Centre Road, Langwarrin 3910	Two (2) lot subdivision	27/02/2017
<b>South Ward Total = 13</b>				

<b>Progress Report – Amendments to Planning Permits - Received</b>				
<b>For The Application Date: From 1/02/2017 To 28/02/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
468/2009/P/G	North-East	842 Frankston-Dandenong Road, Carrum Downs	Section 72 - Use of the land as a Place of Assembly (Temple) and associated accommodation.	1/02/2017
392/2012/P/E	North-East	294 Ballarto Road, Skye 3977	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	3/02/2017
818/2010/P/E	North-East	91 Aqueduct Road, Langwarrin 3910	Extension of time - Two (2) lot subdivision	8/02/2017
818/2010/P/E	North-East	91 Aqueduct Road, Langwarrin 3910	Extension of time - Two (2) lot subdivision	8/02/2017
325/2015/P/A	North-East	120 Colemans Road, Carrum Downs 3201	Secondary consent - To construct one (1) warehouse and associated office	14/02/2017
536/2015/P/B	North-East	71 Frankston Gardens Drive, Carrum Downs 3201	Section 72 - Thirteen (13) lot subdivision	14/02/2017
116/2014/P/A	North-East	96 Beech Street, Langwarrin 3910	Extension of Time - To construct two (2) double storey dwellings	20/02/2017
320/2015/P/B	North-East	170 Colemans Road & 54 Access Way, Carrum Downs 3201	Section 72 – To construct, in stages, fifty-two (52) factories (18 factories to be used for warehouse and 34 factories to be used for industry) and a reduction in car parking requirements	20/02/2017
464/2014/P/A	North-East	28 Quarrion Drive, Carrum Downs 3201	Extension of time – To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	27/02/2017
296/2016/P/B	North-East	520 Cranbourne-Frankston Road, Langwarrin	Secondary consent – To construct an outbuilding	27/02/2017
<b>North-East Total = 10</b>				
469/2008/P/H	North-West	211-212 Nepean Highway, Seaford 3198	Extension of time - Development of nineteen (19) dwellings and alteration of access to a road in Road Zone, Category 1	6/02/2017
568/2014/P/A	North-West	79 Hartnett Drive, Seaford 3198	Extension of time - To construct extension to the existing warehouse building and waiver of car parking requirement pursuant to Clause 52.06.	9/02/2017
466/2012/P/B	North-West	4 Glen Alvie Street, Seaford 3198	Extension of time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	15/02/2017
656/2015/P/B	North-West	145 Fortescue Avenue, Seaford 3198	Section 72 - The construction of three (3) double storey dwellings	15/02/2017
434/2012/P/C	North-West	23 Petrie Street, Frankston 3199	Secondary consent - Use and development of student accommodation comprising a double storey building containing eight (8) dwellings and an associated reduction in the car parking	16/02/2017

Progress Report – Amendments to Planning Permits - Received For The Application Date: From 1/02/2017 To 28/02/2017				
<u>Application No</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Date</u>
476/2016/P/A	North-West	17 Johnstone Street, Seaford 3198	Section 72 - The construction of one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	21/02/2017
<b>North-West Ward = 6</b>				
300/2014/P/C	South	55 West Road, Langwarrin South 3911	Extension of time - Two (2) lot subdivision and removal of vegetation	3/02/2017
329/2014/P/B	South	98 Cranhaven Road, Langwarrin 3910	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	8/02/2017
543/2011/P/B	South	43 Denbigh Street, Frankston 3199	Extension of time - To construct four (4) dwellings	10/02/2017
416/2010/P/B	South	270 Robinsons Road, Langwarrin South 3911	Extension of time - Two (2) lot subdivision and associated vegetation removal	10/02/2017
83/2015/P/A	South	20 Gowrie Avenue, Frankston South 3199	Extension of time - Two (2) lot subdivision	13/02/2017
260/2012/P/D	South	7 Vera Street, Frankston 3199	Extension of Time - To construct two (2) dwellings (one (1) double storey dwelling and one (1) single storey)	24/02/2017
<b>South Ward Total = 6</b>				

<b>Progress Report – Planning Application Decisions</b>					
<b>For The Application Date: From 1/02/2017 To 28/02/2017</b>					
<b><u>Application</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>
397/2016/P	North-East	6 Collins Way, CARRUM DOWNS 3201	The removal of one (1) tree	Application Refused	3/02/2017
378/2016/P	North-East	63 Greenwood Drive, Carrum Downs	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Notice of Decision	7/02/2017
553/2016/P	North-East	67 Broderick Road, Carrum Downs	Two (2) lot subdivision	Permit Approved	7/02/2017
650/2016/P	North-East	43 Access Way, Carrum Downs 3201	Construction of two (2) warehouses	Permit Approved	13/02/2017
688/2015/P	North-East	9 Edward Street, Langwarrin 3910	To construct four (4) double storey dwellings and two (2) single storey dwellings (six (6) dwellings)	Application Refused	14/02/2017
24/2016/P	North-East	482 McClelland Drive, Langwarrin 3910	The construction of two additional dwellings alongside the existing dwelling on the land and altered access to a Road Zone Category 1	Permit Approved	16/02/2017
33/2017/P	North-East	38 Greenwood Drive, Carrum Downs	Two (2) Lot Subdivision	Permit Approved	16/02/2017
56/2017/P	North-East	12 Woodland Mews, LANGWARRIN	The construction of one (1) double storey dwelling	Permit Approved	20/02/2017
642/2016/P	North-East	23 Brunnings Road, Carrum Downs	Eighteen (18) lot subdivision	Permit Approved	21/02/2017
518/2016/P	North-East	31 Boundary Road, Carrum Downs	Three (3) lot subdivision in stages and removal of drainage easement	Permit Approved	21/02/2017
15/2016/P	North-East	502 McClelland Drive, Langwarrin 3910	To use and construct a Medical Centre (including dispensary), display of signage and alteration of access to a Road Zone Category 1	Application Refused	21/02/2017
547/2016/P	North-East	2/2 Allington Place, Langwarrin 3910	The construction of a Verandah to the existing dwelling.	Permit Approved	22/02/2017
521/2016/P	North-East	26 Thornbill Drive, Carrum Downs 3201	The construction of one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Notice of Decision	22/02/2017
457/2016/P	North-East	1195 Frankston-Dandenong Road, Carrum Downs 3201	To construct seven (7) single storey dwellings and remove one (1) tree	Permit Approved	23/02/2017
624/2016/P	North-East	10/71 Frankston Gardens Drive, Carrum Downs 3201	Internal alterations and to reduce the car parking requirements	Permit Approved	24/02/2017
<b>North-East Total = 15</b>					

**Attachment A: February Town Planning Progress Report**

476/2016/P	North-West	17 Johnstone Street, Seaford 3198	The construction of one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	1/02/2017
375/2016/P	North-West	104 Austin Road, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	2/02/2017
543/2016/P	North-West	25 Portland Parade, Seaford 3198	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Notice of Decision	6/02/2017
558/2016/P	North-West	44 – 46 Queen Street, Frankston 3199	The construction of eight (8) dwellings (five (5) double storey dwellings and three (3) single storey dwellings)	Permit Approved	14/02/2017
407/2016/P	North-West	209 Nepean Highway, Seaford 3198	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	17/02/2017
34/2017/P	North-West	20 Belvedere Road, Seaford 3198	Two (2) lot subdivision	Permit Approved	17/02/2017
49/2017/P	North-West	22 Armata Crescent, Frankston North	Two (2) lot subdivision	Permit Approved	20/02/2017
299/2016/P	North-West	21 Inglis Avenue, Frankston 3199	To construct six (6) triple storey dwellings	Application Lapsed	22/02/2017
308/2016/P	North-West	259 Frankston-Dandenong Road, Frankston North 3200	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) & a two (2) lot subdivision	Permit Approved	23/02/2017
663/2016/P	North-West	2A Levuka Street, SEAFORD 3198	To construct additions and alterations to the existing dwelling in a Special Building Overlay	Permit Approved	27/02/2017
606/2016/P	North-West	152 Frankston-Dandenong Road, Seaford 3198	The construction of a single storey dwelling	Permit Approved	28/02/2017
539/2016/P	North-West	26 Parer Street, Frankston 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two(2) dwellings)	Permit Approved	28/02/2017
<b>North-West Ward = 12</b>					
631/2016/P	South	425 Baxter-Tooradin Road, Langwarrin South 3911	The construction of a shed	Permit Approved	2/02/2017
381/2016/P	South	65 Barretts Road, Langwarrin South	Two (2) lot subdivision	Permit Approved	7/02/2017
428/2016/P	South	26 Hamilton Grove, Frankston South	To construct (2) single storey dwellings to rear of the existing dwelling (three (3) dwellings)	Notice of Decision	9/02/2017
566/2016/P	South	6 Gowrie Avenue, Frankston South	To construct a second storey extension to the existing dwelling	Notice of Decision	9/02/2017
240/2016/P	South	40 Brighton Street, Frankston South	To construct two (2) double storey dwellings	Permit Approved	14/02/2017

**Attachment A: February Town Planning Progress Report**

585/2016/P	South	37 Gowrie Avenue, Frankston South	To construct an extension to an existing dwelling within a Design and Development Overlay (Schedule 9)	Permit Approved	15/02/2017
445/2016/P	South	Frankston Croquet Club 61N Nolan Street, Frankston 3199	To use the land as a Temporary Car Park	Permit Approved	16/02/2017
500/2016/P	South	452 Nepean Highway, Frankston 3199	Building and works to an existing car park (To construct a second drive thru and removing seven (7) car spaces)	Notice of Decision	20/02/2017
329/2016/P	South	170 Gould Street, Frankston 3199	To construct extensions to the existing dwelling in a Design and Development Overlay	Permit Approved	21/02/2017
450/2016/P	South	16-22 Playne Street, Frankston 3199	To undertake buildings and works, to alter access to a Road Zone Category 1 and a reduction in the car parking and loading and unloading requirements of Clauses 52.06 and 52.07 of the Frankston Planning Scheme	Permit Approved	21/02/2017
379/2016/P	South	1 Helvetia Court, Frankston 3199	To construct two (2) single storey dwellings	Permit Approved	22/02/2017
628/2016/P	South	193 Humphries Road, Frankston South	To construct an outbuilding in a Design and Development Overlay (Schedule 1)	Permit Approved	23/02/2017
617/2016/P	South	30 Sunnybank Road, Langwarrin 3910	To construct one (1) single storey dwelling	Permit Approved	23/02/2017
291/2016/P	South	76 Brooklyn Avenue, Frankston 3199	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings) including alterations to existing dwelling and proposed carports.	Permit Approved	23/02/2017
500/2016/P	South	452 Nepean Highway, Frankston 3199	Building and works to an existing car park (To construct a second drive thru and removing seven (7) car spaces)	Notice of Decision	28/02/2017
<b>South Ward Total = 15</b>					

Progress Report – Amendments to Planning Application Decisions					
For The Application Date: From 1/02/2017 To 28/02/2017					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
818/2010/P/E	North-East	91 Aqueduct Road, Langwarrin 3910	Extension of time - Two (2) lot subdivision	Extension of Time Approved	9/02/2017
565/2012/P/C	North-East	325 McCormicks Road, Carrum Downs 3201	Secondary Consent - To subdivide the land into twenty three (23) lots and associated works, to construct eight (8) dwellings and removal of native vegetation	Secondary Consent Approved	15/02/2017
623/2009/P/D	North-East	648-656 Frankston-Dandenong Road, Carrum Downs 3201	Secondary consent - Twenty three (23) multi storey apartments	Secondary Consent Approved	23/02/2017
365/2016/P/A	North-East	15 Coles Parkway, Carrum Downs	Section 72 Amendment - To remove and replant one (1) tree in the Significant Landscape Overlay Schedule 5	Application Lodged	6/02/2017
649/2014/P/C	North-East	42 Access Way, Carrum Downs 3201	Section 72 Amendment - To construct two (2) warehouses	Permit Approved	6/02/2017
162/2015/P/B	North-East	1/20 McCormicks Road, Skye 3977	Section 72 Amendment - To use the site for a primary school and advertising signage associated with the church and primary school Amend Condition 8 from: Not more than 40 students and 4 employees may be present on the premises at any one time. To read: Not more than 120 students and 10 employees may be present on the premises at any one time.	Permit Approved	23/02/2017
<b>North-East Ward Total = 6</b>					
92/2015/P/B	North-West	306 Frankston-Dandenong Road, Seaford 3198	Secondary Consent - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings) and to alter access to a road in a Road Zone.	Secondary Consent Approved	20/02/2017
156/2012/P/B	North-West	21 Meerlu Avenue, Frankston 3199	Extension of time - Construction of one single storey dwelling to the rear of the existing dwelling (total of two (2) dwellings) and variation of the standard width of an accessway pursuant to Clause 52.06-8	Extension of Time Approved	2/02/2017
156/2015/P/C	North-West	31 Bouvardia Crescent, Frankston North 3200	Secondary consent - To construct one (1) dwelling to the rear of the existing dwelling (two (2) dwellings)	Secondary Consent Approved	23/02/2017

<b>Progress Report – Amendments to Planning Application Decisions</b>					
<b>For The Application Date: From 1/02/2017 To 28/02/2017</b>					
<b>Application</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Status</b>	<b>Date</b>
655/2014/P/D	North-West	52 Railway Parade, Seaford 3198	Secondary consent - To construct two (2) double storey dwellings	Secondary Consent Approved	28/02/2017
599/2011/P/C	North-West	49 Queen Street, Frankston 3199	Section 72 Amendment - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	14/02/2017
<b>North-West Ward Total = 5</b>					
31/2016/P/B	South	43 Violet Street, Frankston South 3199	Extension of time - To construct a retaining wall	Extension of Time Approved	27/02/2017
543/2011/P/B	South	43 Denhigh Street, Frankston 3199	Extension of time - To construct four (4) dwellings	Extension of Time Approved	27/02/2017
245/2014/P/A	South	19 Genista Street, Frankston South 3199	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings) and the removal of substantial trees	Extension of Time Approved	1/02/2017
280/2010/P/E	South	13 Muir Street, Frankston 3199	Extension of Time - To construct three (3) double storey dwellings	Extension of Time Approved	2/02/2017
260/2012/P/D	South	7 Vera Street, Frankston 3199	Extension of Time - To construct two (2) dwellings (one (1) double storey dwelling and one (1) single storey)	Extension of Time Approved	27/02/2017
416/2010/P/B	South	270 Robinsons Road, Langwarrin South 3911	Extension of time - Two (2) lot subdivision and associated vegetation removal	Extension of Time Approved	24/02/2017
300/2014/P/C	South	55 West Road, Langwarrin South	Extension of time - Two (2) lot subdivision and removal of vegetation	Extension of Time Approved	17/02/2017
579/2015/P/A	South	54 High Street, Frankston 3199	Secondary consent - Construction of three (3) dwellings in a General Residential Zone - Construction of buildings and works in a Design and Development Overlay	Secondary Consent Approved	24/02/2017
443/2015/P/C	South	1 Bunangib Court, Frankston South 3199	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling (Two (2) dwellings)	Secondary Consent Approved	14/02/2017
82/2013/P/A	South	1559 Dandenong-Hastings Road, Langwarrin 3910	Secondary consent - To construct one (1) single storey dwelling and outbuilding; and variation to the outbuilding envelope	Secondary Consent Approved	7/02/2017

Progress Report – Amendments to Planning Application Decisions					
For The Application Date: From 1/02/2017 To 28/02/2017					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
336/2014/P/A	South	113 Franciscan Avenue, Frankston	Secondary consent - To construct one (1) single storey dwelling to the rear of existing dwelling (two (2) dwellings)	Secondary Consent Approved	14/02/2017
376/2010/P/E	South	12 Argyle Street, Frankston 3199	Secondary consent - To construct three (3) single storey dwellings	Secondary Consent Approved	14/02/2017
491/2012/P/D	South	1-3 Dell Road, Frankston 3199	Secondary Consent - To construct two (2) double storey dwellings and three (3) single storey dwellings (5 dwellings), variation of drainage easement; five (5) lot subdivision in two (2) stages and a waiver of the car parking requirements	Secondary Consent Approved	27/02/2017
665/2014/P/D	South	8 Lawrey Street, Frankston 3199	Section 72 - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings) and a two (2) lot subdivision	Condition 1 Plans approved	3/02/2017
347/1989/P/A	South	13 Poinciana Street, Frankston South	Section 72 Amendment - To carry out buildings and works in accordance with the attached endorsed plans and to be used for the purpose of dual occupancy (To construct a carport, alfresco, and alterations to the existing dwelling)	Permit Approved	13/02/2017
5/2016/VS/A	South	108 Beach Street, Frankston 3199	Section 72 Amendment - To construct a dwelling in a Special Building Overlay	Permit Approved	2/02/2017
494/2016/P/A	South	108 Beach Street, Frankston 3199	Section 72 Amendment - To use and develop the land for medical consulting rooms, and reduce the car parking requirements of Clause 52.06	Permit Approved	3/02/2017
<b>South Ward Total = 17</b>					

<b>Progress Report – Subdivision Application Received</b>				
<b>For The Application Date: From 1/02/2017 To 28/02/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
11/2017/S	North-East	62 McCormicks Road, SKYE 3977	Two (2) lot subdivision	2/02/2017
12/2017/S	North-East	83 Edward Street, Langwarrin 3910	Five (5) lot subdivision	2/02/2017
18/2017/S	North-East	6 Barnett Avenue, Carrum Downs 3201	Six (6) Lot Subdivision	7/02/2017
19/2017/S	North-East	20 Barnett Avenue, Carrum Downs 3201	Four (4) Lot Subdivision	7/02/2017
20/2017/S	North-East	11 Tucker Boulevard, Carrum Downs 3201	Two (2) Lot Subdivision	7/02/2017
21/2017/S	North-East	28 Barnett Avenue, Carrum Downs 3201	Two (2) Lot Subdivision	7/02/2017
22/2017/S	North-East	17 Coaldrake Street, Carrum Downs 3201	Four (4) Lot Subdivision	7/02/2017
<b>North-East ward Total = 7</b>				
14/2017/S	North-West	2 Gordon Avenue, Frankston 3199	Three (3) lot subdivision	6/02/2017
16/2017/S	North-West	22 Armata Crescent, Frankston North 3200	Two (2) lot subdivision	7/02/2017
17/2017/S	North-West	23 Boonong Avenue, Seaford 3198	Two (2) lot subdivision	15/02/2017
193/2014/S/A	North-West	12 Petrie Street, Frankston 3199	Amendment to certified plan - Three (3) lot subdivision	27/02/2017
23/2017/S	North-West	18 Jasmine Court, Frankston 3199	Three (3) lot subdivision	27/02/2017
25/2017/S	North-West	212 - 214 Cranbourne Road, Frankston 3199	Seven (7) lot subdivision	27/02/2017
<b>North-West Total = 6</b>				
15/2017/S	South	14 Argyle Street, Frankston 3199	Three (3) lot subdivision	7/02/2017
24/2017/S	South	310 Centre Road, Langwarrin 3910	Two (2) lot subdivision	27/02/2017
<b>South Ward Total = 2</b>				

<b>Progress Report – Subdivision Decisions</b>					
<b>For The Application Date: From 1/02/2017 To 28/02/2017</b>					
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Status</b>	<b>Date</b>
58/2016/S	North-East	42 Access Way, Carrum Downs 3201	Two (2) lot subdivision	Certification and SOC Issued	9/02/2017
152/2015/S	North-East	15 Sitella Court, Carrum Downs 3201	Two (2) lot subdivision	Certified	17/02/2017
133/2016/S	North-East	67 Broderick Road, Carrum Downs 3201	Two (2) lot subdivision	Certified	27/02/2017
<b>North-East Ward Total = 3</b>					
208/2015/S	North-West	42 Finlay Street, Frankston 3199	Two (2) lot subdivision	SOC Issued (M)	6/02/2017
193/2014/S	North-West	12 Petrie Street, Frankston 3199	Three (3) lot subdivision	SOC Issued (M)	8/02/2017
107/2015/S	North-West	21 Pine Street, Frankston North 3200	Two (2) lot subdivision	Certified	10/02/2017
148/2016/S	North-West	36 Oliphant Way, Seaford 3198	Two (2) lot subdivision	Certification and SOC Issued	28/02/2017
<b>North-West Ward Total = 4</b>					
85/2016/S	South	35 Helvetia Court, Frankston 3199	Four (4) lot subdivision	SOC Issued (M)	7/02/2017
146/2015/S	South	34 Bayview Road, Frankston 3199	Two (2) lot subdivision	Recertified	10/02/2017
137/2015/S	South	10 Clarendon Street, Frankston 3199	Two (2) lot subdivision	Certified	15/02/2017
32/2016/S	South	9 Grange Road, Frankston South 3199	Two (2) lot subdivision	Certified	15/02/2017
177/2014/S	South	8 Culcairn Drive, Frankston South 3199	Certification	Certified	20/02/2017
32/2016/S	South	9 Grange Road, Frankston South 3199	Two (2) lot subdivision	Certified	20/02/2017
185/2015/S	South	55 Jasper Terrace, Frankston South 3199	Two (2) lot subdivision	SOC Issued (M)	28/02/2017
<b>South Ward Total = 7</b>					

<b>Town Planning Applications – Direction To Advertise Issued For The Application Date: From 1/02/2017 To 28/02/2017</b>				
<u>Application No</u>	<u>Property Address</u>	<u>Ward</u>	<u>Application Description</u>	<u>Date</u>
628/2016/P	192 Humphries Road Frankston South	South	To construct an outbuilding in a Design and Development Overlay (Schedule 1)	6 February 2017 – 20 February 2017
584/2016/P	63 Queen Street Frankston	North-West	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	6 February 2017 – 20 February 2017
617/2016/P	30 Sunnybank Road Langwarrin	South	To construct one (1) single storey dwelling	6 February 2017 – 20 February 2017
4/2017/P	1 Bunarong Drive Frankston	South	To vary the restrictive covenant D915607 from “a dwelling house constructed of brick or brick veneer or stone and this covenant shall run with the land” To Read – “a dwelling house constructed of brick or brick veneer or stone on the ground floor and brick or brick veneer or render or timber cladding on the first floor”	6 February 2017 – 20 February 2017
489/2016/P	11 Bouvardia Crescent Frankston North	North-West	To construct a single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	6 February 2017 – 20 February 2017
433/2016/P	1 Kerry Street Langwarrin	North-East	To construct extension to an existing dance school	6 February 2017 – 20 February 2017
465/2016/P	870 Thompsons Road Skye	North-East	To construct a building for the use of a primary school and place of worship, vegetation removal and alter access to a Road Zone Category 1	6 February 2017 – 20 February 2017
515/2016/P	21-23 Milne Avenue Seaford	North-West	To construct one (1) warehouse and reduce car parking	13 February 2017 – 27 February 2017
460/2016/P	41 Violet Street Frankston South	South	To construct additions to an existing dwelling	13 February 2017 – 27 February 2017
668/2016/P	35-37 Sheridan Street Frankston	North-West	To construct fourteen (14) three (3) storey dwellings in two buildings	13 February 2017 – 27 February 2017
535/2016/P	671 Nepean Highway Frankston South	South	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and create access (vehicle crossover) to a road in Road Zone Category 1	13 February 2017 – 27 February 2017

<b>Town Planning Applications – Direction To Advertise Issued For The Application Date: From 1/02/2017 To 28/02/2017</b>				
<b>Application No</b>	<b>Property Address</b>	<b>Ward</b>	<b>Application Description</b>	<b>Date</b>
439/2016/P	6 Denbigh Street Frankston	South	To construct four (4) double store dwellings	16 February 2017 – 2 March 2017
16/2017/P	5 Attunga Crescent Seaford	North-West	To construct (1) single storey dwelling to the rear of the existing dwelling	20 February 2017 – 6 March 2017
540/2016/P	510 Hall Road Skye	North-East	Alterations and extension to existing dwelling and to construct one outbuilding	20 February 2017 – 6 March 2017
35/2017/P	34A Ithaca Road Frankston South	South	Buildings and works within five (5) metres of a significant tree (retrospective)	20 February 2017 – 6 March 2017
512/2016/P	128 Overport Road Frankston South	South	To construct a garage and pergola	20 February 2017 – 6 March 2017
646/2016/P	88-98 Golf Links Road Frankston South	South	To undertake buildings and works for an equipment shed and to construct a canopy over the existing basketball court	20 February 2017 – 6 March 2017
623/2016/P	3/2 Martin Street Seaford	North-West	To construct alterations and additions to the existing dwelling and new garage	20 February 2017 – 6 March 2017
534/2016/P	5 Spring Street Frankston	South	To construct two (2) single storey dwellings	20 February 2017 – 6 March 2017
618/2016/P	9 Raymond Road Seaford	North-West	To construct one (1) single storey dwelling to the rear of the existing dwelling (two(2) dwellings) and a two (2) lot subdivision	23 February 2017 – 9 March 2017
663/2015/P/B	194-196 Karingal Drive Frankston	North-West	Section 72 - Amend the planning permit to increase the number of medical practitioners to maximum of 6 and waiver of car parking requirements.	23 February 2017 – 9 March 2017
441/2016/P	94 Highfield Drive Langwarrin South	South	Two (2) lot subdivision	23 February 2017 – 9 March 2017
580/2016/P	35 Gowrie Avenue Frankston South	South	Extension to the existing dwelling, construction of a front fence and an outbuilding.	23 February 2017 – 9 March 2017
363/2016/P	32 Glenview Crescent Frankston	South	To construct one (1) single storey dwelling to the rear of existing dwelling (two (2) dwellings)	23 February 2017 – 9 March 2017
592/2016/P	16 Ribbon Court Frankston North	North-West	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	23 February 2017 – 9 March 2017
587/2016/P	66 Kananook Avenue Seaford	North-West	To construct two (2) double storey dwellings	28 February 2017 – 14 March 2017

**Attachment A: February Town Planning Progress Report**

Town Planning Applications – Direction To Advertise Issued For The Application Date: From 1/02/2017 To 28/02/2017				
<u>Application No</u>	<u>Property Address</u>	<u>Ward</u>	<u>Application Description</u>	<u>Date</u>
639/2016/P	107 Fleetwood Crescent Frankston South	South	Two (2) lot subdivision	28 February 2017 – 14 March 2017
622/2016/P	27 Lewis Street Frankston	North-West	To construct three (3) double storey dwellings	28 February 2017 – 14 March 2017
32/2014/PS173/A	54 Norman Avenue Frankston South	South	To vary Clause 4.1 of Section 173 Agreement AL323131R to "Should the Land be subdivided in reliance upon the Subdivision Permit, the Owner covenants and agrees that the Land must only be developed in accordance with the Development Permit or any alternate future Development Permit approved by Frankston City Council, to the satisfaction of the Council."	28 February 2017 – 14 March 2017
589/2016/P	1/26 Access Way Carrum Downs	North-East	Buildings and works for the addition of a mezzanine and to use the land as a warehouse	28 February 2017 – 14 March 2017

Progress Report – Current VCAT Appeals FEBRUARY 2017								
<u>Appeal No</u>	<u>Application Number</u>	<u>Address (Ward)</u>	<u>Proposal</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1590/2016	730/2015/P	724 Frankston-Dandenong Road and 2 Boundary Road Carrum Downs	To use and develop the land for a place of worship, one (1) guest dwelling, one (1) care takers dwelling, agriculture and removal of native vegetation	NOD	Decision to grant a permit	13-Feb-17	No Permit to Issue	23-Feb-17
P1791/2016	206/2016/P	4 Dingle Avenue, Frankston	To construct a three (3) storey building containing eight (8) dwellings and reduction of visitor car parking	Refusal	Refusal to grant a permit	17-Mar-17		
P1005/2016	579/2015/P	56 High Street Frankston	To construct four (4) double storey and four (4) three storey dwellings (eight (8) dwellings), one (1) building for common use and a reduction in car parking.	Refusal	Refusal to grant a permit	24-May-17		
P1955/2016	701/2015/P	74-76 Hall road Carrum Downs	To construct ten (10) triple storey dwellings reduce the number of car parking spaces required and alter access to a road Zone Category 1	Refusal	Refusal to grant a permit	29-May-17		
P2045/2016	227/2016/P	8 William Road Carrum Downs	To use and develop the land for a place of worship	Refusal	Refusal to grant a permit	12-May-17		
P2203/2016	579/2015/P	13 Ebdale Street Frankston	To construct five (5) three storey dwellings	Refusal	Refusal to grant a permit	09-Jun-17		
P2180/2016	725/2015/P	7 Huon Court Frankston North	To construct two (2) double storey dwellings	Refusal	Refusal to grant a permit	16-Jun-17		
P2354/2016	254/2015/P	22-24 Sheridan Avenue Frankston	To construct twenty-three (23) dwellings in an apartment building	Refusal	Refusal to grant a permit	05-Jul-17		

**Attachment A: February Town Planning Progress Report**

P2365/2016	209/2016/P	13 George Street Frankston	To construct one (1) double storey dwelling to the rear of the existing four (4) single storey dwellings	Refusal	Refusal to grant a permit	18-May-17		
P50/2017	200/2016/P	115 & 119 Union Road Langwarrin	Five (5) lot subdivision	Approval	Appeal against conditions	06-Jul-17		
P190/2017	356/2016/P	50 Frankston-Flinders Rd Frankston	To construct five (5) double storey dwellings and reduction of carparking requirements and removal of vegetation.	Refusal	Refusal to grant a permit	07-Aug-17		
P26/2017	310/2016/P	14 Kirkwood Avenue Seaford	To subdivide the land into two (2) lots	Refusal	Refusal to grant a permit	11-Aug-17		
P2622/2016	8/2016/COMP	3 Burns Street Frankston	Certificate of Compliance (rooming housing)	Refusal	Refusal to grant a permit	09-May-17		
P2654/2016	352/2016/P	13 John Street Langwarrin	To construct two (2) double storey and one (1) single storey dwellings (three (3) dwellings)	Approval	Appeal against conditions	18-May-17		
P152/2017	701/20105/P	37 Nepean Highway Seaford	To construct one (1) three (3) storey building containing ten (10) apartments and basement carparking	Refusal	Refusal to grant a permit	11-Aug-17		
P310/2017	419/2015/P	134 Cadles Road Carrum Downs	To construct sixteen (16) dwellings and to remove native vegetation	Refusal	Refusal to grant a permit	18-Aug-17		
P353/2017	93/2016/P	54 Roberts Street Frankston	To construct two (2) double storey dwellings & one (1) single story dwelling (three (3) dwellings)	Refusal	Refusal to grant a permit	25-Aug-17		
P502/2017	355/2016/P	15 Luxton Terrace Seaford	To construct (2) two double storey dwelling	Approval	Appeal against conditions	15-Jul-17		

**Attachment A: February Town Planning Progress Report**

<b>Progress Report – VCAT Determination – Policy Implications</b> <b>FEBRUARY 2017</b>			
<b><u>Appeal No</u></b>	<b><u>Application No</u></b>	<b><u>Address (Ward)</u></b>	<b><u>VCAT Determination – Policy Implications</u></b> <b><u>February 2017</u></b>

<b>P1590/2016</b>	<b>730/2015/P</b>	<b>724 Frankston-Dandenong and 2 Boundary Road, Carrum Downs</b>	<p>This was an appeal by an objector against Council's decision to issue a Notice of Decision to Grant a Planning Permit for a Place of Worship at 724 Frankston-Dandenong and 2 Boundary Road, Carrum Downs for the applicant RSSB Australia Pty Ltd.</p> <p><b>Summary of Decision</b></p> <p>The objector sought a review with VCAT on the basis that the use and development of the land was inconsistent with the purposes of the Green Wedge Zone and the Environmental Significant Overlay(2); and the proposed use was a place of assembly and not a place of worship.</p> <p>The Tribunal found that the manner in which the land was proposed to be used and developed was consistent with State and local planning policies including the zone and overlay provisions. The Tribunal's findings were influenced by the scale of the building form in context with the overall size and context of the site and the ability of informal and formal landscaping to soften and screen the building form. The Tribunal was also satisfied that the agricultural component of the proposal was real and meaningful. The Member also considered the use appropriate within the buffer and would be unlikely to prejudice the future operations of the Eastern Treatment Plant. In addition, the Tribunal was satisfied, based on expert evidence, that demand for car parking could be satisfied on site and the proposed multiple access points to the existing road network would enable adequate dispersion of traffic movements. The Tribunal was also satisfied that the proposal would not cause any unreasonable amenity impact to surrounding properties.</p> <p>On the question of the characterisation of the use, the Tribunal Member determined that the use could not be defined as a Place of Worship and would be more appropriately defined as a Place of Assembly. This finding effectively prohibited the proposal in the Green Wedge Zone as the proposal could not comply with the conditions of a Place of Assembly under this zone as its use is restricted to 10 calendar days per year.</p> <p>After considering submissions and reviewing a range of material on the matter, the Tribunal member was not satisfied that the site would be primarily used for religious activities and was not convinced that RSSB is a religion or practices a religion as is it not aligned with one particular religion.</p> <p>The member concluded that the proposal was prohibited under the zone and directed that no planning permit be granted.</p> <p>Since the VCAT merits hearing in March, RSSB applied to the Supreme Court for a review of the Tribunal's decision based on an error of law. The RSSB is refuting the reasoning behind the decision of the Tribunal in their interpretation and characterisation of the use.</p> <p>The Supreme Court hearing is scheduled for 27 April 2017. Representatives from City of Frankston are not required to attend the hearing.</p>
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<b>Strategic Unit - Planning Scheme Amendments – FEBRUARY 2017</b>				
<b><u>Amendment</u></b>	<b><u>Address</u></b>	<b><u>Description</u></b>	<b><u>Status</u></b>	<b><u>Status Date</u></b>
C100	City Wide	MSS Review	Amendment submitted to Minister for approval in December 2016.	31 February 2017
C103	160 Potts Road	Changing the DPO	Awaiting authorisation to go on exhibition	31 February 2017
C105		Student Accommodation Policy	On hold	31 February 2017
C111	Frankston City Car Parking Overlay	Implement a parking overlay over the FMAC	Request to exhibit submitted to Minister.	31 February 2017
C112	City wide	Introduces permit requirement for earthworks within GWZ, RCZ, FZ and DDO4.	Approved by Minister. Gazetted on 13/10/2016.	31 February 2017
C113	City wide	Native Vegetation Review	Panel report received. Submitted to Minister for approval in September 2016.	31 February 2017
C114	Residential zones	Multi-Unit parking guidelines	Minister refused request to prepare and exhibit Amendment C114.	31 February 2017
C115	EMO2 Review	Provides for specific boundary for the EMO2 in and around Lower Sweetwater Creek	Submitted request for Ministerial Amendment on 11/10/16.	31 February 2017
C123	Frankston MAC	Implements the recommendations of the Frankston MAC Structure Plan	Panel hearing conducted 16/11/16. Panel report received 7/12/16. Panel recommended approval of amendment. Council deferred pending briefing. Briefing scheduled for 18/04/17	31 February 2017
C124	Frankston MAC (balance)	Implements the recommendations of the Frankston MAC Structure Plan for areas other than city centre.	Amendment documentation being prepared. Exhibition May 2017.	31 February 2017

**Executive Summary****11.4 March Town Planning Progress Report**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To provide Council with an update on the exercise of planning delegation by Council officers for the month of March 2017.

**Recommendation (Director Community Development)**

That Council receives and notes the report.

**Key Points / Issues**

This report provides Council with an update on the exercise of planning delegations by Council officers on the following items:

- Planning applications received;
- Planning decisions;
- Subdivision applications received;
- Subdivision decisions;
- Planning Scheme amendments;
- VCAT Appeal register; and
- VCAT decisions.

In March 2017, 68 applications were received and 56 applications determined. All of the decisions made in March were made under delegation. A total of 47.3% of decisions were made within 60 days.

Five (5) decisions related to multi-unit dwelling applications. All five (5) of these decisions complied with Council's Multi-dwelling Visitor Car Parking Guidelines, two were approved, two (2) were refused on a number of grounds and the remaining application lapsed and was not considered.

Please refer to February progress report (on this same Council agenda) for discussion on upcoming VCAT matters.

Council has received eight (8) planning applications for development valued over \$1 million in March. This has generated fees to the Metropolitan Planning Levy (MPL)(charged by the State Government) that total \$43,933.50. This financial year a total of \$159,827.20 has been paid to the State Government by applicants for approvals in Frankston.

**11.4 March Town Planning Progress Report****Executive Summary****Financial Impact**

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

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

**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

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.

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 identified risks noted in relation to the preparation of this report.

**Conclusion**

This report provides Council an overview of the activities and decisions made by its planning teams.

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**ATTACHMENTS**

Attachment A: March Town Planning Progress Report

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
87/2017/P	North-East	14 Barnett Avenue, Carrum Downs 3201	Four (4) Lot Subdivision	2/03/2017
89/2017/P	North-East	175 Potts Road, Langwarrin 3910	To construct a shed carport and verandah	3/03/2017
98/2017/P	North-East	17 Gonis Crescent, Carrum Downs 3201	To construct two (2) double storey dwellings	6/03/2017
97/2017/P	North-East	595 Ballarto Road, Skye 3977	To use and develop the land for horticulture (mushroom farm)	8/03/2017
102/2017/P	North-East	15 Tucker Boulevard, Carrum Downs 3201	To construct (1) double storey dwelling	9/03/2017
101/2017/P	North-East	19 Barnett Avenue, Carrum Downs 3201	To construct one (1) single storey dwelling within the Significant Land Overlay Schedule 5 (SLO5).	10/03/2017
107/2017/P	North-East	3 Levida Drive, Carrum Downs 3201	To display business identification signage	14/03/2017
122/2017/P	North-East	42 William Road, Carrum Downs 3201	Four (4) lot subdivision	16/03/2017
127/2017/P	North-East	36 Lily Way, Skye 3977	To construct nineteen (19) double storey dwellings	16/03/2017
113/2017/P	North-East	9 Coaldrake Street, Carrum Downs 3201	To construct one (1) single storey dwelling	16/03/2017
117/2017/P	North-East	91A Aqueduct Road, Langwarrin 3910	Three (3) lot subdivision	17/03/2017
121/2017/P	North-East	1195 Frankston-Dandenong Road, Carrum Downs 3201	To construct eight (8) single storey dwellings (stage 6)	17/03/2017
114/2017/P	North-East	51 William Road, Carrum Downs 3201	To construct one (1) single storey dwelling	17/03/2017
118/2017/P	North-East	47 William Road, Carrum Downs 3201	To construct one (1) single storey dwelling within the Significant Landscape Overlay Schedule 5	17/03/2017
123/2017/P	North-East	2 Athol Court, Langwarrin 3910	Two (2) lot subdivision	20/03/2017
134/2017/P	North-East	27 Barnett Avenue, Carrum Downs 3201	To construct one (1) double storey dwelling	27/03/2017
135/2017/P	North-East	18 Hafey Way, Langwarrin 3910	To construct one (1) single storey dwelling and one (1) shed	27/03/2017
133/2017/P	North-East	1 Hall Road, Carrum Downs 3201	Use and develop the land for a 24hour service station incorporating a convenience store, drive through Restaurant, 2 Food and Drink Premises, associated carparking, variation to the crossover widths & internally illuminated advertising signage	27/03/2017
145/2017/P	North-East	29 Hafey Way, Langwarrin 3910	To construct one (1) dwelling	28/03/2017
<b>North-East Ward Total = 19</b>				

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
85/2017/P	North-West	216 Nepean Highway, Seaford 3198	To construct one (1) double storey dwelling	1/03/2017
88/2017/P	North-West	13 Harold Street, Seaford 3198	To construct a front fence	6/03/2017
100/2017/P	North-West	6 Raymond Road, Seaford 3198	To construct three (3) double storey dwellings	6/03/2017
96/2017/P	North-West	21 Alpina Street, Frankston North 3200	Nineteen (19) lot subdivision (staged)	8/03/2017
108/2017/P	North-West	23 Barry Street, Seaford 3198	To construct three (3) double story dwellings	9/03/2017
103/2017/P	North-West	5-7 Sunderland Court, Seaford 3198	To construct a child care centre	10/03/2017
111/2017/P	North-West	36 Halifax Street, Seaford 3198	To construct a verandah	16/03/2017
124/2017/P	North-West	Frankston Basketball Centre 39R Wells Road, Seaford 3198	Creation and Removal of Easement	17/03/2017
137/2017/P	North-West	2X/330 Cranbourne Road, Frankston 3199	To display business identification signage	20/03/2017
336/2015/P/B	North-West	12 Golden Court, Frankston North 3200	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	24/03/2017
139/2017/P	North-West	15 Frank Street, Frankston 3199	Three (3) Lot subdivision	28/03/2017
<b>North-West Ward Total = 11</b>				
90/2017/P	South	435 Baxter-Tooradin Road, Langwarrin South	To construct a shed	3/03/2017
94/2017/P	South	11 Norman Avenue, Frankston South 3199	Two (2) lot Subdivision	6/03/2017
106/2017/P	South	26 Flame Robin Drive, Langwarrin 3910	Vegetation removal	6/03/2017
4/2017/VS	South	Shop 4/108-120 Young Street, Frankston 3199	To reduce the car parking requirement for a Medical Centre for one (1) medical practitioner pursuant to Clause 52.06-3 of the Frankston Planning Scheme	7/03/2017
92/2017/P	South	3 Kandy Court, Frankston 3199	Two (2) lot subdivision	7/03/2017
3/2017/VS	South	11 John Street, Langwarrin 3910	Two (2) lot subdivision	7/03/2017
99/2017/P	South	74 Gould Street, Frankston 3199	To construct two (2) triple storey dwellings	8/03/2017
109/2017/P	South	4 Plowman Place, Frankston 3199	To use and construct a nine (9) storey building containing fifty six (56) dwellings	10/03/2017

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
104/2017/P	South	20-24 Davey Street, Frankston 3199	Vegetation removal	10/03/2017
105/2017/P	South	65 Victoria Road, Langwarrin South 3911	Building and works to an existing dwelling	14/03/2017
132/2017/P	South	65 Brighton Street, Frankston South 3199	Two (2) lot subdivision	14/03/2017
112/2017/P	South	26 Hamilton Grove, Frankston South 3199	Three (3) lot subdivision	15/03/2017
5/2017/VS	South	4 Woolston Drive, Frankston South 3199	To construct a fence	15/03/2017
115/2017/P	South	2/25 Kars Street, Frankston 3199	To construct a verandah	16/03/2017
125/2017/P	South	5 Lardner Road, Frankston 3199	To construct four (4) double storey dwellings	16/03/2017
126/2017/P	South	88-98 Golf Links Road, Frankston South 3199	To construct one (1) new building containing seven (7) classrooms and three (3) toilets	16/03/2017
120/2017/P	South	4 Golf Links Road, Frankston South 3199	Buildings and works to upgrade to an existing service station facility and to display business identification signage	17/03/2017
129/2017/P	South	21 The Close, Frankston South 3199	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	17/03/2017
119/2017/P	South	15 Lawson Avenue, Frankston South 3199	To construct two (2) double storey dwelling to the rear of the existing dwelling (three (3) dwellings)	17/03/2017
116/2017/P	South	5 The Range, Frankston South 3199	Two (2) lot subdivision	17/03/2017
136/2017/P	South	24 Lee Street, Frankston 3199	To construct ten (10) double storey dwellings	20/03/2017
130/2017/P	South	14 The Crest, Frankston South 3199	Two (2) lot subdivision	21/03/2017
128/2017/P	South	Shop 5/144 Young Street, Frankston 3199	To reduce the car parking requirements of Clause 52.06 for a medical centre	22/03/2017
131/2017/P	South	41 Hillcrest Road, Frankston 3199	To construct one (1) single storey dwelling to the rear of the existing dwelling (two dwellings)	23/03/2017
140/2017/P	South	14 Peter Chance Crescent, Langwarrin 3910	To construct one (1) single storey dwelling	24/03/2017
138/2017/P	South	13 Foot Street, Frankston 3199	To construct three (3) double storey dwellings	24/03/2017
240/2016/P/B	South	40 Brighton Street, Frankston South 3199	To construct two (2) double storey dwellings	24/03/2017
144/2017/P	South	1 Hotham Street, Frankston South 3199	To construct a swimming pool	28/03/2017

<b>Progress Report – Planning Applications Received</b>				
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
142/2017/P	South	5 Oban Street, Frankston 3199	To construct one (1) double storey dwelling to the side of existing dwelling (two (2) dwellings)	27/03/2017
143/2017/P	South	6 Altarnun Road, Langwarrin 3910	To construct one (1) shed	28/03/2017
141/2017/P	South	569 Nepean Highway, Frankston 3199	To construct one (1) three (3) storey dwelling	29/03/2017
<b>South Ward Total = 32</b>				

<b>Progress Report – Amendments to Planning Permits - Received</b>				
<b>For The Application Date: From 1/01/2017 To 31/01/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
521/2014/P/A	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.	1/03/2017
556/2014/P/A	North-East	6 Malibu Circuit, Carrum Downs 3201	Extension of time - Seventeen (17) lot subdivision	3/03/2017
548/2010/P/E	North-East	5 Jack Street, Carrum Downs 3201	Extension of time - To construct a factory/office	3/03/2017
521/2014/P/B	North-East	63 Sandhurst Boulevard, Sandhurst 3977	Extension of time - To construct one (1) single storey building to be used as a Child Care Centre and associated carparking.	6/03/2017
380/2014/P/B	North-East	167 Lyrebird Drive, Carrum Downs 3201	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	10/03/2017
518/2016/P/A	North-East	31 Boundary Road, Carrum Downs 3201	Section 72 Amendment - Three (3) lot subdivision in stages and removal of drainage easement	10/03/2017
638/2012/P/B	North-East	75 McClelland Drive, Skye 3977	Extension of time - Seven (7) lot subdivision	17/03/2017
388/2016/P/B	North-East	49 & 53 William Road, Carrum Downs 3201	Section 72 Amendment - Vegetation Removal	17/03/2017
135/2013/P/A	North-East	25 Lats Avenue, Carrum Downs 3201	Secondary consent - One hundred and five (105) lot subdivision with common property, municipal reserves and roads in stages	21/03/2017
789/2010/P/C	North-East	301-303 Ballarto Road, Carrum Downs 3201	Section 72 - Proposed medical centre with associated carparking, business identification signage & alteration of access to a road zone	21/03/2017
365/2014/P/A	North-East	28 William Road, Carrum Downs 3201	Extension of time - To construct two (2) double storey dwellings to the rear of the existing dwelling (three (3) dwellings)	27/03/2017
32/2015/P/B	North-East	11 Leah Grove, Carrum Downs 3201	Extension of time - To construct a mezzanine floor in an existing warehouse	27/03/2017
80/2016/P/A	North-East	388 Ballarto Road, Skye 3977	Secondary consent - Use of the land for a dwelling, to construct a single storey dwelling and create access to a Road Zone Category 1	27/03/2017
32/2015/P/A	North-East	11 Leah Grove, Carrum Downs 3201	Secondary consent - To construct a mezzanine floor in an existing warehouse	28/03/2017
280/2015/P/B	North-East	7 Levida Drive, Carrum Downs 3201	Section 72 Amendment - To construct four (4) warehouses with reduced car parking requirements	28/03/2017
668/2013/P/A	North-East	114 Wedge Road, Carrum Downs 3201	Extension of time - To construct two (2) double storey dwellings to the side and rear of the existing single storey dwelling (three (3) dwellings)	29/03/2017

451/2015/P/B	North-East	20 Colemans Road, CARRUM DOWNS 3201	Secondary consent - To construct thirty four (34) factories for industry use and reduction in car parking	31/03/2017
451/2015/P/B	North-East	16 Colemans Road, CARRUM DOWNS 3201	Secondary consent - To construct thirty four (34) factories for industry use and reduction in car parking	31/03/2017
<b>North-East Ward Total = 18</b>				
131/2014/P/B	North-West	5 Lacenet Avenue, Frankston North 3200	Extension of time - To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	1/03/2017
683/2014/P/E	North-West	15 Ebdale Street, FRANKSTON 3199	Secondary consent - To construct a four (4) storey building containing twenty five (25) apartments	1/03/2017
683/2014/P/E	North-West	17 Ebdale Street, FRANKSTON 3199	Secondary consent - To construct a four (4) storey building containing twenty five (25) apartments	1/03/2017
391/2014/P/B	North-West	3 Kurong Avenue, Frankston 3199	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	7/03/2017
41/2013/P/B	North-West	9 Coonac Place, Frankston 3199	Secondary consent - The construction of one (1) double storey dwelling to the side of the existing dwelling (two (2) dwellings)	7/03/2017
262/2015/P/C	North-West	Karingal Bowling Club 238-250 Skye Road, Frankston 3199	Secondary consent - To construct alterations to the existing building and display of internally illuminated sign in association with the use of the land for a bowling club	7/03/2017
594/2014/P/B	North-West	2 Duncan Avenue, Seaford 3198	Extension of time - To construct two (2) double storey dwellings	8/03/2017
99/2011/P/B	North-West	295 Frankston-Dandenong Road, Frankston North 3200	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling.	14/03/2017
530/2002/P/B	North-West	95 Ashleigh Avenue, Frankston 3199	Secondary consent - Develop land for 60 multi dwellings inc veg removal	15/03/2017
495/2015/P/C	North-West	14 Bainbridge Avenue, Seaford 3198	Secondary consent - To construct alterations, extensions and works to motor vehicle sales centre	15/03/2017
495/2015/P/C	North-West	6-7 Wells Road, Seaford 3198	Secondary consent - To construct alterations, extensions and works to motor vehicle sales centre	15/03/2017
495/2015/P/C	North-West	8 Wells Road, Seaford 3198	Secondary consent - To construct alterations, extensions and works to motor vehicle sales centre	15/03/2017
552/2006/P/A	North-West	34 Coral Street, Frankston 3199	Secondary consent - Construct eight (8) single storey dwellings, removal of vegetation and associated works	17/03/2017
552/2006/P/A	North-West	8/34 Coral Street, Frankston 3199	Secondary consent - Construct eight (8) single storey dwellings, removal of vegetation and associated works	17/03/2017

936/2005/P/D	North-West	12 Hi-Tech Place, Seaford 3198	Section 72 Amendment - Two (2) storey office and warehouse development	17/03/2017
99/2011/P/C	North-West	295 Frankston-Dandenong Road, Frankston North 3200	Secondary consent - To construct one (1) single storey dwelling to the rear of the existing dwelling.	20/03/2017
482/2014/P/A	North-West	53 Sassafras Drive, Frankston 3199	Extension of time - To construct two (2) single storey dwellings	21/03/2017
690/2013/P/A	North-West	3 – 5 Ashleigh Street, Frankston 3199	Secondary consent - To construct six (6) double storey dwellings	24/03/2017
386/2013/P/C	North-West	32-34 Nepean Highway, Seaford 3198	Extension of time - To construct thirty seven (37) apartments within a three (3) storey building with basement carparking and to alter access to a road in a Road Zone Category 1	28/03/2017
259/2012/P/B	North-West	21 Kelvin Avenue, Seaford 3198	Extension of time - To construct two (2) double storey dwellings	30/03/2017
<b>North-West Ward Total = 20</b>				
755/2013/P/B	South	227 Frankston-Flinders Road, Frankston South 3199	Section 72 Amendment - Internally illuminated signage and business identification signage	2/03/2017
673/2014/P/C	South	22 Bangor Drive, Frankston 3199	Secondary consent - To construct two (2) double storey dwellings	3/03/2017
546/2014/P/B	South	4 Clyde Street Mall, Frankston 3199	Extension of time - To use and develop the land for a five (5) storey building containing sixty (60) dwellings, food and drink premises and associated reduction of car parking	6/03/2017
546/2014/P/B	South	36R Ross Smith Avenue East, Frankston 3199	Extension of time - To use and develop the land for a five (5) storey building containing sixty (60) dwellings, food and drink premises and associated reduction of car parking	6/03/2017
221/2011/P/A	South	42 Kenilworth Avenue, Frankston 3199	Secondary consent - To construct four (4) double storey dwellings	6/03/2017
521/2011/P/B	South	17 Esplanade, Frankston 3199	Section 72 Amendment - Construction of one dwelling in accordance with the endorsed plans	7/03/2017
344/2014/P/A	South	4 George Street, Frankston 3199	Extension of time - To construct three (3) double storey dwellings	10/03/2017
758/2013/P/A	South	6 Gulwa Avenue, Frankston 3199	Secondary consent - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings) and to subdivide the land into two (2) lots	10/03/2017
4/2012/P/C	South	35 Culcairn Drive, Frankston South 3199	Secondary consent - To construct six (6) dwellings (three (3) double storey and three (3) single storey), the removal of substantial trees, site coverage greater than 40% and works within 5 metres of a substantial tree	14/03/2017

705/2014/P/A	South	17 Bowes Street, Frankston South 3199	Section 72 Amendment - To construct one single storey dwelling and a front fence. Variation to restrictive covenant (PS632449B) by varying the cross hatched section of lot 1.	17/03/2017
134/2015/P/B	South	2 Munica Court, Frankston 3199	Extension of time - Two (2) lot subdivision	21/03/2017
450/2014/P/A	South	45 Highview Road, Frankston 3199	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	23/03/2017
<b>South Ward Total = 12</b>				

<b>Progress Report – Planning Application Decisions</b>					
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>					
<b><u>Application</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>
504/2016/P	North-East	45 Frankston Gardens Drive, Carrum Downs 3201	The construction of two (2) warehouses with ancillary office spaces.	Permit Approved	3/03/2017
367/2016/P	North-East	41 Beech Street, Langwarrin 3910	The construction of one (1) single storey dwelling to the rear of the existing dwelling (Two (2) dwellings)	Permit Approved	7/03/2017
3/2017/P	North-East	1M Rossiter Road, Carrum Downs 3201	Telecommunications Facility	Application Lapsed	14/03/2017
40/2017/P	North-East	62 Potts Road, Langwarrin 3910	Two (2) lot subdivision	Permit Approved	14/03/2017
66/2017/P	North-East	28 Barnett Avenue, Carrum Downs 3201	Two (2) Lot Subdivision	Permit Approved	15/03/2017
144/2013/P	North-East	315 North Road, Langwarrin 3910	To subdivide the land, remove vegetation and construct and carry out works within a Road Zone, Category 2	Permit Approved	17/03/2017
144/2013/P	North-East	Stringybark Bushland Reserve 315R North Road, Langwarrin 3190	To subdivide the land, remove vegetation and construct and carry out works within a Road Zone, Category 2	Permit Approved	17/03/2017
38/2017/P	North-East	62 McCormicks Road, Skye 3977	Two (2) lot subdivision	Permit Approved	17/03/2017
521/2016/P	North-East	26 Thornbill Drive, Carrum Downs 3201	The construction of one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	22/03/2017
95/2016/P	North-East	6 Northgateway, Langwarrin 3910	To construct three (3) double storey dwellings and one (1) single storey dwelling (four (4) dwellings)	Permit Approved	22/03/2017
637/2016/P	North-East	26 Grassmere Road, Langwarrin 3910	Extension to the existing dwelling	Permit Approved	24/03/2017
603/2016/P	North-East	160 Colemans Road, Carrum Downs	one (1) factory / warehouse and ancillary office	Permit Approved	24/03/2017
65/2017/P	North-East	11 Tucker Boulevard, Carrum Downs	Two (2) Lot Subdivision	Permit Approved	24/03/2017
536/2016/P	North-East	8 Valley Road, Langwarrin 3910	To carry out earthworks (Dam) in the Rural Conservation Zone and Public Acquisition Overlay (Schedule 2)	Permit Approved	28/03/2017
665/2016/P	North-East	11 Coles Parkway, Carrum Downs 3201	To construct one (1) single storey dwelling within the Significant Landscape Overlay Schedule 5	Permit Approved	29/03/2017
540/2016/P	North-East	510 Hall Road, Skye 3977	Alterations and extension to existing dwelling and to construct one (1) outbuilding	Permit Approved	30/03/2017

<b>Progress Report – Planning Application Decisions</b>					
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
118/2017/P	North-East	47 William Road, Carrum Downs 3201	To construct one (1) single storey dwelling within the Significant Landscape Overlay Schedule 5	Permit Approved	31/03/2017
<b>North-East Ward = 17</b>					
493/2016/P	North-West	25 Nepean Highway, Seaford 3198	To construct two (2) triple storey dwellings, a two (2) lot subdivision, to create or alter access to a Road Zone Category 1 and variations to the DDO6	Application Refused	1/03/2017
594/2016/P	North-West	3 Kendra Court, Seaford 3198	Construction of three (3) warehouses	Permit Approved	3/03/2017
393/2016/P	North-West	66 Centenary Street, Seaford 3198	The construction of three (3) double storey dwellings	Permit Approved	3/03/2017
659/2016/P	North-West	16 Lindrum Road, Frankston 3199	To construct one (1) double storey dwelling and buildings & works to the existing dwelling (two (2) double storey dwellings)	Application Lapsed	6/03/2017
355/2016/P	North-West	15 Luxton Terrace, Seaford 3198	To construct (2) two double storey dwelling	Permit Approved	7/03/2017
46/2017/P	North-West	2 Gordon Avenue, Frankston 3199	Three (3) lot subdivision	Permit Approved	8/03/2017
2/2017/VS	North-West	53 Kananook Avenue, Seaford 3198	The construction of one (1) single storey dwelling	Permit Approved	9/03/2017
545/2016/P	North-West	303 Nepean Highway, Frankston 3199	To construct a triple storey child care centre	Application Lapsed	14/03/2017
543/2016/P	North-West	25 Portland Parade, Seaford 3198	To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	14/03/2017
31/2017/P	North-West	14 Cricklewood Avenue, Frankston	Three (3) lot subdivision	Permit Approved	16/03/2017
82/2017/P	North-West	8/34 Coral Street, Frankston 3199	To construct a verandah	Application Withdrawn	17/03/2017
513/2016/P	North-West	18 McKenzie Street, Seaford 3198	The construction of two (2) double storey dwellings	Permit Approved	22/03/2017
52/2016/P	North-West	10 Duncan Avenue, Seaford 3198	To construct three (3) double storey dwellings	Notice of Decision	24/03/2017
477/2016/P	North-West	30 Stephenson Road, Seaford 3198	Buildings and works for a store (29 storage units)	Permit Approved	28/03/2017
610/2016/P	North-West	27 Kirkwood Avenue, Seaford 3198	The construction of one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Application Refused	30/03/2017
88/2017/P	North-West	13 Harold Street, Seaford 3198	To construct a front fence	Permit Approved	31/03/2017
<b>North-West Ward Total = 16</b>					

<b>Progress Report – Planning Application Decisions</b>					
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>					
<b><u>Application</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>
373/2016/P	South	350 Robinsons Road, Langwarrin South 3911	To construct an Extension to an existing dwelling and outbuilding (habitable) ancillary to a dwelling	Permit Approved	3/03/2017
4/2017/P	South	1 Bunarong Drive, Frankston 3199	To vary the restrictive covenant D915607 from “a dwelling house constructed of brick or brick veneer or stone and this covenant shall run with the land” To read – “a dwelling house constructed of brick or brick veneer or stone on the ground floor and brick or brick veneer or render or timber cladding on the first floor”	Notice of Decision	3/03/2017
43/2017/P	South	7 Palm Court, Frankston 3199	Extension to an existing dwelling	No Permit Required	9/03/2017
428/2016/P	South	26 Hamilton Grove, Frankston South 3199	To construct (2) single storey dwellings to rear of the existing dwelling (three (3) dwellings)	Permit Approved	9/03/2017
78/2017/P	South	25 Victoria Parade, Frankston 3199	To use the existing dwelling for home occupation (acupuncturist)	No Permit Required	10/03/2017
126/2016/P	South	227 Cranbourne Road, Frankston 3199	To construct extensions to the existing building, signage and to extend the liquor licence area	Application Withdrawn	14/03/2017
590/2016/P	South	8 Denbigh Street, Frankston 3199	To construct three (3) double double storey dwellings	Application Lapsed	14/03/2017
35/2017/P	South	34A Ithaca Road, FRANKSTON SOUTH 3199	Buildings and Works within five (5) metres of two significant trees	Notice of Decision	15/03/2017
3/2017/VS	South	11 John Street, Langwarrin 3910	Two (2) lot subdivision	Permit Approved	15/03/2017
48/2017/P	South	14 Argyle Street, Frankston 3199	Three (3) lot subdivision	Permit Approved	16/03/2017
62/2017/P	South	6 Balmoral Walk, FRANKSTON 3199	Internally illuminated signage	Permit Approved	17/03/2017
47/2017/P	South	5 Balamara Court, Frankston South 3199	The removal of three (3) native trees	Permit Approved	17/03/2017
500/2016/P	South	452 Nepean Highway, Frankston 3199	Building and works to an existing car park (To construct a second drive thru and removing seven (7) car spaces)	Permit Approved	22/03/2017
566/2016/P	South	6 Gowrie Avenue, Frankston South 3199	To construct a second storey extension to the existing dwelling	Permit Approved	22/03/2017

<b>Progress Report – Planning Application Decisions</b>					
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>					
<b><u>Application</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>
413/2016/P	South	110 Kars Street, Frankston South 3199	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	22/03/2017
656/2016/P	South	14 Cranhaven Road, Langwarrin 3910	Two (2) subdivision	Permit Approved	22/03/2017
4/2017/VS	South	Shop 4/108-120 Young Street, Frankston 3199	To reduce the car parking requirement for a Medical Centre for one (1) medical practitioner pursuant to Clause 52.06-3 of the Frankston Planning Scheme	Permit Approved	23/03/2017
447/2016/P	South	8A Chetwyn Court, Frankston South 3199	To construct one (1) double storey dwelling and one (1) outbuilding	Notice of Decision	28/03/2017
646/2016/P	South	88-98 Golf Links Road, Frankston South 3199	To undertake buildings and works for an equipment shed and to construct a canopy over the existing basketball court in association with the use of the site for an Education Centre	Permit Approved	28/03/2017
337/2016/P	South	97 Robinsons Road, Langwarrin 3910	To construct one (1) building to be used in association with the existing education centre	Permit Approved	29/03/2017
326/2016/P	South	171 Humphries Road, Frankston South	To construct one (1) double storey dwelling	Permit Approved	29/03/2017
74/2017/P	South	1/18 Bruarong Crescent, Frankston South 3199	To construct a deck	Permit Approved	30/03/2017
652/2016/P	South	65A Wells Street, Frankston 3199	To construct a shop and reduce the carparking requirements of clause 52.06	Application Withdrawn	30/03/2017
70/2017/P	South	60-64 Wells Street, Frankston 3199	To construct buildings and works to an existing building, reduce the number of carparking spaces required under Clause 52.06 and display a business identification sign.	Permit Approved	30/03/2017
439/2016/P	South	6 Denbigh Street, Frankston 3199	To construct four (4) double storey dwellings	Application Refused	30/03/2017
534/2016/P	South	5 Spring Street, Frankston 3199	To construct two (2) single storey dwellings	Permit Approved	30/03/2017
460/2016/P	South	41 Violet Street, Frankston South 3199	To construct additions to an existing dwelling	Notice of Decision	31/03/2017
<b>South Ward Total = 26</b>					

Progress Report – Amendments to Planning Application Decisions					
For The Application Date: From 1/03/2017 To 31/03/2017					
<u>Application</u>	<u>Ward</u>	<u>Property Address</u>	<u>Application Description</u>	<u>Status</u>	<u>Date</u>
392/2012/P/E	North-East	294 Ballarto Road, Skye 3977	Extension of time - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Extension of Time Approved	1/03/2017
468/2009/P/F	North-East	842 Frankston-Dandenong Road, Carrum Downs 3201	Secondary consent - Use of the land as a Place of Assembly (Temple) and associated accommodation.	Secondary Consent Approved	3/03/2017
675/2011/P/B	North-East	36 Lily Way, Skye 3977	Secondary consent - The construction of five (5) double storey dwellings	Secondary Consent Approved	6/03/2017
401/2011/P/F	North-East	2 McKenzie Way, Langwarrin	Extension of time - To construct one (1) double storey dwelling to the rear of the existing dwelling	Extension of Time Approved	9/03/2017
110/2014/P/C	North-East	370 Ballarto Road, Skye 3977	Extension of time - To construct sixteen (16) double storey dwellings in association with the retention of the existing double storey dwelling (seventeen (17) dwellings)	Extension of Time Approved	9/03/2017
182/2016/P/A	North-East	135 Taylors Road, Skye 3977	Extension of time - Three (3) outbuildings (shipping containers)	Extension of Time Approved	10/03/2017
548/2010/P/E	North-East	5 Jack Street, Carrum Downs 3201	Extension of time - To construct a factory/office	Extension of Time Approved	21/03/2017
325/2015/P/A	North-East	120 Colemans Road, Carrum Downs	Secondary consent - To construct one (1) warehouse and associated office	Secondary Consent Approved	23/03/2017
521/2014/P/B	North-East	63 Sandhurst Boulevard, Sandhurst	Extension of time - To construct one (1) single storey building to be used as a Child Care Centre and associated carparking.	Extension of Time Approved	27/03/2017
296/2016/P/B	North-East	520 Cranbourne-Frankston Road, Langwarrin 3910	Secondary consent - To construct an outbuilding	Secondary Consent Approved	29/03/2017
655/2011/P/E	North-East	21 Yarralumla Drive, Langwarrin	Extension of time - Two (2) lot subdivision	Extension of Time Approved	31/03/2017
<b>North-East Ward total = 11</b>					
476/2016/P/A	North-West	17 Johnstone Street, Seaford 3198	Section 72 - The construction of one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Permit Approved	8/03/2017
313/2011/P/C	North-West	115 Rosemary Crescent, Frankston North 3200	Extension of time - Construction of a two storey dwelling to the rear of the existing dwelling (two (2) dwellings)	Extension of Time Approved	9/03/2017

<b>Progress Report – Amendments to Planning Application Decisions</b>					
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>					
<b><u>Application</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>
469/2008/P/H	North-West	211 Nepean Highway, Seaford 3198	Extension of time - Development of nineteen (19) dwellings and alteration of access to a road in Road Zone, Category 1	Extension of Time Approved	16/03/2017
469/2008/P/H	North-West	212 Nepean Highway, Seaford 3198	Extension of time - Development of nineteen (19) dwellings and alteration of access to a road in Road Zone, Category 1	Extension of Time Approved	16/03/2017
683/2014/P/E	North-West	15- 17 Ebdale Street, Frankston	Secondary consent - To construct a four (4) storey building containing twenty five (25) apartments	Secondary Consent Approved	23/03/2017
<b>North-West Ward Total = 5</b>					
65/2014/P/A	South	5-7 Olympic Avenue, Frankston	Secondary consent - To construct four (4) double storey dwellings	Secondary Consent Approved	6/03/2017
630/2010/P/C	South	15 Lardner Road, Frankston 3199	Secondary consent - To construct one (1) double storey dwelling to the rear of the existing dwelling	Secondary Consent Approved	21/03/2017
<b>South Ward Total = 2</b>					

<b>Progress Report – Subdivision Application Received</b>				
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>				
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Date</b>
36/2017/S	North-East	91A Aqueduct Road, Langwarrin 3910	Three (3) lot subdivision	17/03/2017
37/2017/S	North-East	42 William Road, Carrum Downs 3201	Four (4) lot subdivision	20/03/2017
38/2017/S	North-East	2 & 2A Athol Court, Langwarrin 3910	Two (2) lot subdivision	20/03/2017
43/2017/S	North-East	29 Sandarra Boulevard, Sandhurst 3977	Certification of two (2) lot subdivision	30/03/2017
<b>North-East ward Total = 4</b>				
39/2017/S	North-West	Frankston Basketball Centre 39R Wells Road, Seaford	Creation and Removal of Easement	17/03/2017
42/2017/S	North-West	15 Frank Street, Frankston 3199	Three (3) lot subdivision	28/03/2017
<b>North-West Ward Total = 2</b>				
28/2017/S	South	3 Kandy Court, Frankston 3199	Two (2) lot subdivision	7/03/2017
30/2017/S	South	11 Norman Avenue, Frankston South 3199	Two (2) lot subdivision	6/03/2017
32/2017/S	South	9 Beaconsfield Avenue, Frankston 3199	Certification of three (3) lot subdivision	8/03/2017
34/2017/S	South	26 Hamilton Grove, Frankston South 3199	Three (3) lot subdivision	15/03/2017
35/2017/S	South	5 The Grange, Frankston South 3199	Two (2) Lot Subdivision	17/03/2017
41/2017/S	South	65 Brighton Street, Frankston South 3199	Two (2) lot subdivision	14/03/2017
40/2017/S	South	14 The Crest, Frankston South 3199	Two (2) lot subdivision	21/03/2017
<b>South Ward Total = 7</b>				

<b>Progress Report – Subdivision Decisions</b>					
<b>For The Application Date: From 1/03/2017 To 31/03/2017</b>					
<b>Application No</b>	<b>Ward</b>	<b>Property Address</b>	<b>Application Description</b>	<b>Status</b>	<b>Date</b>
23/2016/S	North-East	66 Edward Street, Langwarrin 3910	Four (4) lot subdivision	Certified	9/03/2017
30/2016/S	North-East	9 St Anthony Court, Carrum Downs 3201	Nineteen (19) lot subdivision	SOC Issued (M)	9/03/2017
107/2016/S	North-East	6 Beech Street, Langwarrin 3910	Two (2) lot subdivision	SOC Issued (M)	21/03/2017
10/2016/S	North-East	455 North Road, Langwarrin 3910	Four (4) lot subdivision	SOC Issued (M)	23/03/2017
107/2016/S	North-East	6 Beech Street, Langwarrin 3910	Two (2) lot subdivision	SOC Issued (M)	23/03/2017
30/2016/S	North-East	9 St Anthony Court, Carrum Downs 3201	Nineteen (19) lot subdivision	SOC Issued (M)	23/03/2017
10/2016/S	North-East	455 North Road, Langwarrin 3910	Four (4) lot subdivision	SOC Issued (M)	28/03/2017
142/2015/S	North-East	39 McCormicks Road, Carrum Downs 3201	Five (5) lot subdivision - Staged	SOC Issued (M)	28/03/2017
36/2016/S	North-East	88 Yarralumla Drive, Langwarrin 3910	Two (2) lot subdivision	SOC Issued (M)	28/03/2017
<b>North-East Ward Total = 9</b>					
7/2016/S	North-West	17 Netherall Street, Seaford 3198	Two (2) lot subdivision	SOC Issued (M)	2/03/2017
25/2016/S	North-West	18 Jasmine Court, FRANKSTON 3199	Three (3) lot subdivision	Certified	24/03/2017
<b>North-West Ward Total = 2</b>					
132/2012/S	South	3 Dell Road, FRANKSTON 3199	Four (4) lot subdivision	SOC Issued (M)	10/03/2017
127/2015/S	South	98 Cranhaven Road, Langwarrin 3910	Two (2) lot subdivision	SOC Issued (M)	21/03/2017
<b>South Ward Total = 2</b>					

<b>Town Planning Applications – Direction To Advertise Issued For The Application Date: From 1/03/2017 To 31/03/2017</b>				
<b><u>Application No</u></b>	<b><u>Property Address</u></b>	<b><u>Ward</u></b>	<b><u>Application Description</u></b>	<b><u>Date</u></b>
52/2016/P	10 Duncan Avenue Seaford	North-West	To construct three (3) double storey dwellings	6 March 2017 – 20 March 2017
47/2012/P/B	7 Elm Grove Langwarrin	North-East	Section 72 Amendment - To construct one (1) single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	6 March 2017 – 20 March 2017
189/2016/P	1 Edward Street Langwarrin	North-East	To construct seven (7) double storey dwellings	6 March 2017 – 20 March 2017
323/2016/P	8 Valley Road Langwarrin	North-East	To use and develop the land for one (1) double storey dwelling, garage, outbuilding, and native vegetation removal	6 March 2017 – 20 March 2017
419/2016/P	28 McCormicks Road Skye	North-East	To construct eight (8) dwellings (seven (7) double storey dwellings and one (1) single storey dwelling)	9 March 2017 – 23 March 2017
630/2016/P	3 Plowman Place Frankston	South	To use and construct a nine (9) storey building containing fifty six (56) dwellings and to reduce the car parking requirements of Clause 52.06 of the Frankston Planning Scheme by 5 visitor spaces	9 March 2017 – 23 March 2017
526/2016/P	42 Margate Avenue Frankston	South	To construct three (3) double storey dwellings	13 March 2017 – 27 March 2017
636/2016/P	218 Heatherhill Road Frankston	South	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings) and a two (2) lot subdivision	13 March 2017 – 27 March 2017
614/2016/P	197 Karingal Drive Frankston	North-West	To display a 25 metre high internally illuminated, floodlit and electronic major promotion sign	13 March 2017 – 27 March 2017
601/2016/P	46 Bondi Avenue Frankston	South	Two (2) lot subdivision	16 March 2017 – 30 March 2017
627/2016/P	29 Athol Court Langwarrin	North-East	To construct sixteen (16) dwellings (eight (8) single storey and eight (8) double storey) and removal of native vegetation	20 March 2017 – 3 April 2017
68/2017/P	2 Orrong Avenue Frankston	South	Extensions to an existing dwellings	20 March 2017 – 3 April 2017
581/2017/P	16 Denbigh Street Frankston	South	To construct two (2) single storey dwellings	23 March 2017 – 6 April 2017
634/2016/P	11 Mulgra Street Frankston South	South	Extension to existing dwelling in a Design and Development Overlay (Schedule 1)	27 March 2017 – 10 April 2017

<u>Application No</u>	<u>Property Address</u>	<u>Ward</u>	<u>Application Description</u>	<u>Date</u>
8/2017/P	5 Raymond Road Seaford	North-West	To construct one single storey dwelling to the rear of the existing dwelling (two (2) dwellings)	27 March 2017 – 10 April 2017
503/2016/P	87 Edward Street Langwarrin	North-East	To construct four (4) single storey dwellings	27 March 2017 – 10 April 2017
10/2017/P	270 Potts Road Skye	North-East	To construct one (1) double storey dwelling (replacement dwelling)	27 March 2017 – 10 April 2017
94/2016/P	26 Cedar Street Langwarrin	North-East	To construct one (1) double storey dwelling to the rear of the existing dwelling (two (2) dwellings)	30 March 2017 – 13 April 2017
586/2016/P	23 Coogee Avenue Frankston	South	To modify the Restrictive Covenant contained in Instrument of Transfer 1306858 dated 3 April 1924 to delete the wording: "...and will not at any time hereafter erect or allow to be erected more than one private dwelling on either of the said lots hereby transferred, and the building line of any such dwelling to be erected shall not be less than Thirty five feet distant from the Street or Road facing which it is to be erected..." and replace with wording ‘..will not erect or allow to be erected on the said lot works of any kind whatsoever other than three private dwellings on the said lot hereby transferred and the building line of any such dwelling to be erected shall not be less than the local authority approved distance from the street or road facing which it is to be erected...’	30 March 2017 – 13 April 2017

<b>Progress Report – Current VCAT Appeals MARCH 2017</b>								
<u>Appeal No</u>	<u>Application Number</u>	<u>Address (Ward)</u>	<u>Proposal</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P1791/2016	206/2016/P	4 Dingle Avenue, Frankston	To construct a three (3) storey building containing eight (8) dwellings and reduction of visitor car parking	Refusal	Refusal to grant a permit	17-Mar-17		
P1005/2016	579/2015/P	56 High Street Frankston	To construct four (4) double storey and four (4) three storey dwellings (eight (8) dwellings), one (1) building for common use and a reduction parking.	Refusal	Refusal to grant a permit	24-May-17		
P1955/2016	701/2015/P	74-76 Hall road Carrum Downs	To construct ten (10) triple storey dwellings reduce the number of car parking spaces required and alter access to a road Zone Category 1	Refusal	Refusal to grant a permit	29-May-17		
P2045/2016	227/2016/P	8 William Road Carrum Downs	To use and develop the land for a place of worship	Refusal	Refusal to grant a permit	12-May-17		
P2203/2016	579/2015/P	13 Ebdale Street Frankston	To construct five (5) three storey dwellings	Refusal	Refusal to grant a permit	09-Jun-17		
P2180/2016	725/2015/P	7 Huon Court Frankston North	To construct two (2) double storey dwellings	Refusal	Refusal to grant a permit	16-Jun-17		
P2354/2016	254/2015/P	22-24 Sheridan Avenue Frankston	To construct twenty-three (23) dwellings in an apartment building	Refusal	Refusal to grant a permit	05-Jul-17		
P2365/2016	209/2016/P	13 George Street Frankston	To construct one (1) double storey dwelling to the rear of the existing four (4) single storey dwellings	Refusal	Refusal to grant a permit	18-May-17		
P50/2017	200/2016/P	115 & 119 Union Road Langwarrin	Five (5) lot subdivision	Approval	Appeal against conditions	06-Jul-17		

<u>Appeal No</u>	<u>Application Number</u>	<u>Address (Ward)</u>	<u>Proposal</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P190/2017	356/2016/P	50 Frankston-Flinders Rd Frankston	To construct five (5) double storey dwellings and reduction of carparking requirements and removal of vegetation.	Refusal	Refusal to grant a permit	07-Aug-17		
P26/2017	310/2016/P	114 Kirkwood Avenue Seaford	To subdivide the land into two (2) lots	Refusal	Refusal to grant a permit	11 August 17		
P2622/2016	8/2016/COMP	3 Burns Street Frankston	Certificate of Compliance (rooming housing)	Refusal	Refusal to grant a permit	09-May-17	Certificate approved	16-Mar-17
P2654/2016	352/2016/P	13 John Street Langwarrin	To construct two (2) double storey and one (1) single storey dwellings (three (3) dwellings)	Approval	Appeal against conditions	11-Aug-17		
P152/2017	701/20105/P	37 Nepean Highway Seaford	To construct one (1) three (3) storey building containing ten (10) apartments and basement carparking	Refusal	Refusal to grant a permit	11-Aug-17		
P310/2017	419/2015/P	134 Cadles Road Carrum Downs	To construct sixteen (16) dwellings and to remove native vegetation	Refusal	Refusal to grant a permit	18-Aug-17		
P353/2017	93/2016/P	54 Roberts Street Frankston	To construct two (2) double storey dwellings & one (1) single story dwelling (three (3) dwellings)	Refusal	Refusal to grant a permit	25-Aug-17		
P502/2017	355/2016/P	15 Luxton Terrace Seaford	To construct (2) two double storey dwelling	Approval	Appeal against conditions	15-Jul-17		
P643/2017	668/2016/P	35-37 Sheridan Avenue Frankston	To construct fourteen (14) three (3) storey dwellings in two buildings	Not yet Determined	Failure to determine	03-Aug-17		
P610/2017	501/2016/P	17-21 Merewather Avenue Frankston	To construct twenty three (23) double storey dwellings, a reduction in the car parking requirements of Clause 52.06 of the Frankston Planning Scheme and variations to the DDO6	Not yet Determined	Failure to determine	21-Sep-17		

<u>Appeal No</u>	<u>Application Number</u>	<u>Address (Ward)</u>	<u>Proposal</u>	<u>Council Decision</u>	<u>Appeal Type</u>	<u>Date of Appeal</u>	<u>VCAT Decision</u>	<u>Date of VCAT Decision</u>
P171/2017	607/2014/P	616 Nepean Highway Frankston South	To subdivide the site into six (6) lots in accordance with the Oliver's Hill Restructure Plan (Planning Scheme Amendment C46 Part 1) and addition of easements.	Not yet Determined	Failure to determine	28-Aug-17		
P457/2017	68/2015/P	151 Hall Road Carrum Downs	To construct fourteen (14) dwellings and to alter access to a Road in a Road Zone Category 1	Refusal	Refusal to grant a permit	05-Sep-17		

<b>Progress Report – VCAT Determination – Policy Implications</b>			
<b>MARCH 2017</b>			
<u>Appeal No</u>	<u>Application No</u>	<u>Address (Ward)</u>	<u>VCAT Determination – Policy Implications</u>
<b>P2622/2016</b>	<b>8/2016/COMP</b>	<b>3 Burns Street, Frankston</b>	<p>This was an appeal against the decision to refuse to issue a Certificate of Compliance stating that the proposed development could be constructed without a planning permit. Legal advice had been obtained from Maddocks Lawyers following a recent case being <i>Cultured Building Design v Greater Dandenong CC [2016] VCAT 1548</i>. The proposal describes construction of a building containing 9 bedrooms and one common room accessed externally from the ground and balcony with car parking within the front setback.</p> <p><b>Summary of Decision</b></p> <p>Council’s concerns are primarily that the proposed building cannot be described as a dwelling and requires a planning permit for construction. Further concerns relate to the level of internal amenity provided to residents and surrounding land, and the operation of each bedroom as a separate dwelling following occupation.</p> <p>Council was represented at the Tribunal by Maddocks Lawyers.</p> <p>The Tribunal found in favour of the applicant and directed Council to issue a Certificate of Compliance stating that the proposed use and development for shared accommodation does not require a planning permit.</p> <p>The decision reaffirms the position of VCAT that this building typology does not require a planning permit to use or develop.</p> <p>‘The Tribunal accepts that many passers-by may not describe the proposal, when built, as a dwelling. In common parlance, it is more likely to be described as a boarding house.’ and ‘The fact is that the proposal in the present case satisfies the description contained in clause 52.23 and so is entitled to the benefit of the exemption.’</p> <p>In relation to the relevance of Amendment VC127, the Tribunal adopted the approach set out in Council’s submission. However, it does not read into the notes introduced by this amendment as creating a planning permit trigger for development for a residential building. No commentary was made in relation to press releases from the Minister of Planning at the time of the amendment which implied that a permit would be required for such a development.</p>

<b>Strategic Unit - Planning Scheme Amendments – MARCH 2017</b>				
<b><u>Amendment</u></b>	<b><u>Address</u></b>	<b><u>Description</u></b>	<b><u>Status</u></b>	<b><u>Status Date</u></b>
C100	City Wide	MSS Review	Amendment submitted to Minister for approval.	30 March 2017
C103	160 Potts Road	Changing the DPO	Authorisation denied	30 March 2017
C105		Student Accommodation Policy	On hold	30 March 2017
C111	Frankston City Car Parking Overlay	Implement a parking overlay over the FMAC	Request to exhibit submitted to Minister.	30 March 2017
C112	City wide	Introduces permit requirement for earthworks within GWZ, RCZ, FZ and DDO4.	Submitted to Minister with request to adopt amendment as exhibited	30 March 2017
C113	City wide	Native Vegetation Review	Panel report received. Submitted to Minister for approval in September 2016.	30 March 2017
C114	Residential zones	Multi-Unit parking guidelines	Request to Minister to prepare and exhibit Amendment C114 prepared and submitted.	30 March 2017
C115	EMO 2 review	Clarifies and simplifies location of properties affected by the EMO in the Sweetwater Creek Valley.	Amendment submitted to Minister for approval	30 March 2017
C123	Frankston MAC	Implements the recommendations of the Frankston MAC Structure Plan	Panel hearing conducted 16/11/16. Panel report received 7/12/16. Panel recommended approval of amendment. To be considered by Council at May meeting.	30 March 2017
C124	Frankston MAC (balance)	Implements the recommendations of the Frankston MAC Structure Plan for areas other than city centre.	Amendment documentation being prepared. Exhibition May 2017.	30 March 2017

## Executive Summary

### 12.1 Confirmation of Minutes for Frankston Cemetery Trust

*Enquiries: (Brianna Alcock: Corporate Development)*

#### Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

#### **Purpose**

To brief Council on Minutes for Frankston Cemetery Trust meeting held on Wednesday, the 15<sup>th</sup> of March 2017.

#### **Recommendation (Director Corporate Development)**

That:

1. Council, acting as the Trustee of the Frankston Cemetery Trust, receives the Minutes of the Cemetery Trust Meeting held on Wednesday, the 15<sup>th</sup> of March 2017 as a true and correct record of the meeting.
2. The recommendations of the Cemetery Committee be adopted.

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

- These minutes are presented to Council to meet the requirements of Department of Health and Human Services, Cemeteries and Crematoria Unit.
- The Council is the appointed Cemetery Trust and to assist with operational efficiencies Council has delegated its responsibility to a sub-committee of Councillors. It is necessary for Council to ratify these sub-committee recommendations or make an alternate determination.

#### **Financial Impact**

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

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

#### **Consultation**

##### **1. External Stakeholders**

Not applicable.

##### **2. Other Stakeholders**

Not applicable.

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

Not applicable.

**12.1 Confirmation of Minutes for Frankston Cemetery Trust****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

Not applicable.

Policy Impacts

Not applicable.

Officer's Declaration of Interests

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

**Risk Mitigation**

Not applicable.

**Conclusion**

The Minutes and recommendations of the sub-committee are presented for formal approval by Council.

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**ATTACHMENTS**

Attachment A: Frankston Cemetery Trust - Minutes - March 2017

## Minutes

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### Frankston Cemetery Trust Annual General Meeting

Date 15.03.2017 at 4.37pm  
Acacia Room, Civic Centre, Frankston

Venue: **Acacia Room**

Attendees:

Dennis Hovenden – CEO	
Brian Cunial – Councillor / Mayor	
Colin Hampton - Councillor	
Kris Bolam – Councillor	<b>Apology</b>
Michael Craighead – Manager Admin & Corporate Projects (Minutes)	

### Executive Summary

As part of the Frankston Cemetery Trust, the statutory requirements under the *Cemeteries and Crematoria Act 2003*, state that the Cemetery Trust must meet at least once a year. The meeting is held for the purpose of keeping the Trust informed regarding matters relating to the Frankston Memorial Park in particular and current issues pertaining to management of cemeteries in general, in addition to authorising certain actions.

#### **Confirmation of Minutes – 2015 Trust Meeting**

Minutes of the Cemetery Trust Meeting held on 24<sup>th</sup> of November 2015 were presented at OM283 on 22<sup>nd</sup> of February 2016. A copy of these Minutes is attached. [Appendix A](#).

#### **Trust Secretary Recommendation**

That the Minutes of the meeting held on 24<sup>th</sup> of November 2015 be confirmed.

**MOVED: CR HAMPTON                      SECONDED: CR CUNIAL**  
**THAT THE MINUTES OF 24 NOVEMBER 2015 BE CONFIRMED.**  
**CARRIED UNANIMOUSLY**

#### **Cemetery Budget Matters**

Income for the period ended 30 June 2015 was approximately \$111,300 (\$90,400 in 2014/2015). Expenses associated with maintaining the cemetery were approximately \$177,244 (\$161,224 in 2014/2015) resulting in a short-fall of approximately \$65,900 (\$70,800 in 2014/2015).

#### **Sealing of Abstract of Accounts - 2015/2016**

The Abstract of Accounts for the financial year 1 July 2015 to 30 June 2016 has been completed and is attached for signing and sealing in [Appendix B](#).

#### **Trust Secretary Recommendation**

That the Abstract of Accounts for the 2015/2016 be signed and sealed.

**MOVED: CR HAMPTON                      SECONDED: CR CUNIAL**  
**THAT THE ABSTRACT OF ACCOUNTS BE SIGNED AND SEALED.**  
**CARRIED UNANIMOUSLY**

#### **Frankston Memorial Park Fees – 2016/2017**

The Department of Health notified Frankston Cemetery Trust that the Consumer Price Index (CPI) of 1.9% increase would be applied to its fees. The new fees came into effect on 1 July 2016.

A schedule of the new fees is attached in [Appendix C](#).

### **Trust Secretary Recommendation**

That the Trust note the new fees approved by the Department of Health, which applied from the 1<sup>st</sup> of July 2016.

**MOVED: CR HAMPTON                      SECONDED: CR CUNIAL**  
**THAT THE 2015/2016 FEE SCHEDULE BE NOTED.**  
**CARRIED UNANIMOUSLY**

### **Update regarding the theft and damages in May 2015**

In May 2015 vandals illegally removed 43 plaques and damaged several gravesites.

Two full inspections of the Cemetery were conducted at the time and photographic evidence collected in order to establish an overview of the vandalism. Unfortunately some members of the public, including one councillor, were observed removing loved ones plaques, which added concern to establishing exact numbers. The full extent may never be known as a majority of the gravesites in the area mainly affected are quite old and the records of the trust do not have details of what each gravesite contains, ie. type of plaque, sizes, inscriptions etc.

Initially it was thought fifteen of the graves were war graves; however a subsequent inspection by the Office of War Graves has since ascertained that only seven are official war graves, due to some of the RSL member graves being similarly constructed. The seven gravesites affected have now had the stolen plaques replaced by the Office of War Graves.

The Victorian Managed Insurance Authority (VMIA) was contacted and a letter prepared in conjunction with VMIA staff to be sent to each family of the remaining affected graves, advising them formally about the vandalism and asking them to complete an enclosed claim form. Through this procedure we were successful in replacing the majority of the missing plaques and damaged headstones.

Unfortunately it has been very difficult to identify and/or locate the current titleholders of the remaining 18 affected gravesites and steps has been taken to mark the sites with information and contact details, requesting families to contact Council in order to update the records of the trust and lodge an insurance claim.

Public notice in the press and notices at the entrances to the Cemetery have been erected in an endeavour to contact the remaining relatives of affected graves.

### **Trust Secretary Recommendation**

That the information be received.

**MOVED: CR HAMPTON                      SECONDED: CR CUNIAL**  
**THAT THE INFORMATION BE RECEIVED.**  
**CARRIED UNANIMOUSLY**

### **GIS – Geographic Information System – Update?**

A project of mapping gravesites in Councils GIS (Geographic Information System) has been instigated. The scope of the project is to individually map each gravesite, adding a photo, linking all information together with the current records and uploading information to GIS, which would assist Council staff in locating gravesites and eventually assist families searching for the gravesites of their loved ones. It would also reduce the need for someone to be at the Cemetery on a daily basis and enable better utilisation of staff on a broader scale in keeping with the previously approved restructure of the Operational Department. In addition it would reduce the need for Civic Centre staff to visit the Cemetery when arranging burials and dealing with enquiries. This will ultimately reduce operational costs.

An audit of the software program was conducted at Frankston Memorial Park. The data was loaded onto a mobile device, allowing a test to match location of the gravesite with Cemetery records and GIS, taking photographs of the site and linking all the information together. Estimated time at each gravesite is approximately 3 minutes. As Frankston Memorial Park has approximately 10,000 gravesites a dedicated resource will be required for approximately 6 months to complete this task. Staff have explored GIS university student replacement, but little interest has been shown by the university and students. It is yet to be determined how to fund the completion of the task. A request for funding will be included in next year's Cemetery budget application and if approved the project will be completed.

### **Trust Secretary Recommendation**

That the information be received

**MOVED: CR HAMPTON**

**SECONDED: CR CUNIAL**

**THAT THE INFORMATION BE RECEIVED AND A BUSINESS CASE BE CONSIDERED BY EMT TO EMPLOY A STAFF MEMBER FOR APPROXIMATELY 6 MONTHS TO COMPLETE THE GIS SYSTEM TO MATCH THE CEMETERY RECORDS.**

**CARRIED UNANIMOUSLY**

### **Baby Mural Memorial Site**

In the 1950s through to early 1980s it was common practise for deceased babies from Frankston Hospital to be buried at the Cemetery in unmarked graves. In the past Council has been criticized for failing to provide a suitable location to recognize the many stillborn babies buried at Frankston Memorial Park and therefore at the end of the financial year of 2015/2016 a Baby Mural Memorial Wall (3170cm wide by 1800cm high) was created with an Australian inspired theme with Gumnut babies and Australian baby animals.

A memorial rock - generously donated by a local quarry – had a plaque installed and was positioned in front of the wall, creating a three dimensional effect of the Mural. A long term plan

for the memorial site is to sell small memorial plaques for the affected families, having the name of their lost one listed and fixed to the adjoining wall. In front of the Baby Mural Memorial a bench has been installed as a place for the affected families to sit and reflect.

The cost of these works was \$3,700.00 and although not budgeted was accommodated within the overall budget due to savings in other areas.

The completion of the Baby Mural Memorial Site is a good opportunity for the Cemetery to get positive media exposure. It is proposed that the members of the trust participate in a photo shoot next to the Mural with a view to an article in the local newspapers.

#### **Trust Secretary Recommendation**

1. That the information be received.
2. That arrangements be made for the photo shoot and press release.

**MOVED: CR HAMPTON**

**SECONDED: CR CUNIAL**

**THAT THE INFORMATION BE RECEIVED AND ARRANGEMENTS BE MADE FOR THE PHOTO SHOOT AND PRESS RELEASE.**

**CARRIED UNANIMOUSLY**

#### **Bronze Plaque Tender**

Frankston Cemetery Trust, together with Southern Metropolitan Cemetery Trust and Mornington Peninsula Cemetery Trust has signed a three (3) year agreement with Arrow Bronze to lock in a competitive fee schedule for bronze plaques. Southern Metropolitan Cemetery Trust, on behalf of Frankston Cemetery Trust and Mornington Cemetery Trust ran a tender for plaques. Arrow Bronze was found to be the preferred supplier based on cost and quality of service.

The Arrow Bronze contract is attached as [Appendix D](#).

#### **Trust Secretary Recommendation**

That the information be received.

**MOVED: CR HAMPTON**

**SECONDED: CR CUNIAL**

**THAT THE INFORMATION BE RECEIVED.**

**CARRIED UNANIMOUSLY**

### **Perimeter Trees along McMahons Road**

In 2009 the thuja hedge along the cemetery perimeter on Cranbourne Road was dying and therefore it was decided to remove all of the trees and replace them with Juniper "Spartan", which were chosen as the preferred option due to their resistance to drought conditions. The planting was followed up with installation of an automatic watering system to allow for regular watering in the establishment phase and during the hot summer months. At the time it was noted that the perimeter trees along McMahon Road were also affected by the drought and their condition has been closely monitored since then in an endeavour to maintain their survival.

Part of the thuja hedge along McMahons Road is still damaged and distressed, making the plants susceptible to dieback from a range of fungal diseases. Council's senior arborist suspects the main cause of the current rapid spreading distress is from "Cypress Canker Dieback" and little can be done to save the trees, which will likely die within the next 1 – 2 years.

Staff are currently obtaining estimates for the cost of removal and replacement of the trees with Juniper "Spartan". A request for funding will be included in next year's Cemetery budget application and if approved the project will proceed.

### **Trust Secretary Recommendation**

That the information be received and the proposed actions be noted.

**MOVED: CR HAMPTON**

**SECONDED: CR CUNIAL**

**THAT THE INFORMATION BE RECEIVED AND THE PROPOSED ACTIONS BE NOTED.**

**CARRIED UNANIMOUSLY**

### **Condition of toilet block**

In August 2010 a Cemetery Master Plan Review was completed and presented to Council.

A part of the Master Plan was to utilise the toilet block at the Cemetery as a niche wall, which would continue to provide an income stream to Council.

In October 2013 the Cemetery Trust decided to reject the proposal due to the cost involved, leaving the building (Built in the 1930s) in a state of disrepair. The building has continued to deteriorate with quite a few bricks now missing from one of the buttresses. A recent structural engineer report (copy attached) has confirmed that it would now cost more to repair the building than replace it. Whilst the building continues to deteriorate the Municipal Building Surveyor considers there is no danger of immediate collapse or an immediate public danger.

A decision is now required to determine what type of public toilet facility is to be provided to enable plans and cost estimates to be prepared for further consideration. The building size can be reduced as it no longer needs to provide for clergy change facilities if the Trust wishes to go with a similar design and a unisex accessible toilet would suffice.

Preliminary cost estimates range between \$30,000.00 for a portable type toilet to \$170,000.00 exclusive GST depending on the decision taken. This does not include the cost of demolition,

paving, sewerage and water pipes, which based on the age of the current building will likely also have to be replaced.

The structural engineer report is attached as [Appendix E](#).

#### **Trust Secretary Recommendation**

1. That the information be received.
2. That a report on the cost of a replacement toilet of a similar design for one unisex accessible toilet be presented to Council by July 2017.

**MOVED: CR HAMPTON**

**SECONDED: CR CUNIAL**

**THAT THE INFORMATION BE RECEIVED AND A REPORT ON THE COST OF A REPLACEMENT TOILET OF A SIMILAR DESIGN FOR ONE UNISEX ACCESSIBLE TOILET AND TWO ALTERNATE OPTIONS BE PRESENTED TO COUNCIL BY JULY 2017.**

**CARRIED UNANIMOUSLY**

#### **Removal of derelict monuments**

Titleholders of gravesites at the Cemetery are responsible for the ongoing upkeep and maintenance of their sites, including any monuments erected.

In the past a periodic audit has been undertaken biannually. The result of the audit lists the sites in need of substantial repair, which are considered a danger to public health or staff OH&S with photographs of each site, showing the damage and also including the name(s) of the headstones.

The process then involves the current titleholder(s) of the gravesites being contacted with a request for a repair of the site. It can at times be quite difficult to locate the current titleholder(s) and in those cases a public notice is provided in the press, at all entrances and on the gravesite.

In some cases it is unfortunately not possible to locate the current titleholder(s), even after public notices and notice at the entrances at the Cemetery have been displayed and or the family choose not to undertake the required works. In these cases staff will organise for the monument to be removed, leaving only the headstone as a marker of the gravesite. This removes any public or staff hazard, improves appearance of the cemetery, reduces maintenance and operating costs.

An audit was initiated at the end of 2016 and a list is currently being compiled in order to determine which monuments are in need of repair.

#### **Trust Secretary Recommendation**

That the information be received and proposed actions be noted.

**MOVED: CR HAMPTON**

**SECONDED: CR CUNIAL**

**THAT THE INFORMATION BE RECEIVED AND THE PROPOSED ACTIONS BE NOTED.**

**CARRIED UNANIMOUSLY**

#### **Un-used gravesites reserved more than 25 years ago**

As part of an ongoing endeavour to look at all possible revenue streams to close the maintenance expenditure gap, the Trust is once again asked to give consideration to whether the Trust should reclaim graves sold more than 25 years ago that remain unused. Previous Trusts / Councils have chosen not to pursue this potential income source, but it is many years since this matter was formally considered by the Trust and the Council.

The cemetery is closed to the sale of new graves. There are approximately 48 unused graves that were sold more than 25 years ago. Cemetery regulations allow the cemetery trust to reclaim such unused graves and resell them. Current titleholders would be notified and given the option to renew the title for another 25 years and if not interested, the site would be sold to anyone interested. Each site is currently valued at \$2,185.00. Whilst this is legally possible and actually done by the larger cemetery trusts it is not publicly popular and past Councils have determined not to proceed down this path.

#### **Trust Secretary Recommendation**

1. That the information be received.
2. Trust to make decision if the unused gravesites are to be reclaimed and resold.

**MOVED: CR HAMPTON**

**SECONDED: CR CUNIAL**

**THAT THE INFORMATION BE RECEIVED AND STAFF FURTHER EXPLORE RECLAIMING AND RESELLING ANY UNUSED GRAVESITES AND BRING BACK A MORE DETAILED REPORT FOR FURTHER CONSIDERATION.**

**CARRIED UNANIMOUSLY**

Meeting closed at 5.01pm

Dennis Hovenden  
Secretary  
Frankston Cemetery Trust

**Executive Summary****12.2 Council Plan - Quarterly Performance Report - Quarter three 2016-2017**

*Enquiries: (Brianna Alcock: Corporate Development)  
(Judi Krznaric: Corporate Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To report on Council's Quarterly Performance Report for quarter three (January to March 2017) on the Council Plan 2013-2017.

**Recommendation (Director Corporate Development)**

That Council receives and notes the Council Plan Quarterly Performance Report for quarter three.

**Key Points / Issues**

- The Council Plan Quarterly Performance report provides a status of priority actions, strategic indicators, major initiatives and initiatives delivering towards each Council Plan long term community outcome.
- The Council Plan Quarterly Performance Report has been formally noted each financial quarter by Council since February 2011. It is approved by the Executive Management Team prior to being acknowledged by Council. The report is made available to the community on Council's website and upon request.
- In 2016-2017 the year four initiatives of the Council Plan 2013-2017 are being reported.
- At the end of the third quarter from January – March 2017, the status of the Council Plan is as follows:

There are 80 per cent of Priority Actions on track. The performance highlights include:

- Council continues to work alongside State Government reconstructing Young Street and has approved the design of the new Frankston railway station. These two major projects together with the redevelopment of Chisholm have all been a catalyst for private development in Playne Street and Clyde Street Mall
- Council has had a strong focus on reducing anti-social behaviour, maintaining effect CCTV and enforcement of litter and graffiti offences. As a result of strong collaboration and Police resources, Police report a decrease in anti-social behaviour, the only police division to do so in metropolitan Melbourne

There are 23 Strategic Indicators, of which 19 are reported annually and data are not yet available. Two Strategic Indicators are on track and two have been completed. The completed Strategic Indicators include:

1. Adopt a long term waste management solution by 30 June 2017, with the Frankston Regional Recycling and Recovery Centre (FRRRC) opening in October 2015.

**12.2 Council Plan - Quarterly Performance Report - Quarter three 2016-2017****Executive Summary**

2. Five key projects were completed within three years of the Council Plan, including:
  - Frankston Regional Aquatic Recreation Centre (PARC)
  - Carrum Downs (Banyan Fields) Child and Family Centre
  - Frankston Yacht Club
  - South East Water Public Realm
  - Frankston Park Function Centre

**Financial Impact**

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

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

There are no known financial implications for the quarterly performance reports.

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

The Council Plan 2013-2017 was developed through a detailed community consultation process to determine four year priorities. The Council Plan Quarterly Performance Report is available to the community via Council's website and upon request.

**2. Other Stakeholders**

The Council Plan Quarterly Performance Report has been collated with comments provided by responsible officers in relation to the strategic indicators, priority actions, major initiatives and initiatives of the Council Plan 2013-2017.

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

There are no known environmental, economic and social implications with the Council Plan Quarterly Performance 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

Reporting for quarter two has been prepared according to the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

Policy Impacts

There are no known impacts to policy decisions relevant to the quarterly performance reports.

**12.2 Council Plan - Quarterly Performance Report - Quarter three 2016-2017****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**

The main risk associated with quarterly performance reporting is the potential for inaccurate reporting of data. This has been reduced via the quarterly reporting process. The reports are reviewed by the Executive Management Team prior to going to Council and the Audit and Risk Management Committee.

**Conclusion**

The Quarterly Performance Report on the Council Plan for the third quarter demonstrates a satisfactory performance as at 31 March 2017.

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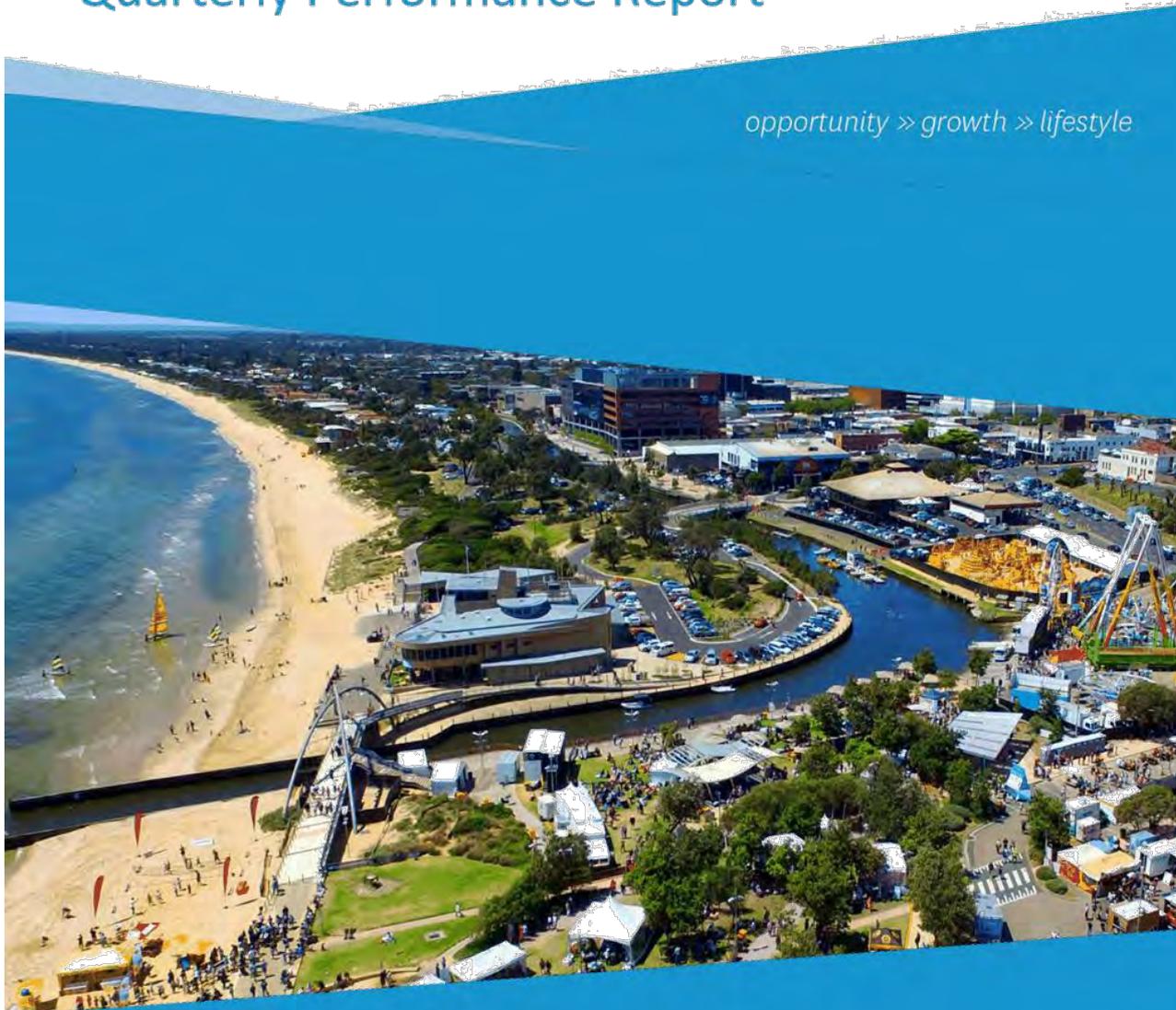
**ATTACHMENTS**

Attachment A: Council Plan - Quarterly Performance Report - Quarter 3

# Frankston City Council Plan Quarterly Performance Report



*opportunity » growth » lifestyle*



*Quarter three: January – March 2017*

# Council Plan

## Quarterly Performance Report

Quarter Three  
January 2017 – March 2017

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Sustainable city	



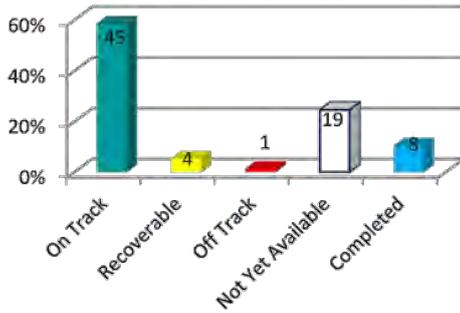
## Council Plan

The Council Plan 2013-2017 includes strategic objectives (otherwise known as 'long term community outcomes'), strategies for achieving these for the four year period, strategic indicators for monitoring achievement of the strategic objectives and a strategic resource plan. The following are the three long term community outcomes as detailed in the Council Plan.

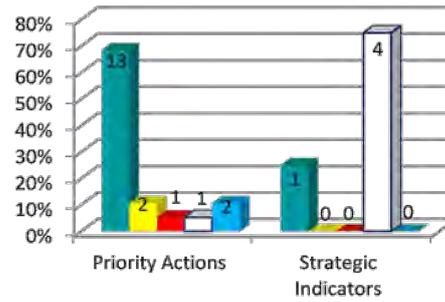
<b>1. Planned city for future growth</b>	By 2050 Melbourne's population is predicted to grow to 8 million. Much of this growth will be accommodated in existing suburbs, designated central activity areas and areas identified for commercial and housing growth. Frankston City is one of seven designated Central Activities Areas in metropolitan Melbourne identified as a place that can perform a 'Capital City' role for the Mornington Peninsula and south-east bayside municipalities.
<b>2. Liveable city</b>	Liveable City is the term given to cities seen as ideal destinations due to the broad availability of goods and services, effective infrastructure and transport. Important considerations are safety, education, health care, a natural environment, arts and cultural recreation opportunities and political and economic stability. As a city Frankston boasts many enviable attributes including its beaches, natural reserves, open spaces, cultural and community facilities and easy rail access to Melbourne's City Centre. However, evidence indicates that the health and wellbeing challenges are greater in Frankston than many other parts of Victoria.
<b>3. Sustainable city</b>	Sustainability refers to a city's ability to improve the quality of life for its residents while living within its environmental, social and economic resource limits - ensuring good governance, financial viability and a robust economy, managed infrastructure and balanced development that protects the natural environment. The demands on Frankston City and its leaders are changing with the community's evolving needs. The ongoing challenge is to meet community expectations while achieving balance between the level of development and the responsible use of resources for the benefit of current and future generations.

■ On track    
 ■ Recoverable    
 ■ Off track    
  Not yet available    
 ■ Completed

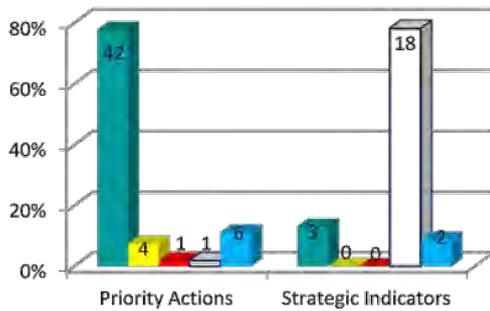
**Status - All Outcomes**



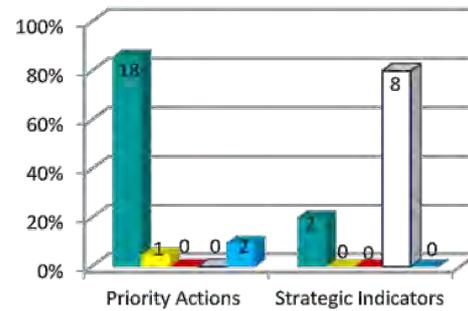
**Status - Planned City**



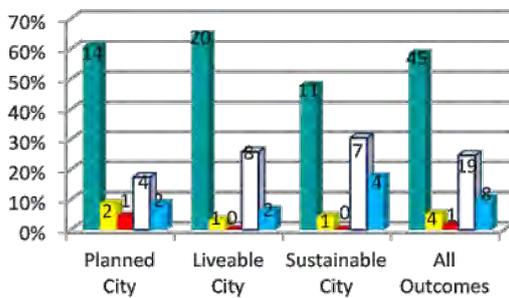
**Status - All Measures**



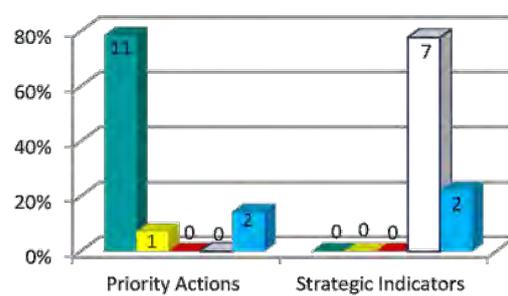
**Status - Liveable City**

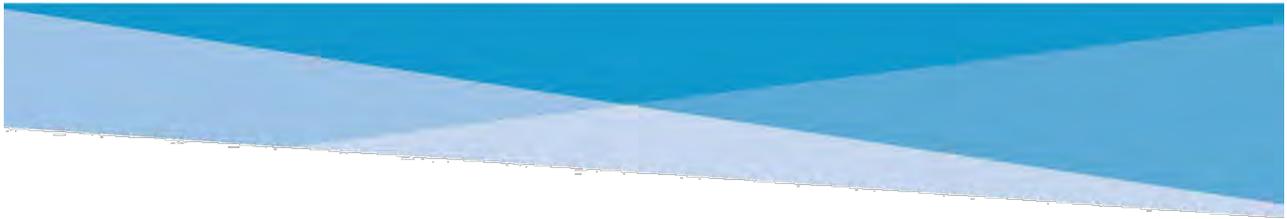


**Status - by Outcomes**



**Status - Sustainable City**





Long term community outcome one:

## Planned city for future growth

The following statement reviews the performance of Council against the Council Plan including results achieved in relation to the strategic indicators against the strategies included in the Council Plan.

### Strategies:

- 1.1 Work with other tiers of Government, industry and business to create more jobs and job skills in Frankston
- 1.2 Enhance transport connectivity
- 1.3 Review the Municipal Strategic Statements (MSS), also known as the Local Planning Scheme to accommodate future population growth

### Executive Summary – Director Community Development

Currently the State Government is reconstructing Young Street and has also approved the design of the new railway station. These two major projects together with the redevelopment of Chisholm have all been a catalyst for private development, which the community currently can see being erected in Playne Street and Clyde Street Mall.

While these major projects are being delivered by State Government, Council continues to work alongside to achieve other additional enhancements in the Frankston City centre. These include things such as Planning Scheme Amendments and reviews of traffic flow, car parking and waste management to cater for future demands as well as research and a review of pharmacotherapy and decentralisation of services, street art and activation of spaces all of which will contribute to a thriving city centre.

Overall, the community has begun to see the positive impact of more jobs through the relocation of South East Water, which has grown from approximately 700 to now over 800 jobs and the overall number of jobs in the city centre is likely to grow as the liveability and activity in the city centre expands.



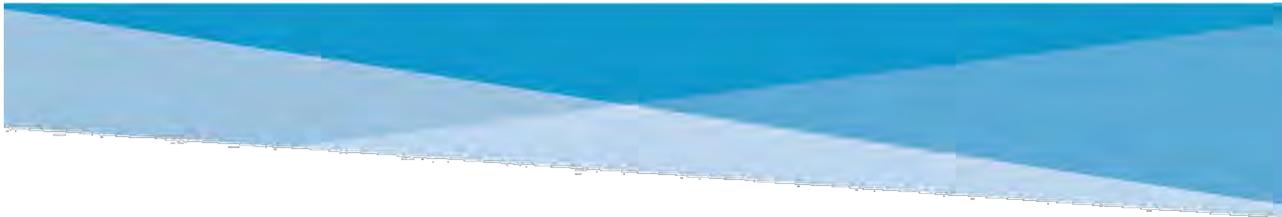
New Chisholm TAFE building design



Sea Breeze sculpture  
Frankston Library Forecourt

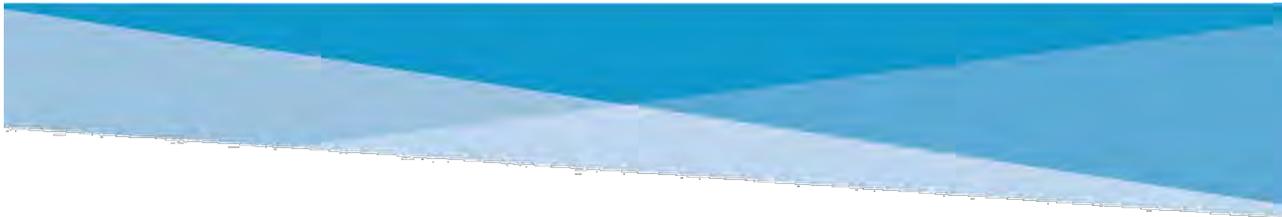


Priority	Indicator	Frequency	Target 16/17	Result 15/16	Result Q3 Jan-Mar 2016-2017	Comments	Status
<b>Jobs</b>	<b>Total number of jobs in Frankston City</b>	5 yearly (Census)	≥ 37,600 (+200)	36,631	36,631	Job growth from 2006 to 2011 was considerable, with 3,080 jobs created (an increase of 9.2 per cent) across the municipality. The health and community services, construction and accommodation were the most significant contributors.	<input checked="" type="checkbox"/>
<b>Investment (\$)</b>	<b>Government (Australian and Victorian) grants received for Capital Works infrastructure</b>	Annual	≥ \$3m	\$5.062m	NA	Indicator reported annually.  In 2015-2016 the total annual capital grants income was \$5.062m (State \$2.451m and Federal 2.611m) against a budget of \$2.603m, mainly due to additional funding received for the Frankston Basketball Stadium.	<input type="checkbox"/>
<b>Transport Connectivity</b>	<b>Frequency of bus (public transport) services</b>	Annual	≥ 4%	0%	NA	Indicator reported annually.  In 2015-2016 a submission was made to the Victorian Government's Bus Service review and Council continues to advocate for improved bus service routes and frequency.	<input type="checkbox"/>
<b>Growth</b>	<b>New dwellings in Frankston City</b>	Annual	≥ 550	412	NA	Indicator reported annually.  Frankston has limited land available for residential development. The MSS recognises the need to provide medium density residential dwellings to meet population growth.	<input type="checkbox"/>



Priority Actions (4 year Council Plan 2013-2017)	Initiatives 2016-2017 Year 4	Progress	Status
<b>1.1.1 Attract and promote more industry, small business and large employers into Frankston City to grow more jobs</b>	Implement year one activities in the Frankston City Economic Development Strategy including: <ul style="list-style-type: none"> <li>• Activities to promote business and jobs growth</li> <li>• Continue investment attraction – aligned with transit interchange projects</li> <li>• Health sector investment attraction campaign</li> </ul>	Council’s Business Investment Program has resulted in 13 businesses starting, relocating or expanding in Frankston City during 2016-2017. A significant relocation has been Peninsula Health. Year to date, the program has created up to 269 additional jobs and up to \$94 million in additional gross revenue locally.  Two city centre residential developments have commenced construction, with another three new development applications received this quarter.	
<b>1.1.2 Pursue State and Federal transport and digital infrastructure grants to support Frankston City’s priorities</b>	Advocate for delivery of digital infrastructure (including the National Broadband Network - NBN) to improve connectivity and competitiveness of key economic hubs including: <ul style="list-style-type: none"> <li>• Carrum Downs Industrial Precinct</li> <li>• Seaford Industrial Precinct</li> <li>• Frankston City Centre</li> </ul>	New timeframes for NBN rollout across the city have been released. Most of the city will have access to NBN in 2019. Council is still advocating to prioritise the rollout in the Frankston city centre and industrial precincts.	
	Advocate for the duplication of Thompsons Road	The Victorian Government has announced funding of \$175 million for the duplication of Thompsons Road.	
	Advocate for a roundabout at Robinsons Road	VicRoads has commenced a design for a roundabout at the Robinsons Road and Western Port Highway intersection.	
<b>1.1.3 Adopt a Structure Plan that facilitates development of the city as a regional hub for business, higher density residential development, education, health and the arts</b>		The Frankston Metropolitan Activity Centre (FMAC) Structure Plan was adopted by Council on 25 May 2015. Amendment C123 which seeks to implement the Structure Plan through rezoning of the commercial core of the FMAC is listed for a Council Meeting in May 2017.	

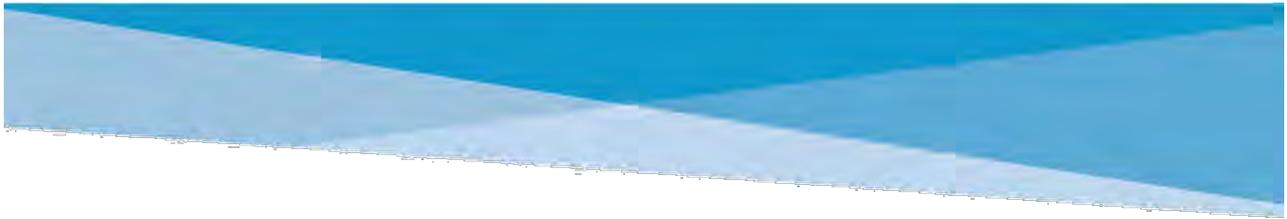
Priority Actions (4 year Council Plan 2013-2017)	Initiatives 2016-2017 Year 4	Progress	Status
1.1.4 Work with the Tourism Board to enhance and promote Frankston as a prime tourist destination	Assist with the implementation of the Mornington Peninsula Regional Tourism Board (MPRTB) Destination Management Plan with key focus on activities which benefit tourism in Frankston City (e.g. Frankston Transit Interchange upgrade and Regional Events Strategy)	The draft Regional Tourism Event Strategy and Regional Tourism Arts and Culture Strategy have been finalised by the Board and both are expected to be released by July 2017.	
1.1.5 Advocate for improved course diversity at local education institutions and pathways into industry and business	Advocate to educational institutions to deliver courses that meet industry and career pathway needs.	Council is partnering with neighbouring municipalities and the Victorian Skills Commissioner to conduct a survey of 1,000 growth businesses across the region. This will determine current and future skills and training needs and form a business case to government and education providers to better align training to employers' needs.	
1.1.6 Facilitate organisation wide work experience, tertiary placements and volunteering opportunities to enhance employability and wellbeing	Identify opportunities for traineeships, work experience and student placements and promote to training institutions and schools.	There have been four tertiary placements and 16 work experience placements this financial year with positive feedback received from participating schools.	
1.2.1 Secure State Government support for timely redevelopment of the Rail/Transit interchange and Baxter rail line	Work with State Government on Stage One of the Frankston Station Precinct Masterplan to deliver the recommended priorities. Provide input and support for:  a) Completion of the Young Street upgrade	VicRoads and contractors have experienced complications in relocating utility services, which has impacted progress of works. Night and weekend work are being considered to fast track project completion. This Victorian Government project is being delivered by VicRoads.	



Priority Actions (4 year Council Plan 2013-2017)	Initiatives 2016-2017 Year 4	Progress	Status
	b) Design development of the Frankston Station Precinct	The winning design for the new Frankston Railway station has been announced. Genton Architects were chosen in a national competition. The Victorian Government expects construction to commence in late 2017.	
	Advocate for Electrification to Baxter Rail	Council continues to advocate for the rail electrification to Baxter. Council is working with both the Victorian and Federal Governments to commence work on the business case as a standalone project.	
	Advocate for relocation of State and / or Federal Departments to Frankston City	Council continues to work on this advocacy program.	
1.2.2 Advocate for increased frequency and negotiate new and extended (including radial) bus routes to improve access to jobs, goods and services	Continue to support State Governments review of bus services.	Discussions have occurred with Public Transport Victoria and an advocacy campaign is underway for improved services as part of the Transit Interchange Project.	
1.2.3 Advocate for State Government investment in safe rail / road crossings (grade separation) to reduce traffic hazards and delays at Overton Road		The Level Crossing Removal Authority briefed Councillors in late 2016 in relation to the removal of three crossings within Frankston City at Eel Race Road, Seaford Road and Overton Road.	
1.2.4 Improve car parking in the city centre	Endorse the Car Parking Precinct Plan and prepare a "Cash in Lieu" Parking Scheme.	The Minister for Planning has approved Amendment C111 for public exhibition, subject to a number of conditions that will require changes to the document. The notice of approval will be received in April 2017. Exhibition is now likely to commence in May 2017.	
1.3.1 Develop an urban design policy to guide assessment of proposed developments and deliver quality design outcomes	Adopt an urban design policy and include in the Planning Scheme.	A draft Urban Design Policy is currently in preparation. Council has initiated a number of projects to provide materials and input into the Policy.	

Priority Actions (4 year Council Plan 2013-2017)	Initiatives 2016-2017 Year 4	Progress	Status
<b>1.3.2 Develop an Open Space Strategy and Foreshore Management Plan to protect and enhance Frankston’s natural assets including the foreshore, parks and reserves and open spaces</b>	<b>Work on implementing priority actions of the Open Space Strategy and the Coastal Management Plan.</b>	The Coastal Management Plan and the Open Space Strategy were both adopted by Council in 2016 following extensive community consultation. Implementation is progressing well with work completed on the new Urban Forest Policy, adoption of the FMAC streetscape strategy and various improvements intended to activate the foreshore.	
	<b>Develop a Recreational Facilities Capital Works Plan.</b>	Funding applications have been lodged with Federal Government for women’s sports facilities; sports lighting and pavilion upgrades.	
	<b>Commence development of a new Playground Strategy.</b>	Development of the Playground Strategy will commence in May 2017.	
<b>1.3.3 Work with State Government and local communities to accommodate more adaptable, affordable and accessible housing that meets individual needs over time (and ageing in place)</b>	<b>Develop "Inclusionary zones" and seek amendment to the Planning Scheme to increase accessible and affordable housing options.</b>	The Housing Strategy has been updated and Councillors will be briefed in April. Once adopted the Strategy will be implemented by a new planning scheme amendment.	





Long term community outcome two:

## **Liveable city**

The following statement reviews the performance of Council against the Council Plan including results achieved in relation to the strategic indicators against the strategies included in the Council Plan.

### **Strategies:**

- 2.1 Activate the city centre and encourage more housing, leisure and retail options**
- 2.2 Improve the municipality's safety, image and pride**
- 2.3 Engage the community to shape the services and future of the city and their local area**
- 2.4 Improve the health and wellbeing of residents**

### **Executive Summary – Director Community Development**

This Council has had a strong focus on safety and pride since its election and this will continue with a focus on reducing anti-social behaviour, maintaining effective CCTV and enforcement of litter and graffiti offences. As a result of strong collaboration and Police resources, Police report a decrease in anti-social behaviour; the only police division to do so in metropolitan Melbourne.

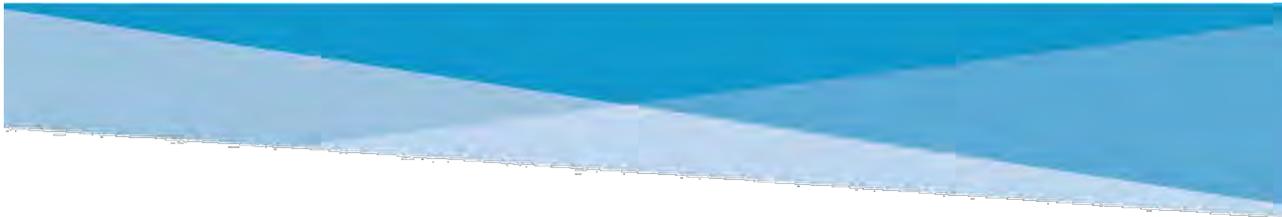
Ongoing engagement with the community through a number of mediums continues to be a mainstay of Council. The community shows a keen interest in all forms of services and local area projects to enable involvement in areas of interest which invariably support voluntary efforts of community members. The numbers of people also participating in festivals and events is pleasing to see and the events themselves grow in both size and quality.

Detailed work is also progressing to inform the proposed health service hub in the health and education precinct. This will, when constructed, attract a range of health and welfare support professionals to enable easy and integrated access and also boost the number of jobs in the Frankston Metropolitan Activity Area.



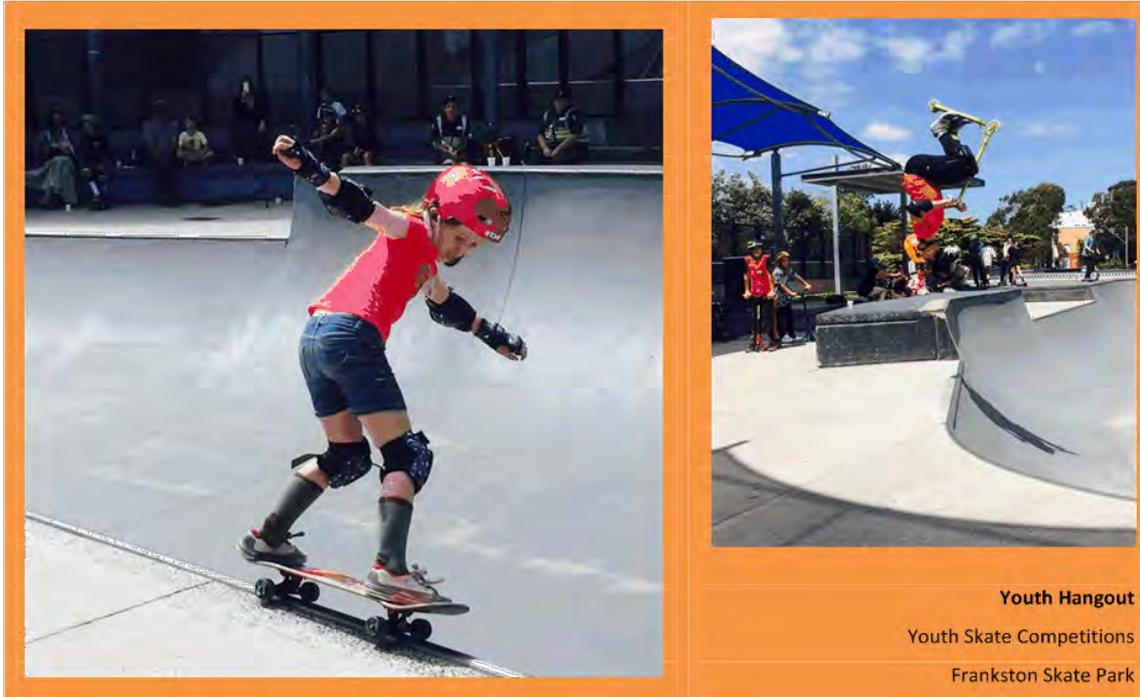
On track   
  Recoverable   
  Off track   
  Not yet available   
  Completed

Priority	Indicator	Frequency	Target 16/17	Result 2015-2016	Result Q3 Jan-Mar 2016-2017	Comments	Status
<b>City Centre Activation</b>	<b>Occupancy rate in the city centre</b>	Annual	> 86.5%	85.4%	NA	Indicator reported annually.  The 2015-2016 result showed a slight decline in occupancy can be attributed to a higher level of office vacancies. Street frontage occupancy rate has increased by 1.65 per cent over the past two years. Council is continuing its efforts to attract new business, however an improvement in the occupancy rate will be	<input type="checkbox"/>



Priority	Indicator	Frequency	Target 16/17	Result 2015-2016	Result Q3 Jan-Mar 2016-2017	Comments	Status
						challenging due to major construction works within the city centre over the next two years.	
<b>Image</b>	<b>Overall image of Frankston City</b>	Annual	(≥ 92%) Score ≥ 66	Score 60 (87%)	NA	Indicator reported annually.  The result for 2015-2016 of 87 per cent of residents rated Frankston City's image as above average. 90 percent of residents also agreed that Frankston City was liveable, a 10 per cent increase since 2012.	<input type="checkbox"/>
<b>Safety</b>	<b>Safety in Frankston City</b>	Annual	≥70% Score ≥59	58%	NA	Indicator reported annually.  The 2015-2016 result showed a six per cent increase since 2012 of residents agreeing that Frankston is safe.	<input type="checkbox"/>
<b>Community Engagement</b>	<b>Council's consultation and engagement</b>	Annual	80% Score ≥ 652	Score 57 (69%)	NA	Indicator reported annually.  The previous two years results showed a score of 57. This result typically improves when Council undertakes consultation on the Council Plan, Community Plan and health and Wellbeing Plan which will recommence in October 2016.	<input type="checkbox"/>
<b>Social Inclusion</b>	<b><u>Volunteer hours to Council community services:</u></b>						
	<b>Active Ageing volunteer hours</b>	Annual	≥ 23,500	25,607	NA	Indicator reported annually.	<input type="checkbox"/>

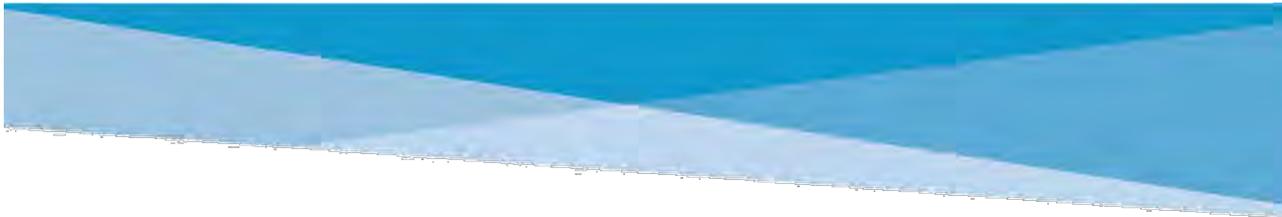
Priority	Indicator	Frequency	Target 16/17	Result 2015-2016	Result Q3 Jan-Mar 2016-2017	Comments	Status
	<b>Libraries volunteer hours</b>	Quarterly Q3	≥ 7,900	16,702	5,775	Membership of Home Library Service has increased from 82 to 107 and additional volunteers are being sourced	
	<b>Visitor Information Centre volunteer hours</b>	Annual	≥ 4,500	4,588	3,325	Volunteer hours are on track to meet the annual target. Volunteer hours are now expanded to the Roving Ambassador Program	
	<b>Volunteer Clubs: Volunteer Service Clubs</b>	Annual	≥ 20	30	NA	Indicator reported annually.	
	<b>Sporting Clubs</b>	Annual	≥ 113	104	NA	The number of service clubs and sporting clubs remain the same.	
	<b>Attendance numbers at events, attractions, the libraries and Frankston Arts Centre</b>	Quarterly Q3	≥ 930,000	687,136	210,248	Waterfront Festival attendances were lower than anticipated due to inclement weather.	



**Youth Hangout**  
 Youth Skate Competitions  
 Frankston Skate Park

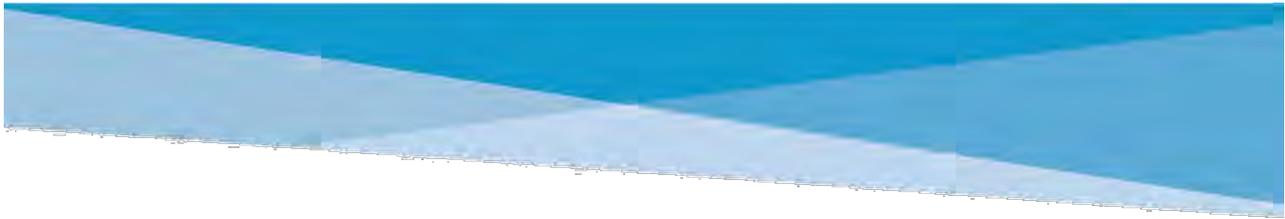
Priority Actions (4 year Council Plan 2013-2017)	Initiatives 2016/17 Year 4	Progress	Status
<b>2.1.1 Attract more mixed use development in the city centre</b>	<b>Increase investment and activation of the Frankston City Centre through investment, attraction and business support programs</b>	Two apartment developments have commenced construction this quarter and a further three new development proposals have been received.	<span style="color: yellow;">■</span>
<b>2.1.2 Stimulate increased activity in the city centre through events and entertainment</b>	<b>Facilitate activation projects in alignment with Frankston transit interchange in the station precinct and City Centre</b>	The Street Art Masterplan project for the Central Activity Area has commenced. Major events delivered by Arts and Culture this quarter were, the Waterfront Festival and Ventana Street Fiesta with a combined attendance of 29,000.	<span style="color: blue;">■</span>
<b>2.1.3 Improve the street front amenity and appeal of the city centre through design, landscaping and quality street furniture</b>	<b>Adopt the streetscape strategy and schematic designs for the Central Activities Area (CAA) including schematic designs for key streets and laneways in the CAA</b>	The Streetscape Strategy and schematic designs for the CAA were adopted by Council in August 2016.	<span style="color: green;">✓</span>

Priority Actions (4 year Council Plan 2013-2017)	Initiatives 2016/17 Year 4	Progress	Status
2.1.4 Work closely with developers and key land owners to re-orientate the City Centre towards the beach and activate the Kananook Creek area	Enhance applications for planning and building permits by engaging with property owners, developers and real estate agents in the Central Activities Area (CAA)	Frankston Future Project officers have met with landowners within the Frankston city centre and will act as Council's single point of contact to coordinate development proposals.	
2.2.1 Promote the natural attributes and family friendly lifestyle qualities of Frankston locally, nationally and internationally	<p>Implement year two activities of the Frankston Destination Development Plan, including:</p> <ul style="list-style-type: none"> <li>• Implement formal Tourism Event Attraction program</li> <li>• Industry development programs</li> <li>• Assist with the conversion of Sand Sculpting Australia to a year round attraction</li> </ul>	<p>The 2017-2018 Event Attraction Program closed on 17 March 2017. 14 applications were received and successful applicants will be informed in May 2017.</p> <p>Four dedicated tourism industry development workshops have been included in Council's 2017 Build Your Business Program.</p> <p>Discussions are underway with Sand Sculpting Australia to determine the best options for a permanent site.</p>	
2.2.2 Seek sector and government support for a purpose built hub for clients experiencing drug and alcohol addiction	Support the establishment of a health centre of excellence to demonstrate evidence for an integrated health hub.	Peninsula Health is completing an Ambulatory Care Plan to form the basis of a business case for the health hub.	
2.2.3 Manage the CCTV network and work with Police to improve safety and reduce anti-social behaviour	Maintain a collaborative working arrangement with Police, implement no smoking bans outside the Frankston Railway Station and continue to expand the CCTV network.	<p>The Senior Sergeant in charge of the Transport Unit, Protective Service Officers has joined the liaison group.</p> <p>An extension of city centre Smoke Free Outdoor Areas has received positive feedback from traders and the general public.</p> <p>A CCTV Enhancement Project has commenced and additional cameras will be commissioned by July 2017.</p>	
2.2.4 Improve the cleanliness and presentation of the city and local areas	Adopt service standards for cleanliness and presentation of the city and local areas	Service standards for open space maintenance have been completed. Discussion with VicRoads are planned to improve the synchronisation of Council and VicRoads maintenance schedules.	



Priority Actions (4 year Council Plan 2013-2017)	Initiatives 2016/17 Year 4	Progress	Status
<b>2.2.5 Reduce graffiti in Frankston City</b>		The proactive program has continued. Council is working with Melbourne Water to access industrial areas to address graffiti build up and will advocate for graffiti removal programs on Vic Track and Vic Roads properties.	
<b>2.2.6 Allocate a dedicated Local Laws officer to local areas to better address non-compliant behaviour</b>	<b>Review success of a dedicated local laws officer in the City Centre</b>	Increased presence of Council and Police officers has resulted in a reduction of antisocial behaviour in the city centre.	
<b>2.3.1 Establish agreed standards for infrastructure that will meet current and future service needs</b>	<b>Continue to develop service levels for Asset Management, including</b> • Footpaths • Shared Paths	Preparation of the draft Paths Asset Management Plan commenced in March 2017.	
<b>2.3.2 Expand Council and the community's involvement in planning priorities to support community based projects</b>	<b>Support the municipality's community centres to explore additional income streams.</b>	As part of Council's funding agreement with community centres, staff and Board members participated in the first of two business planning workshops to assist with planning and governance.	
<b>2.3.3 Develop appropriate multi-use agreements for Council owned facilities</b>	<b>Review all lease and licensing agreements to optimise use of Council's facilities.</b>	Negotiations continue on all agreements with key tenants including the Scouts, Frankston District Basketball Association and Dolphins.	
<b>2.3.4 Achieve the community plan and local area community plans</b>	<b>Review the Community Plan to engage the community to help shape desired service standards.</b>	During the <i>Think Big</i> community engagement campaign, launched in October 2016, approximately 680 people contributed their ideas and priorities. The current engagement focus is on ideas for local priorities to inform Local Community Plans and the Health and Wellbeing Plan.	
<b>2.4.1 Adopt a four year Health and Wellbeing Plan that also encompasses awareness of a diverse society</b>	<b>Complete a detailed review of the Health and Wellbeing Plan for Council adoption in 2017.</b>	The review of the Health and Wellbeing Plan is on track with a comprehensive data and social research evidence base developed to inform priorities.	

Priority Actions (4 year Council Plan 2013-2017)	Initiatives 2016/17 Year 4	Progress	Status
2.4.2 Increase participation in 0yrs -12yrs health, education and care services to enable all young people to fulfill their potential	<b>Consolidate core service delivery, including actions from the Child and Family Plan, completion of Kinder Registration Enhancement Project, implementation of Best Start Action Plan.</b>	A tender was awarded for the construction of the East Karingal Preschool to extend and renovate the facility. The Kindergarten Registration Enhancement Project and the Best Start Action Plan were completed.	
2.4.3 Work with people (12-25yrs) in local areas to support their development and access to services	<b>Implement Youth Services review including outreach with young people</b>	A funding application was lodged with the Federal Government to support outreach engagement through a mobile youth service. A grant was received for outreach work with young people at the Frankston railway station.	
2.4.4 Support positive ageing and independent living including activity and service support	<b>Manage intake &amp; Assessment services to ascertain eligibility of clients and explore option for future service delivery.</b>	The Southern Metropolitan Regional Assessment Service have been working to reduce assessment wait times. Separation requirements are in place between the assessment service and in home service delivery.	
	<b>Manage delivery of services for eligible clients and explore best options for future running of the service.</b>	My Aged Care implementation is on track ensuring referrals for services are managed in a timely manner for optimum client satisfaction.	
2.4.5 Increase social inclusion and community participation in leisure activities including libraries, arts and culture	<b>Encourage more residents to participate in performing, public art, interactive and recreational pursuits.</b>	900 children were invited to take part in Ventana Murga drumming.  Ventana Festival delivered more than 30 free accessible community events, 61 workshops, 18 exhibitions, with a total attendance of 13,093.  Expressions of interests opened for local theatre makers to participate in HATCH (a performing arts incubator).	
2.4.6 Improve access to healthy food through health promotion, monitoring of food premises and working with local groups such as the Frankston Food Access Network	<b>Support community initiatives and distribution of fresh food in emergency relief operations.</b>	Following the closure of City Life in July 2016, Council has continued to provide an interim meals service. Council is working with the Victorian Government to ensure vulnerable community members are able to access local services.	



Long term community outcome:

## Sustainable city

The following statement reviews the performance of Council against the Council Plan including results achieved in relation to the strategic indicators against the strategies included in the Council Plan.

Strategies:

- 3.1 Plan, build, maintain and retire infrastructure to meet the needs of the city and its residents
- 3.2 Build a local community culture of good stewardship of the environment
- 3.3 Ensure good governance and management of the Council resources

### Executive Summary – Director Corporate Development

Council has delivered its key infrastructure projects in the Council Plan 2013-2017. Work also soon to commence on the Frankston District Basketball Stadium (\$12M) and Carrum Downs Recreation Reserve pavilion (\$3.8M). These projects will be delivered with funding support from both the State and Federal governments.

The financial performance of the Frankston Regional Recycling and Recovery Centre (FRRRC) continues to improve with a significant increase in the volume of waste being diverted, providing an alternative waste management solution for the region.



Priority	Indicator	Frequency	Target 2016-2017	Result 2015-2016	Result Q3 Jan-Mar 2016-2017	Comments	Status
Infrastructure (civil, buildings and public space)	Capital Works Program delivered	Annual	> 90%	89%	NA	Indicator reported annually.  In 2015-2016 Council expended \$52.597m against the adjusted budget of \$59.119m.	<input type="checkbox"/>

Priority	Indicator	Frequency	Target 2016-2017	Result 2015-2016	Result Q3 Jan-Mar 2016-2017	Comments	Status
<b>Infrastructure (civil, buildings and public space)</b>	<b>Capital Works projects delivered on schedule and within +/-5% approved budget</b>	Annual	> 90%	100%	NA	All key capital works projects were completed on time and within budget at the end of 2015-2016.	<input checked="" type="checkbox"/>
<b>Waste</b>	<b>Household waste to landfill per household per week</b>	Annual	< 7.9kg	8.5kg	NA	Indicator reported annually.  The 2015-2016 result was 80 grams greater than in 2014-2015. While the increase per household is minor, it is still well ahead of other municipalities.	<input type="checkbox"/>
<b>Waste</b>	<b>Adopt a long term waste management solution by 30 June 2017</b>	By 30 June 2017	By 30 June 2017	Achieved	Achieved	The Frankston Regional Recycling and Recovery Centre (FRRRC) opened on 16 October 2015.	<input checked="" type="checkbox"/>
<b>Environment</b>	<b>Council's greenhouse gas emissions</b>	Annual	11,794 T	10,321 T	NA	Indicator reported annually.  In 2015-2016 Council's greenhouse gas emissions decreased by 1,086T achieving the annual target of less than in 12,022 T.	<input type="checkbox"/>
<b>Governance</b>	<b>Underlying operating result deficit/ (surplus)</b>	Annual	(\$0.5M)	(\$13.497 m)	NA	Indicator reported annually.  While Council reached a higher result in 2015-2016 (\$13.497m) than in 2014-2015 (\$5.036), the \$14m budget surplus target was not reached due to Victorian Grants Commission funding not being received in advance.	<input type="checkbox"/>
<b>Governance</b>	<b>Council's liquidity (ability to pay liabilities within one</b>	Annual	1.5:1	2.24:1	NA	Indicator reported annually. In 2015-2016 Council's working capital ratio has declined over the year, however still represents a	<input type="checkbox"/>

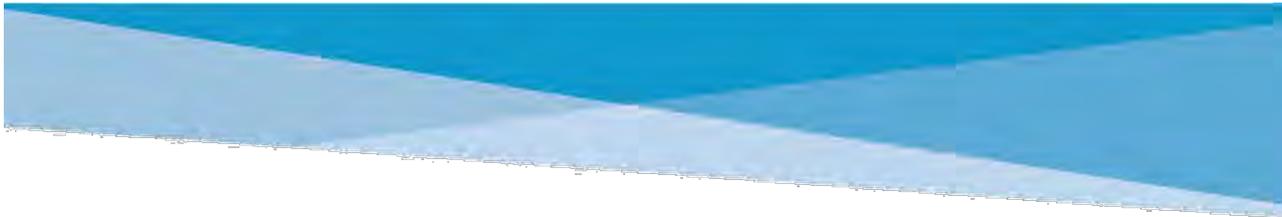


Priority	Indicator	Frequency	Target 2016-2017	Result 2015-2016	Result Q3 Jan-Mar 2016-2017	Comments	Status
	year)					sound outcome in terms of short term liquidity.	
<b>Governance</b>	<b>Overall direction of council</b>	Annual	≥ 89% Score ≥ 64	Score 57 (87%)	NA	Indicator reported annually.  In 2015-2016, 87 per cent of residents rated the overall direction of Council as above average. The result is six points higher than the state wide average result.	<input type="checkbox"/>
<b>Governance</b>	<b>Overall performance of Council</b>	Annual	≥ 92% Score ≥ 65	Score 61 (86%)	NA	Indicator reported annually.  In 2015-2016, 86 per cent of residents rated the overall performance of Council as above average. The result is two points higher than the state wide result.	<input type="checkbox"/>



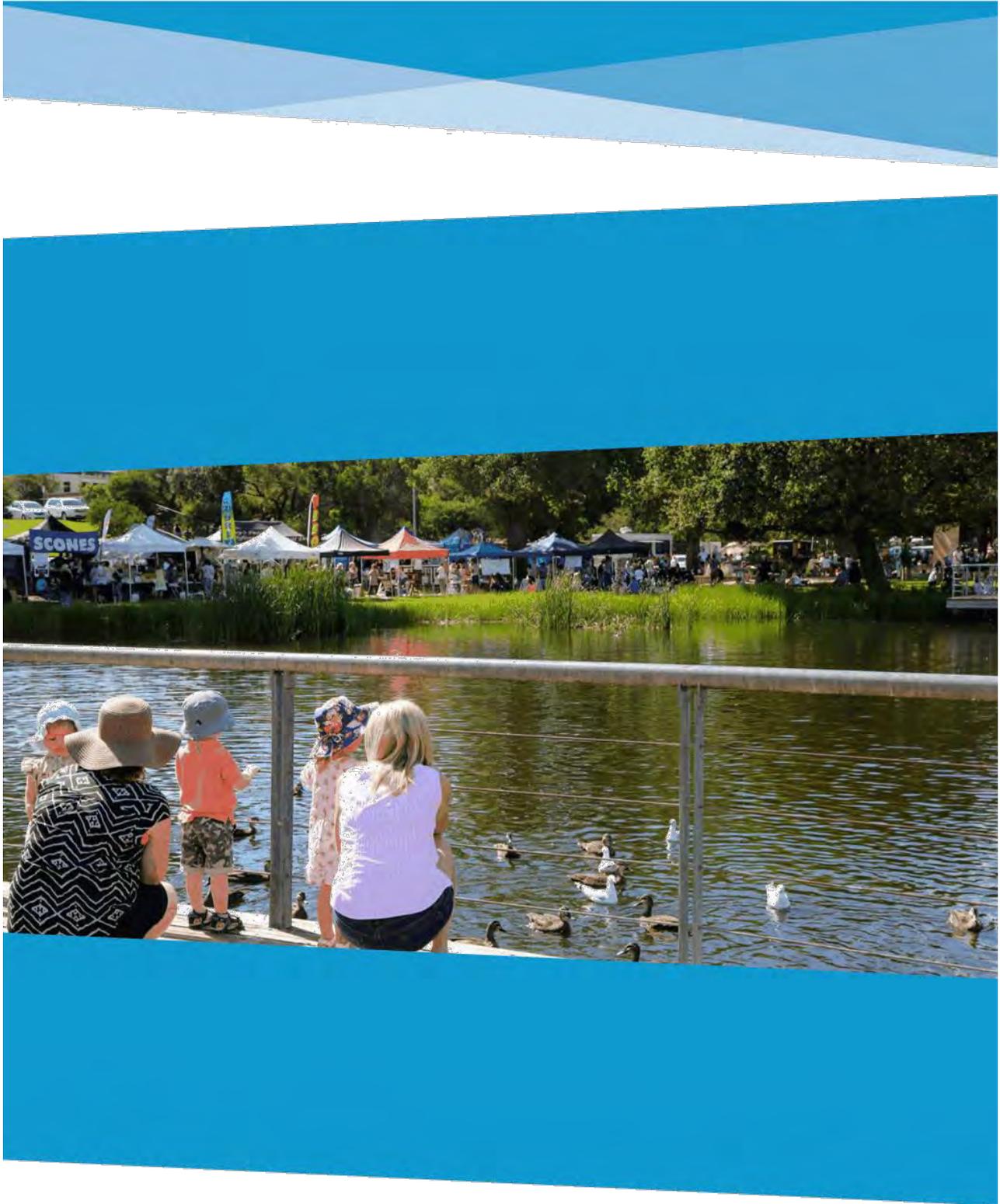
Oliver's Hill Boat ramp

Priority Actions (4 year Council Plan 13-17)	Initiatives 2016/17 Year 4	Progress	Status
<b>3.1.1 Identify and reduce the financial shortfall for maintenance of infrastructure to ensure service standards are maintained</b>	Adopt the <a href="#">Open Space Asset Management Plan</a> to guide the management of the open space assets.	Internal consultation on the draft Open Space Asset Management Plan concluded at the end of March 2017.	
	Adopt the <a href="#">Community Infrastructure Plan</a> to guide future asset development.	The Community Infrastructure Plan is in its final stages and will guide future asset development.	
<b>3.1.2 Deliver key infrastructure projects on schedule and within budget (Capital Works Program) adopted by Council for 2013-2017, such as:</b> <ul style="list-style-type: none"> <li>▪ Frankston Regional Aquatic Recreation Centre (PARC)</li> <li>▪ Carrum Downs (Banyan Fields) Child and Family Centre</li> </ul>		The five key projects have been completed.	



Priority Actions (4 year Council Plan 13-17)	Initiatives 2016/17 Year 4	Progress	Status
<ul style="list-style-type: none"> <li>▪ Frankston Yacht Club</li> <li>▪ South East Water Public Realm</li> <li>▪ Frankston Park Function Centre</li> </ul>			
<b>3.1.2 Deliver key infrastructure projects on schedule and within budget (Capital Works Program) adopted by Council for 2013-2017</b>	Continue to advocate for funding through State Government for recreational infrastructure and Carrum Downs Recreational Reserve.	Grant applications were submitted to Sport and Recreation Victoria. Projects that were successful in obtaining funding include: <ul style="list-style-type: none"> <li>- Lloyd Park Sports Ground Lighting Precinct Project</li> <li>- Overport Park Sports Ground Lighting Project</li> <li>- Frankston Regional Multi-purpose Cricket Net Access Program</li> <li>- Female Friendly Facilities at Ballam Park Soccer Pavilion</li> <li>- Female Friendly Facilities at Overport Park</li> </ul>	
	Continue with the redevelopment of the Frankston Basketball Stadium	The design and tender phase of the project is complete. Lease agreement to be confirmed with Frankston District Basketball Association prior to construction.	
<b>3.2.1 Educate industry and residents to reduce energy and water usage and waste to landfill</b>	Develop and Implement a Calendar of Community Environmental Education Events and Activities, Support Schools to Deliver Environmental Education Programs and Continue to Facilitate the Teachers Environment Network (TEN)	Council's environmental events attracted 292 participants which included <i>Detox your Home</i> , <i>Greening Our Future</i> and the <i>Teachers Environmental Network</i> events. A total of 26 sites were registered as part of <i>Clean Up Australia Day</i> and Council supported groups to collect approximately 90 large bags of litter locally. Two editions of <i>EnviroNews</i> were distributed to 3,555 subscribers.	
<b>3.2.2 Protect and maintain key natural assets (e.g. parks and reserves) owned by Council</b>	Commence the Bulk Tree Replacement program to create boulevards and improve street amenities.	Council's annual tree planting program is scheduled to commence in May 2017.	

Priority Actions (4 year Council Plan 13-17)	Initiatives 2016/17 Year 4	Progress	Status
	Seek an amendment to include the Open Space Policy and a developer contribution scheme into the planning scheme.	Work has been scheduled for an Open Space Contribution Scheme to complement the Open Space Strategy.	
<b>3.2.3 Determine a long term Waste Management solution, including: a Waste Recycling Centre</b>	Facilitate the implementation and reporting of Year 2 actions in the Waste Minimisation and Management Plan, including: <ul style="list-style-type: none"> <li>Working with the Victorian Government to establish a household food waste collection service</li> <li>Using a wide range of channels to deliver community waste minimisation and recycling messages</li> </ul>	Planning is underway to commence a <i>food waste</i> kerbside collection service.  Promotional activities are underway to educate the community on waste minimisation. Council is exploring the benefits of Sustainability Victoria's <i>Love Food, Hate Waste</i> program.	
	Manage the financial performance of the Frankston Regional, Recycling and Recovery Centre (FRRRC)	The performance of the Frankston Regional Recycling and Recovery Centre (FRRRC) has improved with a significant increase in volume since July 2016 and this increase is expected to continue.	
<b>3.3.1 Ensure the organisation is financially sustainable</b>	Manage the financial impact of rate capping on Council services and infrastructure delivery.	Council is implementing a Service Planning and Costing Framework to guide future decision making and meet the demand of rate capping.	
<b>3.3.2 Implement a schedule of reviews of services, policies and protocols to ensure good governance</b>	Ensure a seamless transition to the newly elected council at the end of 2016.	Councillors have been inducted following the Council election. All statutory obligations of the Council have been met.	
	Develop a framework for service planning to ensure an efficient and effective customer service focus.	Service planning and costing is underway with service statements to be completed by June 2017.	
<b>3.3.3 Continue to build organisational capability and a customer service culture</b>	Implement Council's Learning and Development Framework and Leadership Development Program.	Council entered a team in the Local Government Australasian Management Challenge 2017. Results will be announced in the final quarter 2016-2017.	



## Executive Summary

### 12.3 March 2017 Quarterly Financial Report

*Enquiries: (Kim Jaensch: Corporate Development)*

#### Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.1 Ensure the organisation is financially sustainable

#### **Purpose**

To brief Council on the financial performance to 31 March 2017 against the 2016-2017 Revised Annual Budget.

#### **Recommendation (Director Corporate Development)**

That Council receives and notes the Financial Report for the quarter ended 31 March 2017.

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

- The operating financial position at 31 March 2017 is excellent and it is anticipated that Council will be on track to complete the current financial year within the 2016-2017 revised budget.
- The Balance Sheet and cash flow position is sound at 31 March 2017.
- There has been a significant movement in the anticipated delivery of the capital works program. The end of year forecast capital works expenditure of \$37.766M is at this stage \$7.310M or 16.3% behind schedule. Currently the shortage of resources, deferral of projects and delays in awarding contracts has directly impacted on the program delivery status. This has resulted in projects valued at \$6.814M potentially required to be carried forward to the 2017-2018 financial year. From a financial perspective the capital works program needs to be closely monitored.
- From a full year **forecasting** perspective, the financial performance indicates the following year end outcomes:
  - A favourable movement in the forecast operating result of \$4.191M with a year-end projected surplus of \$27.100M against the revised 2016-2017 budget position of \$22.909M mainly due to:
    - An increase of \$0.714M in government funding for Community Strengthening and Family Health;
    - Additional user fees and charges of \$0.436M as a result of positive growth trends at Frankston Regional Recycling and Recovery Centre, offset by \$0.409M increased cost in disposal;
    - Interest income higher than anticipated due to cash held in investments;
    - \$0.293M employee cost savings due to vacancies in the operations and financial services department;
    - \$0.493M labour savings in Community Care as a direct result of the introduction of the National Disability Scheme and the transition to Commonwealth program support which has led to changes in the service delivery; and

**12.3 March 2017 Quarterly Financial Report****Executive Summary**

- A reduction of \$0.705M in depreciation due to the delay in the capitalisation of assets.

**Financial Impact**

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

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

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

This report does not require community consultation.

**2. Other Stakeholders**

There are no other stakeholders

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

This report does not have any environmental, economic or social implications for discussion.

**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 1989 (the Act) requires that Council produce a report which compares the budgeted revenue and expenditure for the financial year with the actual revenue expenditure to date. The report will be presented to Council at the 22 May Council meeting which is open to the public.

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**

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
- Council is subject to an annual external audit process and also has an internal audit program that reviews critical processes from time to time.

**12.3 March 2017 Quarterly Financial Report****Executive Summary**

- 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 to assist with ensuring that Council’s processes and source data is accurate and the risk of fraud is minimised.

**Conclusion**

The forecast full year net result is anticipated to be a surplus of \$27.100M which compares favourably by \$4.191M to the 2016-2017 revised budgeted surplus of \$22.909M.

The overall operating financial position at 31 March 2017 is satisfactory. Council still has three months remaining of the financial year to monitor these results and will continue to manage outcomes carefully in order to achieve the 2016-2017 budget. From a financial perspective the capital works program needs to be closely monitored until the end of the financial year.

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**ATTACHMENTS**

Attachment A: March 2017 Quarterly Financial Report

# Frankston City March 2017 Quarterly Financial Performance Report



opportunity » growth » lifestyle



January – March 2017

## 1. Quarterly financial performance summary

The following quarterly financial report provides a summary and analysis of Council's financial performance for the nine (9) months to March 2017. The report is designed to ensure consistency with the 2016-2017 revised budget, compliance with statutory requirements and to measure Council's overall financial performance.

A summary of the key financial data is as follows:

	Full Year			
	Forecast	Budget	Variance	Variance
	\$'000s	\$'000s	\$'000s	%
Underlying operating result (1)	21,077	17,285	3,792	22.0%
Cash and cash equivalents (2)	44,270	37,413	6,857	18.4%
Capital works expenditure (3)	37,766	45,076	(7,310)	(16.3%)

( ) Denotes negative result

- (1) The underlying operating result indicates a higher than anticipated surplus of \$3.792M against the revised budget. The key factors contributing to this variance are additional grant funding received and interest income from higher cash investments held. Also, hard waste collection costs were lower than expected and labour costs are favourable due to staff vacancies and reduced service levels with the introduction of the National Disability Scheme. Depreciation has been adjusted due to revision of accounting treatments and delay in capital works delivery.

The underlying operating result is one of Council's key indicators of financial performance as it measures Council's day to day operating activities. It excludes one-off items such as capital grants and contributions as well as non-monetary assets.

The underlying operating result is of most concern as Council's long term financial viability depends on its ability to make an operating surplus on a day to day basis in order to fund the replacement of assets and to fund new projects. In the longer term this result must be brought to a balanced or surplus result.

- (2) The cash and cash equivalents balance is forecast to be 18.4% above budgeted expectations. This higher cash investment is due to the delay in the capital works expenditure and operating materials and services together with better than expected year to date income position. The forecast cash investment position is based on the assumption that capital works expenditure will meet the end of year forecast of \$37.766M. As at 31 March 2017, this is behind schedule, however there is an expectation that spending will increase over the next quarter to meet the year-end target.
- (3) The end of year forecast capital works expenditure of \$37.766M is at this stage \$7.310M or 16.3% behind schedule. Currently the shortage of resources, deferral of projects and delays in awarding contracts has directly impacted on the program delivery status. This has resulted in projects valued at \$6.814M potentially required to be carried forward to the 2017-2018 financial year. From a financial perspective the capital works program needs to be closely monitored.

A detailed analysis of the March quarterly results is provided in the following report.

## 2. Financial performance scorecard – March 2017

KEY INDICATOR	Year to	Full Year	Full Year
	Date	Forecast vs	Forecast
	Actual vs	Budget	Forecast
	Budget	Budget	\$'000
<b>Operating performance</b>			
Operating revenue			153,305
Operating expenditure			132,228
Underlying operating result			21,077
Operating result for the year			27,100
<b>Capital Performance</b>			
External funding sources			4,200
Expenditure			
Asset renewal			22,458
Expansion			1,267
New and upgrade			14,040
<b>Performance Indicators</b>			
Loan borrowings			35,864
Investment			70,405
Rates collection			97%
Working capital ratio			2.84
Indebtness			3%

### 3. Income statement

The March 2017 financial performance position highlights some key outcomes that are covered in the points below.

Description	Ref.	Year to Date			Full Year		
		Mar-17 Actual \$'000	Mar-17 Rev. Budget \$'000	Fav/(Unfav) Variance \$'000	2016-2017 Forecast \$'000	2016-2017 Rev. Budget \$'000	Fav/(Unfav) Variance \$'000
<i>Operating</i>							
Revenue		114,858	112,277	2,581	151,894	149,839	2,055
Expenditure		91,472	98,698	(7,226)	132,228	134,402	2,174
Gain/(Loss) on disposal of assets		525	1,370	(845)	1,412	1,848	(436)
<b>Underlying operational result</b>	<b>(i)</b>	<b>23,911</b>	<b>14,949</b>	<b>8,962</b>	<b>21,077</b>	<b>17,285</b>	<b>3,792</b>
<i>Capital</i>							
Revenue		3,924	3,557	368	6,023	5,624	399
<b>Operational surplus/(deficit)</b>	<b>(ii)</b>	<b>27,836</b>	<b>18,506</b>	<b>9,329</b>	<b>27,100</b>	<b>22,909</b>	<b>4,191</b>

**(i) Underlying operating result:** The underlying operating result is directly attributable to operations and excludes items such as capital grants and contributions and non-monetary assets. The impact of the underlying operating result is of most concern as this is the key indicator of financial performance.

Council's forecast full year underlying operating position is indicating a surplus of \$21.077M, this is a \$3.792M favourable variance compared to the revised 2016-2017 budget position of \$17.285M surplus. The significant factors which contribute to this variance are:

#### Revenue

- **Grants – operating – \$0.714M favourable variance.** The increase in government funding relates to the following areas:
  - a. \$0.328M unbudgeted funding in Community Strengthening funded programs
  - b. \$0.418M receipt of additional Family Health grants related to home and personal care.
- **User fees and charges - \$0.397M favourable variance.** The increase in User fees and charges is mainly due to:
  - a. \$0.384M increase in forecast income from the Frankston Regional Recycling and Recovery Centre as a result of positive growth trends, offset by \$0.409M increased cost in disposal.
- **Gain/(Loss) on disposals of assets - \$0.436M unfavourable variance.** The increase in gain on disposals of assets received is mainly due to:
  - a. The unbudgeted demolition of the Ballam Park umpires, cricket and football pavilions to make way for the construction of a new pavilion.
- **Other income - \$0.770M favourable variance.** The increase in Other income is mainly due to:
  - a. The \$0.609M increase in interest earned as a result of holding higher than expected cash investments.

### Expenditure

- **Materials and services - \$0.147M favourable variance.** The decrease in materials and services is mainly due to:
  - a. \$0.512M unfavourable increase in the facilities maintenance contract due to a transfer of budget from capital to operations, additional essential services and new contract mobilisation.
  - b. \$0.409M increase in disposal costs at the Frankston Regional Recycling and Recovery Centre as a result of increased patronage of the facility.

This increase has been partially offset by:

- a. \$0.495M savings identified as a result of the efficient and timely collection and disposal of hard rubbish
  - b. \$0.393M savings across waste as a result of favourable tonnage rates and lower tonnage collected.
- **Employee costs - \$0.668M favourable variance.** The decrease in employee costs is mainly due to:
    - a. \$0.293M labour savings across departments including Operations Department and Financial Services mainly as a result of vacancies.
    - b. \$0.439M labour savings in Community care as a direct result of the introduction of the National Disability Scheme and transition of Commonwealth program support which has led to changes in service delivery levels.
  - **Depreciation - \$0.705M favourable variance.** This favourable variance is mainly due to a revision of accounting treatment and the delay in capital works delivery.

**(ii) Operating Result:** The operating result allows the impact of non-operating or once off items on the net surplus or deficit for the year to be measured. Council's operational performance for the forecast full year position indicates a surplus of \$27.100M, this is a \$4.191M favourable variance compared to the revised 2016-2017 budget position of \$22.909M surplus.

This favourable variance is mainly due to the reasons detailed in section (i) above together with the unbudgeted receipt of capital grants relating to the Frankston Yacht Club and the widening of McClelland Drive.

For a full comprehensive income statement please refer to *Attachment A*.

## 4. Capital works statement

### Statement of Capital Works

For the quarter ended March 2017

	Year to date			Full year		
	Actual \$'000	Rev. Budget \$'000	Variance \$'000	Forecast \$'000	Rev. Budget \$'000	Variance \$'000
Property	4,921	8,839	3,918	10,351	13,065	2,714
Plant and equipment	3,244	6,383	3,139	7,058	7,702	644
Total infrastructure	9,853	17,080	7,227	20,357	24,309	3,952
<b>Total capital works expenditure</b>	<b>18,018</b>	<b>32,302</b>	<b>14,284</b>	<b>37,766</b>	<b>45,076</b>	<b>7,310</b>
<b>Represented by:</b>						
New asset expenditure	2,444	5,886	3,442	7,898	9,095	1,197
Asset renewal expenditure	12,883	19,708	6,825	22,458	24,693	2,235
Asset expansion expenditure	899	1,158	259	1,267	2,209	942
Asset upgrade expenditure	1,793	5,549	3,756	6,142	9,078	2,936
<b>Total capital works expenditure</b>	<b>18,018</b>	<b>32,302</b>	<b>14,284</b>	<b>37,766</b>	<b>45,076</b>	<b>7,310</b>
<b>Funding:</b>						
<b>External</b>						
Government grants	1,872	1,564	(308)	3,414	2,808	(606)
Contributions	230	742	512	786	1,233	447
Proceeds from sale of assets	660	1,073	413	1,367	1,311	(56)
<b>Total external funding</b>	<b>2,762</b>	<b>3,379</b>	<b>617</b>	<b>5,567</b>	<b>5,352</b>	<b>(215)</b>
<b>Internal</b>						
Reserve funds	734	449	(285)	2,042	2,322	280
Rates funding	14,522	28,474	13,952	30,157	37,402	7,245
<b>Total internal funding</b>	<b>15,256</b>	<b>28,923</b>	<b>13,667</b>	<b>32,199</b>	<b>39,724</b>	<b>7,525</b>
<b>Total funding</b>	<b>18,018</b>	<b>32,302</b>	<b>14,284</b>	<b>37,766</b>	<b>45,076</b>	<b>7,310</b>

As at 31 March, the full year approved revised program has been reduced from \$45.076M to a forecast of \$37.766M, a variance of \$7.310M. At this stage, \$6.814M has been earmarked to be carried forward to 2017-2018 due mainly to the current shortage of resources who are responsible for the delivery of projects. Other factors that have contributed to projects being carried forward is deferral of projects and delays in the negotiation and finalisation of contracts. This reduction of project delivery has a direct impact on the higher than anticipated cash investments held.

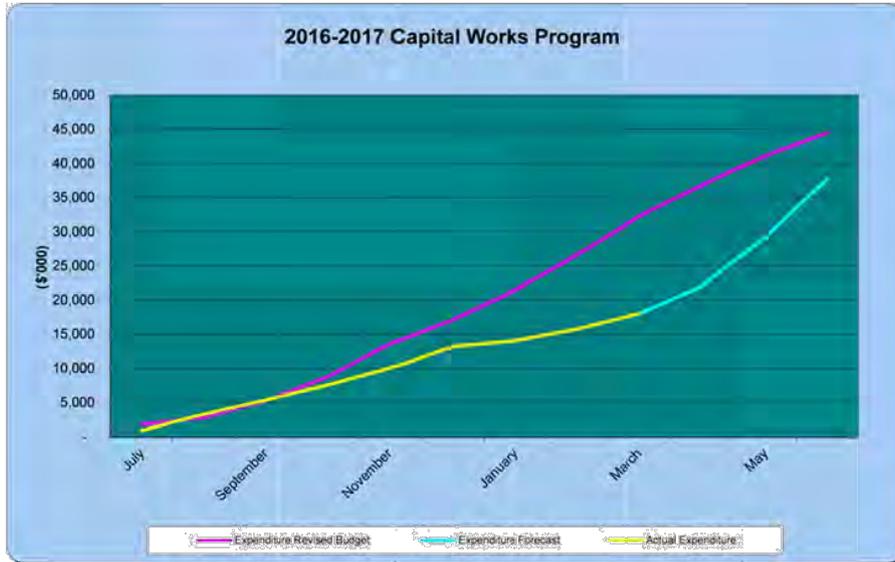
Based on the actual expenditure for nine months ending 31 March of \$18.018M against the year to date revised budget spend of \$32.302M (a variance of \$14.284M), this equates to a delivery of 56 per cent of the program. Forecasts compiled by project managers indicate that the program totalling \$37.766M will be delivered.

The forecast unfavourable variance is mainly due to the following:

- Renewal expenditure is \$2.235M behind expectation as a result of a delay in the playground strategy implementation, facilities renewal and major bridge renewal programs.
- New and upgrade capital works expenditure is \$4.133M as a result of a delay in the awarding of contracts to build two foreshore toilet blocks, Carrum Downs Recreation Reserve pavilion and carpark.
- \$0.692M delay in the construction of the Kananook Reserve basketball stadium.

For a full capital works statement please refer to [Attachment B](#).

From a financial perspective the capital works program will be monitored closely. The graph over-page highlights the recovery of the forecast program for the final quarter of 2016-2017.



## 5. Balance sheet

The balance sheet as at 31 March 2017 indicates a continued satisfactory result. Council's net assets are valued at \$1.339 billion at the end of March 2017, and are forecast to be \$1.342 billion at the end of June 2017.

A comparison of total current assets of \$96.341M with total current liabilities of \$29.686M (working capital ratio YTD of 3.25 to 1) depicts an excellent financial position. The working capital ratio is higher compared to the same time last year as a result of a greater cash investment holding by Council. This higher cash investment is due to the delay in the capital works expenditure and operating materials and services together with better than expected year to date income position.

	2015-2016 Actual \$'000	2016-2017 Actual \$'000
<b>Current receivables</b>		
Ratepayer Receivables	6,923	8,092
Interest on Rates	413	325
Special Rates & Charges	146	146
Infringements	1,944	2,905
Provision for doubtful debts - infringements	(1,473)	(1,735)
Other Receivables	3,145	1,901
Provision for doubtful debts - other debtors	(85)	(64)
	<u>11,014</u>	<u>11,569</u>
<b>Non current receivables</b>		
Special Rates & Charges	205	85
<b>Total receivables</b>	<u><b>11,219</b></u>	<u><b>11,655</b></u>

A comparison of trade and other receivables depicts a variance of \$0.436M. There are no material variances compared with the same time last financial year.

For a full balance sheet please refer to [Attachment C](#).

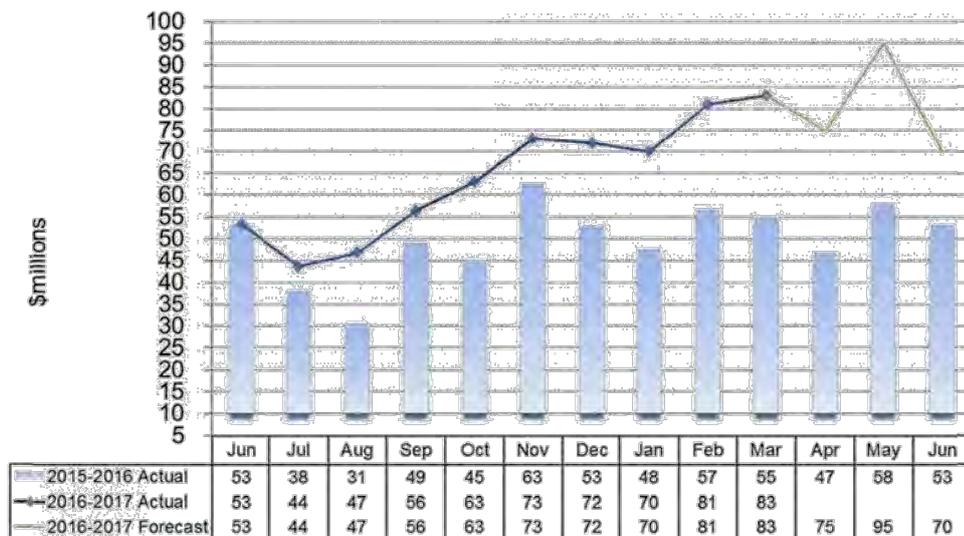
## 6. Cash flow

Council's cash flow statement provides information in regards to net cash flow from operating activities, cash flows from investing activities and cash flows from financing activities. These results provide information in regards to cash generated or spent on the different type of activities undertaken by Council. The elimination of the 15 February lump sum payment with the mandatory four instalments has resulted in a favourable cash flow position and will assist in the delivery of community services and infrastructure projects.

The net cash flows from operating activities measure cash generated from Council's ongoing day to day operations. It is imperative that a surplus is generated from cash flows from operations as these funds are used to fund capital works (investing activities) as well as repaying any loans (financing activities).

The graph below measures the movement of both 'Cash and cash equivalents' and 'Other financial assets' in the balance sheet. Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less. Other financial assets are term deposits maturing over 90 days.

The forecast cash investment position is based on the assumption that capital works expenditure will meet the end of year forecast of \$37.766M.



Refer to [Attachment D](#) for the cash flow statement that reports on cash and cash equivalents.

## 7. Loans

Council is within the approved principles of loan funding and has ensured that Council is well within prudential limits set by the State Government of 60 per cent. Council indebtedness to rates ratio is 32.9 per cent which is approximately half of the maximum ratio of 60 per cent. Putting this in perspective – this can be compared to a family income of \$100,000 per annum (guaranteed by legislation) and having an outstanding mortgage of \$32,900.

The status of Council's loan borrowings as at the 31 March 2017 are listed in the table below:

Financial institution	Debt principal \$'000's	Principal repaid \$'000's	New borrowings \$'000's	Debt principal \$'000's	Interest Paid \$'000's	Loan repayments due over next 12 months \$'000's
Commonwealth Bank	616	616	-	-	4	-
National Australia Bank	7,674	348	-	7,326	282	840
National Australia Bank	13,368	196	-	13,172	691	1,183
National Australia Bank - MAV	15,542	-	-	15,542	466	-
<b>Total</b>	<b>37,200</b>	<b>1,160</b>	<b>-</b>	<b>36,040</b>	<b>1,443</b>	<b>2,023</b>

## 8. Investments

Council is complying with its Investment Policy (adopted by Council on 14 April 2014) that ensures effective and responsible utilisation of Council's public funds within the government legislative framework and applicable Federal and State regulations. As term deposits mature, funds will be spread more equitably across financial institutions as per the Policy. Council's cash investment holdings as at 31 March 2017 was \$81.987M.

Council's investment interest income at 31 March 2017 was \$0.899M compared to a year to date budget of \$0.405M. Council's investment income is on track to exceed budget. Council's investments as at the 31 March 2017 are listed below:

### Investments by financial institution

Bank	Amount Invested
WBC	\$ 1,403
Bendigo	\$ 11,648
Bankwest	\$ 12,533
NAB	\$ 12,521
CBA	\$ 12,500
CBA	\$ 31,382
<b>Total funds invested</b>	<b>81,987</b>

### Liquidity of investments

Type of investments	Term	Amount Invested
Call accounts	At Call	31,382
Term deposits	30 days or less	5,500
Term deposits	31 to 60 days	9,527
Term deposits	61 days to 90 days	7,500
Term deposits	91 days to 120 days	7,500
Term deposits	121 days to 365 days	19,578
Term deposits	365 days +	1,000
<b>Total funds invested</b>		<b>81,987</b>

## **9. Conclusion**

The forecast full year net result is anticipated to be a surplus of \$27.100M which compares favourably by \$4.191M to the 2016-2017 revised budgeted surplus of \$22.909M.

The overall operating financial position at 31 March 2017 is satisfactory. Council still has three months remaining of the financial year to monitor these results and will continue to manage outcomes carefully in order to achieve the 2016-2017 budget. From a financial perspective the capital works program needs to be closely monitored until the end of the financial year.

**Attachment A – Income Statement**

**Income Statement**

For the quarter ended 31 March 2017

Description	Ref.	Year to date			Full year		
		Mar-17 Actual \$'000	Mar-17 Budget \$'000	Fav/(Unfav) Variance \$'000	2016-2017 Forecast \$'000	2016-2017 Budget \$'000	Fav/(Unfav) Variance \$'000
<b>Revenue</b>							
Rates and charges		85,255	84,252	1,003	112,897	112,773	124
Government grants - operating		13,783	13,538	245	18,421	17,707	714
User fees and charges		9,535	8,785	750	11,658	11,261	397
Statutory fees and fines		3,945	3,992	(46)	5,615	5,565	50
Interest		1,257	804	453	1,681	1,072	609
Other income		1,083	907	176	1,621	1,461	161
Proceeds from sale of property, infrastructure, plant and equipment		1,407	1,580	(173)	2,258	2,058	200
Written down value of property, infrastructure, plant and equipment sold		(882)	(210)	(672)	(846)	(210)	(636)
<b>Total income</b>		<b>114,858</b>	<b>112,277</b>	<b>2,581</b>	<b>153,305</b>	<b>151,687</b>	<b>1,618</b>
<b>Expenditure</b>							
Employee costs		41,552	42,554	1,003	58,938	59,606	668
Materials and services		25,370	29,217	3,848	38,662	38,808	146
Depreciation		19,490	20,800	1,309	27,028	27,733	705
Utilities		1,682	2,133	451	2,801	2,881	80
Finance costs		1,445	1,506	61	1,917	2,008	91
Bad and doubtful debts		166	398	233	276	619	343
Other expenses		1,768	2,089	321	2,606	2,746	140
<b>Total expenditure</b>		<b>91,472</b>	<b>98,698</b>	<b>7,226</b>	<b>132,228</b>	<b>134,402</b>	<b>2,174</b>
<b>Underlying surplus /(deficit)</b>		<b>23,386</b>	<b>13,579</b>	<b>9,807</b>	<b>21,077</b>	<b>17,285</b>	<b>3,792</b>
Contributions - capital		230	1,102	(873)	786	1,233	(446)
Government grants - capital		1,872	1,867	5	3,414	2,808	606
Contributions - non monetary assets		844	0	844	844	800	44
Contributions - cash		979	587	392	979	783	196
<b>Surplus /(deficit) for the period</b>		<b>27,311</b>	<b>17,136</b>	<b>10,175</b>	<b>27,100</b>	<b>22,909</b>	<b>4,191</b>

**Attachment B – Capital Works Statement**

**Statement of Capital Works**

For the quarter ended March 2017

	Year to date			Full year		
	Actual	Rev. Budget	Variance	Forecast	Rev. Budget	Variance
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Property</b>						
Land	225	225	-	225	225	-
<b>Total land</b>	<b>225</b>	<b>225</b>	<b>-</b>	<b>225</b>	<b>225</b>	<b>-</b>
Buildings	4,282	8,214	3,932	9,468	12,166	2,698
Building improvements	414	400	(14)	658	674	16
<b>Total buildings</b>	<b>4,696</b>	<b>8,614</b>	<b>3,918</b>	<b>10,126</b>	<b>12,840</b>	<b>2,714</b>
<b>Total property</b>	<b>4,921</b>	<b>8,839</b>	<b>3,918</b>	<b>10,351</b>	<b>13,065</b>	<b>2,714</b>
<b>Plant and equipment</b>						
Heritage plant and equipment	-	-	-	-	-	-
Plant, machinery and equipment	1,528	2,554	1,026	2,406	2,858	452
Fixtures, fittings and furniture	434	785	351	1,400	886	(514)
Computers and telecommunications	747	2,458	1,711	2,552	3,258	706
Library books	535	586	51	700	700	-
<b>Total plant and equipment</b>	<b>3,244</b>	<b>6,383</b>	<b>3,139</b>	<b>7,058</b>	<b>7,702</b>	<b>644</b>
<b>Infrastructure</b>						
Roads	2,487	2,115	(372)	3,062	3,176	114
Bridges	423	1,173	750	1,112	1,332	220
Footpaths and cycleways	1,218	2,514	1,296	3,667	4,051	384
Drainage	370	1,074	704	797	1,470	673
Recreational, leisure and community facilities	619	811	192	1,039	994	(45)
Waste management	-	-	-	130	130	-
Parks, open space and streetscapes	4,483	7,305	2,822	8,285	10,778	2,493
Off street car parks	214	2,043	1,829	2,208	2,323	115
Other infrastructure	39	45	6	57	55	(2)
<b>Total infrastructure</b>	<b>9,853</b>	<b>17,080</b>	<b>7,227</b>	<b>20,357</b>	<b>24,309</b>	<b>3,952</b>
<b>Total capital works expenditure</b>	<b>18,018</b>	<b>32,302</b>	<b>14,284</b>	<b>37,766</b>	<b>45,076</b>	<b>7,310</b>
<b>Represented by:</b>						
New asset expenditure	2,444	5,886	3,442	7,898	9,095	1,197
Asset renewal expenditure	12,883	19,708	6,825	22,458	24,693	2,235
Asset expansion expenditure	899	1,158	259	1,267	2,209	942
Asset upgrade expenditure	1,793	5,549	3,756	6,142	9,078	2,936
<b>Total capital works expenditure</b>	<b>18,018</b>	<b>32,302</b>	<b>14,284</b>	<b>37,766</b>	<b>45,076</b>	<b>7,310</b>
<b>Funding:</b>						
<b>External</b>						
Government grants	1,872	1,564	(308)	3,414	2,808	(606)
Contributions	230	742	512	786	1,233	447
Proceeds from sale of assets	660	1,073	413	1,367	1,311	(56)
<b>Total external funding</b>	<b>2,762</b>	<b>3,379</b>	<b>617</b>	<b>5,567</b>	<b>5,352</b>	<b>(215)</b>
<b>Internal</b>						
Reserve funds	734	449	(285)	2,042	2,322	280
Rates funding	14,522	28,474	13,952	30,157	37,402	7,245
<b>Total internal funding</b>	<b>15,256</b>	<b>28,923</b>	<b>13,667</b>	<b>32,199</b>	<b>39,724</b>	<b>7,525</b>
<b>Total funding</b>	<b>18,018</b>	<b>32,302</b>	<b>14,284</b>	<b>37,766</b>	<b>45,076</b>	<b>7,310</b>

**Attachment C – Balance Sheet**

**Balance sheet**

**For the quarter ending March 2017**

	Year to date 2015-2016 Actual \$'000	Year to date 2016-2017 Actual \$'000	2016-2017 Forecast \$'000	2016-2017 Rev. budget \$'000
<b>Assets</b>				
<b>Current assets</b>				
Cash and cash equivalents	40,473	57,341	44,270	37,413
Trade and other receivables	11,014	11,569	14,587	14,262
Other financial assets	14,609	26,078	26,135	22,982
Inventories	162	168	148	246
Non-current assets held for sale	-	-	72	72
Other assets	900	1,184	1,011	1,311
<b>Total current assets</b>	<b>67,159</b>	<b>96,341</b>	<b>86,223</b>	<b>76,286</b>
<b>Non-current assets</b>				
Trade and other receivables	205	85	229	1,249
Intangible assets	-	2,099	-	-
Property, infrastructure, plant and equipment	1,247,043	1,308,329	1,322,557	1,328,439
<b>Total non-current assets</b>	<b>1,247,247</b>	<b>1,310,514</b>	<b>1,322,786</b>	<b>1,329,688</b>
<b>Total assets</b>	<b>1,314,406</b>	<b>1,406,855</b>	<b>1,409,009</b>	<b>1,405,974</b>
<b>Liabilities</b>				
<b>Current liabilities</b>				
Trade and other payables	2,583	4,357	12,179	15,226
Trust funds and deposits	11,277	13,839	900	900
Other current liabilities	11,083	10,810	16,521	17,521
Interest-bearing loans and borrowings	17,485	679	773	773
<b>Total current liabilities</b>	<b>42,428</b>	<b>29,686</b>	<b>30,373</b>	<b>34,420</b>
<b>Non-current liabilities</b>				
Provisions	1,844	1,896	1,654	1,468
Interest-bearing loans and borrowings	20,498	35,361	35,091	35,091
<b>Total non-current liabilities</b>	<b>22,342</b>	<b>37,257</b>	<b>36,745</b>	<b>36,559</b>
<b>Total liabilities</b>	<b>64,770</b>	<b>66,942</b>	<b>67,118</b>	<b>70,979</b>
<b>Net assets</b>	<b>1,249,636</b>	<b>1,339,913</b>	<b>1,341,891</b>	<b>1,334,995</b>
<b>Equity</b>				
Accumulated surplus	624,507	647,021	623,916	631,616
Asset revaluation reserve	614,236	662,327	662,326	662,326
Other reserves	10,893	30,564	55,649	41,053
<b>Total equity</b>	<b>1,249,636</b>	<b>1,339,913</b>	<b>1,341,891</b>	<b>1,334,995</b>

**Attachment D – Cash Flow Statement**

**Cash Flow Statement  
 As at March 2017**

Description	Year to date		
	2016-2017	2016-2017	2016-2017
	Actual \$'000	Forecast \$'000	Rev. Budget \$'000
<b>Cash Flow from Operating Activities</b>			
Rates and charges	88,949	112,897	112,773
Government Grants	16,053	22,033	20,515
User fees and charges	11,476	13,462	11,261
Statutory fees and fines	3,318	5,592	5,565
Interest	1,309	1,652	1,044
Other receipts	2,292	3,633	5,440
GST receipts	6,248		
Net Fire Service Levy	2,337	0	0
Employee costs	(41,514)	(59,456)	(59,606)
Materials and Contracts	(34,756)	(39,482)	(39,462)
Utility Payments	(1,682)	(2,925)	(2,881)
Other Expenses	(1,768)	(5,979)	(2,747)
GST paid	(5,632)		
<b>Net Cash Flow from Operating Activities</b>	<b>46,630</b>	<b>51,427</b>	<b>51,902</b>
<b>Cash Flow from Investing Activities</b>			
Payments for Fixed Assets	(17,846)	(36,489)	(43,530)
Proceeds from Sale of Assets	1,407	2,258	2,058
<b>Net Cash Flow from Investing Activities</b>	<b>(16,439)</b>	<b>(34,231)</b>	<b>(41,472)</b>
<b>Cash Flows from Financing Activities</b>			
Debt servicing costs	(1,288)	(1,917)	(2,008)
Repayment of borrowings	(1,160)	(1,336)	(1,336)
Payments for Investments with greater	(3,097)		
<b>Net Cash Flow from Financing Activities</b>	<b>(5,545)</b>	<b>(3,253)</b>	<b>(3,344)</b>
<b>Net Increase (Decrease) in Cash and Cash Equivalents</b>	<b>24,646</b>	<b>13,943</b>	<b>7,086</b>
<b>Cash and Cash Equivalents at the Beginning of the year</b>	<b>32,695</b>	<b>30,327</b>	<b>30,327</b>
<b>Cash and Cash Equivalents at End of the year</b>	<b>57,341</b>	<b>44,270</b>	<b>37,413</b>

**Executive Summary****12.4 Capital Works Quarterly Report (January - March) 2016/17**

*Enquiries: (Craig Dinsdale: Corporate Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.1 Ensure the organisation is financially sustainable

**Purpose**

To brief Council on the quarterly (January – March 2017) progress of the 2016/17 Capital Works Program.

**Recommendation (Director Corporate Development)**

That Council receives and notes the quarterly (January – March 2017) progress report for the 2016/17 Capital Works Program.

**Key Points / Issues**

- The Capital Works Program for 2016/17 comprises 254 projects with an adjusted budget allocation of \$44.478 million (the original adopted budget was \$39.882 million). The Adjusted Budget includes \$5.496 million carried forward from 2015/16 for 47 projects.
- The Revised Budget post the Mid-Year Budget Review (MYBR) was \$45.030 million.
- The status of progress for the third quarter of the 2016/17 financial year includes 148 projects or 58% of all projects, are on time and on budget; 6 projects, or 2%, have not yet started; 6 projects, or 6%, are on time but with expenditure likely to exceed budget; 13 projects, or 5%, may not meet the scheduled completion date; 38 projects, or 15%, that have been deferred or not proceeding and 43 projects or 17% that have been completed.
- Delivery of Council's Capital Works Program is progressing with 40% (\$18.013M) of the Adjusted Budget expended and 60% (\$26.662M) total committed against the Adjusted Budget.

**Financial Impact**

For the 2016/2017 financial year, the State Government introduced legislation that provides for a limit on the amount Victorian councils may increase rates in any financial year. The cap for the 2016/2017 financial year is 2.5%. The cap is based on a combination of the CPI and expected wages growth.

This cap has had a significant effect on Council's long term financial planning, with rate revenue being \$28 million less than anticipated over the first four years, growing to \$43 million over five years. This reduction will have a severe impact on Council's financial capacity to maintain service levels and deliver key capital projects.

It is currently not anticipated that any additional funding will be required to achieve the key outcomes of the 2016/17 capital works program.

**12.4 Capital Works Quarterly Report (January - March) 2016/17****Executive Summary****Consultation****1. External Stakeholders**

Council officers responsible for the delivery of individual projects consult with key stakeholders directly during the delivery of the projects.

**2. Other Stakeholders**

The progress results of the 2016/17 capital works program have been communicated with the Financial Services Department, Executive Management Team, Audit and Risk Committee and Councillors.

Councillors received a briefing on the 2016/17 third quarter result on the 8 May.

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

A number of Council assets underpin economic systems and provide a vehicle for economic growth and prosperity. Some Council assets seek to improve the environment and amenity of the municipality. Council assets also support services to the community. Better infrastructure asset management practices will enhance these services to the community and promote better health and wellbeing.

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

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

Legal

There are no statutory obligations or legal implications relevant to the content to the report.

Policy Impacts

Council's Asset Management Policy, Capital Works Program Monitoring Framework and Project Management Framework Protocols are relevant to this report.

Officer's Declaration of Interests

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

**Risk Mitigation**

The Capital Work Program is managed actively in accordance with Council policies and business rules.

**Conclusion**

Delivery of Council's Capital Works Program is progressing with 40% (\$18.013M) of the Adjusted Budget expended and 60% (\$26.662M) total committed against the Adjusted Budget.

12.4 Capital Works Quarterly Report (January - March) 2016/17

**Executive Summary**

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**ATTACHMENTS**

Attachment A: 2016/17 Capital Works Quarter 3 - Program Status

Attachment B: 2016/17 Capital Works Quarter 3 - Program Listing

## 12.4 Capital Works Quarterly Report (January - March) 2016/17

**Officers' Assessment****Background**

Council allocated a budget of \$39.882 million for Capital Works in its 2016/17 Annual Budget which was adopted on 16 May 2016

As part of the end of the year Capital Works financial process and the Mid-Year Budget Review, there were some adjustments to the budget including carry forward of projects from 2015/16. The Revised Budget amount is \$45.030million. This amount includes \$5.496 million carried forward from 2015/16.

This report provides a summary of the progress in delivering Council's 2016/17 Capital Works Program.

**Issues and Discussion**

The Adjusted 2016/17 Capital Works Program post the MYBR comprises 254 projects showing a current Adjusted Budget of \$44.478 million which includes the carry forward projects from 2015/16.

The status of progress for the third quarter of the 2016/17 financial year includes 148 projects or 58% of all projects, are on time and on budget; 6 projects, or 2%, have not yet started; 6 projects, or 6%, are on time but with expenditure likely to exceed budget; 13 projects, or 5%, may not meet the scheduled completion date; 38 projects, or 15%, that have been deferred or not proceeding and 43 projects or 17% that have been completed.

Status Key	Description	2016/17		2015/16	
		No	%	No	%
A	Deferred or Not Proceeding. Significant operational delays have occurred or the project needs to be rescheduled to following years	38	15%	6	2%
B	May not meet scheduled completion date. Requires Organisational support to bring project to plan	13	5%	10	5%
C	On time but with expenditure expected to be above current budget.	6	2%	8	4%
D	On time and on budget	148	58%	129	60%
E	Not Started	7	3%	1	1%
F	Completed	43	17%	60	28%
	<b>TOTAL</b>	254	100%	215	100%

In comparison to the same time last year Council's capital works program has increased by 18% with 39 more projects. The percentage of projects with a status of D is similar with approximately 60%, however, the number of projects deferred (status A) has increased and the number of projects completed (status F) has decreased.

## 12.4 Capital Works Quarterly Report (January - March) 2016/17

**Officers' Assessment**

Further explanation for projects in **Category B** is detailed in the table below:

No.	Project	Status
1906	Centenary Sports Complex - Design	Procurement of the lead architect is underway. Project scope and concept option will be finalised in coming months.
3585	Playground Undersurfacing Renewal Program	Tenders received are being evaluated.
3633	Carrum Downs Recreation Reserve Pavilion & Car Park	Council awarded contract at its February 2017 Ordinary Meeting. Expected commencement of construction in April.
3854	Frankston Basketball Stadium Expansion	Lease negotiation with FDBA is underway. Construction expected to commence in April 2017.
3858	Foreshore Toilet at Waterfront	Waterfront Playground Toilet is to commence in April and is expected to be completed in July 2017.
3908	Cranhaven Road, Langwarrin (Warrandyte Road to Lapwing Court)	Project is on hold pending resolution of planning issues.
3909	Newton Avenue & Weeroona Road, Langwarrin South - Design	Project is on hold pending resolution of purchase of land.
3990	Art Centre Projects	Cube 37 automatic seating bank will be installed on 10 July . House lighting scope is being finalised.
3996	Seaford Drainage Strategy	Scope is currently being developed for delivery of Seaford drainage strategy in late 16/17 and early 17/18 financial year.
3997	Frankston South Drainage Strategy - 9 Williams Street Drainage	Survey to be completed in April/May with design to follow in this financial year. Construction works to be completed early in 2017/18 financial year.
4051	Shade Structures - Keast Park	Concept design currently being developed with detailed design to follow. Coastal Management Act approval is likely to take a minimum of 6 weeks delaying works. Construction now forecasted to commence in the 2017/18 financial year.
4053	Works in Keast Park	Request for quotation documents currently being prepared. Construction likely to start in 2017/18 financial year as Coastal Management Act approval is likely to take a minimum of 6 weeks delaying works.
4080	Stotts Lane, Frankston South (from Golf Links Rd to Baxter Tooradin Road)	Project is awaiting finalisation of planning issues.

<b>Reports of Officers</b>	<b>199</b>	<b>22 May 2017</b> <b>OM301</b>
<b>12.4 Capital Works Quarterly Report (January - March) 2016/17</b>		
<b>Officers' Assessment</b>		

Further explanation for projects in **Category C** is detailed in the table below:

<b>No.</b>	<b>Project</b>	<b>Status</b>
1451	Public Art Program	Sculptures by the sea complete. Further art projects to be approved by the Arts Board.
3471	Robinsons Reserve Water Recycling Scheme	Tender is to be re-advertised. Works anticipated to start in May with completion at end June 2017.
3910	Dandenong Road East Drainage Strategy	Project being re-tendered due to contractual complications. Tender ready to be advertised on 15 April 2017.
3916	Ballarto Road Right Hand Turn Lane	The project has been delayed due to ongoing negotiations with VicRoads. The contract for remaining works west of Skye Reserve relate to sight distance correction and is ready to be awarded with works due to be carried out by June 2017.
3985	CFA Sewer Works	Working with consultants to prepare a design to complete the development agreement on behalf of Council with South East Water.
4134	Pines Mens Shed Heating	Engineer's advice received on upgrading insulation prior to installing an air-conditioning unit. Currently requesting quotes for additional works.

Details of Key projects being delivered in the 2016/17 Capital Works Program include:

- Olivers Hill boat ramp and jetty – This project has been completed.
- CAA Public Arts Program – Implementation of CAA public artworks program is ongoing.
- Expansion of Frankston District Basketball Association – Project is currently awaiting the finalisation of lease negotiations with the District Basketball Association.
- Public Toilet Action Plan – Design and construction of Waterfront toilet - Waterfront Playground Toilet will commence in April and is expected to be completed in July.
- Ballam Park Football and Cricket Pavilion – Construction of new pavilion has commenced.
- Carrum Downs Recreation Reserve Sports Pavilion – Construction of pavilion and car park is to commence in May 2017.
- McClelland Reserve Soccer Pavilion – Works to the upgrade and renovation of the existing sporting pavilion has been completed.
- Seaford Bowls Club – Construction of a new synthetic bowling green has been completed.
- Centenary Park sporting complex – The scope and concept design is being finalised.
- Baxter Park Soccer car park upgrade - The project is awaiting approval to award the contract with construction anticipated to start in May and be completed by July 2017.
- Ballam Park Playground Development – This project has been deferred pending further investigation.

In addition to these key projects, the Capital Works Program will result in the renewal of a number of assets for Frankston municipality, including:

- bridges renewal, (\$1.331m);

**12.4 Capital Works Quarterly Report (January - March) 2016/17****Officers' Assessment**

- reconstruction of footpaths, (\$1.795m);
- reconstruction and/or resurfacing of roads, (\$2.244m);
- renewal of parks and open space infrastructure, (\$8.231m); and
- renewal of buildings, (\$5.445m).

Attachment A provides a summary for the delivery of the Capital Works Program for the third Quarter and highlights the key indicators for the performance in 2016/17.

Attachment B lists all projects in the 2016/17 Capital Works Program and provides details of the status, revised budget and expenditure for the third Quarter of 2016/17. There are also progress comments in relation to each project.

Delivery of Council's Capital Works Program is progressing with 40% (\$18.013M) of the Adjusted Budget expended and 60% (\$26.662M) total committed against the Adjusted Budget.

**Options Available including Financial Implications**

There are no additional financial implications associated with this report.



**ATTACHMENT A**

**CAPITAL WORKS PROGRAM  
 2016-2017  
 COUNCIL MONTHLY REPORT  
 March 2017**

**WARD SUMMARY**

Ward	Total Program \$	EOY Forecast \$	YTD Actuals \$
Central Activities Area	2,285,548	2,057,354	996,432
Citywide	26,185,966	23,140,403	12,579,271
North East Ward	4,471,776	4,558,367	1,866,681
North West Ward	5,388,017	3,574,371	1,290,579
South Ward	6,246,621	4,454,513	1,279,922
<b>TOTAL</b>	<b>44,577,928</b>	<b>37,785,009</b>	<b>18,012,886</b>

**PROGRAM SUMMARY**

Program	Total Program \$	Total Committed \$
Bridges and Pedestrian Structures	1,331,901	622,884
Facilities	7,882,739	4,416,639
Parks & Leisure	16,652,662	10,667,393
Plant, Equipment, Furniture & Artwork	6,969,122	4,524,204
Roads	9,940,896	6,009,758
Stormwater Management	1,800,608	475,743
<b>Total Program</b>	<b>44,577,928</b>	<b>26,716,622</b>

**PROGRAM DELIVERY**

Program	Program Delivery (YTD Actual/Total Program)	Program Delivery (YTD Actual + Total Committed/Total Program)
Bridges and Pedestrian Structures	32%	47%
Facilities	36%	56%
Parks & Leisure	41%	64%
Plant, Equipment, Furniture & Artwork	46%	65%
Roads	43%	60%
Stormwater Management	21%	26%
<b>Total Program</b>	<b>40%</b>	<b>60%</b>

ATTACHMENT B



**CAPITAL WORKS PROGRAM  
 2016-2017  
 COUNCIL MONTHLY REPORT  
 March 2017**

**PROJECT LISTING**

Project Number	Name & Short Commentary on Project	Status	Adjusted Budget	EOY Forecast	YTD Actuals	Committed
<b>REPORT TOTALS</b>			<b>44,477,928</b>	<b>37,759,619</b>	<b>18,012,886</b>	<b>8,703,736</b>
1299	<b>Risk Management Works within Council Reserves</b> Funds reallocated to the Roads Renewal Program due to the Federal Government reducing Council's allocation for 2016/17.	A	0	-	-	-
2685	<b>Various Reserves - Footpath Renewal Program / Cross-over installation</b> Funds reallocated to the Roads Renewal Program due to the Federal Government reducing Council's allocation for 2016/17.	A	0	-	-	-
3344	<b>Traffic Management Devices - Renewal Program</b> Funds reallocated to the Roads Renewal Program due to the Federal Government reducing Council's allocation for 2016/17.	A	0	-	-	-
3562	<b>Crossings Program</b> Funds reallocated to the Roads Renewal Program due to the Federal Government reducing Council's allocation for 2016/17.	A	0	-	-	684
3588	<b>Sporting Ground - Surface Renewal</b> Finalising design for Carrum Downs Oval No 2. Scarifying planned for Ballam soccer pitch and turf works completed at Kananook Reserve.	A	750,000	38,287	11,837	19,081
3706	<b>Aged Services Facilities Renewal Program</b> Project combined with 3766 - Family Support renewal works.	A	0	-	-	-
3805	<b>Structured Recreation Compliance Program</b> Budget combined with Structured Recreation renewal works.	A	0	-	-	-
3806	<b>Communities Facilities Compliance Program</b> Budget combined with Community Facilities renewal works.	A	0	-	-	1,617
3815	<b>WSUD Renewal</b> Funds reallocated to the Roads Renewal Program due to the Federal Government reducing Council's allocation for 2016/17.	A	0	-	-	10
3844	<b>Family &amp; Youth Services Compliance Program</b> Budget combined with Family and Youth Services renewal works.	A	0	-	-	-
3885	<b>Council Dashboard</b> This project is no longer viable.	A	0	-	-	-
3892	<b>Sibyl Avenue</b> At Council's meeting on the 18 July it resolved to refer this project back to the Path Development Plan for consideration of funding in subsequent capital works programs.	A	161,579	-	-	-
3895	<b>Kars Street</b> At Council's meeting on the 18 July it resolved to refer this project back to the Path Development Plan for consideration of funding in subsequent capital works programs.	A	66,281	-	-	-
3899	<b>Brighton Street</b>	A	88,728	-	-	-

Project Number	Name & Short Commentary on Project	Status	Adjusted Budget	EOY Forecast	YTD Actuals	Committed
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	At Council's meeting on the 18 July it resolved to refer this project back to the Path Development Plan for consideration of funding in subsequent capital works programs.					
3900	<b>Kuranda Street</b>	A	79,587	-	-	-
	At Council's meeting on the 18 July it resolved to refer this project back to the Path Development Plan for consideration of funding in subsequent capital works programs.					
3972	<b>CAA Streetscape Footpath Renewal</b>	A	0	-	-	-
	Budget transferred to CW 3572.					
3973	<b>Citrix Licenses</b>	A	0	-	-	-
	This project is no longer viable.					
4000	<b>Public Amenities Compliance Program</b>	A	0	-	-	-
	Project combined with Public Amenities renewal works.					
4019	<b>Operations Centre Redevelopment &amp; Staff Accommodation</b>	A	50,000	-	-	-
	Works are pending further investigation.					
4020	<b>Karingal Place Building Acquisition</b>	A	80,000	-	-	-
	Project cancelled due to change in priorities and some funds transferred to Youth Central Project 4130.					
4038	<b>Corporate Reporting System – Business Analysis</b>	A	0	-	-	-
	This project will be started in early 2017 using operating funds. Capital budget is no longer required.					
4041	<b>Visitor Information Centre Membership Management and Communication</b>	A	0	-	-	-
	This project is no longer viable.					
4046	<b>Long Island Development Strategy (Concept Design)</b>	A	153,000	840	840	-
	Draft plans prepared and construction strategy being finalised. Tender and construction deferred to 2017/18.					
4048	<b>Trotting Track Precinct -stage 2 - Jubilee Park - Design</b>	A	50,000	-	-	-
	Trotting track oval including cricket pitch design to be deferred to 2017/18.					
4071	<b>Ballam Park Playground Development</b>	A	0	-	-	-
	Project deferred pending further investigation.					
4075	<b>RF Miles Reserve</b>	A	30,000	1,044	1,044	-
	Dependant project report completed and handed over to Strategic Town Planning for discussion with the Level Crossing Removal Authority. Project to be deferred to 2017/18.					
4076	<b>Carrum Downs Recreation Reserve</b>	A	25,000	668	668	-
	Project to be deferred to 2017/18 due to interdependent projects (Carrum Downs Sports Pavilion) at site.					
4082	<b>Access from Baxter Ave to Beauty Park</b>	A	3,335	3,335	-	-
	Project cancelled this financial year pending further investigation.					
4084	<b>Frankston South Drainage Strategy</b>	A	60,000	-	-	-
	Part of broader Frankston South drainage strategy. Consultant engaged to develop a schedule of upgrade works for Frankston South catchment to implement into 20 year CWP. Funds to be carried forward to 2017/18.					
4098	<b>Bruce Park Pavilion Design</b>	A	4,271	4,271	4,271	-

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Project not proceeding due to a re-evaluation of priorities with no funds allocated for 2017/18.

4106	<b>Operations Centre - Plant &amp; Equipment</b> Works on hold, pending further investigation.	A	0	-	-	-
4110	<b>Frankston East Plant &amp; Equipment</b> Solar installation works on hold pending resolution on club re-location.	A	0	-	-	-
4111	<b>Operations Centre Insulation Upgrade</b> Works on hold, pending further investigation.	A	0	-	-	-
4115	<b>Belvedere Community Centre Seaford</b> Project combined with 3839 Renewable Energy for Frankston.	A	0	-	-	-
4123	<b>Foreshore toilet, Nepean Hwy - Design Only</b> Project no longer required as an existing template will be used for new toilet construction.	A	0	-	-	-
4125	<b>Foreshore Toilet opposite Seaford Road (Seaford Foreshore)</b> Project has been deferred to 2017/18.	A	44,754	-	-	-
4127	<b>Temporary Carpark for Frankston Hospital</b> Project not proceeding. Alternative arrangements have been made.	A	200,000	19,580	19,580	19,300
4135	<b>Seaview Road Design of Footpath</b> Design to be finalised this financial year and construction to be deferred to 2017/18.	A	35,000	35,000	-	-
1906	<b>Centenary Sports Complex - Design</b> Procurement of the lead architect is underway. Project scope and concept option will be finalised in coming months.	B	189,198	75,245	15,245	1,290
3585	<b>Playground Undersurfacing Renewal Program</b> Tenders received are being evaluated.	B	40,000	40,000	1,120	1,445
3633	<b>Carrum Downs Recreation Reserve Pavilion &amp; Car Park</b> Council awarded contract at its February 2017 Ordinary Meeting. Expected commencement of construction in April.	B	1,349,473	667,538	57,538	21,150
3854	<b>Frankston Basketball Stadium Expansion</b> Lease negotiation with FDBA is underway. Construction expected to commence in April 2017.	B	1,141,500	449,138	366,983	199,276
3858	<b>Foreshore Toilet at Waterfront</b> Waterfront Playground Toilet is to commence in April and is expected to be completed in July 2017.	B	530,517	530,517	15,238	150
3908	<b>Cranhaven Road, Langwarrin (Warrandyte Road to Lapwing Court)</b> Project is on hold pending resolution of planning issues.	B	30,000	9,994	2,994	-
3909	<b>Newton Avenue &amp; Weeroona Road, Langwarrin South - Design</b> Project is on hold pending resolution of purchase of land.	B	250,000	13,755	17,205	4,442
3990	<b>Art Centre Projects</b>	B	310,000	123,107	1,107	159,900

Project Number	Name & Short Commentary on Project	Status	Adjusted Budget	EOY Forecast	YTD Actuals	Committed
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Cube 37 automatic seating bank will be installed on 10 July . House lighting scope is being finalised.

**3996 Seaford Drainage Strategy** **B** **40,000** **25,190** **-** **22,900**

Scope is currently being developed for delivery of Seaford drainage strategy in late 16/17 and early 17/18 financial year.

**3997 Frankston South Drainage Strategy - 9 Williams Street Drainage** **B** **250,000** **21,500** **-** **-**  
 Survey to be completed in April/May with design to follow in this financial year. Construction works to be completed early in 2017/18 financial year.

**4051 Shade Structures - Keast Park** **B** **50,000** **5,000** **105** **-**  
 Concept design currently being developed with detailed design to follow. Coastal Management Act approval is likely to take a minimum of 6 weeks delaying works. Construction now forecasted to commence in the 2017/18 financial year.

**4053 Works in Keast Park** **B** **150,000** **5,000** **16,910** **-**  
 Request for quotation documents currently being prepared. Construction likely to start in 2017/18 financial year as Coastal Management Act approval is likely to take a minimum of 6 weeks delaying works.

**4080 Stotts Lane, Frankston South (from Golf Links Rd to Baxter Tooradin Road)** **B** **55,000** **-** **-** **-**  
 Project is awaiting finalisation of planning issues.

**1451 Public Art Program** **C** **90,176** **90,176** **63,796** **-**  
 Sculptures by the sea complete. Further art projects to be approved by the Arts Board.

**3471 Robinsons Reserve Water Recycling Scheme** **C** **70,297** **80,000** **1,216** **-**  
 Tender is to be re-advertised. Works anticipated to start in May with completion at end June 2017.

**3910 Dandenong Road East Drainage Strategy** **C** **586,174** **251,864** **98,864** **11,581**  
 Project being re-tendered due to contractual complications. Tender ready to be advertised on 15 April 2017.

**3916 Ballarto Road Right Hand Turn Lane** **C** **89,608** **515,271** **140,111** **3,806**  
 The project has been delayed due to ongoing negotiations with VicRoads. The contract for remaining works west of Skye Reserve relate to sight distance correction and is ready to be awarded with works due to be carried out by June 2017.

**3985 CFA Sewer Works** **C** **84,137** **84,137** **500** **13,194**  
 Working with consultants to prepare a design to complete the development agreement on behalf of Council with South East Water.

**4134 Pines Mens Shed Heating** **C** **10,000** **10,000** **-** **-**  
 Engineers advice received on upgrading insulation prior to installing an air-conditioning unit. Currently requesting quotes for additional works.

**1234 Light vehicles Replacement** **D** **1,200,000** **1,062,807** **667,407** **195,666**  
 Twenty light vehicles have been replaced to date, with six vehicles currently on order. Anticipate savings due to not replacing some vehicles this financial year.

**1237 Structured Recreation Pavilions Renewal & Compliance** **D** **795,000** **795,000** **530,528** **226,175**  
 Overport Park Tennis Club refurbishment works have been completed. Construction contract of McClelland Dog Obedience Pavilion refurbishment work has been awarded with work anticipated to commence in April 2017.

**1260 Lighting Upgrades** **D** **140,000** **140,000** **33,211** **2,406**  
 Allocation for management of reactive requests for new street lighting or risk issues.

**1286 BBQ Replacement Program - Major Parks** **D** **40,000** **27,500** **20,476** **195**  
 Works remaining include barbecue replacement at Jubilee Park scheduled for April 2017.

**1288 Office Furniture & Equipment** **D** **50,000** **45,037** **24,528** **11,362**

Project Number	Name & Short Commentary on Project	Status	Adjusted Budget	EOY Forecast	YTD Actuals	Committed
<b>REPORT TOTALS</b>			<b>44,477,928</b>	<b>37,759,619</b>	<b>18,012,886</b>	<b>8,703,736</b>

Allocation for management of reactive requests provided on a as need basis.

<b>1302</b>	<b>Web Development and Enhancements</b>	<b>D</b>	<b>80,186</b>	<b>25,186</b>	<b>2,787</b>	<b>2,503</b>
	Digital strategy will now be completed in August 2017. Website changes continue and will be completed in June 2017.					
<b>1304</b>	<b>Plant &amp; Equipment Replacement</b>	<b>D</b>	<b>1,593,000</b>	<b>1,278,021</b>	<b>828,021</b>	<b>377,591</b>
	Drain truck and easement reel unit delivery is expected at the end of May. Savings to the budget are due to the loader, excavator and heavy truck being disposed and not replaced.					
<b>1309</b>	<b>GIS - Aerial Photography Update</b>	<b>D</b>	<b>15,000</b>	<b>15,000</b>	<b>-</b>	<b>7,636</b>
	Summer aerial photography commenced by the State Government, to be completed in March. Final spend and project to be completed in June.					
<b>1312</b>	<b>Asset Management Information System (FAMIS)</b>	<b>D</b>	<b>564,687</b>	<b>423,581</b>	<b>180,214</b>	<b>186,005</b>
	Undertaking a trial implementation with Parks and Reserves.					
<b>1446</b>	<b>Frankston Arts Centre - Technical Equipment Upgrade</b>	<b>D</b>	<b>170,064</b>	<b>170,064</b>	<b>51,688</b>	<b>20,375</b>
	Lighting equipment delivered. Other off the shelf equipment quotes currently being sourced.					
<b>1469</b>	<b>Library Collection</b>	<b>D</b>	<b>700,000</b>	<b>700,000</b>	<b>534,995</b>	<b>145,406</b>
	15,172 physical items were added to the collection.					
<b>1590</b>	<b>Annual File Server Replacement Program</b>	<b>D</b>	<b>50,000</b>	<b>50,000</b>	<b>-</b>	<b>-</b>
	Confirming compliance with software licensing and requesting a new quote. Purchase of three new servers for Disaster Recovery in April. Project to be completed in June.					
<b>2623</b>	<b>Public Amenities Renewal &amp; Compliance</b>	<b>D</b>	<b>260,182</b>	<b>110,182</b>	<b>7,265</b>	<b>989</b>
	Memorial Park toilet is currently in the design phase. Public toilet behind Delacombe Park Pavilion is currently being designed with works commencing in May. Kananook reserve toilet is awaiting insurance claim approval.					
<b>2641</b>	<b>Communities Facilities Renewal &amp; Compliance</b>	<b>D</b>	<b>325,000</b>	<b>338,000</b>	<b>306,592</b>	<b>41,648</b>
	Works are nearing completion for this financial year.					
<b>2695</b>	<b>Public PC Replacement</b>	<b>D</b>	<b>112,000</b>	<b>112,000</b>	<b>-</b>	<b>92,661</b>
	Procurement underway of replacement equipment. Project to be completed in June 2017.					
<b>2755</b>	<b>General Sports Ground Lighting Improvements</b>	<b>D</b>	<b>369,771</b>	<b>433,672</b>	<b>346,872</b>	<b>69,207</b>
	Carrum Downs Oval No 1 installation complete and lights working. Carrum Downs Oval No 2 installation complete and lights working. Awaiting switchboard upgrade to be completed.					
<b>2808</b>	<b>Library Furnishing &amp; Equipment Renewal</b>	<b>D</b>	<b>30,000</b>	<b>30,000</b>	<b>-</b>	<b>25,541</b>
	Project to integrate with the Frankston Library service area project. Plans for new desks have been finalised and will be built in time for the renovation beginning 3 June 2017.					
<b>2812</b>	<b>Footpath Renewal Program</b>	<b>D</b>	<b>1,405,000</b>	<b>1,405,000</b>	<b>1,039,876</b>	<b>194,063</b>
	A total of 711 square metres of footpath and 175 lineal metres of kerb and channel completed to date.					
<b>3087</b>	<b>Litter Bin Replacement Program - Throughout Municipality</b>	<b>D</b>	<b>25,000</b>	<b>25,000</b>	<b>8,852</b>	<b>-</b>
	First order of bins arrived for installation with follow up order to be completed in May.					
<b>3089</b>	<b>Safe City Surveillance System - CCTV Camera Renewal Program</b>	<b>D</b>	<b>80,000</b>	<b>184,485</b>	<b>114,147</b>	<b>60,347</b>
	CCTV procedures completed on 6 March to enable Public Safety Infrastructure Grant to progress. Belvedere Shopping Centre system (consisting of 5 cameras) completed ahead of schedule 20 February. Outstanding issues with the Seaford system being					
<b>3096</b>	<b>Pathway - Functionality Enhancements</b>	<b>D</b>	<b>90,080</b>	<b>90,080</b>	<b>71,753</b>	<b>6,570</b>

Project Number	Name & Short Commentary on Project	Status	Adjusted Budget	EOY Forecast	YTD Actuals	Committed
<b>REPORT TOTALS</b>			<b>44,477,928</b>	<b>37,759,619</b>	<b>18,012,886</b>	<b>8,703,736</b>
	Improvements to Building Services processes ongoing. Statutory Planning online applications now developed and will go live in April. Project scheduled to be completed in June.					
3209	<b>TechnologyOne Enhancements</b>	D	71,500	91,500	48,968	19,825
	Business case and resource requirements for major system upgrade are being established with stakeholder consultation in progress. Project scheduled to be completed in June.					
3305	<b>Fence Replacement Program - Internal Fences at Council Reserves</b>	D	150,000	150,000	119,846	10,310
	Banyan Reserve and Golf Course fence installation scheduled for April.					
3328	<b>Carpark Renewal Program</b>	D	575,000	575,790	10,642	319,827
	The works under this contract are well underway with 4-6 weeks of construction remaining at Eric Bell carpark. Lighting works for this project is scheduled for June 2017.					
3336	<b>Vehicle Crossing Renewal Program - Council Assets</b>	D	90,000	90,000	35,079	15,296
	Program on schedule.					
3421	<b>Fencing Replacement Program - Boundary Fences - Council Rese</b>	D	150,000	151,196	130,242	8,791
	90 shared fences installed this financial year to date.					
3440	<b>Bicycle Chicane Upgrades</b>	D	50,000	50,000	28,717	21,562
	Programming works for Brunel / Old Wells Road shared path to block unauthorised access.					
3458	<b>Easement Drainage Pit Alterations</b>	D	150,000	150,000	108,552	30,351
	Program on schedule.					
3525	<b>Reactive Drainage Works</b>	D	50,000	50,000	3,809	282
	Allocation of funds to manage drainage issues.					
3532	<b>Civic &amp; Operations Facilities Renewal Program</b>	D	657,000	657,000	186,781	65,331
	Finance, Community Relations and Infrastructure offices move now completed. Langwarrin Shop renewal works are being scoped. Civic Centre Air-conditioning system repair has commenced. Operation Centre Toilet non-compliance is under					
3561	<b>Frankston South Drainage Strategy - Moonah Street Drainage W</b>	D	50,000	25,266	25,266	14,522
	Consultant engaged to develop a schedule of upgrade works for Frankston South catchment to implement into 20 year program.					
3563	<b>Bicycle Path Safety Upgrades</b>	D	50,000	50,000	12,435	5,423
	Bike path network crack sealing to be undertaken during April and May.					
3565	<b>Kerb Renewal Program</b>	D	150,000	150,000	109,865	100
	Frankston North and Seaford works complete. Frankston South works to be completed. Additional kerb works to be undertaken in Seaford during May 2017.					
3572	<b>CAA Streetscape - Structure Plan Implementation - Wells Street</b>	D	385,004	385,004	333,494	112,148
	Final installation of street furniture including feature lighting is expected to be completed by end of May 2017.					
3577	<b>Garden Bed Retaining Walls</b>	D	45,000	45,000	35,731	1,178
	Bayport Preschool works in progress and Botany Park retaining walls removed.					
3579	<b>Frankston Tip Risk Management Strategy Implementation</b>	D	130,000	130,000	(186)	18,905
	Cell 3 and 4 Aftercare Management Plans completed with plans for Cell 1 and 2 currently being drafted. Annual Report for 2016 competed. Payment for all plans and report to be finalised.					
3584	<b>Playground Improvements/Demolition</b>	D	50,000	50,000	30,163	4,366

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	Works to recommence in Fernwood and Abram Reserves in April.					
3587	<b>Playground Strategy Implementation - Renewal of Playgrounds</b> Ballam Park construction completed and awaiting defect rectification. Waterfront and George Pentland Botanic Gardens designs being finalised. Hovell and Botany playgrounds are complete.	D	3,312,315	3,312,315	1,287,544	109,964
3591	<b>Frankston BMX Track</b> Design review for current site with Club input is underway. Surveying of new site is being undertaken. Minor repairs to be undertaken at existing site.	D	30,000	30,000	21,164	6,614
3592	<b>Sporting Ground - Pitch Cover Renewal</b> Pitch has been realigned at Ballam Park South and synthetic carpet is to be installed in April.	D	50,000	50,000	44,158	3,090
3596	<b>Service desk area upgrades</b> Construction contract awarded. Works anticipated to be completed in June 2017.	D	160,000	160,000	8,490	110,900
3601	<b>Mens Shed Langwarrin</b> Storage shed complete. Heating and cooling system being scoped and quoted. Works to commence in April.	D	95,000	95,000	2,087	17,308
3666	<b>Renewal of Irrigation Systems at Council Reserves</b> Tender documentation currently awaiting approval to advertise. Obtaining quotes for Riviera and Robinsons Park irrigation designs.	D	160,000	160,000	1,618	-
3685	<b>Security Camera Expansion</b> Two quotes received awaiting a third quote. Planning for installation at the Arts Centre in late April.	D	15,000	15,000	-	-
3687	<b>Foreshore Minor Infrastructure Renewal Program</b> Quotes being obtained for works to commence in April.	D	100,000	100,000	25,780	8,455
3698	<b>TCM System Enhancements</b> Scope of works to be determined in April.	D	32,250	32,250	-	-
3705	<b>Arts and Library Facilities Renewal Program</b> Construction of Kiosk and Reheat Kitchen has been completed. Further concept designs of Arts precinct forecourts are being undertaken.	D	1,092,000	848,454	795,698	54,714
3723	<b>Bridge Guard/Barrier Rail Compliance</b> Works to commence in March and be completed in May 2017.	D	150,000	150,000	-	166,902
3766	<b>Family and Health Support Services Renewal &amp; Compliance</b> East Karingal Kindergarten works tendered. Construction to proceed in April for completion in June 2017. Ballam Park Kindergarten is at documentation stage and plan is to tender in April.	D	495,000	795,000	168,859	419,079
3768	<b>Various Reserves - Signage</b> Reserve identification signs have been upgraded at 16 reserves.	D	100,000	117,379	82,893	13,555
3771	<b>Erosion Control Fence Renewal - Seaford Wetlands &amp; Frankston</b> Contractors have been engaged and works are commencing in April.	D	150,000	109,685	1,523	24,564
3777	<b>Cricket Net Replacement Program</b> RF Miles cricket nets completed. Jubilee Park cricket nets retaining wall design underway. Extension to be completed in April/May.	D	464,047	364,047	214,911	78,724
3779	<b>Kern Mobile Implementation to support AMIS</b>	D	118,500	118,500	40,980	-

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Kern mobile licensing procured. Purchase of devices will be undertaken in 2017/18.

3785	<b>GIS Functionality Enhancements</b>	D	42,065	42,065	30,026	2,800
	Pathway module to assist Customer Relations being tested with go live in May. Project to be completed in June.					
3788	<b>eNewsletter and replacement of Intuitus</b>	D	37,121	37,121	-	8,400
	Pathway CRM has been implemented. Commence work on Business Directory/eNews. Corporate eNews is being tested and pilot planned in April. Project to be completed in June.					
3790	<b>Ungerboeck Functionality Enhancements</b>	D	253,132	163,390	101,623	65,128
	Additional support from Vendor required and being sought.					
3803	<b>Public Artworks Renewal Program</b>	D	180,000	21,386	21,386	188
	Contract award is on hold with negotiations currently underway with artist to determine level of scope changes.					
3807	<b>Arts &amp; Libraries Compliance Program</b>	D	1,200,000	1,100,000	495,355	458,790
	Construction of new lift at Frankston Arts Centre and refurbishment of Frankston Arts Centre amenities are currently underway. Project is scheduled to be completed by the end of June 2017. Potential delay in completion due to ongoing venue					
3823	<b>Infocouncil System Enhancements</b>	D	9,760	9,760	-	-
	Issues and changes identified. Liaising with officers and vendor to address. Project to be completed in June.					
3831	<b>Neighbourhood Streetscape - Cranbourne Rd (Josephine St) Langwarrin</b>	D	20,000	20,000	125	-
	Detailed design to be finalised by the end of June.					
3846	<b>Major Bridge Renewal Program</b>	D	690,242	319,345	30,385	-
	Beauty Park tender evaluation in progress. Esplanade stairs tender documents currently being reviewed. Lang Link and Beckwith Grove pedestrian bridge undergoing further design work and will be deferred to 2017/18.					
3847	<b>Annual Bridge &amp; Pedestrian Structures Renewal Program (Level</b>	D	125,000	204,167	204,167	32,984
	Kananook Creek works complete. Level 3 Bridge inspections will commence mid March 2017.					
3862	<b>Grant Management Functionality Enhancements</b>	D	30,000	30,000	1,877	2,100
	Grant management system being configured for grant seeking. Finance developing business processes and work to be completed in June.					
3880	<b>Establish Future State Business &amp; Application Architecture</b>	D	302,000	212,000	79,968	34,698
	Continued rollout of Key User training program. Improvements to application administration/support and program management.					
3882	<b>Eureka - Revenue and Debt Management Improvements</b>	D	19,400	19,400	1,680	1,800
	Infringements project: 95% complete. Library project: 85% complete. Permits project: 5% complete. Final spend of current funds to be completed in June.					
3896	<b>Gerald Drive Langwarrin</b>	D	4,200	4,200	-	-
	Works to be completed this financial year.					
3901	<b>Liddesdale Avenue</b>	D	157,609	157,609	-	-
	Works to be completed this financial year.					
3902	<b>Lee Street</b>	D	93,214	93,214	-	43,035
	Footpath construction works to be completed in the first week of May 2017.					
3911	<b>Beach Street, Frankston</b>	D	114,031	25,022	5,022	13,110

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Geotechnical investigation and feature level survey complete. Request for quotation for design closes on the 9 March 2017.

3912	<b>Evelyn Street Stage 3 Streetscape Upgrade Design</b>	D	92,411	988	988	-
	Construction documentation received. Tender in late November.					
3913	<b>Baxter Park</b>	D	350,000	10,000	-	2,100
	Design of landscaping, paths and picnic area are being finalised. Request for tender will follow with works commencing this financial year.					
3917	<b>Baxter Park Soccer Car Park Upgrade</b>	D	850,000	577,436	6,436	-
	The tender evaluation report has been re-assessed due to design complications. The report is now ready for Council for approval/award. The works are likely to commence mid May 2017 with a two month construction period.					
3928	<b>Ballam Park Pavilion Upgrade</b>	D	1,313,349	1,014,756	61,671	2,735,408
	Construction is currently underway.					
3958	<b>Pathway Renewal - Council Reserves</b>	D	150,000	150,000	35,648	155,569
	Program is on schedule					
3959	<b>Minor Plant &amp; Equipment Replacement</b>	D	40,000	40,000	24,058	-
	Two blowers and two brushcutters were replaced this month. Water pump ordered with expected delivery in May.					
3960	<b>Network &amp; Comms Infrastructure Renewal</b>	D	20,000	20,000	4,223	-
	Quotations are being sought for a probable upgrade to the Operations Centre microwave link due to tree growth. Council's antivirus platform to align with Microsoft Server 2016. Project to be completed in June.					
3961	<b>Maintain RFID technologies</b>	D	249,286	249,286	208	1,106
	Installation occurred on the 28 and 29 March 2017. Refinement of the software is occurring in early April. Budget expenditure is expected to be on time and on budget.					
3962	<b>Shoretel VOIP Renewal</b>	D	15,000	15,000	446	-
	Meeting booked with staff officers and Shoretel for demonstration of proposed new software. Discussions around software upgrade and enhancements will follow with the budget to be determined in late April. The project is to be completed in June.					
3963	<b>GIS Software Renewal</b>	D	11,000	11,000	2,270	-
	New GIS software version tested with go live in March. Final spend and project to be completed in May.					
3964	<b>Contract Management Replacement System - Business Analysis</b>	D	35,150	35,150	16,150	19,000
	Review of current contract management processes completed and improved processes defined. Documentation of system specification commenced. Project completion expected in April.					
3965	<b>EDMS Implementation and Key Integration</b>	D	23,751	23,751	808	3,645
	Working with vendor's InfoCouncil integration. Site visit for Pathway integration to occur in April.					
3971	<b>Drainage pipes &amp; pits renewal/upgrade - Aged-based asset con</b>	D	100,000	163,278	133,278	-
	Urgent reactive pipe and pit upgrades at Finch Street and Dandenong Road West to alleviate property flooding has been undertaken.					
3978	<b>Kananook Creek Bridges and Staircase Renewal</b>	D	73,391	73,391	9,161	-
	Site visit and assessments of the existing infrastructure to be finalised.					
3986	<b>Eric Bell Reserve Netball Court</b>	D	170,000	170,000	-	-
	The works under this contract is well underway with concrete works completed. The finishing works are to be carried out in the next 4 weeks. Lighting works is scheduled for June 2017. Additional trees to be planted around the reserve.					
3991	<b>Cypress Post Playground Renewal Program</b>	D	20,000	20,000	10,969	-

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	Works at Ballam Park completed.					
3992	<b>Foreshore Pedestrian Trails and Beach Entrances Renewal Program</b> Upgrades have commenced at McCulloch, Coats Walk and Seaford Road entrances. Currently obtaining quotes for pedestrian counters.	D	50,000	50,000	3,732	8,659
3994	<b>Parking Enforcement Hand Held Device Replacement</b> Working with vendors to migrate required data from old to new system. Project to be completed in May.	D	75,000	75,000	47,360	12,000
3995	<b>Pharos Public PC and Booking system</b> Request for quotation has been sent to three companies and documentation due at the end of April. Project to be completed in June.	D	50,000	50,000	-	-
3998	<b>Warrandyte Road Widening &amp; Reconstruction (North) - Robinson Road to 400 Warrandyte Road</b> The geotechnical investigation is now complete with the design works scheduled for May-June 2017.	D	70,000	69,995	18,895	17,732
4001	<b>Karingal Place Neighbourhood House - Playground Redevelopment</b> Project is to be tendered in April. Stage 1 will be completed this financial year and Stage 2 works will be completed next financial year.	D	400,000	197,354	31,554	7,370
4002	<b>Foot Street Reconstruction Stage 2</b> Works will commence during the Easter holiday period.	D	370,000	232,501	2,810	225,888
4003	<b>Technical Upgrade</b> Awaiting additional quotes from suppliers for projector and other equipment purchases. Works to commence in April and be completed by May.	D	111,000	111,000	-	-
4004	<b>Video Plinths &amp; Bar Menu Screens</b> Major items delivered with some minor off the shelf equipment to be purchased.	D	15,000	15,000	13,929	-
4005	<b>Visualisation Suite</b> Equipment specified and will be procured by May.	D	10,000	10,000	-	-
4006	<b>Glass Cube Day Blinds</b> Quotes have been sourced with purchase order to be placed by the end of April.	D	10,000	10,000	-	-
4007	<b>Mechanics Hall Infrastructure</b> Design is currently underway.	D	50,000	20,000	-	6,805
4009	<b>Golf Links Road - Mooroduc Hwy to Robinsons Road</b> Project scope updated by Traffic team and commencing work in mid May 2017.	D	10,500	10,500	-	-
4010	<b>Overport Road - Seaview Road to Humphries Road</b> Project scope updated by Traffic team and commencing work in mid May 2017.	D	10,500	10,500	-	-
4011	<b>Kars Street - High Street to Baden-Powell Drive</b> Project scope updated by Traffic team and commencing work in mid May 2017.	D	10,500	10,500	-	-
4013	<b>Nepean Highway Boulevard - Design</b> Nepean Highway options are being developed as part of the City Plan.	D	35,000	15,512	3,512	2,500
4014	<b>Playne St streetscape upgrade - Design</b>	D	50,000	15,554	5,794	3,600

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	Schematic design options and report underway for Management and EMT review in March.					
4015	Station Street Mall upgrade (west of Clyde Street) - Design	D	50,000	49,982	14,840	8,533
	Schematic design options and report underway for Management and EMT review in March.					
4016	Shannon Mall Upgrade - Design	D	50,000	40,541	10,024	4,541
	Schematic design options and report underway for Management and EMT review in March.					
4017	Ross Smith Avenue East upgrade - Design	D	50,000	35,741	12,724	3,991
	Schematic design options and report underway for Management and EMT review in March.					
4018	Thompson Street Upgrade - Design	D	50,000	25,554	5,434	2,900
	Schematic design options and report underway for Management and EMT review in March.					
4021	Seaford Community Integrated Hub	D	50,000	26,081	6,081	-
	Functional brief complete and approved. Design brief underway for engagement of architect. Conceptual design phase proposed to be complete in June 2017.					
4022	Playroom Upgrades	D	60,000	60,000	10,075	22,332
	Feasibility study for Seaford and Langwarrin sites commenced. Design and documentation for Ballam Park and Bayport Preschools commenced.					
4023	On Street Retaining Walls	D	55,000	55,000	36,810	-
	McClelland Drive retaining wall near Peninsula Private Hospital is underway.					
4033	ReM Functionality Enhancements	D	45,640	10,640	-	10,640
	Training to be undertaken for IT technician and the proposed EDMS Officer. Project to be completed June.					
4039	Additional IT Equipment for Frankston North Community Centre	D	10,427	10,427	10,427	-
	Additional training room personal computers to be configured and deployed. Project to be completed in April.					
4047	Seaford Foreshore	D	150,000	150,000	7,066	4,400
	A landscape design is being prepared for the Long Island entrance (near tennis courts) to the North/South track. The design will include pedestrian movements across Gould Street to the Kananook track.					
4050	George Pentland Botanic Gardens	D	50,000	50,204	7,204	-
	Works for the design and installation of signage is progressing well.					
4054	Fencing in Jubilee Park	D	30,000	30,000	158	-
	Works to be undertaken following completion of the new cricket nets.					
4061	Moorooduc Highway	D	68,900	68,900	2,215	27,900
	Tender award has been successful. Footpath construction works to start in the first week of April and be completed by the end of May 2017.					
4062	Centre Road - Construct	D	15,000	15,000	-	-
	Tender award has been successful. Footpath construction works to start in the first week of April and be completed by the end of May 2017.					
4063	McCormicks Road - Construct	D	130,975	130,984	816	-
	Tender award has been successful. Footpath construction works to start in the first week of April and be completed by the end of May 2017.					
4064	Frankston-Flinders Road (east side) - Design & Construct	D	277,550	277,550	643	-

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	Tender award has been successful. Footpath construction works to start in the first week of April and be completed by the end of May 2017.					
4065	<b>Ballarto Road (south side) - Design</b>	D	15,000	15,000	-	-
	Tender award has been successful. Footpath construction works to start in the first week of April and be completed by the end of May 2017.					
4066	<b>Robinsons Road - Design</b>	D	25,000	25,000	-	-
	Quotation requests for design to carried out in June 2017.					
4067	<b>Nepean Highway (east side) - Design</b>	D	28,765	28,765	-	-
	Quotation requests for design to carried out in June 2017.					
4068	<b>Ballarto Road (south side) - Construct</b>	D	12,000	12,000	-	-
	Tender award has been successful. Footpath construction works to start in the first week of April and be completed by the end of May 2017.					
4069	<b>Frankston-Flinders Road (west side) N/West - Construct</b>	D	49,805	49,805	-	-
	Tender award has been successful. Footpath construction works to start in the first week of April and be completed by the end of May 2017.					
4070	<b>Frankston - Flinders Road Frankston South - Construct</b>	D	24,700	24,700	-	-
	Tender award has been successful. Footpath construction works to start in the first week of April and be completed by the end of May 2017.					
4072	<b>Seaford Community Centre</b>	D	40,000	40,000	3,566	3,360
	Consultation with stakeholders for the design of the playground is progressing.					
4074	<b>Lawton Park</b>	D	10,000	10,000	7,521	-
	Feature survey and electrical capacity report completed. Discussions to refine the scope is being undertaken.					
4079	<b>Barretts Road (Robinsons Road to Golf Links Road) - Design</b>	D	70,000	70,000	-	-
	Quotation requested, design to be carried out by June 2017.					
4085	<b>Frankston South Drainage Strategy</b>	D	100,000	25,390	-	9,800
	Consultant has been re-engaged to develop a schedule of works based on strategy to implement into a 20 year program.					
4089	<b>Railway Parade, Seaford</b>	D	90,000	90,000	-	-
	Landscaping works to be undertaken this financial year.					
4090	<b>Signage throughout Seaford Village</b>	D	35,000	35,000	2,052	-
	Preliminary review undertaken. Concept being prepared.					
4091	<b>Bulk Tree Planting</b>	D	200,000	11,064	1,064	-
	Preliminary design for works along Cranbourne Road has been prepared for VicRoads approval.					
4099	<b>Overport Reserve Extension to Oval 2</b>	D	50,000	55,000	4,500	11,800
	Design is currently being finalised.					
4100	<b>Overport Reserve Sports Lighting Design</b>	D	50,000	502,000	20,789	-
	Order placed for lighting masts with installation expected to be in May 2017.					
4102	<b>Overport Reserve - Frankston Dolphins (Junior) Pavilion Upgrade</b>	D	50,000	10,000	-	-

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	Initial concept discussed with Club and now awaiting club feedback.					
4114	<b>Centralised Irrigation Works</b>	D	20,000	20,000	4,614	-
	Audit on existing system is complete. Currently installing components to bring various locations online.					
4117	<b>High Risk LATM Works Program</b>	D	75,000	75,000	-	-
	Works are being carried out on a risk basis.					
4118	<b>Woodlands (Langwarrin)</b>	D	150,000	150,000	-	-
	Tender process has started and Stage 1 treatment's will be carried out in May 2017.					
4119	<b>Franciscan Avenue LATM</b>	D	48,000	48,000	-	-
	Project awarded successfully. Construction works for LATM will start in the third week of April and be completed in the second week of June 2017.					
4120	<b>Richard Drive LATM</b>	D	28,200	28,200	-	35,152
	Project awarded successfully. Construction works for LATM will start in the third week of April and be completed in the second week of June 2017.					
4121	<b>Allied Drive LATM</b>	D	61,200	61,200	-	89,533
	Project awarded successfully. Construction works for LATM will start in the third week of April and be completed in the second week of June 2017.					
4122	<b>Carmela Way LATM</b>	D	21,000	21,000	-	-
	Project awarded successfully. Construction works for LATM will start in the third week of April and be completed in the second week of June 2017.					
4124	<b>Demolish existing Toilets</b>	D	150,000	21,000	19,683	818
	Demolition of Long Island and Baxter Park toilets are complete.					
4126	<b>Foreshore Toilet opposite McCulloch Avenue.</b>	D	350,000	350,000	1,475	2,500
	Documentation has commenced and tendering will occur in April. Works to be completed by August 2017.					
4128	<b>FAC Car Park Upgrade</b>	D	433,000	433,000	-	-
	Project scope for car park access control system is 50% complete. Upgrade works for car park to start in early May.					
4131	<b>McClelland Reserve Carpark</b>	D	50,000	50,000	-	-
	Design brief to be completed for design to commence in June 2017.					
4132	<b>Langwarrin Community Centre Toilet</b>	D	77,000	91,252	-	91,252
	Construction to commence and is to be completed by April 2017.					
4133	<b>Sentinel Relocation</b>	D	15,000	15,000	3,732	-
	Council have endorsed the new location as recommended by the Arts Board. Installation will commence in April once consultation with adjacent landowners is complete.					
4138	<b>Installation of FRRRC Sound Absorbing Panel</b>	D	0	-	-	42,300
	Works for the supply and installation of sound proof panels is being undertaken due to compliance issues.					
4137	<b>Gathering Place Flag Poles</b>	D	10,000	-	-	-
	Flag poles to be installed at the Gathering Place in Langwarrin.					
1294	<b>Annual PC Renewal</b>	E	360,000	360,000	3,776	396

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	Business case is being written for expenditure on software infrastructure to prepare for Windows 10 as Windows 7 is no longer an option. Budget to be confirmed in April.					
1305	<b>GIS Mobile Computing Hardware Renewal</b>	E	30,000	30,000	-	0
	Asset review and stakeholder meetings initiated to gather specific requirements by the business units. Budget to be determined in April.					
3101	<b>City Wide Pathway and Cycle Way Plan Development - McClelland Drive</b>	E	890,232	890,232	-	-
	Council has been briefed in relation to issues involved. Awaiting a resolution to proceed.					
3781	<b>ProVenue Ticketing software replacement</b>	E	43,246	43,246	270	-
	Project commenced in March 2017.					
3818	<b>Data Management Plan Actions</b>	E	10,000	10,000	-	-
	Project commenced in March remediating existing data warehouses to support Council decision making. Project to be completed in June.					
3969	<b>Bridge and Pedestrian Structures - Compliance and Safety Upgrade</b>	E	205,833	205,833	636	-
	Scope of works to be defined with the Building Surveyors on the extent of works required with the Norman Avenue stairs.					
4035	<b>TicketServ Functionality Enhancements</b>	E	15,000	15,000	-	-
	Project commenced in March 2017.					
1987	<b>Frankston Yacht Club Redevelopment</b>	F	140,495	60,495	54,620	9,654
	Defect liability period concluded on 31 March 2017. Preparation is well underway to handover the building to the Facilities Maintenance team.					
2657	<b>Road Renewal Program</b>	F	1,303,000	1,403,865	1,679,290	393,455
	All works under this program has now been delivered. Reimbursement is expected from Mornington Peninsula Shire for the works carried out on Golf Links Road.					
3030	<b>Open Space Renewal Program</b>	F	296,511	265,976	266,576	5,837
	Baxter terraces works have been completed.					
3099	<b>Bridge Boardwalk and Staircase Renewal</b>	F	0	(1,300)	650	-
	2015/16 project.					
3289	<b>McClelland Reserve Soccer Pavilion</b>	F	890,029	890,029	865,600	471
	Construction completed. Practical completion issued on 8 January 2017. Project is under defect liability period.					
3593	<b>Sporting Ground - Goal Post Replacement Program</b>	F	50,000	49,925	49,925	-
	Goal posts have been installed at the following playing fields: Ballam East, Belvedere 1, A H Butler, East Seaford, North Seaford, Ballam South and McClelland Reserve.					
3612	<b>Renewable Energy for Frankston - Trigenation System at the</b>	F	0	-	5,372	5,066
	2015/16 project.					
3652	<b>Design &amp; construct playground for Jubilee Park</b>	F	0	12,614	12,614	420
	2015/16 project.					
3682	<b>Kananook Creek Bridge Renewal</b>	F	87,435	160,089	177,999	-
	Boggy Creek bridge completed.					
3707	<b>Bathing Box 10 - Frankston Foreshore</b>	F	9,544	9,544	11,719	-

Project Number	Name & Short Commentary on Project	Status	Adjusted Budget	EOY Forecast	YTD Actuals	Committed
<b>REPORT TOTALS</b>			<b>44,477,928</b>	<b>37,759,619</b>	<b>18,012,886</b>	<b>8,703,736</b>
	Works have been completed.					
3710	<b>Ticket Machines Renewal</b>	F	27,941	29,941	1,334	12,329
	The 2 ticket machines have been installed and are operating in the Yacht Club parking area.					
3756	<b>Delacombe Park Preschool Extension - DLP</b>	F	39,369	39,369	17,801	30,412
	Project reached practical completion on 11 April 2016. Defects liability period is underway.					
3767	<b>Dame Elisabeth Murdoch Arboretum - Masterplan Implementation</b>	F	43,951	43,951	43,797	600
	Walls and gates installed.					
3775	<b>Frankston Waterfront Safety Renewal - including boat ramps,</b>	F	1,308,816	1,308,816	1,151,431	81,818
	Works have been completed.					
3794	<b>Foot Street Reconstruction - Stage 2</b>	F	0	126	503	-
	2015/16 project.					
3797	<b>Rehabilitation and Widening of McClelland Drive - Skye Road</b>	F	0	173,843	210,925	1,075
	Works are complete.					
3813	<b>Renewal of Banner Poles</b>	F	97,750	86,115	86,115	-
	Works delivered in October 2016.					
3832	<b>Baxter Park Cricket/ Football Pavilions (Oval 1 &amp; 6)</b>	F	273,949	257,923	175,968	49,567
	Discussions on-going with Contractor in regards to granting of practical completion.					
3834	<b>Jubilee Park Outdoor Netball Court Development</b>	F	0	(350)	19,238	32,554
	2015/16 project.					
3839	<b>Renewable Energy for Frankston</b>	F	238,725	237,459	237,459	0
	All solar installations complete.					
3881	<b>Library website</b>	F	50,100	50,100	50,100	-
	New library website is now live. Project is complete.					
3888	<b>Seaford Foreshore - Seaford Lifesaving Club Precinct Masterplan</b>	F	65,526	72,927	72,927	-
	Works have been completed.					
3904	<b>Keast Park</b>	F	153,773	154,448	155,511	-
	Project completed in September 2016					
3915	<b>Seaford Bowls Club Upgrade - Consultation and Design</b>	F	466,722	566,722	413,517	17,256
	Project is complete.					
3925	<b>Minor Traffic Treatments - Various Locations</b>	F	0	33,000	33,000	1,898
	Works have been carried out on a reactive risk basis.					
3968	<b>Violet Street Kerb Renewal</b>	F	411,090	378,188	378,188	182

Project Number	Name & Short Commentary on Project	Status	Adjusted Budget	EOY Forecast	YTD Actuals	Committed
<b>REPORT TOTALS</b>			<b>44,477,928</b>	<b>37,759,619</b>	<b>18,012,886</b>	<b>8,703,736</b>
	All works are now complete with minor defects addressed. All costs to be funded by Roads to Recovery program. Completion letter to be issued.					
3975	<b>Business Objects Software Renewal</b>	F	9,600	9,600	9,600	-
	Business Objects software has been upgraded. Project complete.					
3980	<b>SLSC Erosion Works</b>	F	0	2,139	2,139	-
	2015/16 project.					
3987	<b>Purchase 33 Bruarong Cres</b>	F	225,000	225,000	225,000	-
	Purchase of land completed.					
3993	<b>Equipment for New Councillors</b>	F	45,000	39,269	39,269	-
	Project complete.					
3999	<b>Shared Path Renewals</b>	F	50,000	56,875	56,875	-
	Works have been completed.					
4008	<b>FAC Kitchen and Bar Facilities</b>	F	238,000	238,000	226,298	1,915
	Construction work completed. Project under defect liability period.					
4012	<b>Foreshore Lockers</b>	F	15,000	15,000	9,760	5,029
	Works completed.					
4030	<b>Langwarrin Community Garden Carpark</b>	F	25,000	37,015	37,015	-
	Works completed in October 2016.					
4040	<b>2 Smart TVs for Frankston South and Ebdale Hub</b>	F	2,586	2,586	2,586	-
	Smart TV's installed, all cabling completed.					
4042	<b>ION Core System Integrator Implementation</b>	F	0	-	-	-
	Business analysis undertaken by internal staff member instead of external resources. Project completed.					
4043	<b>Electronic Signatures</b>	F	0	-	-	-
	Business analysis undertaken by internal staff member instead of external resources. Project considered not viable.					
4049	<b>Pedestrian Trail development - Lloyd Park - Construction</b>	F	50,000	48,691	48,691	-
	Works have been completed.					
4052	<b>Frankston Park - Landscaping</b>	F	15,000	15,018	15,018	-
	Project completed.					
4101	<b>Ballam Park Netball Courts - Design</b>	F	20,000	20,000	6,305	-
	Netball court design complete. Court construction will be undertaken as part of the Ballam Park pavilion development.					
4129	<b>Pines Swimming Pool Replace Hot Water System</b>	F	32,417	32,417	29,470	-
	Works completed.					
4130	<b>Frankston Youth Central</b>	F	10,000	10,000	7,475	-

Project Number	Name & Short Commentary on Project	Status	Adjusted Budget	EOY Forecast	YTD Actuals	Committed
<b>REPORT TOTALS</b>			<b>44,477,928</b>	<b>37,759,619</b>	<b>18,012,886</b>	<b>8,703,736</b>

Works completed.

<b>4136</b>	<b>Install Cameras for Water Slide at PARC</b>	<b>F</b>	<b>10,313</b>	<b>10,313</b>	<b>-</b>	<b>9,375</b>
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Works completed.



**CAPITAL WORKS PROGRAM**  
 2016-2017  
**COUNCIL MONTHLY REPORT**  
 March 2017

**PROJECT STATUS SUMMARY**

STATUS KEY		No	%
<b>A</b>	Deferred or Not Proceeding. Significant operational delays have occurred or the project needs to be rescheduled to following years	38	15%
<b>B</b>	May not meet scheduled completion date. Requires Organisational support to bring project to plan	13	5%
<b>C</b>	On time but with expenditure expected to be above current budget.	6	2%
<b>D</b>	On time and on budget	148	58%
<b>E</b>	Not Started	7	3%
<b>F</b>	Completed	43	17%
		<b>255</b>	<b>100%</b>

**Executive Summary****12.5 Community Development Division - Resolution Progress Report**

*Enquiries: (Michael Papageorgiou: Community Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To brief Council on the status of Council resolutions to be implemented by Community Development Division departments that have been delayed and the reasons for their delay.

**Recommendation (Director Community Development)**

That Council:

1. Notes Amendment C113 (Section 31 “Frankston Native Vegetation Protection Study – January 2016”) has been approved with changes to put on public exhibition by the Minister for Planning.
2. Notes a report on Local History Taught in Schools will be presented to the 13 June Ordinary Meeting.
3. Notes the update regarding Centenary Park Sporting Complex.
4. Notes the update regarding Kiss n Go Zones.
5. Notes the Draft Frankston Housing Strategy 2017 will be scheduled for August Ordinary meeting.
6. Notes the status of the Illumination of Pier’s report responding to NOM1291.

**Introduction**

From time to time it is necessary to formally advise Council of the status of work it has resolved to be undertaken. As such this report represents a divisional status update against those resolutions that are underway but not yet completed.

**Key Points / Issues**

- *Frankston Planning Scheme Amendment C113*

The Minister has approved Amendment C113 with conditions. Council achieved 95% of what we wanted from the amendment. The conditions relate to a technicality over the specific use of planning controls being the validity of the Environmental Significance Overlay (ESO) versus the validity of the Significant Landscape Overlay (ESO). Strategic Planning is supportive of this conditional approval. A follow up amendment will follow in 2017-18 that addresses the Minister's concerns (ESO vs. SLO). We have the in-principle support to use an ESO for this amendment.

- *NOM 1264: Local History Taught in Schools*

A meeting was scheduled with Department of Education and Training for Monday 8 May 2017. A report will be presented to 13 June Ordinary Meeting on the outcome of this meeting.

**12.5 Community Development Division - Resolution Progress Report****Executive Summary**

- *Centenary Park Sporting Complex*

Officers reported to Councillors at the briefing on 8 May 2017 on progress in implementing the resolution including the outcome of discussions with Frankston Tennis Club and the Bayside Gymnastics Club. Clubs are aware an architect who will engage with the clubs, has been appointed to develop concept plans. A further briefing of Councillors will occur in early July outlining concepts and preferred direction.

- *NOM 1206: Kiss n Go Zones*

The Regional Director, Department of Education and Training (DET) has been approached to include Kiss n Go and parent parking behaviour as an Agenda item on the next Principals' Network Meeting conducted by DET. A report will be prepared highlighting the results of this consultation.

- *Draft Frankston Housing Strategy 2017*

A report will come back to Council for consideration once the census 2016 update is released and information can be included into the report. The Census update is scheduled for release end June and it is anticipated the report will be scheduled for the August Ordinary Meeting.

- *Illumination of Piers*

A consultant's report is currently being prepared. However, it may be presented subject to agreement as late report to OM301 22 May. Should this not meet requirements, the report will be presented OM302 14 June 2017.

**Financial Impact**

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

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

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

N/A

**2. Other Stakeholders**

N/A

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

N/A

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

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

12.5 Community Development Division - Resolution Progress Report

**Executive Summary**

Legal

N/A

Policy Impacts

N/A

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**

Council officers are continuously working to implement a range of Council resolutions. The purpose of this report is to update Council on the implementation status of the resolutions.

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**ATTACHMENTS**

Nil

## Executive Summary

### 12.6 Council response to Councils and Emergencies Directions Paper

*Enquiries: (Leonie Reints: Community Development)*

#### Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.2 Improve the municipality's safety, image and pride
Priority Action	2.2.1 Promote the natural attributes and family friendly lifestyle qualities of Frankston locally, nationally and internationally

#### **Purpose**

To brief Council on the Victorian Government's Directions Paper proposing the role statement for municipal councils in emergency management and to seek Council's endorsement on the draft submission made by officers in response to the Directions Paper.

#### **Recommendation (Director Community Development)**

That Council endorses the attached draft submission to Local Government Victoria which was submitted by officers subject to Council endorsement.

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

- Local Government Victoria (**LGV**) and Emergency Management Victoria (**EMV**) recently released the Councils and Emergencies Directions Paper (**Directions Paper**). The Directions Paper is attached (**Attachment A**).
- The Directions Paper is one part of the Councils and Emergencies Project being led by LGV which is purposed to clarify Council's current emergency management responsibilities and actions and enhance the capability and capacity of each Council.
- The Directions Paper was drafted by LGV and EMV following workshops in early 2016 with Council representatives. Officers from Frankston City Council participated in this initial workshop.
- Within the Directions Paper is 154 individual activities that are alleged to be the responsibility of Councils in the before, during and after phases of an emergency.
- The Directions Paper seeks submissions from Councils about whether the current emergency management responsibilities and actions described in the Directions Paper accurately reflect the role Council plays in emergency management.
- Many of the activities listed demonstrate a cost shift by State Government to increase Council's role in emergency management without adequate recurrent funding to support the raised expectations.
- Officers have prepared a draft submission to the Directions Paper. The response to the Directions Paper acknowledges the work of LGV and EMV as a step towards better clarifying the role of Councils in emergency management and the work undertaken to better align the expected actions of Council with the business as usual activities it undertakes.

**12.6 Council response to Councils and Emergencies Directions Paper****Executive Summary**

- However, the response also highlights that due to each municipality having a differing risk profile and community demographics, the role each Council plays will vary. The response also advocates that where one Council can undertake additional activities in emergency management because it has the extra capacity and its risk level and community demographics justify so, this should not translate to a blanket expectation on all Councils to do the same as the Directions Paper suggests.
- Some of the activities listed in the Directions Paper are also grossly inappropriate for council to undertake being that we are not an emergency service and are not subject matter experts on particular hazards. Where this is so, it has been clearly articulated in the draft submission.
- The draft response includes a table which categorises each of the 154 activities into either, (a) an essential activity which Council undertakes; (b) an activity which Council can undertake if additional adequate recurrent funding is provided; or (c) an activity which is clearly out of scope.
- The draft response is attached (**Attachments B and C**).
- Due to the timing of the release of the Directions Paper being concurrent with other major emergency management policy updates and the extensive internal consultation undertaken in order to prepare the response, Council's draft response has been submitted pending Council endorsement with the ability to amend or withdraw the submission at any time.

**Financial Impact**

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

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

The submission highlights that the capacity and capability of Council to undertake many of the activities suggested in the Directions Paper. The paper represents a potential cost shift which, in a rate capped environment may have an impact on services.

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

External consultation has occurred informally with neighbouring municipalities who are similarly making a response to the Directions Paper. Council officers have also participated in forums facilitated by LGV which allowed representatives to discuss and share views on the Directions Paper.

**2. Other Stakeholders**

As the Directions Paper describes activities which involve multiple Council Departments and Units, extensive consultation has occurred internally. A presentation was delivered with the following Departments and Units invited:

- Business and Information Technology

**12.6 Council response to Councils and Emergencies Directions Paper****Executive Summary**

- Community Relations (including Customer Relations and Communications Units)
- Facilities
- Commercial Services (specifically Business Continuity Planning)
- Human Resources
- Community Safety (including Local Laws, Environmental Health, and Building Services Units)
- Community Strengthening
- Family Health and Support Services
- Infrastructure
- Operations (including Parks and reserves, and One Stop Squad Units)
- Planning and Environment

These Departments and Units were also given an opportunity to review the tasks identified as being relevant to their Department/ Unit and provide feedback.

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

It is not anticipated that there will be any environmental, economic or social implications if the response to the Discussion Paper is endorsed.

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

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

Legal

There are no statutory obligations impacted by the endorsement of the submission

Policy Impacts

There are no Council policies impacted by the endorsement of the submission.

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 affected by the endorsement of the submission.

**12.6 Council response to Councils and Emergencies Directions Paper****Executive Summary****Conclusion**

LGV has released the Councils and Emergencies Directions Paper as part of a broader State Government project to clarify Council's role in emergency management and enhance the capacity and capability of Council in emergencies. The Directions Paper suggests 154 individual activities as being the responsibility of Council. Council officers have prepared the draft submission which acknowledges the work of LGV and EMV to clarify Council's role in emergency management but also highlights concern over the significant expectation being placed on Council in emergency management without matched recurrent adequate funding. There may be an impact on services if increased emergency management responsibilities are transferred to Councils without funding. Due to the deadline for responses to the Directions Paper, the draft response has been submitted by council officers pending Council endorsement.

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**ATTACHMENTS**

- Attachment A: Councils and Emergencies Directions Paper
- Attachment B: Councils and Emergencies Directions Paper Letter Response
- Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)

## Councils and emergencies directions paper



Department of Environment,  
Land, Water and Planning  
(Local Government Victoria) with  
Emergency Management Victoria

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Published January 2017

ISBN 978-1-76047-412-6 (Print)  
ISBN 978-1-76047-413-3 (pdf/online)

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## Foreword

Victoria's 79 councils play an essential role in the state's emergency management arrangements by preparing communities to respond to and recover from emergencies. However, current emergency management responsibilities are often not well-understood inside and outside the emergency management sector. Emergency management capability and capacity also differs greatly from council to council.

The emergency management and local government sectors recognise the need for clarity about councils' emergency management responsibilities and actions. Clarity ensures councils know what resources they need and also helps agencies and local communities understand what they can rely on their council to deliver and what they must do themselves.

Identifying and agreeing on councils' current emergency management responsibilities and actions is the essential first step of the Councils and Emergencies Project, which aims to improve the capability and capacity of councils to manage emergencies. The project will help the local government sector align with Victoria's overall emergency management system, in particular the Victorian Preparedness Goal. The Councils and Emergencies Project is being led by Local Government Victoria, which is part of the Department of Environment, Land, Water and Planning. The department works to ensure the ongoing viability of councils' normal business and emergency management responsibilities and actions through governance and funding support. The project is also a priority of the *Emergency Management Strategic Action Plan Update 2016–19*. Agencies have worked as one to progress the strategic action plan's priorities and to continue the reform journey, responding to new opportunities and challenges as they arise.

This directions paper describes councils' current emergency management responsibilities and actions, based on their current legislative, policy and planning obligations. The paper acknowledges councils' strengths and their capacity to overcome the challenges they face in undertaking their emergency management role. It reflects extensive consultation with council officers, emergency management agencies and emergency management experts.

As the Emergency Management Commissioner and Executive Director of Local Government Victoria, we ask the local government and emergency management sectors to confirm or suggest amendments to how this paper describes councils' current emergency management responsibilities and actions. Then, Local Government Victoria will work with councils to understand the skills and resources councils need to successfully deliver emergency management services to their community.

Thank you for reading this paper and we look forward to your feedback.



**Dr Graeme Emanson**  
Executive Director  
Local Government Victoria



**Craig Lapsley PSM**  
Emergency Management  
Commissioner







## Introduction

### Legislative, policy and planning framework

#### Emergency Management Strategic Action Plan Update 2016–19

The Emergency Management Acts of 1986 and 2013 as well as the *Emergency Management Strategic Action Plan Update 2016–19* underpin Victoria's emergency management arrangements. Together, they provide the vision, priorities, investment framework and principles for the statewide emergency management system.

The *Emergency Management Strategic Action Plan Update 2016–19* lists eight statewide strategic priorities and 31 actions to achieve safer and more resilient communities. The priorities seek to strengthen the collective capacity and capability of all those with emergency management responsibilities — the state government, councils, public sector agencies, community organisations, businesses and the public — to learn from experience, meet evolving challenges and build the governance, leadership and systems to support their efforts.

#### Victorian Preparedness Goal

The Victorian Preparedness Goal, published in August 2016, provides the foundation for an emergency management preparedness system including:

- state planning systems that support an integrated planning approach across all communities
- a state preparedness framework that identifies risk scenarios and critical tasks to deliver core capabilities
- a state preparedness report that explains progress building and sustaining the core capabilities.

The goal includes the *Victorian Emergency Management Capability Blueprint 2015–2025*, which aligns to Priority G in the strategic action plan. The blueprint's three objectives are:

- shared understanding: appreciation and understanding of the emergency management sector's capabilities, capacity and underlying responsibilities
- improved integration for the future: maximise current emergency management capabilities while building and developing future capabilities based on emerging risks
- connected community, business and government partnerships: enhancing capability across community, business and government.



## Victorian Preparedness Goal

Emergency Management Sector Core Capabilities  
July 2016

The blueprint describes **capability** as our collective ability to reduce the likelihood and consequences of an emergency before, during and after it occurs. The core elements of capability are:

- people: people and personnel
- resources: physical equipment and assets
- governance: the enabling factors including legislation, funding, authorising environment, arrangements, doctrine and policy
- systems: learning and development, information technology, financial, infrastructure and assets management, workforce management, workplace health and safety, quality control and incident management systems
- processes: capacity planning, risk management, continuous improvement, information flow and planning.

The blueprint describes **capacity** as the extent to which the core elements of capability can be sustained before, during and after an emergency.

### Core capabilities

The goal identifies 21 core capabilities the emergency management sector needs to manage emergencies, coordinate efforts and improve training. Table 1 lists and describes each core capability, and it shows when organisations exercise the capability: before, during or after an emergency.

Of the 21 core capabilities, councils have some responsibility or take action in sixteen. The 21 core capabilities are described below, those capabilities of which councils are not involved are in italics in the following table.

**Table 1: Victorian preparedness goal core capability descriptions - as they relate to Victorian councils**

Core capability	When	Description
<b>Planning</b>	Before, during, after	Conduct a systematic process engaging the whole community as appropriate in the development of executable strategic, operational, and/or tactical level approaches to meet defined objectives.
<b>Community information and warnings</b>	Before, during, after	Deliver public information and warnings that are authoritative, consistently constructed and relevant for all Victorians and visitors in all emergencies.  Provide timely and tailored information that supports the community to make informed decisions before, during and after emergencies.
<b>Operational management</b>	Before, during, after	Establish and maintain a unified and coordinated operational structure and process that appropriately integrates all critical stakeholders and supports the execution of core capabilities, including operational communications.
<b>Intelligence and information-sharing</b>	Before, during, after	To provide timely, accurate and actionable decision support information, resulting from the planning, collecting, processing, analysis and evaluation from multiple data sources, which is needed to be more proactive in anticipating hazard activity and informing mitigation, response or recovery activities. It also includes the assessment of risks, threats and hazards so that decision makers, responders, and community members can take informed action to reduce their entity's risk and increase their resilience.
<b>Public order and community safety</b>	Before, during, after	Provide a safe, secure and orderly society through the active prosecution of regulations and laws related to the prevention of serious emergencies and to afford a safe environment for those communities affected by an emergency and any responding personnel engaged in emergency operations.
<b>Building community resilience</b>	Before, during, after	Communities strengthen their lifelines by better connecting and working together with appropriate support.
<b>Fire management &amp; suppression</b>	Before, during	Provide firefighting capabilities to manage and suppress fires of all types, kinds, and complexities while protecting lives, property, and the environment in the affected (land and water) area.

Core capability	When	Description
<b>Fatality management</b>	No council involvement	Provide fatality management services, including search, recovery, victim identification (following Interpol Standards), and repatriation. As well as the sharing of accurate and timely information with other agencies and the community, and the provision of support to the bereaved.
<b>Critical transport</b>	No council involvement	Plan for and provide response and recovery services during emergencies that affect the road network including alternative routes, emergency permits and escorts for responders, clearing, restoration of damaged roads.  Provide response to major public transportation emergencies including infrastructure access and accessible transportation services to ensure community movement including coordination of all private rail, tram and bus services to support response priority objectives.
<b>Logistics and supply chain management</b>	During, after	Deliver essential commodities, equipment, and services in support of impacted communities and survivors, to include emergency power and fuel support, as well as the coordination of access to community staples. Synchronize logistics capabilities and enable the restoration of impacted supply chains, including removal of debris.
<b>Impact assessment</b>	During, after	Provide all decision-makers with relevant information regarding the nature and extent of the hazard and any potential consequences during and after an emergency to ensure efficient, timely and appropriate support for communities.
<b>Search and rescue</b>	No council involvement	Deliver traditional and atypical search and rescue capabilities including people and resources with the goal of saving the greatest number of endangered lives in the shortest time possible.
<b>Health protection</b>	During	The coordination and implementation of legislation, programs and monitoring procedures to minimise public health risk from infectious disease, contaminated food, and contaminated drinking water supplies, radiation and human environmental health hazards. This includes the development and implementation of strategies to promote and protect public health.

Core capability	When	Description
<b>Health emergency response</b>	No council involvement	<i>The planning, provisioning, response and coordination of pre hospital and health emergency care, including triage, treatment and distribution of patients, in a timely and structured manner, using all available resources to maximise positive health outcomes.</i>
<b>Relief assistance</b>	During	The provision of well-coordinated, integrated and timely assistance to meet the immediate health, wellbeing and essential needs of affected communities, during and immediately after an emergency event, with the aim to support social cohesion and build resilience.
<b>Environmental response</b>	No council involvement	<i>To assess and manage the consequences to the community, environmental values, domestic animals and livestock of a hazardous materials release, naturally occurring pests or biological hazard.</i>
<b>Economic recovery</b>	After	Return economic and business activities (including food and agriculture) to a healthy state and develop new business and employment opportunities that result in a sustainable and economically viable community
<b>Natural and cultural heritage rehabilitation</b>	After	Protect natural and cultural heritage resources through appropriate planning, mitigation, response, and recovery actions to preserve, conserve, rehabilitate, and restore them consistent with post-disaster community priorities and best practices and in compliance with applicable environmental and heritage preservation laws.
<b>Built recovery</b>	After	To restore essential infrastructure and establish safe areas during and following an emergency, ensuring the provision of facilities and services to support and benefit communities.
<b>Social recovery</b>	After	The longer term provision of assistance and access to services that allows individuals, families and communities to achieve an effective level of functioning after an emergency event. This includes safety, security, shelter, health and psychosocial wellbeing and re-establishment of those elements of society necessary for well-being.
<b>Assurance and learning</b>	After	Support continuous improvement to improve emergency management practice and community safety by extracting understanding from experience and research, reviewing community consequences, investigating causes and outcomes, providing assurance and translating lessons into behaviour change.



## Councils and Emergencies Project

The Councils and Emergencies Project, led by Local Government Victoria (LGV) and working with councils and the emergency management sector, is a project under 'Priority B: Enhance the capability and capacity of local governments to meet their obligations in the management of emergencies' of the strategic action plan. Figure 1 shows the strategic action plan and Priority B.

Figure 1: Strategic Action Plan Priority B



The Councils and Emergencies Project is using the core capabilities and their descriptions set out in the Victorian Preparedness Goal. These are the core capabilities that all organisations involved in emergency management need to prepare for, respond to and recover from emergencies. This will ensure there is consistency between the capabilities required by the emergency management sector and the capabilities required by councils for emergency management. It will also ensure councils are smoothly integrated into Victoria's service delivery model before, during and after emergencies.

The Councils and Emergencies Project will run for three years and has three phases:

- **phase 1** is identifying and agreeing council's current emergency management responsibilities and actions
- **phase 2** will assess the capability and capacity of the local government sector, to determine capability and capacity gaps (in terms of skills and expertise) that prevent it from adequately discharging its emergency management responsibilities and taking emergency management action
- **phase 3** will develop strategies and plans to address emergency management capability and capacity gaps.

Phase 1, of which this directions paper is a part, has involved extensive consultation with councils and the emergency management sector.

LGV held eight planning days in early 2016 to define the objectives of municipal emergency management enhancement groups, also considering the *Municipal Emergency Management Enhancement Group Strategic Plan 2015-2020*.

LGV also held 16 workshops with staff of councils and emergency management agencies to examine councils' current and future emergency management responsibilities and actions. It subsequently made the workshop report — *Councils and Emergencies – Workshop Feedback Analysis Report* — available online (search for 'Councils and Emergencies – Workshop Feedback Analysis Report').

Craig Lapsley, Emergency Management Commissioner and Dr Graeme Emonson, Executive Director, LGV hosted nine forums for council chief executive officers between September and December 2016. They explained emergency management legislative requirements and the objectives of the *Emergency Management Strategic Action Plan Update 2016–19*, the Victorian Preparedness Goal, emergency management collaborations and the Councils and Emergencies Project.

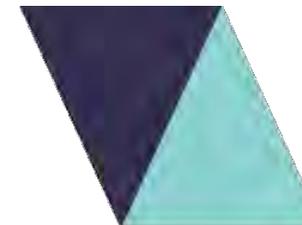
The consultation activities sought to identify council's current emergency management responsibilities and actions before, during and after emergencies. These are described in the next chapter.

Table 2 shows the main steps in the Councils and Emergencies Project.

**Table 2: Councils and Emergencies Project Steps**

Phase	Step	Timeframe
1	<ul style="list-style-type: none"> <li>Consultation with councils and the emergency management sector about councils' current responsibilities and actions and the emergency management sectors' expectations of councils</li> </ul>	May – December 2016
	<ul style="list-style-type: none"> <li>Produce directions paper</li> </ul>	December 2016
	<ul style="list-style-type: none"> <li>Seek feedback to agree on current responsibilities, actions and expectations</li> </ul>	January – May 2017
	<ul style="list-style-type: none"> <li>Produce final paper on councils' current emergency management responsibilities and actions</li> </ul>	June 2017
2	<ul style="list-style-type: none"> <li>Investigate councils' capability and capacity</li> </ul>	2017
3	<ul style="list-style-type: none"> <li>Develop strategies and plans to address capability and capacity gaps</li> </ul>	2018





## Councils' strengths and capabilities

While councils' current emergency management responses are in part a result of legislative, policy and planning obligations, their ability to take action largely derives from their strengths and capabilities and their capacity to overcome the challenges they face undertaking their emergency management role.

The consultation activities identified councils' emergency management strengths in place-based community development and action. Councils:

- are skilled in building and maintaining local networks and relationships across their communities and across many sectors including the emergency management sector
- are knowledgeable about their communities and their unique characteristics, and in particular about local needs and priorities, and can advocate for these at the regional and state levels
- have wide-ranging skill sets which enable them to provide diverse services and implement federal, state and local laws and policies
- are dedicated to and invested in their communities, willing to step up when their communities are in need and are present in their communities beyond particular events
- are skilled in engaging with their communities and able to build community connectedness and social cohesion, build resilience against chronic stressors and acute shocks and work across all communities and all emergencies
- can work together and support each other before, during and after events.

The consultation activities also identified challenges councils face with their emergency management responsibilities and actions. These include that:

- councils' financial capacity, skills and expertise to provide emergency management services before, during and after emergencies varies
- councils need to balance community priorities across all service areas including emergency management when budgeting and reviewing service provision
- councils need to maintain essential council services during and after an emergency, which needs good business continuity planning
- emergency management is one part of the legal and policy environment within which councils operate, and this environment is constantly changing
- communities have various risk profiles and various needs.

## About this directions paper

This directions paper draws on the consultation activities described above and on research about the current legislative, policy and planning framework. It aims to identify councils' current emergency management responsibilities and actions including how they collaborate with each other and with emergency management agencies. The responsibilities and actions are described in the next chapter.

LGV seeks feedback from the local government and emergency management sectors to confirm or suggest amendments to the list of responsibilities and actions. Note the request is about **current** responsibilities, actions and expectations and not those that are desired, foreshadowed or anticipated in future.

At the close of the consultation period, the Councils and Emergencies Project will review submissions and prepare a final paper about councils' current emergency management responsibilities and actions.

The final paper will inform the next phases of the project. It will also help councils, emergency management agencies and communities share an understanding of what can and cannot be currently expected of councils before, during and after emergencies.

Details about how you can provide feedback are in the final chapter (see page 36).

## Other emergency management reform initiatives

In recent times there has been (and will continue to be) considerable reform of the emergency management legislative, policy and planning framework. Whilst this directions paper deals with (and feedback should address) councils' current emergency management responsibilities and actions, councils should be aware of the key initiatives driving changes.

There are currently two emergency management Acts operating in tandem:

- the *Emergency Management Act 1986*
- the *Emergency Management Act 2013*.

In mid-2016, submissions on the exposure draft of the *Emergency Management Legislation Amendment (Planning) Bill 2016* closed. The exposure draft proposes amendments to the 2013 Act to underpin new emergency management planning arrangements for Victoria. It envisages the *Emergency Management Act 1986* will be gradually repealed and new arrangements prescribed in the *Emergency Management Act 2013*. Councils should be familiar with these proposed legislative changes and should keep their knowledge up-to-date.

The *Emergency Management Manual Victoria* contains policy and planning documents for emergency management in Victoria and details the emergency management responsibilities of relevant organisations. Emergency Management Victoria (EMV) maintains the manual in collaboration with Victoria's emergency management agencies. The Councils and Emergencies Project is working with EMV to ensure future versions of the manual reflect councils' strengths and clearly define their responsibilities and actions.

EMV in partnership with the emergency management sector is developing new emergency management planning guidelines with practical advice about requirements under the proposed *Emergency Management Legislation Amendment (Planning) Act 2016*. The guidelines will cover core concepts, processes, content and standards to develop emergency management plans at the state, regional and municipal levels. EMV is developing the guidelines in consultation with a reference group comprising over 40 emergency management experts from a broad range of agencies, councils, departments and other organisations. The draft guidelines should be available by August 2017. The Councils and Emergencies Project will inform the guidelines, particularly those about emergency management planning arrangements at the municipal level.





## Councils' current emergency management responsibilities and actions

### Introduction

This chapter describes the 154 identified current emergency management responsibilities and actions of councils before, during and after emergencies. The descriptions have been compiled by:

- examining requirements of councils in current legislation, regulations, policy and plans
- analysing the feedback from the consultation activities: the planning days, workshops and forums.

The descriptions are preliminary. The purpose of this directions paper is to make them available to councils and the emergency management sector so they can provide feedback about them. There is advice about how to provide feedback in the last chapter.

The descriptions are organised according to the core capabilities explained in the 'Introduction' chapter and according to whether they are responsibilities and actions that arise before, during or after an emergency. Some responsibilities and actions are required across several stages of an emergency or could be placed across a number of core capabilities. To avoid duplication they have been organised into the most relevant capability and stage of an emergency.

#### Colouring of descriptions

Some descriptions are coloured **blue**; others are coloured **black**.

**Blue** descriptions are responsibilities deriving from current emergency management legislation (such as the *Emergency Management Act 1986* and the *Country Fire Authority Act 1958*), regulations, policy (such as the *Emergency Management Manual Victoria*) and plans (such as the *State Emergency Response Plan* and *State Emergency Relief and Recovery Plan*). Each description has an endnote number which refers to the relevant document in the chapter 'Legislation, policy and plan references' showing the source of the requirement (the reference to the particular Act, policy or plan).

**Black** descriptions are actions that are not a responsibility under legislation, regulations, policy or plans, but which some councils consider to be appropriate emergency management actions for them to undertake. They may not be appropriate for every council; there is no suggestion they are suitable or relevant for all councils. This raises the question of whether they are an appropriate responsibility for local government or not.



## Clarifying and agreeing on councils' responsibilities and actions

### A council's role

The choice of active verb that starts each description reflects the role we understand a council takes, and about which we ask for feedback.

**Lead:** signifies a council provides overall direction and coordination of the responsibility or action: it plans, implements, directs, funds and resources most aspects of it. It is usually also the point of contact with government agencies, non-government groups, businesses and the community.

**Support:** signifies a council may contribute to the action, but responsibility is with another agency. It makes sure the other agency takes account of and respects its interests and those of its community. It may provide resources for some aspects of the responsibility or action. Often, involvement and resourcing is at the council's discretion.

**Other active verbs:** (such as 'appoint', 'develop' and 'improve') indicate council will usually directly take the action, often with community or other external participation.

Some descriptions are core business for councils, as well as being emergency management responsibilities and actions. For example, aspects of land use planning, compliance, regulatory services and infrastructure maintenance are core services that councils provide that also have an emergency management outcome, particularly in mitigating, preventing or leading into an emergency.

### Other

Each description is numbered so respondents can refer to its number when providing feedback.

'Community' means the community within the municipality: the local community.

## Current responsibilities and actions

### Planning

Conduct a systematic process engaging the whole community as appropriate in the development of executable strategic, operational, and/or tactical level approaches to meet defined objectives.

#### Before

1. Lead an all-agencies approach to community-based risk assessment and planning including compliance with relevant legislation and policy at the municipal level.<sup>1</sup>
2. Prepare and maintain municipal emergency management plans and subplans.<sup>2</sup>
3. Appoint a municipal emergency management planning committee.<sup>9</sup>
4. Support hazard-specific risk assessment to inform plans and community resilience-building strategies, using local knowledge and information based on community needs.<sup>4</sup>
5. Lead implementation and coordination of specific risk treatments on private and council land in partnership with emergency management agencies, including flood/fire management, maintaining a register of at-risk groups.<sup>5</sup>
6. Lead the maintenance and administration of the Vulnerable Persons Register (VPR).
7. Support the profiling of the community to identify and record what makes people vulnerable in emergencies and work with Red Cross, DHHS and other agencies to establish a plan to support vulnerable people in the community.
8. Develop council business continuity plans detailing procedures and systems to maintain core business and emergency management activities, including:
  - backfilling for staff with emergency management expertise when they are on leave
  - planning to identify and address gaps in council's emergency knowledge and action.
9. Improve recovery plans and procedures by exercising and reviewing them.
10. Develop settlement and issue-based policies and strategies in planning schemes that clearly express and give direction to urban change, including implementing risk-mitigation strategies (such as flood and bushfire management overlays).
11. Apply local planning schemes and building controls including development assessments, inspections and advice.<sup>9</sup>

#### During

12. Prepare local recovery plans after emergencies.<sup>7</sup>
13. Assess capability and capacity needs for undertaking relief and recovery activities, determine councils' ability to meet these needs and plan to obtain additional staff and resources as required.

### Community information and warnings

Deliver public information and warnings that are authoritative, consistently constructed and relevant for all Victorians and visitors in all emergencies.

Provide timely and tailored information that supports the community to make informed decisions before, during and after emergencies.

#### Before

14. Support agencies to plan, prepare and deliver consistent, all-hazards customised information and messages to the community, using council communication networks.<sup>8</sup>
15. Plan, together with neighbouring councils and regionally, community information.
16. Identify appropriate and preferred communication channels for the community and particular groups and people (such as those who are vulnerable and those who are culturally and linguistically diverse).<sup>9</sup>
17. Support agencies to develop emergency management communications that are relevant and credible to the community.
18. Support implementation of flood warning systems in at-risk areas of the municipality.
19. Support a whole-of-government approach to emergency preparedness and awareness campaigns.

#### During

20. Communicate with elected councillors and the senior/executive management team to keep them informed and up-to-date.
21. Support agencies to develop and disseminate information and warnings that are relevant and credible to the community by:<sup>10</sup>
  - disseminating information through council communication channels and local networks

- developing accurate, timely risk information tailored to community needs.

22. Respond to community calls for local relief and recovery assistance (including assistance with equipment, food, clothing, accommodation and health needs) and be the central point to identify resources and information.

#### After

23. Deliver timely, coordinated, accessible and tailored information to the community so it understands relief and recovery assistance mechanisms and processes including through community briefings and meetings.<sup>11</sup>
24. Assess community needs, to inform recovery information.
25. Organise local broadcasts through the mayor and/or chief executive officer (for example, recovery newsletters).
26. Support agencies to provide community-led recovery information (for example using social media or notice boards).
27. Provide and staff a recovery centre.<sup>12</sup>
28. Support agencies to analyse community needs to inform recovery messages and planning from a range of sources (such as public meetings, a call centre, a recovery centre and debriefings).
29. Support evaluators and researchers to better understand community information needs and the effectiveness of local warnings.

## Operational management

Establish and maintain a unified and coordinated operational structure and process that appropriately integrates all critical stakeholders and supports the execution of core capabilities, including operational communications.

### Before

30. Appoint a municipal emergency resource officer.<sup>13</sup>
31. Appoint a municipal recovery manager.<sup>14</sup>
32. Identify council-owned and-operated resources, assets and services available for emergency prevention, response or recovery; specify their preparedness; and plan to deploy them.
33. Support agencies to develop procedures to use council resources.<sup>15</sup>
34. Lead risk-mitigation measures through business-as-usual works by:
  - where council is a road authority, managing vegetation on roadsides to ensure a safe, efficient road network<sup>16</sup>
  - mitigating risks to council-owned assets and infrastructure.
35. Manage and maintain a council emergency coordination system and/or council operations and facilities that can be used during emergencies.
36. Ensure council staff are trained to safely undertake emergency management roles and responsibilities (such as traffic management, emergency management liaison officer and municipal recovery manager).
37. Develop response, relief and recovery activities and participate in those led by agencies and other councils.
38. Engage relevant stakeholders in gathering, analysing and sharing recovery information.

### During

39. Implement council's business continuity plan.
40. Implement collaborative plans and arrangements to maintain council's capacity, including by using neighbouring (partner) councils' resources.
41. Support response agencies to effectively deliver emergency response services locally by:<sup>17</sup>
  - after consultation, making council resources, facilities and services available to agencies during response, relief and recovery phases
  - providing council resources as requested by agencies to secure affected areas
  - providing a council liaison officer (emergency management liaison officer) to an emergency management team to:
    - share knowledge, data and information about community needs and consequences
    - ensure council is consulted and involved in emergency decisions that will affect the council and community.
42. Support response agencies to access affected areas.
43. Provide agencies with resources and information to partially or fully close roads and determine alternative transport routes.<sup>18</sup>

#### After

44. Conduct local recovery activities.<sup>19</sup>
45. Support the transition from relief to recovery with relevant emergency management teams.
46. When safe, deploy council staff to affected communities to deliver recovery services.
47. Work with the community and recovery agencies to adapt recovery plans to reflect newly identified or changing community needs and priorities.
48. Scope requirements for planning to establish a municipal / community recovery committee and if necessary form, lead and support the committee.<sup>20</sup>
49. Support agencies to analyse community needs for the planning of service provision.
50. Establish processes to gather information from a range of sources (such as public meetings, a call centre, a recovery centre and debriefings) to inform recovery planning.
51. Continually assess recovery needs, redeploy staff to recovery roles and implement surge arrangements to fill gaps.
52. Establish a recovery centre, coordinating across agencies to ensure sufficient staff, resources and equipment.
53. Support recovery case management and gather data from relevant agencies locally.
54. Conduct post-emergency needs assessments, coordinating with response and recovery agencies locally.
55. Coordinate local outreach with relief and recovery agencies to undertake the initial assessment of relief needs.
56. Work with local services including psychosocial services to utilise existing services and programs to support recovery efforts and reassure the community.
57. Support agencies to take a coordinated approach to recovery at the regional level.
58. Conduct the transition of local recovery arrangements back to the previous management arrangements.
59. Clear blocked drains and local roads including by removing trees on council land and on roads.<sup>21</sup>
60. Lead the management of environmental health issues (such as food and sanitation safety, vector control and animal disposal) with relevant agencies.
61. Support agencies to coordinate volunteer efforts after emergencies.<sup>22</sup>
62. Coordinate animal welfare within council resources.<sup>23</sup>
63. Support agencies to coordinate and manage services to meet the immediate needs of affected livestock locally.<sup>24</sup>
64. Support agencies to monitor emerging needs and adapt services to minimise the long-term consequences on health and wellbeing.



### Intelligence and information-sharing

To provide timely, accurate and actionable decision support information, resulting from the planning, collecting, processing, analysis and evaluation from multiple data sources, which is needed to be more proactive in anticipating hazard activity and informing mitigation, response or recovery activities. It also includes the assessment of risks, threats and hazards so that decision makers, responders, and community members can take informed action to reduce their entity's risk and increase their resilience.

#### Before

65. Implement standardised systems and processes to facilitate surge arrangements and exchange staff between neighbouring (partner) councils to maintain capability and capacity during and after emergencies by:
  - identifying data needs for relief provision and planning for data management
  - establishing data-sharing agreements and procedures with agencies.
66. Collect, analyse and share information about current and emerging local risks, hazards and consequences with agencies, businesses, service providers, the community and other emergency management partners.
67. Clarify and communicate council's emergency management role locally, to develop a shared understanding of emergency management activities with agencies and the community.
68. Work with other organisations to integrate information systems, tools and networks of trained personnel to deliver intelligence requirements (such as by using Crisisworks and Emergency Management Common Operating Picture ([EM-COP])).
69. Support regional and state information-sharing forums, committees and meetings.

#### During

70. Support agencies by providing council-owned data and intelligence about properties, residents, assets, facilities, community demographics, needs and consequences.
71. Capture, process and manage large volumes of data from multiple sources to share with the community and stakeholders.

#### After

72. Capture and analyse lessons, share the findings with other councils and agencies, and work cooperatively to identify and implement solutions.
73. Conduct ongoing intelligence-gathering and information-sharing activities about local mitigation and recovery activities.

### **Public order and community safety**

Provide a safe, secure and orderly society through the active prosecution of regulations and laws related to the prevention of serious emergencies and to afford a safe environment for those communities affected by an emergency and any responding personnel engaged in emergency operations.

Before, during & after

74. Undertake municipal functions as required by local government, building, electricity, water and land use planning legislation and regulations.<sup>25</sup>
75. Proactively enforce relevant regulations and laws that relate to emergency management.<sup>26</sup>



**Being prepared for  
future emergencies**

### **Building community resilience**

Communities strengthen their lifelines by better connecting and working together with appropriate support.

#### **Before**

76. Build local partnerships with businesses and not-for-profit organisations.
77. With other partners, support agencies to empower individuals and the community to exercise choice about and take responsibility for risks.
78. Encourage and assist the community to participate in emergency management education and training programs provided by council and agencies.
79. Advocate for community needs at the regional and state level including for:
  - community preparedness and local leadership
  - adequate emergency management funding and resources
  - compatible and consistent emergency management information systems
  - consistent and streamlined legislation that supports council's role in emergency management at all stages of an emergency.
80. Gather knowledge about local assets, values and support systems including about the community's history and what people value as important, now and for the future.
81. Develop and deliver emergency management and community resilience training for council staff.
82. Monitor and evaluate the community's engagement with emergency management and its capacity to prepare for, act during and recover from emergencies.

#### **During**

83. Support emergency management teams by ensuring local information and contacts are provided as part of community decision-making during emergencies.

#### **After**

84. Conduct community engagement activities to implement lessons learned about community resilience.
85. Engage the community in developing and delivering recovery activities including by appointing community development and/or community recovery officers.<sup>27</sup>

### Fire management & suppression

Provide firefighting capabilities to manage and suppress fires of all types, kinds, and complexities while protecting lives, property, and the environment in the affected (land and water) area.

#### Before & during

86. Support agencies in line with relevant fire legislation and regulations by:
- appointing a municipal fire prevention officer<sup>28</sup>
  - developing and maintaining a municipal fire prevention plan<sup>29</sup>
  - identifying, designating, signing, maintaining and annually reviewing bushfire safer places and their plans, and (for councils in Country Fire Authority [CFA] areas) reporting back annually to the CFA<sup>30</sup>
  - issuing permits to burn<sup>31</sup>
  - taking all practicable steps (including with planned burning) to prevent the occurrence and spread of fires and minimise their danger on land that council manages or is responsible for<sup>32</sup>
  - providing pillar fire hydrants in reticulated areas when the CFA issues written notice to do so<sup>33</sup>
  - meeting the costs of providing, installing, marking and maintaining all fire plugs in the municipality.<sup>34</sup>



### **Logistics and supply chain management**

Deliver essential commodities, equipment, and services in support of impacted communities and survivors, to include emergency power and fuel support, as well as the coordination of access to community staples. Synchronize logistics capabilities and enable the restoration of impacted supply chains, including removal of debris.

#### Before

- 87. Develop emergency management resource-sharing protocols between councils.
- 88. Maintain and store essential equipment and materials to support emergency management activities and meet the needs of affected communities (such as sandbags).

#### During

- 89. Support agencies to source and supply personnel, equipment, materials, services and facilities to support emergency management activities and meet the needs of affected communities.
- 90. Manage, coordinate, supply and deliver resources promptly and efficiently using best-practice methods locally.



### Impact assessment

Provide all decision-makers with relevant information regarding the nature and extent of the hazard and any potential consequences during and after an emergency to ensure efficient, timely and appropriate support for communities.

#### Before

91. Develop impact-assessment processes and data-collection systems.
92. Lead council's impact-assessment processes, systems and tools for core council services.

#### During

93. Collect secondary impact-assessment data about the scale and characteristics of the impact on the social, economic, built and natural environments.<sup>35</sup>
94. Initially assess impacts on essential infrastructure and services.<sup>36</sup>
95. Support agencies to gather information about how the emergency is affecting animals.
96. Support agencies to use council's spatial data to verify property losses.

#### After

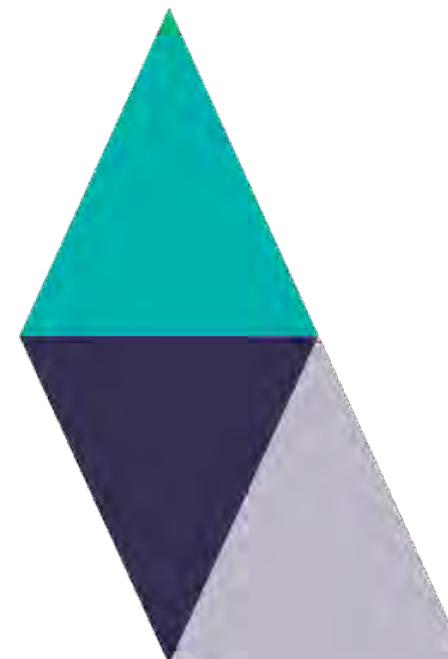
97. Conduct a process to gather incident and impact intelligence from initial and secondary impact assessments to inform relief and recovery planning.
98. Conduct longitudinal mapping of the impact focusing on wellbeing, liveability, sustainability and viability.

### Health protection

The coordination and implementation of legislation, programs and monitoring procedures to minimise public health risk from infectious disease, contaminated food, and contaminated drinking water supplies, radiation and human environmental health hazards. This includes the development and implementation of strategies to promote and protect public health.



99. Undertake municipal functions as required by public health and wellbeing legislation and regulations.<sup>97</sup>
100. Include emergency management in council plans including in the municipal public health and wellbeing plan and the council plan.
101. Establish programs to detect and identify risks to public health locally (such as through heatwave planning).
102. Conduct epidemiological and other investigations.
103. Communicate information about public health locally.



## Relief assistance

The provision of well-coordinated, integrated and timely assistance to meet the immediate health, wellbeing and essential needs of affected communities, during and immediately after an emergency event, with the aim to support social cohesion and build resilience.

### Before

104. Coordinate relief agencies and the community to develop local relief plans.<sup>39</sup>
105. Develop protocols and procedures that are agreed with relief agencies.
106. Design a scalable organisational structure to deliver relief services.
107. Work with other councils to develop a collaborative approach to relief.
108. Contribute to regional relief planning.
109. Identify, plan and document relief centres or other locations to provide emergency relief services that meet health and other community needs.
110. Develop plans and procedures for emergency shelter.
111. Plan for the needs of domestic animals as part of relief activities.
112. Support service providers and local groups to educate the community about donated goods and volunteering and develop messages and procedures about donated goods and volunteers.
113. Work with health practitioners to understand the health and psychosocial implications of emergencies and the implications for relief.
114. Develop surge arrangements for relief, recovery and business-as-usual activities in the short, medium and long-terms.

### During

115. Coordinate relief services locally.<sup>39</sup>
116. Establish and manage relief centres where appropriate, including:<sup>40</sup>
  - register relief centre attendees
  - coordinate the provision of food, water and materials to affected communities<sup>41</sup>
  - provide temporary shelter options for displaced local people
  - coordinate and manage services to meet the physical and psychosocial needs of affected local people.<sup>42</sup>
117. Start recovery case management by gathering data from relevant agencies.
118. Inform the community about financial hardship assistance payments.
119. Manage enquiries about donations of goods and offers to volunteer.
120. Support efforts to reunify family and others separated during an emergency.
121. Support a coordinated approach to relief at the regional level.

### **Economic recovery**

Return economic and business activities (including food and agriculture) to a healthy state and develop new business and employment opportunities that result in a sustainable and economically viable community.

#### After

- 122. Help affected businesses to access information and advice locally.
- 123. Support the community to work with insurers.
- 124. Support organisations to offer technical advice about re-establishing local businesses.
- 125. Assess business and economic needs.



### **Natural and cultural heritage rehabilitation**

Protect natural and cultural heritage resources through appropriate planning, mitigation, response, and recovery actions to preserve, conserve, rehabilitate, and restore them consistent with post-disaster community priorities and best practices and in compliance with applicable environmental and heritage preservation laws.

#### Before

126. As part of emergency planning, identify at-risk cultural heritage sites.

#### After

127. Coordinate natural environment rehabilitation works locally.
128. Restore local cultural heritage sites.
129. Assess impacts to natural and cultural heritage sites.
130. Coordinate remediation and stabilisation works on private and public land.
131. Monitor natural and cultural heritage sites.
132. With the support of Heritage Victoria, develop ways to mitigate or avoid adverse impacts to cultural heritage sites during recovery, reconstruction or rehabilitation works.

### Built recovery

To restore essential infrastructure and establish safe areas during and following an emergency, ensuring the provision of facilities and services to support and benefit communities.

#### Before

133. Identify community needs and priorities for restoring the built environment including essential services, commercial and industrial facilities, public buildings and assets and housing.
134. Identify standards for clean-up and recovery.
135. Identify likely resource and equipment requirements for council recovery activities in the short, medium and long terms and determine supply chains in consultation with other agencies to ensure adequate resourcing.

#### After

136. Survey and determine the occupancy of damaged buildings.<sup>49</sup>
137. Conduct stabilisation and remediation works on council or community infrastructure and land to prevent further damage to the built environment.
138. Support safety assessments for essential and critical assets and infrastructure.
139. Working with the community, prioritise the restoration of local assets and infrastructure, ensuring the restored assets and infrastructure are sustainable and more resilient to future emergencies.

140. Coordinate the rebuilding and redevelopment of council and private assets.<sup>44</sup>
141. Restore council-owned assets, prioritising business operations and commercial or community facilities essential for community wellbeing or recovery activities.<sup>45</sup>
142. Coordinate clean-up activities including the disposal of dead animals.<sup>49</sup>
143. Support the restoration of private and non-council assets within the scope of existing council services.
144. Review physical infrastructure needs and establish long-term recovery infrastructure where necessary.
145. Support agencies to restore essential assets and infrastructure.
146. Establish planning scheme exemptions for emergency accommodation and clean-up works, and streamline planning and building construction approvals.

### **Social recovery**

The longer term provision of assistance and access to services that allows individuals, families and communities to achieve an effective level of functioning after an emergency event. This includes safety, security, shelter, health and psychosocial wellbeing and re-establishment of those elements of society necessary for well-being.

#### After

147. Coordinate health programs to ensure the continuity and availability of advice and activities.
148. Assess and deliver services for the medium- to long-term psychosocial needs of the community.
149. Provide access to short-, medium- and long-term housing options for displaced people.
150. Assess and deliver financial re-establishment assistance.
151. Support community services to provide shelter, food, counselling and other assistance to people at socioeconomic disadvantage.

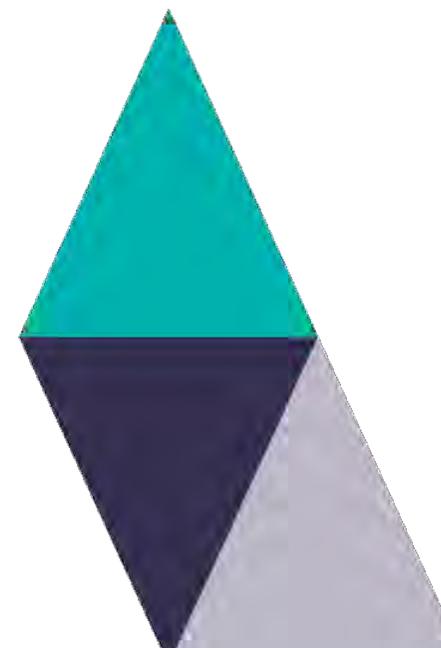


### Assurance and learning

Support continuous improvement to improve emergency management practice and community safety by extracting understanding from experience and research, reviewing community consequences, investigating causes and outcomes, providing assurance and translating lessons into behaviour change.

#### After

152. Conduct after-action reviews of council operations during emergencies, to inform future planning.
153. Conduct incident management reviews and modify council plans and procedures to draw on lessons learned.
154. Assess and review outcomes for the community after an emergency, looking for opportunities to improve outcomes in future.



## Principles for defining responsibilities and actions

The consultation activities also brought forward ideas for principles to use when assessing whether councils' emergency management responsibilities are appropriate. These principles might have application when considering any future changes to council's current emergency management responsibilities and actions.

These principles are that a council's emergency management responsibilities and actions should:

- reflect the council's strengths and capabilities and align to its normal business functions
- complement those of other agencies, businesses and the public
- be engaged only where the council is the best-placed organisation to do so (meaning it should not be used as an intermediary on behalf of other agencies, particularly for processes over which it has no control or ownership)
- be applicable to emergencies of different scales and complexity
- be consistent with its capability and capacity, along with its other legislative responsibilities and core business
- provide a platform to collaborate and build partnerships with other councils to enhance the delivery of services.



### Building partnerships to enhance delivery of services

## How to provide feedback

LGV invites submissions from councils about whether the current emergency management responsibilities and actions described in this directions paper are correct and correctly described. We also invite submissions from state government and emergency management agencies about whether the descriptions meet their current expectations of councils. In particular, we are interested in hearing about whether the choice of action verb — reflecting as it does a council's degree of responsibility, initiative and involvement — is accurate.

Note that the requested feedback is about **current** responsibilities, actions and expectations and not those that are desired, anticipated or expected in future. The requested feedback is also about whether the descriptions are **appropriate**, not whether councils currently engage in them or not, or a council's capability and capacity to discharge their responsibilities or engage in the actions. LGV recognises that emergency management capability and capacity varies between councils due to a range of factors including resourcing, size, location and risk profile. Phase 2 of the project includes assessing capability and capacity, but there first needs to be agreement about appropriate responsibilities and actions.

When providing feedback, please:

- refer to the relevant description number for feedback about that description
- include feedback about the principles for defining responsibilities and actions under a separate heading, 'Principles'
- include any other feedback under a heading, 'Other'.

The deadline for making a submission is **8 May 2017**. A number of information sessions will be held throughout Victoria for those wishing to discuss the directions paper in more detail. Information session dates and locations are available by visiting:

**<http://delwp.vic.gov.au/councils-and-emergencies>**.

LGV has also produced an explanatory video which can also be viewed at: **<http://delwp.vic.gov.au/councils-and-emergencies>**.

Feedback can be made:

- online, at **<https://engage.vic.gov.au/councils-and-emergencies-consultation>**
- by email, to **[LGV.emergencies@delwp.vic.gov.au](mailto:LGV.emergencies@delwp.vic.gov.au)**
- by post, to 'Councils and emergencies directions paper consultation', Local Government Victoria, Department of Environment, Land, Water and Planning, PO Box 500, Melbourne Victoria 8002.

## Legislation, policy and plan references

- 1 s59B Amendment Bill to the *Emergency Management Act 2013* will change this to support, but until then as per s21 of the *Emergency Management Act 1986* councils lead this function by developing and maintaining the municipal emergency management plan
- 2 s20(1) *Emergency Management Act 1986*
- 3 s21(3) *Emergency Management Act 1986*
- 4 MEMPC guidelines, EMMV Part 6, p.6–5
- 5 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 6 s212 *Building Act 1993*, BMO, clause 52.47 Bushfire protection: planning requirements (BF5) & clause 44.06 Planning provisions
- 7 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 8 State Emergency Relief and Recovery Plan, EMMV Part 4, p.32
- 9 State Emergency Relief and Recovery Plan, EMMV Part 4, Appendix 2, p. 4–23
- 10 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 11 State Emergency Relief and Recovery Plan, EMMV Part 4, pp.32
- 12 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 13 s59G Amendment Bill to the *2013 Emergency Management Act*, this section replaces s21 (1) of the *Emergency Management Act 1985*
- 14 State Emergency Relief and Recovery Plan, EMMV Part 4 p.4–8
- 15 s20(2) *Emergency Management Act 1986*
- 16 s20, s34, s40 *Road Management Act 2004*
- 17 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 18 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 19 State Emergency Relief and Recovery Plan, EMMV Part 4
- 20 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 21 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 22 State Emergency Relief and Recovery Plan, EMMV Part 4, Appendix 6, p.4–39
- 23 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 24 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 25 *Emergency Management Act 1986, Emergency Management Act 2013, Local Government Act 1989, Country Fire Authority Act 1958, Metropolitan Fire Brigades Act 1958, Public Health and Wellbeing Act 2008, Water Act 1989, Water Industry Act 1994, Electricity Safety Act 1998, Planning and Environment Act 1987 and the Building Act 1993*
- 26 *Emergency Management Act 1986, Emergency Management Act 2013 and the EMMV*
- 27 State Emergency Relief and Recovery Plan, EMMV Part 4, Appendix 2, p. 4–23
- 28 s96A *Country Fire Authority Act 1958* and s5A *Metropolitan Fire Brigades Act 1958*; MEMPC guidelines, EMMV Part 6, p.6–28
- 29 s55A, *Country Fire Authority Act 1958*
- 30 ss50G, H, I & J *Country Fire Authority Act 1958*
- 31 s38 *Country Fire Authority Act 1958*
- 32 s5 *Metropolitan Fire Brigades Act 1958*, s43 *Country Fire Authority Act 1958*
- 33 s36 *Country Fire Authority Act 1958*
- 34 s81 *Water Industry Act 1994*
- 35 State Emergency Relief and Recovery Plan, EMMV Part 4, p.4–8
- 36 State Emergency Relief and Recovery Plan, EMMV Part 4, p.4–26
- 37 s24 *Public Health and Wellbeing Act 2008*
- 38 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 39 State Emergency Relief and Recovery Plan, EMMV Part 4, pp.4–11, 4–20 & 4–32
- 40 State Emergency Response Plan, EMMV Part 3, pp.3–15 & 3–36
- 41 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 42 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 43 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 44 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 45 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77
- 46 Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

**Safer and more resilient  
communities are flexible  
and resourceful, with  
the capacity to accept  
uncertainty and proactively  
respond to change**





Photo supplied, Claire Spicer 2016





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Councils and Emergencies Directions Paper Consultation  
Local Government Victoria  
Department of Environment, Land, Water and Planning  
PO Box 500  
MELBOURNE VIC 8002

4 May 2017

Dear Sir/ Madam

**Frankston City Council response to the Councils and Emergencies Directions Paper**

We welcome the opportunity to provide a response to the Councils and Emergencies Directions Paper (**Directions Paper**) and provide Frankston City Council's perspective on its role in emergency management. This submission is provided in draft pending Council endorsement at its Ordinary Meeting on 22 May 2017.

We acknowledge the positive work of Local Government Victoria and Emergency Management Victoria in this step towards clarifying the role of municipal councils in emergency management and the work undertaken to better align council's emergency management role with normal business activities.

We have concern however, that some of the activities listed in the Directions Paper are based on individual councils' responses they had additional capability to undertake the activities in the 2016 workshops. This should not then translate to a blanket expectation that all councils undertake the same activities. The inherent nature of different municipality's emergency risk profile and community demographics mean that the role each council plays in emergency management will differ. Therefore, whilst clarifying the role of councils in emergency management is important, it must be balanced with the need for flexibility. Each council's activities in emergency management will be ultimately relative to the risk profile of the municipality, capability and available resources.

Council operates in a fiscal and resource challenged environment, which is further exaggerated by rate capping. Councils must balance the priority of emergency management activities with other competing priorities resolved by Council.

Some overarching comments about the 154 activities listed in the Directions Paper are as follows:

- We understand the activities are grouped according to the core capabilities from the Victorian Preparedness Goal; however the description of the core capability is, in many instances, inappropriate for inclusion in a document describing council's role in emergency management. In particular, the description of the fire management & suppression, community information and warnings, and logistics and supply chain management capabilities;
- Many of the references to the *Emergency Management Act* or the *Emergency Management Manual Victoria (EMMV)* inaccurately reflect what is in these documents as the activity listed in the Directions Paper is not quoted word for word from what is provided in the legislation;
- Many of the blue texted activities in the Directions Paper, indicating they are a required responsibility of council, are provided in non-binding policy or guidelines. For example, council's role statement provided in Part 7 of the EMMV, pages 76 & 77, is preceded by a statement that the role of council "depend[s] on their capability, capacity and particular circumstances of an event". Therefore, while the activities in the Directions Paper, which reference Part 7 of the EMMV may be expected of council, they are not statutory obligations and are subject to the individual council's ability;
- We do not agree with the use of "support" to generally describe the involvement of council in many of the activities listed as this doesn't provide sufficient clarity of what council's exact role is and there is danger of increased expectations on council/ role creep into the future. If the final paper is to clarify council's current emergency management activities then descriptors of such activities should be specific and not in general terms. These specific descriptors should be agreed to through further consultation;
- Council is not an emergency agency and emergency response is not a part of council's normal business. Therefore regardless of measures put in place there will remain significant impacts to council business continuity despite best planning, if response arrangements (including relief and recovery) are enacted, particularly for a protracted event.

We have provided more detailed feedback in respect of the 154 activities identified in the Directions Paper in the enclosed table and categorise them as either (a) appropriately undertaken by council; (b) able to be undertaken by council where adequate recurrent additional resources are provided and the needs of the community require their delivery; or (c) not appropriate for council to undertake/ continue undertaking.

Yours faithfully

Dennis Hovenden  
**CHIEF EXECUTIVE OFFICER**

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

Responsibilities and actions as per Councils and Emergencies Directions Paper (pages 18-34)	Categorisation	Comments/ Feedback
<b>PLANNING</b>		
Conduct a systematic process engaging the whole community as appropriate in the development of executable strategic, operational, and/or tactical level approaches to meet defined objectives.		
<b>Before</b>		
Lead an all-agencies approach to community-based risk assessment and planning including compliance with relevant legislation and policy at the municipal level. <sup>1</sup>	Appropriately undertaken by Council	Council's role in relation to the MEMP should be as facilitator with all agencies equally accountable for compliance with the legislative and policy requirements. However, often Council is treated as the sole "owner" of the MEMP and therefore wholly responsible for meeting planning requirements.  Council should not lead risk assessments as we are not the hazard control agency/ subject matter expert. Leading risk assessment to inform planning should be done by the control agency with Council assisting the process.
Prepare and maintain municipal emergency management plans and subplans. <sup>2</sup>	Appropriately undertaken by Council	Council should only be required to maintain the main emergency management plan including general information about the municipality, community information, relief and recovery arrangements. Identified risks for the municipality should be included as a sub-plan to the MEMP with the control agency for that hazard being the main contributor to the sub-plan.
Appoint a municipal emergency management planning committee. <sup>3</sup>	Appropriately undertaken by Council	Councils roles with the MEMPC should be as convener, providing secretariat support. Contributions to the MEMPC should be equally shared amongst all agencies.
Support hazard-specific risk assessment to inform plans and community resilience-building strategies, using local knowledge and information based on community needs. <sup>4</sup>	Appropriately undertaken by Council	Should be just support as Council is not the subject matter expert or control agency for the hazards. This supporting role should also be reflected in the accountability for the hazard specific sub-plans in audits.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

<p>Lead implementation and coordination of specific risk treatments on private and Council land in partnership with emergency management agencies, including flood/fire management, maintaining a register of at-risk groups.<sup>5</sup></p>	<p>Unable to categorise because the description is too broad and its implications are wrong.</p>	<p>Council leads some fire risk reduction activities on private and Council land. Fire risk reduction activities on private land are limited to the issuance of fire prevention notices and arranging compulsory clearance. We conduct risk treatments on Council land such as planned burning and reserve maintenance.</p> <p>Other risk treatments are limited to those in line with business as usual municipal functions such as land-use planning, building control, infrastructure works and a range of community safety or community strengthening programs.</p> <p>Activity description implies that Council is the lead for all risk mitigation on private property which is grossly inappropriate.</p>
<p>Lead the maintenance and administration of the Vulnerable Persons Register (VPR).</p>	<p>Not appropriate for Council to undertake/ continue undertaking</p>	<p>Council currently checks the VPR to ensure that agencies are revalidating their clients. However we have no ability to update client details, we can only contact the servicing agency to ask them to do it (unless agency has removed their assignment to the client). Sometimes this can cause unnecessary double up as we have to go through DHHS to get response from the servicing agency.</p> <p>As many of the responsible agencies are DHHS funded service providers it would be more efficient for DHHS to check the agency is revalidating the client through their existing relationship with the agency and use the service agreement to leverage compliance.</p>
<p>Support the profiling of the community to identify and record what makes people vulnerable in emergencies and work with Red Cross, DHHS and other agencies to establish a plan to support vulnerable people in the community</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>Council maintains a demographic profile of its community to guide service and infrastructure planning. However statistics are on a local area level that identify and compare different data in local areas. Whilst this will show socio-economic indexes for areas (SEIFA) levels of disadvantage, it does not identify individuals. The only vulnerable persons that Council does identify are part of its HACC service where this is delivered directly by Council.</p> <p>Working with Red Cross, DHHS and other agencies to establish a plan to support vulnerable people in the community will require recurrent State Government funding.</p>
<p>Develop Council business continuity plans detailing procedures and systems to maintain core business and emergency management activities, including:</p> <ul style="list-style-type: none"> <li>• backfilling for staff with emergency management expertise when they are on leave</li> <li>• planning to identify and address gaps in Council's emergency knowledge</li> </ul>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>Given limited MERP resourcing Council only has one dedicated emergency management staff member. When they are on leave there is no one to backfill their position. Due to lack of competency based training available MERO and MRM don't have adequately skilled and knowledgeable deputies to take over if they are on leave.</p> <p>Resourcing needed for delivering of State-wide consistent MERO and MRM position training to be able to up-skill staff.</p>

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper and action		
Improve recovery plans and procedures by exercising and reviewing them.	Appropriately undertaken by Council	Relief plans tested and exercise as part of annual MEMP exercise requirements. Often exercising the MEMP is limited to brief tabletop/ discussion exercises.
Develop settlement and issue-based policies and strategies in planning schemes that clearly express and give direction to urban change, including implementing risk-mitigation strategies (such as flood and bushfire management overlays).	Appropriately undertaken by Council	This is done by Council as part of business as usual.
Apply local planning schemes and building controls including development assessments, inspections and advice. <sup>6</sup>	Appropriately undertaken by Council	This is done by Council as part of business as usual.
<b>During</b>		
Prepare local recovery plans after emergencies. <sup>7</sup>	Appropriately undertaken by Council	This should state <i>during</i> .  Recovery plans would be developed as an emergency progresses depending on the impacts caused by the emergency and the level of recovery coordination required. Although Council is lead for <i>coordination</i> of recovery at the local level, this includes involvement of multiple other organisations that should also be expected to contribute to the planning.  EMMV Part 7 does not explicitly state that Council must prepare local recovery plans although generally Council can undertake this function if the scale of the event required it.
Assess capability and capacity needs for undertaking relief and recovery activities, determine Councils' ability to meet these needs and plan to obtain additional staff and resources as required.	N/A	In a rates capping environment where emergency management is only one of many of Council's priorities it is a hard case to justify extra staff and resource allocation purely for relief and recovery. Especially so if we have no history of large events where relief and recovery arrangements have been fully enacted.  Further, as per Part 4 of the EMMV, State Relief and Recovery Plan, if the local level capability and capacity for undertaking relief and recovery activities is exceeded then Council can escalate and be aided by additional support from region.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

<b>COMMUNITY INFORMATION AND WARNINGS</b>		
Deliver public information and warnings that are authoritative, consistently constructed and relevant for all Victorians and visitors in all emergencies. Provide timely and tailored information that supports the community to make informed decisions before, during and after emergencies.		
<b>Before</b>		
Support agencies to plan, prepare and deliver consistent, all-hazards customised information and messages to the community, using Council communication networks. <sup>6</sup>	Unable to be categorised as descriptor is partially wrong.	<p>The Directions Paper references page 32 of Part 4 of the EMMV, however that relates to Councils leading the provision of community information in recovery, which is an <i>after</i> activity.</p> <p>In the before phase we provide limited support in the delivery of information and messages through sharing community safety campaigns on Council's corporate communication channels.</p> <p>However supporting the planning and preparation of community information is not able to be undertaken by Council without additional resourcing.</p>
Plan, together with neighbouring Councils and regionally, community information.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	<p>This activity is inconsistent across the state. Frankston participates in regional emergency forums. However work with neighboring Councils is an informal arrangement done in good faith. It must be remembered that each Local Government Authority is a different entity accountable to its Rate Payers.</p> <p>Collaboration with neighbouring councils should not be listed as a responsibility of Council but rather is a local level decision where resources permit.</p>
Identify appropriate and preferred communication channels for the community and particular groups and people (such as those who are vulnerable and those who are culturally and linguistically diverse). <sup>9</sup>	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	<p>In Part 4, pg. 30 it states:</p> <p>"Municipal Councils and other service providers are responsible for considering how they will best engage with vulnerable groups, which can include the bereaved; isolated households; those who are physically injured or impaired; parents with young children; and culturally and linguistically diverse communities.</p> <p>Municipal Councils are also responsible for working with individuals and communities to develop appropriate recovery programs that recognise and respond effectively to gender differences noting that men and women respond to emergencies differently.</p> <p>DHHS can assist with all these activities if requested."</p> <p>Page 30 provides that we are to identify/ consider how we would communicate with vulnerable groups, if necessary in an emergency. We do this in a limited way as part of MEMP Communications Sub-</p>

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

		plan arrangements.
Support agencies to develop emergency management communications that are relevant and credible to the community.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	More clarification needed on what level of support this is.  We currently share emergency preparedness messages wherever possible using our corporate channels, but we don't have the resources to support agencies with planning and developing their own communications.
Support implementation of flood warning systems in at-risk areas of the municipality.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Council's involvement in implementing flood warning systems, including Flood Watch and Flood Warnings, is limited to sharing flood watch and warnings from State on Council's corporate communication channels.
Support a whole-of-government approach to emergency preparedness and awareness campaigns.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	As above, supporting preparedness and awareness campaigns is limited to only sharing information developed at the State level (by the control agency) such as stocking hard copy information in Council buildings (customer service centres, libraries, visitor info centres, community centres), and adding campaigns/ information to website and sharing on social media.
<b>During</b>		
Communicate with elected Councillors and the senior/executive management team to keep them informed and up-to-date.	Appropriately undertaken by Council	This is done as per internal procedure.
Support agencies to develop and disseminate information and warnings that are relevant and credible to the community by: <sup>10</sup> <ul style="list-style-type: none"> <li>disseminating information through Council communication channels and local networks</li> <li>developing accurate, timely risk information tailored to community needs.</li> </ul>	Not appropriate for Council to undertake/continue undertaking	EMMV, Part 7 states: Council provides, "facilitation of the delivery of warnings to the community; provision of information to public and media". Dissemination of relevant information and warnings during an emergency is limited to <i>only</i> sharing info and warnings on Council social media; also linkages to VicEmergency on Council website.  However <i>developing</i> accurate, timely risk information is not Council – we are not the subject matter experts on specific risks and as such will not deviate from agency messaging.
Respond to community calls for local relief and recovery assistance (including assistance with equipment, food, clothing, accommodation and health needs) and be the central point to identify resources and information.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Council is responsible for coordinating local relief and recovery. The provision of relief and recovery assistance such as equipment, food, clothing, and health needs involves multiple relief and recovery partners identified in the EMMV, Part 7. Council is not responsible nor does it have capacity to provide the relief and recovery assistance (except for emergency accommodation at an ERC) in the absence of the responsible organisation.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

		If we don't have the required resources ourselves we won't be able to respond to the community's "call" for assistance.
<b>After</b>		
Deliver timely, coordinated, accessible and tailored information to the community so it understands relief and recovery assistance mechanisms and processes including through community briefings and meetings. <sup>11</sup>	Appropriately undertaken by Council	Councils will lead community information about the support, services and assistance that are available for recovery.
Assess community needs, to inform recovery information.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Assessing the community needs will depend on the capacity of Council to undertake this. It may be done informally and not necessarily formal analysis of needs or be based on existing demographic data.
Organise local broadcasts through the mayor and/or chief executive officer (for example, recovery newsletters).	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	More clarification is needed for what is considered as 'broadcasts'. Generally Council will focus on information sharing through social media, web-based information.
Support agencies to provide community-led recovery information (for example using social media or notice boards).	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Depend on what support is required. If the support anticipated is just utilising Council's corporate communication channels to share information this would generally be okay. Support beyond this would depend on capacity and would be limited.
Provide and staff a recovery centre. <sup>12</sup>	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	This is not automatic and would depend on the scale and location of an emergency; in some communities it would be needed, in others not.  There would be significant impacts on business continuity of Council if a recovery centre was required for an extended period – we are not an emergency service, we don't have staff readily available to be redeployed into operational roles. Staffing a recovery centre should be a shared accountability between all recovery organisations.
Support agencies to analyse community needs to inform recovery messages and planning from a range of sources (such as public meetings, a call centre, a recovery centre and debriefings).	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their	This depends on what the support required is. If Council has done its own community needs analysis then supporting agencies could be in the form of sharing the data from the analysis.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

	delivery	
Support evaluators and researchers to better understand community information needs and the effectiveness of local warnings.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	As above, this depends on the support required. Also depends who are the evaluators/ researchers, what information, what time/ capacity Council has to support them. If Council staff are busy staffing recovery centres etc. may not have capacity to support evaluators and researchers.  Further, Council can provide feedback on its experience with the community information and warnings however the particular research is a State government responsibility.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

<b>OPERATIONAL MANAGEMENT</b>		
Establish and maintain a unified and coordinated operational structure and process that appropriately integrates all critical stakeholders and supports the execution of core capabilities, including operational communications.		
<b>Before</b>		
Appoint a municipal emergency resource officer. <sup>13</sup>	Appropriately undertaken by Council	This role is historical, based on time when Council's predominate role in emergency management was to coordinate the provision of plant and equipment to assist emergency services responding. Role should now be a Council Emergency Management Coordinator/ Manager or similar who's role it is to oversee/ coordinate all of Council's response to the emergency including ensuring communications, liaising with the MRM for relief and recovery, contributing to emergency planning and risk treatment.
Appoint a municipal recovery manager. <sup>14</sup>	Appropriately undertaken by Council	This is done by Council however State could assist this process by providing competency based training and development opportunities for Council staff coming into MRM role.
Identify Council-owned and-operated resources, assets and services available for emergency prevention, response or recovery; specify their preparedness; and plan to deploy them.	Appropriately undertaken by Council	This is more of a historical role as per above. We can still provide some resources Council own however, Council equipment is limited (most services requiring heavy plant and equipment are now contracted out).  Identification of ERC facilities and arrangements for their activation are still undertaken by the MEMPC.
Support agencies to develop procedures to use Council resources. <sup>15</sup>	Unable to categorise because descriptor inaccurately reflects what is in the legislation.	Legislation states that the MEMP must identify municipal resources and specify how they are to be used. Therefore Council does not support agencies to develop their own procedures on how they will use Council resources. This includes ERC facilities. Rather Council will have such procedures set out in the MEMP.
Lead risk-mitigation measures through business-as-usual works by: <ul style="list-style-type: none"> <li>where Council is a road authority, managing vegetation on roadsides to ensure a safe, efficient road network<sup>16</sup></li> <li>mitigating risks to Council-owned assets and infrastructure.</li> </ul>	Appropriately undertaken by Council	
Manage and maintain a Council emergency coordination system and/or Council operations and facilities that can be used during emergencies.	Appropriately undertaken by Council	Although requirements to establish MECCs have been removed from the EMMV Council would still maintain an emergency coordination function/ facility for its own benefit depending on the scale of the event.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

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<p>Ensure Council staff are trained to safely undertake emergency management roles and responsibilities (such as traffic management, emergency management liaison officer and municipal recovery manager).</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>Depends on availability of trainers and resourcing for training.  State-wide competency based training, or providing training to some Council EM staff who can train others would be beneficial especially for Councils where resources are limited and don't have experienced emergency management staff to conduct training.</p>
<p>Develop response, relief and recovery activities and participate in those led by agencies and other Councils.</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>It is not understood why this is listed as a before activity. This should be during and after (for recovery).  This descriptor is too broad. Further, response, relief and recovery activities will depend on the emergency event and will be limited to Council's capability. For example, activities may include:  Response – EMLO attendance at incident control centre, provision of plant and equipment (limited capacity), intelligence sharing (maps, community demographics);  Relief – establishing relief centre or coordinating relief services at another location – coordinating the provision of material needs only (food, water, psychological assistance, register.find.reunite)  Recovery – activities will depend on impacts from the emergency.  Participation in other Council and agencies' activities will be very limited and depends on capacity. If Council wants to participate in other Council and agencies' activities it will be a local level decision and should not be mandated in policy.</p>
<p>Engage relevant stakeholders in gathering, analysing and sharing recovery information.</p>	<p>Unable to be categorised</p>	<p>Unable to comment as more clarification on what the scope of this activity is needed.</p>
<p><b>During</b></p>		
<p>Implement Council's business continuity plan.</p>	<p>Appropriately undertaken by Council</p>	<p>Although Council has and can implement a business continuity plan there will still be unavoidable impacts to Council's business continuity as Council is not an emergency agency with staff easily redeployed into operational roles. If staff are allocated to assist with relief and recovery there will be significant impacts to their business as usual role, particularly for a long protracted event.</p>
<p>Implement collaborative plans and arrangements to maintain Council's capacity, including by using neighbouring (partner) Councils' resources.</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their</p>	<p>All Councils operate independently and are accountable to its Rate Payers. Council therefore has to balance the priorities of the Rates Payers and their elected representatives with the desire to assist neighbouring Council's.  As each local government is a separate entity, this is a decision that</p>

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	delivery	needs to be made at a local level and is the Council management's prerogative. It should not be a mandated activity.
<p>Support response agencies to effectively deliver emergency response services locally by:<sup>17</sup></p> <ul style="list-style-type: none"> <li>• after consultation, making Council resources, facilities and services available to agencies during response, relief and recovery phases</li> <li>• providing Council resources as requested by agencies to secure affected areas</li> <li>• providing a Council liaison officer (emergency management liaison officer) to an emergency management team to: <ul style="list-style-type: none"> <li>○ share knowledge, data and information about community needs and consequences</li> <li>○ ensure Council is consulted and involved in emergency decisions that will affect the Council and community.</li> </ul> </li> </ul>	Appropriately undertaken by Council	We support emergency service response within capability and capacity constraints. All of the activities listed in the descriptor will depend on the scale of the emergency and the needs of the community.
Support response agencies to access affected areas.	Unable to categorise as descriptor not specific	This descriptor is too broad for Council to be able to fully appreciate what support is expected. Onus on agencies to have necessary keys, access information from non-Council facilities, parks reserves etc. We can assist in access to Council land, reserves etc.
Provide agencies with resources and information to partially or fully close roads and determine alternative transport routes. <sup>18</sup>	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	EMMV, Part 7 states "provision of available municipal resources needed by the community and response agencies", doesn't explicitly specify provision of resources for road closures. Provision of specific resources to close road and determine alternative transport routes will be dependent on resources available and if in relation to Council owned roads. VicRoads is responsible for larger roads/ arterials.
<b>After</b>		
Conduct local recovery activities. <sup>19</sup>	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Very broad statement. Recovery activities will be implemented in line with the scale and location of the event.  Council is responsible for the coordination of local recovery activities. It does not conduct all of these on its own. Some recovery activities such as provision of financial support is not the responsibility of Council.
Support the transition from relief to recovery with relevant emergency	Able to be undertaken by	The level of support Council can provide depends on the particular

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management teams.	Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	circumstances of the event and the capacity of Council however generally, Council would be involved in the handover from the response control agency to the recovery phase.
When safe, deploy Council staff to affected communities to deliver recovery services.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Again, this activity is very dependent on the particular circumstances and Council capacity.
Work with the community and recovery agencies to adapt recovery plans to reflect newly identified or changing community needs and priorities.	Appropriately undertaken by Council	This could be done through the community recovery committees if the scale of the emergency event required their implementation.
Scope requirements for planning to establish a municipal / community recovery committee and if necessary form, lead and support the committee. <sup>20</sup>	Appropriately undertaken by Council	Arrangements for establishing municipal and/or community recovery committees are included in the MEMP and are implemented if the emergency event requires it.
Support agencies to analyse community needs for the planning of service provision.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	More clarification is needed as to what this support envisaged is. A similar activity is mentioned above as well in Community Information/ Warnings. Council may provide support in the form of sharing our community analysis data if appropriate and Council has such data available.
Establish processes to gather information from a range of sources (such as public meetings, a call centre, a recovery centre and debriefings) to inform recovery planning.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Undertaking tasks such as these is dependent on the nature and scale of the emergency. Council will coordinate the recovery at the local level based on the needs of the community and context of the emergency situation when the time requires.
Continually assess recovery needs, redeploy staff to recovery roles and implement surge arrangements to fill gaps.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Council does not have surplus staff waiting to be deployed to an emergency as part of "surge arrangements". It is a difficult case to justify extra staff and resourcing to emergency management in a rates capping environment.
Establish a recovery centre, coordinating across agencies to ensure sufficient staff, resources and equipment.	Able to be undertaken by Council where adequate recurrent additional resources	Whether or not Council establishes a recovery centre would depend on the nature and scale of the emergency and the recovery activities occurring. Need matched support from recovery partner agencies for

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	are provided and the needs of the community require their delivery	their attendance at the recovery centre for staffing and resource provision.
Support recovery case management and gather data from relevant agencies locally.	Not appropriate for Council to undertake/continue undertaking	Frankston City Council has already indicated that it is not prepared to undertake case management as this has not been aided by adequate funding in the past. During the recovery from Black Saturday limited funding was providing however this activity has not been funded since.
Conduct post-emergency needs assessments, coordinating with response and recovery agencies locally.	Appropriately undertaken by Council	Council conducts the Municipal Secondary Impact Assessment in line with requirements in legislation and policy to inform its own recovery coordination. Council can share the impact assessment data with other agencies where appropriate.
Coordinate local outreach with relief and recovery agencies to undertake the initial assessment of relief needs.	Unable to categorise based on descriptor of activity	Council needs further clarification and parameters here – depending on the size and location of event (and whether an Emergency Recovery Centre was established) – we are not case managers and have indicated we won't do this.
Work with local services including psychosocial services to utilise existing services and programs to support recovery efforts and reassure the community.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	This will be determined at the local level depending on Council capacity and community needs.
Support agencies to take a coordinated approach to recovery at the regional level.	Unable to categorise without a more specific descriptor of the activity	More clarification is needed as to what support is expected of Council.
Conduct the transition of local recovery arrangements back to the previous management arrangements.	Appropriately undertaken by Council	As Council is the lead for coordinating recovery at the local level it is appropriate for Council to determine when and lead the transition back to business as usual.
Clear blocked drains and local roads including by removing trees on Council land and on roads. <sup>21</sup>	Appropriately undertaken by Council	We clear blocked Council-owned drains, but not private drains or those belonging to other authorities. Similarly, we clear trees impeding Council-owned roads.
Lead the management of environmental health issues (such as food and sanitation safety, vector control and animal disposal) with relevant agencies.	Appropriately undertaken by Council	This is done by Council as part of business as usual. We still do Vector control where environmental health issues are identified for example, recent clusters of Ross River.
Support agencies to coordinate volunteer efforts after emergencies. <sup>22</sup>	Not appropriate for Council to undertake/continue undertaking	Managing spontaneous volunteers is a huge resource burden. Volunteering Victoria (HelpOut) should be better resourced to manage this statewide.  Due to our limited capacity, Frankston's arrangements for

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		<p>spontaneous volunteers are to refer them to another service provider which can register and manage them. This should not be a core requirement of Council.</p> <p>Further, page 34 of Part 4 states, "DHHS is responsible for capturing and provide offers of spontaneous emergency volunteers to municipal Councils... Volunteering Victoria supports DHHS in this activity"</p> <p>Municipal Councils are only responsible for coordinating local volunteer efforts after emergencies, for private fencing damage (as per page 40).</p>
<p>Coordinate animal welfare within Council resources.<sup>23</sup></p>	<p>Unable to categorise based on descriptor of activity.</p>	<p>Coordinating animal welfare is too broad of a description. We support animal welfare, through the provision of housing for those displaced companion animals as per the requirements of EMMV Part 7.</p>
<p>Support agencies to coordinate and manage services to meet the immediate needs of affected livestock locally.<sup>24</sup></p>	<p>Unable to categorise based on descriptor of activity.</p>	<p>Again, too broad of a description. We are mentioned for the disposal of livestock (as part of clean up in recovery) in Part 7 EMMV.</p> <p>In Part 4, pg 24, states Councils supports DEDJTR as the lead for livestock welfare.</p> <p>However we don't support meeting the immediate needs of affected livestock, this should not be a mandated requirement.</p>
<p>Support agencies to monitor emerging needs and adapt services to minimise the long-term consequences on health and wellbeing.</p>		<p>More clarification is required as to what level of support is anticipated. Agencies performing this work would have the expertise to manage their own services and Council is not funded to do this.</p>

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<b>INTELLIGENCE AND INFORMATION-SHARING</b>		
<p>To provide timely, accurate and actionable decision support information, resulting from the planning, collecting, processing, analysis and evaluation from multiple data sources, which is needed to be more proactive in anticipating hazard activity and informing mitigation, response or recovery activities. It also includes the assessment of risks, threats and hazards so that decision makers, responders, and community members can take informed action to reduce their entity's risk and increase their resilience.</p>		
<b>Before</b>		
<p>Implement standardised systems and processes to facilitate surge arrangements and exchange staff between neighbouring (partner) Councils to maintain capability and capacity during and after emergencies by:</p> <ul style="list-style-type: none"> <li>identifying data needs for relief provision and planning for data management</li> <li>establishing data-sharing agreements and procedures with agencies</li> </ul>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>In line with other comments made in relation to this type of activity above, Council is not in a position to resource surge arrangements, particularly in a rates capping environment. Participation in staff exchange arrangements with neighbouring Councils should be an individual Council decision and not mandated in any policy.</p>
<p>Collect, analyse and share information about current and emerging local risks, hazards and consequences with agencies, businesses, service providers, the community and other emergency management partners.</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>This is done as part of the MEMPC and emergency relief and recovery committee and at regional planning meetings.</p>
<p>Clarify and communicate Council's emergency management role locally, to develop a shared understanding of emergency management activities with agencies and the community.</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>Done through general stakeholder networking and collaborating through MEMPC, emergency relief and recovery committee and regional meetings.</p> <p>Community understanding of Council's EM role built through community engagement activities where resources permit.</p>
<p>Work with other organisations to integrate information systems, tools and networks of trained personnel to deliver intelligence requirements (such as by using Crisisworks and Emergency Management Common Operating Picture (EM-COP)).</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>Difficult to integrate information systems when each agency uses different system. An agency would need to take the lead in driving integration of all information systems. Council is not in a position to take on such responsibility.</p>
<p>Support regional and state information-sharing forums, committees and meetings.</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of</p>	<p>Support is provided through attendance of Council representative at regional/ state forums</p>

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	the community require their delivery	
<b>During</b>		
Support agencies by providing Council-owned data and intelligence about properties, residents, assets, facilities, community demographics, needs and consequences.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Where this data is available and appropriate to be shared then Council can do so subject to privacy restrictions. Legislation which permits the sharing of data in emergency situations would be beneficial to avoid privacy breaches.
Capture, process and manage large volumes of data from multiple sources to share with the community and stakeholders.	Unable to categorise based on current activity descriptor	This activity descriptor is too vague. In any event Council would not generally undertake this task.
<b>After</b>		
Capture and analyse lessons, share the findings with other Councils and agencies, and work cooperatively to identify and implement solutions.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Subject to Council's capacity, sharing information informally with neighbouring Councils would generally be undertaken. However this is an area where State Government should facilitate sharing lessons /information so all Councils can learn for future events.
Conduct ongoing intelligence-gathering and information-sharing activities about local mitigation and recovery activities.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	This is limited to information sharing through the MEMPC, emergency relief and recovery committee and regional committee meetings.

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<b>PUBLIC ORDER AND COMMUNITY SAFETY</b>		
Provide a safe, secure and orderly society through the active prosecution of regulations and laws related to the prevention of serious emergencies and to afford a safe environment for those communities affected by an emergency and any responding personnel engaged in emergency operations.		
<b>Before , during &amp; after</b>		
Undertake municipal functions as required by local government, building, electricity, water and land use planning legislation and regulations. <sup>25</sup>	Appropriately undertaken by Council	This is very general. However where a function is specified in legislation for Council to undertake as a core business function it is a given that this would be carried out.
Proactively enforce relevant regulations and laws that relate to emergency management. <sup>26</sup>	Appropriately undertaken by Council	As above, where enforcement functions are specified in legislation for Council to undertake as a core business function then it would be undertaken. However, Council doesn't necessarily <i>proactively</i> enforce all regulations and laws. Some enforcement may be done reactive to a customer complaint or intelligence received.

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<b>BUILDING COMMUNITY RESILIENCE</b>		
Communities strengthen their lifelines by better connecting and working together with appropriate support.		
<b>Before</b>		
Build local partnerships with businesses and not-for-profit organisations.	All of these activities are able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	More clarification required for what sort of partnerships are envisaged.  We have some arrangements in the MEMP for NFP organisations to support relief and recovery activities.
With other partners, support agencies to empower individuals and the community to exercise choice about and take responsibility for risks.		This is very limited depending on Council's capacity beyond general community strengthening activities. As Council is not the subject matter expert for particular hazards, agencies need to work with communities to build their resilience.
Encourage and assist the community to participate in emergency management education and training programs provided by Council and agencies.		This may be limited to advertising about agency emergency management education and training programs available on Council's corporate communication channels.
Advocate for community needs at the regional and state level including for: <ul style="list-style-type: none"> <li>• community preparedness and local leadership</li> <li>• adequate emergency management funding and resources</li> <li>• compatible and consistent emergency management information systems</li> <li>• consistent and streamlined legislation that supports Council's role in emergency management at all stages of an emergency.</li> </ul>		Council advocates for community needs as part of its core business. However the advocacy will be determined by the priorities of highest need in a municipality; this may or may not relate to emergency management.
Gather knowledge about local assets, values and support systems including about the community's history and what people value as important, now and for the future.		Most Councils undertake some form of community visioning however it may not be in quite the same form as is envisioned here.
Develop and deliver emergency management and community resilience training for Council staff.		Don't always have the resources and expertise to develop and deliver own internal training. Council relies on neighbouring Councils to provide training in good faith. More support is needed from State Government for the development of training packages which can be delivered state-wide or by each Council in-house.
Monitor and evaluate the community's engagement with emergency management		Don't have capacity to specifically monitor and evaluate community's engagement level and resilience in detail. Have general awareness

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		through interaction with community and understanding its demographics.
<b>During</b>		
Support emergency management teams by ensuring local information and contacts are provided as part of community decision-making during emergencies.	Appropriately undertaken by Council	Local information and contacts are available in MEMP however Council not always notified of contact changes within emergency agencies therefore makes accuracy difficult.
<b>After</b>		
Conduct community engagement activities to implement lessons learned about community resilience.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Depends on resourcing available as to extent of community engagement activities able to be implemented.
Engage the community in developing and delivering recovery activities including by appointing community development and/or community recovery officers. <sup>27</sup>	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	EMMV Pt 4, Councils responsible for provision of community development services – “responsible for engaging community members in the development and delivery of shared community activities. Municipal Councils provide and manage community development services and activities. This can include the appointment of community development officers”  EMMV Part 4 states Councils can appoint a community development officer, doesn't state it is mandatory.  This requires redeploying existing community development workers. It should be noted this is usually a finite resource and additional funding will be required depending on the size and scale of the event.

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**FIRE MANAGEMENT & SUPPRESSION**

Provide firefighting capabilities to manage and suppress fires of all types, kinds, and complexities while protecting lives, property, and the environment in the affected (land and water) area.

**Before & during**

Support agencies in line with relevant fire legislation and regulations by:

- appointing a municipal fire prevention officer<sup>28</sup>
- developing and maintaining a municipal fire prevention plan<sup>29</sup>
- identifying, designating, signing, maintaining and annually reviewing bushfire safer places and their plans, and (for Councils in Country Fire Authority [CFA] areas) reporting back annually to the CFA<sup>30</sup>
- issuing permits to burn<sup>31</sup>
- taking all practicable steps (including with planned burning) to prevent the occurrence and spread of fires and minimise their danger on land that Council manages or is responsible for<sup>32</sup>
- providing pillar fire hydrants in reticulated areas when the CFA issues written notice to do so<sup>33</sup>
- meeting the costs of providing, installing, marking and maintaining all fire plugs in the municipality.<sup>34</sup>

Council should no longer be responsible for designating neighbourhood safer places; issuing schedule 13 permits to burn; and hydrant related activities .

Further, section 165(2) of the Water Act states that a Council must meet the costs of providing, installing, marking and maintaining all fire plugs that the Council requires under subsection (1) to be installed in its municipal district. Therefore it is incorrect to state that Council is responsible for meeting the costs of *all* fire plugs in the municipality.

Development and maintenance of a municipal fire prevention plan is a shared responsibility amongst all fire agencies and not a sole responsibility of Council.

Council generally not involved in fire suppression activities; this is a role for the control agency. However on Council-owned reserves, Frankston does have limited supporting capability for suppression activities where appropriately skilled staff are available.

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<b>LOGISTICS AND SUPPLY CHAIN MANAGEMENT</b>		
Deliver essential commodities, equipment, and services in support of impacted communities and survivors, to include emergency power and fuel support, as well as the coordination of access to community staples. Synchronize logistics capabilities and enable the restoration of impacted supply chains, including removal of debris.		
<b>Before</b>		
Develop emergency management resource-sharing protocols between Councils.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	As similarly mentioned above, this should be an individual Council decision and not mandated in policy.
Maintain and store essential equipment and materials to support emergency management activities and meet the needs of affected communities (such as sandbags).	Unable to categorise due to clarification needed on what is meant by this descriptor	Clarification is needed as to what "essential equipment and materials" this refers to and what purposes it is to be used for. Response and relief/ recovery agencies should procure the essential equipment they need in order to undertake their responsibilities in emergency management.
<b>During</b>		
Support agencies to source and supply personnel, equipment, materials, services and facilities to support emergency management activities and meet the needs of affected communities.	Not appropriate for Council to undertake/ continue undertaking	Again, more clarification is needed as to the scope of this activity. In any event it is generally not appropriate; Council cannot be responsible for the operational needs of other agencies.
Manage, coordinate, supply and deliver resources promptly and efficiently using best-practice methods locally.	Unable to categorise due to clarification needed on what is meant by this descriptor	This activity is very generally worded. More clarification is needed as to the scope of this activity and what resources are envisaged.

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<b>IMPACT ASSESSMENT</b>		
Provide all decision-makers with relevant information regarding the nature and extent of the hazard and any potential consequences during and after an emergency to ensure efficient, timely and appropriate support for communities.		
<b>Before</b>		
Develop impact-assessment processes and data-collection systems.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Frankston City Council use SMR region MSIA guidelines and training and Crisisworks for data collection.  Do not have current capacity to develop comprehensive processes and system beyond this.
Lead Council's impact-assessment processes, systems and tools for core Council services.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Council is the lead in the MSIA process, this is an 'after' activity.
<b>During</b>		
Collect secondary impact-assessment data about the scale and characteristics of the impact on the social, economic, built and natural environments. <sup>35</sup>	Appropriately undertake by Council	Council does this to the extent that capacity allows.
Initially assess impacts on essential infrastructure and services. <sup>35</sup>	Unable to categorise based on current activity descriptor	Part 4 of EMMV states that Council coordinates the initial impact assessments for essential infrastructure and services at the local level. This doesn't equate to Council necessarily undertaking and being responsible for this activity itself.
Support agencies to gather information about how the emergency is affecting animals.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	More clarification is needed as to what level of support is required. Generally support could be in the form of information sharing subject to Council's capacity and what information gathering Council has already undertaken.
Support agencies to use Council's spatial data to verify property losses.	Appropriately undertake by Council	This can be undertaken by Council through the supply of maps using available spatial data as part of intelligence/ information sharing.
<b>After</b>		
Conduct a process to gather incident and impact intelligence from initial and	Appropriately undertake by	Council would undertake this depending on scale of the emergency

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secondary impact assessments to inform relief and recovery planning.	Council	event.
Conduct longitudinal mapping of the impact focusing on wellbeing, liveability, sustainability and viability.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery.	This activity would depend on Council's capacity to undertake long term impact monitoring.  Also this activity related to environments from proposed future policy and not a current emergency management activity.

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<b>HEALTH PROTECTION</b>		
The coordination and implementation of legislation, programs and monitoring procedures to minimise public health risk from infectious disease, contaminated food, and contaminated drinking water supplies, radiation and human environmental health hazards. This includes the development and implementation of strategies to promote and protect public health.		
<b>Before, during &amp; after</b>		
Undertake municipal functions as required by public health and wellbeing legislation and regulations. <sup>37</sup>	Appropriately undertaken by Council	Where the function is specified in legislation for Council to undertake as a core business function it is a given that this would be carried out.
Include emergency management in Council plans including in the municipal public health and wellbeing plan and the Council plan.	N/A	Development of a Municipal Health and Wellbeing Plan is legislated. The plan focuses on upstream health promotion activities to improve community wellbeing founded on community feedback. Therefore plan contents will be specific to community needs at the local level. It is not appropriate to mandate inclusion of emergency management.
Establish programs to detect and identify risks to public health locally (such as through heatwave planning).	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	All hazard/ risk identification is done through the CERA process led by VicSES.
Conduct epidemiological and other investigations.	Appropriately undertaken by Council	This is undertaken by Council as part of business as usual.
Communicate information about public health locally.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	We share information about health after received from Chief Health Officer through Council corporate communications channels, for example recent Ross River Virus campaign.

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<b>RELIEF ASSISTANCE</b>		
The provision of well-coordinated, integrated and timely assistance to meet the immediate health, wellbeing and essential needs of affected communities, during and immediately after an emergency event, with the aim to support social cohesion and build resilience.		
<b>Before</b>		
Coordinate relief agencies and the community to develop local relief plans. <sup>38</sup>	Unable to categorise as descriptor of activity inaccurately describes the actual role of Council.	Council is responsible for coordinating relief services to the community, we cannot be responsible for coordinating the relief agencies and/ or the community themselves; they need to be able to adequately do this. We have general arrangements in the MEMP for relief and recovery however relief agencies who provide the relief services to the community do so in line with State policy requirements (i.e. Part 7 role statements).  Therefore this activity should not state coordinating the relief agencies and the community as this implies something else.
Develop protocols and procedures that are agreed with relief agencies.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery.	Where capability and the need exists protocols and MOUs can be agreed to and drafted.
Design a scalable organisational structure to deliver relief services.		In line with other comments made in relation to this type of activity above, Council is not in a position to resource surge arrangements/ scalable organisation structure, particularly in a rates capping environment.
Work with other Councils to develop a collaborative approach to relief.		Working with neighbouring Councils should be an individual Council decision and not mandated in any policy.
Contribute to regional relief planning.		Council's contribution is limited to attendance and participation in regional relief planning committee meetings.
Identify, plan and document relief centres or other locations to provide emergency relief services that meet health and other community needs.		ERC locations are identified in restricted versions of the MEMP and only advertised when activated.
Develop plans and procedures for emergency shelter.		Arrangements for an ERC are in the MEMP.
Plan for the needs of domestic animals as part of relief activities.		Council is responsible for housing displaced companion animals in an emergency. More clarification is required as to what extent other aspects of domestic animal welfare such as medical, food etc. expected to be covered by Councils.
Support service providers and local groups to educate the community about donated goods and volunteering and develop messages and procedures about donated goods and volunteers.	Not appropriate for Council to undertake continuous undertaking	Managing spontaneous volunteers and donated goods is a huge resource burden and Council would already be stretched in coordinating other relief and recovery activities if a significant emergency is occurring. Managing volunteers and donated goods

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Frankston City Council response to Council and Emergencies Directions Paper

		should not be undertaken by Council.
Work with health practitioners to understand the health and psychosocial implications of emergencies and the implications for relief.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Council's arrangements include for the provision of psychological support by VCC and Red Cross. This is a more appropriate and efficient way to provide this assistance.
Develop surge arrangements for relief, recovery and business-as-usual activities in the short, medium and long-terms.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	As above, Council does not have extra staff available for surge arrangements.
<b>During</b>		
Coordinate relief services locally. <sup>39</sup>	Appropriately undertaken by Council	As part of the ERC we have arrangements to meet the immediate needs of affected communities in terms of shelter and food. These include Salvation Army (bedding); Red Cross (food, registration); VCC (personal support). Council will coordinate relief services based on the circumstances of the emergency event and the community impacts within the remits of its resources and the resources of the relief partners.
Establish and manage relief centres where appropriate, including: <sup>40</sup> <ul style="list-style-type: none"> <li>• register relief centre attendees</li> <li>• coordinate the provision of food, water and materials to affected communities<sup>41</sup></li> <li>• provide temporary shelter options for displaced local people</li> <li>• coordinate and manage services to meet the physical and psychosocial needs of affected local people.<sup>42</sup></li> </ul>	Appropriately undertaken by Council	Council may establish and manage a relief centres where appropriate for the scale and context of the emergency event. This includes coordinating other emergency relief services for the community such as food, water, other material needs and psychological support.
Start recovery case management by gathering data from relevant agencies.	Not appropriate for Council to undertake/ continue undertaking	As above, Frankston City Council has already indicated that it is not prepared to undertake case management as this has not been aided by adequate recurrent funding in the past.
Inform the community about financial hardship assistance payments.	Not appropriate for Council to undertake/ continue undertaking	Council is not involved in provision of financial hardship assistance payments and does not have capacity to become involved.

Frankston City Council response to Council and Emergencies Directions Paper

<p>Manage enquiries about donations of goods and offers to volunteer.</p>	<p>Not appropriate for Council to undertake/ continue undertaking</p>	<p>As above, Council is not in a position to manage donations and spontaneous volunteers.</p>
<p>Support efforts to reunify family and others separated during an emergency.</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>Support efforts to reunify families would be limited to providing a ERC where Red Cross can provide the Register.Find.Reunite service.</p>
<p>Support a coordinated approach to relief at the regional level.</p>	<p>Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery</p>	<p>This would be limited to Council participation at regional relief meetings and forums.</p>

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

<b>ECONOMIC RECOVERY</b>		
Return economic and business activities (including food and agriculture) to a healthy state and develop new business and employment opportunities that result in a sustainable and economically viable community.		
<b>After</b>		
Help affected businesses to access information and advice locally.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Helping businesses access information would be limited to Council sharing information/ advice through Council's corporate communications channels and the provision of a recovery information centre (if one is opened)
Support the community to work with insurers.	Not appropriate for Council to undertake/ continue undertaking	Council can refer community members to Insurance Council of Victoria but is not resourced to manage individual claims.
Support organisations to offer technical advice about re-establishing local businesses.	Unable to categorise these activities due to lack of specificity in description	More clarification is needed as to what support is envisaged that Council would provide.
Assess business and economic needs.		This is too broad of a description to be able to understand what is specifically required.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

<b>NATURAL AND CULTURAL HERITAGE REHABILITATION</b>		
Protect natural and cultural heritage resources through appropriate planning, mitigation, response, and recovery actions to preserve, conserve, rehabilitate, and restore them consistent with post-disaster community priorities and best practices and in compliance with applicable environmental and heritage preservation laws.		
<b>Before</b>		
As part of emergency planning, identify at-risk cultural heritage sites.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery.	Could be done as part of MEMP, not done currently.
<b>After</b>		
Coordinate natural environment rehabilitation works locally.		<p>The descriptors provided are too broad to provide a categorisation. These actions are appropriate for Council owned land only. Council's activities in relation to private land natural and cultural heritage rehabilitation are very limited in comparison to what these descriptors imply.</p> <p>Council does not <i>coordinate</i> natural environment rehabilitation works locally for non-Council owned land. The use of 'coordination' implies that Council would be responsible for private land rehabilitation.</p> <p>Council is involved in private land rehabilitation in a limited capacity of providing expert advice on environmental/ biodiversity issues or enforcement where vegetation protection overlays and/or planning permit conditions are breached.</p> <p>Restoration of local cultural heritage sites is limited to Council owned land only. Cultural heritage requires very specialist knowledge. Council does not have capacity to employ Indigenous Cultural Heritage Officers, we use consultants if required. Council cannot be expected to be involved in private cultural heritage sites.</p> <p>Further, Council does not <i>coordinate</i> remediation and stabilisation works on private land. This implies a greater role for Council that what is actually performed. Council provides remediation and stabilisation advice and can perform regulatory/ enforcement services.</p> <p>Council would only be involved in coordination of natural and cultural heritage sites beyond Council-owned sites where it had a legislated responsibility to.</p>
Restore local cultural heritage sites.		
Assess impacts to natural and cultural heritage sites.		
Coordinate remediation and stabilisation works on private and public land.		
Monitor natural and cultural heritage sites.		

Frankston City Council response to Council and Emergencies Directions Paper

With the support of Heritage Victoria, develop ways to mitigate or avoid adverse impacts to cultural heritage sites during recovery, reconstruction or rehabilitation works.

If required, Council can seek advice from Heritage Victoria for mitigation of Council-owned heritage sites.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

<b>BUILT RECOVERY</b>		
To restore essential infrastructure and establish safe areas during and following an emergency, ensuring the provision of facilities and services to support and benefit communities.		
<b>Before</b>		
Identify community needs and priorities for restoring the built environment including essential services, commercial and industrial facilities, public buildings and assets and housing.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Done to a limited extent prior to an event. Would be also done as part of a community recovery committee if the scale of the event justified the implementation of one.
Identify standards for clean-up and recovery.	Need further clarification in order to categorise.	This descriptor is too broad for comment. We require further clarification of what is envisaged by this activity.
Identify likely resource and equipment requirements for Council recovery activities in the short, medium and long terms and determine supply chains in consultation with other agencies to ensure adequate resourcing.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	This highlights the importance of striking balance between comprehensive strategic planning for emergency recovery in the future with other priorities of Council dictated by the Rates Payers and their elected representatives.  Council does not necessarily have resources to maintain all equipment requirements for recovery activities.
<b>After</b>		
Survey and determine the occupancy of damaged buildings. <sup>43</sup>	Appropriately undertaken by Council	Undertaken by Municipal Building Surveyors.
Conduct stabilisation and remediation works on Council or community infrastructure and land to prevent further damage to the built environment.	Appropriately undertaken by Council	Where Council owned/ managed only.
Support safety assessments for essential and critical assets and infrastructure.	Unable to categorise without further clarification	More clarification is needed as to what level of support is expected. Many essential/ critical assets (i.e. power and telecommunications) are privately owned therefore safety assessments should be carried out by the owner/ responsible authority.
Working with the community, prioritise the restoration of local assets and infrastructure, ensuring the restored assets and infrastructure are sustainable and more resilient to future emergencies.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Working with the community to establish priorities for restoration can be done through the establishment of a community recovery committee if the scale of the emergency event requires it.  Restoring local assets and infrastructure to higher standard (more resilient) than before is not always possible when funding only covers exact replacement.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

Coordinate the rebuilding and redevelopment of Council and private assets. <sup>44</sup>	Unable to categorise due to inaccurate description of what is in the EMMV	Not what the EMMV says, instead EMMV, Part 7 states, "oversee and inspect rebuilding/ redevelopment" which would include things such as issuing planning/ building permits and conducting building inspections. <i>Coordinating</i> the rebuilding/ redevelopment implies much more for private assets.
Restore Council-owned assets, prioritising business operations and commercial or community facilities essential for community wellbeing or recovery activities. <sup>45</sup>	Appropriately undertaken by Council	Council will restore Council-owned assets based on its priorities and what the needs of the local community are.
Coordinate clean-up activities including the disposal of dead animals. <sup>46</sup>	Appropriately undertaken by Council	As per EMMV Part 7, Council is responsible for coordination of cleanup activities
Support the restoration of private and non-Council assets within the scope of existing Council services.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Supporting the restoration of private assets would be in the limited form of issuing permits/ approvals and inspections.
Review physical infrastructure needs and establish long-term recovery infrastructure where necessary.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	More clarification required as to what infrastructure this refers to. Is this Council infrastructure only?
Support agencies to restore essential assets and infrastructure.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	More clarification required as to what level of support is required. Council's support will be limited to issuing planning and building permits as below
Establish planning scheme exemptions for emergency accommodation and clean-up works, and streamline planning and building construction approvals.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Would depend on context of emergency situation but generally Council would endeavor to streamline the planning and building approvals and strive to issue the approvals in a timely manner to assist community recovery.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

<b>SOCIAL RECOVERY</b>		
The longer term provision of assistance and access to services that allows individuals, families and communities to achieve an effective level of functioning after an emergency event. This includes safety, security, shelter, health and psychosocial wellbeing and re-establishment of those elements of society necessary for well-being.		
<b>After</b>		
Coordinate health programs to ensure the continuity and availability of advice and activities.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Currently Council provides Maternal and Child Health & Immunization as health programs. Other health services are included in the MEMP but will be coordinated within their own operational structure (ie. not an appropriate role for Council).
Assess and deliver services for the medium- to long-term psychosocial needs of the community.	Not appropriate for Council to undertake/ continue undertaking	This is a role for a counselling service; not Council. Psychological support is coordinated by Council as part of immediate emergency relief needs. Medium to long term support is too resource burdensome on Councils.
Provide access to short-, medium- and long-term housing options for displaced people.	Not appropriate for Council to undertake/ continue undertaking	Councils will work with state government for the provision of short, medium and long term housing options who own housing stock.
Assess and deliver financial re-establishment assistance.	Not appropriate for Council to undertake/ continue undertaking	We don't assess/ deliver financial re-establishment assistance, it is not a Council responsibility – this is state government grant funding.
Support community services to provide shelter, food, counselling and other assistance to people at socioeconomic disadvantage.	Not appropriate for Council to undertake/ continue undertaking	More clarification is required as to what level of support is envisaged. In any event, these community services are services funded by State and Commonwealth Governments. Service Level Agreements should be developed to trigger roles of funded agencies in emergency scenarios rather than pushing this to local government who has limited capacity to influence their operations.

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

<b>ASSURANCE AND LEARNING</b>		
Support continuous improvement to improve emergency management practice and community safety by extracting understanding from experience and research, reviewing community consequences, investigating causes and outcomes, providing assurance and translating lessons into behaviour change.		
<b>After</b>		
Conduct after-action reviews of Council operations during emergencies, to inform future planning.	Able to be undertaken by Council where adequate recurrent additional resources are provided and the needs of the community require their delivery	Undertaking these activities would depend on the scale of the event and the capacity of Council. Remembering that the MEMP is not a Council plan, there should be input from all agencies to help modify local emergency plans and procedures based on lessons learned.
Conduct incident management reviews and modify Council plans and procedures to draw on lessons learned.		
Assess and review outcomes for the community after an emergency, looking for opportunities to improve outcomes in future.		

Frankston City Council response to Council and Emergencies Directions Paper

**Legislation, policy and plan references**

<sup>1</sup> s59B Amendment Bill to the Emergency Management Act 2013 will change this to support, but until then as per s21 of the Emergency Management Act 1986 Councils lead this function by developing and maintaining the municipal emergency management plan

<sup>2</sup> s20(1) Emergency Management Act 1986

<sup>3</sup> s21(3) *Emergency Management Act 1986*

<sup>4</sup> MEMPC guidelines, EMMV Part 6, p.6–5; MEMPC guidelines, EMMV Part 6, pp. 6-4, 5 & 6

<sup>5</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>6</sup> s212 Building Act 1993, BMO, clause 52.47 Bushfire protection: planning requirements (BF5) & clause 44.06 Planning provisions

<sup>7</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>8</sup> State Emergency Relief and Recovery Plan, EMMV Part 4, p.32

<sup>9</sup> State Emergency Relief and Recovery Plan, EMMV Part 4, ~~Appendix 2, p. 4–23~~; p.30

<sup>10</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>11</sup> State Emergency Relief and Recovery Plan, EMMV Part 4, pp.32

<sup>12</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>13</sup> ~~s59G Amendment Bill to the 2013 Emergency Management Act, this section replaces~~ s21 (1) of the Emergency Management Act 1985 1986

<sup>14</sup> State Emergency Relief and Recovery Plan, EMMV Part 4 p.4–8 p. 13

<sup>15</sup> s20(2) Emergency Management Act 1986

<sup>16</sup> s20, s34, s40 Road Management Act 2004

<sup>17</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>18</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>19</sup> ~~State Emergency Relief and Recovery Plan, EMMV Part 4~~; Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>20</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>21</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>22</sup> State Emergency Relief and Recovery Plan, EMMV Part 4, ~~Appendix 6, p.4–39~~; p. 4-34 & 40

<sup>23</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77

<sup>24</sup> ~~Emergency Management Agency Roles, EMMV Part 7, pp.7–76 & 77~~; State Emergency Relief and Recovery Plan, EMMV Part 4, p. 24

<sup>25</sup> Emergency Management Act 1986, Emergency Management Act 2013, Local Government Act 1989, Country Fire Authority Act 1958, Metropolitan Fire Brigades Act 1958, Public Health and Wellbeing Act 2008, Water Act 1989, Water Industry Act 1994, Electricity Safety Act 1998, Planning and Environment Act 1987 and the Building Act 1993

<sup>26</sup> Emergency Management Act 1986, Emergency Management Act 2013 and the EMMV

<sup>27</sup> State Emergency Relief and Recovery Plan, EMMV Part 4, ~~Appendix 2, p. 4–23~~; p. 33

<sup>28</sup> s96A Country Fire Authority Act 1958 and s5A Metropolitan Fire Brigades Act 1958; MEMPC guidelines, EMMV Part 6, p.6–28

<sup>29</sup> s55A, Country Fire Authority Act 1958

<sup>30</sup> ss50G, H, I & J Country Fire Authority Act 1958

<sup>31</sup> s38 Country Fire Authority Act 1958

<sup>32</sup> s5 Metropolitan Fire Brigades Act 1958, s43 Country Fire Authority Act 1958

<sup>33</sup> s36 Country Fire Authority Act 1958

<sup>34</sup> s81 Water Industry Act 1994

<sup>35</sup> State Emergency Relief and Recovery Plan, EMMV Part 4, p.4–8; p. 6

**Attachment C: Frankston City Council Response to Councils and Emergencies Directions Paper (Actions Table)**

Frankston City Council response to Council and Emergencies Directions Paper

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<sup>36</sup> State Emergency Relief and Recovery Plan, EMMV Part 4, ~~p.4-26~~; p. 40

<sup>37</sup> s24 Public Health and Wellbeing Act 2008

<sup>38</sup> ~~Emergency Management Agency Roles, EMMV Part 7, pp.7-76 & 77~~; State Emergency Relief and Recovery Plan, EMMV Part 4, p. 16

<sup>39</sup> State Emergency Relief and Recovery Plan, EMMV Part 4, ~~pp.4-11, 4-20 & 4-32~~; p. 13

<sup>40</sup> State Emergency Response Plan, EMMV Part 3, ~~pp.3-15 & 3-36~~; p. 27

<sup>41</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7-76 & 77

<sup>42</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7-76 & 77

<sup>43</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7-76 & 77

<sup>44</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7-76 & 77

<sup>45</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7-76 & 77

<sup>46</sup> Emergency Management Agency Roles, EMMV Part 7, pp.7-76 & 77

**Executive Summary****12.7 Proposed Membership of VLGA Victorian Local Government Authority**

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

**Council Plan**

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To brief Council on the options available for re-joining the Victorian Local Governance Association (VLGA) in accordance with the resolution of Council on 20 February 2017.

**Recommendation (Director Chief Executive Office)**

That

1. Council resolves not to become a member of the Victorian Local Government Association (VLGA); and
2. Councillors, if they desire, may apply for an Individual Membership of the VLGA.

**Key Points / Issues**

- At the Council Meeting held on 14 March 2017 Council resolved:  
*That:*
  1. A briefing be conducted with Councillors, senior officers and the upper-echelon of the Victorian Local Government Association (VLGA) in relation to Frankston City Council's potential VLGA membership.
  2. This report return to Council for determination once the aforementioned briefing has taken place.
  3. In the event of Council rejoining the VLGA the appropriate financial allocation be included in the draft 2017 / 2018 budget.
- Representatives from the Victorian Local Governance Association (VLGA) provided a briefing to Councillors on Tuesday 18 April 2017.
- The Victorian Local Governance Association (VLGA) is a peak body supporting Councils, Councillors and the community. The VLGA supports the local government sector through leadership, advocacy and training with metropolitan, regional and rural Mayors, Councillors, CEOs and council officers.
- The VLGA supports the local government sector through leadership, advocacy and professional development with metropolitan, regional and rural Mayors, Councillors, CEOs and council officers.
- The VLGA provides Council and Councillors with assistance with advocacy, professional development opportunities and training.
- Frankston City Council was a member of the VLGA in 2013/14, but discontinued its membership due to budget decision centred around the question of value for money.

**12.7 Proposed Membership of VLGA Victorian Local Government Authority****Executive Summary**

- The VLGA provides a range of tailored professional development opportunities for Mayors, Councils and individual Councillors. Developed in consultation with long term Mayors, Councillors and Chief Executive Officers, the VLGA professional development provides practical tools and skills for Mayors and Councillors to support cohesive and collaborative Council teams.
- Membership Fees and Options
  - Council Membership

Victorian Local Governance Association (VLGA) members include metropolitan, rural and regional councils across Victoria.

The VLGA provides a range of advocacy, professional development and services for member councils and relies on the valued experience of Member Councillors, Mayors and Delegates in its work supporting sector reform and local democracy.

Council membership fees are calculated on a sliding scale, based on the Council's population. Frankston's estimated population is 137,121 – this means that Frankston would be classed as a Category 7 VLGA member (population between 125,000 and 150,000) with an annual membership fee at the time of writing this report of \$31,780 (plus GST).

Council membership would provide membership benefits for all Councillors and officers.
  - Individual Membership

Councillor at Non-Member Council

Councillors at non-member Councils can choose to join the VLGA as an Individual Councillor member.

The current annual cost of membership for a Councillor at a non-member Council is \$495 (for the 2016/17 financial year). Membership benefits are restricted to the individual member and do not extend to other Councillors or to the Council as a whole.

**Financial Impact**

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

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

In the event of Council re-joining the VLGA the appropriate financial allocation will need to be included in the draft 2017/18 budget.

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

Consultation with and input was provided from the VLGA and council officers.

**2. Other Stakeholders**

EMT and Councillors have previously been briefed on this issue.

**12.7 Proposed Membership of VLGA Victorian Local Government Authority**  
**Executive Summary****Analysis (Environmental / Economic / Social Implications)**

Nil.

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

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

Legal

There are no legal issues currently.

Policy Impacts

There is 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**

That Council determine if it wishes to re-join the VLGA and in what capacity for example as Council or Individual Councillors.

In the event of Council re-joining the VLGA the appropriate financial allocation be included in the draft 2017/18 budget.

Council will need to consider what it is that the VLGA are able to offer eg, political advocacy training, against what Council are able to achieve as a stand-alone Council given the current political landscape.

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**ATTACHMENTS**

Attachment A: VLGA Strategic Plan

Attachment B: VLGA - Rules

## VLGA STRATEGIC PLAN 2016-2018



### VISION

Our communities will be inclusive, sustainable and dynamic, characterised by strong leadership and effective local governance.

### MISSION

We will bring together councillors, community leaders and local governments to build and strengthen their capacity to work together for progressive social change.

### VALUES

We believe that transparent, accountable and democratic governance policies and practices in all settings enable citizens to create their own sustainable futures.

#### **We will address these critical challenges:**

- Engagement with members that consolidates and imparts our accumulated knowledge
- In doing so we will maximise our difference: that we are for people and the local government sector
- We will communicate and advocate with and on behalf of our stakeholders to expand our capacity

#### **We will be guided by these principles:**

- We develop local governance, leadership and diversity
- We have a growing resource base
- We lead the agenda on issues critical to the community and local government
- We are a people-centred and values-based organisation, and will be an employer of choice
- We are consistent in expressing these principles in all of our actions

#### **The processes we will follow to make sure that our actions are guided by our principles:**

- Engagement – input – output – advocacy – closing the loop
- Actively listen and respond to members in a variety of ways including annual membership surveys, getting out to visit Councils and stakeholders so to ascertain awareness of VLGA organisation and brand and to inform forward agenda
- Identify and understand the policy landscape affecting community and local government
- We will use a variety of processes to bring in stakeholders, generate debate, feed into advocacy on issues and provide sector leadership on a wide variety of issues
- Engage with our members to make sure we are doing or facilitating what needs to be done – expand capacity
- Use partnerships to expand capacity
- Act as a clearinghouse for sector knowledge
- Continue to explore the use of Leading the Agenda Forums
- Conduct staff surveys on an annual basis to monitor our organisation's performance and model good governance
- Align staff work plans to the strategic plan

#### **Will undertake these actions:**

- We support and upskill councillors on governance knowledge and training, and encourage a diversity of councillors and community leaders
- We participate in sector reform and advocacy regarding these key issues
- Provide training and tools that help Councils support positive community outcomes and inclusion
- Draw upon skills audits regarding the capabilities and resources we have within our organisation, membership and in the sector

- Identify and understand the policy landscape
- Formulate recommendations to the State Government on the Local Government Act reforms
- Communicate and implement the outcomes of the existing Governance By Design Panels and build on their work
- Listen and respond to members using surveys and getting out to visit Councils and stakeholders
- Participate in sector reform and advocacy regarding these key issues including:
  - DELWP Policy directions: Plan Melbourne, Water Plan and Climate Change, Infrastructure Victoria, Waste Levy/EPA, ESC
  - Commonwealth's Cities Program
  - Financial arrangements at state and federal level: cost shifting and rate capping
  - Community Engagement
- Advocate for improved Councillor Conditions as one way of encouraging greater diversity of councillors

"A"

**Date** 7 November 2013

**Rules of  
V.L.G.A. Inc.  
A0032212V**

**Associations Incorporation Reform Act 2012**

**Incorporated Association**

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## **1. Definitions and interpretation**

### **1.1 Definitions**

In these Rules:

**Act** means the *Associations Incorporation Reform Act 2012* and includes any regulations made under that Act

**annual general meeting** means the annual general meeting of Members.

**Association** means V.L.G.A. Inc.

**Board** means the board of the Association from time to time.

**Board member** means a member of the Board.

**business day** means Monday to Friday excluding public holidays in Victoria.

**General meeting** means an annual general meeting or a special general meeting.

**Member** means a person admitted to membership of the Association in accordance with these Rules.

**office bearers** means the office bearers of the Board under sub-rule 14.6 and **office bearer** means any one of them.

**Poll** means the casting of votes in writing.

**President** means the Board member who is elected to this office in accordance with sub-rule 14.6.

**Register** means the register kept pursuant to Rule 7.

**registered address** means the address of a Member shown in the Register.

**Representative** means a person appointed by a local council member or a group member as their representative under sub-rule 5.4.

**Rules** means these rules as amended from time to time.

**Secretary** means the person appointed as the Association's Secretary in accordance with sub-rule 1.2.

**special general meeting** means a meeting of Members other than an annual general meeting.

**special resolution** means a resolution that requires not less than three-quarters of the members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution.

**Treasurer** means the Board member who is elected to this office in accordance with sub-rule 14.6.

**Vice-President** means a Board member who is elected to this office in accordance with sub-rule 14.6.

## **1.2 Secretary**

A reference to the Secretary is a reference:

- 1.2.1 if a person holds the position of chief executive officer of the Association, to that person; or
- 1.2.2 their delegate as approved by the Board

## **1.3 Interpretation**

In these Rules, unless the context requires otherwise:

- 1.3.1 a person includes a corporate body, association, firm, partnership or other unincorporated body;
- 1.3.2 a statute includes regulations under it and consolidations, amendments, re-enactments or replacements of any of them;
- 1.3.3 this or any other document includes the document as varied or replaced regardless of any change in the identity of the parties;
- 1.3.4 a rule, sub-rule, schedule or appendix is a reference to a rule, sub-rule, schedule or appendix in or to these Rules;
- 1.3.5 a word or phrase that is defined has the corresponding meaning in its other grammatical forms;
- 1.3.6 writing includes all modes of representing or reproducing words in a legible, permanent and visible form;
- 1.3.7 the singular includes the plural and vice versa;
- 1.3.8 a gender includes all other genders; and
- 1.3.9 headings and sub-headings are inserted for ease of reference only and do not affect the interpretation of these Rules.

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## **2. Name of the Association**

The name of the Association is V.L.G.A. Inc.

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## **3. Purposes, Rules and powers**

### **3.1 Purposes**

The purposes of the V.L.G.A. Inc. are to:

- 3.1.1 be a not-for-profit association incorporated Association with a membership derived from local governments, community based groups, organisations and individuals;
- 3.1.2 act as a peak body for councillors, local governments, community leaders and groups to support good governance, sustainability and social justice;
- 3.1.3 advise and support the Members in the areas of good governance, sustainability and social justice and any other issues of concern to its membership;

- 3.1.4 advocate on behalf of Members, the local government sector and community groups in the areas of good governance, sustainability and social justice; and
- 3.1.5 provide information, networking opportunities and other support to Members, local governments and the community sector.

### **3.2 Amendment of the Rules**

These Rules may only be amended in accordance with the Act.

### **3.3 Powers of the Association**

Subject to the Act, the Association has the legal capacity and powers of a body corporate at general law, including the power to:

- 3.3.1 invest and deal with moneys of the Association not immediately required in any manner that it thinks fit;
- 3.3.2 raise and borrow money upon any terms that it thinks fit;
- 3.3.3 secure the repayment of money raised or borrowed or the payment of a debt or liability of the Association by giving mortgages, charges or securities upon or over all or any of the Association's property;
- 3.3.4 do such other things as are incidental or conducive to the attainment of the purposes and the exercise of the powers of the Association; and
- 3.3.5 act as trustee, and accept and hold real and personal property on trust,

but only to the extent necessary or convenient to carry out, or incidental to carrying out, the purposes of the Association.

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## **4. Application of income and property**

- 4.1 All of the income and property of the Association must be applied solely towards the promotion of the purposes of the Association.
- 4.2 No part of the income or property may be paid or transferred directly or indirectly by way of dividend, bonus or other profit distribution to any of the Members or Board members.
- 4.3 The Association may pay such fees to, and reimburse the out of pocket expenses of, the Board members as the Board determines from time to time.
- 4.4 All payments to Board members (other than the payments referred to in sub-rule 4.3) must be approved by the Board, including but not limited to payment for a service rendered to the Association by the Board member in a professional or technical capacity or as an employee, other than in the capacity as a Board member, where:
  - 4.4.1 the provision of the service has the prior approval of the Board; and
  - 4.4.2 the amount payable is not more than an amount which commercially would be reasonable payment for the service.
- 4.5 The Association may pay interest on money borrowed from any Member and may pay reasonable and proper rent for premises let by a Member to the Association, where:
  - 4.5.1 the interest or rent of the service has the prior approval of the Board; and
  - 4.5.2 the amount payable is not more than an amount which commercially would be reasonably paid.

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## **5. Membership**

### **5.1 General**

5.1.1 The following persons are Members:

- (a) the persons who are Members at the date of adoption of these Rules; and
- (b) any other person the Board admits to membership in accordance with these Rules.

### **5.2 Categories of membership**

The Association comprises the following categories of membership:

- 5.2.1 local government member – for incorporated and democratically elected local government authorities in the state of Victoria;
- 5.2.2 councillor member – for individuals who occupy the office of elected councillor of a local government authority which is a Member and who have signed a declaration in a form acceptable to the Board that they commit to the Association's mission, vision and values;
- 5.2.3 group member – for organisations and community based groups;
- 5.2.4 individual member – for natural persons (including without limitation councillors of non-member councils) who have attained the age of 16 years who have signed a declaration in a form acceptable to the Board that they commit to the Association's mission, vision and values; and
- 5.2.5 honorary member – for natural persons who have attained the age of 16 years and who have met such membership criteria as set by the Board from time to time.

### **5.3 Application for membership**

Application for membership must be made in writing in the form prescribed by the Board from time to time, lodged with the Secretary and be accompanied by payment of the applicable membership fee. The Board will determine at its discretion whether to accept or reject an application for membership. The Board need not give reasons for rejecting an application. The Board must refund the membership fee to the applicant if it rejects an application. If the Board accepts the application, the Secretary will promptly notify the applicant and enter the applicant's name in the Register. Upon the entry of the applicant's name in the Register, the applicant becomes a Member.

### **5.4 Representative**

- 5.4.1 A Member which is not a natural person must appoint an individual as its Representative and give written notice of this appointment to the Association. A Member may by written notice to the Association change its Representative.
- 5.4.2 In the case of a local government member, the Representative must be an individual occupying the office of an elected councillor.
- 5.4.3 In the case of a group member, the Representative must be an individual who is a Member or an employee of that Member.

**5.5 Membership not transferable**

Membership is not transferable.

**5.6 Fees**

The Board may prescribe from time to time entrance, subscription and other fees payable by Members, including particular categories of Members.

**5.7 Voting rights**

A Member is entitled to one vote at a general meeting or an election. If a Member who is an individual member is also a Representative, that Member is entitled to vote in his or her own capacity as an individual member and also on behalf of the Member which appointed him or her as its Representative.

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**6. Cessation of membership**

**6.1 Death, resignation and other events**

A person immediately ceases to be a Member if the person:

- 6.1.1 dies;
- 6.1.2 in the case of a councillor member under sub-rule 5.2.2, ceases to be a councillor for any reason;
- 6.1.3 resigns as Member by giving written notice to the Association; or
- 6.1.4 is expelled under sub-rule 6.2.

**6.2 Expulsion**

6.2.1 Subject to these Rules, if the Board is of the opinion that a Member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming of a Member or prejudicial to the interests of the Association, the Board may by resolution:

- (a) suspend that Member from membership of the Association for a specified period; or
- (b) expel that Member from the Association.

6.2.2 A resolution under sub-rule 6.2.1 does not take effect unless:

- (a) at a meeting held in accordance with sub-rule 6.2.3, the Board confirms the resolution; and
- (b) if the Member exercises a right of appeal to the Association under sub-rule 6.2.6, the Association confirms the resolution in accordance with this sub-rule 6.2.

6.2.3 A meeting of the Board to confirm or revoke a resolution under sub-rule 6.2.1 must not be held less than 14 days before, and not more than 28 days, after notice has been given to the Member under sub-rule 6.2.4.

- 6.2.4 For the purpose of giving notice under sub-rule 6.2.3, the Secretary must, as soon as practicable, cause the Member to be given a written notice:
- (a) setting out the resolution of the Board and the grounds on which it is based;
  - (b) informing the Member that the Member or his or her representative may address the Board in person or in writing or both at the meeting;
  - (c) setting out the date, place and time of the meeting; and
  - (d) informing the Member that, if the resolution is confirmed at the meeting, the Member may appeal to the Association by giving notice in writing to the Secretary within 48 hours after the meeting.
- 6.2.5 At a meeting to confirm or revoke a resolution under sub-rule 6.2.1, the Board must:
- (a) give the Member or his or her representative an opportunity to be heard, whether in person or by telephone or other electronic means which permits contemporaneous communication of all persons present at the meeting;
  - (b) give due consideration to any written statement that the Member provides; and
  - (c) by resolution, either confirm or revoke the resolution under sub-rule 6.2.1.
- 6.2.6 If the resolution under sub-rule 6.2.1 is confirmed, the Member may by notice in writing to the Secretary not more than 48 hours after the meeting appeal to the Association to revoke the resolution.
- 6.2.7 If the Secretary receives a notice in accordance with sub-rule 6.2.6, the Secretary must call a general meeting in accordance with these Rules at which:
- (a) no business other than the Member's appeal may be conducted;
  - (b) the Board may put all of the detail of the grounds for the resolution and the reasons for passing the resolution;
  - (c) the Member or his or her representative must be given an opportunity to be heard (at his or her or its own cost); and
  - (d) the Members present in person or by proxy must vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- 6.2.8 A resolution is confirmed if at the general meeting, not less than two-thirds of the Members in person, or by proxy, vote in favour of the resolution. In any other case, the resolution is revoked.

### **6.3 Record in the Register**

Where a person ceases to be a Member, the Secretary must record in the Register the date on which the Member ceased to be a Member.

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## **7. Register**

### **7.1 Register of Members**

The Secretary must keep and maintain the Register which must set out:

- 7.1.1 the name and address of each Member;
- 7.1.2 the date on which each Member's name was entered in the Register; and
- 7.1.3 any other information required by these Rules or the Board.

### **7.2 Inspection of Register**

- 7.2.1 The Secretary must make the Register available for inspection to any Member upon request.
- 7.2.2 A Member may make a copy of any part of the Register.

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## **8. General meetings**

### **8.1 Annual general meeting**

The Association must hold an annual general meeting in every calendar year within five months of the end of its financial year at the time and place determined by the Board.

### **8.2 Special general meeting**

- 8.2.1 The Board may convene a special general meeting at such time and place as the Board thinks fit.
- 8.2.2 The Board must, on written request of Members representing at least five percent of the total number of Members, convene a special general meeting.
- 8.2.3 A request for a special general meeting must:
  - (a) state the purpose of the special general meeting;
  - (b) be signed by all Members requesting the meeting (whether in the same document or in counterparts); and
  - (c) be sent to the Secretary at the address for the Association.
- 8.2.4 If the Board does not convene a special general meeting within one month from the date the notice under sub-rule 8.2.2 is sent to the Secretary, a Member may convene a special general meeting to be held within three months after that date.
- 8.2.5 A special general meeting convened by Members under this Rule must be convened as far as possible in the same manner as a meeting convened by the Board. All reasonable expenses incurred by Members in convening the meeting must be refunded by the Association.

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## **9. Notice of general meetings**

### **9.1 General**

The Board must give written notice of a general meeting to the Members and the Board members of:

- 9.1.1 not less than 21 days, if a special resolution is to be proposed; and
- 9.1.2 not less than 14 days in all other cases.

### **9.2 Contents of notice**

The notice referred to in sub-rule 9.1 must specify the following information:

- 9.2.1 the place, the day and the hour of meeting (and if the meeting is to be held in 2 or more places, the technology that will be used to facilitate this);
- 9.2.2 the general nature of the business of the meeting;
- 9.2.3 the details of any special resolutions to be proposed at the meeting; and
- 9.2.4 that a Member is entitled to appoint a proxy who must be a Member.

### **9.3 Alteration of procedure**

With the consent of all the Members entitled to vote at some particular meeting, that meeting may be convened by such shorter notice and in such manner as those Members may think fit provided that such action complies with the Act.

### **9.4 Failure to receive notice**

- 9.4.1 The accidental omission to give notice of a meeting to any Member or the non-receipt of such notice by any Member does not invalidate any resolution passed at, or proceeding of, that meeting.
- 9.4.2 A person's attendance at a general meeting waives any objection that the person may have to:
  - (a) a failure to give notice, or the giving of a defective notice, of a general meeting unless, at the beginning of the meeting, the person objects to the holding of the meeting; and
  - (b) the consideration of a particular matter at the meeting which is not within the business referred to in the notice of the meeting, unless the person objects to considering the matter when it is presented.

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## **10. Proceedings at general meetings**

### **10.1 Business**

- 10.1.1 The ordinary business of an annual general meeting will be:
  - (a) the confirmation of the minutes of the previous annual general meeting and of any special general meeting held since the previous annual general meeting;

- (b) the consideration of any Board reports about the transactions of the Association during the preceding financial year;
- (c) the appointment of an auditor; and to receive and consider
  - (i) the annual report of the Committee on the activities of the Association during the preceding financial year; and
  - (ii) the financial statements of the Association for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act.

10.1.2 All other business transacted at an annual general meeting and all business transacted at a special general meeting is deemed special business.

## **10.2 Meetings conducted using technology**

10.2.1 A general meeting may be held using any technology that permits clear and simultaneous communication of all persons present at the meeting.

10.2.2 All provisions of these Rules relating to general meetings apply, as far as possible and with any necessary changes, to meetings using technology.

10.2.3 A Member who participates in a general meeting using technology is taken to be present in person at the general meeting and, if the member votes at the meeting, is taken to have voted in person.

10.2.4 A general meeting using technology is taken as held at the place determined by the President of the meeting, as long as at least one of the Members involved was at the place for the duration of the meeting.

## **10.3 Quorum**

No business may be transacted at any general meeting except the adjournment of the meeting unless a quorum is present. The quorum for a general meeting is 20 Members, present in person or by proxy.

## **10.4 No quorum**

If a quorum is not present within 30 minutes from the time appointed for a general meeting:

10.4.1 if convened on the requisition of Members, the meeting will be dissolved; and

10.4.2 in any other case, the meeting will be adjourned to the same day in the next week at the same time and place or at such other place as the President appoints. If at that adjourned meeting a quorum is not present within 15 minutes from the time appointed for holding the meeting, the Members present will be a quorum.

## **10.5 Chairperson**

10.5.1 The President or in his or her absence a Vice-President will preside as chairperson at every general meeting.

10.5.2 If at any general meeting neither is present within 15 minutes after the time appointed for holding the meeting or if neither is willing to preside, the Members present will choose a Board member to preside. If no Board member is present or if all Board members present decline to preside, then those persons present will choose a Member who is present to preside as chairperson.

#### **10.6 Adjournment**

- 10.6.1 The chairperson of a general meeting may, with the consent of the Members entitled to vote at any meeting at which a quorum is present, and must, if so directed by the meeting adjourn the meeting to another time or place (or both).
- 10.6.2 Only unfinished business may be transacted at any meeting resumed after an adjournment of a general meeting.
- 10.6.3 Where a general meeting is adjourned for one month or more, new notice of the adjourned meeting must be given.

#### **10.7 Show of hands**

Every item of business submitted to a general meeting will be determined in the first instance by a show of hands of the Members personally present and entitled to vote. The chairperson will not have a casting vote.

#### **10.8 Poll**

- 10.8.1 The chairperson of the meeting or any Member present personally or by proxy may demand a Poll before or on the declaration of the result of a show of hands.
- 10.8.2 The Poll will be taken in the manner and at the time and place as the chairperson of the meeting directs, and either at once or after an interval or adjournment or otherwise.
- 10.8.3 The result of the Poll will be deemed to be the resolution of the meeting at which the Poll was demanded.
- 10.8.4 The demand for a Poll may be withdrawn.
- 10.8.5 If there is a dispute as to the admission or rejection of a vote, the chairperson of the meeting will finally determine that dispute.
- 10.8.6 At a Poll, the chairperson of the meeting will not have a casting vote.

#### **10.9 Demand for Poll**

The demand for a Poll will not prevent the continuance of a meeting for the transaction of any business other than the question on which a Poll has been demanded. A Poll demanded on any question of adjournment will be taken at the meeting and without adjournment.

#### **10.10 Evidence of resolution**

A declaration by the chairperson of the meeting that a resolution has been passed or lost (having regard to the majority required) and an entry to that effect in the books of the Association, signed by the chairperson of that or the next succeeding meeting, will be conclusive evidence that the resolution has been passed or lost without proof of the number or proportion of the votes recorded in favour of or against the resolution.

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## **11. Appointment of proxy**

### **11.1 General**

11.1.1 Any Member may appoint a natural person as a proxy to vote on the Member's behalf and may direct the proxy to vote either for or against each or any resolution, including any special resolution.

11.1.2 A proxy must be a Member.

### **11.2 Instrument appointing proxy**

11.2.1 The Association must receive the instrument appointing a proxy at a place, fax number or electronic address specified for such purpose in the notice of meeting, not less than 24 hours before the time for holding the meeting or adjourned meeting or Poll at which the person named in the instrument is to vote.

11.2.2 Unless the contrary is stated on it, an instrument appointing a proxy is valid for any adjournment of the meeting to which it relates.

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## **12. Form of proxy**

### **12.1 Required information**

An instrument appointing a proxy must contain the following information:

12.1.1 the Member's name and address;

12.1.2 the Association name;

12.1.3 the proxy's name or the name of the office held by the proxy; and

12.1.4 the meetings at which the appointment may be used,

and be signed by the appointor.

### **12.2 Voting instructions**

An instrument appointing a proxy may specify the way in which the proxy is to vote for a particular resolution and if so, the proxy is not entitled to vote on the resolution except as specified in the instrument.

### **12.3 Authority**

An instrument appointing a proxy will be deemed to confer authority to demand or join in demanding a Poll and will (except to the extent to which the proxy is specifically directed to vote for or against any proposal) include power to act generally at the meeting for the person giving the proxy.

---

**13. Voting of proxy**

**13.1 Validity**

A vote given in accordance with the terms of an instrument of proxy will be valid despite the previous death of the principal or revocation of the proxy, provided no notice in writing of the death or revocation has been received at the address of the Association before the meeting.

**13.2 Attendance of principal at meetings**

The principal attending and taking part in the meeting will not revoke a proxy, unless that principal votes on the resolution to which the proxy applies.

---

**14. Board**

**14.1 Composition of Board**

The number of Board members will be no less than 9 and no more than 11 and will comprise:

14.1.1 6 councillor members (including the President elected under clause 14.2);

14.1.2 3 non-councillor members; and

14.1.3 up to 2 un-elected individuals appointed under sub-rule 14.3.

**14.2 Election of Board members**

Elections must be held for the office of the President and each other Board member in February of every second calendar year. The Board will determine the method of conducting the election. Each Board member will hold office from the date of the declaration of the results of the election at which they were a candidate until the date of the declaration of the following election. Subject to these Rules, any Board member is eligible for re-election.

**14.3 Un-elected Board members**

14.3.1 The Board may appoint up to 2 individuals who have not been elected as Board members if the Board considers that their appointment would benefit the Board having regard to their particular skills, experience, expertise or qualifications.

14.3.2 An appointment under sub-rule 14.3.1 will only be effective if the individual:

(a) meets the requirements of sub-rule 14.4; and

(b) consents to the appointment in writing.

**14.4 Eligibility for election or appointment**

Candidates for election or appointment as a Board member must be either a councillor member, an individual member or a Representative of a group member. Each candidate must, at or before the time they nominate or are nominated for election or are appointed as a Board member, sign a declaration in a form acceptable to the Board that they commit to the Association's mission, vision and values and have no fees owing to the Association.

#### **14.5 Office bearers**

The office bearers comprise:

- 14.5.1 The President (who at the time of nomination must be a councillor member). The President is elected directly by the Members.
- 14.5.2 Two Vice-Presidents (one of whom at the time of nomination must be a councillor member and one of whom must be either an individual member or a Representative). The Vice-Presidents are elected by the Board members in accordance with sub-rule 14.6.
- 14.5.3 The Treasurer. The Treasurer is elected by the Board members in accordance with sub-rule 14.6.

#### **14.6 Election of officer bearers**

- 14.6.1 At the first meeting of the Board after the election conducted under sub-rule 14.2, the Board members will elect from among their number two Vice-Presidents and the Treasurer, each of whom will hold office until the next election of Board members is declared.
- 14.6.2 Subject to any time limits under the Act, the Board will promptly appoint a current Board member to replace any casual vacancy in the office of Office bearer, having regard to the criteria for the office as set out in sub-rule 14.5.

---

#### **15. Casual vacancies**

- 15.1 Subject to sub-rule 14.1, the Board may appoint a replacement Board member to any casual vacancy in the office of Board member.
- 15.2 Any Board member so appointed will hold office until the date at which their predecessor would have retired, had they completed their term.

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#### **16. Vacation of office of Board member**

The office of a Board member will be vacated if the Board member:

- 16.1 without leave of the Board, is absent from meetings of the Board for three consecutive Board meetings;
- 16.2 resigns by written notice to the Board;
- 16.3 is removed from office by special resolution at a general meeting;
- 16.4 dies;
- 16.5 becomes bankrupt or applies to or takes advantage of any law relating to bankruptcy or insolvency;
- 16.6 becomes a represented person within the meaning of the *Guardianship and Administration Act 1986* (Vic);
- 16.7 in the case of a Board member who is a councillor member, ceases to be a councillor;
- 16.8 ceases to reside in Victoria; or

- 16.9** a statutory manager is appointed to conduct the affairs of the Association under section 116 of the Act.

---

**17. Powers of the Board**

- 17.1** The control and direction of the Association and the management of its property and affairs is vested in the Board.
- 17.2** The Board may exercise all powers of the Association that are not required to be exercised or done by the Association in general meeting.

---

**18. Proceedings of the Board**

**18.1 General**

- 18.1.1 The Board may meet together for the dispatch of business, adjourn and otherwise regulate its meetings as it thinks fit.
- 18.1.2 A meeting of the Board may be held using any technology that permits clear and simultaneous communication of all persons present at the meeting.
- 18.1.3 All provisions of these Rules relating to meetings of the Board, as far as possible and with any necessary changes, apply to a meeting of the Board using technology.
- 18.1.4 A Board member who takes part in a meeting by telephone or other electronic means is taken to be present at the meeting.
- 18.1.5 A meeting using technology is taken as held at the place determined by the chairperson of the meeting, as long as at least one of the Board members involved was at that place for the duration of the meeting.

**18.2 Convening and notice of Board meetings**

- 18.2.1 The Board must meet at least 10 times a year.
- 18.2.2 The President may convene a meeting of the Board whenever he or she thinks fit.
- 18.2.3 The Secretary must, on the request of any 4 Board members, convene a meeting of the Board.
- 18.2.4 Notice of a Board meeting must be given to each person who is a Board member, except a Board member on leave of absence approved by the Board.
- 18.2.5 Notice of a Board meeting:
- (a) must specify the time and place of the meeting; and
  - (b) may be given in person or by post, telephone, fax or other electronic means.
- 18.2.6 The accidental omission to give notice of a meeting to, or the non-receipt of a notice of meeting by, a Board member will not invalidate proceedings at a Board meeting.
- 18.2.7 A Board member's attendance at a Board meeting waives any objection that Board member may have to a failure to give notice of the meeting.

### **18.3 Quorum**

- 18.3.1 No business may be transacted at a Board meeting unless a quorum is present at the time the business is considered.
- 18.3.2 Unless otherwise determined by the Board, a quorum for meetings of the Board is half plus one of the Board members, or if the number of Board members is not a multiple of two, then the odd number nearest to and greater than half of the Board members.
- 18.3.3 If the number of Board members falls below the number required for a quorum for a meeting of the Board, the Board may nonetheless act:
- (a) to appoint a replacement Board member to any casual vacancy;
  - (b) to convene a general meeting; and
  - (c) to take any action reasonably necessary in the best interests of the Association.

### **18.4 President and decisions**

- 18.4.1 The President will be the chairperson of the Board. If the President is not present within 15 minutes after the time appointed for holding that meeting (or being present is unwilling to act), a Vice-President will preside at the meeting. If a Vice-President is not present (or being present is unwilling to act) then the Board members present will choose one of their number to be the chairperson of the meeting.
- 18.4.2 Except as provided by these Rules, questions arising at any meeting will be decided by a majority of votes and each Board member present will be entitled to one vote. In the event of an equality of votes cast on a question, the chairperson will have a casting vote in addition to a deliberative vote.

### **18.5 Written resolutions of the Board**

- 18.5.1 If all the Board members (other than a Board member on leave of absence approved by the Board members) have approved a document containing a statement that they are in favour of a resolution of the Board members in terms set out in the document, a resolution in those terms will be deemed to have been passed at a meeting of the Board held on the day on which the resolution was approved and at that time at which the document was last approved by a Board member or, if the Board members approved the document on different days, on the day on which, and at the time at which the document was last approved by a Board member.
- 18.5.2 Any such resolution in writing may consist of several documents in identical terms, each approved by one or more Board members and must be entered in the relevant book of minutes of the Association.
- 18.5.3 In this sub-rule 18.5, a Board member gives approval by:
- (a) signing a document containing the resolution;
  - (b) affixing an electronic signature to a document containing the resolution; or
  - (c) using such other written means approved by the Board members.
- 18.5.4 A reference in sub-rule 18.5.1 to all Board members does not include a reference to a Board member who, at a meeting of Board members, would not be entitled to vote on the resolution.

## **18.6 Delegation by the Board**

- 18.6.1 The Board may delegate any of its powers to individual Board members, Members or employees or to committees consisting of such Board members, Members or employees as the Board thinks fit. Any individual or committee so formed must conform to any direction given to it by the Board in the execution of the delegated powers.
- 18.6.2 The meetings and proceedings of any committee will be governed by the provisions of these Rules for regulating the meetings and proceedings of the Board so far as applicable and so far as those provisions are not superseded by any other direction given by the Board.

## **18.7 Defects in appointment**

An act done in good faith by any meeting of the Board, of any committee formed by the Board or by any person acting as a Board member will not be invalidated by reason of:

- 18.7.1 any defect in the election, appointment or tenure of a Board member or person acting on any such committee; or
- 18.7.2 the disqualification of any of them.

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## **19. Finances, records and common seal of the Association**

### **19.1 Fundraising**

The Board may raise money in any manner it thinks fit including the donation of money and the borrowing of money on the security of the Association's assets and the issuing of a security for any other purpose.

### **19.2 Investment**

The Board may invest funds of the Association in any manner and for any period as it thinks fit.

### **19.3 Negotiable instruments**

Unless the Board determines otherwise, cheques, promissory notes, drafts, bills of exchange and other negotiable instruments may only be signed, drawn, accepted, endorsed and otherwise executed (as applicable) on behalf of the Association by 2 Board members.

### **19.4 Accounts**

The Association must maintain adequate and accurate accounting records of the financial transactions of the Association.

### **19.5 Custody of and access to books and records**

- 19.5.1 Except as otherwise provided in these Rules, the Secretary must keep in his or her custody or under his or her control all books, documents and securities of the Association.
- 19.5.2 All books of accounts, other books, securities and other relevant documents of the Association will be available for inspection by any Member during usual business hours free of charge.
- 19.5.3 The Committee may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- 19.5.4 A Member may make a copy of any books of account, other books, securities and any other relevant documents of the Association.

## **19.6 Common Seal**

The Secretary must keep custody of the common seal of the Association.

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## **20. Minutes**

### **20.1 Minutes to be kept**

The Board must cause:

- 20.1.1 proper minutes to be made of the proceedings and resolutions of all meetings of the Association, the Board and committees formed by the Board;
- 20.1.2 the minutes to be entered in books kept for that purpose; and
- 20.1.3 the minutes to be signed within a reasonable time by the President of the meeting or by the President of the next meeting.

### **20.2 Evidence of proceedings and resolutions**

A minute that is recorded and signed in accordance with sub-rule 20.1 is evidence of the proceeding or resolution to which it relates, unless the contrary is proved.

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## **21. Notices**

**21.1** The Association may serve notice on any Member either personally, or by sending it through the ordinary prepaid post to the Member's registered address, or by leaving at the registered address in an envelope addressed to the Member or by sending it to the fax number or electronic address (if any) nominated by the Member.

**21.2** A notice sent by fax is taken to be served if the correct fax number appears on the fax transmission report or log report generated by the sender's fax machine confirming transmission was completed.

**21.3** A notice sent by other electronic means is taken to be served:

- 21.3.1 in the case of an electronic messaging system that contains a delivery verification function, on the generation by the electronic messaging system of a delivery verification notice or log entry or other confirmation; or
- 21.3.2 in the case of email or other electronic messaging system (other than those referred to in sub-rule 21.3.1), at the time the email containing the notice has left the sender's email system, unless the sender receives notification that the email containing the notice was not received by the recipient.

**21.4** Any notice placed in a correctly addressed prepaid envelope and placed in the post is taken to be served:

- 21.4.1 if posted to an address in Australia, three days after it is posted; and
- 21.4.2 in any other case, seven days after it is posted.

**21.5** If service under this sub-rule 21 is on a day that is not a business day or is after 5.00pm (addressee's time), the notice is regarded as having been received at 9.00am the next business day.

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**22. Dispute resolution**

- 22.1** The grievance procedure set out in this Rule applies to disputes under these Rules and in connection with the business of the Association between:
- 22.1.1 a Member and another Member; or
  - 22.1.2 a Member and the Association.
- 22.2** The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 22.3** If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 22.4** The mediator must be:
- 22.4.1 a person chosen by agreement between the parties; or
  - 22.4.2 in the absence of agreement:
    - (a) in the case of a dispute between a Member and another Member, a person appointed by the Board; or
    - (b) in the case of a dispute between a Member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria.
- 22.5** A Member may be a mediator.
- 22.6** The mediator may not be a Member who is a party to the dispute.
- 22.7** The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 22.8** The mediator, in conducting the mediation, must:
- 22.8.1 give the parties to the mediation process every opportunity to be heard; and
  - 22.8.2 allow due consideration by all parties of any written statement submitted by any party; and
  - 22.8.3 ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- 22.9** The mediator must not determine the dispute.
- 22.10** If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.
- 22.11** A meeting held under this Rule 22 may be held by the contemporaneous linking together by telephone or other electronic means of the parties and the mediator (where applicable).

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**23. Winding-up**

**23.1** Subject to the Act, on the winding-up or dissolution of the Association any surplus assets remaining after the satisfaction of all the Association's debts and liabilities must be given or transferred in accordance with the following priority:

23.1.1 first, an asset or part of an asset that consists of property supplied by a government department, public authority or council as defined in section 3(1) of the *Local Government Act 1989* (Vic), including any unexpended portion of a grant must be transferred in accordance with section 132(2) of the Act; and

23.1.2 second, to another organisation which has Rules prohibiting the distribution of its assets and income to its Members and governing Board to an extent at least as great as is imposed on the Association under Rule 4.

**23.2** The identity of the organisation referred to in sub-rule 23.1.2 must be decided by the Members by ordinary resolution at or before the time of winding up or dissolution of the company and, if the Members do not decide, by the Supreme Court of Victoria.

**Executive Summary****12.8 Communications Policy**

*Enquiries: (Sam Jackson: Corporate Development)*

**Council Plan**

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To provide Council with the draft Communications Policy for their final consideration and adoption.

**Recommendation (Director Corporate Development)**

That Council adopts the draft Communications Policy.

**Key Points / Issues**

- The draft Communications Policy (Policy) supports the delivery of Council communications that:
  - Promote Frankston City as a great place to live, work, learn, visit and invest
  - Instil pride in the Frankston City community
  - Help improve the reputation of Council and Frankston City
- The draft Policy (Attachment A) has been updated and expanded from the previous Media Policy (that had been considered and deferred by the previous Council), to include all Council communication channels.
- The intent of the draft Policy is that all official Council communication will be clear, concise, accurate and consistent with Council decisions and policies, and that all communications will be produced and distributed so they are accessible to the relevant audience. The draft Policy provides guidance for the appropriate use of communication channels, including media, publications, photographs, speeches, websites and social media.
- The draft Policy reinforces:
  - The Mayor and the CEO are the official spokespersons of Council. This role can be delegated as required to other Councillors, members of the Executive Management Team or a Council officer (where they have specialist technical knowledge about a specific topic)
  - Council officers are not authorised to speak on behalf of Council or the organisation without the express permission of the CEO
  - Councillors may communicate their own views to the media, constituents and others, but must not actively undermine any decision or position already taken by Council or bring Council into disrepute (as per the *Councillor Code of Conduct 2017*)

**12.8 Communications Policy****Executive Summary**

- Council's communication channels and resources will only be used to promote and disseminate the decisions, intentions, activities and actions of Council and will not be used to promote individual Councillor or officer views that are inconsistent with or contrary to those of Council
- Councillors agreed that there did not need to be a separate protocol for social media and that the strengthening of the Communications Policy and the Councillor Code of Conduct is sufficient.
- This report should be read in conjunction with the report also being presented at this meeting on the revised Councillor Code of Conduct in relation to Councillor usage of social media.

**Financial Impact**

For the 2017-2018 financial year, the State Government Minister for Local Government has announced a limit on the amount Victorian councils may increase rates. The cap for the 2017-2018 financial year is 2.0%. The cap is based on the Consumer Price Index expected for the financial year.

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

The adoption and implementation of the Communications Policy will have no additional financial impacts.

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

No external stakeholders have been consulted in the preparation of this report.

**2. Other Stakeholders**

The draft Policy applies to Councillors, Council officers, contractors and volunteers. Following adoption by Council, this policy will be communicated to all that are affected by it.

Councillors were briefed on 20 April 2017 on the draft Policy – resulting in minor amendments. Councillors also considered a revision of the adopted Councillor Code of Conduct in relation to Councillor's use of social media, to ensure consistency between the two documents. Specific changes to the draft Communications Policy stemming from the briefing include:

- Clarity around Councillors being approached by the media and advising the Mayor (now listed as a separate clause - 6.1.4)
- Reference to the provision of letters of support or recommendation (inclusion of clause 6.7.2)
- Social Media
  - Specifically listing the key legislation and policy that applies (clause 6.8.5)
  - A statement that no usernames and passwords for corporate websites or social media accounts will be provided to Councillors (clause 6.8.6)

**12.8 Communications Policy****Executive Summary**

- Official statements from Council on social media will come through Council's official accounts (clause 6.8.7)
- Councillor use of social media – including the requirement for a statement regarding personal opinion versus official position (clause 6.8.8)

To date, the Communications Team, Community Relations Coordinators and all Managers have been consulted with and provided input on the draft Policy. Since the briefing on 20 April 2017 two additional clauses are also recommended for inclusion:

- Clause 6.1.5 – relating to Councillors who are official delegates on external organisations
- Clause 6.8.9 – relating to Councillor use of a social media account during Council election period

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

The community and the media need to be able to have confidence in Council and the information it provides. A robust process for how this information is provided to the media or through other communication channels (corporate and personal) will provide support greater scrutiny of the information and Council and the City's reputation.

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

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

Legal

There are no legal implications stemming from the endorsement and adoption of the draft Communications Policy.

Policy Impacts

The draft Policy is consistent with the Councillor Code of Conduct (revised 22 May 2017 – also being considered at this Council meeting), other Council policies, protocols and guidelines that are referred to within it.

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 a small but unacceptable risk of incorrect information or legally damaging information being published, via any communication channel, where facts are not checked and appropriate approvals received.

The implementation of the draft Policy should to help mitigate this risk.

**12.8 Communications Policy****Executive Summary****Conclusion**

The draft Communications Policy supports the delivery of Council communications that are clear, concise, accurate and consistent with Council decisions and policies. The draft Policy supports Council communications that:

- Promote Frankston City as a great place to live, work, learn, visit and invest
- Instil pride in the Frankston City community
- Help improve the reputation of Council and Frankston City

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**ATTACHMENTS**

Attachment A: Communications Policy

<b>Frankston City Council Policy</b>	<b>Policy Number:</b>
<b>COMMUNICATIONS POLICY</b> (A3000891)	<b>Issue:</b> <b>Date:</b>

### 1. POLICY STATEMENT

Frankston City Council uses a variety of communication channels to inform, educate, engage and consult with the community on Council decisions, policies, programs, services and events.

Council communications should:

- Promote Frankston City as a great place to live, work, learn, visit and invest
- Instil pride in the Frankston City community
- Help improve the reputation of Council and Frankston City

All communications will be written, produced and distributed in an accessible manner. Council will maximise the use of electronic and online communication to reduce printed material where practicable and appropriate.

### 2. REASON FOR POLICY

This Policy provides guidance for the appropriate use of communications tools, including verbal, printed, electronic and online, to help build the positive reputation of Council and to facilitate Council's effective voice within, and on behalf of, the community.

The intent of this Policy is that all official Council communications will be a positive reflection of Council's commitment to informing the community in a manner that is clear, concise, accurate and consistent with Council decisions and policies.

### 3. SCOPE

This Policy applies to Frankston City Council Councillors, employees, contractors and volunteers. This Policy relates to all verbal, printed, electronic and online communications. It is aligned with the Councillor Code of Conduct and Staff Code of Conduct.

During a Council election this Policy should be read in conjunction with the Frankston City Council Caretaker Policy. During an emergency it should be read in conjunction with the Municipal Emergency Management Plan.

### 4. AUTHORISATION

This Policy is managed by the Community Relations Department, and is approved by Frankston City's Mayor and Council's Chief Executive Officer (CEO):

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Mayor, Frankston City

-----  
CEO, Frankston City Council

in accordance with Frankston City Council resolution at its Ordinary Council meeting of xxxx.

<b>Frankston City Council Policy</b>	<b>Policy Number:</b>
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## 5. REVISION DATE

This Policy will be reviewed and presented to Council no later than 30 June 2020 or earlier as deemed necessary by Council, and thereafter once within each subsequent Council term.

## 6. PRINCIPLES

### 6.1. Spokespersons

6.1.1. The Mayor is the official spokesperson on decisions made by Frankston City Council and advocacy with governments. The Deputy Mayor is the delegated spokesperson in the absence of the Mayor. The Mayor may appoint another Councillor as the Council's delegated spokesperson if appropriate.

6.1.2. Councillors are entitled to communicate their own views to the media, constituents and others, but must not actively undermine any decision or position already taken by Council or bring Council into disrepute. Councillors must make it clear that they are expressing their own individual view and not the official position of Council.

6.1.3. Councillors are responsible for ensuring that the information and responses they provide are accurate and consistent with Council decisions, legislation and policies.

6.1.4. So that the Mayor may be prepared to officially respond to any subsequent media requests, as a courtesy, Councillors should notify the Mayor of any comments that they have made to media.

6.1.5. Where a Councillor holds a position with an external organisation they must make clear in any communications if they are representing an official position of Frankston City, that of the external organisation or their own individual opinion (in absence of an official position).

6.1.6. In accordance with the Councillor Code of Conduct, care needs to be given to ensure:

- Any statements do not bring Council or the Organisation into disrepute
- Privacy and data security obligations are complied with and only publicly available information can be shared

Any failure to comply may result in disciplinary action in accordance with the Councillor Code of Conduct.

6.1.7. The CEO is the official spokesperson on Frankston City Council's operational matters. The CEO may delegate the operational spokesperson role to a member of the Executive Management Team during any absence. The CEO may appoint another Council officer to be a delegated spokesperson in his/her absence or may appoint a Manager with specialist technical knowledge to comment in relation to a specific topic.

6.1.8. Council officers are not authorised to speak on behalf of Council or the Organisation without the express permission of the CEO. Public comments made as private community members, via any communication channel, need to clearly

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outline that they are personal opinions only. In accordance with the Staff Code of Conduct care needs to be given to ensure:

- Any statements do not bring Council or the Organisation into disrepute
- Privacy and data security obligations are complied with and only publicly available information can be shared

Any failure to comply may result in disciplinary action in accordance with the Staff Code of Conduct.

## **6.2. Promoting Council business**

- 6.2.1. Council's communication channels and resources will be used only to promote and disseminate the decisions, intentions, activities and actions of Council, and will not be used to promote individual Councillor or Officer views that are inconsistent with or contrary to those of Council.

## **6.3. Councillors as candidates**

- 6.3.1. Council's communications channels and resources will not be used for political advantage by Councillors who are candidates, or representing someone else who is a candidate, in a local, state or federal Government election.

## **6.4. Publications and promotional material**

- 6.4.1. All publications and promotional material (print and online) about Council decisions, policies, programs, services and events must adhere to Council's branding guidelines.
- 6.4.2. All publications and promotional material should be accurate, informative and written in plain language. They should be produced and distributed so that they are accessible to the relevant audience.
- 6.4.3. All official Council endorsed strategy documents and policies may (as appropriate) include an introductory message from the Mayor as at the date of publication. This message must be approved by the CEO and Mayor.
- 6.4.4. Council will regularly communicate Council decisions, policies, programs, services and events through a wide range of communication channels. These channels will not be used to promote individual agendas, political or otherwise, or criticise Councillors, Council decisions, community members, members of the government or opposition, or Council Officers.
- 6.4.5. All communications sent directly (i.e. personally addressed) to an individual must comply with Council's Privacy Policy, particularly:
- The contact details of community members remain confidential and not provided to a third party to be used for other purposes
  - The communication and database are not used to promote anything outside the original purpose to which recipients agreed, unless they consent
  - Recipients are provided with a mechanism to opt out at any time

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#### **6.5. Photographs**

- 6.5.1. Council must comply with privacy, copyright and freedom of information legislation in regards to photographs.
- 6.5.2. Council must have permission to use images of people. The permission must specify whether consent has been given for a specific use of the image or ongoing use of the image as a stock photo. A record of the permission must be retained in Council's document management system. It is essential there is parental/guardian permission in writing for anyone featured under the age of 18.
- 6.5.3. Council photographs must not be passed onto a third party for any purpose, without express written permission from the Coordinator Communications. Council photographs are approved for Council purposes only – additional approvals are required prior to supplying to a third party.
- 6.5.4. Council cannot use photographs from third parties without permission, including photographs from the internet. Permission must be gained and Council may be required to credit the photographer or source.
- 6.5.5. The *Freedom of Information Act 1982* gives anyone the right to request a copy of any document held by Council, including photos. All requests must be directed to Council's Freedom of Information Officer.

#### **6.6. Speeches**

- 6.6.1. The Mayor and/or CEO (or their delegates) are the official spokespersons for Council at events.
- 6.6.2. The Mayor takes precedence at all municipal proceedings within Frankston City.
- 6.6.3. Council resources will support the preparation of speeches for the official spokesperson/s only.
- 6.6.4. Speeches should include the welcome to country (ie. acknowledgement of the traditional land owners).

#### **6.7. Letters**

- 6.7.1. Council letterhead must only be used for the official business of Council and not to promote individual Councillor or officer views that are inconsistent with or contrary to those of Council.
- 6.7.2. Councillors should be mindful if using Council letterhead to write letters of support or recommendation for Frankston City based community groups, businesses and/or individuals. If in doubt, the Councillor should seek guidance from the Mayor.

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**6.8. Websites and social media**

- 6.8.1. Council will use online channels, such as websites and social media, to provide timely and accurate information to the community and also engage with and listen to the community.
- 6.8.2. Council will maintain and periodically upgrade its website to ensure compliance with World Wide Web Consortium (W3C) industry standard accessibility. Emphasis will be placed on ensuring sites are user friendly and easy to navigate, and information is accurate and up to date.
- 6.8.3. Council's corporate website is [frankston.vic.gov.au](http://frankston.vic.gov.au). Council may also maintain additional websites that focus on particular community information needs, such as investment attraction, libraries, tourism or the Frankston Arts Centre.
- 6.8.4. Councillors will each have a profile on Council's corporate website that features their contact information, a photograph, Council Committee memberships and a short biography.
- 6.8.5. All Council social media channels must be used in accordance with Council's Social Media Protocols for Officers, Volunteers and Contractors, Frankston City Councillor Code of Conduct and any relevant privacy and records management legislation.
- 6.8.6. All login details to access Council owned and managed websites and social media platforms are to be retained and managed by relevant Council officers. These will not be provided to Councillors.
- 6.8.7. All official statements from Frankston City Council will be announced via Council's corporate social media platforms in accordance with Social Media best practice. This will include reference to the official spokespersons as appropriate.
- 6.8.8. Councillors may utilise their own social media accounts (personal and/or representing themselves as a Councillor of Frankston City). On all social media accounts, Councillors must include in the header of the account a statement that they are providing their own individual comment and are not speaking on behalf of Frankston City Council.
- 6.8.9. Where a Councillor has a social media account that refers to them as a Councillor, in accordance with Council's Election Period Policy this account must be deactivated and may only be reactivated upon the individual being officially sworn in as a Councillor of Frankston City Council.

**6.9. Emergency Communications**

- 6.9.1. Council is responsible under the Emergency Management Act to operate a Municipal Emergency Coordination Centre (MECC) during an emergency management situation. Key emergency management communications roles have been established within Council to assist it in meeting its responsibilities. The Mayor and Councillors have no direct role but may be called upon to assist where appropriate.

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## 7. ROLES AND RESPONSIBILITIES

- 7.1. It is the role of Council to support this Policy in actions and decision-making.
- 7.2. The Mayor is responsible for developing a culture among the Council that understands and values the importance of media and communications management at the highest levels within Council.
- 7.3. The CEO is responsible for developing a culture within the Organisation that understands and values the importance of media and communications management at the highest levels within Council.
- 7.4. The Manager Community Relations and the Coordinator Communications are responsible for ensuring Councillors, Council Officers, contractors and volunteers are aware of this Policy.
- 7.5. Managers and Coordinators within Council are responsible for ensuring all Council Officers follow this Policy.
- 7.6. The Mayor is responsible for ensuring all Councillors are aware of this Policy.
- 7.7. The Community Relations Department is responsible for developing, approving and implementing Council's media and external communications strategies with the relevant approvals, in line with communications protocols (refer to section 9).
- 7.8. The Communications team:
  - 7.8.1. Follows the Frankston City Council Media Management Protocols in all media management activities
  - 7.8.2. Provides advice to the Mayor and the CEO on media matters and potential media issues
  - 7.8.3. Arranges media training for Council spokespersons
  - 7.8.4. Provides advice and support to any delegated spokesperson
  - 7.8.5. Is the only area authorised to post on corporate social media sites
  - 7.8.6. Has oversight of all Council owned and managed social media sites
  - 7.8.7. Provides final approvals for print and broadcast advertising (excluding public notice, tender, recruitment and the Frankston Arts Centre advertising), speeches (in conjunction with the relevant subject matter expert and the official spokesperson delivering the speech), *Frankston City News*, promotional flyers/brochures and all email newsletters
  - 7.8.8. Does not provide administrative support for Councillors' individual social media sites
  - 7.8.9. Does not provide support or information to individual Councillor campaigns.
- 7.9. The Manager Community Relations (or delegate) is responsible for approving new websites and social media sites relevant to specific target audiences and authorising the appropriate Council Officer(s) to post content on behalf of Council. The Manager Community Relations (or delegate) reserves the right to remain an administrator of any page.

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7.10. The Community Relations Department will maintain a database of all logins and passwords of all corporately owned and managed social media sites, website content management systems and e-newsletters.

## **8. POLICY NON-COMPLIANCE**

Non-compliance with this Policy has the potential to impact negatively on the reputation of Council and its ability to maintain the continued support of the Frankston City community, governments and neighbouring Councils.

Failure to comply with this Policy will be treated seriously and may incur disciplinary measures in accordance with the Council Staff Code of Conduct and the Councillors' Code of Conduct.

## **9. RELATED DOCUMENTS**

- 9.1. Frankston City Council Councillors' Code of Conduct 2016 (being revised)
- 9.2. Frankston City Council Staff Code of Conduct 2012 (being revised)
- 9.3. Frankston City Council Municipal Emergency Management Plan
- 9.4. Frankston City Council Election Period Policy
- 9.5. Frankston City Council Media Policy, 1997 (*superseded by this Policy*)
- 9.6. Peninsula Aquatic and Recreation Centre (PARC) Media Policy
- 9.7. Frankston Arts Board Media Policy
- 9.8. *Local Government Act 1989*
- 9.9. *Privacy and Data Protection Act 2014*
- 9.10. *Public Records Act 1973*
- 9.11. *Copyright Act 1968*
- 9.12. *Freedom of Information Act 1982*
- 9.13. Frankston City Council Media Management Protocols 2016
- 9.14. Frankston City Council Social Media Protocols – Council officers, contractors, volunteers 2016
- 9.15. Frankston City Council Social Media Protocols – Councillors (being drafted)
- 9.16. Frankston City Council Logo Usage Protocols 2015
- 9.17. Frankston City Corporate Branding Guidelines, 2015 (being revised)
- 9.18. Frankston City Council Publication Style Guide
- 9.19. Frankston City Council Photography and Photo Library Guidelines 2016
- 9.20. Frankston City News Terms of Reference (being revised)
- 9.21. Frankston City Council Community Engagement Strategy/Plan

## **10. IMPLEMENTATION OF THE POLICY**

This Policy (in conjunction with other Related Documents) will be incorporated into the key decision making processes of Council. Council will develop a range of tools to assist Councillors, Council Officers, contractors and volunteers to understand their role in media and communications management.

<b>Frankston City Council Policy</b>	<b>Policy Number:</b>
<b>COMMUNICATIONS POLICY</b> (A3000891)	<b>Issue:</b> <b>Date:</b>

## 11. DEFINITIONS

**Caretaker period (defined in the Local Government Act 1989 as 'Election Period'):**

the period that:

- (a) starts on the last day on which nominations for that election can be received; and
- (b) ends at 6pm on local government election day.

**City:** the Local Government Area (municipality) of Frankston City.

**Council:** Frankston City is governed by nine Councillors democratically elected in accordance with the *Local Government Act 1989*. Collectively, they constitute the Council.

**Electronic communication:** any communication channel that is transmitted electronically, for example emails and e-newsletters.

**Media:** print, broadcast (television and radio), online and social media.

**Online communication:** any communication channel that uses the internet, for example social media and websites.

**Organisation:** led by the CEO, the Organisation manages the day to day operations of Council and implements Council decisions.

**Social media:** web-based technology, such as Facebook, Twitter, Instagram and YouTube, that allows an exchange of dialogue between organisations, communities and individuals.

## Executive Summary

### 12.9 Procurement Policy 2017/2018 - Review

*Enquiries: (George Vass: Corporate Development)*

#### Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.1 Ensure the organisation is financially sustainable

#### **Purpose**

To request Council to approve the Draft 2017/18 Procurement Policy and 2017/18 Procurement Strategy (as amended).

#### **Recommendation (Director Corporate Development)**

That Council approves the Draft 2017/18 Procurement Policy and Draft 2017/18 Procurement Strategy.

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

##### Introduction

- Section 186A (7) of the Local Government Act 1989 requires each Council to review and publish its Procurement Policy at least once in each financial year. Council last reviewed its Procurement Policy at its meeting on the 6 June 2016.
- NOM 1274 on 19 January 2017 states:  
“That a review of all procurement policies and contracts for goods and service provision to Council and a report be provided to Council within 12 weeks detailing where efficiencies could be achieved and where further local investment can be promoted.

##### Summary of Procurement Strategy 2016/2017

- The 2016/2017 Procurement strategy reflected a continuation of existing practices in achieving procurement compliance noting that the procurement audit undertaken by Pitcher Partners found that there were no significant breaches of S186 of the Local government Act and Council’s Procurement Policy.
- A high level of collaboration between all departments of Council has continued to see significant improvements in procurement compliance across the organisation and most noticeably in tendering practices, commercial negotiations, risk management stemming from supply contracts and in the quality of documentation provided during the bid process; despite the fact that improvements have been made in the service areas to ensure that the administration of contracts occurs according to the agreed terms and conditions and that Council is not exposed to legal, financial and reputational risks.

**12.9 Procurement Policy 2017/2018 - Review****Executive Summary**

- In 2016/2017, Council issued 126 major contracts over \$70,000 in value and largely comprising infrastructure and building project construction contracts, facility maintenance contracts, major plant and equipment supplies and for operational maintenance and community service needs. Under-threshold purchases and purchase orders have been reduced by over 65% since 2013 through the establishment of formalised supply contracts under sole-supply arrangements or through the establishment of contracts under panels or by using available suppliers under schemes such as Procurement Australia.
- The Contracts and Procurement unit has endeavoured to achieve best value for money through collaborative procurement arrangements offered by Procurement Australia (58 Council's participated in a tender for gas and electricity supply) and in structuring and negotiating substantial contracts such as the facilities maintenance contract that will over a five-year period, lead to a substantial saving and improvement in building compliance. However, there is a great deal of work ahead in realising efficiencies through the implementation of a contract management system and through the improvement of contract administration practices in infrastructure and building project contracts and this is discussed under the proposed procurement strategy for 2017/2018 below.

**Proposed Procurement Strategy 2017/2018**

- While the Contracts and Procurement team will continue to work on key areas largely through collaborative procurement channels to deliver savings, an organisational commitment to implement a formal contract management system will deliver significant savings and a reduction in Council's risk exposure. While a great deal of work has been undertaken to review delegations in order to assist officers in making project-related decisions, it is evident that a more specific contract management training, better contract administration practices and better technical documentation are required as well as an improved platform in reporting to Council to reduce these risks and improve efficiencies.
- It is envisaged in the 2017/2018 financial year, this will require:
  - Integration of contract management with Council's finance system that will allow for online and controlled publication, control and monitoring of expenditure, progress and contract performance,
  - Understanding the extent to which Council can support and improve its commitment to local content in the purchase of goods and services with exposure to sanctions and significantly affecting competition in the market,
  - Improving the quality of drawings and specifications and undertaking due diligence to improve the enforceability of contractual provisions,
  - Developing a reporting platform to effectively manage design and construction-related issues and to expedite direction from Council and the Executive in order to resolve such matters.
- A contract management audit has been undertaken and a specification has been prepared that articulates Council's requirements regarding a contract management system.

**12.9 Procurement Policy 2017/2018 - Review****Executive Summary**Draft 2017/2018 Procurement Policy*Objective*

The draft 2017/2018 Procurement Policy aims to continue channelling procurement and contract management compliance through a structure of middle management support and accountability; allowing the C&PU to allocate resources in pursuing cost-effective services for the community through strategic procurement. This strategy will allow the C&PU to continue to realise and delivery more tangible savings by reviewing current practices and supply channels, commercial arrangements, reporting and to provide internal and external training.

*Structure of the draft 2017/2018 Procurement Policy*

What Council officers often refer to as the Procurement Policy are procurement procedures, rules, Council's delegation instrument or any other document intended to ensure compliance with the Local Government Act, competition law and Council's intention. While Policies are often written in a brief format that incorporate the supporting principles that need to be considered, such documents provide little assistance to staff members that seek to use such documents as a guide when making procurement and contract management decisions.

The draft policy is intended to incorporate a number of instruments and subordinate Council policies that work together collectively in assisting Council to achieve its procurement and contract management objectives.

They include the:

- Instrument of Sub-delegation authorising Council officers to incur expenditure,
- Purchasing Guidelines that provide guidance and general procedures for the raising of purchase orders etc.,
- Contract Management Templates and Guidelines that provides instructions and directions.

*Procurement thresholds under the draft 2017/2018 Procurement Policy*

- It is proposed that the procurement thresholds for the organisation remain unchanged. The current thresholds promote competitive procurement and achievement of best value for the organisation are consistent with the recommendations of the LGV Procurement Guide and as was highlighted in when compared with other Councils are reasonable expectations.

*Local Content*

The Local Content criterion under Council's Procurement Policy is stipulated at 5% of the weighting and this does not appear to be sufficient given our need to protect the local economy and jobs and some good work has been undertaken by Council's Economic Development Unit and other within other Councils to introduce various economic resilience packages and schemes.

An increase in the weighting of local content from 5% to say 10% as part of the tender evaluation process has in the past been considered. However, there is some concern that Council may be exposed to liability under the anti-competitive provisions of the Competition and Consumer Act which can attract substantial fines.

**12.9 Procurement Policy 2017/2018 - Review****Executive Summary**

There is a model in operation that was first implemented in Ballarat and that aims to prescribe local content as a significant criterion but it does so in a manner that requires tenderers to disclose the value of local goods and services that form part of the tender offer. Compliance with the tenderer's disclosed local content contribution is then considered in any future tender submissions to Council. This was presented in the Ballarat model with significant qualifications that were later omitted and not disclosed to tenderers which demonstrates that the approach has a propensity to mislead suppliers and expose Council.

It is possible to make an application to the Competition and Consumer Commission seeking immunity from prosecution in the event that the exclusive dealing provision under the Act is breached but this would require a detailed understanding about how competition in the market is affected for various categories of goods and services and costs can outweigh gains.

Officers will continue to explore meaningful options for Council to review and consider but it will be necessary to review local content in the context of specific markets for goods and services and write to the Competition and Consumer Commission in order to seek direction.

**Financial Impact**

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

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

Significant in its contribution towards savings.

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

Suppliers, Procurement Australia, neighbouring municipalities and wider municipal procurement group.

**2. Other Stakeholders**

Departmental requests.

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

Considered as part of each procurement supply and process.

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

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

Legal

Nil.

**12.9 Procurement Policy 2017/2018 - Review****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**

Considered.

**Conclusion**

The Procurement Policy presented for Council's review and endorsement maintains a conservative position with regard to category expenditure and delegations that will also be incorporated into the Policy once reviewed and approved by Council. The proposed 2017/18 procurement strategy outlines the recommendations that if adopted by Council, will lead to significant efficiencies and perhaps a meaningful way forward in improving local content in the purchase of goods and services.

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**ATTACHMENTS**

Attachment A: Draft Procurement Policy 2017/18



*opportunity » growth » lifestyle*

# Procurement Policy

2017/2018

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**Responsible Directorate:** Corporate Development

**Authorised by:** Council

**Date of adoption:** 22 May 2017

**Review date:** Annually

(Note that the Local Government Act 1989 requires that this Policy be reviewed at least once each financial year)

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## FOREWORD

In November 2008, amendments to the Local Government Act 1989 were passed which included a new Section 186A that required a council to prepare and approve a procurement policy, that a procurement policy must include any prescribed matter and that a council must have regard to Ministerial Guidelines made under the Section when preparing its policy. Further, a council must review its procurement policy annually and make it available for public inspection.

**NOTE:** *This Procurement Policy replaces the earlier Procurement Policy adopted by Council in 6 June 2016*

## 1 PRINCIPLES

### 1.1 Background

Frankston City Council ("Council"):

- recognises that:
  - developing a procurement policy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for all goods, services and works by Council, will enhance achievement of Council objectives such as providing better cost-effective services for the community, supporting the local and regional economy, developing an organisation that is recognised for its innovative approach and progressive character and is consistent with community expectations that Council and Council officers will achieve these objectives and will remain accountable at all times.
  - the elements of best practice applicable to local government procurement incorporate:
    - Broad principles covering ethics, value for money, responsibilities and accountabilities;
    - Guidelines giving effect to those principles;
    - a system of procurement authorisation limits (aligned with the delegated level of authority vested in Council officers by the Chief Executive Officer under the Instrument of Sub-delegation) to approve and undertake a range of functions in the procurement process;
    - procurement processes, with appropriate procedures covering minor, simple procurement to high value, more complex procurement; and
    - a professional approach.
- Council's contracting, purchasing and contract management activities endeavour to:
  - support Council's corporate strategies, aims and objectives;
  - achieve value for money and quality in the acquisition of goods, services and works by Council;
  - can demonstrate that public money has been well spent;
  - are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;
  - seek continual improvement including the embrace of innovative and technological initiatives such as electronic procurement processes to reduce activity cost; and
  - support business in the local community.

## 1.2 Scope

This Procurement Policy is made under Section 186A of the Local Government Act 1989. This Section of the Local Government Act requires Council to prepare, approve and comply with a Procurement Policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by Council.

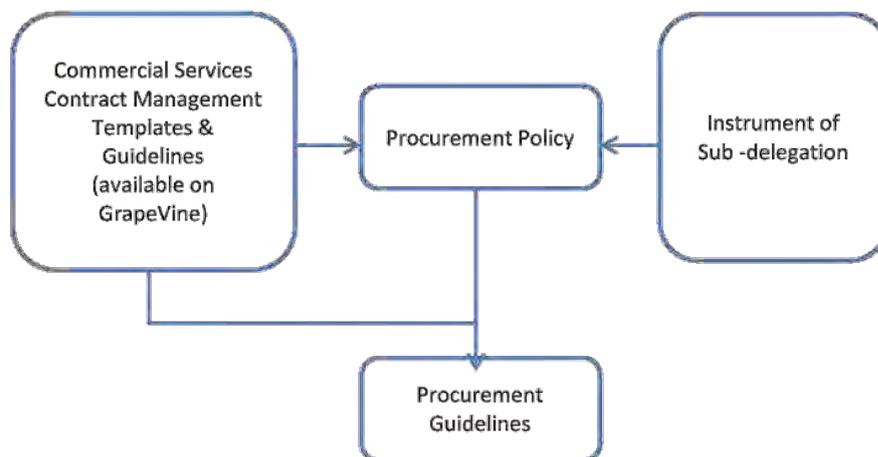
This Policy is an overarching policy that applies to all procurement activities conducted and/or overseen by Council and is binding upon Councillors, Council officers and consultants and contractors engaged by Council provided that the application of the policy is expressly provided for in their contractual agreement with Council.

Under this Policy fall a number of Instruments and other subordinate Council policies and guidelines that provide further specific detail relevant to their area. In particular, the following should be noted where the:

- Instrument of Sub-delegation authorising Council officers to incur expenditure;
- Purchasing Guidelines provide guidance and general procedures for the raising of purchase orders etc; and
- Contract Management manual provides guidance and instructions of how to administer and report on projects.

In addition to the above documents, procedural Contract Management templates and guidelines is under construction for Council staff members in the administration and management of contracts are available until the Contract Management manual is incorporated with the Contract Management system and to ensure a consistent and compliant approach across Council to these activities.

Copies of these documents are available on Council's Intranet site (GrapeVine).



### 1.3 Purpose

The purpose of this Policy is to:

- Provide policy and guidance to Council to allow consistency and control over procurement activities;
- Demonstrate accountability to ratepayers;
- Provide guidance on ethical behavior in public sector purchasing;
- Demonstrate the application of elements of best practice in purchasing; and
- Implement a culture of accountability and provide a degree of empowerment among Council staff members when undertaking purchasing-related transactions on behalf of the Council.

### 1.4 Treatment of GST

All monetary values stated in this Policy include GST except where specifically stated otherwise.

### 1.4 Definitions and Abbreviations

Term	Definition
Best Value (refer also section 3.4)	Best Value or value for money in procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors. Lowest price is not the sole determinant of Best Value ( <i>subject to conditions</i> ).
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party e.g., prices, discounts, rebates, profits, methodologies and process information, etc.
Contract management and CMS	The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money. CMS is the Contract Management System that will be integrated with Council's Financial System in 2018.

Term	Definition
Council staff	Includes full-time and part-time Council officers, and temporary employees, contractors and consultants and authorised agents of Council.
RMS	A record management system being Council's corporate electronic data storage system.
EMT	Council's Executive Management Team
External Procurement Auditor	An expert from outside Council who has been engaged to provide advice and a degree of impartiality on a particular procurement.
Probity	The dictionary definition of probity refers to uprightness, honesty, and integrity. Within government, the word "probity" is often used in a general sense to mean "good process" or "good governance". A procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with Council's policies and legislation are established, understood and followed from the outset. These procedures are required to ensure ethical and responsible conduct and to maintain transparency. They also need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated fairly and equitably.
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs
Tender or quotation process	The generic process of inviting parties to submit a proposal, followed by the evaluation of submissions and selection of a successful respondent. Council's invitation to parties may include a simple quotation request or a more formal request for expressions of interest or tenders.

## **2 ETHICS AND PROBITY**

### **2.1 Requirements**

Council's procurement activities shall be performed with integrity and in a manner able to withstand the closest possible scrutiny.

### **2.2 Conduct of Councilor's and Council Staff**

#### **2.2.1 General**

- Councillors and Council staff members shall at all times conduct themselves in accordance with the Councillors Code of Conduct and the Code of Conduct for Staff, and in ways that are, and are seen to be, ethical and of the highest integrity and will:
- ensure fair, equitable, and unbiased treatment of all parties including potential and existing suppliers;
- use consistent and transparent processes;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence information such as contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers with the same information and equal opportunity;
- be able to account for all decisions and provide feedback on them so that all decisions are understood and can be subsequently justified;
- ensure their actions embody the principles of sound financial and risk management; and
- comply with all legal and policy requirements.

Council staff members who are responsible for managing or supervising contracts are prohibited from performing any works under the contract they are supervising and must not have or have had an association with the procurement of the goods, services or works or the design thereof in a personal capacity.

### **2.2.2 Members of Professional Bodies**

Councillors and Council staff members belonging to professional organisations shall, in addition to the obligations detailed in this Policy, ensure that they adhere to any code of ethics or professional standards required by that body.

## **2.3 Procurement Processes**

All procurement processes shall be conducted in accordance with the requirements of this Policy and any associated policies, procedures, relevant legislation, relevant Australian Standards and the Local Government Act 1989.

## **2.4 External Probity Auditors**

There are circumstances where the use of an external probity auditor is required. The use of an external probity auditor is mandated when the value of the goods, services or works exceeds \$5 million (inclusive of GST).

The appointment of an external probity auditor for purchases below this value can also be considered and mandated by the relevant Director or Chief Executive Officer having considered:

- the complexity of the procurement project;
- where the risk associated with the procurement process is considered very high;
- where the procurement project has the potential for risk to Council's reputation; or
- the specialist nature of any potential issues.

Where a decision is made to appoint an external probity auditor it is recommended that the appointment be made as early as possible in the procurement process and a probity plan should be prepared and in place before the procurement is commenced.

## **2.5 Conflict of interest**

Councillors, Council staff members and any external procurement auditor shall at all times act in compliance with the conflict of interest requirements in the Local Government Act 1989 and the guidelines available from Local Government Victoria.

- In particular, Councillors, Council staff and any external procurement consultants shall:
- avoid situations in which private interests conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties;

- not participate in any action or matter associated with the arrangement of a contract (i.e., evaluation, negotiation, recommendation, or approval), where that person or any member of their immediate family has a significant interest, or holds a position of influence or power in a business tendering or quoting for Council work; and
- note that the onus is on the individual involved being alert to and promptly declaring an actual or potential conflict of interest to Council.

## **2.6 Openness and fairness**

Prospective contractors and suppliers must be afforded an equal opportunity to tender or quote. Impartiality must be maintained throughout the procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected. Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

## **2.7 Accountability and transparency**

Accountability in procurement means being able to explain and provide evidence on the process followed. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore the processes by which all procurement activities are conducted will be in accordance with Council's procurement policies and procedures as set out in this Policy and related, relevant Council policies and procedures and all procurement activities are to provide for an audit trail for monitoring and reporting purposes.

## **2.8 Gifts and hospitality**

Councillors and Council staff members must at all times act in accordance with all laws, relevant policies, guidelines and employment agreements.

One of the underlining principles of Council's Gift and Hospitality Policy is that no member of Council staff shall seek or accept substantial favours or gifts from anyone who could benefit by inappropriate influence.

## 2.9 Disclosure of information

Commercial in Confidence information received by Council must not be disclosed and is to be stored in a secure manner.

Councillors and Council staff members are to protect information disclosed by organisations by refusing to release or discuss the following:

- any information that is Commercial in Confidence information; and
- pre-contract information including but not limited to information provided in tenders and quotations or subsequently provided in pre-contract negotiations.

Councillors and Council staff members are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests.

Discussion with potential suppliers during tender or quotation evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

At no stage should any discussion be entered into which could have potential contractual implications prior to the contract approval process being finalised other than authorised pre-contract negotiations.

### **3 GOVERNANCE**

#### **3.1 Structure**

Council shall:

- establish a procurement management responsibility structure and a system of procurement authorisation limits (based on Council's Instrument of Sub-delegation); ensuring accountability, traceability and auditability of all procurement decisions made over the lifecycle of all goods, services and works purchased by Council;
- ensure that Council's procurement structure:
  - is flexible enough to purchase in a timely manner the diverse range of material, goods, works and services required by Council;
  - Informs Council staff member's their purchasing limits (delegated level of authority) and the fact that they are required to accept responsibility for ensuring that their procurement-related decisions comply with this Policy;
  - ensures that prospective contractors and suppliers are afforded an equal opportunity to tender or quote; and
  - encourages competition.

#### **3.2 Standards**

Council's procurement activities shall be carried out to the professional standards required by best practice and, where relevant, in compliance with:

- the Local Government Act 1989 and other legislative requirements such as but not limited to the Competition and Consumer Act, Goods Act, Charter of Human Rights and Responsibilities Act, and the Environmental Protection Act. ;
- Council's Instrument of Sub-delegation and policies such as but not limited to the this Procurement Policy, the Contracts and Tendering Probity Policy and Corporate Credit Card Policy;
- Council's procedures such as but not limited to the Purchasing Guidelines and Contract Management templates and guidelines;
- Council's codes of behaviour such as but not limited to the Code of Conduct, Code of Ethics and Gifts and Hospitality policies; and,
- Local Government Procurement Best Practice Guidelines.

### **3.3 Integration with Council Strategy**

Council's procurement strategy shall support its corporate strategy, aims and objectives, including but not limited to those related to sustainability, protection of the environment, corporate social responsibility and meeting the needs of the local community such as:

- achieving long term community outcomes in Councils Corporate Plan (ie a Planned City for future growth , a Livable city, a Sustainable City,
- feeling safe,
- living in a clean and pleasant environment, and
- receiving good quality and well managed Council services that represent Best Value.

### **3.4 Best Value**

#### **3.4.1 Requirement**

Council's procurement activities will be carried out on the basis of obtaining value for money consistent with acceptable quality, reliability and delivery considerations.

Lowest price is not the sole determinant of Best Value. Best Value in Council procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including:

- contribution to the advancement of Council's priorities and objectives;
- non-cost factors such as fitness for purpose, quality, social and environmental impacts, service and support; and
- cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.

#### **3.4.2 Approach**

The Best Value approach will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the lifecycle;
- effective use of competition;
- using aggregated contracts and supply panels where appropriate;
- identifying and rectifying inefficiencies in procurement processes;

- developing cost efficient procurement processes including use of e-solutions for small value purchases and tendering where appropriate;
- Council's Contracts and Purchasing Unit being responsible for providing procurement services ,assistance, management of the Contract Management System (CMS), reporting and providing competent advice in terms of available products and agreements; and
- working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired.

### 3.4.3 Role of Specifications

Specifications used in tenders and quotations are to be used to support bid and quotation requests and incorporated into contracts are to support and contribute to Council's Best Value objectives through being written in a manner that:

- clearly describes what Council wishes to procure;
- ensures impartiality and objectivity;
- encourages the use of standard products;
- encourages sustainability;
- eliminates unnecessarily stringent requirements

### 3.4.4 Contract Management

The purpose of contract management is to ensure that Council receives the goods, services or works provided to the required standards of quality and quantity and ensuring that Council Staff members use commercially robust contracts to describe Council's intention and administer each contract competently. This is achieved by:

- establishing a system monitoring and achieving the responsibilities and obligations of both parties' under the contract; and
- providing a means for the early recognition of issues and performance problems and the identification of solutions
- adhering to Council's adopted Risk Management Strategy and adhering to relevant Occupational Health and Safety Contractor Compliance Procedures.

Contracts are to be proactively managed in accordance with the contract requirements by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure Council receives Best Value.

Council's Contract Management templates and guidelines are available on Council's Intranet (GrapeVine). The templates and guidelines provide guidance and assistance to Council staff in the administration and management of contracts and aims to ensure a consistent approach across Council to these activities.

A draft Contract Management manual has been prepared and will be incorporated as part of the completion of a Contract Management System in 2018

### 3.5 Methods

Council's standard methods for purchasing goods, services and works shall be by the following methods:

- credit card;
- purchase order following a tender or quotation process from suppliers for goods or services that represent Best Value under directed procurement thresholds (also includes under threshold operations-related purchases that do not require a purchase order);
- under contract following a tender or quotation process (this includes the use of panel supplies where they have been established);
- using aggregated purchasing arrangements with other councils, Victorian State Government (e.g. State Purchase Contracts, Whole-of-Government contracts etc), Procurement Australia, or other bodies; or
- other arrangements authorised by Council or the Chief Executive Officer (CEO) on a needs basis as required by unforeseen circumstances such as emergencies.

Council may, at its discretion and based on the complexity and cost of the project, conduct a one stage or multi-stage procurement process.

For example, a multi-stage procurement process would typically commence with an expression of interest stage followed by a tender process involving the organisations selected as a consequence of the expression of interest stage.

Expressions of Interest (EOI) may be appropriate where:

- the requirement is complex, difficult to define, unknown or unclear;
- the requirement is capable of several technical solutions;
- Council wishes to consider ahead of formal tender processes such issues as whether those suppliers likely to tender possess the necessary technical, managerial and financial resources to successfully complete the project;
- tendering costs are likely to be high and Council seeks to ensure that companies incapable of supplying the requirement don't incur unnecessary expense;

- it is necessary to pre-qualify suppliers and goods to meet defined standards; or
- the requirement is generally known but there is still considerable analysis, evaluation and clarification required (both of the objective and the solution).

### **3.6 Responsible financial management**

Responsibility for financial management shall be accepted by Council Staff members in undertaking all their procurement activities. Accordingly, to give effect to this principle, the availability of existing funds within an approved budget, or source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council funds must be available and used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

Council seeks to improve its performance by capturing and analysing procurement financial information with an aim to:

- reduce transaction costs;
- make processes more efficient;
- improve management information and visibility of spend;
- increase control and consistency of processes; and
- improve spend compliance and reporting periodically to the Finance Department.

### **3.7 Council staff responsibilities**

Council staff must be aware of their role in ensuring that the principle of responsible financial management is maintained in their own procurement activities. For example,

- Council staff must not authorise the expenditure of funds in excess of their procurement authority (delegated level of authority);
- Council staff must not authorise or write multiple purchase orders to avoid the authorisation process requirements or their procurement authority;
- Council staff must not approve expenditure that relates to them personally and expenditure of this nature must be referred to the next higher level of authority for approval;
- Council staff must ensure that any purchase orders are generated at the point where the commitment to purchase goods, services or works has been made i.e. a

purchase order must be raised in Tech One when the goods, services or works are ordered and not when the invoice is received; and

- Expenditure must be recorded in a timely manner i.e. once the services or works have been completed (or payment certificates authorised by the project superintendent), or the goods have been received, the appropriate Council officer must ensure that the correct amount is delivered against the relevant purchase order in Tech One.
- Failure to comply with this Policy has the potential to expose Council to financial loss, risks non-compliance with the 'Act' and damage of Council's reputation. In accordance with Council's staff code of conduct, which requires all staff to comply with all Council Policies, it is essential that the procurement criteria outlined in this Policy be strictly adhered to. Non-compliance with this Policy will constitute a breach of the Council's staff Code of Conduct.

## **4 PROCUREMENT PROCESSES AND THRESHOLDS**

### **4.1 Process**

Council's procurement processes shall be based on a number of principles as follows:

#### **4.1.1 Achieving Best Value**

The benefits of the procurement are weighed against the costs necessary for the optimum result for Council and the local community. Council is not required to accept the lowest tender but is required to take into account issues of quality, cost, accessibility of the service and other factors relevant to both the overall objectives and the Local Government Act 1989.

Best Value does not mean the lowest price. In terms of the contracting process, Best Value requires Council to balance quality, price and other factors such as local content with as much transparency as is reasonably achievable.

In this context price should take into account the whole life cost of the provision as far as is practicable. It follows that the delivery of Best Value is dependent on Council's priorities.

Achieving Best Value also requires challenging the need for the procurement and the way in which the service may be reconfigured to achieve improvements in service delivery, comparing service provision options against all those available, consulting with key stakeholders and ensuring competition in the open market. The weighting of price will largely be influenced by the goods, services or works that are being considered, the market and whether a pre-qualification process precedes the bid. Direction can be sought from the Contracts and Purchasing Unit as to the weighting of price against other selection criteria.

Achieving Best Value shall be the basis of all procurement decisions within Council.

#### **4.1.2 Probity**

All Council procurement processes shall be conducted in a fair, honest, open manner with the highest levels of integrity and in the public interest. All suppliers are to be treated fairly in an open and transparent manner (refer also section 2.6).

#### **4.1.3 Accountability and transparency**

All Council procurement decisions must be justifiable and Council shall be able to demonstrate that a fair, reasonable and transparent process has been followed (refer also section 2.7).

#### **4.1.4 Risk management**

Council shall have in place consistent strategies for managing risks associated with all procurement processes.

#### **4.2 Spend thresholds**

Guidelines will be determined from time to time for spend thresholds associated with Council's procurement activities. These will be decided by analysing the historical size and complexity of the procurement activity and of proposed procurement activities.

##### **4.2.1 Publicly advertised procurements**

Purchase of all goods and services for which the estimated expenditure exceeds the thresholds contained in the Local Government Act 1989 must be undertaken by public tender. These thresholds may be varied by the Minister at any time. The thresholds must represent the estimated value of the whole of term of the contract i.e. the initial term plus the value of any options to extend the initial contract term, and are to be inclusive of GST.

The options for a procurement process compliant with the public tendering requirements contained in the Local Government Act include:

- Council running its own publicly advertised tender process;
- Council appointing an external agent to run a tender process on its behalf. Organisations such as Procurement Australia, Procurement are active in this area;
- Council accessing Victorian State Government contracts (eg. State Purchase Contracts, Whole-of-Government contracts etc) that have been made available to Local Government and which Local Government can access without the need to comply with the requirements of Section 186 (1) of the Local Government Act; or
- Council accessing contracts for panels of suppliers where those panels have been put in place through a compliant tender process. These panel contracts may have been put in place through a Council run tender process, a tender process run by an external agent or be a Victorian State Government panel made available to Local Government.

Should the nature of the requirement and the characteristics of the market be such that it is considered a public tender process would lead to a better result for Council, public tenders may also be called for purchase of goods, services and works for which the estimated expenditure is below these thresholds. The Chief Executive Officer is authorised to mandate the tender process under these circumstances.

#### 4.2.2 Other procurements

Purchase of goods or services having a total value of less than the thresholds contained in the Local Government Act 1989 may be undertaken using the following procurement methods. As above, these thresholds must represent the estimated value of the whole of term of the contract i.e. the initial term plus any options to extend the initial contract term, and are to be inclusive of GST.

Panel Contracts established through a compliant tender process generally will be a schedule of rates based contract. At times it may represent best value to Council to seek a lump sum price from the panel even though the panel has been competitively established. Management may request from time to time that officers seek a lump sum price from panel members. Individual commissions through Council established panels through a compliant tender process will be limited to less than \$150,000 (incl GST).

- **Goods, services or works with a value up to \$2,000 and from \$2,000 to \$5,000.**

Generally, low risk and low value purchases up to \$2,000 require 1 written or verbal quotation to be attained and if operational in nature, without a purchase order. All purchases between \$2,000 and \$5,000 require purchase orders and a written or verbal quotation to support it.

- **Goods, services or works with a value between \$5,000 to \$29,999.**

Generally procurement in this value range should be subject to a competitive process to ensure that Council can demonstrate it has achieved Best Value. Accordingly, at least three written quotations are required and should be received before placing and order with the quotation details recorded in RMS/Tech One.

However, it is recognised that there may be situations where the nature of the procurement is such that it is not practicable to obtain other quotations.

- For example: one-off, minor, low risk construction-type works or technical advice where the work needs to be done immediately or where a contractor has already undertaken previous related works and holds relevant materials (e.g. research, etc), specific knowledge or specialist equipment. Under these circumstances it may be appropriate to continue with the contractor for additional minor related works. However, Officers should use best endeavours to ensure that the likely value of the works is known and agreed with the contractor before any commitment to proceed.

And,

- For example: one-off, minor, low risk artistic and/cultural engagements (such as the securing of shows and events and where there is no identifiable market.

Written estimates or fee proposals obtained for these one-off, minor, low risk assignments are to be recorded in RMS/Tech One along with a brief note documenting the reasons behind the procurement approach adopted. If circumstances are such that this requirement is not achievable, the procurement may still proceed with Director approval that must be documented and recorded in

the RMS/Tech One.

A template called "Compliance Report" is available on GrapeVine to formally document the approval. The template is to be used to facilitate a simple and consistent approach to documenting the background and reasons why the required number of quotations has not been obtained.

- **Goods, services or works with a value between \$30,000 to \$69,999**

Council will require a minimum of three written quotations.

This requirement must be met. If circumstances are such that this requirement is not achievable, the procurement may still proceed with Chief Executive Officer approval that must be documented and recorded in the RMS/Tech One. A template called "Compliance Report" is available on GrapeVine to formally document the approval. The template is to be used to facilitate a simple and consistent approach to documenting the background and reasons why the required number of quotations has not been obtained.

The quotation offering Best Value must be confirmed by the supplier on its letterhead and the order placed with that supplier.

Details of all suppliers contacted and their quotations must be recorded on the RMS/Tech One.

- **Goods, services or works with a value between \$70,000 to \$149,999**

Council will require a minimum of three quotations by issuing a written Request for Quotation.

This requirement must be met. If circumstances are such that this requirement is not achievable, the procurement may still proceed with Chief Executive Officer approval that must be documented and recorded in the RMS/Tech One. A template called "Compliance Report" is available on GrapeVine to formally document the approval. The template is to be used to facilitate a simple and consistent approach to documenting the background and reasons why the required number of quotations has not been obtained.

All procurement for goods, services or works of value equal to or greater than \$100,000 must include following mandatory selection criteria 'local content' (5%) and 'Financial Cost to Council (50%) unless Director level approval obtained.

- **Goods, services and/or works with a value equal to and above \$150,000.**

A Publically advertised request for tender process is required for procurement of goods, services and/or works with a value equal to and above \$150,000. The minimum placement requirements include Council's website and publishing notice in any newspaper approved by Council for such purpose. Where the estimated value of the goods, services or works approaches the thresholds contained in the Local Government Act and it is reasonably foreseeable that the total value of the contract may increase due to, for example, variations, Council staff should consider running a publicly advertised process in the first instance.

Tenders returned by the nominated closing date must be evaluated and a written recommendation made in favour of the supplier offering the Best Value outcome. The written evaluation and recommendation must include details of all suppliers contacted and their tenders and must be approved and signed off by the relevant authorized officer depending on their approved level of expenditure.

The evaluation and recommendation document including the original suppliers' tenders and the evidence of formal approval and sign-off by the appropriate delegation must be maintained in the RMS / Tech One.

All procurement for goods, services or works of value equal to or greater than \$100,000 must include following mandatory selection criteria 'local content' (5%) and 'Financial Cost to Council (50%) unless CEO level approval obtained.

#### **4.2.3 Public advertising**

Quotations may be advertised at the Council staff member's discretion or the Chief Executive Officer's direction in addition to the methods above. This may occur when a field of potential respondents hasn't been established, an innovative approach is required, the estimated value of the contract is approaching the thresholds contained in the Local Government Act or the project has broad appeal that may attract keen prices, etc.

## **5 PROCUREMENT AUTHORITY**

### **5.1 Requirement**

Procurement authority refers to the limitations within which a Council officer is permitted to procure goods, services or works on behalf of Council. This is essentially prescribed by the Instrument of Sub-delegation maintained by Council's Administration and Corporate Projects Department

The preparation, acceptance (and execution of associated documentation) of tenders, quotations, contracts, purchase orders or purchasing card transactions resulting in the expenditure of funds for the purchase of goods, services or works must only be authorised in accordance with the respective Council officer's delegated expenditure limit.

A Council officer should only authorise the procurement of goods, services or works where the value of the procurement is within their procurement authority limit and the officer is comfortable and familiar with the type of procurement being managed. If the procurement involves Council taking on a risk or accepting a liability that goes beyond those expressed in Council's standard contract terms and conditions, then the matter should be referred to the appropriate Manager or Director for approval and/or execution. A Council officer must not hesitate in referring the matter to their Manager or Director if the officer has any doubts or concerns about the terms of the procurement.

Council shall maintain a documented scheme of procurement authority limits identifying those

Council staff authorised to make procurement commitments in respect of goods, services or works on behalf of Council and their respective expenditure commitment limits.

### **5.2 Delegations to CEO by Council and Sub-delegation by CEO to officers**

Council has delegated certain functions and approvals to the CEO and Council's Instrument of Delegation to the CEO includes specific limitations on the CEO's authority to approve certain purchases, tender, quotation and contractual processes without prior referral to Council.

The limitations are reflected in the CEO's Instrument of Sub-delegation of authority to nominated Council officers and these delegations, together with this Policy, set out the procurement authority limits of all Council staff members.

The Instrument of delegation is reviewed by Council at least once a year and a register is maintained by Council's Administration and Corporate Projects Department.

## 6 INTERNAL CONTROLS

Council will install and maintain a framework of internal controls over procurement processes, including regular internal audit review, that will ensure:

- more than one person is involved in and responsible for a transaction end to end;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and
- systems are in place for appropriate monitoring and performance measurement.

## **7 RISK MANAGEMENT**

### **7.1 General**

Risk Management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and enhance Council's capability to prevent, withstand and recover from interruption to the supply of goods, services and works.

### **7.2 Supply by contract**

The provision of goods, services and works by contract potentially exposes Council to risk. Council will minimise its risk exposure by measures such as:

- use of standard-form contracts where appropriate. Council's standard-form contracts are provided by Council's Contracts and Procurement Unit. Initial enquiries regarding Council's current standard-form contracts should be directed to the Contracts and Procurement Unit;
- ensuring contracts are updated where appropriate to include current, relevant clauses;
- use of or reference to relevant Australian Standards (or equivalent), where appropriate;
- referring specifications to the Contracts and Procurement Unit where required and/or relevant experts where considered appropriate;
- evaluating and selecting contractors whose operations are aligned with Council's specified occupational health and safety standards and systems of work; and who are appropriately experienced, licensed, qualified and have the required levels of appropriate insurances (workers compensation, public liability, professional indemnity, etc);
- requiring security deposits, where appropriate;
- requiring contractual agreement before allowing the commencement of work; and
- effectively managing the contract including monitoring and enforcing performance.

### **7.3 Health and safety considerations**

Council procurements shall consider associated health and safety issues and these considerations shall include the following as appropriate:

- Council's relevant policies and procedures;

- need to ensure the health and safety of employees, contractors, visitors and the public at all times during Council operations; and
- verification of health and safety documentation related to the goods, services or works to be procured. This documentation may include manufacturers' risk assessments, specified regulatory requirements, equipment service records, substance safety data sheets, and any other documentation required by Council as a result of its risk assessments in the context of Council's specific workplace requirements.

#### 7.4 Contractual terms and conditions

All contractual relationships must be documented in writing based on Council's standard terms and conditions. Council has a number of different standard-form contracts to cover different types of procurement; for example, annual supply, construction, consultancy, information technology (IT) products etc. Council staff members are not to accept changes to Council's standard terms and conditions proposed by a supplier as such changes are usually intended to protect the suppliers' interests and can weaken Council's position and expose Council to substantial and unacceptable risks. Similarly, Council staff must not accept suppliers' standard terms and conditions.

In the event that difficulties are encountered with a supplier accepting Council's standard contractual terms and conditions, no changes are to be accepted without the prior consultation with Council's Contracts and Procurement Unit and written approval from the appropriate Director. Such approval is to be supported with procurement, risk management and legal advice as relevant.

To protect the best interests of Council, contractual terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose Council to risk and thus must be authorised by the appropriate Director member acting in accordance with the supporting procurement, risk management and legal advice as relevant. To facilitate this, Council's proposed contractual terms and conditions must be issued as part of any request for quotation or tender documentation to ensure that suppliers are fully aware of the contractual terms and conditions that will be the basis of any contractual relationship between the parties.

## **8 ENDORSEMENT**

Council staff must not endorse any products or services. Individual requests received for endorsement must be referred to the relevant Director or CEO for prior written approval.

## **9 DISPUTE RESOLUTION**

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes getting out of hand and leading to legal action.

## **10 PERFORMANCE MEASURES AND CONTINUOUS IMPROVEMENT**

Appropriate performance measures are to be established and reporting systems will be used to monitor performance and compliance with procurement policies, procedures and controls.

Procurement procedures, practices and costs may be benchmarked externally, where appropriate. Internal service standards may also be agreed within Council where appropriate and performance against these targets measured and reviewed regularly to support continuous improvement.

The performance measurements developed will be used to:

- highlight trend and exceptions where necessary to enhance performance;
- improve the internal efficiency of the procurement process and where relevant the performance of suppliers; and
- facilitate programs to drive improvement in procurement to eliminate waste and inefficiencies across key spend categories.

## **11 SUSTAINABILITY**

### **11.1 General**

Council is committed to reducing its environmental impacts and operating in a socially and environmentally sustainable manner. To work towards this, Council will monitor and report on Council activities and programs that have an impact on, or contribute to the environment. This includes but is not limited to:

- waste management;
- recycling;
- energy management;
- emissions management;
- water conservation;
- building design; and
- environmentally preferable procurement.

### **11.2 Environmentally sustainable procurement**

Council is committed to adopting a green procurement approach by supporting the principles of sustainable procurement. Council prefers to purchase environmentally preferred products whenever they achieve the same function and Best Value outcomes. Within this context Council will therefore consider the following environmental sustainability criteria:

- Reduce, reuse, and recycle
  - avoid unnecessary purchase of goods, services or works through identifying ways to carry out a function or task without using materials that generate waste (e.g. sending information via email instead of paper) and checking stores and other Departments for excess goods.
  - select products that reduce the amount of materials required such as packaging and consumables.
  - seek to re-use items where possible and extend the useful life of products and equipment through maintenance and repair or re-allocation.
  - seek to buy recycled/part-recycled products that optimise consumption and stimulate demand for recycled products, promoting the collection and reprocessing of waste and working towards zero discharge to landfill.
- Minimise greenhouse gas emissions

- prefer electronic products which are more energy efficient.
- select energy and fuel efficient products.
- in addition to operational energy efficiency, consider the energy and water requirements of a product during its production, transportation and eventual disposal.
- **Minimise habitat destruction**
  - purchase paper and wood products obtained from recycled, plantation, salvaged or renewable sources.
  - purchase products that reduce or eliminate the use of toxic chemicals.
- **Minimise toxicity**
  - purchase materials and products that reduce or eliminate toxic or polluting materials.
  - purchase products and materials that minimise or eliminate the release of toxic substances that can affect human health and pollute water, land or air at any stage of their life cycle.
- **Maximise water efficiency**
  - purchase products that have the best water rating for the price and conserve water or use water in an efficient way.
- **Minimise soil degradation**
  - purchase products, materials and services that will not degrade or pollute the soil or result in erosion through their use.
- **Green the supply chain**
  - develop tender, quotation and contract specifications that encourage suppliers to
  - adopt good environmental and management practices that also respect the rights of all
  - employees and the local community.
- **Use of Fairtrade products**
  - where practicable, Council will procure products which support farmers, their families and communities in developing nations in receiving more stable and secure incomes, better working conditions, and enhanced investment in quality and local environmental sustainability.

## **12 DIVERSITY**

Promoting equality through procurement can improve competition, value for money, the quality of public services, satisfaction among users, and community relations. It should be a consideration in every procurement project and reflect corporate commitment to diversity and equal opportunities wherever possible.

## **13 SUPPORT OF LOCAL BUSINESS**

Council supports buying goods and services from local business and/or business employing locally or from within the region. In assessing Best Value to be delivered by competing competitive offerings, all else being equal, Council will support such local businesses.

Council promotes local content through employment creation and business growth by expanding market opportunities. Achieving this through: providing increased access to and awareness of Council's procurement opportunities providing local business with training and development programs that increase their capability and competitiveness when tendering.

Council also acknowledges its obligations under s186 (6) of the Local Government Act 1989 to, whenever practicable, give preference to contracts for the purchase of goods and services manufactured or produced in Australia or New Zealand. In assessing Best Value to be delivered by competing competitive offerings, Council will support products supplied by Australian owned enterprises.

## **14 CONTINUAL IMPROVEMENT**

Council is committed to continuous improvement and will review this Procurement Policy both in accordance with the Local Government Act, and as necessary to ensure that it continues to meet its wider strategic objectives.

## **15 POLICY RESPONSIBLE OFFICER AND CONTACT DETAILS**

The Coordinator Contracts and Procurement is the designated responsible officer of this Policy. The responsible officer coordinates the implementation, maintenance and review of this Policy and ensures that stakeholders are aware of their accountabilities.

For further information or queries or feedback on this Policy, please contact the above responsible officer via email [Procurement@frankston.vic.gov.au](mailto:Procurement@frankston.vic.gov.au) or telephone (03) 9768 1306.

## Executive Summary

### 12.10 Victorian Government's TAKE2 Pledge Initiative

*Enquiries: (Craig Dinsdale: Corporate Development)*

#### Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.2 Build a local community culture of good stewardship of the environment
Priority Action	3.2.1 Educate industry and residents to reduce energy and water use and waste to landfill

#### **Purpose**

To provide information to Council on the Victorian Government's TAKE2 pledge initiative, and for Council to consider joining the initiative and making a public commitment (i.e. the TAKE2 pledge) to progress action on climate change.

#### **Recommendation (Director Corporate Development)**

That Frankston City Council joins the Victorian Government's TAKE2 pledge initiative, and makes a public commitment (the TAKE2 pledge) to progress action on climate change.

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

- Reducing or preventing the emission of greenhouse gases reduces the impacts of climate change. Since 2000-01, Frankston City Council has proactively measured and managed greenhouse gas emissions from its operations, successfully reducing emissions by 27%. Council also has a zero net emissions (carbon neutral) target by 2025, adopted as part of its *Carbon Neutral Action Plan*.
- In June 2016, the Victorian Government set a greenhouse gas reduction target for Victoria of zero net emissions by 2050, and interim targets will also be set along the way. The 2050 target has been included in legislation as part of the passing of the new Victorian Government *Climate Change Act 2017* on 23 February 2017.
- To help achieve the Victorian targets, the Victorian Government has created the TAKE2 pledge initiative to provide the community with advice and actions to reduce greenhouse gas emissions. It is called TAKE2 because in 2015, 195 nations, including Australia, met in Paris for the United Nations Climate Change Conference and committed to keeping the global temperature rise under two degrees. TAKE2 refers to the two degree target.
- The TAKE2 initiative is open to individuals, government, community, business and education sectors who are invited to sign up to the TAKE2 pledge, which is a voluntary commitment to take action on climate change. The pledge is: *"Working together, we pledge to play our part and take action on climate change for Victoria, our country and our planet."* It is mandatory for all Victorian Government departments to make a TAKE2 pledge and reduce their greenhouse gas emissions.
- For individuals (e.g. residents) who sign up to the pledge via the [TAKE2](#) website, they will receive free advice and information, as well as an action plan to help them reduce their emissions (which will include actions for reducing energy usage and costs, for example, through energy efficiency measures).

**12.10 Victorian Government's TAKE2 Pledge Initiative****Executive Summary**

- For local councils which sign up to the pledge, they are required to provide information on what they have done, are already doing, or will do in the future to reduce climate change. This information can be publically shared if a council chooses to do so via a profile page on the TAKE2 website, but this is optional (see **Attachment A** for an example of the current tailored list of actions for local government).
- As part of the pledge, any 'will do' actions selected by a council are expected to be completed by 30 June 2020 (no later); however, each council can select which 'will do' actions they are willing to commit to. It is expected that the 'will do' actions can be drawn from a council's existing strategies and plans.
- Council has already achieved and continues to implement a number of actions to combat climate change, reduce its emissions and support the community to do the same. A list of Council's TAKE2 actions has been assessed by Council officers. These actions are based on; what has already been completed by Council (i.e. Done), what Council is currently doing (Doing), or what Council plans to do in the future (Will do) (see **Attachment B**).
- Should Council sign up to the TAKE2 pledge, some potential benefits include:
  - promotion of Council's climate change efforts (e.g. energy efficiency, renewable energy and greenhouse reduction initiatives) and commitment to address climate change
  - potential access to climate change research and information on best practice approaches across local government and other organisations
  - additional information to support Council in reducing its energy usage, energy costs and greenhouse gas emissions
  - a stronger and more credible role in promoting the TAKE2 initiative to the local community.
- The pledge would not create any extra work for Council officers. It would build on the existing progress reporting on Council's *Carbon Neutral Action Plan (CNAP)* and would inform the development of new actions. Some annual reporting back to the Victorian Government on the progress of actions would be required; however this can be accommodated in existing officer work plans.
- Sustainability Victoria is utilising the pledge to collate data on emissions and energy reduction actions taken within councils, business and the community. This data will also guide Victorian Government support for local government activities.
- Thirty one (31) other councils in Victoria have signed the TAKE2 pledge (as of March 2017).
- By taking the pledge, Council will receive recognition of its efforts to date and help to create momentum to reduce emissions across Victoria. Taking the pledge may further strengthen Council's relationship with the Victorian Government and assist Council to access grant funding opportunities.

**Financial Impact**

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

**12.10 Victorian Government's TAKE2 Pledge Initiative****Executive Summary**

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

There are no financial implications associated with this report. The pledge does not require additional funding, however, should Council indicate a commitment to implement any new actions that either have additional budgetary or resource implications, this would then need to be considered by EMT and Council.

It is also likely that councils who take the pledge will improve their chances of accessing future Victorian Government greenhouse and energy reduction funding, as their funding applications may be looked upon more favourably. Some funding opportunities may even require the pledge to be taken for councils to apply.

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

Discussions have taken place with other councils who have taken the pledge, as well as the South East Councils Climate Change Alliance (SECCCA). The City of Melbourne, City of Port Phillip, plus neighbouring councils including City of Casey, Cardinia Shire Council, City of Greater Dandenong and Mornington Peninsula Shire have all taken the TAKE2 pledge and are supportive of the initiative.

Additional consultation has been undertaken with a range of councils at the LGPro Behaviour Change Network. The TAKE2 initiative has also been discussed in detail with Sustainability Victoria representatives who are managing the program to clarify its requirements and opportunities.

**2. Other Stakeholders**

Sustainability Victoria is administering the pledge, which has 3,000 signatories already.

Several residents have previously contacted Council officers as to whether or not Frankston City Council was or is planning to become signatory to the TAKE2 pledge.

Council's Commercial Services, Facilities, Planning and Environment, Recycling, and Sustainable Assets departments have been consulted in preparing Council's TAKE2 Pledge Action Sheet.

The Executive received a briefing on the TAKE2 Pledge on the 2 May.

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

Signing the TAKE2 pledge allows Council to then encourage residents, businesses, schools and other organisations to sign the pledge and strive to reduce their own energy use and emissions. It shows positive social and environmental leadership and has no negative economic implications.

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

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

Legal

There are no legal implications relevant to this report.

**12.10 Victorian Government's TAKE2 Pledge Initiative****Executive Summary**Policy Impacts

This report is consistent with Council's *Carbon Neutral Action Plan* and *Greening Our Future – Environment Sustainability Strategy*.

Officer's Declaration of Interests

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

**Risk Mitigation**

TAKE2's terms of use include an expectation that all pledges and the choice of actions are made in good faith and that pledgers will follow through on their pledges. TAKE2 also reserves the right to remove organisations from the initiative if they have not updated their chosen actions within 12 months of their estimated completion date. Therefore, to manage the risk of Council being removed from the TAKE2 initiative, should it decide to join, Council officers would need to include time for reporting back on Council's committed actions as part of their annual work plan. In addition, Council would only need to commit to new actions that it was comfortable in proceeding with from the list in **Attachment A**, and information on actions not committed to would not be included in the public profile page.

Finally, a council (or other pledgers) may update or withdraw their pledge at any time by the pledger, should the need arise, simply by updating the TAKE2 website.

**Conclusion**

The TAKE2 pledge is a commitment to reduce greenhouse gas emissions and climate change, and is in line with Council's *Greening Our Future – Environment Strategy* and *Carbon Neutral Action Plan*. By taking the TAKE2 pledge, Council will receive recognition of its efforts, inform the development of new actions, and help to create momentum to reduce emissions across Victoria. Taking the pledge may strengthen Council's relationship with the Victorian Government and assist Council to access future grant funding opportunities. The pledge does not require additional funding. By taking the pledge, it would also enable Council to actively promote the initiative with integrity to the local community, to help them reduce their own energy usage, energy costs and emissions.

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**ATTACHMENTS**

Attachment A: TAKE2 Action Sheet Example - Local Government

Attachment B: TAKE2 Pledge Action Sheet - Frankston City Council - May 2017

## TAKE2 for Local Government

Signing your Council up to TAKE2 will help Victoria reach net zero emissions by 2050.

Below are TAKE2 actions your Council can take to combat climate change. This list will help you plan your greenhouse gas emissions reductions.

Once you have decided what you will do, go to the TAKE2 website and select your actions. Then you will be part of the TAKE2 community and can share your climate change efforts with others.

### Local government sector

#### **Energy efficiency category**

- Undertake an energy inventory and develop a reporting process
- Develop a climate policy
- Set a science based emissions reduction target
- Set minimum energy efficiency standards for constructing, renovating and maintaining Council-owned buildings
- Develop and implement a program to address energy efficiency in reactive maintenance
- Develop and implement a council building energy efficiency capital works program
- Ensure Council's building management systems (BMS) maximise energy performance
- Upgrade heating, ventilating and air conditioning (HVAC) in Council-owned buildings
- Change street lighting to LED (residential and council-managed roads first, then change main road LED street lighting)
- Enter into an energy performance contract (EPC).

#### **Renewable energy category**

- Establish a policy for Council's own new builds to have energy efficiency and renewable plans
- Develop a renewable energy implementation plan
- Set a renewable energy target for Council
- Buy renewable energy
- Investigate microgrid opportunities
- Review renewable energy options for aquatic centres
- Install solar photovoltaic on buildings that can support the technology
- Trial or install battery storage
- Find innovative market solutions for investment in renewable energy contracts.

#### **Emissions offsets category**

- Assess and monitor Council's carbon emissions
- Have carbon emissions independently verified
- Buy carbon offsets for air travel
- Buy carbon offsets for business emissions
- Get carbon neutral accreditation through National Carbon Offset Standard and promote through the Carbon Neutral Network.

#### **Strategic and statutory planning category**

- Work with developers to improve local development standards
- Investigate opportunities for low carbon growth planning in new developments
- Map climate change hazards for Council assets and the municipality
- Develop guidelines for solar photovoltaic and solar hot water installations

- Develop an ecologically sustainable development (ESD) policy planning amendment to the local planning scheme
- Train planning staff to effectively apply ESD principles
- Conduct on-site ESD inspections for developments once built
- Work with other councils to adopt a standard for ESD policies in planning schemes
- Assess planning applications with the Council Alliance for a Sustainable Built Environment's (CASBE) Built Environment Sustainable Development Scorecard.

### **Transport and fleet category**

- Assess fleet management to identify fuel efficiency opportunities
- Train staff in fuel efficient driving techniques
- Encourage staff to use public transport for work-related travel by offering MYKI cards
- Provide staff facilities for active travel including cycling, running and walking
- Provide bicycles to staff for work travel
- Build more dedicated cycling paths
- Construct more on-road cycling lanes
- Buy low emissions vehicles for Council's passenger fleet
- Investigate fuel/vehicle options for Council's heavy and commercial vehicles
- Investigate opportunities to install electric vehicle recharge infrastructure.

### **Waste category**

- Develop or update municipal waste management and resource recovery strategy
- Identify and set internal waste reduction targets
- Educate staff to better manage waste
- Install separate bins for landfill, co-mingled, soft plastics, organics, e-waste and light globes in council-managed buildings
- Reduce contamination in kerbside waste collection
- Introduce a kerbside organic waste collection program
- Introduce a recycling system for public places
- Identify opportunities to turn waste to energy
- Promote 'Detox your Home' mobile collections and permanent drop-off sites to your community.

### **Natural and urban environment category**

- Map local biodiversity
- Develop a biodiversity plan that considers climate change threats, impacts, opportunities, and actions
- Develop an urban heat island plan
- Develop an urban forests strategy
- Develop an integrated water cycle management plan that considers climate change threats, impacts, opportunities, and actions on biodiversity
- In regional areas, investigate how climate change could impact agriculture and sustainable land use
- Develop an incentive program to encourage land owners to protect and enhance biodiversity
- Develop a tree inventory and management system to assess health, future planting options and canopy cover
- Engage the community on how climate change will affect future vegetation selection and planting in the municipality
- Develop biolinks across the municipality.

**Purchasing and contracting category**

- Develop a sustainable procurement policy including guidance on environmental evaluation criteria
- Do a spend analysis and identify opportunities for a sustainable procurement plan
- Set targets for sustainable green spends
- Monitor and report on targets
- Include environmental evaluation criteria in quotes and tenders.

**Culture and leadership category**

- Encourage staff to TAKE2
- Set up an environment team to identify ways to reduce emissions at work
- Help councillors and staff reduce emissions by providing environmental professional development
- Promote Council's environmental programs to the community

**Community category**

- Encourage the community to TAKE2
- Feature climate change in Council publications
- Establish a community environmental advisory committee
- Give residents guidance on environmental design and retrofits
- Develop a rate rebate scheme for energy efficiency and solar features
- Work with developers to support distributed renewable energy in new developments
- Support renewable energy bulk-buys for the community
- Establish an environmental upgrade agreement or rates payback mechanism for commercial buildings
- Support community owned renewable energy generators and retailers.

## TAKE2 Pledge Action Sheet – Frankston City Council

Below are the TAKE2 actions that Frankston City Council has completed (i.e. Done), is currently doing (Doing), or plans to do in the future (Will do) as part of its commitment to combating climate change and reducing greenhouse gas emissions.

Should Council choose to sign on to the TAKE2 pledge through the Victorian Government, this information will be submitted via the [TAKE2 website](#) and progress will be reported on annually by Council. Actions that Council selects can then be made public.

Actions identified as 'Will do' are intended to be completed by 30 June 2020 (no later), where the first interim emissions target has been set by the Victorian Government.

**NOTE: Red highlighted text = no known commitment/ action recorded in Council's current policies, strategies, plans or Council decisions (e.g. resolutions).**

Energy efficiency category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Undertake an energy inventory and develop a reporting process	✓		
<i>Develop a climate policy</i>			
Set a science based emissions reduction target			✓ (part of new plan)
Set minimum energy efficiency standards for constructing, renovating and maintaining Council-owned buildings	✓		
Develop and implement a program to address energy efficiency in reactive maintenance	✓		
Develop and implement a council building energy efficiency capital works program			✓ (part of new plan)
Ensure Council's building management systems (BMS) maximise energy performance		✓	
Upgrade heating, ventilating and air conditioning (HVAC) in Council-owned buildings		✓	
Change street lighting to LED (residential and council-managed roads first, then change main road LED street lighting)			✓ (business case to be developed)
<i>Enter into an energy performance contract (EPC)</i>			
Renewable energy category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Establish a policy for Council's own new builds to have energy efficiency and renewable plans	✓		
Develop a renewable energy implementation plan	✓		
Set a renewable energy target for Council			✓ (part of new plan)
Buy renewable energy		✓	
<i>Investigate microgrid opportunities</i>			
Review renewable energy options for aquatic centres	✓		
Install solar photovoltaic on buildings that can support the technology		✓	
Trial or install battery storage	✓		

<i>Find innovative market solutions for investment in renewable energy contracts</i>			
Emissions offsets category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Assess and monitor Council's carbon emissions		✓	
Have carbon emissions independently verified		✓	
<i>Buy carbon offsets for air travel</i>			
<i>Buy carbon offsets for business emissions</i>			
<i>Get carbon neutral accreditation through National Carbon Offset Standard and promote through the Carbon Neutral Network</i>			
Strategic and statutory planning category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Work with developers to improve local development standards			✓ (30 June 2019)
<i>Investigate opportunities for low carbon growth planning in new developments</i>			
Map climate change hazards for Council assets and the municipality		✓	
<i>Develop guidelines for solar photovoltaic and solar hot water installations</i>			
Develop an ecologically sustainable development (ESD) policy planning amendment to the local planning scheme			✓
Train planning staff to effectively apply ESD principles		✓	
Conduct on-site ESD inspections for developments once built			✓
Work with other councils to adopt a standard for ESD policies in planning schemes			✓
Assess planning applications with the Council Alliance for a Sustainable Built Environment's (CASBE) Built Environment Sustainable Development Scorecard			✓ (30 June 2019)
Transport and fleet category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Assess fleet management to identify fuel efficiency opportunities		✓	
Train staff in fuel efficient driving techniques	✓		
Encourage staff to use public transport for work-related travel by offering MYKI cards			✓ (30 June 2018)
Provide staff facilities for active travel including cycling, running and walking	✓		
Provide bicycles to staff for work travel	✓		
Build more dedicated cycling paths		✓	
Construct more on-road cycling lanes		✓	
Buy low emissions vehicles for Council's passenger fleet		✓	
Investigate fuel/vehicle options for Council's heavy and commercial vehicles		✓	

<i>Investigate opportunities to install electric vehicle recharge infrastructure</i>			
Waste category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Develop or update municipal waste management and resource recovery strategy	✓		
Identify and set internal waste reduction targets	✓		
Educate staff to better manage waste		✓	
Install separate bins for landfill, co-mingled, soft plastics, organics, e-waste and light globes in council-managed buildings		✓ (30 June 2020)	
Reduce contamination in kerbside waste collection		✓	
Introduce a kerbside organic waste collection program			✓
Introduce a recycling system for public places		✓	
Identify opportunities to turn waste to energy	✓		
Promote 'Detox your Home' mobile collections and permanent drop-off sites to your community		✓	
Natural and urban environment category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Map local biodiversity		✓	
Develop a biodiversity plan that considers climate change threats, impacts, opportunities, and actions		✓	
Develop an urban heat island plan			✓
Develop an urban forests strategy	✓		
Develop an integrated water cycle management plan that considers climate change threats, impacts, opportunities, and actions on biodiversity	✓		
<i>In regional areas, investigate how climate change could impact agriculture and sustainable land use</i>			
Develop an incentive program to encourage land owners to protect and enhance biodiversity		✓	
Develop a tree inventory and management system to assess health, future planting options and canopy cover		✓	
Engage the community on how climate change will affect future vegetation selection and planting in the municipality		✓	
Develop biolinks across the municipality		✓	
Purchasing and contracting category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Develop a sustainable procurement policy including guidance on environmental evaluation criteria		✓	
<i>Do a spend analysis and identify opportunities for a sustainable procurement plan</i>			
<i>Set targets for sustainable green spends</i>			
<i>Monitor and report on targets</i>			
Include environmental evaluation criteria in quotes and tenders			✓

Culture and leadership category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Encourage staff to TAKE2			✓
Set up an environment team to identify ways to reduce emissions at work	✓		
<i>Help councillors and staff reduce emissions by providing environmental professional development</i>			
Promote Council's environmental programs to the community		✓	
Community category	Done	Doing	Will do (by 30 Jun 2020, unless specified)
Encourage the community to TAKE2			✓
Feature climate change in Council publications		✓	
Establish a community environmental advisory committee			✓
Give residents guidance on environmental design and retrofits		✓	
<i>Develop a rate rebate scheme for energy efficiency and solar features</i>			
Work with developers to support distributed renewable energy in new developments			✓
Support renewable energy bulk-buys for the community	✓		
<i>Establish an environmental upgrade agreement or rates payback mechanism for commercial buildings</i>			
<i>Support community owned renewable energy generators and retailers</i>			

**Executive Summary****12.11 Community Grants Program Review - Guidelines and Policy**

*Enquiries: (Liz Daley: Community Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.1 Ensure the organisation is financially sustainable

**Purpose**

To brief Council on the consultation period and present the Draft Community Grants Policy 2017-2021 and Draft Community Grants Guidelines (May 2017) to Council.

**Recommendation (Director Community Development)**

That Council:

1. Approves the Draft Community Grants Policy 2017-2021.
2. Approves the Draft Community Grants Guidelines (May 2017).
3. Notes the updated Miscellaneous Grants Guidelines (May 2017) reflecting OM299 (3 April 2017) decision.

**Key Points / Issues**

- OM295 (19 December 2016) approved the Draft Community Grants Policy 2017-2021 and Draft community Grants Guidelines (December 2016) for 4 weeks community consultation on Council's website from February 2017.
- The Draft Policy and Guidelines were updated to reflect improvements identified in the 2016 Community Grant program. Some of these amendments were small; for example in the Draft Community Grants Policy organisational titles were updated and the requirement to attend a public gifting ceremony or forfeit a grant was included. Whilst in the Draft Community Grants Guidelines eligibility and other requirements including excluded activities; capital items and capital expenses; and ineligible groups were specified. The Draft Guidelines exclude funding of defibrillators in the 2017 program due to the number requested in the 2016 program.
- The consultation period for the Draft Community Grants Policy and Guidelines opened 20 February to 20 March 2017 and was advertised in The Times and Leader newspapers on 27 February 2017 and on Council's website and social media. Consultation was intentionally timed to avoid the festive holiday season to maximise the opportunity for community feedback but none was received.
- As a result, only the date reference of the Draft Community Guidelines has been amended from December 2016 to May 2017 to coincide with presentation to this Council meeting.
- In addition to the annual community grants program, funding through Miscellaneous Grants is year round and reviewed monthly (except in June) by a delegated sub-committee. OM299 (3 April 2017) endorsed a response to NOM 1262 (30 January 2017) allocating an additional \$10,000 in funding for a new category providing financial assistance to generationally challenged community groups and sporting clubs. Miscellaneous Grants Guidelines are updated to reflect the new category called "Community Group Membership Drive".

**12.11 Community Grants Program Review - Guidelines and Policy****Executive Summary****Financial Impact**

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

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

Community Grants are allocated within the amount determined by Council as part of its annual budget process.

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

The Draft Community Grants Policy 2017-2021 and Draft Community Grants Guidelines (December 2016) were available for consultation on Council's website (front page item) from 20 February – 20 March 2017. The consultation period was also advertised on Council's social media and in The Times and Leader newspapers on 27 February 2017.

**2. Other Stakeholders**

Recommendations in the Draft Policy and Guidelines documents arise out of the Community Grants Committee review of applications in the 2016 program. The Committee comprise senior staff and delegated Councillors.

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

Council's annual community grants program delivers funding support for a wide range of valuable and, often, volunteer based community groups who contribute social, environmental and skills development programs in Frankston City.

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

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

Legal

There are no statutory obligations or legal implications that required considering in this report.

Policy Impacts

The Community Grants Policy 2013-2017 has been reviewed and updated with amendments incorporated into the Draft Community Grants Policy 2017-2021 presented within this report.

Officer's Declaration of Interests

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

**12.11 Community Grants Program Review - Guidelines and Policy****Executive Summary****Risk Mitigation**

The Community Grants Policy and Guidelines provide an assessment framework for granting recommendations to ensure transparent and fair decision making as well as to reduce the risk of inappropriate grants.

**Conclusion**

The Draft Community Grants Policy 2017-2021 and Draft Community Grants Guidelines (May 2017) aim to improve the accountability and governance of the grants program to enable continued and appropriate support for valuable work performed, often, by volunteers. Miscellaneous Grants Guidelines are updated reflecting NOM1262 that created a new category to assist generally challenged community groups and community sporting clubs.

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**ATTACHMENTS**

Attachment A: Draft Community Grants Policy 2017-2021

Attachment B: Draft Community Grants Program Guidelines (May 2017)

Attachment C: Miscellaneous Grants Guidelines (May 2017)

<b>Frankston City Council Policy 2017-2021</b>	<b>Policy Number:01-04/14</b>
<b>Community Grants Program – DRAFT POLICY A3331488</b>	<b>Issue 1b Date: 05/2017</b>

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**1. POLICY STATEMENT:**

Frankston City Council's Community Grants Program aims to enable community organisations, community groups and/or individuals to deliver new and/or improved services, projects and programs that benefit Frankston City.

The Community Grants Program will be determined by Council and expended by the grant recipient within a financial year. All applications must comply with the application and acquittal guidelines. Late applications are deemed ineligible.

**2. REASON FOR POLICY:**

Council seeks to support the efforts of eligible community organisations, groups and/or individuals to improve the social, natural, built and economic environment of the city through access to community grants. In addition, Council receives numerous unsolicited requests for financial support. This policy provides a transparent, equitable and accessible process for all interested people seeking funding.

**3. SCOPE:**

This Policy applies to all requests for funding submitted through the Community Grants Program by Frankston based individuals, community groups and organisations.

**4. AUTHORISATION:**

This policy is approved by Council and delegated to the CEO for implementation

..... Cr Brian Cunial, Mayor

Date .....

..... Mr Dennis Hovenden, CEO

Date: .....

The Policy is overseen by the General Manager Communities

**5. REVISION DATE:**

This policy will be reviewed in April 2021 and then every 4 years thereafter.

**Frankston City Council Policy**

**Policy Number: 01-04/14**

**6. PRINCIPLES**

- Grants must further the aims and objectives of the Frankston City Council by enhancing the social, natural, built and economic aspects of the community as well as contributing to the local economy.
- Grants must be congruent with Council's values, policies and strategies and there is no conflict of values between the proposed grant application and Council.
- Appropriate due diligence will be applied to all grant applications seeking financial support.
- The relationship established by virtue of the grant application will be transparent, produce outcomes of integrity and deliver tangible benefits to the community.
- Approval of a grant will not involve Frankston City Council in controversial issues such as political or cultural sensitivities, or expose the organisation to adverse criticism.
- Grant applications will be evaluated in accordance with the criteria and weighting as outlined in Council's Grant Application Guidelines
- Use of Council logos must be approved by Council's Media and Communications Department.
- The proposed program / initiative:
  - encourages cooperation and sharing between community groups to ensure that all residents and organisations benefit from common resources.
  - Increases the range of, and access to, recreational, social, cultural and environmental activities, programs and services.
  - Supports community development initiatives and socially responsible community activities.
  - Gives particular consideration to those community groups that can give the greatest benefit back to the community.
  - Encourages and supports the principles of access and equity
  - Identifies those groups, individuals, organisations that make the effort to assist themselves.

**Frankston City Council Policy**

**Policy Number: 01-04/14**

## **7. ROLES AND RESPONSIBILITIES:**

Manager Community Strengthening shall be responsible for the development, review and promotion of this policy.

### **Annual Community Grants Program**

The annual Community Grants Program will be determined as part of the annual budget. Following acceptance of the annual budget at an Ordinary Council Meeting, the program will open for a period of 4 weeks. The Community Grants Program Committee will review applications and make funding recommendations to Council. Once Council approves distribution of Community Grants, recommendations are released to the public. A grant requirement is that successful applicants, or their representative, must attend the Community Grants Presentation Ceremony to formally accept their grant, or forfeit their grant. Forgone grant/s will be transferred into the annual budget for the Miscellaneous Grants Program.

Successful applicants must attend the Community Grants Presentation Ceremony to formally accept their grant.

#### Community Grants Program Committee Representatives:

Delegated Councillors (at least two);  
Manager Community Strengthening;  
Grants Officer;  
Manager Family Health Support Services (or delegate);  
Manager Arts and Culture (or delegate);  
Manager Community Safety (or delegate);  
Manager Planning and Environment (or delegate);  
From time to time, the committee may co-opt managers/staff or departments to provide advice on funding applications under review.

### **Miscellaneous Grants Program**

The Miscellaneous Grants Program sub-committee includes the Mayor an Deputy Mayor (or delegates, as per resolution regarding Council Committee Delegates); Director Community Development (or delegate); Director Corporate Development (or delegate), with secretariat support provided by the Grants Officer. From time to time the sub-committee may co-opt managers/staff or departments recommending (or not) the funding application under review.

Miscellaneous Grants meetings occur monthly. Granting decisions will be reported to the next Ordinary Council Meeting through the Delegated Powers Report.

**Frankston City Council Policy**

**Policy Number: 01-04/14**

**8. POLICY NON-COMPLIANCE:**

Frankston City Council will not enter into grants with parties who:

- Are involved in unlawful activities;
- Do not support diversity, tolerance and inclusivity within the community;
- Are political parties;
- Support programs that create or may present hazards to the community;
- Support programs that do not reflect widely held community standards;
- Contravene State and Commonwealth legislation, Local Laws or Frankston Planning Scheme
- Are currently involved in a tendering or procurement process with the Council.

Frankston City Council reserves the right to withdraw grant funding with the External Body when they are considered to have not complied with the spirit of the policy and any written agreement entered into as a grant arrangement. An application for a grant will not be considered unless properly lodged i.e. an application with the required information meeting the program guidelines.

**9. RELATED DOCUMENTS**

- Community Grant Program Guidelines, Application Forms, Funding Agreements and Accountability Forms current for that financial year
- Miscellaneous Grants Guidelines
- Frankston Arts Centre Discounts and Concessions Guidelines
- The current Council Plan
- Frankston City Community Plan
- The current Council Budget

**10. TRAINING**

Training in the policy and its guidelines will be offered to the community and staff in June of each year.

**11. DEFINITIONS**

**Grant** – to bestow, as a privilege, a sum of money or in-kind support

**Policy** – position adopted based on principles linked to the Council Plan that influences and determines decisions, actions and other matters

**Directive** – statement outlining a specific course of action or method of operation/interaction (potential to re-occur or run indefinitely)

**Guideline** – how to do something, expected to do

**Resolution of Council** – request for action by officers – reported back to Council via 'Council Request for Action' list.

# DRAFT Community Grants Program Guidelines



(May 2017)

opportunity » growth » lifestyle

**“Council seeks to support the efforts of organisations, groups and individuals to improve the social, natural, built and economic environment of the City through access to community grants.”**

*Community Grants Policy*

*Available on request, or from [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)*

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## **Grants available:**

### **Start-up Funding Grant** (up to \$1,000)

One-off seed funding to support Community Groups & the delivery of new services and to assist in getting the group or project started. Must be able to demonstrate longevity and sustainability via business plans or similar.

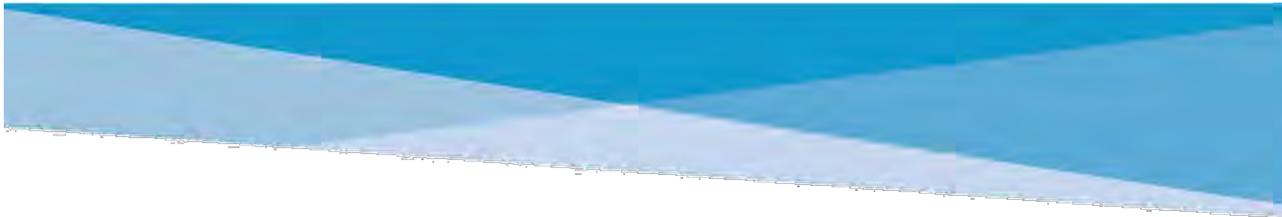
### **Operational, Program and Minor Equipment Grant** (up to \$2,500)

Assistance to community groups for a broad range of community development programs, services, activities and/or the purchase of minor equipment (includes arts, environmental and other initiatives).

### **Community Events Grant** (up to \$1,500)

Funding for community events can be financial or in kind marketing funding.

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## Introduction

Frankston City Council is proud to support the Community Grants Program in recognition of the significant contribution by the community to programs, projects and events in the City. The program is funded from General Rate revenue and recognises the goodwill of the Frankston community in supporting the activities of individual clubs and organisations.

Funding is available under the following categories:

**Start-up Funding Grant** up to \$1,000

**Operational, Program and Minor Equipment Grant** up to \$2,500

**Community Event Grant** up to \$1,500

Funding for community events can be financial or in-kind marketing funding.

## Application Process

To be eligible for consideration for assessment in this grant program, applicants need to complete and submit an official Frankston City Council Community Grant Program application.

The application form for this program can be obtained online at:

[www.frankston.vic.gov.au/our\\_community/community\\_grants](http://www.frankston.vic.gov.au/our_community/community_grants)

Completed applications need to be lodged via Council's webpage:

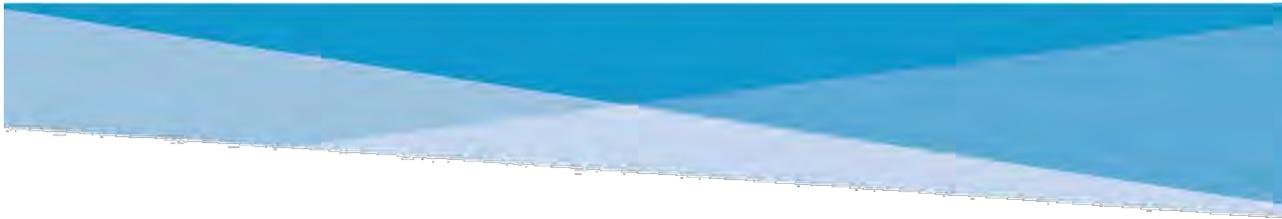
[http://www.frankston.vic.gov.au/Our\\_Community/Community\\_Grants/Community\\_Grants](http://www.frankston.vic.gov.au/Our_Community/Community_Grants/Community_Grants) by the advertised closing date. Applications received after this date will not be eligible for consideration and there will be no appeal process for late applications.

The Frankston City Council Community Grants Policy guides the conduct of the Community Grants Program. Copies are available from Council's website [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au) or on request from the Grants Officer.

## Objectives

The Community Grants Program seeks to achieve the following objectives:

- Encourage cooperation and sharing between community groups to ensure that all residents and organisations benefit from common resources.
- Increase the range of, and access to, recreational, social, cultural and environmental activities, programs and services.
- Support community development initiatives and socially responsible community activities.
- Give particular consideration to those community groups that can give the greatest benefit back to the community.
- Encourage and support the principles of access and equity.
- Identify those groups, individuals, organisations who are willing to contribute to their own vision, programs and sustainability.



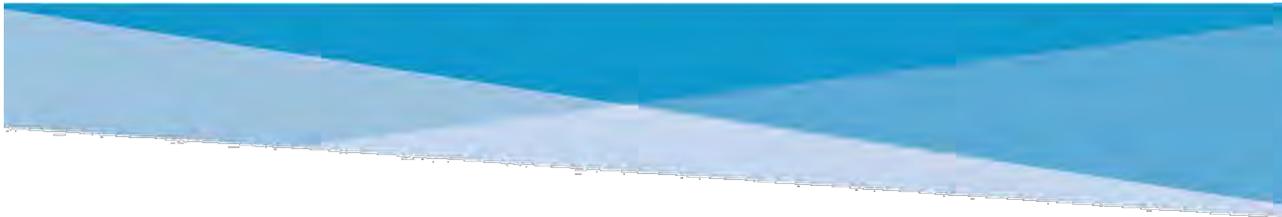
**Applicants may be eligible if:**

- not-for-profit
- a community group or organisation
- incorporated under the *Associations Incorporation Reform Act 2012* or commenced the process of incorporation (evidence will be required)
- auspiced (sponsored or supported) by a group that is incorporated, if they are not incorporated. The organisation applying must meet eligibility requirements and take responsibility for the funds and acquittal
- located within the geographical boundaries of Frankston City and / or servicing a significant number of Frankston City residents
- offering activities, programs, projects and events to the general community without discrimination or restriction
- offering activities, programs, projects and events that would be socially, economically, environmentally and physically accessible to all the community
- demonstrating some level of fundraising and financial contribution to their activities, programs, projects and events (which may include financial or in-kind assistance that might be obtained from other parties in the form of support or sponsorship). It is not Council's intention to fully fund activities, programs, projects and events.

**Applicants will be ineligible if:**

- commercial and / or profit making organisation, political party or hosting a political event
- activities or programs that are the responsibility of another level of government (such as education, health); or are the responsibility of a group under their incorporation or lease / license agreement (including recurrent expenses and capital works) will not be supported
- receiving other Council funding for the activity
- hosting your activities, programs, projects and events outside of Frankston City
- seeking retrospective funding for activities, programs, projects and events that have already started or have been completed
- requesting funding that would otherwise be covered by insurance
- capital works and capital expenses including vehicles; air conditioning units; and machinery
- in financial debt with Council or have not previously complied with grant conditions (including unable to properly account for prior funds; have not spent funds for the agreed purpose; or have not returned a detailed accountability form for previous years Community Grants)
- unable to provide an Annual Report and / or Annual General Meeting minutes; financial statement and public liability insurance statement
- staff, Councillor or contractor to Frankston City Council
- defibrillator applications will not be considered in 2017 Annual Grants program.

*Note: Individuals will be eligible for application under Council's Miscellaneous Grants program only.*



**Assessment Criteria**

**Assessment Criteria**

The following criteria and weighting are considered essential and are listed in order of importance:

	<b>Criteria</b>	<b>Weighting</b>
Criterion 1	Expected contribution of project / activity to economic, social and/or environmental outcomes in Frankston City.	30%
Criterion 2	Demonstrated longevity and capacity development beyond the funded period.	25%
Criterion 3	Number of Frankston residents who will benefit: a. Directly; and b. indirectly	20%
Criterion 4	Activity addresses an area of need that would otherwise go unfunded.	15%

***Important but not essential criterion is as follows:***

Criterion 5	Direct benefit for vulnerable and / or disadvantage residents;	10%
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Applicants should address the essential assessment criteria to be considered for funding under this program. (Please note: Criterion 5 is not essential)

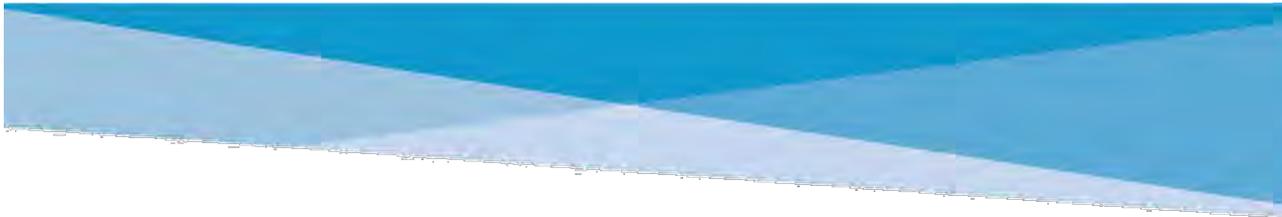
**Conditions of the Grant**

- The Community Grants Program is limited to the amount of funds allocated in Council’s annual budget.
- Allocation of funds to an applicant for any purpose in any year must not be taken as a commitment by Council for funding in a subsequent year.
- Only one application per applicant will be accepted.
- Council’s contribution will be limited to the amount granted. All other costs associated with the proposed project / activity will be covered by the applicant.
- Council reserves the right to publicise any aspect of activity associated with its Community Grants Program. Recipients must assist Council with publicity as required including attendance.
- Community Grants will open for application each year following endorsement of Council’s Budget for 4 weeks. Successful applicants will be expected to spend and acquit their funding by 30 June of that same financial year.
- Successful applicants must attend the Community Grants presentation Ceremony to formally accept their Grant. Where an applicant is not represented at this ceremony, their grant will be withdrawn.
- Council’s decision is final.



**Category Descriptions**

<b>PART 1 START UP FUNDING GRANT</b>	
<b>Description:</b>	<p><b>One-off funding to support community groups and the delivery of new services and to assist in getting the group or project started.</b></p> <p>This funding is offered as a 'once only' opportunity so it is important to consider how the new service or group will be sustained following the initial period of funding. Prior to lodging an application, you should contact the relevant Council Officer (refer to the list on page 6) to discuss your new service or group. Make sure you include support from other funding sources as well as your financial and / or in-kind contribution in your application. Groups applying under this category must show how their activity can be sustained beyond the funded period.</p>
<b>Grant Amount:</b>	Up to \$1,000
<b>PART 2 OPERATIONAL, PROGRAM AND MINOR EQUIPMENT GRANT</b>	
<b>Description:</b>	<p><b>Assistance to community groups for a broad range of community development programs, services, activities and/or the purchase of minor equipment (includes arts, environmental and other initiatives).</b></p> <ul style="list-style-type: none"> <li>• <b>Operational</b> – support towards costs of keeping the group operating eg administration costs, postage, etc.</li> <li>• <b>Equipment</b> – available for the purchase of specific equipment essential to the development of a community organisation.</li> <li>• <b>Innovative Activity, Program or Project Grant</b> – available to organisations to conduct an activity, program or project that is innovative.</li> <li>• <b>Learning and Development Grant</b> – available to provide volunteers with learning opportunities or development relevant to their role within the organisation including setting up or attending creative development workshop, master class, conference or seminar.</li> </ul>
<b>Grant Amount:</b>	Up to \$2,500
<b>PART 3 COMMUNITY EVENT GRANT</b>	
<b>Description:</b>	<p><b>Community Events</b></p> <p>Funding for events can be financial or in-kind marketing funding.</p> <p><i>It is essential to discuss your event with Council's Events staff on 9293 7154. You will also be required to complete an event application form that will address event and other compliance aspects of your event.</i></p> <p>Events can have both a local or broader appeal and aim to attract 500+ visitors and/or residents to Frankston. The maximum amount of funding allocated per group/organisation for this category is \$1,500. Where an application receives combined cash and in-kind funding, the total amount will not exceed \$1,500. Established community events will have a demonstrated appeal to the local community. They will aim to engage a range of community/not-for-profit groups, schools/TAFEs and local businesses.</p>
<b>Grant Amount</b>	Up to \$1,500



### Contact List

Name	Activity	Contact Number
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For further information on the guidelines and applications administration, please contact:

Grants Officer	all grant enquiries and administration	9784 1015
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Depending on the nature of your application, the following officers can provide information, advice or guidance in the following specialised areas – please contact:

Liz Daley Manager Community Strengthening	for community groups, youth activities, sports and recreation activities.	9784 1957
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Peter Harrison Positive Ageing Consultant	for seniors groups and family activities	9768 1324
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Andrew Moon Manager Arts and Culture	for local events, arts and culture	9768 1395
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Leonie Reints Manager Community Safety	for emergency services groups and community safety activities	9784 1925
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Michael Papageorgiou Manager Planning and Environment	for environmental activities	9784 1905
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### Other Information

If you require further information please contact the Grants Officer on 9784 1015 or email [communitygrants@frankston.vic.gov.au](mailto:communitygrants@frankston.vic.gov.au)

**Feedback** about the Community Grants Program and its process is always welcomed. Please address your comments to the Grants Officer.

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**APPLICATIONS WILL ONLY BE ACCEPTED ONLINE**

**LATE APPLICATIONS WILL BE DEEMED INELIGIBLE**

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# Miscellaneous Grants Program Guidelines

**Applications can be lodged at any time during the year and are reviewed monthly (except June)**

Applicants are encouraged to adhere to eligibility requirements, to avoid disappointment

*The Community Grants Policy is available on request, or from [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)*

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## **Quick Response Grants (up to \$500)**

Once off bridging financial support to groups who are eligible for, but have missed, the annual grants process and where the Committee considers there is a demonstrated need that cannot wait until the next round. This funding is for items that would usually be included in Council's Annual Community Grants Program. Grants provide assistance to a broad range of community development programs, services, activities, and / or the purchase of minor equipment (includes arts, environmental, and other initiatives). Applications that were unsuccessful in annual community grants are ineligible.

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## **Community Group Membership Drive (up to \$500)**

Funding supports eligible community and sporting organisations who are having difficulties retaining and growing respective members due to intergenerational gaps. Funding is to support growth activities to increase membership including professional development, training, promotional materials (printed and electronic), open and come try days, membership drive events, business planning, policy development and marketing. Groups must meet eligible requirements of Council's Annual Community Grants Program; be able to demonstrate a decline in members over the last 2 financial years; and have a willingness to welcome new members to increase membership numbers.

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## **Inclusion Support Grants (75% of Club Fees or up to \$200)**

Funding supports the inclusion of school aged Frankston residents up to the age of 18 years in disadvantaged circumstances to participate in a sport by paying their fees directly to the Frankston municipality sports club. (eg cricket, football, netball, basketball, tennis, etc). Applicants apply to Council and if successful, applicants must register with the sporting club within 8 weeks. Grants are paid directly to the club on receipt of invoice. Applicants must hold a Health Care Card or Pension Concession Card. Assistance can be provided for more than one family member per financial year. The Miscellaneous Grants Committee may consider applications for other recreational activities on a case by case basis.

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## **Representative Support Grants (Up to \$200 Individual; Up to \$300 Team)**

Once-off support for individuals competing at elite levels, as part of an affiliated state or national event or international activity/event. Funding can be allocated for travel costs, accommodation, fees for the activity/event, uniforms or equipment for the activity/event, etc, any of which are not already paid for by the governing or organising body or any other agency. Funding may also be granted for other costs incurred in participation, as may be deemed appropriate by the Committee.

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## **Charitable Support Grants (Up to \$500)**

Once-off funding is available to support fundraising activities to assist charitable causes. Support can be in-kind or financial. Funding can be allocated for:

1. assistance with fees for individual Frankston residents, community groups or clubs with hiring facilities or halls, owned and run by Frankston City Council for charitable purposes. (liquor licenses will not be funded).
2. other costs incurred by individuals, community groups or clubs associated with charitable fund raising or purposes, as may be deemed appropriate by the Committee.
3. donations to charitable activities or causes, as may be deemed appropriate by the Committee.

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## **Special Category funded by Cricket Victoria (75% of Club Fees or up to \$200)**

This funding is provided by Cricket Victoria, on a season by season basis, to increase participation of school aged children, who are Frankston municipality residents, up to the age of 18 years, in cricket, by assisting in paying their fees directly to the Frankston municipality cricket club. Applicants apply to Council and if successful, applicants must register with the sporting club within 8 weeks. Grants are paid directly to the club on receipt of invoice. Applicants must either hold a healthcare or pension card (assistance would be available annually). Applicants funded under Inclusion Support Grants may also be funded under Cricket Victoria grants, once per season. Throughout the year, Cricket Victoria may support club and individual activities aimed at increasing community participation in the sport, such as T20 Blasts. Applicants are encouraged to discuss proposed activities with the Grants Officer prior to application.

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**Introduction:**

Frankston City Council is proud to support the Miscellaneous Grants Program that encourages community connectedness and wellbeing. The program is funded from the General Rate revenue and recognises the goodwill of the Frankston community in supporting the activities of individuals and community groups.

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**Application process:**

The Miscellaneous Grants Program is a ratepayer funded grants program, conducted under the Miscellaneous Grants Program guidelines, in-line with Community Grants Program Guidelines, and governed by the overarching Community Grants Program Policy. It is an application based funding source.

- To be considered for funding, applicants must complete the appropriate application form online at [http://www.frankston.vic.gov.au/Our Community/Community Grants/Miscellaneous Grants](http://www.frankston.vic.gov.au/Our_Community/Community_Grants/Miscellaneous_Grants)
  - Guidelines are available from Council's Website: [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au), by email [communitygrants@frankston.vic.gov.au](mailto:communitygrants@frankston.vic.gov.au) or by contacting the Grants Officer on 9784 1015
  - Applications are assessed monthly throughout the year except in June, by the Miscellaneous Grants Sub Committee (Committee), who has delegated authority to allocate funding via the Miscellaneous Grants Guidelines, under the Community Grants Policy.
  - All applicants are notified in writing of the outcome of their application.
  - All successful applicants are required to enter into a Funding Agreement.
  - All successful applicants are required to acquit back to Council via an Accountability form.
  - The Committee reports allocations quarterly to Council via the Delegated Powers and Contract Decisions Report, and also lists, by name, its full allocations in the annual report.
  - The Miscellaneous Grants Program is limited to the amount of funds allocated in Council's annual budget. Once funds are expended, the program will close for that financial year.
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**Aim and Objective:**

Miscellaneous Grants Program aims to maximise opportunities for citizens to participate in community life and highlight Frankston in a positive way. These guidelines provide direction and the basis for the assessment of grant applications to ensure transparency and good governance.

1. To provide an equitable process for dealing with applications for financial assistance.
  2. Encourage and support the principles of access, equity and social inclusion.
  3. Support a community culture of social and ethical responsibility for those less fortunate or in crisis.
  4. To highlight Frankston in a positive way.
  5. Support community and individual capacity building and strengthen resilience.
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**Criteria and Eligibility**

**Quick Response Grants (up to \$500)**

**Applicants must:**

1. be a Frankston municipality not-for-profit community group or organisation, that is incorporated under the *Associations Incorporation Reform Act 2012* or auspiced by a group that is also not-for-profit and incorporated.
  2. be located within the geographical boundaries of Frankston City and/or servicing a significant number of Frankston City residents
  3. demonstrate some level of fundraising or financial contribution.
  4. ensure their activity is eligible for funding under Council's annual Community Grants Program.
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### **Community Group Membership Drive (up to \$500)**

#### Applicants must:

1. be a Frankston municipality not-for-profit community club / group that is incorporated under the Associations Incorporation Reform Act 2012 or auspiced by a group that is also not-for-profit and incorporated.
2. be located within the geographical boundaries of Frankston city and/or servicing a significant number of Frankston City residents
3. be able to demonstrate a decline in members over the last 2 financial years
4. have a willingness to welcome new members to increase membership numbers
5. ensure the planned activity is eligible for funding under Council's annual Community Grants Program.

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### **Inclusion Support Grants (75% of club fees, or up to \$200)**

#### Applicants must:

1. be a Frankston municipality resident; be school aged up to 18 years; and hold a Health Care Card or Pension Concession Card.
2. be applying to a sporting club that is not-for-profit, and based in Frankston municipality; (the Committee has discretion to consider applications for other recreational activities);
3. agree that Council will pay fees directly to the sporting club (on receipt of invoice).
4. when approved, join their nominated club within 8 weeks from the date of approval.
5. Assistance can be provided for more than one family member per financial year.
6. Compulsory uniform and equipment may be considered as part of the application.

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### **Representative Support Grants (Up to \$200 individual; Up to \$300 team)**

#### Applicants must:

1. be a Frankston municipality resident and be chosen or selected to be involved in a state, national or international activity by the relevant governing or organising body
2. be able to provide a letter of invitation to attend the event including location and dates.
3. provide a summary of expenses indicating a breakdown of costs and indicating financial assistance from other sources.
4. only apply every two years.
5. if approved, wear a Frankston City Council logo when participating in their activity/event. This will be provided by Grants Officer.
6. gain a place in the competition through winning events (rather than simply entering)
7. Where more than one application is received from a team member for the same event, the application will be considered as a team and capped at \$300.
8. Officials / referees / coaches are ineligible.

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### **Charitable Support Grants**

#### Applicants must:

1. be a Frankston municipality resident or a Frankston not-for-profit community group or organisation, that is incorporated under the *Associations Incorporation Reform Act 2012* or auspiced by a group that is also not-for-profit and incorporated. Applications from registered business are ineligible.
2. be undertaking a fundraising activity for charity.
3. provide a letter from the recipient of the charity to confirm fundraising activity; and/or record of relevant achievements or notable referee or letter of reference.
4. provide details of where and when the activity or event is to be held (this must be in the Frankston municipality or the greatest benefactor must be Frankston residents or municipality).
5. provide a summary of expenses showing a breakdown of costs and details of financial assistance from all sources.
6. if approved, display an approved Frankston City Council logo at their activity/event that recognises Frankston City Council as a supporter. This will be provided by Grants Officer.
7. Liquor licenses will not be funded.

**Special Category funded by Cricket Victoria (75% of Club Fees or up to \$200)**

Applicants must:

1. be a Frankston municipality resident and be school aged, up to 18 years.
2. hold a Healthcare or Pension card (assistance would be available annually).
3. be applying to a cricket club that is not-for-profit, and based in Frankston municipality
4. agree that Council will pay fees directly to the sporting club (on receipt of invoice).
5. when approved, join their nominated club within 8 weeks from the date of approval.
6. compulsory uniform and equipment may be considered as part of the application.

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**Terms and Conditions of Grant:**

- Eligibility for funding does not guarantee an application will be granted. The Committee has full discretion on funding decisions and these are final.
- The Miscellaneous Grants Program is limited to the amount of funds allocated in Council's annual budget.
- Allocation of funds to an applicant for any purpose in any year must not be taken as a commitment by Council for funding in a subsequent year.
- Only one application per financial year, per applicant, will be accepted.
- Each application will be considered on its own merits.
- Council's contribution will be limited to the amount granted. All other costs associated with the proposed project / activity will be covered by the applicant.
- Council reserves the right to publicise any aspect of activity associated with its Miscellaneous Grants Program. Recipients must assist Council with publicity, as required.
- Recipients are requested to acknowledge Council's contribution and use the Frankston City Council logo when undertaking the charitable or representative activities where applicable.
- Successful applicants will be expected to invoice Council, spend and acquit their funding by 30 June of that same financial year.
- Successful applicants who receive funding must provide accountability, acquit back to Council and share the story of their experience via the Accountability form.
- Retrospective funding is not available
- Funding is not available for commercial or profit making organisations; political parties or political events.

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**Cancellation of Grants:**

Funds must be acquitted on the activity for which they were allocated (unless otherwise authorised, in writing, by the Committee).

Grants will be cancelled and requested to be returned if the Committee have made an allocation with:

1. False or misleading information, as provided by the applicant, and/or
2. The applicant withdraws from the activity and/or
3. is not undertaking the activity as applied, and/or
4. The event or activity has been cancelled.

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**Applications are submitted online at:**

[http://www.frankston.vic.gov.au/Our Community/Community Grants/Miscellaneous Grants](http://www.frankston.vic.gov.au/Our_Community/Community_Grants/Miscellaneous_Grants)

**Contact:**

For further information, please contact the Grants Officer on 03 9784 1015  
or email [communitygrants@frankston.vic.gov.au](mailto:communitygrants@frankston.vic.gov.au)

**Executive Summary****12.12 Road Management Plan Review 2017**

*Enquiries: (Craig Dinsdale: Corporate Development)*

**Council Plan**

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.2 Implement a schedule of reviews of services, plans, policies and protocols to ensure good governance

**Purpose**

To present to Council the outcomes of the review of the current Road Management Plan (2015).

**Recommendation (Director Corporate Development)**

That Council:

1. Receives and notes the Review; and
2. Authorises the placing of a public notice advising the completion of the Review and its findings, the pending amendments to the current Road Management Plan and makes a copy of the Review available for public inspection or copying (at Customer Service Centres and online) in accordance with the Road Management General Regulations (2016).

**Key Points / Issues**

- Pursuant to Section 54 of the Road Management Act Council is required to undertake a review of its Road Management Plan (RMP) in accordance with the Road Management (General) Regulations 2016;
- Council last undertook a review of its RMP in May 2013;
- Council last amended its RMP in September 2015 on the basis of the recommendations from the 2013 review;
- As a result of undertaking internal consultation, comparing similar RMP's, reviewing community satisfaction and analysing past performance the following recommendations are presented (refer to Attachment A – this has been provided to Councillors and copies will be made available to the public at Customer Service Centres and online):
  - Undertake administrative adjustments as specified (refer to Section 3 of Review – Attachment A)
  - Modify the Path Hierarchy Classifications (refer to Section 4 of Review – Attachment A)
  - Continue to invest in the Frankston Asset Management and Information System (FAMIS)
  - Develop and implement an ongoing program of internal audits and training (both RMP and FAMIS)
  - Adjust the Inspection Regime (refer to Section 5 of Review – Attachment A)

**12.12 Road Management Plan Review 2017****Executive Summary**

- Adjust the Reactive Maintenance Service Standards (refer to Section 6 of Review – Attachment A)
- Adjust the Management of Unexpected Renewal Works for footpaths (refer to Section 7 of Review – Attachment A)
- Results (Section 6 of Review – Attachment A) over the last 18 months have indicated that whilst Council is doing well in some areas there are a number of non-compliances which may compromise its policy defence to personal and property claims as afforded under the Road Management Act (2004);
- Since 2007 Council has received nine claims of which five has since been successful costing Council \$659.5K;
- It should be noted that the Review and Amendment processes are separate exercises as specified within the Road Management (General) Regulations 2016 (refer to Attachment A); and
- In order to comply with the Road Management (General) Regulations 2016 Council is only required to complete the Review by the 30 June 2017 (refer to Attachment B), the Amendment procedure can be completed at any time;

**Financial Impact**

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

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

There are no financial impacts with the completion of this Review. The Review has not identified any increases to service standards as a result no additional funding is required.

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

As detailed in the recently amended Road Management (General) Regulations 2016 there is no requirement to undertake consultation during the Review of the RMP. However, once Council has received and noted the Review a public notice must be published highlighting the outcomes of the Review and stating Council's intention to leave the RMP intact or amend it. Should Council elect to amend its RMP the proposed adjustments must be advertised and aggrieved residents may make a submission.

**2. Other Stakeholders**

Internal consultation occurred with key stakeholders such as Risk Management, City Works, Parks and Gardens, Specialist Vegetation and Sustainable Assets. Feedback as produced from internal consultation has been provided in Section 1 (refer to Attachment A) of the Review.

EMT was briefed on the outcomes of the Review on the 26 April. Councillors were provided with a briefing report and memorandum on the outcomes and findings of the Review on the 3 and 4 May respectively.

**12.12 Road Management Plan Review 2017****Executive Summary****Analysis (Environmental / Economic / Social Implications)**

An effective RMP ensures a high standard of public amenity and enhances Frankston's ability to attract and retain local businesses and provide economic stimulus for the municipality.

Insurance premiums can be expected to be lower than for a Council that does not have an adopted RMP.

A safe and efficient road and footpath network is essential for community connection and community satisfaction. The identification and elimination of hazards in the network is a critical risk management activity.

The impact on the environment is considered when treating hazards. Examples are footpath re-alignment to avoid trees and the use of alternative materials.

**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 Road Management Act provides Council the opportunity for a policy defence against civil liability claims associated with its management of the road network. The making of a RMP and compliance with the standards set in the RMP are necessary for this policy defence to be effective

In addition to a policy defence against public liability claims, an RMP provides a number of other benefits including, but not limited to:

- More proactive management of road and road-related assets (asset management);
- Mitigation of public safety risk;
- Greater transparency in road maintenance decision making processes;
- Improved auditability of performance;
- Reduced insurance premiums.

Policy Impacts

The preparation of a RMP is in effective a vehicle for Council to develop a policy on the management of the road network as afforded under the Road Management Act 2004. The Road Management Act 2004 allows a Road Authority (Council) to establish standards that relate to inspection, maintenance and repair of its road and road related assets that are commensurate with its resources both financial and physical.

As required under Section 54 of the Act all Road Authorities must undertake a Review of its RMP on a regular basis to ensure its standards remain reasonable the reflective of its ability to manage its road network.

Council's Asset Management Policy also supports and compliments the Review to ensure that Council is constantly monitoring its management practices and provides responsible guardianship of the community's road and related assets.

Officer's Declaration of Interests

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

**12.12 Road Management Plan Review 2017****Executive Summary****Risk Mitigation**

If complied with, the RMP provides Council with a policy defence against civil liability claims associated with management of roads within the municipality.

In order to comply with the proposed RMP amendments, in particular the changes to the maintenance and inspection service levels, it is critical that Council has and maintains an effective Frankston Asset Management Information System (FAMIS) to facilitate and monitor compliance and to facilitate analysis for improvement opportunities or reallocation of resources.

Continued investment in the implementation of FAMIS is therefore considered critical.

Given the importance of compliance to the RMP, in order for an effective policy defence, Council must ensure its service standards, systems and staff are all appropriately aligned, managed and commensurate of its ability to resource and fund the implementation of the RMP. Failure to do so may leave Council exposed to personal and property claims and loss of reputation.

**Conclusion**

As prescribed in the Road Management (General) Regulations 2016 and in accordance with Section 54 of the Road Management Act (2004) Council has now completed its Review of its current Road Management Plan (2015). The attached Review document (refer to Attachment A) recommends a number of amendments both administrative and service standard related in addition with an improvement action to provide ongoing internal compliance audits and institution of an ongoing program of Road Management Plan and FAMIS training to staff.

It is recommended that this Review is presented to Council at its 22 May Ordinary Meeting to be formally endorsed as prescribed in the Road Management General Regulations (2016).

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**ATTACHMENTS**

Attachment A: Road Management Review 2017 - Part A (*Under Separate Cover*)

Attachment B: Road Management Review 2017 - Part B (*Under Separate Cover*)

**12.12 Road Management Plan Review 2017  
Officers' Assessment****Background**

The Road Management Act provides Council the opportunity for a policy defence against civil liability claims associated with its management of the road network. The making of a RMP and compliance with the standards as set in the RMP are necessary for this policy defence to be effective.

In addition to a policy defence against public liability claims, an RMP provides a number of other benefits including, but not limited to:

- More proactive management of road and road-related assets (asset management);
- Mitigation of public safety risk;
- Greater transparency in road maintenance decision making processes;
- Improved auditability of performance;
- Reduced insurance premiums.

Council's initial RMP was adopted in December 2004. This plan has been reviewed several times; the latest version was adopted in 2015. A current copy of Council's RMP is available on Council's website (and is attached to the Review document).

Under the Road Management (General) Regulations 2016 (Sections 8 and 9) Council must conduct a review of its RMP during the same period as it is preparing its Council Plan. Section 125(1)(b) of the Local Government Act 1989 requires each municipal council to prepare a Council Plan within the period of 6 months after each general election or by the next 30 June, whichever is later, unless the Minister administering that Act extends the period under section 125(4) of that Act.

The purpose of the review is 'to ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and classes of road to which the plan applies are appropriate.

Council must also, on completion of the review in accordance with Section 9 of the Regulations:

- (1) In conducting a review of its road management plan, a road authority must ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads and classes of road to which the plan applies are appropriate.
- (2) After a road authority has completed a review of its road management plan, it must—
  - (a) produce a written report summarising the findings and conclusions of the review; and
  - (b) make the report available for copying or inspection—
    - (i) at the place where the road management plan may be inspected or obtained in accordance with section 55(1)(b) of the Act; or
    - (ii) on an Internet site maintained by the road authority.
- (3) If a road authority has completed a review of its road management plan and decides that it will not amend its road management plan or that it will amend its road management plan in a manner that does not require notice to be given under regulation 10, the road authority must give notice stating—
  - (a) that the road authority has completed the review of its road management plan; and

**12.12 Road Management Plan Review 2017****Officers' Assessment**

(b) that the road authority has decided that it will not amend its road management plan or that it will amend its road management plan in a manner that does not require notice to be given under regulation 10 (as the case may be); and

(c) where any relevant written report produced in accordance with subregulation (2) may be inspected or obtained; and

(d) if the road authority decides that it will amend its road management plan in a manner that does not require notice to be given under regulation 10, that it is a requirement under regulation 13(3) that the road authority record on the plan—

(i) the substance of the amendment; and

(ii) the date of effect of the amendment.

(4) A notice under subregulation (3) must be published in the Government Gazette and in a newspaper generally circulating in the area in which the roads to which the road management plan applies are situated.

**Issues and Discussion**

In 2004, the original Frankston City Council Road Management Plan (RMP) was prepared in accordance with the Road Management Act (2004), supporting regulations and codes of practice. In accordance with Part 3 of the Act, and the Road Management (General) Regulations, the original RMP was reviewed, amended and adopted in 2007. In May 2009, the latest version of the document was reviewed. However, the RMP was not updated to reflect the 2009 review findings. Post the 2013 review the RMP was amended and adopted on the 1 September 2015. A copy of the current RMP is included in Section 9 (refer to Attachment B) of the Review document.

This report summarises the 2017 RMP review scope and findings. Recommended RMP amendments are summarised under the following headings:

- Administrative
  - Update document to reflect current acts, legislation, regulations and standards
  - Update document to acknowledge changes to the organisational structure and position titles
  - Update document to highlight current Council policies, strategies and plans
  - Refresh Council policy positions on management of illegal assets and connections
  - Provide missing defect pictures to assist understanding with visual aids
  - Provide a process and timeframe for the regular updates to the Public Road Register
  - Acknowledge the need to collaborate with other authorities and their timeframes to provide approvals
  - Complete and include outstanding demarcation agreements with other asset authorities
  - Address typographical and grammatical errors
  - Reenergise an internal audit program to better monitor compliance and drive continuous improvement

**12.12 Road Management Plan Review 2017****Officers' Assessment**

- Better define defects (refer to Section 6) and their intervention levels to provide greater clarity
- Service Standards
  - Adjustment to intervention levels in regards to cracking
  - Reduction or removal of night inspections
  - Removal of the Equestrian Trail hierarchy classification and associated maintenance activity
  - Reduction of inspection of drainage pits to align with routine maintenance frequency
  - Reduction of the replacement of missing guide posts on a straight to greater than two missing

The RMP review and subsequent amendment process is defined in the Road Management (General) Regulations (2016). Although the regulations do not specify the timing for implementation of amendments, it is expected that the RMP will be amended during the 6 to 12 months following Council endorsement of this report.

Any significant changes may have budget, or resource implications. It is therefore recommended that the RMP amendment process include consultation with key stakeholders. Extensive consultation is recommended prior to making any changes to the:

- Amend or create defect interventions for tactile tiles (FT-001\*), erosion (FU-003\*), cracking (FC-003, FA-003 and SPC-003), edge drop (US-003), roadside vegetation (RV-002) and lateral clearance for roadways (RV-005), refer to Section 6 for full list
- Removal of night inspections for local access roads, service roads and unsealed roads
- Reduction of night inspection frequencies to two years for collector roads and 1 year for major roads
- Removal of Equestrian Trail hierarchy classification and maintenance activities
- Reduce the frequency of drainage pit cleaning maintenance (D-ROU-001) to align with inspection frequency to be three years
- Increase the intervention level for renewal of paved footpaths from 2m<sup>2</sup> to 8m<sup>2</sup>.
- Provide an intervention level for spalling for maintenance activities K-REA-001, L-REA-001 and F-REA-001
- Increase the intervention level for guide posts within the Road Furniture category to be greater than two missing in a row

To ensure Council is able to deliver on improved inspection and maintenance service levels, and monitor compliance with the proposed amendments to the RMP, it is considered critical that Council continue to invest in the implementation of a centralised Frankston Asset Management Information System (FAMIS). Without such a system fully operational, record keeping will revert to being manual, onerous, lacking transparency and making compliance monitoring difficult. By being able to access data in a timely fashion where performance can be analysed and improvements identified and implemented.

**12.12 Road Management Plan Review 2017****Officers' Assessment**

In order for the RMP to continue to provide Council with a policy defence, against public liability claims, under the Road Management Act, it is important that Council is able to comply with any changes to the standards as set in the RMP and that those standards are reasonable. The recommendations from this Review not only encompass changes to the current RMP but also include good governance practices such as initiating an internal audit program and developing and providing an ongoing of training for both the content and theory of the RMP and Council's Frankston Asset Management Information System (FAMIS). Failure to do so may see Council lose its immunity to claims and expose Council unnecessarily.

**Options Available including Financial Implications**

- Council endorses the 2017 RMP Review and its recommendations (recommended)
- Council do not support the 2017 RMP Review and its recommendations (not recommended)

There are no financial implications associated with the report.

**Executive Summary****12.13 Progress of Council Resolutions resulting from Notice of Motions**

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

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.3 Ensure good governance and management of Council resources
Priority Action	3.3.3 Continue to build organisational capability and a customer service culture

**Purpose**

To brief Council on the current status of Notice of Motion Resolutions.

**Recommendation (Chief Executive Office)**

That Council:

1. Receives the Notice of Motion Report as at 1 May 2017.
2. Notes that the following NOMs be archived from the Notice of Motion Report:
  - NOM 1250 - Re-founding of City Life
  - NOM 1278 – Safer City Centre Fund
  - NOM 1281 – Seaford Downs Report
  - NOM 1304 - Frankston Basketball Association Building Extension process investigation

**Key Points / Issues**

- At the Ordinary Council Meeting OM295 held on 19 December 2016, Cr Sandra Mayer moved the Notice of Motion *NOM1240 - Progress of Council Resolutions resulting from Notices of Motion*, which was subsequently carried unanimously:
 

*“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).”*
- The Notice of Motion Report as at 1 May 2017 is attached and will continue to be updated and reported at each Ordinary Council Meeting.
- Correspondence received by Council as a result of actions from Notice of Motions are attached to this report.
- Once Notice of Motion actions are reported ‘complete’, they will be archived from the document.

**Financial Impact**

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

**12.13 Progress of Council Resolutions resulting from Notice of Motions****Executive Summary**

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

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

Nil.

**2. Other Stakeholders**

Nil.

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

Making the written records available may provide some confidence in transparency in decision making and is in keeping with best practice advice from the Office of the local Government Inspectorate.

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

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

Legal

Under Section 76AA of the *Local Government Act 1989*, Council is required to make a written record of all Councillors who participate in;

- An Advisory Committee where at least one (1) Councillor and a member of Council staff is present; and
- A planned or scheduled meeting where at least half the Councillors and a member of staff is present.

Policy Impacts

There is 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**

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

12.13 Progress of Council Resolutions resulting from Notice of Motions  
**Executive Summary**

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**ATTACHMENTS**

Attachment A: Notice of Motion Report as at 22 May 2017

Attachment B: NOM Correspondence as at 22 May 2017

**Notice of Motions Estimated Costs  
 By Councillor  
 2016 – 2020 Term**

**Table 1**

Councillor	Number	Primary Cost	Ongoing Cost	Outcome Cost
Cr Cunial	5	\$4,649	\$500	\$190,500
Cr McCormack	5	\$3,585	\$0	\$0
Cr Toms	10	\$2,750	\$0	\$0
Cr Aitken	9	\$8,799	\$0	\$0
Cr Bolam	27	\$3,711	\$0	\$0
Cr O'Connor	9	\$1,400	\$0	\$0
Cr Mayer	2	\$2,450	\$0	\$0
Cr Hampton	4	\$3,624	\$350	\$0
Cr O'Reilly	0	\$0	\$0	\$0
<b>TOTAL</b>	<b>71</b>	<b>\$ 30,968</b>	<b>\$ 850</b>	<b>\$ 190,500</b>

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
28-Nov-16	13.4	NOM 1232 - Additions to Domestic Animal Plan Cr Mayer	<p>Moved: Mayer Seconded: Bolam</p> <p>That the Chief Executive Officer arrange for officers to investigate the following additions and associated costs to the Domestic Animal Management Plan:</p> <ul style="list-style-type: none"> <li>• When owners pay for their cats and dogs registration fees, Council staff do a complimentary check to see if microchip details are up to date.</li> <li>• All registered and chipped dogs/cats are returned to their owners by vets and/or rangers FREE of charge.</li> <li>• All health card holders can register their animal for minimal fee or free.</li> <li>• Council shouldn't spend any money on Pets Day Out but all funding should come from sponsorship and be outsourced to an event organisation company. Monies raised should pay for the event.</li> <li>• Leash free fencing zones should be built and funded in place of Pets Day Out.</li> <li>• Council should create an allocated section on their website to post lost and found dogs.</li> <li>• Dead animals cats or dogs should be scanned and reported to the owner.</li> <li>• Animal owners should get a discounted registration fee if they take an online test outlining responsible animal ownership welfare.</li> <li>• A committee should be formed to assist in implementing these ideas made up of residents.</li> <li>• Initiate a campaign (e.g. go fund me) to raise funds for a day holding facility for lost animals such as Bayside City Council currently run.</li> <li>• An exemption from desexing for select breeds with an additional registration charge such as neighbouring Councils.</li> <li>• These issues be raised with animal welfare and interest groups to request their feedback, including local facebook forums.</li> </ul> <p>CARRIED UNANIMOUSLY</p>	Leonie Reints	<p>22 May 2017 - No further update.</p> <p>1 May 2017 - Responses to the DAMP NON were provided to Councillors on Monday 10 April 2017 and addressed as part of the Domestic Animal Management Plan (DAMP). Councillors were advised that some of the suggestions in the NOM are in breach of legislation and cannot be considered and the other suggestions have been incorporated in the DAMP. The DAMP goes back to Council in July and will then go out for community exhibition.</p> <p>3 April 2017 - No change to the status.</p> <p>09 Mar 2017 - 2:46 PM - Leonie Reints                      Estimated Completion Date changed by: Tracee Hall-davis From: 11 Nov 2017 To: 15/10/2017</p> <p>06 Mar 2017 - 10:06 AM - Tracee Hall-davis                      Provisional responses were provided to a briefing of Councillors 5 December. Some of the suggestions are in breach of the legislation. These were:                      3) &amp; 8) - Registration is a statutory requirement, any registration fees are determined under the provision of the Domestic Animals Act                      11) - Desexing exemptions are provided for under the provisions of the Domestic Animals Act. Some exemption already apply for pure breed dogs registered with Dogs Victoria.                      However, for those that are possible - animal welfare groups and members of the public have been consulted.                      A report is due to go to a Councillor Briefing in May 2017 as part of the Domestic Animal Management Plan.                      The Plan is due to be exhibited and reported by to Council by September 2017.</p> <p>20 Feb 2017 - 3:03 PM - Tracee Hall-davis                      The issues raised in the NOM will be where legislatively possible, addressed through the development of the DAMP. Animal Welfare Groups will be consulted as part of this process.</p> <p>23 Jan 2017 - 11:57 AM - Leonie Reints                      Estimated Completion Date changed by: Tracee Hall-davis From: 23 Mar 2017 To: 11/11/2017</p> <p>19 Dec 2016 - 10:33 AM - Tracee Hall-davis                      Provisional responses were provided to a briefing of Councillors 5 December. Some of the suggestions are in breach of the legislation. These were:                      3) &amp; 8) - Registration is a statutory requirement, any registration fees are determined under the provision of the Domestic Animals Act                      11) - Desexing exemptions are provided for under the provisions of the Domestic Animals Act. Some exemption already apply for pure breed dogs registered with Dogs Victoria.                      However, for those that are possible - animal welfare groups and members of the public will be consulted.                      A report is due to go to a Councillor Briefing in March 2017 as part of the Domestic Animal Management Plan.                      The Plan is due to be exhibited and reported by to Council by September 2017.</p>	<p>Primary Cost:                      Officers Investigations and reporting - \$450</p>	
28-Nov-16	13.8	NOM 1236 – Support to Traders CAA Development Cr Toms	<p>Moved: Toms Seconded: Mayer</p> <p>That the Chief Executive Officer request officers to brief Councillors on how disruption to traders is being minimised during works in Wells Street and Young Street, detailing lessons learnt and plans/recommendations for the future on how Council can be more effective in this area. Following this the Mayor meet with the State MP, Mr Paul Edbrooke to relay findings from the Council Briefing.</p> <p>CARRIED</p>	Kate Jewell	<p>22 May 2017 - Ongoing</p> <p>3 April 2017 - Ongoing - Business Resilience package 2 roll out delivery dates and Business as Usual marketing campaign part 2 is continually raised with State Government and VicRoads at all levels.</p> <p>21 Dec 2016 - 1:56 PM - Director of CAA Development briefed the Councillors on the 30 November 2016 and a meeting was held with the Mayor and the Member for Frankston, Mr Paul Edbrooke.</p> <p>Outcome of the meeting was that the State Government would deliver a promotional campaign focusing on that Frankston City Centre is open for business as usual during the Young Street works.</p>	<p>Primary Cost:                      Officers time preparing and presenting - \$300</p>	

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
19-Dec-16	13.2	NOM 1241 - Centenary Park Golf Course Committee Cr Hampton	Moved: Hampton Seconded: Toms That: 1. Council notes that the pro shop and golf course at Centenary Park remain as separate entities to the Centenary Park sporting complex. 2. A Committee of interested Councillors and appropriate officers be appointed to develop a future 10 year business plan for the Centenary Park Golf Course. 3. Regular reports be provided to Council on the development of the draft business plan including consultation undertaken with key stakeholders. 4. The final draft business plan be presented to Council for consideration and adoption by the end of 2017 at the latest. 5. Council notes that D&S Golf have previously been advised that their current contract will not be extended. 6. Notwithstanding the previous advice to D&S Golf, Council now advises D&S Golf that their current contract (expiry 30 June 2017) will now be extended to the 30 June 2018. This will allow for the development of the draft business plan for Centenary Park Golf Course and guarantee no interruption to the management and viability of the golf course. CARRIED UNANIMOUSLY	Dennis Hovenden	24 March 2017 – Tracee Hall-Davis Evaluation of Business Plan submissions was undertaken 22 March 2017. 14 March 2017 – Dennis Hovenden Committee has met. Established timeline to achieve Council resolution. Discussed brief for the development of the business plan. Will meet again mid-March 2017 Costs To Date - \$500 – ongoing costs. 10 Feb 2017 - 11:53 AM - Andrea Gaynor Business Plan Sub Committee will meet for the first time on 27th February 2017 at 4.30pm. Terms of reference of the Committee will be presented. 05 Jan 2017 - 4:53 PM - Andrea Gaynor 1. Noted 2. Committee meeting to be established with first meeting early in 2017 to discuss what is required. 3. Reports will be provided. 4. Will work to presenting plan by end of 2017. 5. Noted 6. Letter sent advising.	Primary Cost: \$2,124	
19-Dec-16	13.4	NOM 1243 - Pedestrian Crossing Fletcher Road Cr Aitken	Moved: Aitken Seconded: Mayer That Council make representation to VicRoads to formalise a pedestrian crossing on Fletcher Road between the Police Station and Law Courts and Bayside Shopping Centre and that Council request Mr Paul Edbrooke MP, Member for Frankston to make appropriate representation on our behalf. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - No change to the status. 1 May 2017 - No change to the status. 3 April 2017 - No change to the status. 10 Feb 2017 - 11:55 AM - No change in status. 05 Jan 2017 - 3:36 PM - Letter has been forwarded to VicRoads (A3271611). Awaiting for a response.	Primary Cost: \$75	
19-Dec-16	13.5	NOM 1244 - Criminal Asset Forfeitures Cr Bolam	Moved: Bolam Seconded: Aitken That Council writes to the Federal MP for Dunkley, Mr Chris Crewther, Federal Minister for Justice The Hon. Michael Keenan, State MP Mr Paul Edbrooke and State Minister for Justice The Hon. Martin Pakula, advocating that asset forfeitures for/criminal proceeds be better channelled into the local communities (crime prevention programs, victim support programs, etc) where the proceeds of crime were claimed. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - No change to the status. 1 May 2017 - Letter of response received from Mr Paul Edbrooke MP and The Hon Martin Pakula MP, Attorney-General (A3334438 ) 3 April 2017 - No change to the status. 14 March 2017 – No response 10 Feb 2017 - 11:56 AM - Member for Frankston has written to the State Justice Minister. No other response. 05 Jan 2017 - 3:05 PM - Letters have been written (A3271154). Waiting on a response.	Primary Cost: \$75	
19-Dec-16	13.6	NOM 1245 - Frankston Volunteer Coastguard Cr Bolam	That a report be provided to Council at the May 2017 Ordinary Meeting on non-marina / non-safe boat harbour options for the Frankston Volunteer Coastguard headquarters (HQ). These options should include: · Retrofitting of existing HQ; · Wholesale reconstruction of existing HQ; · Permanent and secure Mooring for the Coastguard's primary rescue vessel; · Relocation of existing HQ to an existing venue; and/or · Relocation of existing HQ to a newly constructed venue. The report should consider local, state, federal and philanthropic funding routes for any of the above options plus total anticipated costs for the most viable long-term option. Consultation should take place with the Executive of the Frankston Volunteer Coastguard, and the "most viable long-term option" explored within the context of this report must have the support of the organisation. The Frankston Volunteer Coastguard organisation plays a crucial role in maritime rescues in our municipality and deserves the full ongoing support of council. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - Report submitted to this meeting. 1 May 2017 - Council report will be provided to the 22 May 2017 Meeting. 3 April 2017 - Council report will be prepared for the May 2017 meeting. 14 March 2017 – Dennis Hovenden Report will be prepared for May 2017 meeting based on all of the available information. 10 Feb 2017 - 11:59 AM - Meeting conducted with the Coast Guard representatives to discuss requirements to include in report for May 2017 meeting.Coast Guard preferred location at Olivers Hill.Plans and costings to be redefined on the Olivers Hill site. 05 Jan 2017 - 4:54 PM - Meeting being organised for early in New Year. Councillors will be invited to attend.	Primary Cost: \$750	
19-Dec-16	13.9	NOM 1248 - Gretana Park Karingal Cr Aitken	Moved: Aitken Seconded: Bolam That Council make a formal submission to the State Government in relation to the restoration of the hard surface playing area at Gretana Park with a view to some form of assistance in funding and that a communication to Mr Paul Edbrooke MP, Member for Frankston be sent accordingly seeking his support. That Council investigates the option of the sale of a portion of the site with the view of proceeds of the sale be reinvested into the Gretana Park. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - Report submitted to this Meeting. 1 May 2017 - Council Report will be provided to 22 May 2017. 3 April 2017 Council report will be prepared following a briefing of options to Councillors. 14 Mar 2017 - 11:57 AM - Valuation obtained. Report on options to be presented to April 2017 meeting. Advice from Minister to be included in report. 03 Mar 2017 - 9:18 AM - Councillors to be briefed in March/April 2017 10 Feb 2017 - 12:04 PM - Member for Frankston has written to appropriate Minister. 05 Jan 2017 - 3:01 PM - Letters have been written (A3271224 and A3271352). Waiting for a response. Valuation of portions of land to be obtained.	Primary Cost: \$1,700	

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
19-Dec-16	13.1	NOM 1249 - Police Station in Langwarrin or Frankston North Cr Bolam	Moved: Bolam Seconded: O'Connor That Council writes to the (state) Minister for Police and the Victoria Police Commissioner vigorously advocating for increased police resources in both Langwarrin and Frankston North on the basis of geographical displacement from Central Frankston and increased localised crime. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - No change to the status. 1 May 2017 - No change to the status. 3 April 2017 No change to the status. 14 Mar 2017 - 11:58 AM - No response received. 10 Feb 2017 - 12:04 PM - Member for Frankston has written letters to Minister and Police Commissioner. No other response. 05 Jan 2017 - 2:02 PM - Letters have been written (A3271494 and A3271361). Awaiting response.	Primary Cost: \$75	
19-Dec-16	13.11	NOM 1250 - Re-founding of City Life Cr Aitken	Moved: Aitken Seconded: Bolam That an emergency summit be held within four weeks of today's date (19 December 2016) to help facilitate the re-founding of City Life. Attendees would include all interested Councillors, the City Life Executive and relevant Council officers. CARRIED	Dennis Hovenden	22 May 2017 - Archive 1 May 2017 - Report provided to this meeting. 3 April 2017 - Meeting with key stakeholders is scheduled for 28 March 2017. A report will be provided to the May 2017 Ordinary meeting following a briefing to Councillors in April. 14 Mar 2017 - 1:51 PM - Follow up meeting 28/3/17 with key stakeholders to be held before Council is briefed on options. Report to April 2017 meeting. 10 Feb 2017 - 12:05 PM - Meeting conducted, options discussed and a further meeting to discuss progress to be conducted mid March 2017. 09 Jan 2017 - 12:38 PM - Arrangements made for meeting on 16 January 2017.	Primary Cost: \$5,270	
30-Jan-17	13.3	NOM 1258 - Civic Reception for CFA Volunteers Cr O'Connor	Moved: Hampton Seconded: Toms That letters under seal be presented to all emergency services congratulating them on the wonderful work they do in our community and these letters be presented at the 2017 mayoral picnic. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - No change to the status 3 April 2017 - No change to the status. 214 Mar 2017 - 1:53 PM - No further action until September 2017. 21 Feb 2017 - 2:29 PM - Letters will be available for the Mayor's Picnic in September 2017.	Primary Cost: Nil	
30-Jan-17	13.4	NOM 1261 - Frankston 'Longest Lunch' Cr O'Connor	Moved: O'Connor Seconded: Aitken That a report be provided to Council on the annual 'Longest Lunch' event conducted by Frankston-based Rotary clubs and the 'Proudly Frankston' community group. The report is to consider the following: 1. Improved future advertising for the event; 2. Improved future funding for the event; 3. Improved cooperation and communication between the aforementioned organisers and councils marketing and events staff; 4. Reduced red tape and/or council assistance to the organisers in mitigating time spent on administrative prepping; and 5. Annual debrief between the organisers and Council on the successes/failures of the event. 6. A report be provided to the 14 March 2017 Ordinary Meeting. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - Report submitted to this meeting. 1 May 2017 - Council Report will be provided to 22 May 2017 Council meeting. 3 April 2017 - Council report was deferred to May 2017 pending a Councillor Briefing. 23 March 2017 - Another briefing has been scheduled for 24/4/17. 14 Mar 2017 - 1:55 PM - Report on track to be presented to May 2017 meeting after discussion with Councillors at the Briefing on 27 February 2017. 21 Feb 2017 - 2:30 PM - Officers have had an initial discussion and preparing a draft report. Proudly Frankston representatives meeting Councillors and Officers on the 27 February 2017.	Primary Cost: \$1,000	
30-Jan-17	13.6	NOM 1263 - Hoon Driving in Frankston Cr Bolam	Moved: Bolam Seconded: Aitken That a report is provided to Council at the May 2017 Ordinary Meeting to consider additional initiatives in concert with existing Council programs which could curtail the prevalence of careless driving/hoon driving in Frankston. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - Report submitted to this meeting. 1 May 2017 - Council Report will be provided to 22 May 2017. 3 April 2017 - Council report currently being prepared for the May 2017 meeting. 14 Mar 2017 - 1:58 PM - Report on track to be presented to the May 2017 meeting. 21 Feb 2017 - 2:31 PM - Report will be prepared in accordance with the NOM.	Primary Cost: Nil	
30-Jan-17	13.7	NOM 1264 - Frankston History taught in Local Schools Cr Bolam	Moved: Bolam Seconded: Aitken That a report be provided to Council at the May Ordinary Meeting in relation to the introduction of local (Frankston) history as curriculum for primary school students. The report should consider: 1. Council's capacity with local community groups and historians to put together a yearly curriculum package (including any recurrent costings such as research, subsidies and paperwork); 2. The inclusion of history in a potential curriculum package which spans from Frankston's initial indigenous inhabitants (the Boonenwung and Bunurong people) to Frankston's modern European settlement; 3. The receptiveness of the Department of Education and public, private and denominational schools within the Frankston LGA to embrace such curriculum; and 4. The introduction of a resource portal / website section on the Frankston City Council website for residents (beyond primary school students) interested in learning more about diverse Frankston's history CARRIED	Dennis Hovenden	22 May 2017 - Meeting with the Department of Education representatives was held on 8 May 2017. As per Community Development Division Resolution Progress Report dated 22 May 2017, a report will be presented to the 13 June 2017 Ordinary Meeting.  1 May 2017 - Council Report will be provided to 22 May 2017. 3 April 2017 A meeting has been scheduled with the Department of Education on 8 May 2017. 23 March 2017 - No response has been received. 21 Feb 2017 - 2:32 PM - A letter has been sent by the Mayor to the Regional Director, South East Region of the Department of Education and Training on 7 February 2017. Council is now awaiting advice.	Primary Cost: \$175	

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
30-Jan-17	13.8	NOM 1265 - Cleanliness of Frankston City Cr Bolam	Moved: Bolam Seconded: Aitken To ensure the cleanliness of our streets, parks and reserves – Council resolves that the following measures occur: 1. That the CEO reviews the management of the cleaning maintenance of all council land and presents a maintenance model to Council's satisfaction in May 2017. The model must ensure Council land is maintained to an agreed service level which also includes random audits against the service levels. 2. That a letter be sent to Frankston MP, Mr Paul Edbrooke and the relevant government Ministers expressing concern about the presentation and cleanliness of land belonging to VicRoads in the Frankston LGA. The letter outline the proposal of a pilot project between Council and VicRoads to implement a cleaning maintenance program at an appropriate and similar service level to that endorsed by Council as a consequence of the maintenance service review and further, the council undertake maintenance works on their behalf on the proviso that VicRoads be invoiced for services rendered. 3. That a letter be sent to Frankston MP Paul Edbrooke and the relevant government Ministers expressing concern about the presentation and cleanliness of VicTrack land and that Council, should there be no improvements by May 2017, considers it option to pursue issuing infringement notices for unsightly land under the General Local Law No. 8. 4. That the outcome of the responses from VicRoads, VicTrack and the State Government be included in the report to council in May 2017. If the responses are not to the satisfaction of council it considers options including a public campaign to State Government to compel VicRoads and or VicTrack to improve its cleaning regime on the land for which they are responsible. 5. That a 'rapid response' team be established to improve responsiveness to community requests for maintenance of a reactive nature. Such a team would be able to respond to reactive requests quickly, which in turn would ensure programmed maintenance activities remain on track. The team also report any unsightly private land to Council's Authorised Officers for follow up investigation and infringement. 6. It be noted that council formally impounds abandoned trolleys found on council/common land under the appropriate subject to General Local Law Number 8. Council officers are to seek formal Australian Tax Office advice to assess Council's ability to 'donate' a proportion of shopping trolley impound and or release fees to the Frankston Charitable Fund and include the advice in the May 2017 report to Council. 7. That state legislative provisions to curtail rubbish dumping outside private properties are included in the May 2017 report. If considered necessary recommendations regarding the need for further legislative change also be included. 8. That a detailed letter be prepared and included in the next rates notice to all property owners on the rates register to remind them of the council's expectations that they ensure no rubbish is placed the nature strip outside of the provisions for hard waste collections. 9. That officers improve and provide a supportive customer service response to public reports of dumped rubbish and abandoned shopping trolleys and this also be considered in the May 2017 report. 10. The document titled "Possible Initiatives to Rid the City of Trolleys and Rubbish" (Seiffert, B. 2017) also be considered in the May 2017 report to Council. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - Report submitted to this meeting. 1 May 2017 - Council Report will be provided to 22 May 2017. 3 April 2017 Council report will be provided to May 2017 meeting. 21 Feb 2017 - 1. Noted - a report will be prepared 2. A letter has been sent. 3. A letter has been sent. 4. Noted 5. A Rapid Response Team had been established by the time of the January OM. 6. Advice from the ATO has been sought. 7. Noted 8. Finance Department has been requested to include a reminder in the next rates notices. 9. Officers have been requested to revise advice to customers. 10. A copy of the document has been requested.	Primary Cost: \$462	
30-Jan-17	13.12	NOM 1269 - Self Funded Retirees Eligibility for 'concession' discount on/for Frankston City Council Rates Cr O'Connor	Moved: O'Connor Seconded: O'Reilly: That the matter be deferred pending further investigations. CARRIED	Dennis Hovenden	22 May 2017 - No response received. 1 May 2017 - Refer to NOM 1296 - Support for Self-Funded Retirees which was passed by Council at 3 April 2017 OM299 Council Meeting. Letters written and forwarded to State Government. 3 April 2017 - A new Notice of Motion is being considered. 21 Feb 2017 - 2:44 PM - Tracee Hall-davis Deferred	Primary Cost: \$100	
30-Jan-17	13.13	NOM 1270 - Funding for Life Saving Clubs Cr Toms	Moved: Aitken Seconded: Hampton: That Council consider the best and most reasonable means to acknowledge volunteers in the city. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - No change to the status. 3 April 2017 - No change to the status.	Primary Cost: \$100	

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
30-Jan-17	13.15	NOM 1272 - Acknowledgement of Traditional Owners Cr McCormack	Moved: McCormack Seconded: Hampton That Council ensure forthwith that an acknowledgement of Traditional Owners is included in all printed itineraries advertising for events and festivals co-ordinated by Council and that Traditional Owners are invited to perform a Welcome to Country at events such as, but not limited to, the Lighting of the Tree and Waterfront Festivals. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - Meetings with the traditional owners, respected elders were held on 20 April and 27 April 2017. 3 April 2017 - Arrangements for a meeting are underway. Discussion with Councillors scheduled on Monday 27 March 2017. 23 March 2017 - A meeting has been scheduled with officers and elders for 13/4/17. A briefing has been scheduled for 27/3/17. 21 Feb 2017 - 2:35 PM - Acknowledgement of traditional owners will be incorporated into written material. Meeting with traditional owners, respected elders being arranged.	Primary Cost: \$300 Meeting Cost \$2,000	
30-Jan-17	13.17	NOM 1274 - Procurement Policies and Contracts Cr McCormack	Moved: McCormack Seconded: Mayer That a review be undertaken of all procurement policies and contracts for goods and service provision to Council and a report be provided to Council within 12 weeks detailing where efficiencies could be achieved and where further local investment can be promoted. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - Report submitted to this meeting. 1 May 2017 - Council Report will be provided to 22 May 2017. 3 April 2017 No change to the status. 24 March 2017 - Action reassigned to George Vass 14 Mar 2017 - 2:12 PM - Report will be presented to May 2017 meeting. 21 Feb 2017 - 2:36 PM - Review process will be undertaken in accordance with NOM.	Primary Cost: \$400	
30-Jan-17	13.18	NOM 1275 - Support to Traders in CAD Cr Toms	Moved: Toms Seconded: Aitken Businesses within the city centre are currently experiencing significant impacts from the construction phase of the Young Street streetscape works. Given the impact of this and other imminent major public infrastructure projects, e.g. Frankston Interchange Project, Council seeking ongoing commitment from the State Government for: 1. Improved communications of disruptions to the broader community. 2. The development and ongoing rollout of an "Open for Business" campaign. 3. The development and implementation of two further stages of the Business resilience program (that focus on maintaining a business through the works and leveraging the completed works). CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - Ongoing 1 May 2017 - Response received from Geoff Oulton (A3328446). Ongoing support being provided. 3 April 2017 - No change to the status. 21 Feb 2017 - 2:36 PM - Officers and Councillors continue to meet to develop and implement an action plan. Ongoing.	Primary Cost: \$1,400	
20-Feb-17	13.2	NOM 1277 - Strategy for advocacy for next State Election Cr Hampton	Moved: Hampton Seconded: Mayer That the Council form a sub-committee consisting of a Councillor from each ward, the CEO and appropriate officers to overview a strategy for this Council to advocate for funding in the next state election and report back to the full Council with its outcomes and a report for ratification at every Ordinary Meeting. That the first meeting of this sub-committee be held before the next ordinary meeting. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 - Ongoing 1 May 2017 - Ongoing advocacy and reports to Council. 3 April 2017 Council report provided. 14 Mar 2017 - 2:14 PM - Ongoing costs Sub Committee meeting booked for 1 March 2017. First Council report will be provided to April 2017 meeting.	Primary Cost: \$150	
20-Feb-17	13.3	NOM 1278 - Safer City Centre Fund Cr Aitken	Moved: Hampton Seconded: Aitken That Council conduct a summit before the end of March to consider the various issues relating to City Centre safety. CARRIED UNANIMOUSLY	Gillian Kay	22 May 2017 Archive. A Summit was held 28 March with key safety stakeholders. Feedback considered the existing measures and agreed monitoring and regular meetings with Police should continue. 1 May 2017 - Summit conducted. Additional Cost \$750. 3 April 2017 - Meeting scheduled on 28 March 2017. 14 Mar 2017 - 2:15 PM - Ongoing costs Meeting date 28 March 2017. Invitees include available councillors, officers and key agencies. 02 Mar 2017 - 10:19 AM - Gillian Kay Estimated Completion Date changed From: 13 Mar 2017 To: 29/3/2017 02 Mar 2017 - 10:17 AM - A Safer City Summit has been scheduled for 28 March. Interested Councillors, staff and representatives from VicPol, Bayside, Buses and Taxis and Community Legal have been invited to attend.	Primary Cost: \$1,054	

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
20-Feb-17	13.4	NOM 1279 – Local Government/State Arrangements Cr Hampton	Moved: Hampton Secoded: Mayer That: 1. The Council write to the Premier of Victoria, the Treasurer of Victoria and the Minister for Local Government, to again highlight the future loss of revenue to Local Government as a result of the introduction of Rate Capping and that it will diminish Council's capacity to provide services and major projects. 2. The Council call upon the Premier of Victoria and the Treasurer of Victoria, to undertake an urgent review of all current legislation that imposes financial burdens on Local Government in having to pay levies to the State Government eg, Waste Levy, Building Levy, Dog and Cat Registration Levy due to the impact of the Rate Capping legislation and that support for the legislative review be sought from the Minister for Local Government on the basis of the commitment to the State/Local Government Accord. 3. The Premier of Victoria be requested to review the legislation whereby Local Government is required to pay annually for Fire Plug Maintenance on the basis that the Fire Services Levy pool of funding is significantly higher now due to it being linked to Local Government rate bases and the Fire Plug Maintenance could be funded from this fund and the Minister for Local Government be requested to support this request in the spirit of the State/Local Government Accord and recognising the impact of Rate Capping on Councils. 4. The Premier of Victoria and the Treasurer of Victoria be requested to urgently review the prohibition placed upon Local Government to not be able to apply rates charges on State Government property in recognition of the impact rate capping and amend legislation to allow for rates to be levied on State Government properties. 5. The Member for Frankston and the Member for Carrum be called upon to support Council in its efforts to address the imbalances and requirements that the current legislation imposes on Local Government in having to pay levies to the State Government and not being able to impose charges on State Government. 6. Council writes to all members of State Parliament representing the municipality raising its concerns and seeking support for legislative change to address the imbalance. 7. Council reconsider its membership with the VLGA so as to have a vehicle to promote these recommendations within the Local Government forum and also with the State Government. 8. A decision be made at the next Ordinary Meeting on our VLGA membership. CARRIED UNANIMOUSLY	Dennis Hovenden	22 May 2017 No change on State Government matters. Letter received from VLGA dated 5 May 2017 (A3349018). VLGA report submitted to this meeting.  1 May 2017 - Councillor Briefing on VLGA membership held on 18 April 2017. No response to report to 1 May 2017 from letters sent. Additional Cost \$150. 3 April 2017 - Working towards a briefing to Council by VLGA. Report will be provided following the Councillor Briefing. 14 Mar 2017 - 2:18 PM - Letters have been written to all nominated in the various recommendations.	Primary Cost: \$800	
20-Feb-17	13.5	NOM 1281 – Seaford Downs Report Cr Bolam	Moved: Bolam Secoded: Aitken Upon the completion of the twelve month licence issued to the Down's Community Estate Project Group, a briefing be conducted between councillors, staff and members of the Down's Community Estate Project Group to discuss the future revitalisation of the Down's Estate site. CARRIED UNANIMOUSLY	Michael Papageorgiou	22 May 2017 Archive. The Group signed the licence agreement 12/4/2017.  1 May 2017 - Ongoing. 3 April 2017 Although close, the group are yet to sign the licence. 30 Mar 2017 - Estimated Completion Date changed From: 13 Mar 2017 To: 10/4/2017 09 Mar 2017 - 4:29 PM - Michael Papageorgiou Action reassigned to Michael Papageorgiou by: Tracee Hall-davis	Primary Cost: \$150 Ongoing cost: TBA	
20-Feb-17	13.9	NOM 1285 – Pop-up Vans/ Stalls Cr Bolam	Moved: Bolam Secoded: Mayer That a report be provided to council at the May Ordinary meeting in relation to the creation of a 'pop up' food / beverage precinct on the Frankston foreshore. The report should consider: 1. Whether there is market interest from food/beverage stall operators; 2. How a precinct could work – logistically and practically; 3. Additional seating near the foreshore / adjacent the Frankston Yacht Club for residents and visitors to enjoy food and beverages; 4. Regular (currently un-introduced) summertime entertainment on the Frankston foreshore; 5. Whether similar precincts could be considered at the Seaford foreshore and Keast Park foreshore; and 6. The report should also touch upon permit fees, the number of 'pop up' stalls that could be utilised in the area/s and any other issues pertinent to the motion CARRIED	Sam Jackson	22 May 2017 Preparation of Council report cost - \$924.10. Report submitted to this meeting.  3 April 2017 - Report will be provided to May 2017 Council meeting. Estimated Completion Date changed by: Sam Jackson From: 13 Mar 2017 To: 22 May 2017 14 Mar 2017 - 2:18 PM - Report will be presented to the May 2017 meeting. 03 Mar 2017 - 9:20 AM - Sam Jackson Action reassigned to Sam Jackson	Primary Cost: \$1,074	

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
14-Mar-17	13.1	NOM 1286 – Marriage Equality Cr Toms	Moved: Councillor O'Connor Seconded: Councillor Aitken That Frankston City Council writes to the Prime Minister of Australia, Malcolm Turnbull and the Opposition Leader of Australia, Bill Shorten, as well as Dunkley MP Chris Crewther, Isaacs MP Mark Dreyfus QC and all twelve of Victoria's federal senators, in relation to the following: 1. The formal request - without providing an official position - that a conscience vote take place in the Parliament of Australia on the contemporary definition of marriage in Australia; and 2. Support for same-sex couples insofar societal 'status equality'. This includes the same access to services, entitlements and privileges that are provided to heterosexual couples (i.e. access to the deceased estate of a spouse, superannuation benefits and taxation concessions etc). CARRIED	Gill/Liz Daley	22 May 2017 - No change to the status 1 May 2017 - No response received. 3 April 2017 Letters are currently being prepared. 23 March 2017 – Letters will be prepared in accordance with the NOM.	Primary Cost: \$100	
14-Mar-17	13.4	NOM 1289 – Female Participation in Sports Cr O'Connor	Moved: Councillor O'Connor Seconded: Councillor Hampton That a report be provided at the June Ordinary Meeting outlining Frankston City Council and intergovernmental options (i.e. funding, grants etc) to further encourage female participation in sporting endeavours and/or sporting activities, including those that are traditionally dominated by the opposite sex. CARRIED UNANIMOUSLY	Liz Daley	22 May 2017 - Report is being prepared 1 May 2017 - Report is being prepared. 3 April 2017 A report will be submitted to OM 13/6/17.	Primary Cost: \$	
14-Mar-17	13.5	NOM 1290 – New Closed Council Rules Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken 1. That Council works towards achieving no less than 90% (i.e. an 18% improvement) of all decisions being made in Open Council, and the Chief Executive Officer highlight this annual result in future LGPRF reports to Council, and in future annual reports. 2. In the public meeting agenda and minutes section relating to Closed Council Items, in addition to the existing description field describing the Closed Council items, a new section be created summarising the exact reasoning for referral under LGA Sec. 89 (h) (2). 3. That the matter return to (open) council with recommendation/s for implementation in the next three months. CARRIED	Tim Frederico/ Michael Craighead	22 May 2017 - Report is being prepared 1 May 2017 - Report is being prepared. 3 April 2017 Report will be prepared for the June 2017 meeting.	Primary Cost: \$	
14-Mar-17	13.6	NOM 1291 – Frankston & Seaford Piers – Use of Water Illumination Technology Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That a report be provided to Council at the May Ordinary Meeting exploring the use of water illumination technology at either, or both, Frankston and Seaford piers. The report should consider: 1. The use of underwater illumination lighting such as LED and fish lighting. This is to include costings, maintenance and installation; 2. The use of intermittent multi-coloured lighting on the external facade of the piers. This is to include costings, maintenance and installation; and 3. Include maritime and touristic funding opportunities from other levels of government if council so wishes to formally pursue grant opportunities. CARRIED UNANIMOUSLY	Gill Kay/Andrew Williamson	22 May 2017 - Report submitted to this meeting. 1 May 2017 - Report is being prepared. 3 April 2017 Report will be prepared for the May 2017 meeting. 23 March 2017 – A report will be prepared.	Primary Cost: \$	
14-Mar-17	13.8	NOM 1294 – Renewed Advocacy for Frankston Magistrates Court Name Change Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That Frankston City Council renews its previous resolution in 2011 to call on the State Government to rename the Frankston Magistrates Court. The reasoning for this was, and remains, the reputational damage that is done to Frankston is great when new stories invoke the municipality by virtue of the court name. Much like the Frankston train line, many of the negative incidents reported are not committed by people (or occur) within the municipality. However the invocation of the Frankston name continues to create a negative perception of/for the Frankston area. Council seeks a bipartisan approach from the State MP, Mr Paul Edbrooke and Federal MP, Mr Chris Crewther in support for the renaming of the court. Once support has been ascertained, a report be presented to Council during May 2017 on the way forward. CARRIED	Dennis Hovenden	22 May 2017 Letter of response from Mr Paul Edbrooke received (A3346262). No further change. 1 May 2017 - No response received. 3 April 2017 CEO preparing letters to be sent.	Primary Cost: \$75	

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
3-Apr-17	13.1	NOM 1295 - Mental Health Cr O'Connor	Moved: Councillor O'Connor Seconded: Councillor Toms That Frankston City Council writes to both the (State) Minister for Mental Health, The Hon. Martin Foley, and the (Federal) Minister for Health, the Hon. Greg Hunt, advocating for improved local mental health services and increased local mental health awareness. Prior to this occurring, the CEO is to instruct officers to identify specific service shortfalls in Frankston which require rectification. This should be reflected in the letter to the relevant ministers. The final draft of this letter is to be provided at the May Council meeting for consideration. This letter should form the basis of Frankston City Council's future advocacy relating to mental health based outcomes in the Frankston municipality.  Carried Unanimously	Dennis Hovenden	22 May 2017 - No change to the status. 1 May 2017 - Letters being prepared along with report.		
3-Apr-17	13.2	NOM 1296 - Support for Self-Funded Retirees	Moved: Councillor O'Connor Seconded: Councillor Toms Council writes to the State Government formally seeking their support for a discount scheme for self-funded retirees relative to municipal rates. Council's support for this advocacy measure would allow self-funded retirees access to the same discounts that pensioners receive on their annual council rates. The Minister, in potentially allowing self-funded retirees a discount on their annual council rates, should devise a mechanism which prevents self-funded retirees with exceptional liquidity / assets from having access to the proposed discount.  CARRIED	Dennis Hovenden	22 May 2017 - No change to the status. 1 May 2017- Letters being sent.	Primary cost: \$100	
3-Apr-17	13.3	NOM 1297 - Frankston Hall of Fame Resumption Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That a report be provided to Council on the resumption of the 'Frankston Hall of Fame' (HoF) to recognise people and organisations that have indelibly impacted upon the Frankston municipality - both internally and externally. The report should consider: 1. The regularity of any rejuvenated HoF process; 2. Costings and staff resourcing associated with any rejuvenated HoF (ie. plaques, ceremony etc); 3. Strength of the potential recipient pool relative to any rejuvenated HoF; and 4. Potentially partnering with the Frankston business community to administer aspects of any rejuvenated HoF model. The report should return for consideration in June.  CARRIED	Dennis Hovenden	22 May 2017 - Report will be submitted to the June 2017 Ordinary meeting. 1 May 2017 - Report being prepared.		
3-Apr-17	13.4	NOM 1298 - Food Security in Frankston Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken 1. That Council continues to adhere to 53D and 53E of the Victorian Food Act 1984 – all local food premises convicted of food safety contraventions be put on the Victorian Department of Health's 'Convictions Register'; 2. That all food premises be informed (in writing) of this process and be encouraged to practice adequate food practices; 3. Furthermore, all Councillors are to be supplied with the outcome of food businesses inspections (including any breaches and fines issued) in the form of either a report or briefing annually; and 4. The total number of convictions, breaches and fines be released publicly annually. Carried Unanimously	Dennis Hovenden	1 May 2017 Letters being sent . Actions to be undertaken at appropriate time.	Primary Cost: \$100	
3-Apr-17	13.5	NOM 1299 - Level Crossing Removal Cr McCormack	Moved: Councillor McCormack Seconded: Councillor Bolam 1. Requests from the Level Crossing Removal Authority and the Hon Jacinta Allen MP, Minister for Transport, as a matter of urgency, the release of all technical reports and associated information to the Council and community, which provides justification for the chosen options for treatments at the Frankston railway line grade separations located within the Frankston municipality. 2. Notes that the State Government has failed to provide all of the information as requested previously by Council to date. 3. Technical information also be sought on the proposed – and council opposed – Seaford/Kananook train stabling yard. Carried Unanimously	Dennis Hovenden	22 May 2017 - No change to the status. 1 May 2017 - Letters have been sent.	Primary Cost: \$100	

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
1-May-17	13.1	NOM 1300 - Reinstatement of Full Voting Rights for Frankston City Council  Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That Frankston City Council writes to the Australian Local Government Association (ALGA) in relation to the Association bylaw which requires municipal member councils in Victoria to also be a member of the Municipal Association of Victoria (MAV). Municipal councils in Victoria that are not members of the MAV are currently prevented from voting at all ALGA conferences. As Frankston City Council is not presently a member of the MAV, this bylaw effectively leaves Frankston City Council - and its 137,000 residents - disenfranchised. Therefore, the Council formally requests that this bylaw be amended to allow all municipal councils throughout Australia to partake in voting on national matters under the ALGA umbrella regardless of state-based membership/s. Carried Unanimously	22 May 2017 Letter prepared and sent (A3349749)		Primary Cost: \$100	
1-May-17	13.2	NOM 1301 - Eel Race Road Closure Opposition  Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That Frankston City Council writes to LXRA, the Premier of Victoria (The Hon. Daniel Andrews), the Opposition Leader of Victoria (The Hon. Matthew Guy), the Minister for Transport (The Hon. Jacinta Allan) and the State Member for Carrum (Ms. Sonya Kilkeny), expressing concern of the closure of Eel Race Road. Much like the recent decisions relating to Overton Road (Seaford), Seaford Road (Seaford) and the sudden announcement of a train stabling facility at the Kananook Railway Station (Seaford), the process has once again failed Frankston residents in that no consultation and no justification was evident in arriving at this decision. Frankston City Council formally opposes the closure of Eel Race Road on a number of grounds including the increase of congestion, particularly on Railway Parade (Seaford), Armstrongs Road (Seaford) and Station St (Seaford); and the impact that this will have on the amenity/character of Seaford and pedestrian safety. Council commits to this new position given contemporary community feedback. Carried Unanimously	22 May 2017 Letters prepared and sent (A3349564, A3349536, A3349544).		Primary Cost: \$100	
1-May-17	13.3	NOM 1302 - Financial Literacy Classes  Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Aitken That a report be provided to Council at the July Ordinary Meeting detailing the use of financial literacy classes/workshops to allow interested residents to consider methods to gain better control and understanding of their finances. The report is to consider providers – Governmental, private and Not for Profit – who are able to appeal to residents of varying ages and societal circumstances. The report should consider areas of the municipality in high need of these classes/workshops; and how to attract residents to such classes/workshops. The report is to also consider subsidies (by Council and local businesses such as community banks) to support such classes/workshops occurring within the municipality on a consistent basis. That a section be made available on the FCC Website with a list of existing financial literacy programs in Frankston. Carried	22 May 2017 - Report will be prepared 10 May 2017 - A meeting of Managers who have potential involvement in the funding, promotion or delivery of the classes has been arranged to inform the report.			

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
1-May-17	13.4	NOM 1303 - Quality of Life / Anti Social Behaviour in the Frankston LGA  Cr Bolam	Moved: Councillor Bolam Seconded: Councillor Toms 1. Council officers identify the scope and costs of commissioning the preparation of a formal 'white paper' to both tiers of government detailing particulars on the type of crimes most prevalent in Frankston. The White Paper should explore potential legislative and Local Law reforms and what new funding options might be available to improve the municipality's liveability. Interested Councillors, key groups and individuals would also form a consultative group for the preparation of the paper which should include but not be limited to: <ul style="list-style-type: none"> <li>• The status of the once successful Neighbourhood Watch program.</li> <li>• An analysis of the types of crime and crime rates currently committed in Frankston and the capacity of state legislation and local laws to respond effectively.</li> <li>• The Victorian Police regime of monitoring CCTV cameras and their consideration of the CCTV network's shortfalls.</li> <li>• A review the graffiti clauses in General Local Law Number 8 to consider potential enhancements to the Local Law and opportunities for state government grants funding.</li> <li>• Consideration of existing e referral systems and opportunities for Council's field staff, in their day to day work, to refer vulnerable people to services.</li> </ul> The cost of the 'white paper' should be included in the Community Development Progress report to Council's June Ordinary Meeting. 2. Council authorises the Mayor to write to the Victorian Attorney General, the Honourable Martin Pakula, congratulating him and the Government for the prohibition of synthetic psychoactive drugs such as Kronic and further seek prohibition of selling glue with mind altering effects to children under the age of 18 years using Council's Local Law Number 8, Clause 3.3 as an analogy. This would reflect the existing regulatory requirement regarding the refusal of sale of aerosol/spray canisters to those under the age of eighteen in Victoria. ('Graffiti Prevention Act 2007'). 3. That Council encourages residents and ratepayers of the municipality to promote downloading (free of charge) the official 'Crime Stoppers Victoria' smartphone and the 'MyFrankston' apps which will improve reporting suspected offences to Police. Increased use of both smartphone apps will assist the Police in growing intelligence gathering and holdings. Opportunities to promote the app include council's website, Facebook webpage and in the 'What's On' printed advertisements as well as through University of the Third Age, community centres and the library. Carried Unanimously		22 May 2017 - Report will be prepared for June 2017 Ordinary Meeting. 10 May 2017 - A letter has been drafted for the Mayor's signature to the Attorney General seeking the prohibition of selling glue with mind altering effects to children under 18 year of age. The scope for the 'white paper' is under consideration to enable the costs to be reported back to Council. A digital and print format to promote the use of reporting applications is being prepared.		
1-May-17	13.5	NOM 1304 - Frankston Basketball Association Building Extension process investigation  Cr Aitken	LOST		22 May 2017 - Archive		
1-May-17	13.6	NOM 1305 - Ban the Bag  Cr Toms	Moved: Councillor Toms Seconded: Councillor Aitken That Frankston City Council writes to Frankston Labour MP Paul Edbrooke, Environment Minister Lily D'Ambrosio and Victorian Premier Daniel Andrews MP to lobby the Andrews Labour Government to ban single use plastic bags in Victoria. Carried Unanimously		22 May 2017 - Letters prepared and sent	Primary Cost: \$100	
1-May-17	13.7	NOM 1307 - Bullying in Frankston  Cr O'Connor	Moved: Councillor O'Connor Seconded: Councillor Mayer That Council requests that the Frankston Youth Council consider a package of recommendations to present to both tiers of government on methods to decrease bullying. All forms of bullying – particularly 'cyber bullying – is having a catastrophic impact on our youth. The suite of suggestions by the Frankston Youth Council return to Frankston City Council in the form of a report at the July Ordinary Meeting. Carried Unanimously				

Notice of Motion Report

Meeting Date	Item No	NOM Title and Councillor	Council Resolution	Responsibility	Comments	Cost Summary	Date Closed
1-May-17	13.8	NOM 1308 - Port of Hastings  Cr McCormack	Moved: Councillor McCormack Seconded: Councillor Toms That: 1. Frankston City Council writes to the Victorian Government and Infrastructure Victoria resolving not to support a second container Port at Hastings including the following: (a) Opposing any form of capital dredging, widening, or deepening of channels in Westernport Bay. (b) Outlining that any change in, or continuation of, the Port of Hastings operations must result in no net loss for the economy, environment and amenity. (c) Requesting that they demonstrate and justify the need and timing for a second major container port in Victoria through comprehensive, evidence based assessment, including consideration of the current port capacity in Victoria and via a national approach. (d) Requesting independent research be undertaken to determine the impact on inter alia: (i) coastline including increased erosion and inundation; (ii) tourism and the impact on visitation; (iii) fishing and the impact to the recreational fishing industry; and (iv) Marine life impact including penguins and whales that enter Westernport. 2. Frankston City Council removes the Port of Hastings expansion from its advocacy program. Carried		22 May 2017 - On hold pending outcome of Recision Motion.		

**PAUL EDBROOKE MP**  
STATE MEMBER FOR FRANKSTON



Mr Brian Cunial  
Mayor, Frankston City Council  
30 Davey Street  
Frankston VIC 3199



Dear Brian

I refer to your letter dated 20 March 2017 in relation to Frankston City Council's position regarding the removal of level crossings on the Frankston line.

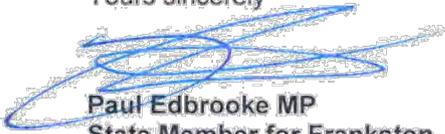
I trust that you have received a copy of the attached letter sent by the Hon Jacinta Allan MP.

As stated in the letter the Government have fast-tracked the removal of the Skye Road level crossing with work to begin this year, and construction at Seaford and Carrum expected to begin in 2018.

The Minister has also stated in the attached letter that the Council's adopted position (on 14 March 2017) would delay the removal of these dangerous and congested crossings, and for this reason, the Victorian Government will not be accepting Council's request.

I trust that this information is of benefit to you, please do not hesitate to contact my office should you have any further queries or questions.

Yours sincerely



Paul Edbrooke MP  
State Member for Frankston  
18 / 4 / 2017

Enc.



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Family • Job • Community



Hon Jacinta Allan MP

5 APR 2017

Minister for Major Projects  
Minister for Public Transport

1 Spring Street  
Melbourne, Victoria 3000 Australia  
Telephone: +61 3 8392 6100  
DX 210292

Ref: JA17-1263

Cr Brian Cunial  
Mayor  
Frankston City Council  
30 Davey Street  
FRANKSTON VIC 3199

Dear Cr Cunial

I refer to your letter of 20 March 2017 in relation to Frankston City Council's position regarding the removal of level crossings on the Frankston line.

The Victorian Government is removing thirteen crossings on the Frankston line, more than on any other line, with three of these level crossings already gone.

The Government has fast-tracked the removal of the Skye Road level crossing with work to begin this year, and construction at Seaford and Carrum is expected to begin in 2018. In delivering on its election commitments, the Government is acting on behalf of the local community that overwhelmingly wants these dangerous and congested level crossings removed as quickly as possible.

The position that Council adopted on 14 March 2017 would delay the removal of these unsafe crossings, and for this reason, the Victorian Government will not be accepting Council's request.

The removal of these level crossings will not only make Frankston a safer place, but will create 2,000 jobs and deliver an enormous boost to the local economy.

We will work with local businesses that are affected by the decision to build a stabling facility at Kananook and help them to relocate within the area. The construction of the facility at Kananook does not affect any decisions to extend the electrified train network to Baxter and build another facility there. The Melbourne Metro Tunnel Project will allow more trains to operate on the Frankston line, and this will result in a higher number of trains requiring storage than existing facilities provide for.

The Victorian Government has committed over \$2 billion to improvements on the Frankston line, whereas the Commonwealth Government has committed \$4 million. In response to these

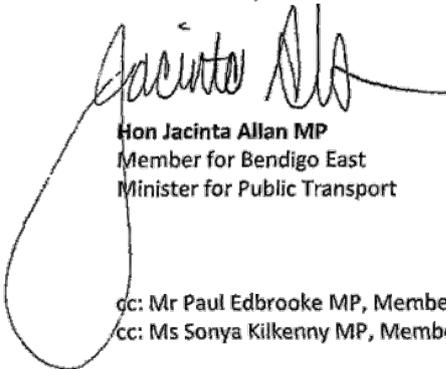


funding commitments, I note Frankston City Council is directing any disappointment and disillusion towards the Victorian Government.

The Victorian Government will continue to consult with the Frankston community as it delivers on its commitment to get rid of the dangerous and congested level crossings in the area as soon as possible.

I trust this clarifies the Government's position, and thank you for writing to me on behalf of Council.

Yours sincerely



**Hon Jacinta Allan MP**  
Member for Bendigo East  
Minister for Public Transport

cc: Mr Paul Edbrooke MP, Member for Frankston  
cc: Ms Sonya Kilkenny MP, Member for Seaford



Mr Dennis Hovenden  
Chief Executive Officer  
Frankston City Council  
PO Box 490  
Frankston VIC 3199

5<sup>th</sup> May 2017

Dear Mr Hovenden,

Thank you for the opportunity for the Victorian Local Governance Association (VLGA) to visit the Frankston City Council and brief the Council and Executives on the 18<sup>th</sup> April, 2017.

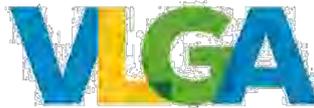
We found the session to be productive and hope that council will consider re-joining the VLGA soon. 2017 promises to be an exciting year for the VLGA and we very much look forward to supporting the work of the Frankston City Council on key issues.

As requested, please find attached information outlining the work of the VLGA and membership details for your council's consideration.

I trust this information is of use and please do not hesitate to contact me on (03) 9349 7999 or email [kathryn@vlga.org.au](mailto:kathryn@vlga.org.au).

Kind regards,

Kathryn Arndt  
Chief Executive Officer, VLGA



Victorian Local Governance  
Association

#### About the VLGA

The Victorian Local Governance Association (VLGA) has a new CEO, Kathryn Arndt, and a new Board was elected in late February as part of the organisation's two-year Board election cycle. There is new energy across the organisation, with an emphasis on strengthened stakeholder and member engagement, consultation and collaboration.

#### Current VLGA lobbying and advocacy efforts:

The VLGA is currently involved in a number of reform initiatives, including:

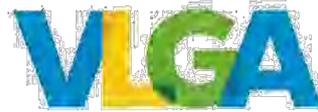
- Review and rewrite of the Local Government Act, this follows the work done previously by the VLGA on the Georgio review. This is currently done in consultation with Local Government Victoria (LGV) with regular updates from the office of the Minister for Local Government.
- Ongoing engagement and representation with the Department of Environment, Water, Land and Planning (DEWLP) on the implementation of the newly released Plan Melbourne, and its impact on local planning provisions for metro and regional councils.
- Ongoing advocacy with the Essential Services Commission (ESC) on the impact of rate capping. The VLGA is represented on two working groups on the ESC, with one focusing on community engagement and one focusing on council efficiencies.
- Initiating discussions with the Department of Health and Human Services (DHHS) on the implications of the roll out of the Home and Community Care (HACC) and the National Disability Insurance Scheme (NDIS) reforms.
- Initiating discussions with other not-for-profit peak bodies to explore issues of common interest in relation to council operations (e.g. Neighbourhood Houses Victoria and Volunteering Victoria).

#### Events and Training

- The VLGA undertook candidate support and training across many municipalities, including regional, prior to the local government elections in 2016 to increase the diversity of representation. This training provided candidates with an increased understanding of councillors' roles, responsibilities and duties.
- The VLGA runs monthly Leading the Agenda forums to provide timely updates and opportunities for discussions on contemporary issues in local government. The April forum focused on rate capping and the proposed changes to the Local Government Act. The May forum will focus on integrity systems in local government and will include speakers from the Office of the Ombudsman, the Victorian Local Government Investigation and Compliance Inspectorate, the Victorian Auditor General and the Independent Broad-based Anti-corruption Commission.
- These forums are free to members. Non-members pay \$55 to register.
- The VLGA is resuming its councillor training and support program focusing on individual support, small groups and facilitated peer discussions.

Suite G06, 60 Leicester Street, Carlton Victoria 3053  
Telephone: (03) 9349 7999 Fax: (03) 9347 9933 Email: [vlga@vlga.org.au](mailto:vlga@vlga.org.au) Website: [www.vlga.org.au](http://www.vlga.org.au)

CONNECTING COMMUNITIES  STRENGTHENING DEMOCRACY



Victorian Local Governance  
Association

#### Diversity

- The VLGA has invested in women's policy for more than ten years, via the Victorian Women's Charter, leadership programs, informal and formal mentoring and individual councillor support. The VLGA supported women candidates via the GoWomenLG project which resulted in a 4% increase in women's representation in Victorian Councils (from 34% to 38%) in the 2016 elections. This project used social media (Facebook and Twitter) to engage prospective and existing Councillors and their supporters.
- The VLGA's Rainbow Working Group consists of Councillors and officers and provides information and support to Councils on LGBTIQ issues, including diversity policies, advocacy, events and improved support for local LGBTIQ communities.

#### Gambling

- The VLGA convenes bi-monthly meetings of Local Government Working Group on Gambling (LGWGOG) attended by councillors, officers and stakeholders (e.g. Victorian Commission for Gambling and Liquor Regulation (VCGLR), Victorian Responsible Gambling Foundation (VRGF), gambling service providers, application consultants).
- The VLGA also have a gambling prevention project, funded by the Victorian Responsible Gambling Foundation, to support communities to deal with pokies applications.
- The VLGA have applied for funding for another prevention project across 2017-19 to support councillors engage win planning applications at the Commission.

#### Membership fees

VLGA fee structure is based on a municipality's population. Frankston City Council's estimated population of 135,971 places the Council as a Category 7 member (125,001 to 150,000).

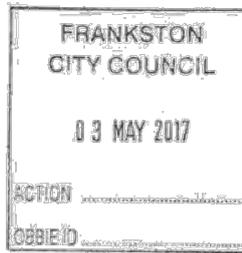
Membership fees for 2017/18 would be \$32,410.

The VLGA would be happy to offer a free membership for the remaining quarter of 2016/17.

**PAUL EDBROOKE MP**  
STATE MEMBER FOR FRANKSTON



Mr Brian Cunial  
Mayor – Frankston City Council  
30 Davey Street  
Frankston VIC 3199



Dear Brian

I am writing to you in regard to the letter dated 27 March 2017 Notice of Motion  
***“Renewed Advocacy for the Frankston Magistrates Court Name Change”***.

I have previously advocated for this on your behalf with the Attorney General, the  
Hon Martin Pakula MP.

This is still being reviewed by the Attorney General and in light of the fact that I am  
still waiting on information from his office I cannot provide any further details or  
support regarding the name change.

Please feel free to contact my office should you require any additional information.

Yours sincerely,

Paul Edbrooke MP  
Member for Frankston

28/4/2017



**Executive Summary****12.14 Response to Petition - Alexandra Mews**

*Enquiries: (Andrew Williamson: Community Development)*

Council Plan

Community Outcome:	3. Sustainable City
Strategy:	3.1 Plan, build, maintain and retire infrastructure to meet the needs of the city and its residents
Priority Action	3.1.1 Identify and reduce the financial shortfall for maintenance of infrastructure to ensure service standards are maintained

**Purpose**

To resolve Council's response to the petition tabled at Council's Ordinary Meeting on 1 May 2017 regarding removal of stop signs from Alexandra Mews, Langwarrin.

**Recommendation (Director Community Development)**

That Council:

1. Notes the petition.
2. Advises the head petitioner that the two No Stopping signs will remain in their current locations.

**Key Points / Issues**

- A petition containing 14 signatures from residents in support of the removal of stop signs from Alexandra Mews was tabled at the Ordinary Meeting on 1 May 2017.
- The petition asked Council to relocate two No Stopping signs outside 23 and 32 Alexandra Mews, Langwarrin to the west sides of 23 and 32 Alexandra Mews, Langwarrin.
- The properties of 23, 25, 32 and 34 Alexandra Mews are located at the end of Alexandra Mews. Alexandra Mews has been constructed as a court with a 'hammer head' to allow for vehicles to turn around at the end of Alexandra Mews.
- Consistent with the Road Safety Road Rules 2009, vehicles parking in the 'hammer head' is considered unlawful given they block access to property driveways as per Rule 198: '*Obstructing access to and from a footpath, driveway*' (refer to Attachment A).
- Following discussions, with Local Laws and Victoria Police, the existing No Standing signs were installed to re-inforce the Road Safety Act. The signs were installed on 24 January 2017.
- Relocation of the signs to the locations requested by the petitioners would logically allow vehicles to be parked in an unlawful manner leaving Council with a liability exposure.

**Financial Impact**

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

**12.14 Response to Petition - Alexandra Mews****Executive Summary**

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

No financial impact associated with the recommendation.

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

No external stakeholders were required to be consulted as part of formulating the proposed recommendation.

**2. Other Stakeholders**

No internal stakeholders were required to be consulted as part of formulating the proposed recommendation.

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

No environmental and economic implications resulting from the recommendation.

Relocating the No Stopping signs as per the petitioners request would lead to a congested road reserve and infer unlawful vehicle parking.

Leaving the No Stopping signs as they are currently located may cause the petitioners to feel disgruntled.

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

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

Legal

There are no legal implications associated with this report.

Policy Impacts

There are no policies or protocols that affect the decision of this report or are relevant to this report.

Officer's Declaration of Interests

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

**Risk Mitigation**

Lawful usage of the road reserve by vehicles, vehicle accidents, road reserve obstruction and the advice of Victoria Police have all been considered in the formulation of the proposed recommendation.

**Conclusion**

It is recommended that the two No Stopping signs, that are the subject of the submitter's petition, should remain in their current locations.

12.14 Response to Petition - Alexandra Mews

**Executive Summary**

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**ATTACHMENTS**

Attachment A: Road Safety Road Rules Rule 198

Excerpt from:

## **Road Safety Road Rules 2009**

### **• Rule 198**

#### **Obstructing access to and from a footpath, driveway etc.**

(1) A driver must not stop on a road in a position that obstructs access by vehicles or pedestrians to or from a footpath ramp or a similar way of access to a footpath, or a bicycle path or passageway unless—

(a) the driver is driving a public bus that is dropping off, or picking up, passengers; or

(b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under these Rules.

(2) A driver must not stop on or across a driveway or other way of access for vehicles travelling to or from adjacent land unless—

(a) the driver—

- (i) is dropping off, or picking up, passengers; and
- (ii) does not leave the vehicle unattended; and
- (iii) completes the dropping off, or picking up, of the passengers, and drives on, as soon as possible and, in any case, within 2 minutes after stopping; or

**Executive Summary****12.15 Response to NOM 1261 - Long Lazy Lunch Proudly Frankston**

*Enquiries: (Andrew Moon: Community Development)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.1 Activate the city centre and encourage more housing, leisure and retail options
Priority Action	2.1.2 Stimulate increased activity in the city centre through events and entertainment

**Purpose**

To brief Council on the Long Lunch on Wells Street (formally known as the Long Lazy Lunch – Frankston), responding to a request for a report in NOM 1261.

**Recommendation (Director Community Development)**

That Council:

1. Notes the responses to issues raised in NOM 1261 relating to The Long Lazy Lunch
2. Notes the feedback from the debrief presented to Councillors by representatives of the Long Lazy Lunch committee
3. Notes that current Council support for major events initiated and run by members of the community is approximately \$40,000 p.a.
4. Based on current expenditure, endorses the establishment of a \$30K p.a. grants program for community groups wishing to initiate and manage their own community events.
5. Should the recommendation to establish a grants program be endorsed the draft guidelines will be submitted to Council in July 2017.

**Key Points / Issues**

- This report responds to Notice of Motion (NOM) 1261:

*“That a report be provided to Council on the annual ‘Longest Lunch’ event conducted by Frankston-based Rotary clubs and the ‘Proudly Frankston’ community group. The report is to consider the following:*

- *Improved future advertising for the event;*
- *Improved future funding for the event;*
- *Improved cooperation and communication between the aforementioned organisers and Councils marketing and events staff;*
- *Reduced red tape and/or council assistance to the organisers in mitigating time spent on administrative prepping; and*
- *Annual debrief between the organisers and Council on the successes/failures of the event.”*

**Issues**

- A debrief in accordance with dot point five above on the 2016 Long lazy Lunch occurred on 24 April 2017 with Councillors as part of the Councillor Briefing session. At this meeting with Proudly Frankston a number of issues were discussed:

**12.15 Response to NOM 1261 - Long Lazy Lunch Proudly Frankston****Executive Summary**

- Proudly Frankston considered that they had not charged a high enough ticket price for the 2016 event on Wells Street. It was acknowledged that this had contributed to financial pressures on the event.
  - Some frustrations existed; an example of this was with Liquor Licensing (VCGLR) compliance obligations, such as the requirement of portable toilets within the 'red line'.
  - Another example of frustration was the difficulty of meeting Council's 'content' and 'copy' deadlines for publications and these have since been clarified.
  - The main issue for the group seemed to be around the resources they are required to provide to remain compliant with all statutory requirements.
  - On the positive side Proudly Frankston reported that there was a high level of communication and cooperation which remained positive and productive between the council officers and the "Long Lunch on Wells" team.
  - The 2016 "Long Lunch on Wells" received council support of:
    - Approximately 60 hours of planning and co-ordination support
    - Multiple event maps of the event site – each in a different format
    - The funding agreement documentation and accompanying correspondence
    - Funding of \$6,000\*\* cash
- \*\*Previous Long Lazy Lunch events have received \$6K in-kind only in 2013; \$2,000 in-kind only in 2014; nothing in 2015 and \$8,700 in total (cash and in kind) in 2016.*
- Proudly Frankston outlined a potential change in direction for the 2017 Long Lazy Lunch event where they are not likely to be seeking council funding for the event.

**NOM 1261 sought responses to the following:****• Improved future funding for the event**

Council does not have a formal grants system to fund community led events, however has funded unsolicited requests. Currently, Council has invested \$40K per annum in community led events.

While Council has now developed the Tourism Event Attraction Program, which is advertised at the same time each year, the Long Lazy Lunch and other similar community initiated and run events do not generally meet all of the criteria.

It is recommended that endorse the introduction of a new grants program category specifically for community initiated major events at a cost of \$30K per annum.

**• Improved cooperation and communication between the aforementioned organisers and councils marketing and events staff.**

The following marketing / publicity opportunities are currently available to community groups, including Proudly Frankston for the Long Lazy Lunch:

- Editorial; space within the Frankston City News
- Weekly what's on column in the local press (limited space)
- Council social media channels
- Council website exposure.

**12.15 Response to NOM 1261 - Long Lazy Lunch Proudly Frankston****Executive Summary**

- **Reduced red tape and/or council assistance to the organisers in mitigating time spent on administrative prepping.**

There are a range of State Government statutory obligations to mitigate against the risks of a major event and ensure the safety of the community, contractors and staff. As such there are numerous administrative requirements for organising a major event. However, Council staff will continue to guide community organisers through these requirements to ensure they do not breach any legislation. Should this occur, and Council had not fulfilled its responsible authority role, the Council may be liable; this includes a range of risk scenarios which may include death or injury.

It is recommended that the community organisers have one key person with whom council officers can work to establish a methodology for that particular group.

- **Annual debrief between the organisers and council on the successes/failures of the event.**

Where major community events receive financial or in kind support a formal debrief with the group will occur within three months of the event closure.

**Financial Impact**

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

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

Should Councillors decide to create a grants program with a formal assessment process specifically for community groups wishing to initiate and manage their own major community events. A budget would need to be allocated.

One source of this budget may be the current (approximate \$40K) support which is provided to a number of community initiated and managed events.

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

Proudly Frankston in relation to detail pertaining to responses to NOM 1261.

**2. Other Stakeholders**

Major Events Team, Coordinator Programming Arts & Culture, Manager Community Relations

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

Supporting major community events in order for them to establish themselves as self-sustaining will have positive social, environmental and economic impacts.

**12.15 Response to NOM 1261 - Long Lazy Lunch Proudly Frankston****Executive Summary****Legal / Policy / Council Plan Impact**Charter of Human Rights and Responsibilities

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

Legal

There are many statutory obligations relating to the delivery of public events. Councils Major Events department systems and processes are designed to support compliance and minimise risk to the public, event organisers and Council.

Policy Impacts

The establishment of a grants program and consequent assessment process for proposed community events would provide transparency, fairness and structure with regards to which groups receive event funding.

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 event approval processes assist in ensuring the planning of Community events is robust and compliant with regulatory obligations. Current resources do not provide for every community event to be inspected by council officers during the set up and operation of the events.

**Conclusion**

Council and community organisations would benefit from the establishment of a Community Events Grant Program. This type of program would consolidate current ad-hoc support to community groups providing an understandable framework with clarity about the extent of council's commitment both from an individual event perspective and a whole of council annual budget commitment to community initiated and managed major events. This program would provide organisers clarity and understanding of Councils policy on supporting major community events.

It is anticipated that by redirecting the current unsolicited requests for funding to a considered grants program, access to council support for community initiated and run major events will be more transparent and accepted.

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**ATTACHMENTS**

Nil

**Executive Summary****12.16 Response to NOM 1263 - Hoon Driving In Frankston**

*Enquiries: (Leonie Reints: Community Development)*

**Council Plan**

Community Outcome:	2. Liveable City
Strategy:	2.2 Improve the municipality's safety, image and pride
Priority Action	2.2.6 Allocate a dedicated Local Laws officer to local areas to better address noncompliant behaviour

**Purpose**

To brief Council on previous and current measures taken to address hoon driving in the Municipality, in response to Notice of Motion 1263 raised by Councillor Bolam at the 30 January 2017 ordinary meeting.

**Recommendation (Director Community Development)**

That Council:

1. Receives the report.
2. Supports a media campaign encouraging residents to report hoon driving and provide identifying details of vehicles to 000.

**Key Points / Issues**

- This report responds to Notice of Motion (NOM) 1263:  
*"That a report is provided to Council at the May 2017 Ordinary Meeting to consider additional initiatives in concert with existing Council programs which could curtail the prevalence of careless driving/hoon driving in Frankston."*
- In June 2015 it was agreed by EMT and Councillors to disband the Hoon Hotline in response to requests from Victoria Police to have Hoon Driving reported to Crime Stoppers as this provides a better response and statistical data by Victoria Police.
- Currently, where matters are raised with Community Safety in relation to Hoon Driving officers provide this information to Victoria Police directly at the monthly Police and Council liaison meetings in addition to liaising with Council's traffic team where appropriate.
- Officers have tested mobile CCTV to detect hoon behaviour, however this has proven ineffective due to the quality of images achieved with the mobile fleet of cameras especially at night time when most hooning occurs.
- The issue of hooning is often mentioned as part of a request to the Traffic and Transport Section for specific infrastructure, such as speed humps, chicanes, signage and roundabouts.
- In cases where hooning is mentioned, residents are advised that they first contact the Police with the hooning details.
- If the complaint about hooning is also associated with complaints about speeding, then the Traffic and Transport Department will undertake a traffic engineering investigation, which may include traffic surveys.
- Where speeding is identified in the traffic engineering investigation, problem locations are referred to the Local Area Traffic Management (LATM) Program.

**12.16 Response to NOM 1263 - Hoon Driving In Frankston****Executive Summary**

- Members of Police are always invited to attend public meetings held for any LATM Study to promote the use of Crime Stoppers and report hooning or any behavioural road safety problems.
- If LATM study is not necessary, problem locations will be referred to the Capital Works Program for funding for minor traffic treatments, i.e. Traffic calming devices, however, engineering solutions cannot always address behavioural issues such as hoon driving.
- Remedial measures (such as those noted above) are then recommended and implemented if necessary

**Financial Impact**

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

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

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

Council officers meet with members of Victoria Police on a monthly basis, where hoon behaviour is reported to Council these matters are passed on to Victoria Police at these meetings.

**2. Other Stakeholders**

Community Safety Department and Infrastructure Department

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

Officers will coordinate a media campaign highlighting that hoon behaviour needs to be reported to Crime Stoppers or Police, this campaign will need to be in cooperation with Victoria Police as they are the lead agency.

**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 no authority to directly address hoon driving, however, can encourage the community to report offenders' number plates or places of residence enabling police to investigate.

Policy Impacts

There are no policy impacts related to this report.

Officer's Declaration of Interests

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

**12.16 Response to NOM 1263 - Hoon Driving In Frankston****Executive Summary****Risk Mitigation**

The measures that Council and the police undertake go to the heart of reducing risk. Primarily Council is responsible for ensuring safe design and maintenance. Many of the LATM studies relate to older estates and development that do not comply with current standards and expectations hence the need to retrofit treatments. Council's enforcement responsibilities rely on authorisation through the Local Law No. 8. Some detection, where feasible, can be undertaken through use of mobile cameras, however, this is often unsuccessful due to technology limitations of mobile cameras. One of the best ways to address illegal driver behaviour is by reporting it to the Police directly with identifying information such as the number plate and an accurate description of the vehicle.

**Conclusion**

Council has a key role in preventing risk on our roads which is primarily achieved through good design and maintenance. While the Police are responsible for addressing illegal driving Council officers share intelligence at the liaison meeting where appropriate. A media campaign encouraging residents to report hoon driving and provide identifying details of vehicles is recommended.

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**ATTACHMENTS**

Nil

**Executive Summary****12.17 Response to NOM 1265 - Cleanliness of the City**

*Enquiries: (Leonie Reints: Community Development)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.2 Improve the municipality's safety, image and pride
Priority Action	2.2.4 Improve the cleanliness and presentation of the city and local areas

**Purpose**

To update Councillors on the current measures in place and proposed for the future to ensure that the Municipality is presentable & clean for residents and visitors.

**Recommendation (Director Community Development)**

That Council:

1. Notes the Service Standards presented to Councillors 17 January, were supported at that meeting and are now being trialled and that the Director Community Development is monitoring the work through condition audits and frequency of audits.
2. Notes that letters, signed by the Mayor were sent to the respective Ministers and responses have now been received. It should also be noted that Metro Trains advises that weed spraying was undertaken in February and slashing of grass along the rail reserve was undertaken in April. Refuse has also been removed and is scheduled twice yearly. It should also be noted that an analysis of working a shared maintenance is nearing completion and will be presented to Councillors before responding to VicRoads.
3. Notes that two rapid response teams were establish one for parks, gardens and bushland and the other for infrastructure requests. This is working well.
4. Notes verbal advice from the Australian Tax Office has been received supporting the ability to transfer funds to the Frankston Community Fund. However, this is not recommended until income exceeds service costs. While the fees have been increased in 2017/18 the overall income will be determined by the volume of impounded trolleys.
5. Notes the Environmental Protection Act and Local Law No. 8 are considered by officers to be effective enforcement tools to deal with illegally dumped rubbish. It should further be noted that Authorised Officers, in undertaking their statutory roles, are also required to comply with the Evidence Act 2008, the Infringements Act 2006 and other statutory legislation in performing their duties.
6. Notes a detailed letter to ratepayers will be sent with the next rate notice outlining the challenges costs and options for reporting. It should be further noted that an advertorial has been prepared and will be placed in Frankston City News, the newspapers and on Council notice boards to promote disposing rubbish responsibly. A copy is attached for information.
7. Endorses the revised Illegal Dumping of Rubbish procedures as the best approach to achieve compliance noting that:
  - Dumped rubbish procedures have been reviewed and revised including the customer service response, which requires follow through on behalf of residents

## 12.17 Response to NOM 1265 - Cleanliness of the City

**Executive Summary**

- The resources to deliver the dumped rubbish service have been consolidated and are now managed by the Community Safety Department.
  - An existing equivalent full time position has been reallocated increasing the number of Authorised Officers monitoring and addressing dumped rubbish.
8. Notes the majority of recommendations outlined in the paper "Possible Initiatives to Rid The City of Trolleys and Rubbish" are part of current business procedures or have recently been implemented. Notwithstanding this, Council should also note:
- That feedback on the use of GPS tracking on shopping trolleys has been considered by national chains who have indicated to their regional businesses / outlets that this is not cost effective for the companies
  - Placement of portable cameras in additional hotspot sites is currently being reviewed to ensure the fit for purpose technology is utilised.
9. It is recommended that reports continue to be presented to Council on a quarterly basis and include dumped litter statistics.
- Additional resources have been reallocated to Community Safety Department enabling improved management of shopping trolleys and dumped rubbish.
10. Endorses the development of a 'Best Street' award program, applicable to all suburbs, to promote behaviour change and pride in streets and neighbourhoods at an approximate cost of \$10K - \$15K plus staff time. Should this be supported a program will be developed and presented to a councillor briefing together with the costs to be referred to the mid-year budget review.
11. Endorses the preparation of large bin stickers warning against rubbish dumping. These can be supplied to interested residents to affix to their bins. Officers can also affix stickers to bins in streets that are identified hotspots in the municipality.

**Key Points / Issues**

- This report responds to Notice of Motion (NOM) 1265:  
*"To ensure the cleanliness of our streets, parks and reserves – Council resolves that the following measures occur:*
  1. *That the CEO reviews the management of the cleaning maintenance of all council land and presents a maintenance model to Council's satisfaction in May 2017. The model must ensure Council land is maintained to an agreed service level which also includes random audits against the service levels.*
  2. *That a letter be sent to Frankston MP, Mr Paul Edbrooke and the relevant Government Ministers expressing concern about the presentation and cleanliness of land belonging to VicRoads in the Frankston LGA. The letter outline the proposal of a pilot project between Council and VicRoads to implement a cleaning maintenance program at an appropriate and similar service level to that endorsed by Council as a consequence of the maintenance service review and further, the council undertake maintenance works on their behalf on the proviso that VicRoads be invoiced for services rendered.*

## 12.17 Response to NOM 1265 - Cleanliness of the City

**Executive Summary**

3. *That a letter be sent to Frankston MP Paul Edbrooke and the relevant Government Ministers expressing concern about the presentation and cleanliness of VicTrack land and that Council, should there be no improvements by May 2017, considers it option to pursue issuing infringement notices for unsightly land under the General Local Law No. 8.*
  4. *That the outcome of the responses from VicRoads, VicTrack and the State Government be included in the report to council in May 2017. Should the responses not be to the satisfaction of Council it may wish to consider a public campaign to State Government to compel VicRoads and or VicTrack to improve its cleaning regime on the land for which they are responsible.*
  5. *That a 'rapid response' team be established to improve responsiveness to community requests for maintenance of a reactive nature. Such a team would be able to respond to reactive requests quickly, which in turn would ensure programmed maintenance activities remain on track. The team also report any unsightly private land to Council's Authorised Officers for follow up investigation and infringement.*
  6. *It be noted that Council formally impounds abandoned trolleys found on council/common land under the appropriate subject to General Local Law Number 8. Council officers are to seek formal Australian Tax Office advice to assess Council's ability to 'donate' a proportion of shopping trolley impound and or release fees to the Frankston Charitable Fund and include the advice in the May 2017 report to Council.*
  7. *That state legislative provisions to curtail rubbish dumping outside private properties are included in the May 2017 report. If considered necessary recommendations regarding the need for further legislative change also be included.*
  8. *That a detailed letter be prepared and included in the next rates notice to all property owners on the rates register to remind them of the council's expectations that they ensure no rubbish is placed the nature strip outside of the provisions for hard waste collections.*
  9. *That officers improve and provide a supportive customer service response to public reports of dumped rubbish and abandoned shopping trolleys and this also be considered in the May 2017 report.*
  10. *The document titled "Possible Initiatives to Rid the City of Trolleys and Rubbish" (Seiffert, B. 2017) also be considered in the May 2017 report to Council."*
- Response to NOM point 1  
The service standards to manage the cleaning and maintenance of Council reserves, open spaces and shopping centres were presented to Councillors on 17 January 2017. These standards are now being used to program maintenance carried out by both officers and contractors, and also being trialled. A copy of the standards has been made available to Councillors in the Councillor library for information. Random condition audits are undertaken and audit frequency is tracked. In addition, an analysis of the opportunities and impacts of working a shared maintenance arrangement is nearing completion and will be presented to a Councillor before responding to VicRoads.

**12.17 Response to NOM 1265 - Cleanliness of the City****Executive Summary**

- Response to points NOM 2, 3 and 4

Letters were written as resolved and responses are attached at Attachments B and C. VicRoads have agreed to meet with Council officers on a quarterly basis to ensure the delivery of maintenance works is maintained and Metro Trains have advised that weed spraying was undertaken in February and slashing of grass along the rail reserve was undertaken in April. Refuse has also been removed and is scheduled twice yearly. An analysis of the opportunities and impact of working a shared maintenance arrangement with Vic Roads is nearing completion and will be presented to a Councillor Briefing prior to responding to VicRoads.
- Response to NOM 5

The new Operations Centre structure, which includes 2 rapid response teams, was implemented on 14 March 2017. One team responds to parks, gardens and bushland requests with the other responding to infrastructure requests such as roads, drains, boardwalks and footpaths. Where dumped litter exists Community Safety Department's Authorised Officers are notified and conduct an investigation). The introduction of these rapid response teams has led to enhanced response times to ratepayer's requests and appear well received by the community. Vehicles also have been clearly marked as 'Rapid Response Team'.
- Response to NOM point 6

Verbal advice has been received from the Australian Tax Office that Council can transfer funds to Frankston Community Fund (FCF). However, it should be noted that last year's net cost to manage dumped trolleys was negative \$3,321 highlighting the costs of this service were in excess of income derived from infringements and penalties. An impound fee for trolleys has been previously supported by Council as part of the draft budget and there has also been an increase in the release fees. It is recommended to not transfer funds to FCF until there is a 'profit' scenario demonstrated at the end of a financial year. The final result will be influenced by the volume of trolleys impounded.
- Response to NOM point 7

The Environment Protection Act 1970 (EPA) is the main mechanism used by Council to enforce compliance of litter offences. Refer to Attachment F for a copy of relevant clauses. The General Local Law No 8 effectively deals with those matters not covered by the EPA. Both the EPA and the Local Law are considered to be effective tools, however, it should also be noted that Council must also comply with the Evidence Act and the statutory requirements of the Infringements Act which determines notice period for compliance prior to issuing an infringement.
- Response to NOM point 8

A detailed letter will be prepared, reminding residents of Council's hard waste collection, recycling centre services and expectations that no rubbish is placed on the nature strip, will be included in the next issue of the rate notice (July/August) to over 61,000 ratepayers. An advertorial, outlining important information and encouraging people to report offenders, will also be placed in the newspaper, the Frankston City News, notice boards and in social media. A copy is attached for information (see Attachment G).

**12.17 Response to NOM 1265 - Cleanliness of the City****Executive Summary**

- Response to NOM point 9

Dumped rubbish procedures have been reviewed including the customer service response. As a result the procedures and the resources have been consolidated and are being managed by the Community Safety Department ensuring complaints are handled by one department from start to finish, including any enforcement action. An existing equivalent full time position has been reallocated to increase the number of Authorised Officers monitoring and addressing dumped rubbish. The customer service system has been amended to ensure officers taking details follow through on complaints on behalf of residents.

The review of the procedures highlighted that in some cases waste was being removed without investigation. There is also community pressure from time to time to remove the rubbish immediately. In not identifying the illegality of the dumping or removing the rubbish immediately without an investigation will reinforce and increase the illegal dumping behaviour and the corresponding cost to ratepayers of what would become in essence a 'a free waste pick up service' throughout the year. It is recommended that reviewed and revised illegal dumping of rubbish procedures be endorsed as the best approach to this issue to achieve compliance.

- Response to NOM point 10

Itemised responses to the document titled "Possible Initiatives to Rid the City of Trolleys and Rubbish" is attached at Attachment E. The majority of the recommendations are in place and part of normal business in Frankston. Notwithstanding this:

- Use of GPS tracking on shopping trolleys has been considered by national management indicates this is not cost effective for the companies.
- Placement of portable cameras in additional hotspot sites is currently being reviewed to ensure the best technology is utilised.
- it is recommended that large stickers to affix to kerbside bins and warning against rubbish dumping are printed and used by officers in hotspots and made available to residents on request. No quotes for this have been received at the time of preparing this report.
- It is recommended that reports continue to be presented to Council on a quarterly basis
- Patrols and resources have been reallocated to Community Safety enabling improved management of shopping trolleys and dumped rubbish.
- A meeting was held with all major retailers and trolley collection contractors in the city centre to review the current situation, request improved collection timeframes and flag stronger controls by Council. The arrangements are:
  - Retailers/contractors patrol City Centre 12 hours per day (7.00am – 7.00pm). It has been requested that collection agents ensure the city centre and key hotspots are cleared by 8.30am.
  - Council Officers tag trolleys, advise retailer and give 4 hours for collection, in other areas retailers have 24 hours to collect
  - If not collected council impounds trolleys.

**12.17 Response to NOM 1265 - Cleanliness of the City****Executive Summary**

Key to an improvement in the pattern of illegal dumping of rubbish is behaviour change. This is typically achieved through education and enforcement rather than just one approach. The introduction of a 'Best Streets' award program could enhance pride and responsibility for the appearance of local streets. It is estimated that this would take up to three months to develop and engage network of key stakeholders to implement. The operational costs of this and the nature /type of the award is estimated to be approximately \$10K to \$15K. However, should this option be endorsed the proposal would be subject to a further briefing of councillors.

**Financial Impact**

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

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

Litter for collection of dumped rubbish represents an annual cost of \$285,000, however, \$200,000 of this will be reallocated to Community Safety in the 2017/18 budget to manage the total process for illegally dumped rubbish, which is mostly occurring on nature strips.

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

With regard to dumped shopping trolleys, Community Safety has engaged with all major retailers to address concerns of dumped shopping trolleys in the streets and parks. These meetings will continue where required.

**2. Other Stakeholders**

Community members have provided valuable feedback and ideas of how to assist with dumped rubbish and abandoned shopping trolleys. Other key stakeholders include the Department of Health and Human Services and local real estate agents.

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

Illegally dumped rubbish has a negative impact on the environment, attributes significant costs to rate payers and acts to demoralise or impinge of people's pride.

**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

Rubbish or better known as litter is enforced under the Environment Protection Act 1970 (EPA) and specifically imposes an obligation on a person to not litter on any land. Litter has an exhaustive definition. In the case of Council's General Local Law 2016 – No.8 Council has a regulatory role in enforcing requirements for waste management activities in their jurisdictions and in litter prevention, education and enforcement under the EPA.

**12.17 Response to NOM 1265 - Cleanliness of the City****Executive Summary**Policy Impacts

Enforcing illegally dumped rubbish is primarily authorised by clauses of Environment Protection Act 1970 (Attachment F), the General Local Law No 8, which in relation to rubbish targets unsightly properties and Dumped Rubbish guidelines (Attachment A). Officer's Declaration of Interests

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

**Risk Mitigation**

Litter has a compounding impact on the community. To mitigate against the extent of the impact Councils engage in litter education, collection, enforcement and a range of services including an annual hard waste collection, accessibility to a recycling centre and kerbside collection for recycling, green and putrescible waste.

**Conclusion**

Litter is acknowledged as a significant issue within the Municipality. This year 23,000 investigations have been undertaken with 3,500 of those relating to dumped rubbish. A review undertaken has led to a number of implemented improvements and recommended actions.

It is imperative that behaviour, which is seen as the driver of litter, is modified through enforcement and education. As such, it is recommended that all dumped waste is investigated prior to being removed to ensure illegal dumpers are held to account to reinforce illegal dumping is not acceptable in Frankston. In addition, it is recommended that Council considers a 'Best Street' program award applicable in each suburb to enhance pride and compliance.

With regard to state government services VicTrack has cleaning the rail corridor and further follow up is required with VicRoads pending an analysis of the opportunities and impacts of working a shared maintenance arrangement, which is nearing completion and will be presented to a Councillor briefing before responding to VicRoads.

An advertorial highlighting the costs and impact of illegal dumping has also been prepared for placement in newspapers, in social media, on the website and as posters in Council facilities.

12.17 Response to NOM 1265 - Cleanliness of the City

**Executive Summary**

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**ATTACHMENTS**

Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017

Attachment B: Letter of Response from Metro Trains

Attachment C: Letter of Response - Maintenance of Arterial Roads in the City of Frankston - Hon Luke Donnellan MP

Attachment D: Standard Operating Procedure - Dealing with litter and Illegally Dumped Rubbish

Attachment E: REPLY - Mr Seiffert - Possible Initiatives to Rid the City of Trolleys and Rubbish

Attachment F: Environmental Protection Act 1970 - Clause 45

Attachment G: Your Council Our Community - Leader Flyer

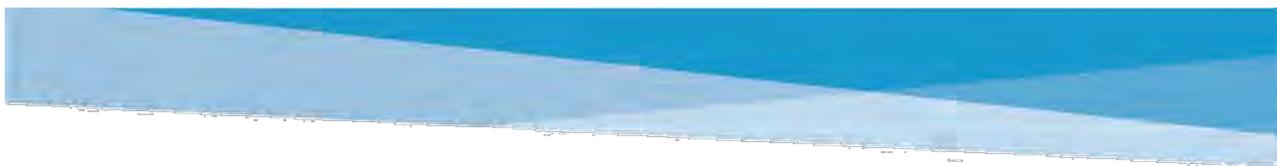
# Litter and Dumped Rubbish Management Plan (draft)

Frankston City Council

2016-2017



*opportunity » growth » lifestyle*



## Version control

Version	Author	Date	Changes
V 0.1	Joanna Drennan, Sustainable Assets Department	24/12/2016	Finalise internal document including input and feedback from internal stakeholders. Sent to supervisor for review.
V 0.2	Rachel Weaver, Sustainable Assets Department	10/01/2017	Updates to document including formatting, addition of version control, additional actions and modifications to existing draft actions.
V 0.3	Joanna Drennan Sustainable Assets Department	08/03/2017	Updated following internal consultation.
V 0.4	Rachel Weaver, Sustainable Assets Department	09/03/2017	Review of document and minor updates to formatting as well as changes to draft improvement actions.
V 0.5	Joanna Drennan Sustainable Assets Department	12/04/2017	Updated to incorporate further internal consultation.
V 0.6	Joanna Drennan Sustainable Assets Department	24/04/2017	Appendix E replaced with updated Standard Operating Procedure – Dealing with Litter and Illegally Dumped Rubbish
V 0.7	Joanna Drennan Sustainable Assets Department	04/05/2017	Updated to incorporate suggestions from Director Community Development
V 0.8	Rachel Weaver Sustainable Assets Department	15/05/2017	Updated list of responsibilities to replace former Public Space and Leisure Department
V 0.9	Joanna Drennan Sustainable Assets Department	17/05/2017	Error corrected

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### Disclaimer

While the authors, publishers and others responsible for this publication have taken all appropriate care to ensure the accuracy of its contents, no liability is accepted for any loss or damage arising from or incurred as a result of any reliance on the information provided in this publication.

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## Introduction

Litter, in simple terms, is considered the presence of materials in places they are not meant to be. According to the law, in the *Environment Protection Act 1970* litter is defined as:

*“Any solid or liquid domestic or commercial waste, refuse, debris or rubbish and, without limiting the generality of the above, includes any waste glass, metal, plastic, paper, fabric, wood, food, soil, sand, concrete or rocks, abandoned vehicles, abandoned vehicle parts and garden remnants and clippings, but does not include any gases, dust or smoke or any waste that is produced or emitted during, or as a result of, any of the normal operations of the mining, building or manufacturing industry or of any primary industry”.*

Many littered items take a long time to break down, so remain present long after you have gone.

### What is the problem with litter?

Litter has a significant impact on communities, their economies and the environment. Some of the issues associated with litter and littering behaviour include:

- Additional cost to local and state governments, agencies and other clean-up organisations, leaving less money for other important services
- Reduced property values
- Pollution in our neighbourhoods, waterways and local beaches, impacting on community amenity and the health of animal, plant and marine life
- Blockages in stormwater drains which can cause flooding, property and infrastructure damage, as well as result in costly repairs
- A breeding ground for insects and the spread of unwanted diseases

- A health and safety risk to people when it involves animal faeces, sharp objects such as broken glass and syringes, nappies, medical waste, as well as asbestos and other toxic or hazardous substances. Refrigerators with doors attached can create a suffocation risk for small children
- A fire hazard when it includes green waste, tyres, chemicals and other flammable items
- Attraction of further littering, graffiti, bill posting, antisocial behaviour and crime
- Reduced perceived safety, which lowers Frankston City’s image.

The Victorian Litter Action Alliance (VLAA) recommends an eight step model based on behaviour change theory to effectively prevent and manage litter. The three key components of this model are infrastructure, education and enforcement. However these components involve incentives, working together, good communication, research and monitoring and evaluation.

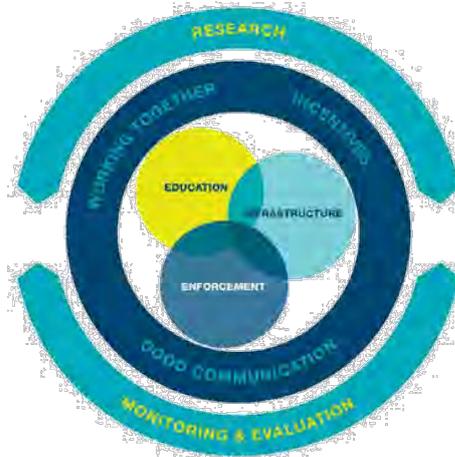


Figure 1: Eight step model to preventing and managing litter, VLAA (2016)



## Litter and dumped rubbish trends in Victoria

In 2016, Keep Australia Beautiful released the [National Litter Index 2016](#) (NLI) report, which is used as a national measure of the presence of litter across Australia. The report however is limited, as it excludes illegal dumping from the analysis<sup>1</sup>.

For Victoria, the NLI showed that there was a 27% drop in total litter counted from 2015, with a 34% reduction in cigarette butts alone. In particular, litter was made up of:

- 48% cigarette butts
- 26% glass, plastic, paper, general
- 18% takeaway food and beverage
- 7% beverage containers
- 1% plastic bags

The most littered sites were beaches, retail precincts and shopping centres, and the least littered sites were major roads and highways.

While the most recent NLI report indicates an overall decrease in littering trends across Australia compared against previous years, it is evident that littering is still a major problem.

While dumped rubbish trends were excluded from the above analysis, it is still considered a major issue by many local governments, including Frankston City Council.

## Purpose

The purpose of this document is to record the services and actions that Council undertakes to prevent and manage litter and dumped rubbish and to identify future improvement actions.

The document is currently for internal use and has not been released for public information.

## Scope

This document details Council's current litter and dumped rubbish management services and actions addressing; infrastructure, education, enforcement, data collection and reporting, strategy and policy, advocacy, as well as those actions contracted out to other companies. It also includes improvement actions to address identified gaps in Council's services and actions and to minimise the impacts of litter and dumped rubbish in Frankston City.

It does not include the collection, analysis or reporting of existing Council or community litter and illegally dumped rubbish data.

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<sup>1</sup> The National Litter Index defines illegal dumping as the unlawful deposit onto land of larger than litter waste. In other words, waste materials dumped, tipped or otherwise deposited onto private land or public land where no licence or approval exists to accept such waste. Illegal dumping in this case varies from small bags of rubbish dumped along suburban streets, to large scale dumping of materials in isolated areas, such as bushland.



## Litter and dumped rubbish in Frankston City

Litter and dumped rubbish impact on the Frankston municipality and its communities. There are many areas where litter and dumped rubbish are a problem, including:

- Road reserves (road, footpath, nature strip, medium strip as well as the kerb and channel)
- Footpaths and walking tracks
- Laneways
- Parks and sporting grounds
- Foreshore and beach areas
- Reserves (e.g. bushland)
- Free roam areas – ‘dogs off leads’
- Bus stops
- Railways and train lines
- Shopping centres
- Strip shops
- Central Activities Area (CAA)
- Carparks
- Areas around clothing bins
- Council facilities, such as public toilets
- Local traders, e.g. food premises
- Construction and demolition sites
- Industrial sites
- Waterways
- Major drains leading towards waterways and Port Phillip Bay

The following types of litter and dumped rubbish are seen in Frankston City:

- Dumped rubbish (e.g. tyres, mattresses, white goods, e-waste, furniture, green waste, clothing, toys and builder’s rubbish)
- General waste and litter (especially plastics, bottles, cans and straws)
- Cigarette butts
- Dog waste
- Sharps (i.e. syringes)

- Chewing gum
- Construction and demolition waste (e.g. timber, plaster, asbestos)
- Household and commercial/industrial chemicals
- Paint
- Wastewater
- Shopping trolleys

Litter and dumped rubbish comes from a range of sources, including:

- Residents and visitors (including dog walkers)
- Sharps users
- Trades people
- Construction and demolition industry
- Business operators and staff (e.g. local food premises)



## Record of current services and actions

### Infrastructure and related services

**Objective 1:** To provide infrastructure and related services to minimise illegal littering and rubbish dumping.

Action - Infrastructure and related services	Main litter or waste types	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
1.1 Provide kerbside bins (garbage, recycling, green waste) and a collection service	General waste and litter	Residents and some businesses	Road reserves	Recycling Services	Solo Resource Recovery	Existing	Ongoing
1.2 Provide an Annual Hard Waste and Bundled Green Waste collection service	Dumped rubbish	Residents	Road reserves	Recycling Services	WM Waste Management	Existing	Ongoing, but subject to reviews
1.3 Provide an At Call Hard Waste and Bundled Green Waste collection service	Dumped rubbish	Residents	Road reserves	Recycling Services	WM Waste Management	Existing	Ongoing, but subject to reviews
1.4 Provide dog waste bins, bags and locks	Dog waste	Dog walkers (residents and visitors)	Walking tracks, free roam areas, parks and sporting grounds, foreshore, reserves	Recycling Services	N/a	Existing	Ongoing
1.5 Maintain dog waste bins, clear contents and replenish bags as required	Dog waste	Dog walkers (residents and visitors)	Walking tracks, free roam areas, parks and sporting grounds, foreshore, reserves	Recycling Services	Cleanaway	Existing	Ongoing
1.6 Provide and maintain public place garbage (including dog waste), recycling and cigarette butt bins and	General waste and litter,	Residents, visitors	<u>Public garbage and recycling bins:</u> Bus stops,	Recycling Services	<u>Public garbage and recycling bins:</u>	Existing	Ongoing

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Action - Infrastructure and related services	Main litter or waste types	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
collection service	recycling, cigarette butts, dog waste		parks and sporting grounds, Council facilities, car parks, foreshore, strip shopping centres, CAA  <u>Cigarette butt bins:</u> Council buildings, garbage bins in CAA, strip shopping centres where the smoking ban doesn't apply		Cleanaway  <u>Cigarette butt bins:</u> Buttout		
1.7 Audit and inspect bins in the CAA, waterfront and foreshore to monitor compliance with Council's contract specifications	General waste and litter	Residents, visitors	Public place bins in the CAA, the waterfront, foreshore and reserves	Recycling Services	Cleanaway	TBD	Ongoing
1.8 Provide and maintain public place sharps containers and collection service	Sharps	Sharps users (residents and visitors)	Council facilities, including public toilets	Facilities	Ventia (building maintenance contractor)	Existing	Ongoing
1.9 Supply and empty portable sharps containers, and receive and collect full portable sharps containers	Sharps	Sharps users (residents and visitors)	Council facilities - Customer Service Centres	Community Relations, Facilities	Ventia (building maintenance contractor)	Existing	Ongoing
1.10 Provide, maintain and empty public place sanitary and nappy bins	Nappies	Women, parents	Council facilities (selected)	Facilities	Ventia (building maintenance contractor)	Existing	Ongoing
1.11 Provide and maintain the Specialty Recycling Hubs and collection service	See <a href="#">Specialty Recycling</a>	Residents, Council staff	Council facilities - Civic Centre,	Recycling Services, Operations,	N/a	Existing	Ongoing

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**

Action - Infrastructure and related services	Main litter or waste types	Main source of litter/ dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
	<a href="#">and Disposal Directory</a> web page		Frankston Library	Sustainable Assets			
1.12 Manage and operate the Frankston Regional Recycling and Recovery Centre (FRRRC) (local waste transfer centre)	See <a href="#">FRRRC</a> web page	Residents, visitors, trades people	Council facility - FRRRC	Recycling Services	N/a	Existing	Ongoing
1.13 Undertake street sweeping across the municipality	General litter	Residents, visitors	Road reserves, carparks	Operations	N/a	Existing	Ongoing
1.14 Undertake street cleansing (i.e. litter gathered by blower and then sucked up by sweeper)	General litter	Residents, visitors	Road reserves and footpaths in CAA, strip shopping centres	Operations	N/a	Existing	Ongoing
1.15 Undertake furniture pressure cleaning program	Stickers and chewing gum	Residents, visitors	Strip shopping centres, CAA	Operations	N/a	Existing	Ongoing
1.16 Undertake footpath scrubbing (using a high pressure hose) to remove chewing gum	Chewing gum	Residents, visitors	Strip shopping centres, CAA	Operations	N/a	Existing	Ongoing
1.17 Install, maintain and clean Council's gross pollutant traps that capture litter through the City's drainage system	Gross litter (litter typically above 5mm in size)	Residents, visitors	Municipal wide – stormwater runoff into drains leading towards waterways and Port Phillip Bay	Operations, Infrastructure	Melbourne Water	Existing	Ongoing
1.18 Install, maintain, clean and empty drainage pits and pipes as per the scheduled frequency and Road Management Plan inspections (based on flooding)	General litter and other pollutants	Residents, visitors	Municipal wide - road reserves, parks, sporting grounds, carparks	Operations	N/a	Existing	Ongoing
1.19 Design, install, maintain and remove litter collected in raingardens, swales	General litter and other	Residents, visitors	Municipal wide – road reserves,	Infrastructure (design & install),	Melbourne Water,	Existing	Ongoing

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Action - Infrastructure and related services	Main litter or waste types	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
and other Council Water Sensitive Urban Design (WSUD) assets (i.e. stormwater treatment systems)	pollutants		shopping strips, car parks, medium strips, parks, sporting grounds	Operations (operate, maintain and remove)	developers		
1.20 Undertake mechanical litter removal along the foreshore using a mechanical beach cleaner	General litter	Residents, visitors, others outside of catchment	All	Operations	N/a	Existing	Ongoing
1.21 Undertake environmental health inspections (including of waste management practices) of local businesses per the Food Safety Program Assessment Class 2 procedure	Wastewater, other wastes	Food premises staff	Food premises	Community Safety	Penport	Existing	Ongoing
1.22 Host and manage a Detox your Home household chemical collection day with the Victorian Government (annual event)	Household chemicals	Residents	Council facility - FRRRC	Recycling Services, Sustainable Assets	Sustainability Victoria, Toxfree	Existing	Annual
1.23 Provide and maintain public bin labels/signage and litter signage	General litter, recycling, cigarette butts, dog waste	Residents, visitors	Parks and sporting grounds, reserves, strip shopping centres, Council facilities, foreshore, carparks	Recycling Services, Infrastructure, Sustainable Assets	Cleanaway	Existing, grants	Ongoing and ad-hoc (grants)
1.24 Collect and store dumped shopping trolleys identified through customer/ staff reports	Shopping trolleys	Supermarket customers	Municipal wide <i>(Note: some</i>	Operations, Community Safety	N/a	Existing	Ongoing

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Action - Infrastructure and related services	Main litter or waste types	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
			dumped shopping trolleys inside the CAA are also collected by supermarket contractors)				
1.25 Collect and dispose of illegally dumped rubbish	Dumped rubbish	Residents, businesses, visitors, tree removalists	Road reserves, parks and reserves	Operations, Community Safety	VicRoads, Corrections Victoria, clean up community groups	Existing	Ongoing
1.26 Review management of Council's service addressing dumped rubbish	Dumped rubbish	Residents, businesses, visitors	Road reserves, parks and reserves	Community Safety, Operations	N/a	Existing	2016-17
1.27 Collect and dispose of litter from along regularly littered roadsides, as per Litter Patrol and Kern programs	General litter, dead animals, syringes	Residents, visitors	Road reserves	Operations	VicRoads, Corrections Victoria, Clean up community groups (including sporting clubs)	Existing	Ongoing
1.28 Inspect and maintain road reserves and parklands, including by collecting litter, uplifting trees, slashing overgrown non-native vegetation and regularly mowing open grassed areas (this reduces the amount of litter that gets trapped and hard rubbish that gets dumped in these areas)	General litter	Residents, visitors	Road reserves (including the CAA), parks, foreshore	Operations	N/a	Existing	Ongoing



## Education

**Objective 2:** To raise awareness, educate and inform the community about illegal littering and dumping and promote alternative more responsible waste and litter behaviours.

Action - Education	Main litter or waste types (where relevant)	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
2.1 Support and promote volunteer and community groups, schools and businesses participating in Clean Up Australia Day (CUAD) and other Clean Up Australia activities	General litter - cigarette butts, plastics, bottles and cans	Residents, visitors, schools, local business operators	Foreshore, parks and sporting grounds, reserves	Sustainable Assets, Recycling Services, Operations	Clean Up Australia, volunteer and community groups, schools, businesses	Existing	Annual (Feb/Mar)
2.2 Support volunteer litter clean up groups (e.g. Beach Patrol) and community reuse initiatives through advice, assistance, promotions and funding, as well as facilitation of the Frankston Environmental Friends Network	General litter - cigarette butts, plastics, bottles, plastic bags	Residents, visitors, others outside of catchment	Foreshore	Planning and Environment, Sustainable Assets	3199 Beach Patrol, 3198 Beach Patrol	Existing	Ongoing
2.3 Provide information for residents on Council's website on waste and litter minimisation and appropriate waste disposal options, including: <ul style="list-style-type: none"> <li>Bin Information</li> <li>Bin Inspections</li> <li>Detox your Home</li> <li>FRRRC, including the items accepted for free</li> <li>Hard Waste Collection</li> </ul>	See <a href="#">Bin Information</a> , <a href="#">Hard Waste Collection</a> and <a href="#">Specialty Recycling and Disposal Directory</a> webpages	Residents	N/a	Sustainable Assets, Community Relations, Recycling Services, Community Safety	N/a	Existing	Ongoing



Action - Education	Main litter or waste types (where relevant)	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
<ul style="list-style-type: none"> <li>• How You Can Reduce Your Waste</li> <li>• Litter and Illegal Rubbish Dumping</li> <li>• Specialty Recycling and Disposal Directory</li> <li>• Talking Rubbish</li> <li>• Waste Minimisation and Management Plan</li> </ul>							
2.4 Provide educational information on waste and litter minimisation and waste disposal options, for example, through media releases, Frankston City News, e-newsletters (e.g. Halve Our Waste (HOW), EnviroNews), social media, flyers etc.	Various	Residents	N/a	Sustainable Assets, Recycling Services, Community Relations	N/a	Existing	Ongoing
2.5 Respond to customer enquiries regarding specialty waste and recycling and assist in expanding Council's Specialty Recycling and Disposal Directory to accommodate new disposal options	Various – specialty items	Residents	N/a	Sustainable Assets, Recycling Services	N/a	Existing	Ongoing
2.6 Provide funding and support for interested schools to participate in waste and litter education and prevention programs and activities	Various	Schools	N/a	Sustainable Assets	Schools, Victorian Government – ResourceSmart	Existing	Ongoing – budget permitting
2.7 Facilitate the Teachers Environmental Network, including the provision of waste, recycling and litter information and professional development	Various	Schools	N/a	Sustainable Assets	Frankston City primary and secondary schools	Existing	Ongoing

Action - Education	Main litter or waste types (where relevant)	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
2.8 Provide an educational litter campaign at the Frankston Waterfront Festival (speech bubbles)	General litter - cigarette butts, plastics, bottles and cans	Residents, visitors	Foreshore (Frankston)	Sustainable Assets	N/a	Existing	Annual (Jan/Feb)
2.9 Provide community educational waste prevention and management workshops and sessions – e.g. Follow your Waste tour	General waste and litter	Residents	N/a	Sustainable Assets	Polytrade, SUEZ, EnviroCom	Existing	Ongoing
2.10 Provide community educational campaigns for relevant waste and litter related events and services (e.g. Paintback, Detox your Home, Clean Up Australia Day) and support the State Government with similar campaigns	Paint, household chemicals, general litter - cigarette butts, plastics, bottles and cans	Residents	N/a	Sustainable Assets, Recycling Services, Community Relations	Paintback, Sustainability Victoria, Clean Up Australia, Metropolitan Waste and Resource Recovery Group (MWRRG)	Existing	Ongoing
2.11 Provide free portable butt bins and education at selected events, customer service centres and through volunteer clean up groups	Cigarette butts	Residents, visitors	N/a	Sustainable Assets	Beach Patrols	Existing	Ongoing
2.12 Investigate internal and possibly external support for a municipal plastic bag ban (action from Council's Waste Minimisation and Management Plan)	Plastic bags	Shop customers	Municipal wide	Sustainable Assets	N/a	Existing	2016-17 (started)

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Action - Education	Main litter or waste types (where relevant)	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
2.13 Inspect household recycling and green waste bins for contamination, and encourage recycling right through a rewards program	Various	Residents	Footpaths, road reserves	Recycling Services, Sustainable Assets	Scoop Enterprises	Existing	Ongoing
2.14 Apply for grants to support litter and illegal dumping educational and awareness raising initiatives, as available and where relevant	N/a	N/a	N/a	Sustainable Assets, Operations, Community Safety	N/a	Existing	Ongoing
2.15 Apply for grants to fund drain kits (including printing of educational resources) and inspections for the CAA food premises to prevent wastewater entering Kananook Creek via drains	Wastewater	Food premises	Food premises	Community Safety	Environment Protection Authority (EPA)	Existing	Not started until funding granted (pending)

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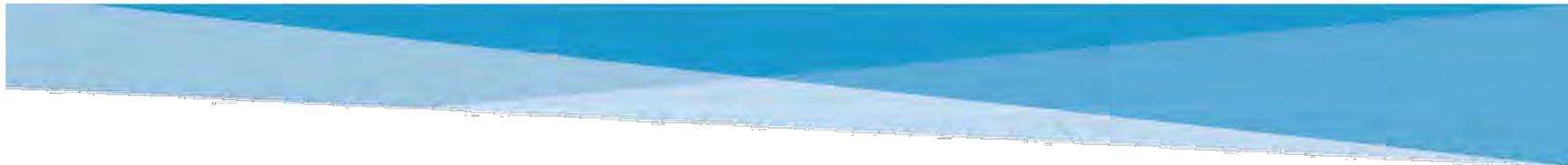
## Enforcement

**Objective 3:** To reduce incidents of illegal littering and dumping through the identification of incidents and enforcement.

Action - Enforcement	Main litter or waste types	Main source of litter/ dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
<b>Litter:</b>							
3.1 Investigate customer litter reports as per the standard operating procedure and issue the relevant notices/ infringements where required	General litter	Residents, visitors	N/a	Community Safety	N/a	Existing	Ongoing
3.2 Undertake Asset Protection Officer inspections of construction and demolition sites for litter (under the Building Works Code of Practice) <i>Note: Asset Protection and Building Works Code of Practice (under review)</i>	Construction and demolition waste	Construction and demolition industry	Construction and demolition sites	Community Safety, Infrastructure	N/a	Existing	Ongoing
3.3 Record litter reports and infringements in the Pathways/ Kern reporting system <i>Note: This system can be used to access incident data, including the number of litter reports, the number investigated, and the number of infringements issued</i>	General litter	Residents, visitors	N/a	Community Safety, Operations (reports only), Community Relations (reports only)	N/a	Existing	Ongoing
3.4 Seek legal advice to determine the feasibility of fining VicTrack and VicRoads when they don't fulfil their	General waste and litter	Public transport users, vehicle	Road reserves, railway land	Community Safety	VicTrack, VicRoads, Maddocks	Existing	2016-17 (completed)



Action - Enforcement	Main litter or waste types	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
litter collection and vegetation maintenance responsibilities		drivers and passengers, pedestrians					<i>VicTrack can be issued with fines but this may not be practical due to issues with identifying who the fine should go to</i>
3.5 Issue penalties to Council's contractor when key performance indicators for emptying public place garbage and recycling bins are not met (i.e. if bins are found to be overflowing during inspections or following complaints and staff reports), as per the collection contract	General waste and litter, recycling	Residents, visitors	Public place bins, in particular at strip shops, the CAA, waterfront, foreshore and reserves	Recycling Services	Cleanaway	TBD	N/a
<b>Dumped rubbish and wastewater:</b>							
3.6 Inspect dumped rubbish sites reported by customers/staff/patrols, as per the standard operating procedure, and deliver litter alert cards to neighbours for information pertaining to the dumped rubbish which can be used as evidence	Dumped rubbish	Residents, visitors	Road reserves (mainly remote and dead-end roads)	Community Safety, Operations	N/a	Existing	Ongoing



Action - Enforcement	Main litter or waste types	Main source of litter/ dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
<p>3.7 Follow Council's standard operating procedure to gather evidence, issue the relevant notices/ infringements and where required, prosecute in the Magistrates Court</p> <p><i>Note: Where there is sufficient evidence, fines are issued for minor offences and court action is taken for large scale offences</i></p> <p><i>The notice/ infringement can be passed on to the relevant owners corporation if the dumped items cannot be traced back to the offender</i></p>	Dumped rubbish	Residents, Businesses	Road reserves (mainly remote and dead-end roads)	Community Safety	N/a	Existing	Ongoing
<p>3.8 Record dumped rubbish reports and infringements in the Pathways/ Kern reporting system</p> <p><i>Note: This system can be used to access incident data, including the number of litter/dumped rubbish reports, the number investigated, the number taken to court, the number of these cases that were successful, the number of infringements issued, and the amount of money recouped</i></p>	Dumped rubbish	Residents, visitors	N/a	Community Safety, Operations (reports only), Community Relations (reports only)	N/a	Existing	Ongoing
<p>3.9 Review process for shopping trolley collection, storage and supermarket</p>	Shopping trolleys	Residents, visitors	Municipal wide <i>(Note: some</i>	Community Safety, Operations	Supermarkets	Existing	2016-17 (completed)



Action - Enforcement	Main litter or waste types	Main source of litter/ dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
retrieval			dumped shopping trolleys inside the CAA are also collected by supermarket contractors)				
3.10 Issue the relevant supermarket a letter indicating that their dumped trolleys collected and stored by Council will become Council property if they are not retrieved, and charge supermarket retrieval fees / issue infringements	Shopping trolleys	Supermarket customers	Municipal wide <i>(Note: some dumped shopping trolleys inside the CAA are also collected by supermarket contractors)</i>	Community Safety, Operations	Supermarkets	Existing	Ongoing
3.11 Review retrieval fees for dumped supermarket trolleys that have been collected by Council to encourage supermarkets to promptly pick up dumped shopping trolleys themselves instead	Shopping trolleys	Residents, visitors	N/a	Community Safety, Operations	Supermarkets	TBD	2016-17 (completed) <i>Not feasible</i>
3.12 Install and monitor CCTV in 'problem' areas where regular rubbish dumping occurs (checks every 2-3 weeks), and review recordings for evidence as required	Dumped rubbish	Residents, visitors	Road reserves (mainly remote and dead-end roads)	Community Safety	N/a	Existing	Ongoing
3.13 Investigate the possibility of creating a local law which states that charity bins on private land and the space around them needs to be kept tidy	Clothing	Residents	Around charity donation bins on private land	Community Safety	N/a	Existing	2016-17 (completed) <i>Already</i>



Action - Enforcement	Main litter or waste types	Main source of litter/dumped rubbish	Primary location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
and clean							<i>addressed under Local Law No. 8</i>
3.14 Work with charities/businesses that have donation bins on private land to monitor illegal dumping issues and establish ways to address them	Clothing	Residents	Around donation bins on private land	Community Safety	Charities/ businesses with donation bins on private land	Existing	Ongoing
3.15 Enforce the Compliance and Enforcement Policy, including, where appropriate, by issuing fines (under the Food Act) for inadequate waste receptacles and discharging wastewater into the stormwater system	Wastewater	Food premises staff	Food premises	Community Safety	N/a	Existing	Ongoing

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## Data collection and reporting

**Objective 4:** To capture and report on relevant data that can be used to monitor progress towards reducing illegal littering and dumping, and as a basis for the strategic development of Council's infrastructure, education, enforcement and related strategies.

Action – Data collection and reporting	Main litter or waste types	Main source of litter/ dumped rubbish	Primary Litter Location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
4.1 Count and record the number of bags of litter collected by workers through Corrections Victoria clean-up program	Not currently recorded	Residents, visitors	Sporting grounds (Apr – Oct), Road reserves	Operations	N/a	Existing	Ongoing
4.2 Report on volumes and frequency of litter removed from gross pollutant traps	Gross litter (litter typically above 5 mm in size)	Residents, visitors	Municipal wide - drains leading towards waterways and Port Phillip Bay	Operations, Infrastructure	N/a	Existing	Ongoing
4.3 Log litter and dumped rubbish reports and dumped rubbish clean-ups through the Pathways/ Kern reporting system <ul style="list-style-type: none"> <li>Number of reports and reports actioned can be attained as required</li> </ul>	Not currently recorded	Residents, visitors	Various	Operations	N/a	Existing	Ongoing
4.4 Collect data on the number of: <ul style="list-style-type: none"> <li>illegal litter/ dumped rubbish incidences reported</li> <li>reports investigated</li> <li>reports taken to court</li> <li>successful court cases</li> </ul>	Not currently recorded	Residents, visitors	The location of individual reports can be attained from the data collected, but	Community Safety	N/a	Existing	Ongoing

Action – Data collection and reporting	Main litter or waste types	Main source of litter/dumped rubbish	Primary Litter Location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
<ul style="list-style-type: none"> <li>infringements issued and the amount of money recouped</li> </ul>			it is difficult to identify location trends				
4.5 Report on the number of illegal dumping incidences for annual reporting on Council's <i>Waste Minimisation and Management Plan</i>	Not currently recorded	Residents, visitors	See above	Community Safety	N/a	Existing	Ongoing & Annual
4.6 Undertake periodic litter audits of hotspots (dependent on funding available) to guide Council's services and grant opportunities	N/a	Residents, visitors	Locations thought to be hotspots	Operations, Sustainable Assets	N/a	Existing, grants	Ongoing, staff resourcing and budget permitting
4.7 Collect data on tonnes of litter and dumped rubbish by companies contracted out by the Operations Department  <i>Note: Litter and dumped rubbish is also collected internally by Council</i>	Not currently recorded	Residents, visitors	Various	Operations	Penport (main collector of dumped rubbish)	Existing	Ongoing
4.8 Collect data on cubic metres of litter and dumped rubbish collected and taken to FRRRC	General litter, dumped rubbish	Residents, visitors	Various	Operations	N/a	Existing	Ongoing
4.9 Collect data on estimated percentage of waste collected and taken to the Operations Centre that is hard waste	Dumped rubbish	Residents, visitors	Various	Operations	N/a	Existing	As required. Considered to be 70% on average
4.10 Collect data on litter collected by litter truck and sent directly to landfill	General litter	Residents, visitors	Various	Operations	N/a	Existing	Ongoing



Action – Data collection and reporting	Main litter or waste types	Main source of litter/ dumped rubbish	Primary Litter Location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
4.11 Provide waste and recycling data to Sustainability Victoria: <ul style="list-style-type: none"> <li>SEPP Kerbside Recycling</li> <li>Local Government Data Survey (including tonnes of garbage, recycling and green waste generated and diverted from landfill)</li> </ul>	General waste and recycling	Residents	Various	Recycling Services	N/a	Existing	Ongoing & Annual
4.12 Complete Local Government Performance Reporting Form (LGPRF) to report: <ul style="list-style-type: none"> <li>Kerbside bin collection requests per 1,000 households</li> <li>Kerbside collections bins missed for 10,000 households</li> <li>Cost of kerbside garbage bin collection service per bin</li> <li>Cost of kerbside recyclables collection service per bin</li> <li>Kerbside collection waste diverted from landfill</li> </ul>	General waste and litter	Residents	Road reserves	Recycling Services	Victorian Government	Existing	Ongoing & Quarterly
4.13 Undertake kerbside audits of household garbage, recycling and green waste bins to assess volume sufficiency, identify common contaminants and ways to improve waste disposal options for items that may become illegally dumped litter	General waste and recycling	Residents	Road reserves	Recycling Services, Sustainable Assets	Solo Resource Recovery	Existing	Annual (May)



## Strategy and policy

**Objective 5:** To provide a strategic /policy framework to minimise illegal littering and rubbish dumping.

Action - Enforcement	Main litter or waste types	Main source of litter/ dumped rubbish	Primary Litter Location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
5.1 Implement Council's <i>Waste Minimisation and Management Plan 2015 - 2020</i> and report progress to Council on its delivery annually	General waste, recycling and litter, dumped rubbish	Residents, visitors	Various	Sustainable Assets, Recycling Services, Operations, Community Safety, Community Relations, Commercial Services, Infrastructure	N/a	Existing	Ongoing & Annual (final report)
5.2 Implement Council's <i>Waste Management Guidelines for Multi-Unit Developments (MUDs)</i>	Dumped Rubbish	MUD residents	Outside MUDs	Planning and Environment, Recycling Services, Sustainable Assets	SALT	Existing	2016-17
5.3 Develop Council's <i>Litter and Dumped Rubbish Management Plan</i> (this document)	All types	All	Municipal wide	All departments – where indicated	N/a	Existing	2016-17



## Advocacy

**Objective 6:** To advocate on behalf of the Frankston City community to relevant organisations with litter management responsibilities in order to minimise illegal littering and rubbish dumping.

Action - Enforcement	Main litter or waste types	Main source of litter/dumped rubbish	Primary Litter Location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
6.1 Advocate to the State Government for additional funding (e.g. from the landfill levy) and support for improved litter, waste and dumped rubbish management services	General waste, recycling and litter, dumped rubbish	Residents, visitors	Various	Council, Executive Management Team (EMT), Recycling Services, Sustainable Assets, Operations, Community Safety	N/a	Existing	Ongoing
6.2 Advocate for better communication and a more targeted response to litter and dumped rubbish outside Department of Health and Human Services (DHHS) properties	Dumped rubbish	Residents	Outside DHHS housing	Council, EMT, Community Safety, Sustainable Assets	Victorian Government	Existing	Ongoing
6.3 Advocate to VicRoads and VicTrack for better management of litter and dumped rubbish on roads, roadsides, train lines	General litter and dumped rubbish	Residents, visitors	Road reserves, train lines	EMT, Operations, Community Safety	VicRoads, VicTrack	Existing	Ongoing
6.4 Participate in local government network meetings to build capacity and knowledge of Councillors and staff and to improve communication and	All types	All	Various	Councillors, Recycling Services, Operations,	Sustainability Victoria, MWRRG	Existing	Ongoing



Action - Enforcement	Main litter or waste types	Main source of litter/dumped rubbish	Primary Litter Location/s (where relevant)	Council Responsibility (lead dept. appears first)	Partner(s)	Budget	Timeframe (Ongoing/ Specific Time)
advocacy to the state government (i.e. Local Government Waste Forum, Waste Education Network, Councils Litter Environment Action Network				Community Safety, Sustainable Assets			
6.5 Work in partnership with the state government and related agencies to help manage litter and dumped rubbish in the community and improve research and best practice approaches	All types	All	Various	Operations, Community Safety, Sustainable Assets	Sustainability Victoria (in particular the Victorian Litter Action Alliance), MWRRG (CLEAN), Melbourne Water, EPA Victoria	Existing	Ongoing

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## Recommended future priority actions

**Objective 7:** To (a) identify gaps in Council's services and actions, (b) suggest additional actions to address these gaps and (c) estimate the budget and resources required to undertake these actions to minimise the impacts of litter and dumped rubbish in Frankston City.

 Highest, most urgent future priority actions identified in multi-departmental internal consultation

 EMT prioritised action (from previous consultation)

Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
7.1 Councillor requests prioritised over logged reports impacting on the prioritisation of responses	(a) Undertake a review of the current process and document the impacts to inform EMT and Councillors	Dumped rubbish	Community Safety, Recycling Services, Operations	N/a	2016-17	TBD
7.2 Dumped rubbish, mainly due to: <ul style="list-style-type: none"> <li>Limited options for residents to dispose/recycle items that cannot go in their household recycling bin</li> <li>Lack of community understanding</li> </ul>	(a) Review Council's At Call Hard Waste and Bundled Green Waste collection service to ensure cost-effectiveness, affordability and accessibility, including for low income and MUD households and those without a car	Dumped rubbish – mattresses, TVs etc.	Council, EMT, Recycling Services, Sustainable Assets, Community Safety	DHHS	TBD	TBD
	(b) Submit an Expression of Interest (EOI) to participate in ASPIRE, to assist local manufacturers with accessing disposal options for materials between other businesses	Dumped rubbish	Community Relations, Recycling Services	Manufacturers	TBD – possibly 2017-18 (EOI process commenced)	\$5k one-off, \$10k per year

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
about charity donation kerbside collection procedures <ul style="list-style-type: none"> <li>A lack of community awareness about what items can be taken to FRRRC for free</li> <li>High waste disposal costs for manufacturers</li> </ul>	(c) Evaluate the Specialty Recycling Hubs to gauge their effectiveness and future need for providing residents with alternative specialty recycling options	See Specialty Recycling Hub information on Council's <a href="#">Bin Information</a> web page	Recycling Services, Sustainable Assets, Operations	CMA Ecocycle, Green Collect, ARP, Red Group	2017-18	34 hours of staff time: <ul style="list-style-type: none"> <li>Audit – 45 minutes per weekly collection over a 3 month period – Total: 20hrs</li> <li>Survey design – 8 hours</li> <li>Survey promotion – 4 hours</li> <li>Data analysis and report – 16 hours</li> </ul>
	(d) Research the feasibility of introducing a number of facilities across the municipality where unwanted items and materials can be dropped off for recycling	Dumped rubbish – mattresses, TVs etc.	Recycling Services	N/a	2017-18	Existing resources
	(e) Increase promotion of free services at FRRRC	Dumped rubbish	Recycling Services, Community Relations, Sustainable Assets	N/a	Ongoing	Within existing budget
	(f) Undertake research and provide targeted resources for a pilot study with selected owners corporations, real estate agencies and MUD	Dumped rubbish, general waste and litter	Sustainable Assets, Recycling Services, Community Relations	Owners Corporations	TBD	6 weeks staff time (funding excludes auditing which

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
7.2 Continued	<p>communities to help educate them on appropriate waste disposal options.</p> <p><i>Note: Timeframe should be influenced by the outcomes of point 2a above</i></p>					may be required, depending on the survey results)
	(g) Investigate the use of State/Local laws and regulations to enforce the public display of Owners Corporation contact information at MUDs	Dumped rubbish	Community Safety	Owners Corporations	2017-18, 2018-19	Existing resources
	(h) Develop and install permanent and movable educational signage at roadside hotspots using Sustainability Victoria's best practice guides (e.g. warning that areas are under surveillance (real and imitation)	Dumped rubbish	Community Safety, Sustainable Assets, Operations	Sustainability Victoria	Resource dependent	\$10-15K one-off
	(i) Identify and work with charity/business clothing collectors that target households via plastic bags in mailboxes to minimise the risk of theft and litter	Clothing, plastic bags	Sustainable Assets, Community Safety	Charities and businesses that distribute plastic bags for clothing collections	2017-18	Existing resources
	(j) Contact local charities annually to check their household donation collection procedures and add these to Council's Knowledge Management System (KMS) if needed, so that Customer Relations	Furniture	Sustainable Assets, Community Relations, Community Safety, Recycling Services	Local charities	Annually, commencing 2017-18	Existing resources

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
7.2 Continued	can use it to respond to enquiries					
	(k) Investigate the feasibility of charity clothing bins at FRRRC, and if applicable, set up a tender process for the service and promote it once up and running	Bags of clothing	Recycling Services	Charities that provide clothing donation bins	TBD	\$1,000 per year (for promotions)
7.3 Lack of available staff and resources to respond to reports of dumped rubbish, which slows response times	(a) Implement rapid response team for responding to reports of dumped rubbish (investigation, collection and enforcement)	Dumped rubbish	Community Safety, Operations, Recycling Services	N/a	Commenced	Ongoing – Current operational budget
	(b) Install and maintain additional mobile CCTV cameras at hotspots	Dumped rubbish	Community Safety, Operations	N/a	Commencing 1 July 2017	Current operational budget
7.4 Persistent litter and dumped rubbish, including along roads, roadsides and train lines	(a) Increase advocacy and develop a campaign to secure greater action, support and funding from Victorian government agencies to manage litter and dumped rubbish more effectively	All types	Council, EMT, Community Relations, Community Safety, Sustainable Assets, Operations	VicRoads, VicTrack	2017-18	Funding may be required
7.5 Litter (including drink containers, plastic bags and other single-use plastics) accumulating along roadsides in undergrowth and	(a) Expand the roadside vegetation clean-up program on a needs basis to address undergrowth where litter is accumulating	General litter	Operations	VicRoads	Pending funding, ongoing	Needs based
	(b) Review street sweeping schedule, targets and implementation annually to ensure service levels meet demand, staffing is adequate	General litter	Operations	N/a	2016-17 and ongoing	Existing resources

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
in hotspots, and then traveling into Port Phillip Bay via stormwater drains and waterways	and targets are being met					
	(c) Review the number and effectiveness of litter traps to determine if management changes or additional traps in particular areas would be beneficial	General waste and litter	Infrastructure	N/a	TBD	\$10-20K for consultant or 80 hours staff time
	(d) Implement the WSUD/stormwater treatment projects in Council's adopted Integrated Water Action Plan	General waste and litter	Infrastructure, Sustainable Assets, Operations	Melbourne Water	2016-17 and ongoing	\$10.6M over 10 year plan with possible external funding contributions
	(e) Develop and implement a 'refuse (single-use plastics) and reuse' campaign	Single use plastics	Sustainable Assets, Community Relations	Victorian Litter Action Alliance, food premises	2017-18	Existing resources
	(f) Advocate for a Victoria wide container deposit scheme and lightweight plastic shopping bag ban	Drink containers and lightweight plastic shopping bags	Council, EMT, Sustainable Assets	Victorian Government, other local councils	2017-18	Existing resources
	(g) Explore innovative ways to prevent litter and inspire people to use the public bins or take their rubbish with them (e.g. through art projects)	General waste and litter - Young Street, Frankston near hot spots (e.g. bus stops)	Sustainable Assets, Recycling Services, Infrastructure	Victorian Litter Action Alliance	Ongoing	Grant funding dependent
	(h) Develop and implement source reduction plans for targeted litter items based on Council and community clean-up data and litter audit data from hotspots	To be determined from audits – e.g. charity bags	Sustainable Assets, Operations, Community Safety	To be determined from audits	2017-18 and ongoing	<ul style="list-style-type: none"> <li>Develop plans – existing resources</li> <li>Implement – likely to require additional</li> </ul>



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
7.5 Continued						funding
	(i) Design Council car parks to enable improved access by the street sweeper for litter collection	General litter, cigarette butts	Infrastructure, Operations, Facilities	N/a	2016-17 and ongoing	Existing resources
7.6 Waste and litter generated and left behind at Council and community events and also flushed down the public toilets	(a) Review Council's event guidelines, forms and terms and conditions, with consideration of: <ul style="list-style-type: none"> <li>• Post-event clean up needs</li> <li>• Number of bins needed</li> <li>• The potential for a ban on the distribution of plastic bags</li> <li>• Strategies to facilitate reuse over the distribution and use of single-use plastics wherever possible</li> </ul>	Single-use plastics,	Arts and Culture, Sustainable Assets, Facilities, Recycling Services, Operations	N/a	2016-17, 2017-18	Existing resources (review only)
	(b) Provide sanitary napkin bins (women's toilets) and nappy disposal bins (change table rooms) in Council's public toilets during major events, and investigate the need and feasibility of introducing them permanently	Sanitary napkins, nappies	Arts and Culture, Facilities	TBD	Major events component: 2017-18 and ongoing  Bin permanency investigation: 2018-19	TBD
	(c) Investigate a ban on the distribution of balloons at all public events on Council land and Council managed land	Balloons	Arts and Culture, Sustainable Assets	N/a	TBD	TBD
7.7 Litter generated at	(a) Strengthen litter and waste	Food and drink	Community	Sporting clubs	2017-18	Existing resources

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
sporting reserves (Council managed land), left behind after matches and added to by passes by	management requirements of sports clubs utilising Council's sporting reserves (e.g. through tenancy agreements and other conditions)	packaging and containers	Strengthening, Commercial Services, Recycling Services, Sustainable Assets			
	(b) Investigate the feasibility of incorporating in the design of sports club facilities, a requirement for a contained area to store the sports club lockable skip bins to prevent illegal dumping around the area	Food and drink packaging and containers	Community Strengthening, Facilities	Sporting clubs	Ongoing	Incorporated into new builds of pavilions.  Stand-alone bin compounds can be provided at parks – estimate \$17K
	(c) Investigate the possibility of Council providing rubbish bins and recycling bins for sports clubs to assist in the control of rubbish	Food and drink packaging and containers	Community Strengthening, Recycling Services	Sporting clubs	Resource dependent	TBD
7.8 Cigarettes butts (including in non-smoking zones) and dog poo make up a high proportion of the local litter stream	(a) Review non-smoking zones and placement of public ashtrays to ensure areas where smoking is permitted are clearly marked	Cigarette butts	Community Safety, Recycling Services, Infrastructure	Buttout	2017-18	Existing resources
	(b) Develop and install educational signage at litter hotspots	Cigarette butts, dog poo	Sustainable Assets, Community Safety, Operations, Infrastructure, Community Relations	Beach Patrols	TBD	Estimate \$5K per hotspot (needs based)
	(c) Provide greater enforcement of hot spots associated with cigarette	Cigarette butts, dog poo	Community Safety	Beach Patrols, Sporting clubs	Dog poo component:	Dog poo litter component –



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
7.8 Continued	butts and dog poo litter				2017-18  Cigarette butts component: Resource dependent	Resource requirements dependent on outcome of Domestic Animal Management Plan review (in progress)  Cigarette butt litter component – 1 full time enforcement officer for effective management of the issue
7.9 Local litter data poorly documented or communicated on: <ul style="list-style-type: none"> <li>• Litter and dumped rubbish hotspots</li> <li>• Breakdown of common litter types and volume of dumped rubbish</li> </ul>	(a) Establish a process for monitoring, recording and reporting litter and dumped rubbish types and volumes/weight to inform future actions.  Then, make recording dumped rubbish/litter types and amounts part of the: i. Knowledge Management System (KMS) procedure for Customer Relations responding to customer reports	Dumped rubbish	Community Safety, Operations, Community Relations, Sustainable Assets	N/a	TBD	TBD

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
and Gross Pollutant Traps (GPTs) • Total cost of managing litter and dumped rubbish	ii. 'My Frankston' Council app report template					
	(b) Maintain a list of litter and dumped rubbish hotspots, e.g. a Geographic Information System (GIS) map of hotspots identified from analysis of pathway requests	TBD	Community Safety, Operations	N/a	TBD	TBD
	(c) Conduct litter audits at selected hot spots and use data to inform Council's understanding of the types of litter dumped and ways to address this (also see action 5h)	To be determined from audits	TBD	TBD	2017-18	\$3-4K per site
	(d) Undertake an analysis of Council's current total costs associated with managing litter and dumped rubbish	All	TBD	N/a	2016-17	TBD
7.10 Lack of consistency with the methodology of community litter data collected, making comparisons difficult	(a) Promote use of the AMDI reporting system in beach clean-ups undertaken by community groups and individuals	General waste and litter	Sustainable Assets, Operations	Environmental volunteers	2016-17 and ongoing	Existing resources
7.11 New and existing bin infrastructure not fit for purpose (e.g. inadequately placed, inconsistent)	(a) Utilise Sustainability Victoria's Public Place Recycling Toolkit to inform new and existing bin infrastructure needs (e.g. number, design, location, signage) and develop design standards	General waste and litter	Infrastructure, Recycling Services, Sustainable Assets	Sustainability Victoria (Toolkit)	2016-17 (commenced) and ongoing	\$2000 per new bin enclosure (excluding staff time to develop standards)

**Attachment A: DRAFT - Litter and Dumped Rubbish Management Plan - Updated April 2017**



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
design, overflowing bins) or cost effective	(b) Review Council's dog waste bin service to establish if it would be beneficial to remove them/replace them with public place garbage bins used for general waste	Dog poo	Recycling Services, Community Safety	Cleanaway	2017-18	N/a (May result in savings)
7.12 Lack of community access to a comprehensive and centralised waste and recycling web-based search tool and mobile application for waste disposal information which may lead to dumped rubbish	(a) Undertake research on different waste app option for mobile devices and web based databases	General waste and litter, especially recyclables	Sustainable Assets, Recycling Services	App developers with web database experience	2017-18	Estimate \$5-10k one-off, \$5k each year thereafter (TBD based on outcomes of research)
7.13 Design of new Council facilities not providing a suitable space for garbage and recycling bins and for collection vehicle access, resulting in overflowing bins and private bins in public areas,	(a) Ensure the design of Council facilities include adequate space for the tenant's garbage and recycling bins	General waste and litter	Facilities, Service Managers	Architects	2016-17 and ongoing	N/a (should be included in design)



Gap / problem identified	Action	Main litter or waste types	Council Responsibility (lead department appears first)	Partner(s)	Timeframe (start time, duration)	Estimated Budget / Resources Required
thereby attracting litter and illegal dumping						
7.14 Councillors not aware of Council's existing actions to manage litter and dumped rubbish	(a) Present the draft Litter and Dumped Rubbish Management Plan to Councillors to inform them and seek input on future improvement actions	N/a	EMT, Community Safety, Sustainable Assets, Recycling Services, Operations	N/a	2016-17	Existing resources

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## Appendices

### Appendix A: Existing service standards and processes

Service standard	ReM / website link
Parks and public spaces service standards and processes	<a href="#">A3073025</a>
Service standards and processes from Facilities Maintenance Contract	A3135643 and A3135652
Road Management Plan	<a href="http://frankston.vic.gov.au">frankston.vic.gov.au</a>
Service standards and processes from Waste Management Unit	A1524890
Standard operating procedure – dealing with litter and illegally dumped rubbish	<a href="#">A3058758</a>

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## Appendix B: Acronyms and Glossary

Acronym / Term	Meaning
AMDI	Australian Marine Debris Initiative
CAA	Central Activities Area
DHHS	Department of Health and Human Services
EMT	Executive Management Team
EOI	Expression of Interest
EPA	Environment Protection Authority Victoria
FRRRC	Frankston Regional Recycling and Recovery Centre
GIS	Geographic Information System
GPT	Gross Pollutant Trap
HOW	Halve Our Waste
Kern program	A mobile application which enables officers in the field to update Council's asset management system (also known as the Frankston Asset Management Information System or FAMIS) on the spot
KMS	Knowledge Management System
LGPRF	Local Government Performance Reporting Form
MUD	Multi-Unit Development
MWRRG	Metropolitan Waste and Resource Recovery Group
Pathways	Council's corporate reporting system, also known as Hanson
SME	Small and Medium-sized Enterprises
WSUD	Water Sensitive Urban Design

DRAFT



Case Ref: 2017/00244

16 March 2017



FG4967

Mayor Cr Brian Cunial  
30 Davey Street  
FRANKSTON VIC 3199

Dear Cr Cunial

Thank you for your feedback dated 10 February 2017, addressed to Mr Andrew Lezala.

I note that you are concerned by the presentation and cleanliness of the Frankston line, in particular the weeds, refuse and graffiti.

I have raised your feedback with our Infrastructure department. They will be spraying weeds along the Frankston line later this month. Following this, a team are scheduled to attend and slash the grass along the rail reserve in April.

Refuse along the rail reserve is collected twice yearly and was last attended to in late February, therefore the rubbish mentioned in your correspondence has been removed.

The three storey railway maintenance building in Seaford does not fall within Metro's graffiti removal program or is a contractual requirement, therefore there are no plans for Metro to remove this graffiti. Our contractual requirement is to remove graffiti if it is offensive or within 50 metres from the end of the station platform. Any buildings, structures or fences located on the rail reserve more than 50 metres from the station precinct fall outside our removal obligations.

We understand community concerns about graffiti as it is also a huge and ongoing issue for us. We spend more than \$10 million each year on graffiti removal. This is money we could spend on upgrading the network and delivering a better train service for everyone.

In December last year, I met with Dennis Hovenden to discuss how we could work together. This was a useful meeting about the Council's strategic priorities related to the station re-development and the rail service more broadly. More recently, we have been working with Council to promote a pram safety campaign along the Frankston line. We are happy to meet with you to discuss matters further.

Thank you again for bringing these matters to my attention. If you require further information or wish to discuss your concerns, please contact Angela Marotta, Head of Customer Relations, on telephone 9610 3567.

Yours sincerely,

Michael Houghton  
Chief Executive Officer

METRO TRAINS MELBOURNE  
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Hon Luke Donnellan MP

Minister for Roads and Road Safety  
Minister for Ports  
CMIN172954  
(File No.: PC033468)

1 Spring Street  
Melbourne, Victoria, 3000  
Telephone: +61 3 8392 6150  
www.lukedonnellan.com  
DX: 210292

Cr Brian Cunial  
Mayor  
Frankston City Council  
30 Davey Street  
FRANKSTON VIC 3199



Dear Cr Cunial

Thank you for your letter dated 14 February 2017, regarding the maintenance of arterial roads in the City of Frankston. I apologise for the delay in responding.

I understand your frustration with the number of complaints received by the community on the condition of the arterial roadside. VicRoads manages more than 22,000 kilometres of arterial roads throughout Victoria in accordance with its Road Management Plan. Maintenance funding is prioritised to ensure the continued safe operation of the arterial road network.

VicRoads advises me that the \$11,253,89 per annum operational works agreement with the City of Frankston is to undertake roadside maintenance on a limited number of road sections in the municipality (mainly boulevards/gateway areas). In addition, it allows for six grass cuts per year in line with VicRoads' wider maintenance contract arrangements. I understand that this has not been able to keep up with the vegetation growth caused by above average rainfalls in recent months.

VicRoads advises me that its representatives met with council staff on 2 March 2017 to discuss a number of roadside matters from an operational and a strategic perspective. I understand that an agreement was made to meet quarterly to ensure collaboration in the delivery of maintenance works including the synchronisation of works.

Should you require any further information, Mr Aidan McGann, VicRoads Regional Director, Metropolitan South East (Tel: 9881 8800), would be pleased to assist.

Yours sincerely

Hon Luke Donnellan MP  
Minister for Roads and Road Safety

6 / 4 2017





*opportunity » growth » lifestyle*

# **Standard Operating Procedure Dealing with Litter and Illegally Dumped Rubbish**

**Community Safety  
April 2017**

**Attachment D: Standard Operating Procedure - Dealing with litter and Illegally Dumped Rubbish**



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## 1 Litter

Litter is the most visible sign of environmental pollution in the community and remains a major environmental concern. The costs to Council and other organisations such as VicRoads, the EPA, community groups and private landowners for the removal of litter are significant and ever increasing.

The presence of litter is also known to contribute to people's perception of their immediate safety in the community and presents a health risk, i.e. syringes, broken glass and toxic chemicals.

Consequently, the benefits of taking action to prevent littering and responding to the issues extend well beyond the immediate visual impacts of litter.

## 2 What is Litter?

The Environment Protection Act 1970 (the Act) defines litter in the State of Victoria as litter that includes any solid or liquid domestic or commercial waste, refuse, debris or rubbish and, without limiting the generality of the above, includes any waste such as glass, metal, plastic, paper, fabric, wood, food, soil, sand, concrete or rocks, abandoned vehicles, abandoned vehicle parts and garden remnants and clippings, but does not include any gases, dust or smoke or any waste that is produced or emitted during, or as a result of, any of the normal operations of the mining, building or manufacturing industry or of any primary industry;

Another way to think of litter is as 'any item that is put where it is not meant to be.'

While the most recent National Litter Index report indicates an overall decrease in littering trends across Australia compared against previous assessments, it is evident that littering is still a major problem.

Ultimately, the control of litter is everyone's responsibility; governments, private industry and the community. Although litter is seen as a serious issue, it is a difficult problem to tackle as people continue to litter despite various attempts to deter them. These litterers may be residents, but also visitors to our City. The impact of littering and the expense in clearing and disposal need to be minimised.



### 3 Dealing with Illegally Dumped Rubbish

Illegally dumped rubbish is a major concern for Council. Illegally dumped rubbish is commonly found outside multi-unit dwellings, on nature strips and in industrial areas. Rubbish dumping that occurs outside multi-unit dwellings is common as the population is often transient and residents do not always know the correct way of disposing of their hard rubbish.

Council officers attend to dumped rubbish problems either via reports (from customers/staff) or as a result of proactive patrols.

On attending a dump site, the officer surveys the rubbish to see if there is any material that might identify the person who dumped it. Material that would identify someone could include:

- Letters, receipts, invoices or other documents showing names and addresses;
- Product boxes with store IDs and/or bar codes that might identify the purchaser;
- Photographs, CDs, memory sticks containing digital files.

Upon the initial inspection the inspecting officer places a sticker & tape around the rubbish with Council's bright yellow 'Illegally Dumped Rubbish' Sticker and 'Illegally Dumped Rubbish' tape. Once this has been completed the rubbish is photographed for evidence and if no identifying information is found over a period of 7 days it is unlikely an offender will be identified and the rubbish is removed.



**Attachment D: Standard Operating Procedure - Dealing with litter and Illegally Dumped Rubbish**



Officers have found that in over 50% of cases, by attaching the sticker and tape on the rubbish, offenders will remove it or contact Council to find out how they can legally dispose of their rubbish. This approach can lead to faster removal of rubbish and savings in clean up costs for Council. It can also help spread the message through a neighbourhood that dumping rubbish is not tolerated by that community.

After placing a sticker and tape on the illegally dumped rubbish, officers should leave Illegal Litter Alert cards at any neighbouring properties, asking residents to contact Council if they have any information about the dumping. See Section 4 below, for further information on these cards.

The officer would then leave the site and return within 48 hours. If there has been no contact and the rubbish is still out on public land, the officer will then organise for it to be cleaned up and removed.

If evidence has been found or a resident has supplied information as to where the rubbish may have come from there are a few things that may occur.

If any evidence has been found in the form of a bill or a letter, a notice would be sent under S.45ZI of the Act. An officer may seek information from a Real Estate Agent, Phone Authority (Telstra or Optus), a business or organisation where the officer believes that the agency may have current details of the person that was involved or has information on how the rubbish was dumped at a location. The penalty for failing to comply with this notice is an 'on the spot' fine of 10 penalty units.

If rubbish has been dumped outside a rental property and there is proof that the tenants or ex-tenants have dumped the rubbish, an officer should contact the Real Estate Agent or owner of the property and organise for them to remove the rubbish; if the ex-tenant's whereabouts is unknown. A S.45X notice may be issued under the Act, directing the tenant, owner/s or Body Corporate to remove the rubbish. The penalty for failing to comply with this notice incurs an 'on the spot' fine of 40 penalty units.

If the rubbish is of a significant amount and an officer identifies the alleged offender/s, the officer should invite the offender/s for an interview. After completing the interview, the officer should assess all of the evidence gathered and if satisfied that a case can be proven, prepare a brief of evidence recommending that a summons be issued.

If the brief is approved, the accused would then be prosecuted in the Magistrates Court of Victoria. If the matter is proven, the prosecutor may also seek Council's clean up costs in addition to the penalty imposed by the Court.

Section 8 of this manual sets out specific, step by step procedures for actioning and investigating each of the common types of litter complaint.



#### 4 Litter Alert Cards

Council has established 'Illegal Litter Alert' cards which are used at multi unit dwellings and properties where rubbish has been illegally dumped on the nature strip or other public land. The cards are left in every letterbox at the neighbouring properties. They advise the resident that officers are investigating an illegal dump and ask them to contact the officer if they have any information as to where the litter has come from.

Officers have found the cards to be very successful at multi unit dwellings, as residents will often call the officer and inform them of whom they witnessed dumping the rubbish. Residents who have dumped the rubbish often receive a card in the mail and remove the refuse without contacting Council.





## 5 Hard Waste Collection

The service provides each household in the municipality one collection of hard waste per financial year; any additional collections can be arranged via WM waste management services. Additional collections come at a cost and visit [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au) for more information.

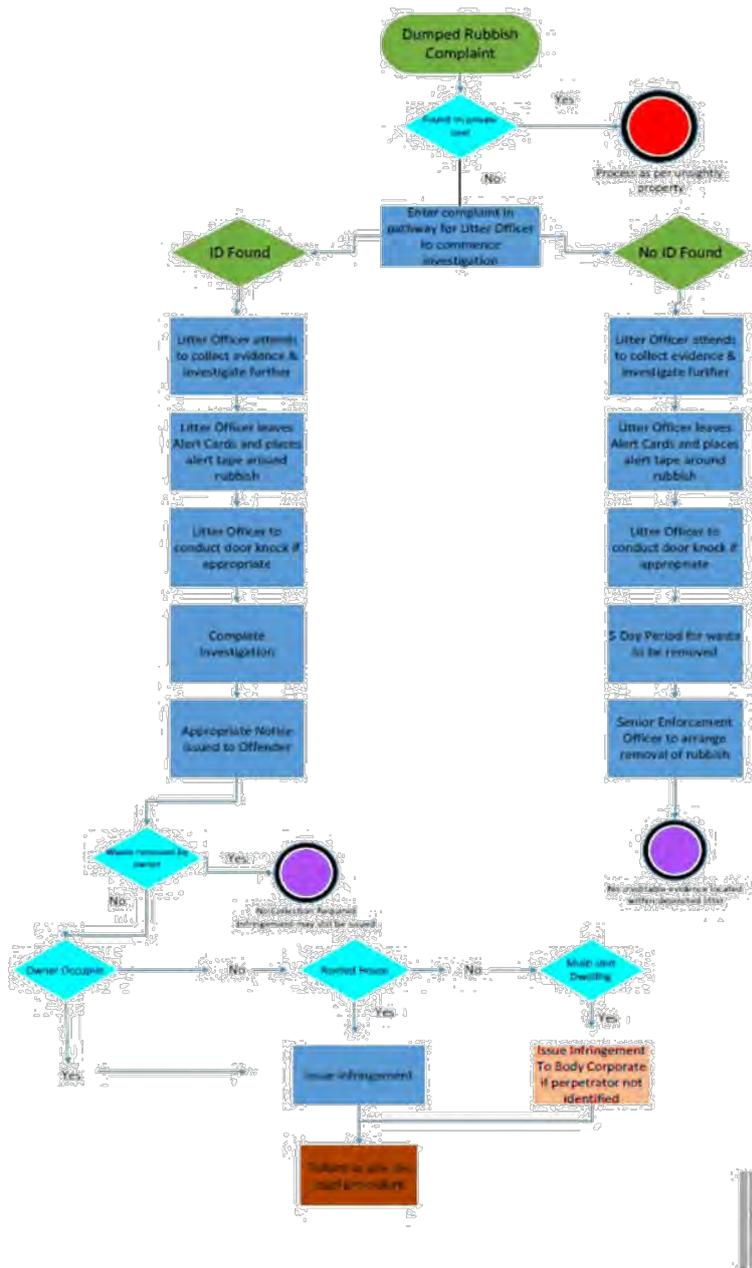
Items collected will be the same as the annual hard waste collection service with the exception of mattresses, which can be collected for an additional charge please contact Council on 1300-322-322 for current pricing.

Hard Waste 'At Call' collection can be collected from the nature strip or inside the owners' property. To book your 'At Call Hard Waste Collection', contact WM Waste Management on 03 9721 1915.

 This is a  **BOOKED**  
**Hard Waste Collection**  
A penalty may apply to Hard Waste  
placed out on your naturestrip that has not been booked  
To arrange a booked Hard Waste Collection  
Please call WM Waste Management Services on  
**9721 1915**  
**ADDING OR REMOVING ANYTHING FROM  
THIS PILE BY OTHERS IS AN OFFENCE**  
**If caught offenders may be prosecuted**



## 6 Frankston City - Dumped Rubbish Flow Chart



### Instructions for Litter Officers

Carrying Booked Collection stickers with you at all times. We can avoid more complaints or complaints that we are not taking action by using these stickers.

Check the hard waste bookings spreadsheet before leaving the office, or take the list with you (Weekly version). The List contains contact numbers of the person/s booking the collection so inquiries can be made direct if required.

At regular stages through this process the complainant must be contacted and provided with either feedback on your investigation, or advice on what action you are planning.

\*\* If the rubbish contains dangerous or hazardous materials, or is blocking a footpath or road, immediately phone through to Operations Centre and request a collection. DO NOT HANDLE THE RUBBISH.



## **7 Notices under the Environment Protection Act 1970**

All Councils who are listed as a Litter Authority with the Environment Protection Authority are able to issue notices under most parts of section 45 of the Act. Council officers need special delegations to issue notices under Sections 45X and 45Y (see descriptions below).

Attached is a brief overview of each section and notices that can be issued by officers, along with advice on when they are most appropriate.

### **7.1 45J Notice**

A person who issues an infringement notice, or files a charge, against a person who is deemed guilty under section 45G(1) or 45G(2) must ensure that the infringement notice, or the charge, is accompanied by a notice under this section. The notice must:

- a) Contain a copy of sections 45E, 45G, 45H and 45I; or
- b) Name the person giving the notice; or
- c) Contain that person's business address.

This notice is to be sent out with any litter infringements where the identity of the litterer is unknown. For example: a cigarette butt thrown out of a vehicle. In the first instance, the infringement would be issued to the last registered owner of the vehicle. They may not have been the driver or the person who flicked the cigarette butt out of the vehicle. This notice advises them of what they need to do if they were not responsible for the offence.

### **7.2 45P Notice**

This notice enables Council to direct an advertiser to disclose the name of the distributor of unsolicited material i.e. posters placed on building, poles etcetera. This section requires the advertiser to provide the name and address of the person who was responsible for distributing the document in a particular area. The person must provide these details to the authorised officer, in writing, within 7 days after receiving a written request from the officer. Failing to comply with this request can render a person liable to an 'on the spot' Infringements.

For example: This notice can be sent out to an advertising company, requesting the name and details of the person/s, who placed brochures on vehicles parked in public land.

### **7.3 45X Notice**

A 45X notice enables Council to direct someone to remove litter if an opinion is formed that any litter that is on, or in, any land or waters under the control or management of the litter authority is, or is likely to become:

- a) Detrimental to the health, safety and welfare of members of the public; or
- b) Unduly offensive to the sense of human beings; or
- c) A hazard to the environment.



The litter authority (Council) may, by written notice direct any person who deposited the litter to do one or more of the following:

- a) To remove or dispose of the litter;
- b) To restore any place affected by the litter to a state as close as practicable to the state it was in immediately before the litter was deposited;
- c) To take any other action in relation to the litter that is specified in the notice within the time specified.

A person who receives such a direction must comply with the notice.

Penalty: Failure to comply with this notice attracts, a fine not exceeding 40 penalty units.

A 45X notice is best described as similar to a notice to comply. The notice specifies what you require the person to do and in what time frame. For example: *to remove the pile of dumped concrete at the end of Taylors Road, Frankston by Thursday 27<sup>th</sup> December 2016.*

#### **7.4 45ZB Litter Abatement Notice**

If an officer believes, on reasonable grounds that a person (or company) carries out any activity that has caused, or is likely to cause, the deposit of litter contrary to section 45E or that a person is the occupier of premises from which litter has, or is likely to, escape, the officer may serve a Litter Abatement Notice on the person.

A Litter Abatement Notice may require the person to do one or more of the following;

- a) To not deposit litter contrary to section 45E;
- b) To ensure that no litter escapes from any premises occupied by the person;
- c) To do, or not do, specified things to ensure that the person does not breach this Part.

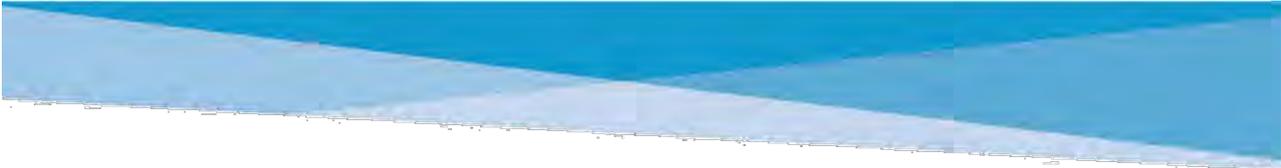
A person who has been served with a Litter Abatement Notice must comply with the notice.

A Litter Abatement Notice may specify a period of time within which any requirement it imposes must be complied with i.e. within 14 days of the date of the notice.

A Litter Abatement Notice must also contain a copy of sections 36AA, 45ZB, 45ZC and 45ZE; specify the period for which it remains in force (maximum 3 years); and be signed by the person giving the notice (the officer).

#### **7.5 45ZI Notice**

The purpose of a 45ZI notice is to enable Council to write to an individual or company requesting information where a litter enforcement officer believes, on reasonable grounds, that the individual or company had possession of particular litter at some time in the past. The notice requires the individual or company to respond within 14 days, or by a date specified by the officer. The notice also requires the respondent to provide in writing:



how, when, where and why the litter left their possession and the name and address of anyone who had possession of the litter after them.

If an individual responds to a notice making admissions to dumping rubbish they may be issued an Official Warning or an 'on the spot' infringements.

This notice can be issued to anyone where litter has been found that can tie the object to the individual or corporation. For example: where a utility company bill has been found in a dump of rubbish that has a person/company name and address, a 45ZI notice can be issued giving them 14 days to respond to Council with how the rubbish left their possession.

**Note:** Examples of Notices are included at the rear of this manual.

## 8 Officer Procedures

The following section sets out detailed procedures for dealing with each key form of littering.

### 8.1 Pedestrian Observed Depositing Litter

The following relates to small items of litter dropped by a pedestrian and observed by an officer. Small items of litter might include food wrappers, drink containers, cigarette butts. S.45E of the Act applies in these cases.

- a) Approach person, detail observations then interview in relation to incident.
- b) Obtain name, DOB, address, reason for littering and other relevant details.
- c) Request offender to remove litter. Explain that failure to remove is a further offence.
- d) If person complies with request, assess as to appropriate course of action (Official Warning, Infringement Notice or prosecution).
- e) If person fails to comply, issue infringement notice or court proceedings, as the case may warrant.
- f) Collect any evidence at site (i.e. item of litter) and take photograph of scene if practical.
- g) Record details for future reference. Attach to infringement notice record in Property & Rating.

### 8.2 Litter Dropped from Vehicle

Where a vehicle is associated with littering, the offence is classified as *Aggravated Littering* (S.45F) and therefore attracts a higher penalty. Other forms of *aggravated littering* are dealt with later.

Even small items of litter dropped from vehicles fall into the *aggravated littering* classification, simply because of the vehicle involvement. Care must therefore be taken when selecting the correct infringement to be issued in these cases.



Littering of this type will often be observed by officers when on patrol i.e. cigarette butts thrown from car windows. Officers are expected to act on such observations whenever they can safely note and record details of the offence. Reports of this type of littering will also be regularly received from customers and other Council staff. The procedures to be followed are set out as follows.

### **8.3 Officer Observed Aggravated Littering (small items)**

- a) Note details of vehicle – make, model, colour, registration no., Location, direction of travel, no. of occupants.
- b) Note how litter was dropped – i.e. from driver’s window. Also note type of litter e.g. cigarette butt (was it lit or not lit?)
- c) If safe to do so, photograph vehicle.
- d) Obtain last registered owner’s details from VicRoads. Check that registration record and officer notes match in terms of vehicle description.
- e) Issue Infringement Notice to registered owner. Also issue S.45J notice to last registered owner and then mail both items to owner’s address.
- f) Record details for future reference. Attach to Infringement Notice record in Property & Rating.

### **8.4 Report of Aggravated Littering (small items)**

- a) Where a report is received from another person, refer the matter to the EPA reporting hotline.

### **8.5 Other Forms of Aggravated Littering**

The offence of *aggravated littering* also applies to instances where the litter includes any glass, metal, earthenware or crockery; or any materials that is a danger to any person or animal or to any land, waters, or vehicle.

In these cases, officers should take the following actions.

- a) If littering is reported by another person, attend scene and assess complaint.
- b) If satisfied that illegal dumping has occurred, search litter for any evidence as to who may have dumped it. Follow correct OHS practices during search.
- c) Photograph scene. At this point the site should be assessed to determine whether litter should be removed immediately. For example, it might contain hazardous materials, be creating an obstruction or be particularly unsightly.
- d) If litter requires immediate removal, arrange for request to be allocated to operations to be completed ASAP. If it can be left safely for a short period, mark with litter tape or sticker, so that residents are aware Council is dealing with the matter.
- e) In any event, litter should not remain on-site for longer than 14 days from the date/time it is inspected by an officer.
- f) Interview complainant to see if they have any further information to assist investigation.

- g) If appropriate, door-knock surrounding properties, to see if there are further witnesses. Leave 'Illegal Litter Alert' cards at properties where no-one is home.
- h) Attempt to trace offender.
- i) If litter search uncovers any documents providing name/s and address/s, send a S.45ZI notice to person/s named, requesting that they provide information as to how they disposed of the litter.
- j) If person fails to respond, in writing, to the S.45ZI notice, forward an infringement notice for such failure.
- k) If offender is traced through any other means, invite them to be interviewed in relation to the matter.
- l) If appropriate, serve a S.45X notice on offender, requiring removal of litter.
- m) If sufficient evidence of offence/s is present, prepare a brief of evidence.
- n) If offender fails to respond to S.45X notice, consider additional charge for brief.

## 9 Dealing with Hazardous Materials

If Council receives a report for dumped rubbish where there is believed to be hazardous materials that have been dumped, an officer should attend and tape off the area. Hazardous materials may include: asbestos, oil drums, contaminated or poisonous materials. Council would then organise for Contractors to remove the refuse from public land.

Officers should not handle any material that appears to be hazardous. Contact time with any such material should also be kept to the absolute minimum required.



When requesting clean-up of suspected hazardous material, officers must include in the request as much detail as possible about the potential hazard, to enable clean up staff to properly prepare and deal with the risk.

## 10 Traders waste around street litter bins

Council regularly deals with trader's waste that has been dumped in or around public litter bins. An officer would investigate to see if they can identify where the refuse has come from. The type of litter that is often found dumped includes: cardboard boxes, oil drums and food scraps. The investigating officer would initially deliver a letter to the traders advising that is an offence to place rubbish in public litter bins or leave rubbish next to the bins or on public land. If the problem persists after a warning letter has been issued, the officer may issue a Litter Abatement Notice to traders, under the Act, advising them to not allow any waste from their business to exit their property.



## 11 Dealing with Building Sites and Builders Refuse

Council is very proactive in dealing with building sites and ensuring that builder's rubbish isn't coming off the site onto the public land. The most common problems that Council faces with litter from building sites is in the form of; mud, sand or builder's waste.

Where a problem is identified, an officer would attend and attempt to make contact with the builder on site. If this can't be done, the officer should contact the building company, to advise them of the litter concern. If a building site has rubbish or mud/sand associated with it escaping from the property onto public land, a Litter Abatement Notice would be appropriate. The notice remains effective for a period of up to 3 years.

Council sets out the requirements on what needs to occur on the notice. This is an example of the directions given on a notice when dealing with a building site.

*"Do not allow any litter rubbish or builders refuse including mud and/or sand to escape the property boundaries. Please ensure all builders refuse and litter is placed into an adequate refuse facility."*



## 12 Commercial Recycling and Donation Bins

Council does not allow recycling bins or charity bins to be placed on public land, without a permit. Council has previously come across commercial recycling bins that appear on Council Land. When this occurs the officer would attend the site and try to establish who the owner of the bin is.

If the owner can be established, a S.45X notice would be served, requesting that the bin be removed from public land by a certain time or date. If the bins are not removed by the owner, Council would then organise for them to be impounded and securely stored by contractors.



## 14 Authorities and Delegations

Before any of the powers and authorities set out in this manual can be applied, officers must be appointed as 'Litter Enforcement Officers' under the Act. An example of a 'Deed of Appointment' is enclosed in the Appendix.

Whilst appointment as a Litter Enforcement Officer covers most of the provisions set out in Part VII of the Act, it does not provide authority to issue notices under sections 45X and 45Y. Officers need specific delegation before these provisions can be used.

Under section 98 of the *Local Government Act 1989* Council has delegated certain authority to the Chief Executive Officer (CEO). The CEO has then in turn delegated some of that authority to the Manager Regulatory Services (MRS). Specifically, the MRS has delegated power to appoint Litter Enforcement Officers and authorise them to issue notices under S.45X and 45Y.

It is important for officers to check and confirm that they have received these delegations in writing, before exercising any powers under the Act.



## **Appendix Examples of Notices**

At Ordinary Meeting dated 30 January 2017, Council resolved:

*The document titled "Possible Initiatives to Rid the City of Trolleys and Rubbish" (Seiffert, B. 2017) also be considered in the May 2017 report to Council."*

In response to this, the below table responds to this Notice of Motion.

Recommendations: Shopping trolleys	Response
1. Through regular surveillance, impound <b>all</b> trollies with release fees being adequate to meet costs.	<p>Currently the number of impounded trolleys and subsequent release fees show a net cost of negative \$3,321.</p> <p>The 2017-18 fees will enable a cost neutral service however, this will depend on volume of trolleys impounded.</p> <p>.All retailers are charged a \$55.00 per trolley release fee.</p> <p>As of 1 July an impound fee of \$40.00 per trolley will also be charged.</p>
2. Ensure there is a 7-day pick-up of errant trollies.	<p>Trolley Tracker and retailers employ a service to collect errant trolleys 7 days per week. All found trolleys in the city centre are tagged and the owner called and given 4 hours to pick them up. Outside of the city centre it is 24 hours. The service commences 7.30am. Please see above.</p>
3. Increase publicity emphasising that errant behaviour in regard to trolleys is actually adding to the cost of products.	<p>An advertorial has been prepared for release highlighting the total cost to Council illegal dumping of litter and trolleys. The issue of additional product costs has been raised with retailers, however, there is no evidence to support making those claims.</p>
4. Encourage the public to promptly report errant trolleys	<p>Retailers currently do this in store and on the trolleys themselves, which is reasonably consistent across the country. A media campaign including an advertorial will be run in newspapers Frankston City News, on noticeboards and social media.</p>
5. Explore with the stores the possibility of using GPS controlled wheels	<p>Major retailers currently utilise a proximity base wheel locking system. Implementation of this system has been a significant cost to the retailers. The national chains would need to endorse a change to this system.</p> <p>The GPS proposal has been discussed with retailers who state this has been looked at by national management but would make the cost of trolleys excessive.</p>
6. Put portable CCTV cameras in locations where there is repeat offending e.g. the	<p>We are currently reviewing the mobile fleet of cameras to identify fit for purpose</p>

**Attachment E: REPLY - Mr Seiffert - Possible Initiatives to Rid the City of Trolleys and Rubbish**

Ambassador and opposite the Court House	technology that may assist. Cameras need to be located where there is no privacy issues, on fixed infrastructure, beyond reach and not interrupted by excessive movement.
<b>Recommendations: Roadside rubbish</b>	<b>Response</b>
7. Review processes to achieve efficiencies (vis a vis responses to tree branches on nature strips)	<p>Procedures have been reviewed and revisited. Resources have increased by 1 EFT and been consolidated.</p> <p>Where pruned tree branches are left on the nature strip Council considers these to be dumped rubbish to be enforced under the Environmental Protection Act. This would apply to commercial businesses, residential owners and utility companies.</p>
8. Staff with a Council vehicle need to have an incentive to report rubbish through the App similarly for residents	<p>All Council officers with a Council phone can use My Frankston App or Snap Send Solve or send an email or phone. Residents have the same options to advise council of dumped rubbish. An advertorial highlighting the issues and the costs and seeking their support to report will placed in the newspapers and on the website.</p> <p>This is considered to be part of a Council Officer role and will be reinforced.</p>
9. Use mobile VMS in streets where there is evidence of prolific rubbish dumping, eg Lindrum Drive and Lardner Road.	VMS boards have been used in the past and further use would be encouraged.
10. Develop with Depot and Compliance staff a workable strategy that involves regular inspections of the City's gateways and key roads.	<p>Service standards have been endorsed and are being trialled along with program audits and inspections.</p> <p>Two rapid response teams have been established together with programmed audits.</p> <p>An analysis of the opportunities and impacts of working a shared maintenance arrangement is being undertaken. Key sites/roads are being identified as part of this process..</p>
11. Take a strong approach to rubbish dumped outside industrial/commercial premises, eg Brunel Road and Stephenson Road.	Two full time Litter & CCTV Officers will enable council to undertake proactive controls in hot spot locations such as industrial estates.
12. Report monthly to open council in a simple form (and including financials) which will soon highlight the extent of the problem and the need for adequate resources to address it. This will be useful in trying to	<p>YTD 23,000 investigations have been undertaken 3,400 of which were dumped rubbish.</p> <p>Litter statistics will be included in Community Safety Quarterly Performance</p>

<p>justify a variation in council's rate cap on the basis that the lack of adequate legislation is penalizing ratepayers.</p>	<p>Report that is presented at Open Council.</p>
<p>13. With the distribution of each Council newsletter, include a well-designed, adequately worded flyer outlining:                  On the rear side, the availability of waste and recycling facilities.                  On the front:                  The impact of illegal dumping on the community, ie actual costs in rates and devaluating of properties.                  The need for the community to be part of the solution.                  Brief summary of council's commitment to addressing the issue.                  Encouraging people to immediately report illegal dumping on a confidential basis.                  Outline of process to be followed to deal with the dumping, including penalties for non-compliance.</p>	<p>Community Safety will work closely with Media and Communications to regularly promote Council's Recycling Facilities and the impact of illegally dumped waste on the community and the associated costs.                  An advertorial has been prepared for release highlighting the total cost to Council illegal dumping of litter and trolleys.</p>
<p>14. Prepare a flyer (similar to 7.) to be mailed to all landlords recorded on the rates register, imploring them to take responsibility for minimizing the practice of renters placing unwanted furniture, etc on nature strips, by withholding bond monies for non-compliance by renters</p>	<p>See above response. Flyers can be included in rates notices to landlords. Officers are currently liaising with Real Estate Agents in relation to dumping of rubbish and owners responsibilities.</p>
<p>15. Convene a meeting of all estate agents and seek their advice and support to address the issue.</p>	<p>Council Officers have convened meetings with Real Estate Agents with limited success. We will continue to actively engage with agents via our Economic Development Team and community safety correspondence.</p>
<p>16. Seek the support of one or both of the local newspapers to earnestly and proactively run with dealing with the issue on a regular basis, including publicizing successful prosecutions.</p>	<p>Council will utilise the Frankston City News and the Leader in the form of letters to the editor, media releases and advertisements.</p>
<p>17. Utilise Frankston's environmental groups to promote the cause.</p>	<p>Council works collaboratively with other agencies, environmental and friend groups to promote the cause of illegally dumped litter.</p>
<p>18. Engage with the schools to promote the importance of preventing illegal dumping, similar to what has been successfully done to promote recycling.</p>	<p>Sustainable Assets Officers engage with educational institutions to promote environmental issues.</p>
<p>19. Seek the support of Neighbourhood</p>	<p>Victoria Police have advised that</p>

**Attachment E: REPLY - Mr Seiffert - Possible Initiatives to Rid the City of Trolleys and Rubbish**

<p>Watch.</p>	<p>Neighbourhood Watch is no longer operating within our Municipality.</p>
<p>20. Take a vertically integrated, project management approach to dealing with this issue, ie have a Local Laws Officer work in the department responsible for rubbish removal and dedicate a separate phone number and email address to take reports.</p>	<p>Recruitment of a full time Litter &amp; CCTV Officer has commenced and will enable officers to enable the dumped litter process to be investigated and removed by one department, Community Safety.</p> <p>Residents can utilise the My Frankston App, Snap Send Solve or send an email or phone.</p> <p>Adding another communication method may complicate the process.</p>
<p>21. Utilize social media to support the ongoing clean up campaign.</p>	<p>Officers will actively utilise all methods of media to highlight the issues of dumped litter and its impact on the community.</p>
<p>22. Increase penalties for illegal dumping.</p>	<p>Penalties for littering are set by EPA Victoria and are regulated by the State Government and not Council.</p>
<p>23. Implement a strategic advocacy effort aimed at convincing the State Government to enact appropriate legislation [similar to the EPA Act] to make it easier for councils to address the issue, especially under the backdrop of rate capping. Get widespread media coverage on this action.</p>	<p>The combination of the Local Law No.8 and the EPA is considered by Officers to be effective enforcement tools.</p> <p>Council officers are authorised under the state legislation (EPA Act) and exercise these powers on a regular basis.</p> <p>The State Government views the current legislative provisions as "the field is covered".</p>
<p>24. Similarly, strongly advocate to the relevant Government agencies (eg VicRoads) to secure a commitment to remove expeditiously rubbish dumped on land under their control. Similarly, for Government rented property, eg at the corner of Ebdale Street and Wells Road.</p>	<p>Letters have been forwarded to the CEO/Director and Ministers responsible for railway corridors and arterial roads.</p> <p>Responses have been received from all. The rail corridor has been recently cleaned by Victrack and Council and Vicroads are currently in discussion about the standard of maintenance. Officers are analysing opportunities and impacts of working with State Government and will present to Councillors prior to responding.</p> <p>Authorised officers regularly seek support of State agencies and have no ability to issue them infringements other than Victrack.</p>
<p>25. Where repeat dumping is identified in a street, undertake a special delivery to each letterbox on the street, of the flyer developed under 7 so as to demonstrate an overt presence by the council in the street.</p>	<p>This approach has already been implemented to address littering and educate residents as part of the revised procedures.</p>

<p>26. Regularly report to the community (through newspapers, social media, council newsletter, flyers, etc) successes that you achieve in reducing illegal dumping.</p>	<p>Officers will actively utilise all methods of media to highlight successes that have been achieved in reducing illegally dumped rubbish.</p>
<p>27. Consider introducing a system where reliable, credible people report rubbish dumping and a letter/email is generated to the owner/occupier advising them to remove the rubbish forthwith [vis-a-vis the EPA's litter reporting system].</p>	<p>Council officers issue notices in accordance with the EPA Act 1970 to have the rubbish removed within a statutory period.</p>
<p>28. When Council visits a premises following receipt of a report, leave a signed letter and brochure requesting immediate removal of the rubbish if they were responsible, or alternatively, requesting them to advise Council if they have any knowledge as to when, and by whom, the rubbish was dumped.</p>	<p>The use of Litter Alert Cards is already common practice which ask for the removal of litter within 24 hours. Non-compliance results in enforcement action.</p>
<p>29. Consider designing large stickers, which warn against rubbish dumping, and supplying them to interested residents for affixing to their 240 recycling bins.</p>	<p>A quote is being obtained. Residents may wish to affix the stickers on their bins and Officers can use them in hotspots.</p>

**Division 2—Littering offences**  
**45E Deposit of litter generally**

- (1) A person must not deposit any litter unless—
- (a) the person deposits the litter in a place—
    - (i) that is provided for the deposit of litter; and
    - (ii) that is appropriate for litter of that size, shape, nature or volume; or
  - (b) the person deposits the litter in or on a place in such a way that it cannot leave the place without human assistance and the person—
    - (i) owns, controls or is in possession of the place; or
    - (ii) is acting with the express consent of the person who owns, controls or is in possession of the place; or

**S. 45D inserted by No. 37/2002**

**s. 40.**

**s. 45D**

**S. 45E**

**inserted by No. 37/2002**

**s. 40.**

Part VIIA—Litter and Material that May Become Litter Environment Protection Act 1970

No. 8056 of 1970 195

- (c) the person is authorised to deposit the litter by or under an Act or a Commonwealth Act; or
- (d) the deposit of the litter is an unavoidable consequence of a lawful activity; or
- (e) the deposit is accidental and the person does everything that is reasonably possible to retrieve the litter.

Penalty: 40 penalty units.

- (2) For the purposes of subsection (1)(d), a consequence is unavoidable if there is no reasonably practicable way of avoiding it.

**45F Aggravated littering**

A person convicted of an offence under section 45E is guilty of the offence of aggravated littering if the court which convicts the person is satisfied that the offence involved—

- (a) the intentional deposit of glass, metal, earthenware or crockery; or
- (b) the intentional deposit of litter that was a danger to any person or animal or to any land, waters or vehicle; or
- (c) the intentional deposit of litter on, from or towards any vehicle.

Penalty: In addition to, or instead of, any penalty under section 45E, 60 penalty units or imprisonment for 1 month or both.

**S. 45F**

**inserted by**

**No. 37/2002**

**s. 40.**

**s. 45F**

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**45G Owners, drivers etc. of vehicles from which litter deposited liable for littering**

- (1) If litter is deposited from a vehicle contrary to section 45E, the following are deemed to be guilty of an offence against section 45E—
  - (a) the driver of the vehicle; and
  - (b) the registered owner of the vehicle; and
  - (c) any person authorised by the registered owner to use the vehicle at the time the offence was committed.
- (2) If a person deposits litter contrary to section 45E and was seen arriving at or leaving the place where he or she deposited the litter in a vehicle, the registered owner of the vehicle is deemed to be guilty of an offence against section 45E.
- (3) However, a court must not find a person guilty under this section unless the court is satisfied that no other person has been found guilty of depositing the litter and that—
  - (a) it is not practicable to discover who deposited the litter; or
  - (b) it is not possible to file a charge against the person who deposited the litter; or
  - (c) it is unlikely that the filing of a charge against the person who deposited the litter would result in a finding of guilt.
- (4) Also, a court must not find the registered owner or authorised user of a vehicle guilty under subsection (1) unless it is satisfied that it is not possible to file a charge against the driver of the vehicle.

**S. 45G**  
inserted by  
No. 37/2002  
s. 40.

**Division 5—Removal of litter and disorderly things 45V Litterer must remove litter if asked**

A person must remove any litter deposited by that person if asked to do so by a litter enforcement officer

Penalty: 10 penalty units.

**45W Court may order removal of litter**

- (1) If a court convicts a person of an offence under this Part, the court may—
  - (a) instead of, or in addition to, any other penalty, order the person to—
    - (i) clear away and remove the litter deposited by the person; or

**S. 45U inserted by No. 37/2002**

s. 40.

**S. 45V**

inserted by No. 37/2002

s. 40.

s. 45U

**S. 45W**

inserted by No. 37/2002

s. 40.

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- (ii) clear away and remove any other litter in or on any land or waters— within a specified time and under the supervision of a person nominated by the court; or
  - (b) in addition to any other penalty, order the person to pay a sum of compensation for removal of the litter to the person who, or body which, has the control or management of the land or waters where the offence occurred.
- (2) The following provisions apply to an order under subsection (1)(a)—
  - (a) the court may also order that if the person contravenes the order, that person must pay a fine of not more than 40 penalty units;
  - (b) if the person complies with the order, the person nominated by the court to supervise must send to the person a statement to that effect;
  - (c) if the person contravenes the order, the court may, on application by the person nominated to supervise, issue a summons requiring the person to show cause why the fine referred to in paragraph (a) should not be imposed;
  - (d) on hearing the summons, the court may make any order under this Act which it considers appropriate in respect of the person who contravened the order.
- (3) The compensation specified in an order under subsection (1)(b) to be paid to a person or body is to be treated as a debt due to that person or body.

**s. 45W**

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**45X Person may be directed to remove litter**

- (1) This section applies if, in the opinion of a litter authority, any litter that is on or in any land or waters under the control or management of the litter authority is, or is likely to become—
  - (a) detrimental to the health, safety or welfare of members of the public; or
  - (b) unduly offensive to the senses of human beings; or
  - (c) a hazard to the environment.
- (2) The litter authority may, by written notice, direct any person who deposited the litter to do one or more of the following—
  - (a) to remove or dispose of the litter;
  - (b) to restore any place affected by the litter to a state as close as practicable to the state it was in immediately before the litter was deposited;
  - (c) to take any other action in relation to the litter that is specified in the notice— within the time specified in the notice.

- (3) A person who receives such a direction must comply with it.

Penalty: 40 penalty units.

- (4) If the person who deposited the litter cannot be found, the litter authority may, by written notice, direct the occupier of any premises on which the litter was deposited to remove or dispose of the litter within the time specified in the notice.
- (5) An occupier who receives such a direction must comply with it, unless he, she or it has reasonable cause not to do so.

Penalty: 40 penalty units.

**S. 45X**  
**inserted by No. 37/2002**

**s. 40.**

**s. 45X**

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- (6) The Authority may exercise its powers as a litter authority under this section in respect of any litter in Victoria to which, in the opinion of the Authority, subsection (1)(a), (1)(b) or (1)(c) applies.

**45Y Person may be directed to remove disorderly etc. objects or things**

- (1) This section applies if any object or thing is deposited on or in any place under the control or management of the litter authority and—
- (a) in the opinion of the litter authority—
- (i) the object or thing is detrimental to the health, safety or welfare of members of the public while it remains in that place; or
- (ii) the object or thing is unduly offensive to the senses of human beings while it remains in that place; or
- (iii) the object or thing is a hazard to the environment while it remains in that place; or
- (b) the size, shape, nature or volume of the object or thing makes the place where it is deposited disorderly, or detrimentally affects the proper use of that place.
- (2) The litter authority may, by written notice, direct any person who deposited the object or thing to do one or more of the following—
- (a) to remove or dispose of the object or thing;
- (b) to restore any place affected by the object or thing to a state as close as practicable to the state it was in immediately before the object or thing was deposited;

**S. 45Y**  
**inserted by No. 37/2002**

**s. 40.**

**s. 45Y**

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- (c) to take any other action in relation to the object or thing that is specified in the notice— within the time specified in the notice.
- (3) A person who receives such a direction must comply with it.

Penalty: 40 penalty units.

- (4) If the person who deposited the object or thing cannot be found, the litter authority may, by written notice, direct the occupier of any premises on which the object or thing was deposited to remove or dispose of the object or thing within the time specified in the notice.
- (5) An occupier who receives such a direction must comply with it, unless he, she or it has reasonable cause not to do so.

Penalty: 40 penalty units.

- (6) The Authority may exercise its powers as a litter authority under this section in respect of any object or thing in any place in Victoria to which subsection (1)(a) or (1)(b) applies.
- (7) A reference in this section to an object or thing does not include a reference to a fixture.

**45Z Authority may remove litter or object or thing if direction not complied with**

- (1) If a person fails to comply with a direction given under section 45X(2) or 45X(4), the litter authority may remove or dispose of the litter.
- (2) If a person fails to comply with a direction given under section 45Y(2) or 45Y(4), the litter authority may remove or dispose of the object or thing.

**S. 45Z**  
**inserted by No. 37/2002**  
**s. 40.**  
**s. 45Z**

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- (3) The litter authority may recover any reasonable costs incurred by it in taking action under this section as a debt due to it by the person who failed to comply with the direction.
- (4) Subsection (3) does not apply to a direction given under section 45X(4) or 45Y(4) if the occupier of the premises had reasonable cause not to comply with the direction.

**45ZA Occupier may recover cost of removing litter from Litterer**

- (1) An occupier of premises may recover the reasonable costs of complying with a direction under section 45X(4) or 45Y(4) from any person who deposited the litter or object or thing as a debt due to the occupier.
- (2) The cost of complying with a direction includes any reasonable costs incurred in taking action under subsection (1).

**Division 6—Prevention of litter 45ZB Litter abatement notice**

- (1) If—
  - (a) a person carries out any activity that has caused, or is likely to cause, the deposit of litter contrary to section 45E; or
  - (b) a person is the occupier of premises from which litter has, or is likely to, escape— a litter enforcement officer may serve a litter abatement notice on the person.

**S. 45ZA**  
**inserted by No. 37/2002**  
**s. 40.**  
**S. 45ZB**  
**inserted by No. 37/2002**  
**s. 40.**  
**s. 45ZA**

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- (2) A litter abatement notice may require the person to do one or more of the following—
  - (a) to not deposit litter contrary to section 45E;
  - (b) to ensure that no litter escapes from any premises occupied by the person;
  - (c) to do, or not do, specified things to ensure that the person does not breach this Part.
- (3) A person who has been served with a litter abatement notice must comply with the notice.

Penalty: 20 penalty units.

- (4) A litter abatement notice may specify a period of time within which any requirement it imposes must be complied with.

**45ZC Period for which notice remains in force**

- (1) A litter abatement notice remains in force for the period specified in the notice.
- (2) A period of up to 3 years may be specified in the notice.

**45ZD Form of notice**

A litter abatement notice must—

- (a) contain a copy of sections 36AA, 45ZB, 45ZC and 45ZE; and
- (b) specify the period for which it remains in force; and
- (c) be signed by the person giving the notice.

# Your Council Our Community



## Let's Keep Frankston City Beautiful

### Your waste is your responsibility



What do you do when your bins are filled to the brim and you can't seem to catch up on your recycling? Or when you've cleared out the spare bedroom or moved house and have unwanted clothes or furniture that you need to dispose of?

The good news is that a lot of residents in Frankston City do the right thing with their rubbish, with most of us making the effort to recycle and dispose of our rubbish appropriately.

In addition to Council's kerbside hard waste collection, unwanted hard and green waste can be

taken to the Frankston Regional Recycling and Recovery Centre (FRRRC) located in Skye, with many items accepted at no charge or for a low cost.

Unfortunately, some people still do the wrong thing by dumping unwanted waste and shopping trolleys on nature strips, in our natural reserves and along roadsides. This costs ratepayers over \$2 million annually for Council to investigate and remove illegally dumped litter.

Even more of ratepayer's money is spent on fixing infrastructure such as blocked drains and cleaning

natural areas impacted by illegally dumped rubbish. This money could be better spent on services, programs and infrastructure to support our community.

Frankston City Council and residents are fed-up with the disrespect shown by illegal dumpers who blatantly do the wrong thing by their environment and ratepayers while damaging the appearance of our city.

In the past year alone, Council has received and investigated over 3,400 complaints about dumped waste across the municipality.

With a fleet of over 20 covert CCTV cameras in use at various hotspots capturing identifying information of illegal dumpers, Council's zero tolerance approach now calls on the support of the local community to assist in prosecuting each offender.

Infringements for illegal dumping range from \$311 to \$2,177 and can reach over \$17,000 if prosecuted in court.

It's now up to the local community to join the battle against illegally dumped litter and waste by ensuring everyone disposes of their

waste responsibly, returning their shopping trolleys after use and reporting to Council those doing the wrong thing.

This is an issue that we need to work together to resolve. If you can help Council by reporting identifying information of illegal dumpers our city will be cleaner, safer and healthier.

The money spent on removing illegally dumped rubbish can then be spent on vital community needs such as maternal and aged care services or new and upgraded facilities for everyone to enjoy.

Remember, the appearance of your city and neighbourhood is everyone's responsibility and to the benefit of all of us.

To report illegal dumping in your area, phone Council on 1300 322 322 or use the MyFrankston App online.

For more information on waste and recycling in Frankston City, visit: [frankston.vic.gov.au](http://frankston.vic.gov.au)

FRRRC is open 7 days 8am-4pm, 20 Harold Road, Skye. [FRRRC.com.au](http://FRRRC.com.au)

#### Helpful tips box:

- Take extra cardboard, paper, bottles and cans to FRRRC for free
- Unwanted furniture, household items and bric-a-brac can also be taken to FRRRC (resident discounts apply)
- An at call hard and green waste collection can be organised anytime during the year (charges apply)
- Preloved clothes should be taken directly to charity shops
- When you see loose rubbish, pick it up and place it in a bin
- If possible, take photographs and write down information identifying illegal dumpers



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1300 322 322

**Executive Summary****12.18 Response to NOM 1285 - Pop-up Vans/ Stalls**

*Enquiries: (Sam Jackson: Corporate Development)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.2 Improve the municipality's safety, image and pride
Priority Action	2.2.1 Promote the natural attributes and family friendly lifestyle qualities of Frankston locally, nationally and internationally

**Purpose**

In response to Notice of Motion 1285, to brief Council on the viability of a pop-up food, beverage and entertainment precinct on the waterfront in summer.

**Recommendation (Director Corporate Development)**

That Council:

1. Notes that to date there has not been sufficient market interest in an ongoing food/beverage operators to operate in an ongoing pop-up manner to warrant further exploration of this proposal at this time.
2. Notes that a pop-up precinct along the Frankston waterfront has the potential to negatively impact on private sector hospitality business, as well Council tenancies and events that are held on the waterfront.
3. Notes that the availability of additional seating adjacent to the Frankston Yacht Club is dependent on the operating model of the successful kiosk tenant.
4. Notes that there is an expanded events calendar proposed for the Frankston Foreshore
5. Notes that the existing Council tenancies at Seaford Foreshore and Keast Park foreshore would be negatively impacted upon by any ongoing pop-up food and beverage operators and that the Coastal Management Plan does not support further activation at these sites
6. For the reasons contained in this report, does not pursue a more formalised structure of pop-up vans or stalls along the Frankston Waterfront and therefore acknowledge that the development of a fee and permit structure is not warranted.
7. Continues to work with individual operators and promotes opportunities for the establishment of ad hoc and short term pop-up activities on the waterfront.

**Key Points / Issues**

- This report responds to Notice of Motion (NOM) 1285:

*“That a report be provided to council at the May Ordinary meeting in relation to the creation of a ‘pop up’ food / beverage precinct on the Frankston foreshore. The report should consider:*

- 1. Whether there is market interest from food/beverage stall operators;*
- 2. How a precinct could work – logistically and practically;*
- 3. Additional seating near the foreshore / adjacent the Frankston Yacht Club for residents and visitors to enjoy food and beverages;*
- 4. Regular (currently un-introduced) summertime entertainment on the Frankston foreshore;*
- 5. Whether similar precincts could be considered at the Seaford foreshore and Keast Park foreshore; and*

**12.18 Response to NOM 1285 - Pop-up Vans/ Stalls****Executive Summary**

*6. The report should also touch upon permit fees, the number of 'pop up' stalls that could be utilised in the area/s and any other issues pertinent to the motion"*

- Previous pop up food vans and stalls operating in isolation of an event along Frankston City's waterfront have generally not been successful.
- There are 22 commercial food and beverage businesses along Frankston's foreshore, either on the water's edge or within a three minute walk. Those that are on the waterfront have been developed consistent with various precinct masterplans and have had significant state government planning policy consideration.
- The existing commercial food and beverage businesses offer a range of dining options and price points to suit multiple markets. The current selection provides predominantly affordable take-away and dine-in options targeted towards families.
- Council is currently in the process of securing an operator for the redeveloped Frankston Yacht Club which will contribute to the area becoming recognised as a waterfront dining precinct. Dependent on the plans of any successful operator in the downstairs tenancy there will additional outdoor dining opportunities on the deck.
- Council may be liable to pay compensation as a result of any additional food and beverage activation which may impact existing lease holders.
- The Frankston Waterfront (near the pier) is home to eight major events between December and April each year. Collectively these events attract an additional 222,000 people to the waterfront, restricting regular access across 22 event days (excluding Sand Sculpting Australia which operates daily for four months). Some of these events are new to the Frankston City event calendar – through the Tourism Event Attraction Program, and are expected to attract a further 50,000 visitors.
- Between 26 December 2016 and 30 March 2017, Council facilitated a pop-up food truck activation at the waterfront however this was discontinued as it was not financially viable for the operators.
- Due to the popularity of the Frankston Waterfront, the already high demand for parking in this location and with consideration to the number and location of existing operators along the entire foreshore, a pop-up food and beverage precinct at Frankston Waterfront is not recommended.
- Upon review of Council's Coastal Management Plan, the Olivers Hill boat ramp car park is identified as the only potentially suitable location for this initiative to take place. Feedback from previous operators in this location is that it is not viable unless there is further infrastructure installed (eg connection to mains water and power).
- Officers will continue to work with individual business operators of pop-up vans and stalls as they approach Council to seek approval to operate along Frankston's waterfront precinct.

**12.18 Response to NOM 1285 - Pop-up Vans/ Stalls****Executive Summary****Financial Impact**

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

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

There is no budget allocated to develop or implement a pop-up food and beverage precinct on the waterfront.

Should Council wish to pursue this type of activity there are costs associated with this, including:

- \$30,000 to undertake a feasibility study of the proposal
- \$57,000 is allocated to employ a part-time staff member to project manage the feasibility study, promote the opportunity and facilitate the trial precinct.

Infrastructure requirements at Olivers Hill have not been costed at this stage.

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

Existing permanent hospitality operators along the foreshore have expressed enthusiasm in relation to events taking place within proximity to their business as they see the potential in a short-burst influx of new visitors to the area.

Feedback from past pop-up operators is that more regular activations have not been successful.

In 2012-2013 Classic Aussie Caterers were successful in gaining a temporary permit to operate at Oliver's Hill. At the end of the season feedback from the operator was that the site was not successful due to a lack of infrastructure.

In 2017 the Food Truck Park operated a daily activation at the waterfront. The trucks rotated in an attempt not to clash with existing operators. Due to unpredictable weather and expectations within the community following the Seaside Street Food Festival, community feedback was mixed and the pop-up was deemed to not be viable for the operators. As such, the hours of operation were reduced early in the season and the pop-up ceased at the end of March despite the offer to continue rent-free until Anzac Day.

**2. Other Stakeholders**

The following internal departments were consulted:

**Commercial Services** team cited a number of concerns in relation to the development of a pop-up food and beverage precinct at the waterfront.

The concerns related to:

- a) Potential compensation payable to existing tenants as a result of interference from a landlord under the Retail Leases Act 2003. This may be enacted where unreasonable action is taken which inhibits or alters the flow of customers, causes significant disruption to the tenant's trading or where the landlord fails to prevent or stop significant disruption which is within its control.

**12.18 Response to NOM 1285 - Pop-up Vans/ Stalls****Executive Summary**

- b) Relationship damage with existing tenants in addition to or instead of any compensation being sought.
- c) Difficulties getting Department of Environment Land Water and Planning (DELWP) permission for Crown Land use given the number of existing eating establishments located on the foreshore.

Acting upon this proposal could affect Council tenancies all along the waterfront.

**Major Events and Public Space and Leisure** noted concerns regarding the development and ongoing management of the precinct as there are no resources within the organisation to undertake this project. Potential conflicts with existing events and operators along the foreshore were also of concern.

**Public Space and Leisure** also indicated that under Council's Coastal Management Plan Olivers Hill or Frankston Waterfront were the only locations which would support this level and type of activation.

The lack of existing services such as power, running water and toilets were identified by the Infrastructure Department including the Foreshore team as potential issues to arise at Olivers Hill, and Frankston Waterfront is already at capacity.

**Community Relations** raised concern that the pop up stalls would potentially compete with existing rate paying businesses or negatively impact on the attraction of operators to the Frankston Yacht Club. Concerns raised about a more regular pop up dining precinct would impact on some of the tourism events proposed for the area – which are pop-up food festivals

**Compliance and Safety** stated that any precinct which impacted usual access to boat ramp facilities would require Council to consider compensation to permit holders.

All internal stakeholders agreed that the only potentially suitable location for a precinct would be Olivers Hill, however further investigation into the feasibility, supporting infrastructure needs and existing user impacts must be undertaken which is a financial impact on Council.

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

The Frankston Waterfront is the municipality's most popular destination for both residents and visitors, in summer and across the year.

Along the foreshore beach-goers have access to approximately 22 food and beverage businesses either on the water's edge or within walking distance to the foreshore area.

The creation of a pop-up food and beverage precinct needs to consider what will enhance the experience for foreshore users and as such the precinct should be positioned in a location where there is demand and no existing services.

However, this does not preclude Officers working with individual businesses that approach Council to operate itinerant businesses.

**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

**12.18 Response to NOM 1285 - Pop-up Vans/ Stalls****Executive Summary**

The creation of any precinct should consider any legal impacts or compensation potentially payable to existing lease holders.

Policy Impacts

The creation of any activity precinct must consider Council's Coastal Management Plan.

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 lease agreements for the existing operators along the foreshore generate approximately \$400,000 of income for Council. This may be jeopardised if Council introduces competition into already serviced areas of the foreshore.

**Conclusion**

On the basis of previous experience with Pop-Up Vans and Stalls the introduction of a more regular pop-up food and beverage precinct on the Frankston waterfront in summer is not recommended. This is particularly important given the current negotiation process to find operators for the Frankston Yacht Club.

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**ATTACHMENTS**

Nil

**12.18 Response to NOM 1285 - Pop-up Vans/ Stalls  
Officers' Assessment****Background**

This report responds to Cr Bolam's Notice of Motion (NOM) 1285:

*"That a report be provided to council at the May Ordinary meeting in relation to the creation of a 'pop up' food / beverage precinct on the Frankston foreshore. The report should consider:*

- 1. Whether there is market interest from food/beverage stall operators;*
- 2. How a precinct could work – logistically and practically;*
- 3. Additional seating near the foreshore / adjacent the Frankston Yacht Club for residents and visitors to enjoy food and beverages;*
- 4. Regular (currently unintroduced) summertime entertainment on the Frankston foreshore;*
- 5. Whether similar precincts could be considered at the Seaford foreshore and Keast Park foreshore; and*
- 6. The report should also touch upon permit fees, the number of 'pop up' stalls that could be utilised in the area/s and any other issues pertinent to the motion"*

Frankston continues to be Melbourne's most visited beach. Frankston's easy access from metropolitan Melbourne as well as Melbourne's east and south east regions means the City is perfectly positioned to be a summer holiday day-trip destination.

Between November and April, the waterfront is the home to the Sand Sculpting Australia Exhibition and Waterfront Festival as well as a myriad of other commercial and community events. This is in addition to daily beach goers, dog-walkers, exercisers and fisherman, making the waterfront the busiest location within the municipality.

**Issues and Discussion****Existing Events on the Waterfront**

Council currently stages or supports four major community events on the waterfront between November and April including The Waterfront Festival, Blessing of the Waters, Good Friday Concern and Bay Challenge.

In addition to these events, Sand Sculpting Australia's annual exhibition, which attracts approximately 130,000 attendees, is staged between December and April.

In 2016-2017 Council launched its Event Attraction Program to entice event management companies to stage their events within the municipality. Three of the events were staged on the Waterfront including; The Seaside Street Food Festival presented by The Food Truck Park (October), Feast at Frankston Waterfront (March) and F18 and Viper Catamaran State Titles (March).

In 2017-2018 three events have applied to be held on the Waterfront between October and April which will potentially see an additional 50,000 people drawn to this area.

**Existing Programs to Attract Commercial Business**

In 2016, Council's Public Space and Leisure department implemented the Commercial Use of Open Space Program to invite individuals and businesses to apply to conduct regular commercial activities in the City's parks, foreshore reserves and other open spaces.

**12.18 Response to NOM 1285 - Pop-up Vans/ Stalls  
Officers' Assessment**

There was interest from businesses to stage markets, outdoor cinemas and outdoor physical activities such as fly-boarding in the first year of the Program with Expressions of Interest being accepted now for the next round of applications.

**Location consideration**

Any proposal for a permanent or semi-permanent food and beverage activation location will need to consider the existing commercial businesses and leases which are in place.

At each designated activity area along Frankston's foreshore, as identified in Council's Coastal Management Plan, there is a commercial hospitality provider already in place. The only exception to this is the new boat ramp car park at the base of Olivers Hill.

**Existing Hospitality Options****Frankston Waterfront Entertainment Precinct**

Within the Waterfront Entertainment Precinct, there are three permanent hospitality operators.

Council has an existing commercial agreement with Sofias Restaurant, a family-friendly and affordable hospitality provider. Sofias' includes a relaxed dine-in option as well as a more casual take-away kiosk serving hot food, cold drinks and ice-creams.

The two commercial spaces within the Frankston Yacht Club are currently being advertised for lease. It is anticipated that the upstairs restaurant will be home to a relaxed fine-dining restaurant that can also accommodate private and corporate functions. The downstairs space supports casual take-away dining and it is hoped that this will focus on fresh food choices to complement the offer from Sofias.

These permanent hospitality experiences are in addition to the myriad of events which feature food and beverage across the peak season.

**Long Island and The Water's Edge**

At Long Island, Waves and The Water's Edge precinct along Kananook Creek a mix of hospitality options at different price points.

The Water's Edge is home to two restaurants and two cafes currently. These include:

- Geonbae - authentic Korean cuisine (the only Korean restaurant on the Mornington Peninsula), as dine-in or take-away with breakfast expected to be introduced in the coming months.
- Mr Frank's – café located inside the building, offering fresh sandwiches, coffee and baked goods with a view.
- Frankston Waterfront Restaurant – newly opened restaurant offering a casual dine-in menu from 7am to 4pm daily. It is expected to open for dinner once their liquor licence is approved.
- The Milkman Café – an inner-city style café with a focus on fresh, healthy and organic food and good coffee. Open for breakfast and lunch seven days a week.

On the foreshore, Waves on the Beach is open seven days from 11am. Waves opened in 2004 and is a favourite of residents and visitors as they offer tiered dining options which suit families as well as couples and corporate customers.

**Seaford Foreshore**

Visitors to Seaford Foreshore have access to 13 different food and beverage operators within a three-minute walk of the foreshore entrance.

**12.18 Response to NOM 1285 - Pop-up Vans/ Stalls  
Officers' Assessment**

The Seaford Beach Café is open seven days from 8am to 7pm and offers café style cuisine including coffee, fresh sandwiches, pancakes and fish and chips.

Along Nepean Highway there are 12 additional affordable food and beverage businesses that offer dine-in and take-away options. These include: Spanish Bar, Seaford Breeze, Blue Iguana, Thai Beach Café, Seaford Charcoal and Grill, Shed Café, Grilled and Fried Fish and Burger Bar, Seaford Hot Bread, Seaford Fish and Chips, RnB's Pizza, Suzie Wong Chinese and Seaside Fish and Chips.

**Keast Park**

Keast Park is home to Crackerjack Waterfront Café which operates alongside the Carrum Dowling Club for breakfast and lunch seven days and also caters for private functions.

On the opposite side of Nepean Highway, the Seaford RSL offers dining specials throughout the week in a family-friendly environment.

**Past Activation Results**

Following the success of the Seaside Street Food Festival, The Food Truck Park was asked to activate the waterfront on an ongoing basis with food trucks. This took place from 26 December 2016 until 30 March 2017.

There were a number of issues experienced during this trial:

- Following the event, the community expectation was that the food trucks would be part of a bigger event, therefore council received some complaints that there were only one or two trucks.
- The waterfront location is weather dependent and it was not financially viable for food truck operators to be present on days when it was wet, windy or too hot. This resulted in inconsistency of experience for waterfront visitors.
- While the activation of the café space in the yacht club building continued until Anzac Day, the food truck activation ceased at the end of March as it was not financially viable to continue, this is without site or permit fees being applied to operators.

**Identified Risks**

Council will risk breaching existing lease agreements and may jeopardise existing commercial relationships if it chooses to create an additional food and beverage precinct in any of the locations listed above.

In addition to potential relationship damage, Council may be liable to pay compensation to existing operators if it allows and facilitates activity which hinders the ability for existing businesses to operate successfully and without interruption.

**Available Location**

Upon review of the existing commercial operators along Frankston's foreshores it is noted that Olivers Hill boat ramp car park is the only available location where existing operators would not be affected.

Olivers Hill is within the activity zone that permits commercial activation within the Coastal Management Plan and is currently not serviced by any commercial food and beverage operator.

**12.18 Response to NOM 1285 - Pop-up Vans/ Stalls  
Officers' Assessment****Occupational Health and Safety Considerations**

To use Olivers Hill a site plan, risk assessment, traffic management plan and emergency management plan will need to be created for the site. The traffic management plan will need to ensure that customers are able to access the service safely within an area designed for cars, boats and trailers.

As Olivers Hill and the boat ramp car park are unprotected from wind or rain, an emergency management plan will be required as well as ensuring that an infrastructure is compliant with wind rating regulations.

**Economic Impact Considerations**

Council needs to consider the commercial and economic implications of creating any pop-up activation along the foreshore that are not within an event or short, defined dates.

The positive impact on the experience at the waterfront and for the individual pop up van or stall operator will need to be weighed against the impact that any additional activation may have on existing businesses both along the foreshore and within the City Centre.

Council is currently working with event organisers through the Event Attraction Program to encourage collaboration, packaging and cross-promotion between events and existing businesses within the municipality to ensure the impact of events is felt beyond the event site. If the proposed activation was to take place, it is recommended that a similar program which requires collaboration is imbedded within any agreement created.

**Executive Summary****12.19 Response to NOM 1294 - Advocacy for Frankston Magistrates' Court Name Change**

*Enquiries: (Brianna Alcock: Corporate Development)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.2 Improve the municipality's safety, image and pride
Priority Action	2.2.1 Promote the natural attributes and family friendly lifestyle qualities of Frankston locally, nationally and internationally

**Purpose**

To update Council on advocacy for the Frankston Magistrates' Court name change.

**Recommendation (Director Corporate Development)**

That Council notes the actions taken and writes to the Attorney-General to formally request that he and the State Government support the change in the name of the Frankston Magistrates' Court.

**Key Points / Issues**

- At Ordinary Meeting OM298 on 14 March 2017 Council considered Cr Bolam's Notice of Motion NOM 1294, and resolved as follows:  
*"That Frankston City Council renews its previous resolution in 2011 to call on the State Government to rename the Frankston Magistrates Court. The reasoning for this was, and remains, the reputational damage that is done to Frankston is great when new stories invoke the municipality by virtue of the court name. Much like the Frankston train line, many of the negative incidents reported are not committed by people (or occur) within the municipality. However the invocation of the Frankston name continues to create a negative perception of/for the Frankston area.*  
*Council seeks a bipartisan approach from the State MP, Mr Paul Edbrooke and Federal MP, Mr Chris Crewther in support for the renaming of the court. Once support has been ascertained, a report be presented to Council during May 2017 on the way forward."*
- Letters were sent to the Honourable Mr Paul Edbrooke MP and the Honourable Mr Chris Crewther MP on 27 March 2017, in accordance with Council's resolution. Both local Members of Parliament have expressed support for the campaign to rename the Court. Specifically:
  - Mr Crewther's Electorate Office and Operations Manager, although currently working remotely due to a recent fire in the electorate office building, provided the following comments which can be attributed to Mr Crewther:

**12.19 Response to NOM 1294 - Advocacy for Frankston Magistrates' Court Name Change****Executive Summary**

*"While the renaming of the Frankston Magistrates' Court falls within the State Government's responsibility, I would support its renaming to replace the word "Frankston", given the implications that reporting on court issues could have on the positive image of Frankston – something which the Frankston City Council, successive state and federal members of parliament, local residents and I have been working to enhance.*

*I understand there has been some suggestions to replace the word Frankston with the word Peninsula. This may also be problematic given there is another magistrates' court in Dromana, also on the Mornington Peninsula. It could imply that it is a court within the Mornington Peninsula Shire Council.*

*I would suggest that another term be considered instead of Peninsula or Frankston. Perhaps this is a good opportunity for a vox-pop or competition sponsored by the Frankston City Council to garner the public's opinion and ideas on a new name."*

- Mr Edbrooke provided a letter which indicates that he has advocated for the renaming, and the matter is with the Attorney-General for consideration. A copy of the letter is included as [Attachment A](#) to this report.
- Any response from the Attorney-General's office will be reported back to Council upon receipt.

**Outcome of Previous Campaign**

- Council's 2011 campaign to have the Frankston Magistrates' Court renamed 'Southern Metropolitan Court' was supported by the previous local members (the Honourable Mr Bruce Billson MP and the honourable Mr Geoff Shaw MP). However, former Attorney-General the Honourable Mr Robert Clark MP rejected the proposed renaming on the basis of its potential to create significant confusion for court users and the broader community. In a letter dated 21 April 2011 Mr Clark advised that Magistrates' Courts across the State are named according to the location in which they sit, in accordance with long established and consistent practice. A copy of the letter is included as [Attachment B](#) to this report.
- On 11 May 2011 Council responded to Mr Clark's letter, suggesting the alternative names of Nepean Magistrates' Court, Peninsula Magistrates' Court or Bayside Magistrates' Court, or an alternative name with a connection to the location but without specific reference to Frankston (see [Attachment C](#)). Mr Billson also sent a follow-up letter to Mr Clark, asking him to reconsider the campaign to rename the Frankston Magistrates' Court (see [Attachment D](#)).
- It does not appear that a response was received to this letter, however the letter refers to a meeting that was to be held on 18 May 2011, and an article that was published in the Frankston Weekly on 17 May 2011 indicated that Mr Clark had agreed to meet with then-Mayor Cr Bolam, Mr Billson and Mr Shaw in Frankston to discuss the renaming matter.

**12.19 Response to NOM 1294 - Advocacy for Frankston Magistrates' Court Name Change****Executive Summary****Financial Impact**

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

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

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

Correspondence has been exchanged in relation to this matter with the offices of the Honourable Mr Chris Crewther MP and the Honourable Mr Paul Edbrooke MP.

The campaign has also been discussed with the Office of Geographic Names Victoria.

**2. Other Stakeholders**

Not applicable.

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

Renaming the Frankston Magistrates' Court might reduce the negative perceptions of Frankston that are generated by media reports of matters heard in the Frankston Magistrates' Court, which may not have a connection with the Frankston municipality.

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

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

Legal

The statutory requirements for naming roads, features and localities are set out in the *Geographic Place Names Act 1998* ('the Act'). The mandatory *Naming Rules for Places in Victoria – Statutory Requirements for Naming Roads, Features and Localities – 2016* ('naming rules'), which are made under the Act, include detailed information on the process for naming or renaming places, roads, features and localities in Victoria. As the document is 115 pages long it has not been included as an attachment to this report. However, it can be accessed online at: <http://www.dtpli.vic.gov.au/property-and-land-titles/naming-places-features-and-roads/naming-rules-for-places-in-victoria#naming>

The State's courts and tribunals, including Magistrates Courts, are the responsibility of the Department of Justice and Regulation, under the portfolio of the Victorian Attorney-General.

Clause 6.1.4 of the naming rules sets out four possibilities for naming a place that is owned by a government department, which are:

**12.19 Response to NOM 1294 - Advocacy for Frankston Magistrates' Court Name Change****Executive Summary**

1. In-house determination on an appropriate name, made by the department in cooperation with the Office of Geographic Names ('OGN'), followed by endorsement of the proposal by the relevant Minister (ie the Attorney-General) and ratification by the Registrar of Geographic Names;
2. Public consultation process, administered by the department in consultation with the OGN, to develop a naming proposal, followed by endorsement of the proposal by the relevant Minister (ie the Attorney-General) and ratification by the Registrar of Geographic Names;
3. Public competition, administered by the department in consultation with the OGN, to develop a naming proposal, followed by endorsement of the proposal by the relevant Minister (ie the Attorney-General) and ratification by the Registrar of Geographic Names;
4. Ministerial direction, whereby the Attorney-General would write to the Minister responsible for the Act to request that the powers under section 11(5) be exercised.

Irrespective of the process that is used, any chosen alternative name for the Court should accord with the key principles set out in the naming rules. General principles for naming places include ensuring public safety and minimising the potential for confusion, recognising the public interest, and linking the name to the place. The principles highlight the importance of a consistent and standardised approach to naming places across the State. New place names must be gazetted and registered in accordance with section 11(6) of the Act – the Office of Geographic Names looks after this process, and provides state-wide advice regarding naming processes.

**Policy Impacts**

Not applicable.

**Officer's Declaration of Interests**

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

**Risk Mitigation**

Not applicable.

**Conclusion**

Council's resolution in response to NOM 1294 has been actioned, and both local Members of Parliament have indicated their support for the campaign to rename the Frankston Magistrates' Court. The renaming request is now with the Attorney-General for consideration. Any response from the Attorney-General's office will be reported back to Council upon receipt.

12.19 Response to NOM 1294 - Advocacy for Frankston Magistrates' Court Name  
Change

**Executive Summary**

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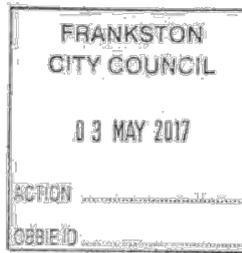
**ATTACHMENTS**

- Attachment A: Response from Paul Edbrooke MP dated 3 May 2017
- Attachment B: Letter from Attorney-General Robert Clark MP dated 21 April 2011
- Attachment C: Mayor's letter to Robert Clark MP dated 11 May 2011
- Attachment D: Copy of letter sent by Bruce Billson MP to Robert Clark MP dated 6 May 2011

**PAUL EDBROOKE MP**  
STATE MEMBER FOR FRANKSTON



Mr Brian Cunial  
Mayor – Frankston City Council  
30 Davey Street  
Frankston VIC 3199



Dear Brian

I am writing to you in regard to the letter dated 27 March 2017 Notice of Motion  
*“Renewed Advocacy for the Frankston Magistrates Court Name Change”*.

I have previously advocated for this on your behalf with the Attorney General, the  
Hon Martin Pakula MP.

This is still being reviewed by the Attorney General and in light of the fact that I am  
still waiting on information from his office I cannot provide any further details or  
support regarding the name change.

Please feel free to contact my office should you require any additional information.

Yours sincerely,

Paul Edbrooke MP  
Member for Frankston

28/4/2017

140 Young Street, Frankston VIC 3199 p (03) 9783 9922 f (03) 9783 6966  
e paul.edbrooke@parliament.vic.gov.au w www.pauledbrooke.com.au  
twitter.com/paul4frankston facebook.com/Paul4Frankston



Family • Jobs • Community



## Attorney-General

FRANKSTON CITY COUNCIL	
<input checked="" type="checkbox"/> 0-2 YEARS	<input type="checkbox"/> 3-10 YEARS
<input type="checkbox"/> 12-18 YEARS	<input type="checkbox"/> PERMANENT
- 3 MAY 2011	
ADDRESS	
DAY TIME	
PHONE ID	

121 Exhibition Street  
Melbourne Victoria 3000  
GPO Box 123  
Melbourne Victoria 3001  
Telephone: (03) 8684 1111  
Facsimile: (03) 8684 1100  
DX 210220

Our ref: CD/11/107987  
Your ref: A985061

Cr Kristopher Bolam JP  
Mayor – Frankston City  
PO Box 490  
FRANKSTON VIC 3199

Dear Cr Bolam

### RENAMING OF FRANKSTON MAGISTRATES' COURT

Thank you for your letter dated 23 February 2011 requesting that consideration be given to the renaming of the Frankston Magistrates' Court to reflect its wide catchment, and to address possible negative perceptions of Frankston City. I appreciate the efforts you have made to pursue this issue with me and my colleagues and note the resolution passed by Council.

I have carefully considered your request to rename the court 'Southern Metropolitan Court' due to negative media coverage, and have sought advice from the Magistrates' Court of Victoria.

The name 'Frankston Magistrates' Court' is consistent with the long established practice of naming Magistrates' Courts according to the location in which they sit. I am of the view that we must maintain this practice consistently across the State.

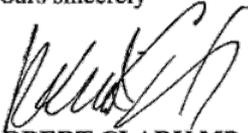
In addition, the Dandenong Magistrates' Court and the Moorabbin Justice Centre also sit in the Southern Metropolitan region. Changing the name of the Frankston Magistrates' Court to the 'Southern Metropolitan Court', or similar, could infer that Dandenong and Moorabbin were included in the catchment of the 'Southern Metropolitan Court'. Such a name change could therefore create significant confusion for both court users and the broader community.

I also note your concern that a perceived negative reputation of Frankston is being portrayed by media reports of criminal matters being heard at the Frankston Magistrates' Court. As you may be aware, regulation of the media by the State government is limited. The Australian Communications and Media Authority is the Federal government body responsible for regulation of broadcasting, internet and radio and television communications, whilst the Australian Press Council is the self-regulatory body for print media. You may wish to engage with media in order to address the reporting of criminal matters at the Frankston Magistrates' Court, or you may refer a complaint to these regulatory bodies.



I commend Frankston City Council for its valuable work in advancing a positive image of Frankston City.

Yours sincerely



**ROBERT CLARK MP**  
Attorney-General

21/4/11



**OFFICE OF THE MAYOR**  
Frankston City Council  
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Website: [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)



Obbie Id: A1025524  
Enquiries: Michael Craighead  
Telephone: 9784 1709

11 May, 2011



The Hon Robert Clark MP  
State Attorney-General  
Level 26  
121 Exhibition Street  
MELBOURNE VIC 3000

Dear Mr Clark

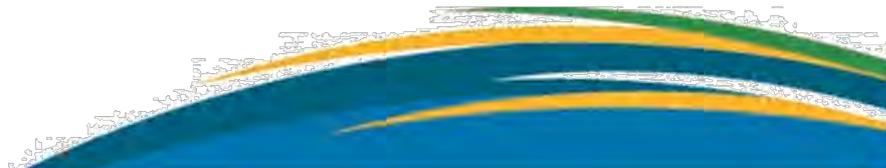
**Re: Renaming of Frankston Magistrates Court**

Thank you for your letter dated 21 April 2011 regarding the renaming of Frankston Magistrates Court.

Council appreciates the consistencies of the long established practice of naming Magistrates Court. However, Council is firmly of the opinion that the renaming of the Frankston Magistrates Court will go a long way towards changing negative public perceptions of Frankston as a destination, which are perpetuated by ongoing media reference to cases conducted at the Frankston Court, even though the issue may have originated outside the Frankston City boundaries. Unfortunately over the years and even to this day, the Frankston Magistrates Court has been the scene of some serious public cases which despite the passage of years, are well remembered and help etch into the wider community unflattering perceptions of Frankston. These perceptions are proving difficult for Council and our community to change. Council's motion to address this matter was unanimously supported by all Councillors and was taken in response to public concerns and consultation with State and Federal members.

Council has for several years been making every effort to improve the image of Frankston. A change in the court name will go some way to assisting Council and the community.

Council understands that the name *Southern Metropolitan Magistrates Court* may create confusion for court users in Dandenong and Moorabbin and would suggest alternative naming to either *Nepean Magistrates Court*, *Peninsula Magistrates Court* or *Bayside Magistrates Court*. Council's position is not limited to these names and we would entertain alternatives.



Council has the strong support of local State and Federal Members of Parliament in this important initiative to improve the City's image and move Frankston forward as a premier destination.

It would be greatly appreciated if you could reconsider this request and advise Council in due course of your decision.

I look forward to meeting with you and my fellow Local and State counterparts on the 18<sup>th</sup> May 2011 to discuss this matter in more detail.

Yours faithfully

Cr Kristopher Bolam JP  
**MAYOR – FRANKSTON CITY**

CC: Bruce Billson, Federal Member for Dunkley  
Geoff Shaw, State Member for Frankston





# Bruce Billson MP

YOUR FEDERAL MEMBER FOR DUNKLEY



20 Davey Street (PO Box 501), Frankston, Vic 3199  
Telephone: (03) 9781 2333 Fax: (03) 9783 7912  
Email: b.billson.mp@aph.gov.au Website: www.billson4dunkley.com

**WITH COMPLIMENTS**

*Kris,  
attached is a copy of my follow  
up letter to the State Government  
after the disappointing response.  
Regards  
[Signature]*

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 11 2011	
FBI - [Location]	

7/5

Positive  Passionate  Persistent



# Bruce Billson MP

YOUR FEDERAL MEMBER FOR DUNKLEY



20 Davey Street (PO Box 501), Frankston, Vic 3199  
Telephone: (03) 9781 2333 Fax: (03) 9783 7912

E-mail: b.billson.mp@aph.gov.au Website: www.billson4dunkley.com

Our ref: 33631/bfb  
May 6, 2011

The Hon Robert Clark MP  
Attorney-General  
Level 26  
121 Exhibition Street  
MELBOURNE VIC 3000

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10 MAY 2011

Dear Minister *Rob*

## FRANKSTON MAGISTRATES COURT NAME CHANGE

I refer to your for April 21, 2011 letter responding to my request for support to rename Frankston Magistrates' Court with a less location-specific name such as 'Southern Metropolitan Court Complex' or similar.

Your response was disappointing as it simply echoed the position of the previous State Labor Government.

You refer to the 'long established practice of naming Magistrates' Courts according to the location in which they sit', a desire to maintain consistency and potential for confusion due to the Dandenong and Moorabbin court facilities also being in the 'Southern Metropolitan' region, as reasons to decline my request.

The location-specific naming practice is at the heart of the local community concern with reports of criminal cases being heard at the Court were being unfairly associated with Frankston, and that this association was an unhelpful influence on our city's reputation.

I suggest that a range of location references can be readily included in the Court name to maintain your desire for consistency without necessarily using a suburb or neighbourhood name.

While I proposed the 'Southern Metropolitan' name or similar, quite a range of alternatives are available that are location-relevant while also avoiding any risk of confusion with other justice facilities in the region.

Moreover, stakeholders in our justice system would certainly recognise the importance of Court attendance and not be so blase that they simple rely on a suburban title to derive the precise location of a justice facility.

Options such as 'Nepean', 'Bayside' or a relevant heritage name would appear to be able to meet local community objectives while also responding to the considerations you have outlined.

In the spirit of seeking to constructively respond to the name change hesitations your April 21 letter identifies and my persistence in seeking to advance a positive image of Frankston City, I ask that you reconsider my urgings to rename the Frankston Magistrates' Court.

Yours sincerely

**BRUCE BILLSON MP**  
Federal Member for Dunkley  
Shadow Minister for Small Business, Competition Policy and Consumer Affairs

Copies: Geoff Shaw, State Member for Frankston  
C.F. Kris Bolam, Mayor, Frankston City Council

Positive  Passionate  Persistent

**Executive Summary****12.20 Response to NOM 1295 - Mental Health Draft Letter**

*Enquiries: (Liz Daley: Community Development)*

Council Plan

Community Outcome:	2. Liveable City
Strategy:	2.4 Improve the health and wellbeing of residents
Priority Action	2.4.1 Adopt a four year Health and Wellbeing Plan that also encompasses awareness of a diverse society

**Purpose**

To brief Council on the implementation of Notice of Motion 1295 – Mental Health endorsed by Ordinary Meeting 299 (3 April 2017) including draft of letter to relevant Ministers.

**Recommendation (Director Community Development)**

That Council approves the draft letter for distribution to State and Federal Ministers for Health subject to indicated service shortfalls not being resolved in upcoming Budget announcements.

**Key Points / Issues**

- At its Ordinary Meeting 299 (3 April 2017) the following Notice of Motion 1295 was unanimously endorsed:

*“That Frankston City Council writes to both the (State) Minister for Mental Health, The Hon. Martin Foley, and the (Federal) Minister for Health, the Hon. Greg Hunt, advocating for improved local mental health services and increased local mental health awareness. Prior to this occurring, the CEO is to instruct officers to identify specific service shortfalls in Frankston which require rectification. This should be reflected in the letter to the relevant ministers. The final draft of this letter is to be provided at the May council meeting for consideration. This letter should form the basis of Frankston City Council's future advocacy relating to mental health based outcomes in the Frankston municipality.”*
- Following endorsement of NOM 1295, officers discussed specific service shortfalls in Frankston with the local service sector. This raised concern regarding:
  - Risk to continuation of funding for Frankston’s Mental Health and Homeless Program (MHHP – Breaking the Cycle) beyond 30 June 2017. MHHP is a multi-agency assertive outreach program providing long term stepped care focused on accessing stable housing; building therapeutic alliance; individual service planning; care coordination; psycho-social support and clinical treatment for community members with complex mental health issues.
  - Adequate access to sufficient psychological counselling services for young people aged 12-25 years who are experiencing moderate to severe depression.

**12.20 Response to NOM 1295 - Mental Health Draft Letter****Executive Summary**

- Service gaps that will result through the transfer of funds from federally and, in Victoria, state funded mental health programs to the NDIS. In Victoria this leaves NDIS as the only option for many people with mental health issues who require psychosocial support yet the transition plan will contribute significant service gaps for people with serious mental illness who do not qualify for the NDIS.
- At the time of writing this report, agencies are hopeful funding for the MHHP – Breaking the Cycle program will be resolved in the upcoming Budget announcement.

**Financial Impact**

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

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

This report responds to NOM 1295 requiring advocacy letters to State and Federal Health Minister and has no financial impact.

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

Mentis Assist and Psychiatric Disability Services of Victoria (VICSERV)

**2. Other Stakeholders**

MetroAccess Officer

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

Provision of adequate and accessible health services directly contribute to community wellbeing outcomes enabling social inclusion and enhancing economic participation of residents.

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

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

Legal

There are no legal implications in this report.

Policy Impacts

There are no policy implications in this report.

Officer's Declaration of Interests

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

**12.20 Response to NOM 1295 - Mental Health Draft Letter****Executive Summary****Risk Mitigation**

This report responds to NOM 1295 to draft a letter to Federal and State Health Ministers on mental health service gaps in Frankston. Of these, and at the time of writing this report, the continuation of funding of the MHHP – Breaking the Cycle program may be resolved in the upcoming Budget announcements.

**Conclusion**

NOM 1295 required a draft letter be presented to Council regarding specific mental health service shortfalls in Frankston which require rectification that, once approved, be sent to relevant Ministers.

---

**ATTACHMENTS**

Attachment A: Letter to Ministers regarding Mental Health in Frankston



## Office of the Mayor

Frankston City Council  
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PO Box 490, Frankston VIC 3199  
Website: frankston.vic.gov.au

Reference: A3344628  
Enquiries:  
Telephone:

(Insert Date)

(Insert Address)

### DRAFT LETTER

Dear Minister

At its Ordinary Meeting 299 (3 April 2017) the following Notice of Motion 1295 was unanimously endorsed:

Council raised concerns about shortfalls in the local mental health service system (outlined on pages 2 and 3) and subsequently resolved to write to all relevant Ministers about the areas that require improvement.

In preparing this letter, engagement with the local service sector was undertaken, which highlighted three major areas of significant concern. These include gaps in ongoing funding for people experiencing homelessness who are likely to also experience mental health disorders; impacts of an inadequately funded services for young people aged 12-25 years with moderate to severe mental health issues; and the transition of State funded mental health services to the NDIS.

Through engagement with the local service sector and a review of available health statistics, Council seeks an urgent commitment to:

- 1) Secure funding for the continued delivery of the MHHP (Breaking the Cycle Program) as an evidenced based integrated service response to the complex needs of this population. Without ongoing funding dual diagnosis clients will experience poor health outcomes and significant barriers to accessing treatment.
- 2) Additional funding to enable adequate early psychological interventions for young people who are experiencing moderate to severe depression. Tragically, the local service system responded to 15 youth suicides in Frankston Mornington Peninsula in 2016.
- 3) Council urges State Government to retain and deliver an appropriately funded community-based mental health service to residents who fall outside the scope of the NDIS to ensure continuity of care and access to rehabilitation and support needs. There is a lack of clarity around ongoing funding for Mutual Support and Self-Help and Planned Respite; MHCSS programs that are not currently planned to transition to the NDIS and concern that many of the participants of these programs will not be eligible for NDIS funding.

Specific concerns that have given rise to this letter are outlined below in support of Council's requests.

In relation to Housing and homelessness for people with complex mental illness, Frankston's Mental Health and Homeless Program (MHHP - Breaking the Cycle) provides for a multi-agency assertive outreach program operating in the Frankston and Mornington Peninsula catchment. It is a partnership between Mentis Assist (community mental health), Peninsula Health Mental Health Program and Alcohol and other Drugs program (clinical mental health and drug treatment) and SalvoCare Eastern (the front door crisis housing provider).

The MHHP provides long term stepped care and focusses on accessing stable housing; building therapeutic alliance; individual service planning; care coordination; psycho-social support and clinical treatment. The program is a direct response to people experiencing homelessness who are also likely to experience mental health disorders; substance use disorders and the prevalence of co-morbid mental health and substance use disorders (Dual Diagnoses) and is only funded until 30 June 2017.

MHHP is working with clients at the extreme to severe end of homelessness and are high users of emergency and psychiatric inpatient services. There are no other services that offer long term and intensive support to this client group who usually fall through the gaps completely or receive short term crisis responses that do not address the underlying issues. This client group are unlikely to access services without assertive engagement, and are often disengaged from general practitioners and other health professionals without assertive interactions. As an outer metropolitan area, Frankston has fewer services and resources compared to inner city counterparts; if the MHHP is defunded, there are no other assertive mental health programs in this catchment. The outcomes for this client group, and the broader Frankston community will be poor including increased rough sleeping; increased contact with the justice system; increased drug related harms; untreated chronic health conditions; increased pressure on an already stretched services such as MHCSS, Emergency departments, psychiatric units, crisis centre, justice services, community support agencies which are not resourced to meet the specific needs of the client group.

The need to continue funding the evidence based MHHP (Breaking the Cycle) is urgent. In the six month period (July – December 2016) the MHHP achieved:

- Reduction in rough sleeping from 46% of clients to 12%
- Increased access to private rental accommodation from 12% to 34%
- Increased access to long term public and transitional housing from 7% to 20%
- Reduction in overall homelessness from 85% to 25%
- Increased access to drug treatment from 10% to 56%
- 100% of clients have accessed clinical mental health treatment, many of the clients had not previously engaged with mental health services
- Reduction in offending behaviours with 60% of clients having current legal issues to 40%
- Reduction in Methamphetamine use from 37% to 25%
- Increased in abstinence from substance use from 2% to 10%
- Reduction in Emergency department presentations and psychiatric admissions.

#### **Services for young people with moderate to severe mental health issues**

Frankston City Council delivers universal youth services working with young people at risk of disengagement and collaborates with the broader local youth service system to assist the successful transition of young people into adulthood. Within this a gap in the provision to young people who are experiencing moderate to severe mental health issues has been identified. This service gap has more recently been acknowledged by the South East Melbourne Primary Health Network Population Health Data Analysis and subsequent funding of a 12 month place based pilot project in Frankston focused on the development of a model of care that supports young people with moderate to severe mental health

symptoms and complex care needs as a part of a broader transition to a stepped model of care by June 2018. This project will build capacity within Frankston to better support existing young people with wrap around support provided by a recovery clinician and care coordinator.

Council is aware that demand for services continues to grow placing ongoing stress on access to psychological interventions. Current MBS (Medicare Benefits Schedule) item guidelines provide a blanket option for up to 10 sessions of psychological interventions, this one model fits all response is under review. Individuals experiencing severe symptoms require longer term and a blend of interventions to reduce risk and support recovery.

Young people accessing services in Frankston are socio-economically and geographically diverse, with some travelling from outlying areas in the Mornington Peninsula, and additional funding is required to support young people with intake and psychological interventions. This will provide a more timely response and client flow through the service (waitlist management) but does not address growing demand in presenting numbers of new or returning young people.

#### **Transition to the National Disability Insurance Scheme (NDIS)**

Whilst Frankston City Council welcomes the roll-out of the National Disability Insurance Scheme in the Bayside Peninsula Area of Melbourne in April 2018 there are concerns that a gap in service provision will be created with the transfer of funds from federally funded mental health programs such as Partners in Recovery (PIR) and Personal Helpers and Mentors (PhaMs) to the NDIS. Frankston City Council understands that a number of residents currently receiving assistance from these programs will be ineligible for the NDIS. In addition to this, the Victorian Government has committed to redirect funding from Mental Health Community Support Service funds the NDIS will not compliment community mental health services in Victoria (as is the case in other State where this transfer will not take place). In Victoria this means NDIS is the only option for most people with mental health issues who require psychosocial support yet this transition plan will contribute significant service gaps for people with serious mental illness who do not qualify for the NDIS. There is already pressure on Frankston Hospital Emergency Department to deal with presentations of people with serious mental health conditions and concern that those ineligible for NDIS will place additional stress on mainstream services such as Frankston Hospital and at other health and clinical services that are not best placed to provide the required supports.

Further given the limited amount of funding available under the Information, Linkages and Capacity (ILC) building framework (which will not roll out locally until 2019), and the fact that there is no quarantining for psychosocial disability and/or mental health, access to this funding will be highly competitive. Overall, ILC doesn't have the capacity to provide for the scope of what existing services deliver, and respond to the needs of people who won't be eligible for the NDIS. Frankston City Council also shares the specific concerns raised in submissions by peak bodies, Community Mental Health Australia and VICSERV relating to the discrepancy between what state funded services are/were receiving (in terms of a dollar value per hour of service) and the current pricing of the NDIS; this risks retention of highly skilled mental health workers and subsequent impact on service delivery.

Council requests confirmation of ongoing funding for Mutual Support and Self-Help and Planned Respite; MHCSS programs that are not planned to transition to the NDIS. Further council seeks urgent intervention and funding to ensure the retention of a highly skilled mental health workforce, currently at risk due to the pricing structure of the NDIS.

Thank you for your consideration of the above items that are adversely impacting some of Frankston's most vulnerable residents experiencing mental health issues. I look forward to your timely and positive response.

Yours faithfully

Cr Brian Cunial  
**MAYOR – FRANKSTON CITY**

**13.1 NOM 1310 - Notice of Rescission - NOM 1308 - Port of Hastings - Ordinary Meeting 300 - 1 May 2017**

On Tuesday 2 May 2017 Councillors Cunial, Hampton and O'Reilly gave notice of their intention to move the following motion:

We, Councillors Cunial, Hampton and O'Reilly, hereby give notice that at the next appropriate meeting of Council, we will move that the following decision of Council made at Ordinary Meeting OM300 held on 1 May 2017 regarding Item 13.8: NOM 1308 – Port of Hastings be rescinded:

*That:*

1. *Frankston City Council writes to the Victorian Government and Infrastructure Victoria resolving not to support a second container Port at Hastings including the following:*
  - (a) *Opposing any form of capital dredging, widening, or deepening of channels in Westernport Bay.*
  - (b) *Outlining that any change in, or continuation of, the Port of Hastings operations must result in no net loss for the economy, environment and amenity.*
  - (c) *Requesting that they demonstrate and justify the need and timing for a second major container port in Victoria through comprehensive, evidence based assessment, including consideration of the current port capacity in Victoria and via a national approach.*
  - (d) *Requesting independent research be undertaken to determine the impact on inter alia:*
    - (i) *coastline including increased erosion and inundation;*
    - (ii) *tourism and the impact on visitation;*
    - (iii) *fishing and the impact to the recreational fishing industry; and*
    - (iv) *Marine life impact including penguins and whales that enter Westernport.*
2. *Frankston City Council removes the Port of Hastings expansion from its advocacy program.*

Should the rescission be carried, we give notice of our intention to move the following motion:

*That Council*

1. *Recognises that a newly elected Council should have the right to reconsider its position on key advocacy issues;*
2. *Requests the CEO organises a briefing of all Councillors to ensure that all Councillors are fully informed of all matters pertinent to the issue;*
3. *Following this briefing, the matter be brought back to Council for a final decision at the next Ordinary Meeting of Council.*

**Signed:**

.....  
**Cr Brian Cunial**

.....  
**Cr Colin Hampton**

.....  
**Cr Michael O'Reilly**

**Date:**

\_\_\_ / \_\_\_ / \_\_\_

\_\_\_ / \_\_\_ / \_\_\_

\_\_\_ / \_\_\_ / \_\_\_

**13.1 NOM 1310 - Notice of Rescission - NOM 1308 - Port of Hastings - Ordinary Meeting 300 - 1 May 2017****RATIONALE:**History of Council support for an expanded container port at Hastings

**1997:** Council has identified an expanded container port at Hastings as an opportunity since at least August 1997, when it adopted the Frankston City Economic Development Strategy (EDS) 1997.

**2011:** The 2011 EDS stated "...the Port of Hastings could be established as the primary container hub for Victoria in the future. Frankston would be ideally positioned to perform the business centre role for that hub in the future, assuming strategic transport connections are improved."

**2013:** Council Plan 2013-2017 states "...creating local employment opportunities is essential to improve opportunities for current and future generations...drivers for this in the longer term (include) the development of the Port of Hastings."

**2016:** The current EDS 2016-2022 identifies "Major economic infrastructure and an expanded Port of Hastings" as one of its nine priorities.

**2017:** In the Proposed Frankston City Council Plan 2017-2021 the Port of Hastings is identified as an advocacy priority under section 1 (Community Infrastructure).

Council has also supported the Port of Hastings as part of the South East Melbourne group of Councils for many years, including in its most recent strategy in 2014.

Economic impact of an expanded container port at Hastings

Major economic infrastructure is critical to the Frankston City and the greater South East Melbourne region. As of 2011, population growth was occurring at five times the pace of job growth across the SEM region. In Frankston City, the ratio of jobs to residents is less than 1:3. This situation has been exacerbated by the closure of the Australian automotive manufacturing industry, affecting over 5,500 jobs in SEM (831 jobs in Frankston City).

A container port at Hastings would deliver the following economic benefits for South East Melbourne (SEM) according to a 2013 study by GHD consulting:

- \$1 billion/year in GRP in the mid-2030s, rising to \$3 billion/year in GRP in the early 2050s
- An additional 5,700 jobs by the mid-2030s and 15,200 jobs by the early 2050s

Support for an expanded container port at Hastings requires environmental considerations

Council's support for an expanded container port at Hastings should require a full Environmental Effects Statement and Environmental Offset Strategy. There is also an opportunity to develop a 'green port', as a world leading exemplar project.

The effect on the alternative to Hastings - Bay West (located on the western shores of Port Phillip Bay) could have catastrophic impacts on the health of Port Phillip Bay and its environs, particularly if channels at Port Phillip Heads need to be widened/deepened.

The information that has been provided to date does not provide complete or comparable environmental impact assessments of Port of Hastings and Bay West options, and these need to be completed for an informal decision to be made.

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

**13.1 NOM 1310 - Notice of Rescission - NOM 1308 - Port of Hastings - Ordinary Meeting 300 - 1 May 2017**

In the event that this notice of rescission is passed and the subsequent motion adopted, arrangements will be made for Councillors to be briefed on all aspects of the discussion around a second container port for Melbourne.

The briefing would benefit by expanding those that attend to include Members of Parliament, State Government's Infrastructure Victoria, key environmental and economic stakeholders together with key community groups to allow for a full overview of the issues around not only Port of Hastings but also the Bay West option.

Council has advocated for the need for a second container port and has had the position that the Port of Hastings should be the preferred location.

During previous consultation on the Port of Hastings, Council has always highlighted the need to address environmental concerns and not just limit the discussion to economic benefit.

Council had participated on a local government advisory group with other South East Melbourne Councils working with the Port of Hastings Authority.

This work was addressing all issues and had it been allowed to continue would have led to the answers on all key questions.

Council has always acknowledged the Bay West should be assessed in exactly the same manner to ensure a level playing field when making a final decision.

Melbourne must address this major infrastructure project as establishment of a second port will require a significant number of lead in years.

Victoria must also work towards maintaining its position with respect to being a major eastern seaport capital and should not be relinquishing its international shipping status to competitors domestic and international.

Striking the right balance between the economic and environmental needs should be the aim of the Council in seeking to host a roundtable.

The State Government of the day will ultimately decide the policy around a second container port and its location.

However the Council can have significant influence based on obtaining all of the facts and offering a solution to address all competing needs.

As a result of the provision of all of the relevant information, Council then could consider whether it needs to adopt an alternative position to that of not supporting the Port of Hastings.

---

**ATTACHMENTS**

Nil

## 13.2 NOM 1312 - Unemployment in Frankston

On Tuesday 25 April 2017 Councillor Kris Bolam gave notice of his intention to move the following motion:

In light of unsatisfactory unemployment statistics which put Frankston in the upper tier of municipalities with significant local unemployment, a report be provided at the September Ordinary Meeting in relation to the following:

1. How the Frankston City Council could increase apprenticeships, pre-vocational work experience, traineeships, cadetships and tertiary work experience;
2. How the Council could lobby other major local employers (i.e. Peninsula Health, South East Water etc) to consider additional apprenticeships, pre-vocational work experience, traineeships, cadetships and tertiary work experience;
3. How the Council could work with local media, local businesses and the Frankston Business Network to encourage businesses and industries to consider additional apprenticeships, pre-vocational work experience, traineeships, cadetships and tertiary work experience; and
4. Identify employment programmes currently not in effect in Frankston – new and existing – which would be beneficial; and prepare a letter (for adoption in September) to relevant state and federal ministers requesting the implementation of such programmes.

The report is to provide specific options including costings and resourcing considerations, particularly in relation to Frankston City Council's potential to increase placements.

### COMMENTS BY CHIEF EXECUTIVE OFFICER

In the event the Notice of Motion is passed the report will be provided.

It should be noted that Council's adopted Economic Development Strategy 2016 – 2022 has a range of initiatives aimed at increasing employment opportunities and creating jobs.

Council has applied to the Federal Government to host the South East Melbourne Jobs Fair in August 2017.

In addition Council is partnering with the Victorian Skills Commissioner and the South East Melbourne Councils to undertake a skills and training audit which will identify a range of issues that will then assist in working towards providing employment.

Council has had traineeships and apprenticeships in the past which could be continued subject to a review of workforce requirements and budget allocations.

---

### ATTACHMENTS

Nil

**13.3 NOM 1313 - Solar Panels Installation on Civic Centre**

On Tuesday 2 May 2017 Councillor Sandra Mayer gave notice of his intention to move the following motion:

That Council:

1. Receive a report at its June 2017 Council meeting on the options available to install solar panels on the roof of the Civic Centre in line with the Carbon Neutral Action Plan.

The report is to consider updated information on previous reports presented to Council on solar panels including new technologies and Council's ability to fund the installation of the solar panels in the 2017/18 financial year if the project proceeds;

2. The Chief Executive Officer be requested to have a staff member, as a matter of priority, review and monitor Council's energy bills to ensure that Council are not being over charged; and
3. The findings are to be reported to Council at a briefing every six months.

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

Currently an audit of Council's energy accounts is taking place with the results to be reported to the Executive Management Team.

The outcomes can be provided to the Councillors.

There have been previous reports prepared on the capacity of the building to have solar panels installed including what works would be required structurally to accommodate the panels.

This information also contained costings associated with the work, panels and also included the payback period.

Council does have a solar panel program in its budget for 2017/18, however the Civic Centre is not included in the list of buildings to receive panels.

It is suggested that Councillors receive a briefing on the updated information on the solar panels as they apply to the Civic Centre with a view to considering the issue at its July 2017 Council meeting.

This report can also highlight advances to solar panel technology which may overcome some of the previous issues relating to the installation of the panels including advice from overseas experiences.

Having been provided with the information Council can then make a decision if it wishes to proceed with the installation of the solar panels and refer the funding required to the mid-year budget review.

---

**ATTACHMENTS**

Nil

**13.4 NOM 1314 - Seaford Road Level Crossing Funding**

On Tuesday 2 May 2017 Councillor Lillian O'Connor gave notice of her intention to move the following motion:

1. a) That a report be provided to Council at the July Ordinary Meeting identifying potential projects, concepts, designs and plans, including upgrades to the RF Miles Reserve, to revitalise the Seaford community as part of the State Government's Seaford Road Level Crossing Removal Project. The report should also consider projects and funding not currently earmarked by the State Government which could be greatly assisted by further funding within the Seaford Road proximity;
- b) That Council write to the Victorian Minister for Transport, Hon Jacinta Allan MP and State Member for Carrum, Sonya Kilkenny MP seeking additional funding, on top of the current amount earmarked by the State Government, to revitalise the Seaford community as part of the Level Crossing Removal Project at Seaford Road. Once the Council resolves what additional monies and projects should be considered, this be properly articulated in the funding request letter.
2. a) In light of the State Government's decision to seal Eel Race Road, and the subsequent fiscal savings that undertaking no level crossing removal works at Eel Race Road will achieve, Frankston City Council formally requests that the State Government commit to new funding opportunities for Seaford based projects within proximity of Eel Race Road, such as Riviera Reserve and ageing sport facilities;
- b) Notwithstanding Council's opposition to the proposed Eel Race Road closure, a report be provided to Council (which may be the same report stipulated in 1(a) at the July Ordinary Meeting) identifying potential projects, concepts, designs and plans, which should be considered given the State Government's decision to not contribute to level crossing removal works at Eel Race Road; and the sealing of Eel Race Road, which will create various access and egress implications for both pedestrians and commuters;
- c) That Council write to the Victorian Minister for Transport, Hon Jacinta Allan MP and State Member for Carrum, Sonya Kilkenny MP seeking new funding, based on the Eel Race Road decision, to revitalise the Seaford community. Once the Council resolves what additional monies and projects should be considered, this be properly articulated in the funding request letter.

**RATIONALE:**

With the State Government having now decided to proceed with a 'hybrid' design for Seaford Road, the Council considers these grounds to seek new additional funding from the State Government. This motion has arisen per the encouragement of Carrum MP Sonya Kilkenny.

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

The Minister for Transport's announcements around the Seaford Road Rail Crossing Removal also included a \$10M package for projects in the immediate area of the level crossing.

The Minister identified numerous projects particularly relating to the RF Miles Reserve as a result of the information provided by Council which now are funded as a result of the \$10M.

**13.4 NOM 1314 - Seaford Road Level Crossing Funding**

Based on this successful process officers can again identify Seaford projects for Council to submit to the Minister seeking additional funding.

The list of projects will be provided in the July 2017 report.

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**ATTACHMENTS**

Attachment A: Ministerial Briefing Paper

Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016

Attachment C: Letter to The Hon. Jacinta Allan MP, Minister for Public Transport - 20 March 2017

Attachment D: Letter to The Hon. Jacinta Allan MP, Minister for Public Transport - 4 April 2017

# Frankston Line Planning



Ministerial Briefing Paper for the Hon. Jacinta Allan MP,  
Minister for Public Transport – Thursday 6 April 2017

*opportunity » growth » lifestyle*

## Desired Outcomes:

Frankston City Council welcomes the commitments that the Andrews' Government has made towards the redevelopment of the Frankston Station Precinct and the removal of eleven dangerous level crossings on the Frankston line.

After reviewing the options presented by LXRA during the public consultation period, at Council's meeting 19 December 2016, Council confirmed its position of its preferred grade separation for Council's three sites (copy attached).

Council also sent a list of questions to LXRA seeking clarification on a number of issues. A response was provided by LXRA however some question were not fully answered.

Furthermore, on Saturday 25 February 2017 and Monday 6 March 2017, Council Officers received emails from LXRA noting the State Government decision for grade separation at Eel Race Road, Seaford Road and Overton/Skye Road. Not only were the grade separation for two sites not in line with Council's preferred option put, Council were advised of the preferred location for the new train stabling site at Kananook that has sufficient capacity to cater for the trains stabled at Carrum Station and the additional trains proposed for the Frankston Line once the Metro Rail Tunnel has been completed.

The use of industrial land in Kananook for a stabling facility is a detrimental move that will result in the loss of vital businesses and potentially over 200 jobs from Frankston City. This will including the compulsory acquisition of properties that house Frankston City businesses as well as Council land. The removal of prime industrial land off Wells Road, Seaford for stabling requirements is not the best use of the land and will impact on job growth opportunities or economic growth of businesses. Also it is understood that the stabling can cater for additional train stabling to increase the service. This will also have impact on when the electrification to Baxter will occur.

Council is pleased that the Federal Government has committed a total of \$4m to allow for the preparation of business cases for the electrification and duplication of the rail line from Frankston to Baxter, and the consideration of a Frankston flyer third track to enable a dedicated express train service between Frankston and Melbourne CBD.

Council calls on the Victorian Government to commit to delivering the electrification of the Frankston railway line to Baxter as this would complete the work along the entire line and deliver greater outcomes for Frankston and the entire region. This would also resolve the stabling issues along the Frankston Line.

It is imperative that all three levels of government work together to ensure that Frankston rail corridor projects are delivered as a complete piece of work to realise their full potential.

Council believes that work needs to commence immediately on the Federal Government's business plan in order to future proof the Frankston rail corridor. However, it is Council's understanding that this work is not planned to commence on these projects until early-2018.

Frankston City Council asks that:

- The Minister seeks an interim solution for the stabling of the trains at Carrum and urgently commences work on the Business Plan for the Electrification to Baxter and improved rail services (third rail) along the Frankston Line.
- Furthermore, the Minister supports that all three levels of government work together on the delivery of the Business Plan to ensure that the Frankston rail corridor projects are delivered as a complete piece of work to realise their full potential.
- The Minister supports Council by provide a response to the questions raised in this Ministerial Briefing.
- The Minister supports Council's call on the Victorian Government to commit to delivering the electrification of the Frankston railway line to Baxter as this would complete the work along the entire line and deliver greater outcomes for Frankston and the entire region.

## Facts/Data

On 30 November 2016, the newly elected Council was briefed on Council's Officers review of the preferred options proposed by LXRA for the three sites in Frankston, Seaford and Carrum. At this briefing a number of question were raised that required LXRA's response.

Council were also briefed on the grade separation options proposed by LXRA on 7 December 2016. At this briefing the questions raised at the previous briefing were presented to LXRA for their response. Council received a response from LXRA however some question were not fully answered.

At Council's meeting on 19 December 2016, Council also endorsed its position of its preferred grade separation for Council's three sites. The resolution which is attached and a copy of Frankston City Council's submission to LXRA was forwarded electronically to the Minister (further copy attached).

On Saturday 25 February 2017, Council Officers received an email from LXRA announcing the State Government preferred option for Overton / Skye Road as rail over road and its preferred option for Seaford Road as a hybrid rail over road.

Furthermore, on Monday 6 March 2017, Council Officers received an email from LXRA announcing the State Government preferred option for Eel Race Road as closing Eel Race Road and that the train stabling at Carrum Station will be relocated to a new stabling facility at Kananook.

On account of these announcements at the Council meeting on 14 March 2017, Council endorsed the following resolution:

*That Council:*

1. *Notes the report that provides information on the recently announced preferred grade separation options for Eel Race Road, Seaford Road and Overton / Skye Road locations made by the Minister of Public Transport, the Hon. Jacinta Allan, MP and Level Crossing Removal Authority (LXRA);*

2. *Writes to the Minister for Public Transport, the Hon. Jacinta Allan, MP and LXRA highlighting Council's disappointment on the recent announcements and the lack of consideration given to Council's and the Community's input;*
3. *Does not accept any position that would locate the stabling for the trains at Kananook having to utilise valuable industrial land in the Frankston municipality and seeks in its meeting with the Minister detailed information and calls upon the Minister to enter into further discussion about suitable alternatives;*
4. *Prepares an in-depth submission to the Premier of Victoria, The Hon. Daniel Andrews, The Minister for Transport, The Hon. Jacinta Allan and the Opposition, Leader, The Hon. Matthew Guy opposing the placement of stabling facilities from Carrum to Seaford. The submission should consider the impact from noise pollution, amenities and community safety concerns on the residents and businesses that are living and working in the proposed area where the stabling yard will go. Also, the submission should highlight the impact on the Frankston municipality due to the loss of Seaford businesses that occupy the land identified for the proposed stabling (which could lead to hundreds of job losses). Finally, the submission should consider the economic, social and environmental consequences of moving the stabling yard from its present commercial location in Carrum to the mixed zoning of Seaford;*
5. *Expresses disappointment to the Member for Carrum, Ms Sonya Kilkenny MP and the Member for Frankston, Mr Paul Edbrooke MP regarding the relocation of the stabling yard from Carrum to Seaford;*
6. *Calls on the Victorian Government to immediately commence work on the business plan for the electrification to Baxter and rail service improvements (third Rail line) and to commit to delivering the electrification of the Frankston railway line to Baxter as this would complete the work along the entire line and deliver greater outcomes including significant employment opportunities for Frankston and the entire region including resolving the stabling issues associated along the line.*
7. *Continues to advocate for the best outcome for the Community at three removal sites being Overton/Skye Road, Seaford Road and Eel Race Road. On the basis that the Minister has adopted Council's position on Eel Race Road, the Minister be requested to advise what is happening with the \$150 million allocated in the budget for Skyrail;*
8. *Also advocates for traffic and signalisation improvement for the intersections at Overton Road / Nepean Hwy and Skye Road / Overton Road;*
9. *Seeks clarification from the Minister for Public Transport, the Hon. Jacinta Allan, MP on the scope proposed for the \$10 million to be spent to revitalise the Seaford Community with extensive landscaping, a new shared user path, and significant upgrades to R.F. Miles Reserve as announced by the State Government relating to Seaford Road however, there is no mention at Overton Road or Eel Race Road that similar funding will be available; and*
10. *Forwards a copy of the correspondence to all members of Parliament representing our municipality including the Member for Dunkley, Mr Chris Crewther MP, Member for Isaacs, the Hon. Mark Dreyfus QC MP, Member for Frankston, Mr Paul Edbrooke MP, Member for Carrum, Ms Sonya Kilkenny MP, Public Transport Victoria and the Chair of the South East Melbourne Group.*

Council has also discussed the bringing forward of the business case for the Electrification to Baxter and improved rail services (third rail) along the Frankston Line. This has not occurred to date.

As there are a number of items that Council seek clarification, Council requested that a meeting be arranged with the Minister for Public Transport to discuss these items.

## Options/Ideas

The following questions are raised to seek a response from the Minister for Public Transport:

1. **What is the State Government position on the following that relates to the creation of public spaces at the grade separation sites;**
  - a. **Who will be made responsible for maintain the new open space / public realm / Infrastructure?**
  - b. **What is the Government Policy for funding increased maintenance cost for newly created infrastructure that Local Government Councils may inherit from the works? What funding contribution could be provided by the State Government and for how long if provided?**
2. **Will road infrastructure at the intersection of Overton Road / Skye Road and Overton Road / Nepean Hwy be improved to improve traffic movement through the intersections as part of the grade separation works at Overton Road / Skye Road?**
3. **Will there be any compensation for affected businesses?**
4. **What efforts will be put to relocating the businesses to alternate locations within Frankston City?**
5. **Have the businesses who do not own land in the area been told about the acquisition?**
6. **When will the businesses be told about any assistance packages?**
7. **When will the process commence for the acquisition?**
8. **What are LXRA and the Victorian Government going to do to offset the 200+ job losses that will likely occur?**
9. **How many trains would the proposed new Train Stabling Facility cater for?**
10. **What train maintenance activities will be conducted at the new stabling?**
11. **How many jobs would the new Train Stabling Facility generate?**
12. **What actions would be taken to minimise the visual impact of the stabling on the amenities?**
13. **How well will the new Train Stabling Facility be maintained and how quick would graffiti be removed?**
14. **Considering you have selected the option to close Eel Race Road, why was the option to relocate some of the stabling from Carrum to sites near Armstrong Road as previous advised?**
15. **How will you support the current business who will now be significantly impacted by the new stabling at Kananook?**
16. **On the basis that the Minister has adopted Council's position on Eel Race Road, what is happening with the \$150 million allocated in the budget for Skyrail?**

**17. Could you please clarify what is the scope proposed for the \$10 million to be spent to revitalise the Seaford Community with extensive landscaping, a new shared user path, and significant upgrades to R.F. Miles Reserve as announced by the State Government relating to Seaford Road and if similar funding will be available at Overton Road or Eel Race Road sites.?**

### **Analysis (Economic, Social & Environmental Impact)**

There are many economical, social and environmental benefits from the proposed grade separation works, redevelopment of the Frankston Station, the electrification to Baxter and improved services along the Frankston line through a third rail. These benefits have been listed in detail in Council submission on the Frankston Rail Planning previously provided.

The grade separation works at Eel Race Road will relocate train stabling at Carrum Station to a newly built train stabling facility in Kananook. This will include the compulsory acquisition of properties that house Frankston City businesses as well as Council land. The removal of prime industrial land off Wells Road, Seaford for stabling requirements is not the best use of the land and will impact on job growth opportunities or economic growth of businesses. It is understood that a stabling facility in Kananook is a detrimental move that will result in the loss of vital businesses and potentially over 200 jobs from Frankston City. A stabling facility located at Baxter, as part of the regions much needed electrification of the Frankston railway line to Baxter, will avoid loss of key industrial land and would be a more feasible longer term solution for train stabling and maintenance

### **Consultation to date**

The newly formed Council adopted the Frankston Rail Planning documentation at its Ordinary meeting of Council on 19 December 2016.

A copy of the documentation was also forwarded to:

- The Premier of Victoria, the Hon. Daniel Andrews MP
- The Member for Frankston, Mr Paul Edbrooke MP
- The Member for Carrum, Ms Sonya Kilkenny MP
- The Federal Member for Isaacs, the Hon. Mark Dreyfus MP
- The Federal Member for Dunkley, Mr Chris Crewther
- The Mayors along the Frankston Line including Stonnington, Bayside, Glen Eira and the City of Melbourne (Lord Mayor)
- CEO of PTB Mr Jeroen Weimar
- Coordinator General, Major Transport Infrastructure DEDJTR Mr Corey Hannett
- CEO of LXRA Mr Kevin Devlin
- Plus made available on Council's website [www.frankston.vic.gov.au](http://www.frankston.vic.gov.au)

### **Recommendation/funding:**

That the Minister gives consideration to Council's desire not to construct the new train stabling facility in Kananook, commit to delivering the electrification of the Frankston railway line to Baxter and questions raised.

**Contact Officer:** Vito Albicini  
Director CAA Development  
Frankston City Council  
0428 593 890  
[Vito.albicini@frankston.vic.gov.au](mailto:Vito.albicini@frankston.vic.gov.au)

OFFICE USE: A3331030

ORDINARY MEETING MINUTES	28	19 December 2016 OM295
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**12.7 Submission - Level Crossing Removal Authority**  
(VA CAA Development)

*Cr Hampton left the chamber at 9.48pm*

**Council Decision**

**Moved: Councillor Aitken**

**Seconded: Councillor Bolam**

That:

1. Council endorses the submission (Attachment A) to Level Crossing Removal Authority (LXRA) dated 30<sup>th</sup> October 2016;
2. Council confirms its position on preferred grade separation as follows:
  - I. **Seaford Road**, rail under road as previously requested;
  - II. **Skye/Overton Road**, rail under road as previously requested. Council requests that an engineering solution utilising siphons be fully investigated to manage the drainage flooding issues;
  - III. **Eel Race Road**, no change to the Level Crossing at Eel Race Road, Seaford with funding to be redirected to Council's strategic rail needs however Council's preferred option is rail under road if the LXRA's intention is still to proceed with road/rail separation. It is noted however that the rail over road at McLeod but Eel Race Road Closed option is in line with Council's preferred option;
3. Officers forward the submission to the Level Crossing Removal Authority noting that the submission is now an adopted Council position;
4. A copy be forwarded to the Minister for Public Transport, the Hon. Jacinta Allan, MP, Member for Dunkley, Mr Chris Crewther, MP, Member for Isaacs, the Hon. Mark Dreyfus QC, MP, Member for Frankston, Mr Paul Edbrooke, MP, Member for Carrum, Ms Sonya Kilkenny, MP, Public Transport Victoria and the Chair of the South East Melbourne Group noting that the submission is now a Council position;
5. Council continues to advocate for the best outcome for the Community at three removal sites being Overton/Skye Road, Seaford Road and Eel Race Road;
6. Council also advocates for traffic and signalisation improvement for the intersections at Overton Road / Nepean Hwy and Skye Road / Overton Road; and
7. Frankston City Council looks forward to working cooperatively with the LXRA.

**Carried**

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

Against the Motion: Nil

Abstained: Toms

Absent: Hampton

*The meeting was adjourned for 10 minutes at 9.50 pm*

*The meeting was resumed at 10.00 pm*

Chairperson's initials



# Level Crossing Removal for Frankston



Endorsed Council Submission paper – 30 October 2016

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Footnote: Council at its Ordinary Meeting on Monday 19th December 2016, endorsed the submission sent to the Level Crossing Removal in October 2016.



*opportunity » growth » lifestyle*

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{Office use only: A3247933 – V1.1 – following Council adopting submission 19/12/16}

## Declaration of Limitation

Council notes that the Level Crossing Removal Authority (LXRA) has undertaken a consultation process with stakeholders and the Community to determine the preferred grade separation options. However, this consultation was undertaken during the time that Council cannot consult with the Community nor meet to formulate a response due to Council Elections and the caretaker requirements pursuant to the Local Government Act 1989. Frankston City is therefore disappointed that this submission could only include the resolutions of Council made prior to the consultation period and not that of a new Council.

Frankston City's ability to provide a fulsome response to the options under consideration was hampered by the lack of detailed technical information available for review, despite numerous verbal and written requests for access to information. Key information requested from LXRA in order to undertake a comprehensive analysis of the key issues of concern to our Community included geotechnical, hydrology, traffic modelling, shadow diagrams and stabling relocation information.

To the date of preparation of this submission, other than the generic information available to the public, only the Preliminary Geotechnical Investigation report for Skye/Overton Road site has been received.

Whilst Council officers with responsibilities for such areas as economic development, traffic planning, drainage, urban design, biodiversity and environment have reviewed the Technical Investigations Update for each of the crossing sites, there still is insufficient information to conduct a detailed assessment.

~

## Definitions:

1. "Council" means Council Officers

## Executive Summary of Response to LXRA Options

An assessment has been made by Council on the submitted information supplied by LXRA. Based on the previous review of options conducted by Council that lead to Council's submission in July 2016 and based on the review of LXRA's preferred options presented to the public during September and October 2016, Council provides the following response to LXRA.

Council's preferred grade separations are as follows:

- **Seaford Road**, rail under road as previously requested.
- **Skye / Overton Road**, rail under road as previously requested. Council requests that an engineering solution utilising siphons be fully investigated to manage the drainage and flooding issues.
- **Eel Race Road**, no change to the Level Crossing at Eel Race Road, with funding to be redirected to Council's strategic rail needs. However if the LXRA's intention is to proceed with road/rail separation, Council's preferred option is rail under road.

It is requested that LXRA investigate an option to move the Carrum Station south so that a rail under road solution can be considered. It is noted however that the rail over road at McLeod Road but Eel Race Road closed option is in line with Council's preferred option.

Council Officers have reviewed the proposed grade separation options and the corresponding technical investigation update information presented to the public for feedback during the public consultation process. Tables detailing Council's response are provided in **Appendix B**. Council Officers also have provided a summary of the key responses for each site, this is detailed in Section 2 below.

Finally a detailed response on Council's desired outcomes for each grade separation site to maximise community benefit is provided to LXRA in Section 3. This information is provided to ensure that LXRA considers Council's preferred outcomes during the design of the final grade separation option.

Council has also raised significant concerns of the potential for relocation of stabling from Carrum Station to an alternate location within our municipality which has not been articulated by LXRA or has been able to be considered by our Community.

## Introduction

The Victorian Government committed in 2015 to remove 50 level crossings on the metropolitan rail network by 2022, in line with a pre-election commitment. The implementation of this plan is being delivered by the Level Crossing Removal Authority (LXRA). Three of these crossing removals are located within Frankston City at Eel Race Road, Seaford Road and Overton / Skye Road.

The removal of level crossings will improve safety, deliver transport network efficiency, reduce congestion and provide significant local and road user benefits. Additional development and open space opportunities will be facilitated by the proposed at grade crossing removals.

## Council Focus

Each of the level crossing removals will have positive and negative impacts on the immediate and wider Frankston communities, and Council has desired outcomes it wants to achieve at both levels.

Level crossing removal projects can not only relieve congestion and improve safety at the crossing point, but can also provide redevelopment opportunities, and deliver urban realm improvements. However, each of the solutions can also result in adverse social, economic and environmental impacts on the local area.

Frankston City's position on the options aims to achieve the best possible results for the community, particularly by preserving and enhancing adjacent amenity.

To assess what these results might be, the advantages and disadvantages of potential options have been reviewed which lead to the preferred level crossing removal options favoured by Council in this submission.

Strategically, Council believes that a 'whole of rail corridor' approach is the best way to realise the full potential of the crossing replacement projects to deliver a once in a lifetime opportunity for the revitalisation of Frankston as the premier regional bayside capital.

It is essential that the level crossing removal projects are not undertaken in isolation of Council's broader goals, that being, the electrification of the rail line to Baxter (including its impact of Frankston Station redevelopment) and the extension of the third rail southbound from Moorabbin.

The purpose of this paper is to provide the Level Crossing Removal Authority (LXRA) with Council's view of LXRA's preferred grade separation options, Council's option preferences for each of the crossings to be removed within Frankston, and to provide the context for additional rail corridor initiatives and Frankston Station improvements.

This includes the urgent need for the State Government to commit to the electrification to Baxter prior to the previously projected delivery date of 2027.

## Relationship Protection

Council proposes to be proactive as planning and implementation of the level crossing removals proceeds. There is great sensitivity amongst communities directly affected by prospective changes associated with the level crossing removal projects.

Further, there will be ramifications for the wider Community, particularly during the construction phases – including road and rail network closures. A strong and structured communication process that includes input from the LXRA and aligned transport authorities must be established.

In order to obtain the best possible outcomes for our Community, Council acknowledges that it is also vital to ensure that a respectful and collaborative partnership with the LXRA is established and maintained.

### **Organisation of Submission**

Reflecting Council's focus, the report is organised into six sections:

1. Desired Council Rail Outcomes previously presented.
2. Consideration of Rail Crossing Options proposed by LXRA.
3. Council preferred options.
4. Stabling on the Frankston Line.
5. Summary.
6. Submission to LXRA.

## Section 1.0

### Desired Council Outcomes

To assist with establishing Council's priorities for each of the rail removal crossings, an initial workshop was held with Councillors on 25 May 2016. The general priorities identified from the workshop were:

- Noise impacts no greater than currently
- Minimised visual impact
- Improved landscaping
- Better amenity
- Improved access for pedestrians and cyclists
- Equivalent or better road access
- Safer roads
- Increased personal safety
- Economic benefits

A later workshop was held with Councillors on 29 June 2016 to review the application of these priorities to each of the potential crossing options, and to establish Council's option preferences.

The workshop covered:

- A description of the potential crossings options (road over and under rail, and rail over and under road) for each crossing location.
- Confirmation of Council's desired outcomes.
- Consideration of the respective options by the use of a multi criteria assessment tool.
- The implications of each of the options for Council's priorities.
- Identification and assessment of the positives and negatives of the options for each crossing location.
- Establishment of Council's initial option preferences.

## Principles for Grade Separation in Frankston

The following objectives were devised in response to ideals articulated by Council and the Community.

These are the principles upon which the respective options were considered:-

**Maximised road network efficiency** – Ensure that any change to the road network achieves improved traffic flows within proximity of the crossing.

**Improved safety outcomes** – Decrease in pedestrian and vehicular incidents at and around crossings. Pedestrian and cyclists are visible from the public realm, routes are well lit and should be designed to follow best practice Crime Prevention through Environmental Design (CPTED) principles.

**Enhanced community connectivity** – Removal or reduction in physical and perceived barriers created by existing level crossings.

**Improved visual amenity** – Areas along the existing rail corridor are subject to an existing level of visual blight from the rail infrastructure and overlooking from passengers. Solutions should incorporate measures to improve visual amenity both from a resident and passenger viewpoint.

**Noise amenity** – Properties along the rail corridor are subject to existing levels of noise impacts, including warning bells, train horns, tires over tracks and the actual noise of the train itself. Any grade separation solution must present improved quantifiable benefits.

**Allowance for future development opportunities** – Certain grade separation solutions deliver opportunities for redevelopment of adjacent land for either private or public purposes.

**Quality open space and urban design outcomes** – Grade separation techniques can lead to increased open space opportunities and the delivery of positive urban design outcomes that benefit the passenger and the community as a whole. Crossings that deliver superior ground level activation through open space provision and built form improvements will be favoured.

**Environmentally responsible solutions** – Crossing solutions that mitigate impacts on receiving waters and provide habitat for increased biodiversity are considered superior.

**Future proofing/ allowance for whole of corridor approach** – The three crossings must not be viewed in isolation, but rather as part of the entire rail corridor through to Baxter and beyond. Provision must be made for the future relocation of train stabling from Carrum and Frankston to Baxter, and a third rail line from Baxter to Melbourne.

## Council's first submission to LXRA

Based on the detailed assessments and workshop conducted by Council in May and June 2016, at Council's Ordinary Meeting on the 18 July 2016, Council resolved the following:

### Council Decision

**Moved: Councillor Aitken**

**Seconded: Councillor Spelman**

That:

1. Council endorses the long term strategic rail needs and grade separation options assessment as documented by the Frankston City Council Level Crossing Preferred Options Submission paper (Attachment A).
2. Council agrees to submit the paper to the Level Crossing Removal Authority that recommends the preferred options namely:
  - Rail under Road for Seaford Road, Seaford;
  - Rail under Road for Skye/Overton Road, Frankston;
  - Indicates that the intended treatment at Eel Race Road crossing be waived in favour of the funding being transferred to facilitate a greater Frankston Station redevelopment outcome or electrification of the railway line to Baxter.
3. Council notes and appreciates Minister Jacinta Allan's statement of Monday 13 June 2016:

*"We will not be building a Dandenong line-style 'skyrail' on the Frankston line. Any allegations we will, are false."*
4. Council accordingly strongly affirms rail under road as the only appropriate method to remove these level crossings.
5. Council emphasises the value which our community place upon the coastal low scale development and naturalistic qualities of the areas surrounding the Frankston line.
6. Any options that would consider the removal of housing would not be supported by Council.
7. Council seeks a copy of the Level Crossing Removal Authority's Geotechnical report on the three sites within the Frankston Municipality for Council's review.
8. Council forwards the level crossing preferred options report to the Minister for Public Transport, the Hon. Jacinta Allan MP, the Department of Economic Development, Jobs, Transport and Resource, the Member for Frankston, Mr Paul Edbrooke MP, the Member for Carrum, Ms Sonya Kilkenny MP and Public Transport Victoria;
9. Council authorises the Mayor to present the submission at the next South East Melbourne Group of Councils' meeting as well as distributing the paper to other Councils on the Frankston rail line; and
10. Council authorises the CEO to finalise the paper as an advocacy document for Frankston and Regional future rail needs and seeks an urgent meeting with the assistance from Mr Edbrooke MP – Member for Frankston and Ms Kilkenny MP – Member for Carrum to present this document to the Premier of Victoria, the Hon. Daniel Andrews MP, the Minister for Public Transport, the Hon. Jacinta Allan MP, and the Federal Members of Dunkley and Isaac by mid-September 2016.

11. That the petition addressed to both Frankston City Council and the State Legislative Council of Victoria be forwarded to Parliament accordingly.
12. Council writes to other Councils in the Melbourne – Frankston rail corridor to advise of our decision.
13. Council gives consideration to forming a collaborative group to present a united approach with other affected Councils.
14. Frankston City Council looks forward to working cooperatively with the LXRA.

**Carried Unanimously**

A copy of the Frankston City Council Level Crossing Preferred Options Submission paper is attached as **Attachment A**.

## Section 2.0

### Review of LXRA Proposed Options

Council Officers have reviewed the proposed grade separation options and the corresponding Technical Investigation Update information presented to the public for feedback during the public consultation process. Tables detailing Council's response are provided in **Appendix A**. Council Officers provide the following summary comments for each site:

#### **Seaford Road:**

Two options are proposed, rail over road and rail under the road.

When reviewing the Design Outcomes Preliminary Assessment table prepared by LXRA, Council has the following key comments:

- With respect to look and feel assessment, Council believes that rating for rail under the road should be a medium benefit. Visual impact from rail over road will be significant and rating should be changed to high impact.
- With respect to cycling and walking opportunities, Council considers that the rating for rail over road should be changed to medium benefit.
- With respect to environment - flora & fauna, the rating for rail under road for replanting should be the same as for rail over road as there is sufficient open space for replanting without trees being near lines.
- With respect to ground water impact on the Ramsar wetlands, it is felt that this cannot be rated at this stage as it has not been proven that ground water will impact the Ramsar listed wetland. Furthermore an engineering solution to manage ground water flow changes could be provided.

- With respect to the technical considerations assessment, maintenance issues will be far greater for rail over road rather than rail under road and the rating should reflect this. In addition, access to utilities will be restricted for rail under road and as such the rating should be the same as rail over road.

When reviewing the construction impacts assessment table prepared by LXRA, Council has the following key comments:

- Council believes that both options will have impact on the Community to an equivalent level.

When reviewing the Technical Investigations Update conducted by LXRA, Council has the following key comments:

- Notes that a number of technical assessments are currently in progress and not completed. This made it difficult for Council to fully assess impacts of the nominated options.
- Critical technical assessment should be completed and the impact fully understood by the Community before a final decision of the grade separation option for this site is.

Further comments:

- Based on the review of LXRA's Design Outcomes Preliminary Assessment, rail under road is still Council's preferred position.

### **Skye/Overton Roads:**

Only the rail over road option was considered.

When reviewing the Design Outcomes Preliminary Assessment table prepared by LXRA, Council has the following key comments:

- With respect to look and feel assessment, Council has significant concerns as residents south of Overton Road will be visually impacted. The rating should be changed to high impact.
- With respect to technical considerations assessment, maintenance requirements will have high impacts to Council and the rating should be adjusted.

When reviewing the Construction Impacts Assessment table prepared by LXRA, Council has the following key comments:

- Council understands that construction activity will generate disruptions to the Community and requests that this is kept to a minimal amount.
- Council would prefer that car parks are not closed during construction.
- Council requires road closures to be kept to a minimum and that local access is provided at all times.

- Council requests that vegetation removal is kept to a minimum.
- Council requests that any service relocation works do not impact businesses and residents.

When reviewing the Technical Investigations Update conducted by LXRA, Council has the following key comments:

- We note that a number of technical assessments are currently not completed. This has made it difficult for Council to fully assess impacts of the nominated options.
- It has been stated that overland flow drainage was the reason for LXRA to not consider a rail under road option. The documents assert that rail under road trenching would create a barrier to drainage of stormwater and interrupt overland flows, resulting in flooding of nearby properties. The only infrastructure solution is to install 8 - 11 siphons which has been deemed by LXRA to be not practical or maintainable. Council believes an engineering solution such as siphons could rectify drainage issues and believe this proposal should be considered in more detail.
- Critical technical assessments should be completed and the impact fully understood by the Community before a final decision of the grade separation option for this site, primarily those focussing on hydrology, hydrogeology, traffic and visual impact assessments.

Further comments:

- Council's preferred option is a rail under road treatment and that LXRA conduct a further detailed review to determine an engineering solution.

### **Eel Race Road:**

Two rail over road options have been proposed, namely rail over road with Eel Race Road closed, and elevated rail over both McLeod and Eel Race Roads.

When reviewing the Design Outcomes Preliminary Assessment table prepared by LXRA, Council has the following key comments:

- With respect to cycling and walking opportunities, Council considers that the option to close Eel Race Road provides equivalent benefit to the other option.
- With respect to integrated development opportunities, Council does not support any relocation of stabling from Carrum to a location further down the line in the Frankston Municipality. The rating does not take in consideration the impact of temporary stabling down the line. The rating should be adjusted accordingly unless installation of new stabling is part of the future electrification to Baxter project.

When reviewing the Construction Impacts Assessment table prepared by LXRA, Council has the following key comments:

- Council believes that the option which closes Eel Race Road provides the least impact to the Community.

When reviewing the Technical Investigations Update conducted by LXRA, Council has the following key comments:

- A number of technical assessments have not been completed. This has made it difficult for Council to fully and assess impacts of the nominated options.
- Critical technical assessments should be completed and the impact fully understood by the Community before a final decision of the grade separation option for this site is made.

Further comments:

- LXRA should consider relocating the Carrum Station further to the south so that a rail under road option could be fully considered as trenching could occur just to the south of Patterson River and McLeod Road could be slightly raised to assist with clearances.
- Based on the review of LXRA's Design Outcomes Preliminary Assessment, it would appear that the rail over road option with Eel Race Road closed is more in line with Council's preferred position however Council would have preferred to have had a rail under road option assessed.

## Section 3.0

### Council's Preferred Options

#### Seaford Road – Desired Outcomes

Council's desired outcomes for the Seaford Road crossing are:

**Community connectivity**

Removal of the barriers that exist to enable safe and lineal movement across the rail line, particularly to Seaford Reserve.

**Quality open space and urban design outcomes**

Council has a number of improvements to RF Miles Reserve planned for the 2016/17 financial year, including the provision of a playground immediately abutting the proposed crossing removal site. Intergration of the masterplan for the reserve into the proposed work plan for the crossing removal site should be considered (**refer to Appendix B**).

**Environmentally responsible solutions**

Kananook Creek environs and existing vegetation must be preserved and additional opportunities provided to ensure water quality and vegetation expansion.  
 No detrimental impact to the Seaford wetlands.

**Improved visual amenity**

The current crossing presents a clutter of rail, traffic and directional signage. The option selected for this site must present visual improvements and provide the opportunity for necessary infrastructure to be screened.

**Maximised road traffic efficiency and improved safety outcomes**

The existing tangle of roads and rail presents real impacts to road users, both for Seaford Road as well as Railway Parade and Fortescue Avenue. Improved connections across these vital road links must be a priority of this crossing removal.

**Seaford Road – Option Review**

The table below summarises Council’s previous assessment of the potential options against Council’s desired preferences and LXRA options.

OPTION	ADVATAGES	DISADVATAGES
RAIL UNDER ROAD (Considered by LXRA)	<ul style="list-style-type: none"> <li>Increased transport safety</li> <li>Improved road access</li> <li>Improved noise amenity</li> <li>Improved visual appearance</li> <li>Opportunity for open space and public realm improvements</li> </ul>	<ul style="list-style-type: none"> <li>Reduced connectivity opportunities</li> <li>Removal of trees and vegetation along rail trench</li> </ul>
RAIL OVER ROAD (Considered by LXRA)	<ul style="list-style-type: none"> <li>Better access pedestrians/cyclists</li> <li>Improved community connectivity</li> <li>Increased transport safety</li> <li>Improved road access</li> <li>Opportunity for open space and public realm improvements</li> </ul>	<ul style="list-style-type: none"> <li>Visual impact of elevated tracks</li> <li>Potential noise issues</li> <li>Maintenance issues</li> </ul>

After reviewing the information supplied by LXRA as well as Council’s previous and current consideration of the options, Frankston City’s preferred option for Seaford Road is still the **rail under road** option. Council requests that the following components are included within the final design for the grade separation of the Seaford Road crossing:

- Superior access for pedestrians and cyclists by providing overbridges across tunnelled sections of the line to provide clear and efficient movement, particularly to Seaford Reserve.
- Improved public realm, including screening of infrastructure, where possible.
- Safer road transport movement, including treatments to the Railway Parade/Seaford Road and Fortescue Avenue/Seaford Road intersections.
- Integration into the crossing removal project elements of the RF Miles Reserve upgrade.  
**(refer Appendix B)**
- A thorough analysis of the potential impacts to the Seaford Wetlands and an appropriate engineering solution proposed should it be proven that deleterious drainage outcomes would occur as a result of trenching.

## Overton Road / Skye Road Crossing – Desired Outcomes

Council's desired outcomes for the Overton / Skye Road crossing are:

### **Maximised road network efficiency**

Any improvements that can be delivered to the complex network of road and rail intersections in this location should be promoted.

### **Enhanced community connectivity**

The existing rail reserve presents a significant barrier to movement from east to west. A solution that provides additional points for pedestrians and cyclists to move across the rail line is vital.

### **Environmentally responsible solutions**

The Ebdale precinct is currently compromised by drainage inefficiencies. A solution that would enable the rail reserve to form part of a drainage basin would enable an improved drainage network through this integral residential growth area.

### **Allowance for future development opportunities**

This Overton Road area is home to a number of high profile automotive retailers and service facilities. There are a number of underutilised sites within the area that would realise greater development potential if road access was safer. A crossing treatment that enhances this development potential should be a priority. Skye / Overton Road are key access points into and around Frankston City and industrial area.

The table below summarises Council's previous assessment of the potential options against Council's desired preferences and LXRA options. Note LXRA did not present a rail under road option.

OPTIONS	ADVANTAGES	DISADVANTAGES
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RAIL UNDER ROAD (Not considered by LXRA)	Supports Frankston’s economy Better road access Improved transport safety Enhanced local land use opportunities Improved noise amenity Reduced visual impact Improved amenities	Possible removal of trees Reduced connectivity Drainage impacts
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OPTIONS	ADVANTAGES	DISADVANTAGES
RAIL OVER ROAD (Considered by LXRA)	Supports Frankston’s economy Better access for pedestrians/cyclists Better road access Improved transport safety Enhanced local land use opportunities Enhanced community connectivity Opportunity to improve open space/linear trail	Visual impact of elevated tracks Potential noise issues Overshadowing Ongoing maintenance issues

It is understood that drainage has been identified by LXRA as a key issue. After reviewing the information supplied by LXRA and Council’s consideration of the options, Council’s preferred option for Skye / Overton Road is still the **rail under road** option and request LXRA to investigate this option in more detail before a final decision is made.

Council requests that the following components are included within the final design for the grade separation of the Skye/Overton Road crossing:

- Economic development – Simplify intersections to enable development of underutilised land and improve accessibility to existing businesses.
- Connectivity – ensure that a pedestrian/cyclist overbridge is provided over tunnelled section of rail to ensure safe movement across rail reserve.
- Transport network – reconfigure complex intersections to enable through traffic improvements to the FMAC, Fletcher Road, Nepean Highway and Ebdale precinct.
- Environment – provide for the inclusion of WSUD to improve drainage in Ebdale and Dandenong Road East precincts.
- Amenity - Improved public realm, open space and streetscape including screening of infrastructure, where possible.

- Road Safety - Improved traffic safety and movement.

## **Eel Race Road – Desired Outcomes**

Council's key desired outcomes for the Eel Race Road crossing are:

### **Quality open space and urban design outcomes.**

As Eel Race Road forms the northern border of our municipality – it is vital that the grade separation solution has superior urban design outcomes that befit this gateway site.

### **Connectivity**

Eel Race Road provides access to Patterson River Secondary College and surrounding residential areas. The crossing removal solution must ensure that pedestrian and cyclist movement across the rail reserve is safe and easily accessible.

### **Noise and visual amenity**

Due to the proximity of the crossing to residential enclaves, the crossing removal must ensure that residential amenity is preserved and enhanced.

The table on the following page summarises Council's previous assessment of the potential options against Council's desired preferences and LXRA options. It is noted that LXRA did not present a rail under road option.

The possibility of the crossing being closed was also discussed in the context of train stabling constraints at Carrum Station.

<b>Grade separation type</b>	<b>Positives</b>	<b>Negatives</b>
RAIL UNDER ROAD (Not considered by LXRA)	Better road access Better access for pedestrians and cyclists Improved noise amenity Improved visual amenity Good CPTED outcomes Gateway and public realm opportunities	Loss of trees and vegetation along rail trench
RAIL OVER ROAD - at both McLeod and Eel Race Road (Considered by LXRA)	Better access for pedestrians and cyclists Better road access Enhanced connectivity Ability to improve public realm and open space Gateway and public realm opportunities	Visual impact of elevated tracks Possible noise issues Significant concerns about location of new stabling facilities further down the Frankston Line to accommodate this option.

<b>Grade separation type</b>	<b>Positives</b>	<b>Negatives</b>
RAIL OVER ROAD - at McLeod but Eel Race Road Closed (Considered by LXRA)	Less better access for pedestrians and cyclists Improved noise and visual amenity Enhanced connectivity Ability to improve public realm and open space Gateway and public realm opportunities	Access into the residential areas will not be from Eel Race Road (Refer Diagram below) Some concern about location of temporary stabling facilities but impact should not be as significant as the Rail over Eel Race Road option.

In Council's previous submission to LXRA in July, Councillors' preference was to advocate for the retention of the current situation and to redirect the funds proposed for a more visionary outcome for the Frankston Station redevelopment or improve rail services through the provision of a third rail.

Based on the review of LXRA's two rail over options presented, it would appear that rail over road - Eel Race Road closed is more in line with Council's preferred position if a rail under road option is not feasible.

Council requests that the following components are included within the final design for the grade separation of the Eel race Road crossing should it proceed:

- Improved public realm, including appropriate gateway treatments and signage.

- Superior access for pedestrians and cyclists by providing overbridges across tunnelled sections of line to provide clear and efficient movement to foreshore to the west and Patterson River Secondary College to the east.
- Improved traffic safety and movement.

### Alternatives to Eel Race Road Level Crossing Removal

Council does not see great merit in removing the level crossing on Eel Race Road and an option is that this rail crossing remains in its current state or closed. Should this be the case, and as noted previously, Council would then advocate for retention of the existing level crossing arrangement. Considering this, Council has approached the State Government to divert the funding earmarked for the project (as much as \$150 million) to achieving a more visionary outcome for the Frankston Station redevelopment and improve rail service through extending the third rail south of Moorabbin.

## Section 4.0

### Stabling on the Frankston Line

Currently stabling for trains on the Frankston line is primarily provided at Mordialloc, Carrum and Frankston. If the proposed removal of the Eel Race Road and Station Street Carrum crossings results in the removal of the stabling facility at Carrum, Council understands that this stabling could be relocated south to an area of rail reserve near Armstrong's Road, Seaford.

This proposal is of significant concern to Frankston City as the potential for relocation of stabling to an alternate location within our municipality has not been articulated by LXRA or been able to be considered by our community.

The electrification of the Frankston line to Baxter has been included in PTV's Network Planning documents. As such, Council asserts that the level crossing projects and the proposed electrification should be treated as integrated complementary projects.

## Section 5.0

### Summary

Council has made this submission in anticipation of the LXRA presenting its preferred rail crossing removal options to Council and the community in late 2016/early 2017.

To this end, Council has undertaken its own review of options based on the potential outcomes for each of the rail crossings. Resulting from this review, Frankston City's strongly preferred options are:

<b>Location</b>	<b>Preferred Option</b>
<b>Seaford Road</b>	<b>Rail Under Road</b>
<b>Overton/Skye Road</b>	<b>Rail Under Road</b>
<b>Eel Race Road</b>	<b>No change to the Level Crossing at Eel Race Road, Seaford with funding be redirected to Council's strategic rail needs However Council preferred option is Rail under Road if the LXRA's intention is still to proceed with road/rail separation</b>

Council believes that a 'whole of rail corridor' approach is the overarching direction to realising the full potential of these projects. It is therefore important that any work does not jeopardise any future development opportunities such as the electrification, extending the third rail from Moorabbin and maximising land use opportunities at the Frankston Station Precinct.

As part of the Federal election campaign, funding was promised to investigate electrification to Baxter. This indicates the importance of ensuring that the level crossings projects take electrification into account, including its potential impact on the future operation and form of Frankston Station and the issues with stabling removal at Carrum.

An option proposed by LXRA for the Eel Race Road rail crossing removal is to close the road. If this is to be the case, Council will approach the State Government to divert the funding earmarked for the project to achieving a more visionary outcome for the Frankston Station redevelopment and improving rail service through extending the rail south from Moorabbin.

The scope of the projects, and the State Government funding for them, need to cover the works which meet Council's expected outcomes. Care will also need to be taken that Council is not left with unnecessary ongoing maintenance costs, for example, because of inappropriate construction or design standards.

Based on the previous review of options conducted by Council that lead to Council's submission in July and based on the review of LXRA's preferred options presented to the public during September and October, Council preferred grade separations are as follows:

1. Seaford Road, rail under road as previously requested.
2. Skye / Overton Road, rail under road as previously requested. Council requests that engineering solutions utilising siphons be fully investigated to manage the drainage and flooding issues.
3. Eel Race Road, no change to the Level Crossing at Eel Race Road, Seaford with funding be redirected to Council's strategic rail needs however Council preferred option is rail under road if the LXRA's intention is still to proceed with road/rail separation. It is requested that LXRA investigate an option to move the Carrum Station south so that a rail under road can be considered. It is noted however that the rail over road at McLeod Road but Eel Race Road Closed option is in line with Council's preferred option.

## Appendix A: Tables of detailed assessments

### LXRA Technical Investigations Update

#### Analysis of studies

#### Skye/Overton Road

Study type	Implications	Status	Findings	FCC comment
Geotechnical	Water table levels, soil composition and potential contamination, presence of acid sulphate soils, etc	Incomplete	Groundwater level high therefore rail under option no longer under consideration.	Critical issue. Engineering solutions could rectify groundwater issues, more information needed.
Hydrology	Flood impact/overland flow disturbance/drainage	Incomplete	Rail under trench would create barrier to drainage of stormwater and interrupt overland flows resulting in flooding of nearby properties. Only infrastructure solution is to install 8 - 11 siphons which has deemed to be not practical or maintainable.	Critical issue. Engineering solutions such as siphons could rectify drainage issues, no explanation why this solution has been deemed more information needed.
Hydrogeology	Groundwater flow and levels could impact available options, cumulative impact of multiple below ground works is a factor	Incomplete	Low lying former swamp conditions present challenges to managing groundwater flow. Rail under trench would create a barrier to flows, dispersing groundwater to other areas around the trenched site.	Critical issue. Further information of the impact of a trench on groundwater flow needs to be produced before this element could be a determinant for option selection is mandatory.
Ecological flora and fauna	Disruption to habitat for Growling Grass Frog and Dwarf Galaxia. Native vegetation removal by works.	Complete	No evidence of protected fauna in study area. Native vegetation found, offsets will be required. Construction Environmental management Plan will be produced to minimise impacts during construction.	Manageable issue. Potential options not affected by results of studies to date.

**Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016**

Study type	Implications	Status	Findings	FCC comment
Visual assessment	Using photo renders to develop a greater understanding of how the landscape will look when the crossing removal is complete. Completing shadow diagrams to determine shadow cast by structures.	Incomplete	There has been significant community concern about the visual appearance of completed crossing removal options, particularly rail over road. The shadow impacts of rail over road solutions have also been raised as a legitimate concern. Unfortunately, neither rendered photos nor shadow diagrams were available at the public consultation sessions, leaving these as unresolved concerns.	Medium level issue. How the proposed crossing removal options will impact upon the visual appearance and amenity of the individual sites is perhaps one of the most relevant considerations, however the Skye Road location has low amenity currently and the predominant land use is commercial and industrial.
Utility services assessment	Determination of the location and function of services within the proposed work zones. Projected infrastructure needs within proximity of the crossing sites to allow for future proofing.	Incomplete	The location and function of utility infrastructure can have a significant impact on the feasibility of options, particularly below ground solutions. At the Skye road site, significant drainage, water and sewage assets have been identified, which would require relocation of these services, therefore adding time and cost to the works.	Non critical issue. All service relocation is possible, even if additional costs are incurred.
Feature survey	Survey of natural and man-made features and levels of the subject sites.	Complete	The topography of land can impact on design solutions for crossing removal. Skye/Overton Road is generally flat, and has significant clutter of signage, power poles, commercial buildings and the like and therefore is a blighted area currently.	Non critical issue. No significant features that will affect options at this location.
Noise and vibration assessment	Modelling is conducted to determine the impact of each option, and then this data is compared against the Passenger Rail Infrastructure Noise Policy. Vibration assessment is harder to complete, with no standard guidelines or criteria in place.	Incomplete	Given the predominant non-residential land usage in the Skye/Overton Road location noise and vibration impacts are not as critical as in residential locations.	Non critical issue. Given that there is only one option under consideration for the Skye/Overton Road crossing removal, it is disappointing that this modelling and assessment has not been undertaken.

**Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016**

Study type	Implications	Status	Findings	FCC comment
Car park survey	Analysis of origin of vehicles parked in proximity of crossing removal site to determine requirements for parking provision during construction.	Not undertaken	As there is no commuter parking provided at the Skye/Overton Road site, this study is not necessary.	Not applicable. No commuter parking provided at site.
Traffic monitoring and modelling	Modelling and monitoring of traffic conditions and issues affecting the site, and examination of measures to achieve improved outcomes post removal.	Incomplete	Traffic movements in and around the Skye/Overton Road crossing are challenged and motorists are subject to significant delays. There is considerable doubt that the crossing removal alone will create appreciable positive impacts on traffic flows in this location.	Very critical issue. This road inter-section is a primary gateway entry to the Frankston Metropolitan Activity centre, including significant commercial and industrial land uses. It is integral that detailed traffic assessments are conducted for this site to achieve real improvements to traffic flow and reduction of congestion and waiting times at this intersection and surrounding road networks.
Indigenous cultural heritage	Assessment of impacts of removal options to determine impact on heritage values at each location.	Incomplete	Given that this site has been subject to considerable land disturbance due to the existing infrastructure and development it is doubtful if a complex assessment is required for this site.	Non critical issue. Site and location has been significantly disturbed therefore it is most unlikely that any heritage value exists.
European cultural heritage	Assessment of non-indigenous significance such as heritage structures.	Not required	No heritage structures in location.	Not required.
Land survey	Property boundary and land ownership identification.	Incomplete	Non contentious item for this location as land holders are state or local authorities.	Non critical issue. Given that there is only one option under consideration for the Skye/Overton Road crossing removal, it is disappointing that this survey has not been undertaken.

**Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016**

**Seaford Road, Seaford**

Study type	Implications	Status	Findings	FCC comment
Geotechnical	Water table levels, soil composition and potential contamination, presence of acid sulphate soils, etc	Incomplete	Rail under would require additional engineering based solutions during construction due to high water table in area. Rail over would require reinforced soil embankments which would reduce ability for east west pedestrian/cycle movements.	Critical issue. Engineering solutions could be designed to counter impacts of soft, sensitive soils. More information needed.
Hydrology	Flood impact/overland flow disturbance/drainage	Incomplete	No significant flood mitigation works required in this location.	Manageable issue, crossing solution can be designed to maintain existing flow conditions.
Hydrogeology	Groundwater flow and levels could impact available options, cumulative impact of multiple below ground works is a factor	Incomplete	Shallow groundwater in area. Rail under trench would create a barrier to flows, dispersing groundwater to other areas around the trenched site. Additional investigations are being conducted to establish impact of changed groundwater flow that would be created by a rail under trench on the nearby Seaford Wetlands.	Critical issue. Further information of the impact of a trench on groundwater flow needs to be produced before this element could be a determinant for option selection is mandatory.
Ecological flora and fauna	Disruption to habitat for Growling Grass Frog and Dwarf Galaxia. Native vegetation removal by works.	Complete	No evidence of protected fauna in study area. Native vegetation found, offsets will be required. Construction Environmental management Plan will be produced to minimise impacts during construction.	Manageable issue. Potential options not affected by results of studies to date.
Visual assessment	Using photo renders to develop a greater understanding of how the landscape will look when the crossing removal is complete. Completing shadow diagrams to determine shadow cast by structures.	Incomplete	There has been significant community concern about the visual appearance of completed crossing removal options, particularly rail over road. The shadow impacts of rail over road solutions have also been raised as a legitimate concern. Unfortunately, neither rendered photos nor shadow diagrams were available at the public consultation sessions, leaving these as unresolved concerns.	Critical issue. How the proposed crossing removal options will impact upon the visual appearance and amenity of the individual sites is perhaps one of the most relevant considerations, and the Seaford Road crossing is located in an area with sensitive interfaces to adjacent residential/recreation areas.

**Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016**

Study type	Implications	Status	Findings	FCC comment
Utility services assessment	Determination of the location and function of services within the proposed work zones. Projected infrastructure needs within proximity of the crossing sites to allow for future proofing.	Incomplete	The location and function of utility infrastructure can have a significant impact on the feasibility of options, particularly below ground solutions. At the Seaford Road site, significant drainage, water and sewage assets have been identified, which would require relocation of these services, therefore adding time and cost to the works.	Non critical issue. All service relocation is possible, even if additional costs are incurred.
Feature survey	Survey of natural and man-made features and levels of the subject sites.	Complete	The topography of land can impact on design solutions for crossing removal. The two options under active consideration are not assisted/affected by topography in this location. The area does have significant clutter of signage, power poles, railway infrastructure and therefore is a blighted area currently.	Non critical issue.
Noise and vibration assessment	Modelling is conducted to determine the impact of each option, and then this data is compared against the Passenger Rail Infrastructure Noise Policy. Vibration assessment is harder to complete, with no standard guidelines or criteria in place.	Incomplete	Modelling will not be undertaken until preferred solution has been selected.	Critical issue. Given the predominant land uses in this location are residential/leisure it is disappointing that this modelling and assessment has not been undertaken.

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Study type	Implications	Status	Findings	FCC comment
Car park survey	Analysis of origin of vehicles parked in proximity of crossing removal site to determine requirements for parking provision during construction.	Not undertaken	As there is no commuter parking provided at the Seaford Road site, this study is not necessary.	Not applicable. No commuter parking provided at site.
Traffic monitoring and modelling	Modelling and monitoring of traffic conditions and issues affecting the site, and examination of measures to achieve improved outcomes post removal.	Incomplete	Traffic movements in and around the Seaford Road crossing are challenged and motorists are subject to delays and sometimes risky situations due to the amount of local roads accessing Seaford Road within close proximity to the crossing. There is considerable doubt that crossing removal alone will create appreciable traffic improvements in this location without accompanying changes to access/egress onto Seaford Road.	Critical issue. The community will expect to have improvements delivered to traffic networks in conjunction with the crossing removal.
Indigenous cultural heritage	Assessment of impacts of removal options to determine impact on heritage values at each location.	Incomplete	Given that this site has been subject to considerable land disturbance due to the existing infrastructure and development it is doubtful if a complex assessment is required for this site.	Non critical issue. Site and location has been significantly disturbed therefore it is most unlikely that any heritage value exists.
European cultural heritage	Assessment of non-indigenous significance such as heritage structures.	Not required	No heritage structures in location.	Not required.
Land survey	Property boundary and land ownership identification.	Incomplete	Non contentious item for this location as land holders are state or local authorities.	Non critical issue.

**Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016**

**Eel Race Road, Carrum**

Study type	Implications	Status	Findings	FCC comment
Geotechnical	Water table levels, soil composition and potential contamination, presence of acid sulphate soils, etc	Incomplete	Rail under would require additional engineering based solutions during construction due to high water table in area. Rail over would require reinforced soil embankments which would reduce ability for east west pedestrian/cycle movements.	Critical issue. Engineering solutions could be designed to counter impacts of soft, sensitive soils. More information needed.
Hydrology	Flood impact/overland flow disturbance/drainage	Incomplete	As rail under is not under consideration for this location, no investigations have been conducted regarding impacts of a rail under solution. Topography of site allows both above and below ground water to discharge from rail corridor for rail over solution.	Manageable issue. It is disappointing that rail under impacts were not examined in this location.
Hydrogeology	Groundwater flow and levels could impact available options, cumulative impact of multiple below ground works is a factor	Incomplete	As rail under is not under consideration for this location, no investigations have been conducted regarding impacts of a rail under solution. Shallow groundwater in area. Rail under trench would create a barrier to flows, dispersing groundwater to other areas around the trenched site. Additional investigations are being conducted to establish impact of changed groundwater flow that would be created by a rail under trench on the nearby Seaford Wetlands.	Critical issue. Further information of the impact of a trench on groundwater flow should have been considered.
Ecological flora and fauna	Disruption to habitat for Growling Grass Frog and Dwarf Galaxia. Native vegetation removal by works.	Incomplete	No evidence of protected fauna in study area. Native vegetation found, offsets will be required. Construction Environmental management Plan will be produced to minimise impacts during construction. The native Vegetation offset site at the south eastern corner of Eel Race Road was not identified in the investigations.	Manageable issue. Potential options not affected by results of studies to date, however as the offset site was not identified, some modification to potential overpass locations will have to be considered. The stand of coastal banksias present at the gateway location is part of the Frankston City landscape character and will need to be preserved and enhanced.

**Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016**

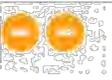
Study type	Implications	Status	Findings	FCC comment
Visual assessment	Using photo renders to develop a greater understanding of how the landscape will look when the crossing removal is complete. Completing shadow diagrams to determine shadow cast by structures.	Incomplete	There has been significant community concern about the visual appearance of completed crossing removal options, particularly rail over road. The shadow impacts of rail over road solutions have also been raised as a legitimate concern. Unfortunately, neither rendered photos nor shadow diagrams were available at the public consultation sessions, leaving these as unresolved concerns.	Critical issue. How the proposed crossing removal options will impact upon the visual appearance and amenity of the individual sites is perhaps one of the most relevant considerations, and the Carrum crossings are located in an area with sensitive interfaces to nearby residential/recreation areas. There are in excess of 40 dwellings that directly abut the rail corridor, some within a metre or two from where elevated rail may be. Eel Race Road is the northern municipal boundary Frankston City, and it is essential that suitable gateway treatments are included in any designs for this location.
Utility services assessment	Determination of the location and function of services within the proposed work zones. Projected infrastructure needs within proximity of the crossing sites to allow for future proofing.	Incomplete	The location and function of utility infrastructure can have a significant impact on the feasibility of options, particularly below ground solutions. At the Seaford Road site, significant electricity, telecommunications and sewage assets have been identified, which would require relocation of these services, therefore adding time and cost to the works.	Non critical issue. All service relocation is possible, even if additional costs are incurred.
Feature survey	Survey of natural and man-made features and levels of the subject sites.	Complete	The topography of land can impact on design solutions for crossing removal. The two options under active consideration are not assisted/affected by topography in this location.	Non critical issue.

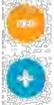
**Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016**

Study type	Implications	Status	Findings	FCC comment
Noise and vibration assessment	Modelling is conducted to determine the impact of each option, and then this data is compared against the Passenger Rail Infrastructure Noise Policy. Vibration assessment is harder to complete, with no standard guidelines or criteria in place.	Incomplete	Modelling will not be undertaken until preferred solution has been selected.	Critical issue. Given the predominant land use in this location are residential it is disappointing that this modelling and assessment has not been undertaken. This is particularly so given the very close proximity of over 40 dwellings within Frankston City boundaries to elevated rail.
Car park survey	Analysis of origin of vehicles parked in proximity of crossing removal site to determine requirements for parking provision during construction.	Not undertaken for land in Frankston City.	As there is no commuter parking provided at the Eel Race Road site, this study is not necessary.	Not applicable. No commuter parking provided at site.
Traffic monitoring and modelling	Modelling and monitoring of traffic conditions and issues affecting the site, and examination of measures to achieve improved outcomes post removal.	Incomplete	The Eel Race Road crossing removal has been considered as part of a two crossing removal package along with Station Street, Carrum. One of the options on the table is to close Eel Race Road to the east of the rail line, and to extend McLeod Road under elevated rail to intersect with the Nepean Highway. A further option is to construct a road bridge over the Patterson River to the east of the rail bridge to connect Station Street north and south.	Critical issue. Eel Race Road serves residents and Patterson River Secondary College. If it is to be closed the impacts for Frankston residents will have to be fully assessed.

**Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016**

Study type	Implications	Status	Findings	FCC comment
Indigenous cultural heritage	Assessment of impacts of removal options to determine impact on heritage values at each location.	Incomplete	Given that this site has been subject to considerable land disturbance due to the existing infrastructure and development it is doubtful if a complex assessment is required for this site.	Non critical issue. Site and location has been significantly disturbed therefore it is most unlikely that any heritage value exists.
European cultural heritage	Assessment of non-indigenous significance such as heritage structures.	Not required	No heritage structures in location.	Not required.
Land survey	Property boundary and land ownership identification.	Incomplete	Not known as land survey has not been completed.	Critical issue. There appears to be at least one dwelling which abuts the rail reserve that is very close to the boundary – with aerial images indicating it may be partially constructed in the rail reserve.

DESIRED OUTCOMES Preliminary Assessment Skye/Overton Road, Frankston		How did we assess each preliminary option?	
Key considerations / criteria to meet	Rail bridge over the road 900m footprint from Boonong Avenue to Tooyal Street		Council comment
Property acquisition impacts		<ul style="list-style-type: none"> <li>No property acquisition required</li> </ul>	<ul style="list-style-type: none"> <li>Supported but can be achieved with rail under road</li> </ul>
Look & feel		<ul style="list-style-type: none"> <li>Visual impact and overshadowing</li> </ul>	<ul style="list-style-type: none"> <li>Significant concerns by Council as residents South of Overton Road will be impacted</li> </ul>
Permanent land use impacts (includes community infrastructure & amenity)		<ul style="list-style-type: none"> <li>Potential for additional retail car parking</li> </ul>	<ul style="list-style-type: none"> <li>Supported but can be achieved with rail under road</li> </ul>
Cycling & walking		<ul style="list-style-type: none"> <li>Opportunity for new paths and greater connections across the railway line</li> </ul>	<ul style="list-style-type: none"> <li>Supported but can be achieved with rail under road</li> </ul>
Local access and connections		<ul style="list-style-type: none"> <li>No impact on local road connections after construction</li> </ul>	<ul style="list-style-type: none"> <li>Supported but can be achieved with rail under road</li> </ul>
Environment – flora & fauna		<ul style="list-style-type: none"> <li>Opportunities for replanting vegetation after construction</li> </ul>	<ul style="list-style-type: none"> <li>Supported but can be achieved with rail under road</li> </ul>

DESIRED OUTCOMES Preliminary Assessment Skye/Overton Road, Frankston		How did we assess each preliminary option?	
Key considerations / criteria to meet	Rail bridge over the road 900m footprint from Boonong Avenue to Tooyal Street		Council comment
Technical considerations (includes ground conditions, site constraints, utilities, extend of construction site)		<ul style="list-style-type: none"> <li>• Ongoing maintenance required – such as graffiti removal</li> <li>• Access maintained for utility services, repairs and upgrades</li> </ul>	<ul style="list-style-type: none"> <li>• Maintenance requirement will have high impacts to Council, rating should be adjusted</li> <li>• Support but can be achieved with rail under road</li> </ul>

**Attachment B: Council endorsed Submission to Level Crossing Removal - 19 December 2016**

DESIRED OUTCOMES Preliminary Assessment Seaford Road, Frankston		How did we assess each preliminary option?			
Key considerations / criteria to meet	Rail under the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue		Rail bridge over the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue		Council comment
	Property acquisition impacts		<ul style="list-style-type: none"> <li>No property acquisition required</li> </ul>		
Look & feel		<ul style="list-style-type: none"> <li>Lower visual impact due to rail being in trench. However, barriers are required, which will have a visual impact</li> </ul>		<ul style="list-style-type: none"> <li>Greater visual impact and overshadowing</li> </ul>	Rating for rail under the road should be a medium benefit. Visual impact from rail over road will be significant and rating should be changed to high impact
Permanent land use impacts (includes community infrastructure & amenity)		<ul style="list-style-type: none"> <li>Does not preclude future removal of Station Street level crossing</li> </ul>		<ul style="list-style-type: none"> <li>Does not preclude future removal of Station Street level crossing</li> </ul>	Supported
Cycling & walking		<ul style="list-style-type: none"> <li>Opportunity for new paths adjacent to the railway line</li> </ul>		<ul style="list-style-type: none"> <li>Opportunity for new paths and greater connections, improving access across the rail line to Seaford reserve</li> </ul>	Rating for Rail over road should be changed to medium benefit

DESIRED OUTCOMES Preliminary Assessment Seaford Road, Frankston		How did we assess each preliminary option?			
Key considerations / criteria to meet	Rail under the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue		Rail bridge over the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue		Council comment
Local access and connections		<ul style="list-style-type: none"> <li>No impact on local road connections after construction</li> </ul>		<ul style="list-style-type: none"> <li>No impact on local road connections after construction</li> </ul>	Supported
Environment – flora & fauna	<div style="text-align: center;"></div> <div style="text-align: center;"></div> <div style="text-align: center;"></div>	<ul style="list-style-type: none"> <li>Vegetation close to the rail line to be removed and some trees within Seaford reserve may need to be removed/lopped</li> <li>Limited opportunities for replanting vegetation after construction</li> <li>Possible change in regional groundwater flows may potentially impact nearby Ramsar listed wetlands</li> </ul>	<div style="text-align: center;"></div> <div style="text-align: center;"></div>	<ul style="list-style-type: none"> <li>Vegetation close to the rail line to be removed and some trees within Seaford reserve may need to be removed/lopped</li> <li>Greater opportunities for replanting vegetation after construction</li> </ul>	<p>Supported</p> <p>Rating for Rail under road for replanting should be the same as for rail over road and there is sufficient open space for replanting without trees being near lines.</p> <p>Do not agree. This cannot be rated at this stage as it has not been proven that ground water will impact the Ramsar listed wetland. Furthermore an Engineering solution to manage ground water flow changes can be provided.</p>

DESIRED OUTCOMES Preliminary Assessment Seaford Road, Frankston		How did we assess each preliminary option?			
Key considerations / criteria to meet	Rail under the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue		Rail bridge over the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue		Council comment
Technical considerations (includes ground conditions, site constraints, utilities, extend of construction site)	  	<ul style="list-style-type: none"> <li>Ongoing maintenance required – such as graffiti removal and pumping water from the trench</li> <li>Access restricted for utility access repairs and upgrades</li> </ul>	  	<ul style="list-style-type: none"> <li>Ongoing maintenance required - such as graffiti removal</li> <li>Access maintained for utility service upgrades and repairs</li> </ul>	<p>Do not agree. Maintenance issues will be far greater for Rail over road rather than Rail under Road. Please change rating</p> <p>Do not agree that access to utilities will be restricted for rail under road. Rating should be the same</p>

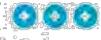
## Appendix A: Tables of detailed assessments cont'd

DESIRED OUTCOMES Preliminary Assessment Eel Race Road		How did we assess each preliminary option?			
Key considerations/ criteria to meet	Rail bridge over the road – Eel Race Road closed		Rail bridge over the road – at both McLeod Road and Eel Race Road		Council Comments
	Approximately 900m footprint from south of Patterson River to north of Eel Race Road		Approximately 1400m footprint from south of Patterson River to north of Kananook Creek		
Property acquisition impacts		<ul style="list-style-type: none"> <li>No property acquisition required</li> </ul>		<ul style="list-style-type: none"> <li>No property acquisition required</li> </ul>	Supported for Eel Race Road Closed
Look & feel		<ul style="list-style-type: none"> <li>Visual impact and overshadowing</li> <li>A new station provides an opportunity for improved lighting, visibility and accessibility</li> </ul>		<ul style="list-style-type: none"> <li>Greater visual impact and overshadowing due to increased structure length</li> </ul>	Supported for Eel Race Road Closed
				<ul style="list-style-type: none"> <li>A new station provides an opportunity for improved lighting, visibility and accessibility</li> </ul>	No Comment

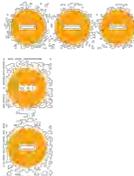


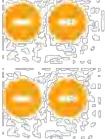
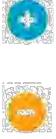
DESIRED OUTCOMES Preliminary Assessment Eel Race Road		How did we assess each preliminary option?			
Key considerations/ criteria to meet	<b>Rail bridge over the road – Eel Race Road closed</b>  Approximately 900m footprint from south of Patterson River to north of Eel Race Road	<b>Rail bridge over the road – at both McLeod Road and Eel Race Road</b>  Approximately 1400m footprint from south of Patterson River to north of Kananook Creek	<b>Council Comments</b>		
Local access and connections	 <ul style="list-style-type: none"> <li>Design allows for consideration of Station Street extension over Patterson River</li> </ul>  <ul style="list-style-type: none"> <li>Redirects Eel Race Road traffic to Nepean Highway via McLeod Road</li> </ul>	 <ul style="list-style-type: none"> <li>Design allows for consideration of Station Street extension over Patterson River</li> </ul>  <ul style="list-style-type: none"> <li>Maintains connectivity to Nepean Highway at Eel Race Road</li> </ul>	Supported for Eel Race Road Closed		
Technical considerations (includes ground conditions, site constraints, utilities, extent of construction site)	 <ul style="list-style-type: none"> <li>Ongoing maintenance required - such as graffiti removal</li> </ul>  <ul style="list-style-type: none"> <li>Access maintained for utility service upgrades and repairs</li> </ul>	 <ul style="list-style-type: none"> <li>Ongoing maintenance required - such as graffiti removal</li> </ul>  <ul style="list-style-type: none"> <li>Access restricted for utility access repairs and upgrades</li> </ul>	Supported for Eel Race Road Closed  Supported for Eel Race Road Closed		

DESIRED OUTCOMES Preliminary Assessment Eel Race Road		How did we assess each preliminary option?			Council Comments
Key considerations/ criteria to meet	Rail bridge over the road – Eel Race Road closed Approximately 900m footprint from south of Patterson River to north of Eel Race Road	Rail bridge over the road – at both McLeod Road and Eel Race Road Approximately 1400m footprint from south of Patterson River to north of Kananook Creek			
Integrated development opportunity	 <ul style="list-style-type: none"> <li>• Opportunities for retail development in the station precinct</li> </ul>	 <ul style="list-style-type: none"> <li>• Greater opportunities for retail/ residential development within the station stabling precinct</li> </ul>			Relocation of any stabling from Carrum to location further down the line in the Frankston Municipality is not supported. The rating does not take in consideration of impact of temporary stabling down the line. Rating should be adjusted accordingly unless new stabling is part of the future Electrification to Baxter project.

-  Has low benefits
-  Has medium benefits
-  Has high benefits
-  Has low impacts
-  Has medium impacts
-  Has high impacts

## Appendix A: Tables of detailed assessments cont'd

CONSTRUCTION IMPACTS Preliminary Assessment Skye/Overton Road, Frankston		How did we assess each preliminary option?	
Key considerations / criteria to meet	Rail bridge over the road Approximately 900m footprint from Boonong Avenue to Tooyal Street		Council comment
Disruption during construction		<ul style="list-style-type: none"> <li>Likely to require significant rail closures during construction</li> <li>Commercial car parks will likely be closed during construction</li> <li>Likely to require minor road closures during construction</li> </ul>	<p>Council understand that construction activity will generate disruptions to the Community and request that this is kept to a minimal amount.</p> <p>Council would prefer that car parks are not closed during construction.</p> <p>Council would like road closures to a minimum and that local access is provided at all times.</p>
Environment – flora & fauna		<ul style="list-style-type: none"> <li>Vegetation close to the rail line to be removed</li> </ul>	<p>Council request that vegetation removal is kept to a minimal.</p>
Technical considerations (includes ground conditions, site constraints, utilities, extent of construction site)		<ul style="list-style-type: none"> <li>Extent of construction site likely to affect residents and adjacent commercial properties (i.e. construction equipment will need to be located on existing car parks and possibly elsewhere)</li> <li>May require the relocation of some utility services</li> </ul>	<p>Council request that any service relocation works do not impact Businesses and Residents.</p>

CONSTRUCTION IMPACTS Preliminary Assessment Seaford Road		How did we assess each preliminary option?		
Key considerations / criteria to meet	Rail under the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue	Rail bridge over the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue	Council comment	
Disruption during construction	 <ul style="list-style-type: none"> <li>Likely to require major rail closures during construction</li> <li>Likely to require major road closures during construction</li> </ul>	 <ul style="list-style-type: none"> <li>Potential to build part of the rail bridge offline, resulting in less impact on rail commuters during construction</li> <li>Likely to require minor road closures during construction</li> </ul>	<p>Council understand that construction activity will generate disruptions to the Community and request that this is kept to a minimal amount.</p> <p>Based on the past rail under road projects, construction impact rating for Rail under road appears to be high and should be reviewed</p>	

CONSTRUCTION IMPACTS Preliminary Assessment Seaford Road	How did we assess each preliminary option?				
Key considerations / criteria to meet	Rail under the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue	Rail bridge over the road Approximately 900m footprint from south of Seaford Station to Bardia Avenue		Council comment	
Technical considerations (includes ground conditions, site constraints, utilities, extent of construction site)	    	<ul style="list-style-type: none"> <li>Extent of construction site likely to affect residents (ie construction equipment will need to be located in the rail reserve and possibly elsewhere. This solution may also require temporary space to store the soil removed from the ground</li> <li>Will require the removal and relocation of major utility services</li> <li>Groundwater present within 0-2m of surface, presenting water management considerations during and after construction</li> </ul>		<ul style="list-style-type: none"> <li>Extent of construction site likely to affect residents (ie construction equipment will need to be located in the rail reserve</li> <li>May require the relocation of some utility services running across and along the rail corridor</li> </ul>	Council request that any service relocation works do not impact Businesses and Residents.

CONSTRUCTION IMPACTS Preliminary Assessment Eel Race Road		How did we assess each preliminary option?			Council Comments
Key considerations/ criteria to meet	Rail bridge over the road – Eel Race Road closed  Approximately 900m footprint from south of Patterson River to north of Eel Race Road	Rail bridge over the road – at both McLeod Road and Eel Race Road  Approximately 1400m footprint from south of Patterson River to north of Kananook Creek			
Disruption during construction	    	<ul style="list-style-type: none"> <li>• Likely to require significant rail closures during construction</li> <li>• Likely to require minor road closures during construction</li> <li>• Station and retail car park will likely be closed during construction</li> </ul>	    	<ul style="list-style-type: none"> <li>• Likely to require significant rail closures during construction</li> <li>• Likely to require minor road closures during construction</li> <li>• Station and retail car park will likely be closed during construction</li> </ul>	Council understand that construction activity will generate disruptions to the Community and request that this is kept to a minimal amount.
Environment – flora & fauna		<ul style="list-style-type: none"> <li>• Vegetation close to the rail line to be removed</li> </ul>		<ul style="list-style-type: none"> <li>• Vegetation close to the rail line to be removed</li> </ul>	Council request that vegetation removal is kept to a minimal.

CONSTRUCTION IMPACTS Preliminary Assessment Eel Race Road		How did we assess each preliminary option?			Council Comments
Key considerations/ criteria to meet	Rail bridge over the road – Eel Race Road closed	Rail bridge over the road – at both McLeod Road and Eel Race Road	Council Comments		
Technical considerations (includes ground conditions, site constraints, utilities, extent of construction site)	<ul style="list-style-type: none"> <li>May require the removal of some utility services</li> <li>Construction may impact Station Street and Nepean Highway, with some lane closures required</li> <li>Extent of construction site likely to affect shops and residents (ie construction equipment will need to be located at existing car parks and possibly elsewhere)</li> </ul>	<ul style="list-style-type: none"> <li>May require relocation of more utility services</li> <li>Construction will impact Station Street and Nepean Highway, with some lane closures required</li> <li>Extent of construction site likely to affect shops and residents (ie construction equipment will need to be located at existing car parks and possibly elsewhere)</li> <li>Narrow rail reserve south of Eel Race Road will make construction access difficult</li> </ul>	<p>Council note that the option that closes Eel Race Road provides less impacts than rail over Road option.</p>		

## Appendix B: Integration into the crossing removal project elements of the RF Miles Reserve upgrade



## Attachment A: Frankston Rail Line Planning – Submission Paper – 18th July 2016

Please review from the next page.

# Frankston Rail Line Planning

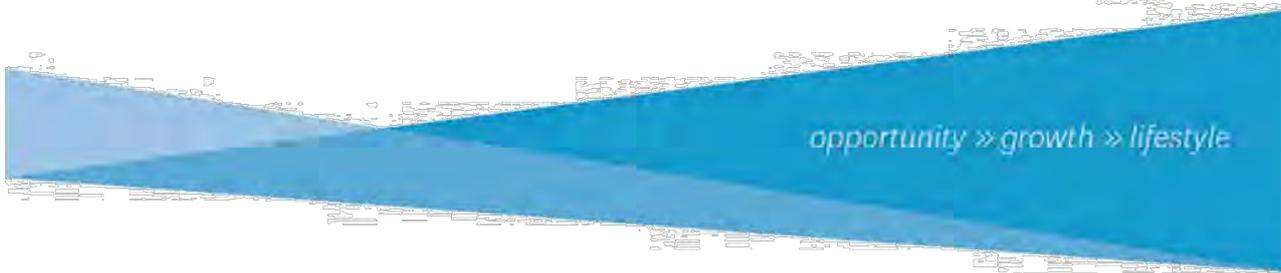
Submission paper - 18<sup>th</sup> July 2016



opportunity » growth » lifestyle



Seaford » Frankston » Langwarrin » Karingal » Skye » Frankston South » Frankston North » Carrum Downs » Langwarrin South » Sandhurst



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## Executive Summary

The Frankston City Council strongly supports the commitments made by the State Government to the removal of three dangerous and inefficient level crossings on the Frankston Rail line, and the transformation of the Frankston Transit Interchange precinct.

Council believes that a 'whole of rail corridor' approach is the overarching direction to realising the full potential of these projects to deliver a once in a lifetime opportunity for the revitalise Frankston as the premier regional bayside capital.

It is essential that the level crossing removal projects are not undertaken in isolation of Council's broader goals that being the electrification of the rail line to Baxter and the extension of the third rail southbound from Moorabbin.

This submission provides the Level Crossing Removal Authority (LXRA) with Council's preferred option for each of the crossings to be removed within Frankston, and to provide the context for additional rail corridor initiatives. This includes the correlation between the forthcoming station precinct redevelopment and the crossing removal options, and the urgent need for the State Government to commit to the electrification to Baxter prior to the previously projected delivery date of 2022.

Council has made this submission in anticipation of the LXRA presenting its preferred rail crossing removal options to Council and the community in early August 2016. To this end, Council has undertaken its own review of potential options based on the potential outcomes its wants for each of the rail crossings.

Towards establishing Council's priorities for each of the rail removal crossings, an initial workshop was held with Councillors on 25 May 2016. The general priorities identified from the workshop were:

- Noise impacts no greater than currently
- Minimised visual impact
- Improved landscaping
- Better amenity
- Improved access for pedestrians and cyclists
- Equivalent or better road access
- Safer roads
- Increased personal safety
- Economic benefits

A later workshop was held with Councillors on 29 June 2016 to review the application of these priorities to each of the potential crossing options, and to establish Council's option preferences. The workshop covered:

- A description of the potential crossings options (road over and under rail, and rail over and under road) for each crossing location.
- Confirmation of Council's desired outcomes.
- Consideration of the respective options by the use of a multi criteria assessment tool.

- The implications of each of the options for Council's priorities.
- Identification and assessment of the positives and negatives of the options for each crossing location.
- Establishment of Council's option preferences.

Resulting from this review, Council's strongly preferred options are:

<b>Location</b>	<b>Preferred Option</b>
<b>Seaford Road</b>	<b>Rail Under Road</b>
<b>Overton/Skye Road</b>	<b>Rail Under Road</b>
<b>Eel Race Road</b>	<b>No change to the Level Crossing at Eel Race Road, Seaford with funding be redirected to Council's strategic rail needs, however Council preferred option is Rail under Road if the LXRA's intention is still to proceed with road/rail separation</b>

As mentioned above, Council believes that a 'whole of rail corridor' approach is the overarching direction to realising the full potential of these projects. It is therefore important that any work does not jeopardise any future development opportunities, such as the electrification to Baxter, extending the third rail from Moorabbin and maximising land use opportunities at the Frankston Station Precinct.

As part of the Federal election campaign, both of the main political parties announced funding to investigate electrification to Baxter. This indicates the political importance of ensuring that the level crossings projects take this into account, including its potential impact on the future operation and nature of Frankston Station.

It is understood that there is a possibility that the planned Eel Race Road rail crossing removal may not proceed as planned. In which case, Council will approach the State Government to divert the funding earmarked for the project to achieving a more visionary outcome for the Frankston Station redevelopment and improving rail service through extending the rail south from Moorabbin.

To achieve the best outcomes for the immediate and wider community, a strong and structured communication partnership needs to be maintained between the LXRA and other relevant State Government agencies.

The scope of the projects, and the State Government funding for them, need to cover the works which meet Council's expected outcomes. Care will also need to be taken that Council is not left with unnecessary ongoing maintenance costs, for example, because of inappropriate construction or design standards.

This submission defines the principles that formed the basis for the assessment criteria, describes the methodology that was used to assess the respective grade separation techniques and provides Council's preferred options. The submission concludes with Council's vision for the rail corridor, incorporating the redevelopment of the Frankston Transit Interchange and electrification to Baxter.

## Introduction

### Context

The Victorian Government committed in 2015 to remove at 50 level crossings on the metropolitan rail network to 2022 in line with a pre-election commitment. The implementation of this plan is being delivered by the Level Crossing Removal Authority (LXRA). Three of these are located within the City on the Frankston Line at Eel Race Road, Seaford Road and Overton / Skye Road.

The removal of level crossings will improve safety, deliver transport network efficiency, reduce congestion and provide significant local and road user benefits. Additional development and open space opportunities will be facilitated by the proposed at grade crossing removals.

Council notes that the LXRA have committed to an extensive consultation process with all stakeholders and the Community to determine the preferred grade separation options.

The LXRA planned timelines to complete this group of rail crossing removal are:

- i. Project awareness late 2015.
- ii. Pre-design options discussion to input into Feasibility design early 2016.
- iii. Feasible options for discussion mid-2016.
- iv. Recommended option – late 2016.
- v. Tender (2017).
- vi. Construction (2018 – 2022).
- vii. Post construction.

This submission contributes to LXRA's committed consultation process on the three Frankston crossing removal options programmed for mid-2016.

### Council Focus

Each of the level crossing removals will have positive and negative impacts on the immediate and wider Frankston communities, and Council has desired outcomes its wants to achieve at both levels.

Level crossing removal projects can not only relieve congestion and improve safety at the crossing point, but can also provide redevelopment opportunities, and deliver urban realm improvements. However, each of the solutions can also result in adverse social, economic and environmental impacts on the local area.

Frankston City's position on the options aims to achieve the best possible results for the community, particularly preserving and enhancing adjacent amenity.

To assess what these results might be, the advantages and disadvantages of potential options have been reviewed and lead to the preferred level crossing removal options favoured by Council in this submission.

Strategically, Council believes that a ‘whole of rail corridor’ approach is the best way to realise the full potential of the crossing replacement projects to deliver a once in a lifetime opportunity for the revitalise Frankston as the premier regional bayside capital.

It is essential that the level crossing removal projects are not undertaken in isolation of Council’s broader goals, that being, the electrification of the rail line to Baxter (including its impact of Frankston Station re-development) and the extension of the third rail southbound from Moorabbin.

The purposes of this paper is to provide the Level Crossing Removal Authority (LXRA) with Council’s option preferences for each of the crossings to be removed within Frankston, and to provide the context for additional rail corridor initiatives and Frankston Station improvements. This includes the urgent need for the State Government to commit to the electrification to Baxter prior to the previously projected delivery date of 2022.

## Implementation Principles

### Relationship Protection

Council proposes to be proactive as planning and implementation of the level crossing removals proceeds.

There is great sensitivity amongst communities directly affected by prospective changes associated with the level crossing removal projects. Further, there will be ramifications for the wider community, particularly during the construction phases – including road and rail network closures. A strong and structured communication process that includes input from the LXRA and aligned transport authorities must be established.

In order to obtain the best possible outcomes for our community, it is also vital to ensure that a respectful and collaborative partnership with the LXRA is established and maintained. By ensuring that open and constructive dialogue exists through the planning, contract awarding and construction phases, Council will significantly enhance its abilities to interact with the delivering agencies, and therefore can advocate for superior community outcomes.

### Scope of Works

The scope of the projects is a critical issue. The extent of the LXRA is limited to level crossing removal only. The provision of corridor infrastructure upgrades, for example the installation of a third line to Frankston, is considered by the LXRA as being beyond the scope of their delivery function. However, Council can lobby to ensure that grade separation options which provide the potential to ‘future proof’ the rail corridor are promoted. For example, the provision of vertical retaining walls for rail under solutions that can be moved to allow for expansion of the track area to allow for the construction of a third rail.

The scope of the rail crossing removal projects needs to also accommodate potential road network improvements identified in conjunction with VicRoads. The ability to improve the existing road network is one of the major benefits from road/rail separation and should not just rely in maintaining existing road layouts. That is particularly the case with the Overton Road / Skye Road intersection.

## Budget

Construction of the level crossing removal projects is funded entirely by the Victorian Government. However, it will be necessary to include the funding for potential for additional benefits, such as enhanced landscaping and urban design projects. Care will also need to be taken that Council is not left with unnecessary ongoing maintenance costs, for example, because of inappropriate construction or design standards.

## Organisation of Submission

Reflecting Council's focus, the report is organised into seven sections:

1. Desired Council and Community Rail Outcomes.
2. Consideration of Rail Crossing Options.
3. Results of Options Review.
4. Electrification to Baxter (including consideration of rail opportunities south of Baxter).
5. Frankston Station redevelopment.
6. Other potential Rail Corridor Enhancements.
7. Summary.

## Section 1.0

### Desired Council and Community Outcomes

#### LXRA Consultation

The State Government's program for removing level crossings is primarily aimed at improving safety, delivering transport network efficiencies (including for trains), reducing congestion and providing better access. The LXRA was also required to consult with affected communities to garner their respective views on what they expected from the crossing removals and crossing removal options.

Initial community consultation by the LXRA was undertaken in March 2016. Key themes from the consultation received by LXRA were:

- Overwhelming support for the removal of level crossings:
  - Different preferences for the crossings to be removed.
  - Requests for additional sites to be considered for removal.
  - Questions on how the 50 sites were selected.
- Concern over elevated rail (linked to concern about loss of property values, overshadowing, noise and visual impacts, and undesirable behaviour).
- Desire for long term planning now, rather than focus on just next step.
- Integration with surrounding area and desire to maintain the ambience of the area as local seaside towns, distinct from the City of Melbourne.
- Scepticism of the engagement and design development process and the inclusion and consideration of community feedback in design development.

#### Council's Desired Outcomes

To assist with establishing Council's priorities for each of the rail removal crossings, an initial workshop was held with Councillors on 25 May 2016. The general priorities identified from the workshop were:

- Noise impacts no greater than currently
- Minimised visual impact
- Improved landscaping
- Better amenity
- Improved access for pedestrians and cyclists
- Equivalent or better road access
- Safer roads
- Increased personal safety
- Economic benefits

A later workshop was held with Councillors on 29 June 2016 to review the application of these priorities to each of the potential crossing options, and to establish Council's option preferences. The workshop covered:

- A description of the potential crossings options (road over and under rail, and rail over and under road) for each crossing location.
- Confirmation of Council's desired outcomes.
- Consideration of the respective options by the use of a multi criteria assessment tool.
- The implications of each of the options for Council's priorities.
- Identification and assessment of the positives and negatives of the options for each crossing location.
- Establishment of Council's initial option preferences.

### **Principles for Grade Separation in Frankston**

The following objectives were devised in response to ideals articulated by Council and the community. These are the principles upon which the respective options were considered.

**Maximised road network efficiency** – Ensure that any change to the road network achieves improved traffic flows within proximity of the crossing.

**Improved safety outcomes** – Decrease in pedestrian and vehicular incidents at and around crossings. Pedestrian and cyclists are visible from the public realm, routes are well lit and should be designed to follow best practice Crime Prevention through Environmental Design (CPTED) principles.

**Enhanced community connectivity** – Removal or reduction in physical and perceived barriers created by existing level crossings.

**Improved visual amenity** – Areas along the existing rail corridor are subject to an existing level of visual blight from the rail infrastructure and overlooking from passengers. Solutions should incorporate measures to improve visual amenity both from a resident and passenger viewpoint.

**Noise amenity** – Properties along the rail corridor are subject to existing levels of noise impacts, including warning bells, train horns, tyres over tracks and the actual noise of the train itself. Any grade separation solution must present improved quantifiable benefits.

**Allowance for future development opportunities** – Certain grade separation solutions delivers opportunities for redevelopment of adjacent land for either private or public purposes.

**Quality open space and urban design outcomes** – Grade separation techniques can lead to increased open space opportunities and the delivery of positive urban design outcomes that benefit the passenger and the community as a whole. Crossings that deliver superior ground level activation through open space provision and built form improvements will be favoured.

**Environmentally responsible solutions** – Crossing solutions that mitigate impacts on receiving waters and provide habitat for increased biodiversity are considered superior.

**Future proofing/ allowance for whole of corridor approach** – The three crossings must not be viewed in isolation, but rather as part of the entire rail corridor through to Baxter and beyond. Provision must be made for the future relocation of train stabling from Carrum and Frankston to Baxter, and a third rail line from Baxter to Melbourne.

## Grade Separation Options

Five potential options are available to LXRA replace current at grade level crossings. They are:

- Road Over Rail.
- Road Under Rail.
- Rail Over Road.
- Rail Under Road.
- Hybrid of the above (where rail and road options are combined).

All of the above options except for the hybrid option were evaluated by Council.

### “Sky Rail”

The term “skyrail” has been frequently used in recent times to describe the level crossing removal solution for the grade separation of nine existing crossings on the Cranbourne Pakenham line between Caulfield and Dandenong. The project also includes the reconstruction of five existing stations. Both the stations and the connecting rail track will be elevated for the length of the line.

Through the Council workshops and in public, Councillors have expressed their opposition to any “skyrail” options.

The Minister for Public Transport, the Hon Jacinta Allan MP has reassured that Dandenong Line type “skyrail” will not be constructed on the Frankston Line (see APPENDIX A).

## Section 2.0

### Consideration of Rail Crossing Options

#### Assessments

To assist Councillors, in appreciating the positives and negatives of options, a Multi-Criteria Analysis (MCA) was first undertaken by Council officers for each option at each of the three crossing locations.

Eleven criteria were assessed for each of the crossings and grouped under five categories. Each criteria was further assessed based on their relative importance which were seen to represent Council's Priorities.

#### MCA Criteria used for the options assessment

Group	Outcomes	Weight
Economic	Create suitable development opportunities	10.0%
Access	Better, safer access for pedestrians and cyclists	30.0%
	Better, safer road access	
	Supports strategic transport networks and improved transport efficiency	
Social	Enhanced local land use	20.0%
	Enhanced community connectivity	
	Improved personal safety	
Amenity	Visual Amenity	30.0%
	Noise impacts	
Environmental	Improved local natural environment	10.0%
	Quality open space and urban Design	

In addition to the MCA, the expected attributes of options were also reviewed as advantages and disadvantages.

## Section 3.0

### Results of Options Review

#### Seaford Road – Desired Outcomes

Council’s desired outcomes for the Seaford Road crossing are:

**Community connectivity**

Removal of the barriers that exist to enable safe and lineal movement across the rail line, particularly to Seaford Reserve.

**Environmentally responsible solutions**

Kananook Creek environs and existing vegetation must be preserved and additional opportunities provided to ensure water quality and vegetation expansion.

**Improved visual amenity**

The current crossing presents a clutter of rail, traffic and directional signage. The option selected for this site must present visual improvements and provide the opportunity for necessary infrastructure to be screened.

**Maximised road traffic efficiency and improved safety outcomes**

The existing tangle of roads and rail presents real impacts to road users, both of Seaford Road as well as Railway Parade and Fortescue Avenue. Improved connections across these vital road links must be a priority of this crossing removal.

#### Seaford Road – MCA

SEAFORD	Road Over Rail	Road Under Rail	Rail Over Road	Rail Under Road
<b>ECONOMIC</b>	Neutral	Neutral	Neutral	Neutral
<b>ACCESS</b>	Moderately Positive	Moderately Positive	Highly Positive	Moderately Positive
<b>SOCIAL</b>	Highly Negative	Highly Negative	Mildly Positive	Neutral
<b>AMENITY</b>	Highly Negative	Highly Positive	Highly Negative	Moderately Positive
<b>ENVIRONMENTAL</b>	Neutral	Mildly Negative	Mildly Positive	Moderately Negative

### Seaford Road – Option Positives and Negatives

The table below summarises the assessment of the potential options against Council’s desired preferences.

Grade separation type	Positives	Negatives
Road UNDER	<ul style="list-style-type: none"> <li>Increased transport safety</li> <li>Supports transport networks</li> <li>Improved visual amenity</li> <li>Improved noise amenity</li> </ul>	<ul style="list-style-type: none"> <li>Possible Loss of approximately 40 dwellings</li> <li>Poor pedestrian/cyclist amenity</li> <li>Poor personal safety</li> <li>Decreased community connectivity</li> <li>Visual impact of trenching, retaining walls and fencing</li> <li>Possible removal of trees and vegetation alongside road cuttings</li> </ul>
Road OVER	<ul style="list-style-type: none"> <li>Increased transport safety</li> <li>Supports transport networks</li> </ul>	<ul style="list-style-type: none"> <li>Possible loss of approx. 40 dwellings</li> <li>Poor pedestrian/cyclist amenity</li> <li>Visual appearance of overpasses</li> <li>Poor personal safety</li> <li>Poor CPTED outcomes</li> <li>Reduced community connectivity</li> </ul>
Rail UNDER	<ul style="list-style-type: none"> <li>Increase transport safety</li> <li>Improved road access</li> <li>Improved noise amenity</li> <li>Improved visual appearance</li> </ul>	<ul style="list-style-type: none"> <li>Visual impact of trenching, retaining walls and fencing</li> <li>Reduced connectivity opportunities</li> <li>Removal of trees and vegetation along rail trench</li> </ul>
Rail OVER	<ul style="list-style-type: none"> <li>Better access pedestrians/cyclists</li> <li>Improved community connectivity</li> <li>Increased transport safety</li> <li>Improved road access</li> <li>Opportunity for open space and public realm improvements</li> </ul>	<ul style="list-style-type: none"> <li>Visual impact of elevated tracks</li> <li>Potential noise issues</li> </ul>

After reviewing the advantages and disadvantages of the options and the results of the MCA assessment, Council endorsed the **rail under road** as their preferred option.

Council requests that the following components are included within the final design for the grade separation of the Seaford Road crossing:

- Superior access for pedestrians and cyclists by providing overbridges across tunnelled sections of line to provide clear and efficient movement, particularly to Seaford reserve.
- Improved public realm, including screening of infrastructure, where possible.
- Safer road transport movement, including treatments to the Railway Parade/Seaford Road and Fortescue Avenue/Seaford Road intersections.

### Overton Road / Skye Road Crossing – Desired Outcomes

Council’s desired outcomes for the Overton / Skye Road crossing are:

**Maximised road network efficiency**

Any improvements that can be delivered to the complex network of road and rail intersections in this location should be promoted.

**Enhanced community connectivity**

The existing rail reserve presents a significant barrier to movement from east to west. A solution that provides additional points for pedestrians and cyclists to move across the rail line is vital.

**Environmentally responsible solutions**

The Ebdale precinct is currently compromised by drainage concerns and inefficiencies. A solution that would enable the rail reserve to form part of a drainage basin would enable an improved drainage network through this integral residential growth area.

**Allowance for future development opportunities**

This Overton Road area is home to a number of high profile automotive retailers and service facilities. There are a number of underutilised sites within the area that would realise greater development potential if road access was safer. A crossing treatment that enhances this development potential should be a priority.

### Overton Road / Skye Road Crossing – Desired Outcomes

OVERTON	Road Over Rail	Road Under Rail	Rail Over Road	Rail Under Road
<b>ECONOMIC</b>	Mildly Negative	Mildly Positive	Mildly Positive	Mildly Positive
<b>ACCESS</b>	Moderately Positive	Highly Positive	Highly Positive	Highly Positive
<b>SOCIAL</b>	Highly Negative	Moderately Negative	Moderately Positive	Mildly Positive
<b>AMENITY</b>	Highly Negative	Highly Positive	Neutral	Moderately Positive
<b>ENVIRONMENTAL</b>	Neutral	Moderately Negative	Mildly Positive	Mildly Negative

The table on the following page summarises the assessment of the potential options against Council’s desired preferences.

<b>Grade separation type</b>	<b>Positives</b>	<b>Negatives</b>
Road UNDER	<ul style="list-style-type: none"> <li>Supports Frankston's economy</li> <li>Improved transport safety</li> <li>Improved visual amenity</li> <li>Improved noise amenity</li> </ul>	<ul style="list-style-type: none"> <li>Possible removal of significant businesses required</li> <li>Poor personal safety</li> <li>Environmental impacts</li> <li>Very difficult to activate public realm</li> <li>Possible loss of property</li> </ul>
Road OVER	<ul style="list-style-type: none"> <li>Improved transport safety</li> <li>Support Frankston economy</li> </ul>	<ul style="list-style-type: none"> <li>Possible loss of property</li> <li>Possible loss of significant businesses</li> <li>Poor pedestrian/cyclist amenity</li> <li>Reduced community connectivity</li> <li>Poor personal safety</li> <li>Visual appearance of overpasses</li> <li>Very difficult to activate public realm</li> </ul>
Rail UNDER	<ul style="list-style-type: none"> <li>Supports Frankston's economy</li> <li>Better road access</li> <li>Improved transport safety</li> <li>Enhanced local land use opportunities</li> <li>Improved noise amenity</li> <li>Reduced visual impact</li> <li>Improved amenities</li> </ul>	<ul style="list-style-type: none"> <li>Possible removal of trees</li> <li>Reduced connectivity</li> </ul>
Rail OVER	<ul style="list-style-type: none"> <li>Supports Frankston's economy</li> <li>Better access for pedestrians/cyclists</li> <li>Better road access</li> <li>Improved transport safety</li> <li>Enhanced local land use opportunities</li> <li>Enhanced community connectivity</li> <li>Opportunity to improve open space/linear trail</li> </ul>	<ul style="list-style-type: none"> <li>Visual impact of elevated tracks, but less of concern given lack of sensitive interfaces</li> <li>Potential noise issues</li> </ul>

After reviewing the advantages and disadvantages of the options and the results of the MCA assessment, Council endorsed the *rail under road* solution as their preferred option.

Council requests that the following components are included within the final design for the grade separation of the Seaford Road crossing:

- Economic development – Simplify intersections to enable development of underutilised land and improve accessibility to existing businesses.
- Connectivity – ensure that a pedestrian/cyclist overbridge is provided over tunnelled section of rail to ensure safe movement across rail reserve.
- Transport network – reconfigure complex intersections to enable through traffic improvements to FMAC, Fletcher Road, Nepean Highway and Ebdale precinct.
- Environment – provide for the inclusion of WSUD to improve drainage in Ebdale precinct.
- Amenity - Improved public realm, open space and streetscape including screening of infrastructure, where possible.
- Road Safety - Improved traffic safety and movement.

### Eel Race Road – Desired Outcomes

Council’s key desired outcomes for the Eel Race Road crossing are:

**Quality open space and urban design outcomes.**

As Eel Race Road forms the northern border of our municipality – it is vital that the grade separation solution has superior urban design outcomes that befit this gateway site.

**Connectivity**

Eel Race Road provides access to Patterson River Secondary College and surrounding residential areas. The crossing removal solution must ensure that pedestrian and cyclist movement across the rail reserve is safe and easily accessible.

**Noise and visual amenity**

Due to the proximity of the crossing to residential enclaves, the crossing removal must ensure that residential amenity is preserved and enhanced.

### Eel Race Road - MCA

The following are MCA results reviewed at the 29 June 2016 Councillor Workshop.

EEL RACE	Road Over Rail	Road Under Rail	Rail Over Road	Rail Under Road
<b>ECONOMIC</b>	Neutral	Neutral	Neutral	Neutral
<b>ACCESS</b>	Highly Negative	Highly Negative	Highly Positive	Highly Positive
<b>SOCIAL</b>	Highly Negative	Highly Negative	Mildly Positive	Neutral
<b>AMENITY</b>	Highly Negative	Highly Positive	Highly Negative	Highly Positive
<b>ENVIRONMENTAL</b>	Mildly Negative	Neutral	Neutral	Neutral

### Eel Race Road - Option Positives and Negatives

The table on the following page summarises the assessment of the potential options against Council’s desired preferences.

The possibility of the crossing being closed was also discussed in the context of train stabling constraints at Carrum Station.

<b>Grade separation type</b>	<b>Positives</b>	<b>Negatives</b>
Road UNDER	Improved road network connectivity Improved noise amenity Increased transport safety	Poor access for pedestrians, cyclists. Very difficult to improve public realm Visual impact of trenching, retaining walls and fencing Poor personal safety Environmental impacts Poor entrance to municipality Possible removal of dwellings (Kingston)
Road OVER	Improved road network connection Increased road safety	Poor access for pedestrians and cyclists. Visual amenity significantly impaired by overpasses. Possible removal of dwellings (Kingston) Compromised road access Poor CPTED outcome Poor environmental outcomes Poor ability to provide quality open space
Rail UNDER	Better road access Better access for pedestrians and cyclists Improved noise amenity Improved visual amenity Good CPTED outcomes Gateway and public realm opportunities	Loss of trees and vegetation along rail trench
Rail OVER	Better access for pedestrians and cyclists Better road access Enhanced connectivity Ability to improve public realm and open space Gateway and public realm opportunities	Visual impact of elevated tracks Possible noise issues

After reviewing the advantages and disadvantages of the options and the results of the MCA assessment, the Councillors preference was to advocate for the retention of the current situation and to redirect the funds proposed for a more visionary outcome for the Frankston Station redevelopment or improve rail services through the provision of a third rail. Should however the LXRA deem to provide a rail crossing at this location, Council's preferred position is the *rail under road* option.

Council requests that the following components are included within the final design for the grade separation of the Eel race Road crossing should it proceed:

- Improved public realm, including appropriate gateway treatments and signage.
- Superior access for pedestrians and cyclists by providing overbridges across tunnelled sections of line to provide clear and efficient movement to foreshore to the west and Patterson River Secondary College to the east.
- Improved traffic safety and movement.

### **Principles for Grade Separation in Frankston**

Whatever the option to be progressed by the LXRA for each crossing, achieving the following objectives are key for Council and the community:

**Maximised road network efficiency** – Ensure that any change to the road network achieves improved traffic flows within proximity of the crossing.

**Improved safety outcomes** – Decrease in pedestrian and vehicular incidents at and around crossings. Pedestrian and cyclists are visible from the public realm, routes are well lit and should be designed to follow best practice Crime Prevention through Environmental Design (CPTED) principles.

**Enhanced community connectivity** – Removal or reduction in physical and perceived barriers created by existing level crossings.

**Improved visual amenity** – Areas along the existing rail corridor are subject to an existing level of visual blight from the rail infrastructure and overlooking from passengers. Solutions should incorporate measures to improve visual amenity both from a resident and passenger viewpoint.

**Noise amenity** – Properties along the rail corridor are subject to existing levels of noise impacts, including warning bells, train horns, tyres over tracks and the actual noise of the train itself. Any grade separation solution must present improved quantifiable benefits.

**Allowance for future development opportunities** – Certain grade separation solutions delivers opportunities for redevelopment of adjacent land for either private or public purposes.

**Quality open space and urban design outcomes** – Grade separation techniques can lead to increased open space opportunities and the delivery of positive urban design outcomes that benefit the passenger and the community as a whole. Crossings that deliver superior ground level activation through open space provision and built form improvements will be favoured.

**Environmentally responsible solutions** – Crossing solutions that mitigate impacts on receiving waters and provide habitat for increased biodiversity are considered superior.

**Future proofing/ allowance for whole of corridor approach** – The three crossings must not be viewed in isolation, but rather as part of the entire rail corridor through to Baxter and beyond. Provision must be made for the future relocation of train stabling from Carrum and Frankston to Baxter, and a third rail line from Baxter to Melbourne.

## Section 4.0

### Electrification to Baxter

#### Introduction

Electrification of the railway line from Frankston to Baxter has highly important implications for the future of Frankston rail corridor, particularly for Frankston Station. It also influences and is influenced by decision made on rail crossing plans, including level crossing removals along the Frankston railway line.

#### Operating Reasons for Electrification to Baxter

Units for the Frankston line are currently stabled across the rail corridor, utilising large tracts of high value land in Mordialloc, Carrum and Frankston. A significant number of units are also stored at North Melbourne.

In the future, additional Frankston Line stabling will be required for units relocated from elsewhere and from increases in services. Stabling will still occur north of Frankston to coincide with service terminations, but this will not be sufficient together with current stabling at Frankston.

This demand for additional stabling is the main driver for electrifying the railway line to Baxter where extra stabling capacity can be provided. A further option is to also stable trains at Langwarrin.

This has benefits for Frankston (covered below) but it also allows for land currently used for stabling closer to Melbourne to become available for other uses, which also has high development value and/or could be utilised for other infrastructure projects.

#### Importance to Frankston

The immediate need for the electrification to Baxter has been strongly advocated by Council for some time. There are a range of reasons for this including socio-economic, transport accessibility, land-use efficiency and rail corridor management.

Most importantly, electrification and the removal of stabling at Frankston Station will free up land in the precinct for a range of potential alternative uses. These include commercial, education, health, community and/or open space.

Electrification to Baxter also has other potential benefits for Frankston which include:

- Improved connectivity to the Frankston Hospital, Frankston Private and Monash University through relocating Leawarra Station.
- Establishing a new station at Langwarrin together with park and ride facilities.
- Generally improving access to employment.

These potential benefits and those for the Frankston Station precinct are discussed further as follows.

#### Freeing up Station Land for Development

As well as consolidation of train stabling, there are further opportunities to disperse transport related land uses, such as parking, which is currently occupying high-value land that could be providing substantially greater public benefit.

The car park and train stabling at Frankston Station occupies prime land which is adjacent to education uses (Chisholm), the central precinct of the FMAC and the Health and Education Precinct. The electrification will enable this parking to be relocated to Langwarrin and/or Baxter. The parking and stabling land around Frankston Station can then be made available for significant commercial, health and education developments as well as community uses such as open space. This will generate much needed employment opportunities in a central location with excellent connectivity.

There is also an opportunity to provide a substantially better connection between the east and west sides of the train line, by improving pedestrian and bicycle linkages.

There is at least 32,000sqm of potential development land around Frankston Station. If this land provides the same employment yield as the commercial centre of the FMAC, it would provide approximately 2,387 jobs. This equates to an increase in the quantity of jobs in Frankston City of 6.5%.

### Langwarrin Station

A key opportunity that the electrification will enable is the establishment of a train station in Langwarrin. A station at Langwarrin will provide opportunities for car parking, train stabling and park and ride facilities that service a broad catchment to the south (Mornington Peninsula) and east (Langwarrin, Cranbourne West). As it currently stands, Langwarrin and Langwarrin South are very poorly served by public transport connections, which has been a principle contributor to high levels of youth disengagement. These catchments are largely responsible for Frankston City being ranked the third highest local government area in the metropolitan Melbourne for youth disengagement (2011 Census of Population and Housing).

### Leawarra Station

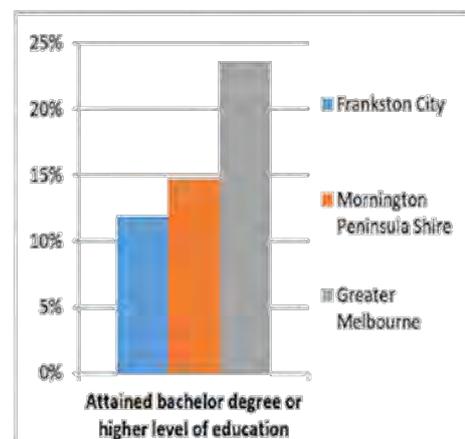
Leawarra Station, currently located on the Stony Point line, could be reconfigured or relocated to better service the Frankston Health and Education Precinct. This includes Monash University, Frankston Hospital (Public), Frankston Private.

### Access to improved education

Monash University Peninsula Campus (Monash) is currently located next to Leawarra Station on the Stony Point train line, with irregular services that make student access via public transport extremely challenging. As a result of this, students without access to a private vehicle have very limited access to the campus.

If the electrification occurs, this will link the entire Frankston train line catchment to Monash. In addition, it will provide a rail linkage between Monash University's Caulfield Campus, enabling students to travel between them.

With current student levels at Monash well below capacity (largely due to public transport constraints), the electrification would open the door for several thousand additional students to study at the campus. Monash has advised that the electrification would enable it to consider diversifying its course offer. As it currently stands, Monash has a narrow



Source: 2011 Census of Population and Housing

course offer, which limits tertiary education opportunities across south east Melbourne.

Additional course offering and improved student access has the potential to be transformational for both Frankston City and the greater south east Melbourne region. As of 2011, just 11.9% of Frankston City residents held a bachelor degree or higher level of education, compared with 23.6% across Greater Melbourne. Access to bachelor degree (or higher) level of education is critical to future employment prospects and the transition towards a knowledge-based economy.

If the electrification goes beyond Baxter to Hastings, it will provide regular public transport connections to some of the lowest socio-economic areas in Victoria. This is critical, as tertiary education is seen to be out of reach for many young people within the region. Not only will they be able to access Monash, they will also be able to access certificate and diploma level education at Chisholm Frankston.

### **Access to healthcare**

Currently, Frankston Hospital is not easily accessible via train. The nearest station is Frankston, which is approximately 1.4km away, with extremely poor pedestrian and cycling linkages. The electrification will provide easier access to Frankston Hospital, which currently has a significant undersupply of car parking. The hospital has had to construct several car parks in order to meet public demand, largely due to poor public transport access.

A station could be situated within the Frankston Health and Education Precinct, servicing Frankston Hospital (public), Frankston Private Hospital, Monash and a range of other medical providers located within the precinct.

The electrification may also stimulate redevelopment within large sections of the Health and Education Precinct, which has been earmarked for rezoning to mixed-use. This would enable the development of medical, education, medium density residential (such as student accommodation and short-stay accommodation) and some commercial facilities.

The population along the rail corridor, particularly those without access to private vehicles, will have substantially better access the quality healthcare if the electrification occurs. The density of healthcare services available in the Frankston Health and Education Precinct is substantial enough for it to share its own train station with Monash University.

### **Access to employment for a growing population**

There are several ways in which the electrification will improve access to employment. The most significant will be that a large catchment of the Region's population will be able to access employment nodes without requiring a private vehicle. With high proportions of unemployment and youth disengagement along the corridor, the electrification will prove to be a critical employment connector.

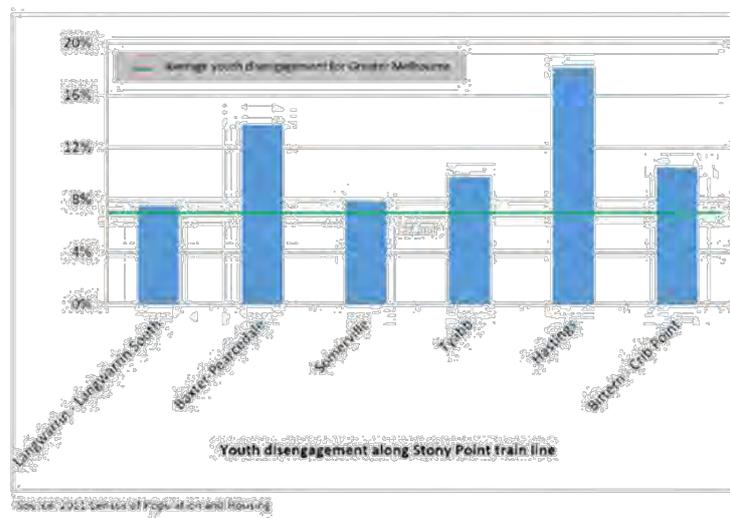
By 2036, there will be 66,244 people living along the train line corridor to Stony Point (beyond Frankston). This is a population increase of 10.7% on the current estimates. 38.2% of households have one or no car.

By 2036, there will also be 68,132 people living along the Mornington train line corridor (beyond Frankston). This is a population increase of 9.7% on the current estimates.

In total, the rail services south of Baxter, services a population along the train line corridor of over 130,000 in 2036, with population growth along this corridor occurring at over 10% across the 20 years. 40% of households have one or no car.

There is a very high proportion of the population with poor access to cars along both the Stony Point and Mornington rail corridors (almost 40%). Given the poor provision of public transportation at the moment, this makes it extremely challenging for more than one family member to access employment and/or tertiary education. This is a key factor in lower than average levels of education attainment (at bachelor and higher level) and higher than average levels of unemployment across the catchment area.

Youth disengagement is particularly high along the Stony Point train line corridor, with 9.8% not participating in education or employment, compared with 7.4% across Greater Melbourne (2011 Census of Population and Housing).



### Positive impact on property prices

According to valuation firm Opteon, residential property prices will increase by between 5% and 10% along the rail corridor if the electrification occurs. This has positive taxation implications for government, which will assist with any business case for the electrification.

### Beyond Baxter – Electrification to Stony Point

There are significant socioeconomic and logistical opportunities associated with electrifying the train line along the entire length of the current Stony Point line. The socioeconomic factors are captured under the 'benefits of electrification' section.

From a logistical perspective, there are potential benefits if the future expansion of the Port of Hastings occurs. In addition to employment opportunities, the electrification will also enable future rail spurs to link up with the Dandenong industrial district, which has been earmarked as the warehousing and logistics hub for an expanded Port of Hastings.

### **Beyond Baxter – Electrification to Mornington**

Electrification to Mornington will open up significant opportunities for tourism expansion through improved connectivity to some of our key tourism icons, as well as creating transport efficiencies. At the moment, the Mornington Peninsula (particularly the southern end) experiences enormous congestion especially during peak tourism periods.

The Electrification to Mornington would alleviate much of this pressure, with a significantly reduced burden on the road network.

## Section 5.0

### Frankston Station Precinct

#### Frankston Future Projects

The State Government has allocated \$63 million towards the redevelopment of the Frankston Station Precinct. The works are a mixture of business activation programs, streetscape works, place activation, safety improvements, improved connectivity and station improvements.

Projects which have a transport and rail network component or focus are listed below and it is anticipated that approximately \$40 million will go to these projects:

- New Public Plaza at the eastern end of Wells Street.
- New Public Plaza at Fletcher Roads at the subway.
- Enhance connections with Chisholm.
- Upgrade Hastings Road, Playne Street and rail trail to Hospitals and Monash.
- Improved access and management of Parking.
- Rebuild existing rail station.
- Undertake Bus Service Review.
- Upgrade subway and subway entrances.
- Remove and replace mechanical signalling to make land available and improve train reliability.
- Facilitate development of Council and State land.

#### Beach Street Pedestrian Level Crossing Project

Public Transport Victoria have indicated the need to remove the dangerous pedestrian link at Beach Street highly used by nearby residents and by Chisholm students. Due to the length of the crossing, the efficiency of the train service is also reduced as trains are required to slow at this point slower because of the crossing.

It is understood that Public Transport Victoria (PTV) are planning a pedestrian overpass to cross the rail line however the available space on the west side along Young Street is tight. The cost of a pedestrian overpass is anticipated to be approximately \$15 million, this is to be funded by PTV through a separate from the Frankston Station Precinct Redevelopment project.

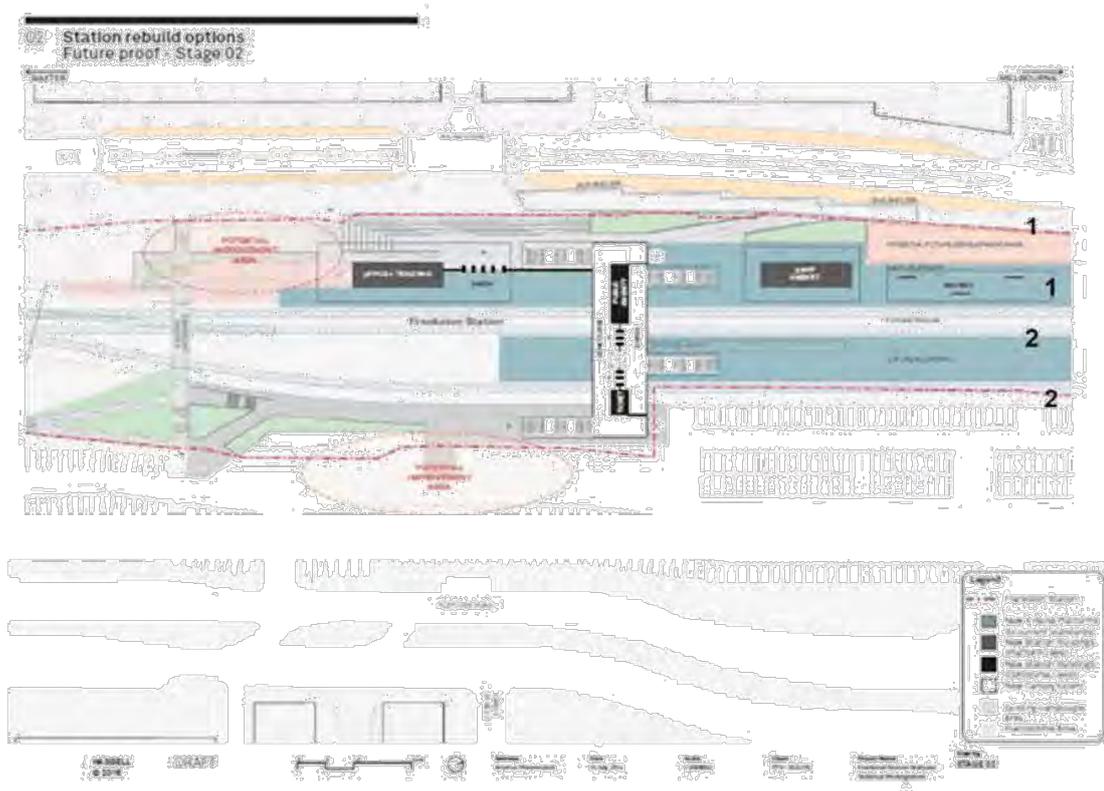
#### Station Re-Development

In defining the tasks to be undertaken for the Frankston Future Project, it was agreed that the redevelopment of Frankston Station would occur in its present location, but that it would not jeopardise the requirements for extending electrification to Baxter.

As part of electrifying to Baxter, the agreed concept plan envisages removal of the track nearest Young Street and the construction of a second platform to the east. One track would service the existing eastern platform whilst a new track would be adjacent to the western side of the new platform. A further track may also be located on the eastern side of the new platform depending on operating requirements. It was also envisaged that the platforms would be connected by overhead walkways.

The concept station layout is illustrated on this page. Examples of overbridges are on the next page.

**Figure 4: Long term three platform station arrangements (associated with Baxter Electrification)**



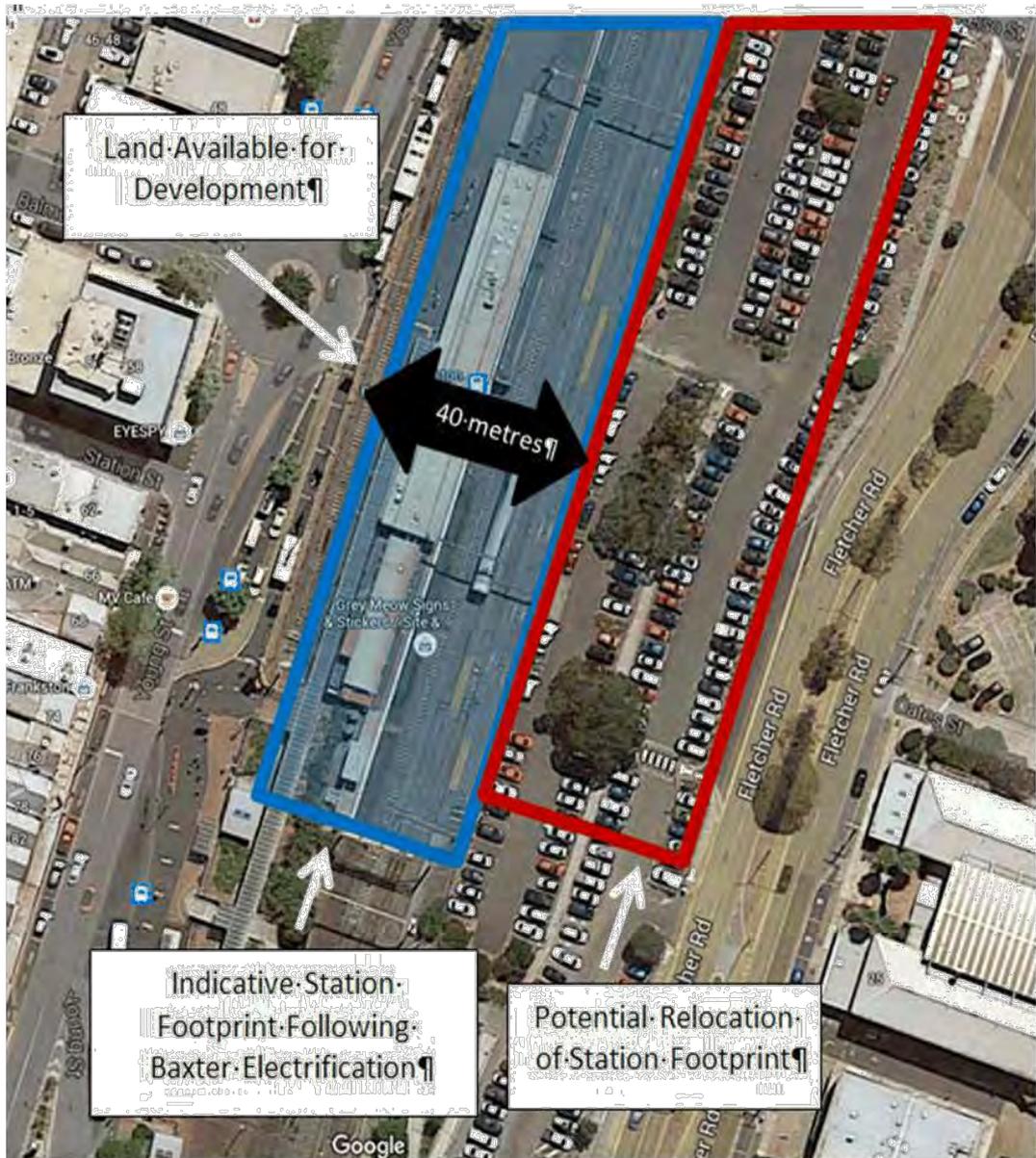


### **Alternative Station Concept**

The currently envisaged station layout will release some five metres of land for alternative use beside Young Street. If car parking was removed, approximately 40 metres depth of land could be released for alternative use facing Fletcher Road.

However, an alternate layout could contemplate the relocation of the station complex to the east onto the site of the existing at grade commuter car park. Considering the level crossing removal works will occur at Overton Road at the same time as the proposed Station upgrade, consideration should be given to either raising or undergrounding the new station. This would enable the development of a multi-function transport hub, which could incorporate retail, commercial, education or community uses that orientate towards Young Street, but still provide permeability through to Fletcher Road and Chisholm.

The feasibility and cost and land use advantages of this option has yet to be tested. However, the option should not be foregone as the station redevelopment project proceeds.



## Section 6.0

### Other Rail Corridor Enhancements / Options

#### Third rail line south of Moorabbin

A third rail line south of Moorabbin will be required in future as population grows and more investment occurs to the south. The extension of the third rail will allow express trains from Frankston to operate for a greater distance, reaching the Melbourne CBD and inner suburbs more quickly. The reduced travel time will prove highly attractive for Frankston and Mornington Peninsula commuters and for businesses wanting to locate in the region. Travel time reductions will also encourage reverse commuting which widens the employment pool for businesses – particularly within the Frankston Metropolitan Activity Centre (FMAC). This is in line with State Government polycentric city policy. It will also give a large population catchment easier access to employment and education opportunities in and around Melbourne.

#### Alternatives to Eel Race Road Level Crossing Removal

Council does not see great merit in removing the level crossing on Eel Race Road.

It is also understood that there is a possibility that the planned Eel Race Road rail crossing removal may not proceed. As noted previously, Council would then advocate for retention of the existing level crossing arrangement.

Should the proposed crossing removal at Eel Race Road be abandoned, Council will also approach the State Government to divert the funding earmarked for the project (as much as \$150 million) to achieving a more visionary outcome for the Frankston Station redevelopment and improve rail service through extending the third rail south of Moorabbin.

## Section 7.0 Summary

Council has made this submission in anticipation of the LXRA presenting its preferred rail crossing removal options to Council and the Community in early August 2016.

To this end, Council has undertaken its own review of potential options based on the potential outcomes its wants for each of the rail crossings. Resulting from this review, its strongly preferred options are:

Location	Preferred Option
Seaford Road	Rail Under Road
Overton/Skye Road	Rail Under Road
Eel Race Road	<b>No change to the Level Crossing at Eel Race Road, Seaford with funding be redirected to Council's strategic rail needs However Council preferred option is Rail under Road if the LXRA's intention is still to proceed with road/rail separation</b>

Council believes that a 'whole of rail corridor' approach is the overarching direction to realising the full potential of these projects. It is therefore important that any work does not jeopardise any future development opportunities such as the electrification to Baxter, extending the third rail from Moorabbin and maximising land use opportunities at the Frankston Station Precinct.

As part of the Federal election campaign, both of the main political parties have announced funding to investigate electrification to Baxter. This indicates the political importance of ensuring that the level crossings projects take this into account, including its potential impact on the future operation and nature of Frankston Station.

It is understood that there is a possibility that the planned Eel Race Road rail crossing removal may not proceed as planned. In which case, Council will approach the State Government to divert the funding earmarked for the project to achieving a more visionary outcome for the Frankston Station redevelopment and improving rail service through extending the rail south from Moorabbin.

To achieve the best outcomes for the immediate and wider community, a strong and structured communication partnership needs to be maintained between the LXRA and other relevant State Government agencies.

The scope of the projects, and the State Government funding for them, need to cover the works which meet Council's expected outcomes. Care will also need to be taken that Council is not left with unnecessary ongoing maintenance costs, for example, because of inappropriate construction or design standards.

## **APPENDIX A: Media Release from Minister for Public Transport on Skyrail**

### **Media Release**

**The Hon Jacinta Allan MP**  
Minister for Public Transport  
Minister for Major Projects



Monday, 13 June, 2016

#### **FRANKSTON LEVEL CROSSING LIES A DESPERATE POLITICAL STUNT**

Minister for Public Transport Jacinta Allan has slammed the Liberal campaign of misinformation about the level crossings the Andrews Labor Government is removing on the Frankston line.

Federal Liberal election propaganda distributed in the federal seat of Isaacs is a desperate attempt to distract from their lack of funding for Victoria.

Despite being the fastest growing State and home to 25 per cent of Australia's population, Victoria still receives just 9 per cent of Federal infrastructure funding.

The Labor Government will remove 11 level crossings on the Frankston line. Three of these crossings are almost gone, and the Government is undertaking extensive consultation on the removal of the remaining eight.

Between Caulfield and Dandenong, the Labor Government is removing every single level crossing. That's not the case on the Frankston line, where the Government is removing level crossings at separate sites with crossings left in between.

As a result, a continuous elevated line over every one of the eight crossings won't be possible, and won't be built.

The Labor Government continues to assess the best option on a site-by-site basis, to ensure the best solution is found for each community.

#### **Quotes attributable to Minister for Public Transport Jacinta Allan**

*"We will not be building a Dandenong line-style 'Skyrail' on the Frankston line. Any allegations we will are false."*

*"We will remove 11 dangerous and congested level crossings on the Frankston line. The first three are almost gone and we're undertaking detailed consultation on the removal of the remaining eight."*

*"The Liberals are desperate to distract attention from the fact that they didn't remove a single one of these crossings and are dudding Victoria – not giving us the funding we deserve for the projects we need."*

*"We will work with the community, engineers and experts to develop the best solution at each site and get rid of these dangerous and congested level crossings that clog local streets and put lives at risk every single day."*



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Reference: A3312247  
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20 March 2017

The Hon. Jacinta Allan MP  
Minister for Public Transport  
Level 20, 1 Spring Street  
MELBOURNE VIC 3000

Dear Minister

**FRANKSTON LINE PLANNING – GRADE SEPARATION**

Council has recently received notification of the State Government's position of its preferred grade separation options for Eel Race Road, Seaford Road and Overton / Skye Road.

I am writing to highlight Council's extreme disappointment with the Level Crossing Removal Authority's lack of consideration of Council's adopted position on behalf of its Community on the three grade separation sites in the Frankston Municipality.

Council at its Ordinary meeting held on 14 March 2017 resolved the following, that Council:

1. Notes the report that provides information on the recently announced preferred grade separation options for Eel Race Road, Seaford Road and Overton / Skye Road locations made by the Minister of Public Transport, the Hon. Jacinta Allan, MP and Level Crossing Removal Authority (LXRA);
2. Writes to the Minister for Public Transport, the Hon. Jacinta Allan, MP and LXRA highlighting Council's disappointment on the recent announcements and the lack of consideration given to Council's and the Community's input;
3. Does not accept any position that would locate the stabling for the trains at Kananook having to utilise valuable industrial land in the Frankston municipality and seeks in its meeting with the Minister detailed information and calls upon the Minister to enter into further discussion about suitable alternatives;
4. Prepares an in-depth submission to the Premier of Victoria, The Hon. Daniel Andrews MP, The Minister for Public Transport, The Hon. Jacinta Allan MP and the Opposition Leader, The Hon. Matthew Guy MP opposing the placement of stabling facilities from Carrum to Seaford. The submission should consider the impact from noise pollution, amenities and community safety concerns on the residents and businesses that are living and working in the proposed area where the stabling yard will go. Also, the submission should highlight the impact on Frankston

- municipality due to the loss of Seaford businesses that occupy the land identified for the proposed stabling (which could lead to hundreds of job losses). Finally, the submission should consider the economic, social and environmental consequences of moving the stabling yard from its present commercial location in Carrum to the mixed zoning of Seaford;
5. Expresses disappointment to Member for Carrum, Ms Sonya Kilkenny MP and Member for Frankston, Mr Paul Edbrooke MP regarding the relocation of stabling yard from Carrum to Seaford;
  6. Call on the Victorian Government to immediately commence work on the business case for the electrification to Baxter and rail service improvements (third Rail line) and to commit to delivering the electrification of the Frankston railway line to Baxter as this would complete the work along the entire line and deliver greater outcomes for Frankston and the entire region including resolving the stabling issues associated along the line;
  7. Continues to advocate for the best outcome for the Community at three removal sites being Overton/Skye Road, Seaford Road and Eel Race Road. On the basis that the Minister has adopted Council's position on Eel Race Road, the Minister be requested to advise what is happening with the \$150 million allocated in the budget for Skyrail;
  8. Also advocates for traffic and signalisation improvement for the intersections at Overton Road / Nepean Hwy and Skye Road / Overton Road;
  9. Seek clarification from the Minister for Public Transport, The Hon. Jacinta Allan MP on the scope proposed for the \$10 million to be spent to revitalise the Seaford Community with extensive landscaping, a new shared user path, and significant upgrades to R.F Miles Reserve as announced by the State Government relating to Seaford Road however, there is no mention at Overton Road or Eel Race Road that similar funding will be available; and
  10. Forwards a copy of the correspondence to all members of Parliament representing our municipality including the Member for Dunkley, Mr Chris Crewther, MP, Member for Isaccs, the Hon Mark Dreyfus QC, MP, Member for Frankston, Mr Paul Edbrooke, MP, Member for Carrum, Ms Sonya Kilkenny, MP, Public Transport Victoria, and the Chair of the South East Melbourne Group.

It is disappointing the lack of consideration of Council's adopted position and the Community's input into the consultation stage by LXRA and the State Government. It is also extremely disillusioned with LXRA and the State Government by the disregard to involve Council in the announcement and provide advance information prior to the Minister for Public Transport making the announcement public through the media on 24 February 2017 and 6 March 2017.

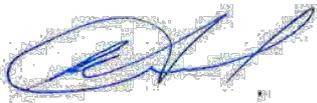
It is further disappointing that the grade separation proposal for Eel Race Road and Carrum requires the relocation of train stabling in Carrum to industrial land in Kananook which is a detrimental move that will result in the loss of vital businesses and potentially over 200 jobs from Frankston City. A stabling facility located at Baxter, as part of the regions much needed electrification of the Frankston railway line to Baxter, will avoid loss of key industrial land and would be a more feasible longer term solution for train stabling and maintenance.

Furthermore, it would provide additional public car parking for public transport commuters, which is currently at bursting point at Frankston Station.

Therefore, Frankston City Council is calling on the Victorian Government to commit to delivering the electrification of the Frankston railway line to Baxter as this would complete the work along the entire line and deliver greater outcomes for Frankston and the entire region.

I am glad to receive advice that our cancelled appointment from late February 2017 has been scheduled at this stage for Thursday 6<sup>th</sup> April at 2pm in Melbourne to discuss this matter in more detail and to ensure the Community's best interests are considered by the Victorian Government during this significant project.

Yours faithfully



Cr Brian Cunial  
**MAYOR – FRANKSTON CITY**

CC: All Members of Parliament in Frankston City Municipality including:  
Member for Dunkley, Mr Chris Grewther, MP,  
Member for Isaacs, the Hon. Mark Dreyfus QC, MP,  
Member for Frankston, Mr Paul Edbrooke, MP,  
Member for Carrum, Ms Sonya Kilkenny, MP,

CEO - Public Transport Victoria,  
Chair of the South East Melbourne Group



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Reference: A3331350  
Enquiries: Vito Albicini  
Telephone: 9784 1941

4 April 2017

The Hon. Jacinta Allan MP  
Minister for Public Transport  
Level 20, 1 Spring Street  
MELBOURNE VIC 3000

Dear Minister

**FRANKSTON LINE PLANNING – GRADE SEPARATION**

I am writing to highlight at last night's Council Ordinary meeting, a notice of motion was put and carried seeking further input from yourself and the CEO of the Level Crossing Removal Authority (LXRA), Mr Kevin Devlin on various line planning/grade separation and stabling matters. Council resolved the following, that Council:

1. Requests from the Level Crossing Removal Authority and the Hon Jacinta Allen MP, Minister for Public Transport, as a matter of urgency, the release of all technical reports and associated information to the Council and community, which provides justification for the chosen options for treatments at the Frankston railway line grade separations located within the Frankston municipality.
2. Notes that the State Government has failed to provide all of the information as requested previously by Council to date.
3. Technical information also be sought on the proposed – and council opposed – Seaford/Kananook train stabling yard.

Council has received a report that provides comments on the outcomes from technical investigations and modelling on Edithvale, Bonbeach and Seaford Sites addressing groundwater, flooding impacts, potential impacts on wetlands and constraints / opportunities at each site. Based on information from LXRA, this report was made available for the public. Council however has not received the technical data and modelling information that supports the conclusions from this report.

I look forward to discuss this matter further at our scheduled appointment this Thursday 6 April at 2pm in Melbourne.

Yours faithfully

Cr Brian Cunial  
MAYOR – FRANKSTON CITY

CC: Mr Kevin Devlin, CEO LXRA

**13.5 NOM 1315 - Police Numbers in Frankston**

On Thursday 4<sup>th</sup> May 2017 Councillor Steve Toms gave notice of his intention to move the following motion:

That Council writes to the Premier of Victoria The Hon Daniel Andrews, Minister for Police The Hon Lisa Neville, Police Commissioner Graham Ashton AM, Shadow Minister for Police The Hon Edward O'Donohue, Leader of the Opposition The Hon Matthew Guy and State Member for Frankston Paul Edbrooke, to advocate for an increase in police officers in the Frankston municipality.

The Labor Government announced a \$2 billion boost for Police which will allow 3,135 new police officers to be delivered over a five (5) year period.

Additional police officers at Frankston and Carrum Downs stations would ensure they are adequately resourced to provide a safe place for our community.

**RATIONALE**

The Andrews Labor Government is putting more than 3,100 new police officers on the streets and giving them resources, equipment and support needed to keep Victorians safe.

This was announced as part of the recent 2017/18 budget. New police officers will be delivered over five (5) years.

The Labor Government plans to drive down crime and introduce tough new laws. The first 300 frontline police officers will commence in May from Caroline Springs to Casey and from Wyndham to Whittlesea.

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

In the event the Notice of Motion is passed the letters will be prepared and sent seeking the introduction of more police numbers.

Council has previously advocated for additional police numbers which once provided did have a positive effect on addressing community safety issues.

Additional police numbers would give wider coverage within the community.

---

**ATTACHMENTS**

Nil

**13.6 NOM 1317 - Frankston Nature Conservation Reserve**

On 9 May 2017, Councillor Kris Bolam gave notice of his intention to move the following motion:

That in light of the State Government's precipitous decision, without Council and community consultation, to discontinue the Frankston Nature Conservation Reserve Committee:

1. Council write to Frankston MP, Paul Edbrooke and the Victorian Minister for the Environment, Lily D'Ambrosio MP seeking confirmation that the Frankston Reservoir will remain open to the public as per existing access arrangements upon the transfer of reserve stewardship to Parks Victoria; and
2. Letters of Appreciation be presented to members of the Frankston Nature Conservation Reserve Committee appointed in March 2014 and its volunteers, expressing appreciation for their tireless dedication to the Frankston Reservoir. Letters under-seal be presented to the committee members and volunteers at the next 'Mayor's Picnic' event (in the spirit of NOM 1258).

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

In the event the Notice of Motion is passed, the letters will be prepared to seek information from the Minister regarding:

- The decision to no longer have a committee of management that had been appointed through the Ministerial appointment process and the benefits that the Minister believes Parks Victoria will bring to the facility.
- Arrangements for the park going forward to allow community access.
- What level of funding will be provided to Parks Victoria to maintain the reserve and where that funding will be sourced?

It should be noted that Council has had minimal input into the reserve in the past and occasional contact with the former Committee of Management.

Appointments to the Committee of Management were made by the Minister of the Day after being called through a public notice process.

There are numerous examples of where a Minister has not reappointed committees and this decision is at the discretion of the Minister.

What usually follows is a public debate of the merits of the decision, with the Minister usually moving towards new appointments.

On this occasion the Minister has appointed a State Government Department, Parks Victoria and there could be merit in Council engaging with Parks Victoria to discuss their plans.

Letters under seal can be prepared for committee members and volunteers.

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**ATTACHMENTS**

Nil

**13.7 NOM 1318 - Metropolitan Waste and Resource Recovery Group**

On 15 May 2017 Councillor Colin Hampton gave notice of his intention to move the following motion:

That Council formally endorse the Notice of Motion carried at the last meeting of the Metropolitan Waste and Resource Recovery Group (MWRRG) which read as follows:

“That the MWRRG write to the Minister for Energy, Environment and Climate Change and Shadow Minister for Energy and Resources requesting that funding generated through the collection of the Municipal and Industrial Landfill Levy be constrained to the purpose for which the Levy was introduced and raising concerns with the Levy funds being allocated to supplement Park Victoria initiatives not related to the purpose of the Levy”

Also forward to the MWRRG this endorsement along with all the amounts of money collected by this Council and which has been passed on to the State Government over the last 10 years from the Levy and what this Council has received back from the Government in programs associated directly with this Levy over this same period.”

**COMMENTS BY DIRECTOR CORPORATE DEVELOPMENT**

Over the last 9 years Frankston City has collected, and paid over to the State Government \$9,388,135 in landfill levies. Data for previous years is not readily available, however it could be assumed that it would not be more than \$200,000, taking the total amount over 10 years to approximately \$9.5 - \$9.6 million.

What started as a small “contribution” in 2008 of \$193,649 has grown to an estimated \$1,538,196 contribution for this financial year.

In that time \$521,935 has returned to Council in grants for programmes such as “Halve our Waste”, “Measure it Manage it” “Greening Frankston’s Children’s Centres” project. Council has been eligible to apply for other programmes but for various reasons has not – therefore this may understate the quantum Council may have received if it had applied for all available funding.

Council also receives non-monetary support through other free of charge programmes run by the State Government such as “Detox your Home”.

The Landfill Levy is collected and paid into the Municipal and Industrial Landfill Levy Trust Account.

As per the Environment Protection (Distribution of Landfill Levy) Regulations 2010, this account it is allocated in designated amounts to the following:

- EPA
- Sustainability Victoria (SV)
- Waste and Resource Recovery Groups (includes Metro)
- A public entity or other body established for public purposes to be used for environment assessment, protection, restoration or improvement purposes
- The remainder is held in Sustainability Fund.

Under the Environment Protection and Sustainability Victoria Amendment Act 2014, this Sustainability Fund with the consent of both the Premier and the Minister can be used for the purposes of fostering:

**13.7 NOM 1318 - Metropolitan Waste and Resource Recovery Group**

- environmentally sustainable uses of resources and best practices in waste management to advance the social and economic development of Victoria; or
- with the consent of both the Premier and the Minister, for the purposes of fostering community action or innovation in relation to the reduction of greenhouse gas substance emissions or adaptation or adjustment to climate change in Victoria."

While the allocation of funds from the levy to Parks Victoria is allowed under the relevant Acts, it does appear well removed from the initial intent that lead to the establishment of the levy.

It is also noted that Council recently invested in excess of \$10million in the FRRRC and received no funding from the levy, even though this type of facility supports the raison d'être the levy.

It is suggested that given the importance of this issue that Council also consider writing to the Shadow Minister for Environment to highlight its concerns and seek the state oppositions support to have levy funds directed to their intended use.

Should this Notice of Motion be passed, the correspondence will be prepared and sent.

---

**ATTACHMENTS**

Nil

**13.8 NOM 1319 - Access to Hindu Temple via Boundary Lane**

On 15 May 2017 Councillor Colin Hampton gave notice of his intention to move the following motion:

That the CEO investigates the cost required to open Boundary Lane to one way vehicular traffic as an alternate entry into the Hindu temple on Boundary Road and that a report be provided to the 13 June Ordinary Meeting.

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

Council will receive a report including costings and possible funding sources at its June 2017 meeting.

**COMMENTS BY DIRECTOR COMMUNITY DEVELOPMENT**

Traffic will investigate the option of opening this lane and a report of Design and Construction Feasibility will be prepared subject to Melbourne Water approval to undertake such work as it will have a major impact on their asset.

Funding to undertake is not currently available.

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**ATTACHMENTS**

Nil

**13.9 NOM 1320 - 360 Degrees Video Platform**

On 15 May 2017 Councillor Steve Toms gave notice of his intention to move the following motion:

That Council Officers prepare a report into the options available to install a 360 degree video platform to showcase Frankston City whilst enhancing the tourism market and local economy.

That the report be presented to Council at its July 2017 meeting.

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

The report can be prepared to discuss the positive aspects of such an installation and can look at what companies local and otherwise might be able to provide such a product.

The report will consider costs to install, ongoing costs and expected outcomes to allow Councillors to make a decision.

Given that there will be a number of potential suppliers, Council will need to seek quotations.

---

**ATTACHMENTS**

Nil

**13.10 NOM 1321 - Wells Street Lighting**

On 16 May 2017 Councillor Glenn Aitken gave notice of his intention to move the following motion:

That the Chief Executive Officer oversee the works required to ensure all lighting in Wells Street is made fully operational and that this be completed within four weeks of this motion being adopted by Council.

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

If the Notice of Motion is passed issues relating to the Wells Street lights will be investigated and addressed.

Councillors will be briefed on the outcomes in accordance with the Notice of Motion.

**COMMENTS BY DIRECTOR COMMUNITY DEVELOPMENT**

Works to fix the lighting have been completed with all wiring and conduits installed in the street.

The East West Wells Street lights are programmed to be on at night and off during the day. With over 19klms of wiring involved there is the potential for individual lights to be affected by traffic and people interference due to their accessibility.

---

**ATTACHMENTS**

Nil

**13.11 NOM 1323 - Young Street Precinct**

On Wednesday 17 May 2017 Councillor Quinn McCormack gave notice of her intention to move the following motion:

That Council writes to the Member for Frankston, Paul Edbrooke MP and the Minister for Transport, the Hon Jacinta Allen MP requesting updated information with respect to expected completion of the works affecting traffic movement in Young Street; expressing Council's dissatisfaction with the ongoing state of construction which has had and will continue to have disastrous impacts on businesses in the affected Young Street precinct; and seeking financial assistance from the State Government for those affected businesses

**COMMENTS BY CHIEF EXECUTIVE OFFICER**

Work on Young Street is progressing and in recent weeks the contractors have increased resources and work hours to include night works.

There has been a steady stream of concerns raised by traders that have been passed on to the Member for Frankston.

A number of traders have indicated that they will close their business which is not the outcome Council or the State Government would like to see.

Council should be encouraging the completion of works as soon as possible and also the return of buses to a central location around the transit interchange.

This would allow customers to return to the Young Street traders with greater ease,

The question of possible compensation is a matter for the State Government to address directly with the traders.

---

**ATTACHMENTS**

Attachment A: DRAFT Letter to Mr Paul Edbrooke MP State Member for Frankston - Young Street Precinct Works Issues

Attachment B: DRAFT Letter to Minister for Public Transport - Young Street Precinct



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Telephone: 9784 1941

23 May 2017

Mr Paul Edbrooke MP  
Member for Frankston  
140 Young Street  
FRANKSTON VIC 3199

Dear Mr Edbrooke

**YOUNG STREET REDEVELOPMENT WORKS**

I am writing to highlight at last night's Council Ordinary meeting, a notice of motion was put and carried that Council write to you and the Minister for Public Transport, the Hon Jacinta Allan MP regarding Council's dissatisfaction with the works on Young Street, Frankston.

Council resolved the following, that Council:

*'writes to the Member for Frankston, Paul Edbrooke MP and the Minister for Public Transport, the Hon Jacinta Allan MP requesting updated information with respect to expected completion of the works affecting traffic movement in Young Street; expressing Council's dissatisfaction with the ongoing state of construction which has had and will continue to have a disastrous impacts on businesses in the affected Young Street precinct; and seeking financial assistance from the State Government for those affected businesses.'*

Council acknowledges that the Frankston Station Precinct Redevelopment Project is a venture that will transform the Frankston Station and adjoining areas into a safer, more modern place of business and activity and will help grown investment towards the long term vision of a revitalised Frankston city centre, however it is important that during the journey, every effort is made to ensure that the associated works do not cause long term harm to the local businesses and the Community in the Region.

I am more than happy to discuss this matter further with you and look forward to resolving this important problem as a matter of urgency.

Yours faithfully

Cr Brian Cunial  
**MAYOR – FRANKSTON CITY**



## Office of the Mayor

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PO Box 490, Frankston VIC 3199  
Website: frankston.vic.gov.au

Reference: A3355663  
Enquiries: Kate Jewell  
Telephone: 9784 1941

23 May 2017

The Hon. Jacinta Allan MP  
Minister for Public Transport  
Level 20, 1 Spring Street  
MELBOURNE VIC 3000

Dear Minister

### YOUNG STREET REDEVELOPMENT WORKS

I am writing to highlight at last night's Council Ordinary meeting, a notice of motion was put and carried that Council write to you and Mr Paul Edbrooke MP, Member for Frankston regarding Council's dissatisfaction with the works on Young Street, Frankston.

Council resolved the following, that Council:

*'writes to the Member for Frankston, Paul Edbrooke MP and the Minister for Public Transport, the Hon Jacinta Allan MP requesting updated information with respect to expected completion of the works affecting traffic movement in Young Street; expressing Council's dissatisfaction with the ongoing state of construction which has had and will continue to have a disastrous impacts on businesses in the affected Young Street precinct; and seeking financial assistance from the State Government for those affected businesses.'*

Council acknowledges that the Frankston Station Precinct Redevelopment Project is a venture that will transform the Frankston Station and adjoining areas into a safer, more modern place of business and activity and will help grown investment towards the long term vision of a revitalised Frankston city centre, however it is important that during the journey, every effort is made to ensure that the associated works do not cause long term harm to the local businesses and the Community in the Region.

I am more than happy to discuss this matter further with you and your Advisors and look forward to resolving this important problem as a matter of urgency.

Yours faithfully

Cr Brian Cunial  
MAYOR – FRANKSTON CITY

**16. CONFIDENTIAL ITEMS**

Section 89(2) of the Local Government Act 1989 enables the Council to close the meeting to the public if the meeting is discussing any of the following:

- (a) Personnel matters;
- (b) The personal hardship of any resident or ratepayer;
- (c) Industrial matters;
- (d) Contractual matters;
- (e) Proposed developments;
- (f) Legal advice;
- (g) Matters affecting the security of Council property;
- (h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) A resolution to close the meeting to members of the public.

**Recommendation**

That the Ordinary Council Meeting be closed to the public to consider the following items which are of a confidential nature, pursuant to section 89(2) of the Local Government Act (LGA) 1989 for the reasons indicated:

**C.1 Appointment and Authorisation of Council Staff**

Agenda Item C.1 Appointment and Authorisation of Council Staff is designated confidential as it relates to personnel matters (s89 2a), and Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**C.2 Delegated Powers Report - Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions - January, February, March 2017**

Agenda Item C.2 Delegated Powers Report - Miscellaneous Grants and Frankston Arts Centre Discounts and Concessions - January, February, March 2017 is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**C.3 Queens Baton Relay - Council Selected Batonbearer Nomination**

Agenda Item C.3 Queens Baton Relay - Council Selected Batonbearer Nomination is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**C.4 Review of Kananook Creek Management Arrangements**

Agenda Item C.4 Review of Kananook Creek Management Arrangements is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**C.5 Frankston District Basketball Association Update**

Agenda Item C.5 Frankston District Basketball Association Update is designated confidential as it relates to proposed developments (s89 2e)

**C.6 Relocation of the Frankston Tennis Club to Centenary Park**

Agenda Item C.6 Relocation of the Frankston Tennis Club to Centenary Park is designated confidential as it relates to contractual matters (s89 2d)

**C.7 NOM 1311 - St Kilda Football Club Withdrawal**

Agenda Item C.7 NOM 1311 - St Kilda Football Club Withdrawal is designated confidential as it relates to Any other matter which the Council or special committee considers would prejudice the Council or any person (s89 2h)

**C.8 NOM 1322 - Peninsula Leisure Core Obligations**

Agenda Item C.8 NOM 1322 - Peninsula Leisure Core Obligations is designated confidential as it relates to contractual matters (s89 2d)