



**MINUTES OF COUNCIL MEETING OF THE FRANKSTON CITY COUNCIL
HELD IN THE CIVIC CENTRE, DAVEY STREET, FRANKSTON
ON 6 DECEMBER 2021 at 7.00PM**

PRESENT	Cr. Nathan Conroy (Mayor) Cr. Suzette Tayler (Deputy Mayor) Cr. Kris Bolam Cr. David Asker Cr. Sue Baker Cr. Claire Harvey Cr. Brad Hill Cr. Liam Hughes (via zoom) Cr. Steven Hughes (via Zoom)
APOLOGIES:	Nil.
ABSENT:	Nil.
OFFICERS:	Mr. Phil Cantillon, Chief Executive Officer Ms. Kim Jaensch, Chief Financial Officer Ms. Angela Hughes, Director Communities Mr. Cam Arullanantham, Director Infrastructure and Operations Ms. Shweta Babbar, Director Business Innovation and Culture Ms. Brianna Alcock, Manager Governance and Information Mr. Sam Clements, Manager Statutory Planning (via zoom) Mr. Stuart Caldwell, Coordinator Statutory Planning (via zoom) Mr. Tim Bearup, Manager Community Strengthening (via zoom) Ms. Suzane Becker, Manager City Futures (via zoom) Ms. Danielle Watts, Manager Procurement, Property and Risk Ms. Nathalie Nunn, Acting Coordinator Environmental Policy and Planning (via zoom) Ms. Tenille Craig, Coordinator Governance Ms. Sharon Lozsan, Team Leader Governance Ms. Rebecca Swann, Councillor Support Officer Mr. Josh Lacey, Supervising Technician Mr. Jeremy O'Rourke, Supervising Technician Mr. Connor Rose, Desktop Support Officer (via zoom)
EXTERNAL REPRESENTATIVES:	Nil

COUNCILLOR STATEMENT

Councillor Tayler made the following statement:

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

Chairperson's initials

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

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

PRAYER

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

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Councillor Tayler acknowledged the Bunurong People of the Kulin Nation – the Traditional Custodians of the land on which we stand, and paid respect to Elders past, present and future. Respect was also extended to Elders of other communities who may have been present.

Frankston City

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Chairperson's initials.....	

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1. PRESENTATION TO COMMUNITY GROUPS

Nil

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Council Meeting No. CM20 held on 18 November and CM21 held on 24 November 2021.

Council Decision

Moved: Councillor Asker

Seconded: Councillor Tayler

That the minutes of the Council Meeting No. CM20 held on 18 November and CM21 held on 24 November 2021 copies of which had previously been circulated to all Councillors, be confirmed, approved and adopted.

Carried Unanimously

3. APOLOGIES

Nil

4. DISCLOSURES OF INTEREST AND DECLARATIONS OF CONFLICT OF INTEREST

Nil

5. PUBLIC QUESTION TIME

Nil

6. HEARING OF PUBLIC SUBMISSIONS

Ms Sorelle Nolan made a submission to Council regarding Item 11.1: Planning Application 232/2021/P - 10 Seaview Road, Frankston South - To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ);

Mr Darryn Gellie made a submission to Council regarding Item 11.1: Planning Application 232/2021/P - 10 Seaview Road, Frankston South - To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ);

Councillor Bolam left the chamber at 7:14 pm.

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

Ms Adriana Ferrarin made a submission to Council regarding Item 11.1: Planning Application 232/2021/P - 10 Seaview Road, Frankston South - To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ);

Ms Jillian Farley made a submission to Council regarding Item 11.1: Planning Application 232/2021/P - 10 Seaview Road, Frankston South - To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ);

Mr Greg Reed made a submission to Council regarding Item 11.1: Planning Application 232/2021/P - 10 Seaview Road, Frankston South - To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ);

Chairperson's initials

Mr Timothy Carver made a submission to Council regarding Item 11.1: Planning Application 232/2021/P - 10 Seaview Road, Frankston South - To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ); and

Councillor Bolam left the chamber at 7:39 pm.

Councillor Bolam returned to the chamber at 7:40 pm.

Ms Joan Cavanagh made a submission to Council regarding Item 12.7: Public Commemorative Memorial Request.

7. ITEMS BROUGHT FORWARD

Items Brought Forward

Council Decision

Moved: Councillor Harvey

Seconded: Councillor Tayler

That Items listed below be brought forward:

- 11.1: Planning Application 232/2021/P - 10 Seaview Road, Frankston South - To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)
- 12.7: Public Commemorative Memorial Request

Carried Unanimously

Block Motion

Council Decision

Moved: Councillor Harvey

Seconded: Councillor Baker

That the items listed below be Block Resolved:

- 11.2: Planning Application 465/2021/P - 25 Playne Street Frankston - To use the land for the sale and consumption of liquor (restaurant and cafe licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to erect and display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 of the Frankston Planning Scheme
- 12.1: Council Resolution Status Update for 6 December 2021
- 12.3: Frankston Arts Advisory Committee Report
- 12.4: Confirmation of Minutes for the Frankston Cemetery Trust held on 28 October 2021
- 12.5: Peninsula Leisure Pty Ltd 2020/2021 Annual Report and Q1 2021/2022 Performance Report
- 12.6: Draft Revised Records Management Policy
- 12.8: Correction of Orders made under the Domestic Animals Act
- 12.9: 2021 Household Survey Report
- 12.12: Award of Contract CN10604 – Construction of Turf Sportsfield Oval, Lighting and Carpark at Jubilee Park
- 12.13: Award of Contract CN10587 – Specialist Mowing Services
- 12.14: Award of Contract CN10593 – Plant, Operator, Equipment & Materials Panel
- 12.15: Award of Contract CN10611 – Lloyd Park Senior Pavilion Redevelopment – Seeking Council delegation to Chief Executive Officer to award Tender and Enter into Contract
- 12.16: Award of Contract CN10607 - Kevin Collopy Pavilion Refurbishment - Seeking Council delegation to Chief Executive Officer to Award Tender and Enter into Contract

Carried Unanimously

Chairperson's initials

8. PRESENTATIONS / AWARDS

8.1 Presentation of Letters Under Seal to outgoing Mayor and Deputy Mayor for 2020/2021

Deputy Mayor, Cr Suzette Tayler presented a Letter Under Seal to outgoing Mayor, Cr Kris Bolam in recognition for his services to Council for 2020/2021.

The Chief Executive Officer, Mr Phil Cantillon, presented a Letter Under Seal to outgoing Deputy Mayor, Cr Nathan Conroy in recognition for his services to Council for 2020/2021

9. PRESENTATION OF PETITIONS AND JOINT LETTERS

Nil

10. DELEGATES' REPORTS

Nil

ITEMS BROUGHT FORWARD

- 11.1 Planning Application 232/2021/P - 10 Seaview Road, Frankston South - To construct one (1) double storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone (GRZ)**
(SC Communities)

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

That Council resolves to issue a Notice of Decision to Grant a Planning Permit in respect to Planning Permit Application number 232/2021/P for The construction of a double storey dwelling to the rear of an existing dwelling (two (2) dwellings on a lot) in a General Residential Zone, and construction of a dwelling exceeding 7 metres in height in a Design and Development Overlay 1, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application but modified to show:
 - (a) Demonstrated compliance with ResCode Standard B22 (Overlooking) for all habitable room windows located along the sites eastern Boundary (Master, Bed 2, Bed 3 & Study/Office).
 - (b) The location of all external plant and equipment illustrated and located to minimise any potential detriment from noise to adjoining properties.
 - (c) All trees growing on the site and on the adjoining properties within 3m of the boundaries must be clearly illustrated on all relevant plans. This must include canopy width, trunk location and be clearly labelled in accordance with the arborist report by Rigoni Tree Solutions (25.04.21 and updated 19.05.21) and state whether the tree is to be retained or removed to the satisfaction of the Responsible Authority.
 - (d) The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) for all retained trees and the location of tree protection fencing and or ground protection systems must be clearly illustrated on all relevant plans (including ground floor) to the satisfaction of the Responsible Authority.
 - (e) Notation of all relevant plans that the existing natural ground level (NGL) within the TPZ of Tree 2, 17, 19, 20, 23, 27, 28, 29 & 36 must be maintained and not be altered by excavations throughout all development phases.
 - (f) A Landscape Plan in accordance with Condition 4.
 - (g) Notation on all relevant plans that root-sensitive driveway paving to be in accordance with Condition 6.
 - (h) Tree protection conditions noted in accordance with Condition 7.

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.

Prior to Occupation

3. The landscaping as shown on the endorsed landscape plan must be carried out

Chairperson's initials

and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Landscape Plans

4. Before the commencement of buildings and works, a landscape plan in accordance with the submitted development plan, prepared by a suitably qualified landscape professional must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- (a) A survey (including botanical names) of all existing vegetation on the site and those located within three (3) metres of the boundary of the site on adjoining properties, accurately illustrated to represent canopy width and labelled with botanical name, height and whether the tree is proposed to be retained or removed.
 - (b) The tree number, TPZ, SRZ and notations regarding protection methods during construction of retained trees.
 - (c) Buildings on neighbouring properties within three metres of the boundary.
 - (d) All landscape design and construction to adhere to the tree protection requirements for all neighbouring trees.
 - (e) The delineation and details of surface finishes of all garden beds, grassed areas, pathways, driveways, retaining walls and other landscape works including areas of cut and fill throughout the development site.
 - (f) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at maturity and quantities of each plant.
 - (g) A range of plant types from ground covers to large shrubs and trees.
 - (h) Landscaping and planting within all open areas of the site.
 - (i) The provision of screen planting (minimum mature height of 2.5 metres) along the sites eastern and western boundaries.
 - (j) A planting theme of a minimum 20% indigenous and 40% native within each plant group.
 - (k) All existing environmental weed species are to be removed from the site and environmental and noxious weeds found in the 'Sustainable Gardening in Frankston City' (2015) booklet are not to be planted.
 - (l) The provision of suitable canopy trees (minimum two metres tall when planted) in the areas specified below (trees are not to be sited over easements) with species chosen to be approved by the Responsible Authority:
 - i. Minimum three (3) trees within secluded private open space of the rear dwelling capable of reaching a minimum height of 8-10 metres at maturity.
 - ii. Minimum of one (1) tree within the secluded private open space area of the existing dwelling capable of reaching 6 metres at maturity.
 - iii. Minimum of one (1) tree within the front setback area adjoining proposed dwelling office/study capable of reaching a mature height of 8 metres at maturity.

Chairperson's initials

(m) The provision of notes on the landscape plan regarding site preparation, including in-ground irrigation system to be provided to all landscaped areas, removal of all weeds, proposed mulch, soil types and thickness, subsoil preparation and any specific maintenance requirements.

(n) All tree stock used must be in accordance with AS2303-2015 Tree Stock for Landscape Use.

Tree Protection

5. Tree protection must be carried out in accordance with the Australian Standard AS 4970-2009 Protection of Trees on Development Sites to the satisfaction of the Responsible Authority.

6. Within the radial TPZ for Trees 17, 19, 20 & 23 the driveway paving must be constructed above the existing soil grade and be of air and water permeable material.

7. Prior to the commencement of the development (including demolition and any initial site preparations) Tree Protection Fencing (TPF) must then be erected at the applicable radial TPZs.

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

The requirements below must be observed within this area –

- (a) Coarse mulch laid to a depth of 75 mm (excluding road reserve of street trees).
- (b) No vehicular or pedestrian access.
- (c) The existing soil level must not be altered either by fill or excavation.
- (d) The soil must not be compacted or the soil's drainage changed.
- (e) No fuels, oils, chemicals, poisons, rubbish or other materials harmful to trees are to be disposed of or stored.
- (f) No storage of equipment, machinery or material is to occur.
- (g) No open trenching to lay underground services.
- (h) Nothing whatsoever is to be attached to any tree.
- (i) Tree roots must not be severed or injured.
- (j) All tree pruning (including to roots) is to be carried out by a professional arborist and in accordance with Australian Standard AS4373-2007 Pruning of Amenity Trees.

Drainage Requirements

8. Provision of a Stormwater Detention System with a volume capable of retarding the 10 year ARI flow from the development site back to a 5 year ARI pre-development value to the satisfaction of the Responsible Authority.

9. Prior to commencement of development construction detailed design plans and drainage computations of the internal stormwater drainage system including the method of connection to the existing Council drainage infrastructure are to be submitted and approved to the satisfaction of the Responsible Authority.

10. Water Sensitive Urban Design principles (WSUD) are to be incorporated into the drainage design, which may include but not be limited to the following

components or a combination thereof:

- On-site stormwater detention and rainwater tanks.
- Soil percolation.
- Stormwater harvesting and Re-use of stormwater for garden watering, toilet flushing, etc.
- On-site 'bio-treatment' to reduce dissolved contaminants and suspended solids.

Engineering Requirements

11. Vehicle crossing shall be constructed to Frankston City Council's standards and specifications to the satisfaction of the Responsible Authority.
12. Prior to occupation of the dwellings hereby permitted 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; and
 - Drained and maintained to the satisfaction of the Responsible Authority.

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

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

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

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

Urban Design

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

Satisfactorily Completed

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

Chairperson's initials

Permit Expiry

19. 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.

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.

Carried

For the Motion: Crs Asker, Baker, Bolam, Conroy, Hill and Tayler
Against the Motion: Crs Harvey, Liam Hughes and Steven Hughes

12.7 Public Commemorative Memorial Request

(BA Chief Financial Office)

Council Decision**Moved: Councillor Hill****Seconded: Councillor Baker**

That Council:

1. Notes the proposal for a commemorative tribute to recognise the significant achievements of Kath Hassell by placing a plaque on *the Sentinel* sculpture, located at Esplanade Reserve, overlooking the southern entrance to Frankston and its foreshore, along with landscaping within keeping of Council's existing landscaping palette around the Sentinel sculpture;
2. Notes the proposal was assessed against the Public Commemorative Tribute and Memorials Policy and must be considered by Council due to the sculpture being located on a reserve;
3. Notes in principle support was given by the Frankston Arts Advisory Committee and the artist of the Sentinel sculpture, Bruce Armstrong for placing a plaque on the Sentinel sculpture;
4. Approves the proposal and notes the related costs for plaque/s and landscaping can be will be accommodated within existing budgets; and
5. Resolves that Attachment C be retained as confidential indefinitely on the grounds that it includes personal information, being information which if released would result in the unreasonable disclosure of information about any person and their personal affairs (Local Government Act 2020, s.3(1)(f)). These grounds apply because the proposal for a commemorative tribute includes personal information, which if released would breach privacy obligations.

Carried Unanimously

The Meeting adjourned at 8.20pm

The meeting recommenced at 8.25pm

Chairperson's initials

11. CONSIDERATION OF TOWN PLANNING REPORTS**11.2 Planning Application 465/2021/P - 25 Playne Street Frankston - To use the land for the sale and consumption of liquor (restaurant and cafe licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to erect and display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 of the Frankston Planning Scheme**

(SC Communities)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council resolves to issue a Planning Permit in respect to Planning Application number 465/2021/P to use the land for the sale and consumption of liquor (restaurant and café licence), to construct or carry out buildings and works in a Commercial 1 Zone (C1Z), to erect and display internally illuminated business identification signage and to reduce the number of car spaces required under Clause 52.06-5 of the Frankston Planning Scheme at 25 Playne Street Frankston, subject to the following conditions:

Plans

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be substantially in accordance with the plans submitted with the application but modified to show:
 - (a) Two staff bicycle spaces clearly nominated.
 - (b) Tree protection fencing to Council's street trees in accordance with Condition 5.
 - (c) Tree protection Conditions 4 and 5 noted on all relevant plans.
 - (d) Management plan amended to demonstrate that queuing will not impact disability access on Playne/Thompson Streets.
 - (e) A note that occupation of the kerbside may not occur unless in accordance with a separate Kerbside Trading Permit to be sought from and issued by Council.
 - (f) Amended Waste Management Plan (WMP) addressing the following:
 - a. Location of 240L and 1100L bins
 - b. Practicality of emptying 240L bins into 1100L bins
 - c. Collection from Little Park Lane, where will bins be stored and collected from. Swept paths to be provided.
 - d. The rear of the building nominated for collections is Little Park Lane, whereas the WMP nominates Park Lane.
 - e. Bin storage area dimensioned.

No Alterations

2. The use, development and location and details of sign(s) including those of the supporting structure, as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Chairperson's initials

Tree Protection

3. Tree protection must be carried out in accordance with the Australian Standard AS 4970-2009 Protection of trees on development sites to the satisfaction of the Responsible Authority.
4. Prior to the commencement of the development, a Tree Protection Fence defined by a 1.8 metre high (minimum) temporary fence constructed using steel or timber posts fixed in the ground or to a concrete pad, with the fence's panels to be constructed of cyclone mesh wire or similar strong metal mesh or netting with a high visibility plastic hazard tape, must be installed at a radius of 2 metres from the street trees to the satisfaction of the Responsible Authority. A fixed sign is to be provided on all visible sides of the Tree Preservation Fencing, stating "Tree Preservation Zone – No entry without permission from Frankston City Council".

Patron Numbers

5. A maximum of 132 (81 internal and 51 external) patrons shall be permitted at any one time, unless with the prior written consent of the Responsible Authority.

Liquor Consumption

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

Monday – Thursday 11am-10pm

Friday – Sunday 11am-11pm

Amenity

7. 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.
8. Noise emissions from the premises must comply with the requirements of the State Environment Protection Policies (Control of Noise from Commerce, Industry and Trade) No. N-1 (as varied), or any superseding legislation.

Signage Requirements

9. The sign(s) hereby permitted must not:
 - a. be animated;
 - b. be moving or rotating;
 - c. contain any flashing or intermittent light
 - d. be floodlit.
10. The sign(s) hereby permitted must be constructed and maintained to the satisfaction of the Responsible Authority.

Satisfactorily Completed

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

Permit Expiry

12. This permit will expire if one of the following circumstances applies:
 - The development is not started within two (2) years of the date of this

Chairperson's initials

permit.

- The development is not completed within four (4) 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.

13. The permit for signage expires 15 years from the date of this permit.
14. Upon expiry of the approved signage, all structures built specifically to support the structure must subsequently be removed.

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.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

11.3 Statutory Planning Progress Report - October 2021

(SC Communities)

Recommendation (Director Communities)

That Council:

1. Receives the Statutory Planning Progress Report for the month of October 2021;
and
2. Resolves Attachment B - Applications of Councillor Interest to be retained as confidential, as it contains private development information and would, if prematurely released, impact the reputation of Councillors and Council.

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Tayler

That Council:

1. Receives the Statutory Planning Progress Report for the month of October 2021;
2. Resolves Attachment B - Applications of Councillor Interest to be retained as confidential, as it contains private development information and would, if prematurely released, impact the reputation of Councillors and Council; and
3. Resolves that reports responding to Councillor call-in applications are to contain the attachment of the digital or physical Councillor Call-In application.

Carried Unanimously

12. CONSIDERATION OF REPORTS OF OFFICERS**12.1 Council Resolution Status Update for 6 December 2021**

(BA Chief Financial Office)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Receives the Notice of Motion Report for 6 December 2021;
2. Receives the Urgent Business Status Update for 6 December 2021;
3. Notes there are no Notice of Motion action that has been reported as being complete;
4. Notes there are no reports that will not be presented to Council;
5. Notes, since the Council Meeting held on 15 November 2021, 16 resolutions have been completed, as listed in the body of the report;
6. Resolves for Attachment D to remain confidential indefinitely on the grounds that it includes confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) (Local Government Act 2020, s.3(1)(h)). These grounds apply because the information concerns updates on resolutions made by Council in meetings closed to the public and would, if prematurely released, impact on Council's ability to properly perform its functions

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

**12.2 Update on Coronavirus (COVID-19) and Recovery Grants Program report - 6
December 2021**

(PC Chief Executive Office)

Recommendation (Chief Executive Officer)

That Council:

1. Notes this report which outlines an update of its response to the impacts of the Coronavirus (COVID-19) and Recovery Grants Program;
2. Council waives the Food and Health registrations for 2022 (estimated cost is \$127,875). Funded by the reallocation of \$25,000 budgeted for new Food Act Registration Fees and \$102,875 budgeted for Business Concierge. Nil impact on total COVID package value; and
3. Notes the ongoing communication of all activities included in the adopted 2021-2022 Relief and Recovery package; including the recovery grants program and ratepayer reward voucher scheme on relevant council channels.

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

That Council:

1. Notes this report which outlines an update of its response to the impacts of the Coronavirus (COVID-19) and Recovery Grants Program;
2. Waives the Food and Health registrations for 2022 (estimated cost is \$127,875). Funded by the reallocation of \$25,000 budgeted for new Food Act Registration Fees and \$102,875 budgeted for Business Concierge. Nil impact on total COVID package value;
3. Notes the ongoing communication of all activities included in the adopted 2021-2022 Relief and Recovery package; including the recovery grants Program and ratepayer reward voucher scheme on relevant council channels; and
4. Provides a report to the February 2022 Council Meeting on the status of the delivery progress of the activities contained within the adopted 2021-2022 COVID Recovery package and consideration be given to fund alternative activities from any identified unspent monies. The report is to include an officer assessment of Councillor Initiatives.

Carried

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Tayler

Against the Motion: Crs Liam Hughes and Steven Hughes

Rationale

Potential examples include:

- a) Online tools and face-to-face support for businesses to develop e-commerce online services and/or to refresh antiquated business models;
- b) Access to free capped financial counselling services for businesses and residents experiencing hardship;
- c) Top-up of the Invest Frankston Business Grants given the exacerbation caused by multiple lockdowns since the adoption of Council's 2021/2022 Annual Budget;

Chairperson's initials

- d) Business Support Vouchers to assist local businesses to improve capability through free capped access to local professionals and services (see LaTrobe City's model);
- e) A second round of Miscellaneous, Community and Urgent grants for community groups and sporting clubs given the exacerbation caused by multiple lockdowns since the adoption of Council's 2021/2022 Annual Budget;
- f) A top-up contribution to the Frankston Charitable Trust given the exacerbation caused by multiple lockdowns since the adoption of Council's 2021/2022 Annual Budget;
- g) Careers and Lifestyles Strategy aimed at workforce attraction and retention. This strategy is intended to entice more people to live and work throughout the Frankston municipality. This strategy will also support our local tertiary education sector and provide a localised workforce to fill existing and future skills and workforce gaps i.e. high-end hospitality, events management, hoteliers and accommodation staff, decentralised white-collar workers operating remotely, the brain drain of businesses and industries leaving the state capital etc (see Greater Shepparton's model); and
- h) Support to international students studying at Monash (Peninsula Campus) and Chisholm (Frankston Campus) who may be experiencing significant hardship.

12.3 Frankston Arts Advisory Committee Report

(AM Customer Innovation and Arts)

Council Decision

Moved: Councillor Harvey

Seconded: Councillor Baker

That Council receives the Minutes of the Frankston Arts Advisory Committee meeting of 26 October 2021.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved

12.4 Confirmation of Minutes for the Frankston Cemetery Trust held on 28 October 2021

(BA Chief Financial Office)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Receives and adopts the Minutes of the Frankston Cemetery Trust (the Trust) meeting held on 28 October 2021;
2. Notes the updated Building Concept Design No 2 for the refurbishment of the Cemetery Caretaker's house which will provide DDA compliance, increased safety and park oversight;
3. Notes since the Cemetery Trust Meeting, a revised cost plan is being obtained for the design changes, it is proposed to reallocate the Memorial Park toilet capital works funding to fund the delivery of the Caretaker House refurbishment this financial year, which will be committed as part of the mid-year Budget review. Then delay delivery of the Memorial Park toilet to 2022-2023 pending funding in the Capital Works Program allocation;
4. Notes the Frankston Memorial Park fees CPI increase, which came into effect on 1 July 2021, as set by the Department of Health and Human Services; and
5. Notes the update provided outlining the continued improvements at Frankston Memorial Park.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

**12.5 Peninsula Leisure Pty Ltd 2020/2021 Annual Report and Q1 2021/2022
Performance Report**

(SW Chief Financial Office)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Receives the Peninsula Leisure P/L 2020/2021 Annual Report and the PL Financial Report;
2. Receives and notes the Peninsula Leisure P/L performance report for three months ending 30 September 2021; and
3. Resolves that the Peninsula Leisure P/L 2020/2021 Financial Report & Directors Report remains confidential indefinitely as it contains private commercial information, being information provided by a business, commercial or financial undertaking that, if released, would impact the relationship between Council and Peninsula Leisure Pty Ltd.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

12.6 Draft Revised Records Management Policy

(BA Chief Financial Office)

Council Decision

Moved: Councillor Harvey

Seconded: Councillor Baker

That Council:

1. Notes the Draft Revised Records Management Policy;
2. Endorses the Policy to be publicly exhibited for a period of 6 weeks (to consider the Christmas and New Year holiday period); and
3. Seeks a report back to enable Council to consider any feedback received and adopt the policy.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved

12.8 Correction of Orders made under the Domestic Animals Act

(BA Chief Financial Office)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Notes that some administrative errors have been identified in the Council resolution made on 15 November 2021, namely;
 - a. the location of the boundary of the off leash area at Keast Park was incorrectly described as Emergency Marker FCC14 instead of FCC114;
 - b. the attached draft Orders referenced in the resolution had not been updated to reflect the changes made via the alternate motion moved at the meeting (ie removal of the proposed 24 hour cat curfew);
 - c. the reference to “a 12 month moratorium on enforcement of the cat curfew” should have been removed from the motion in light of Council’s decision not to proceed with the 24 hour cat curfew.
2. Notes that the attached corrected Orders reflect Council’s intention to implement the following two changes to existing arrangements:
 - a. Provision for dogs to be off lead at all times on the section of the Frankston foreshore (Keast Park) between Emergency Marker FCC114 and the water discharge drain located near Emergency Marker FCC116; and
 - b. Removal of the prohibition of dogs within the Frankston Municipal Activities Centre (FMAC);
3. Resolves to make the attached corrected Orders under section 26(2) of the Domestic Animals Act 1994, noting that the corrected Orders will commence operation on Friday, 17 December 2021 (being the day following publication in the Victoria Government Gazette); and
4. Authorises the Chief Executive Officer to publish a notice of the making of these Council Orders in the Victoria Government Gazette, in the Herald Sun and on Council’s website.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson’s initials

12.9 2021 Household Survey Report
(SB Communities)

Council Decision

Moved: Councillor Harvey

Seconded: Councillor Baker

That Council:

1. Notes the 2021 Household Survey results;
2. Thanks residents for participating in the Household Survey; and
3. Releases the results.

Carried Unanimously

Note: Refer to page 4 of these Minutes where this item was Block Resolved

12.10 Finalisation of statutory leasing procedure - Proposed lease of part of 151R East Road, Seaford to St Kilda Football Club - Belvedere Health and Wellbeing Hub
(DW Chief Financial Office)

Recommendation

That Council:

1. Having complied with the requirements of section 115 of the Local Government Act 2020, notes that no formal submissions were received in response to public notification of the proposed lease;
2. Notes that 81% of the feedback received through community engagement was supportive of the lease proposal;
3. Notes the refurbishment works are scheduled to commence in June 2022, with construction completed in December 2022 subject to finalisation of the sub-tenant agreements;
4. Resolves to enter into a lease with St Kilda Football Club for land at 151R East Road Seaford, being part of Lot 1 Title Plan Numbers 215097 and 845727 and known locally as the Belvedere Park Reserve, for a term of 7 years, with two further terms of 7 years (providing there are no unresolved lease obligations), for the sum of \$10,000 plus GST per annum in year 1 and 2, \$15,000 in year 3 and \$20,000 in year four and for the remainder of the first term, for the purposes of the development and use of a community health and wellbeing hub;
5. Authorises the Chief Executive Officer to finalise arrangements for the lease; and
6. Authorises the lease documents to be signed and sealed.

Alternate Motion

That Council:

1. Having complied with the requirements of section 115 of the Local Government Act 2020, notes that no formal submissions were received in response to public notification of the proposed lease;
2. Notes that 81% of the feedback received through community engagement was supportive of the lease proposal;
3. Notes the refurbishment works are scheduled to commence in June 2022, with construction completed in December 2022 subject to finalisation of the sub-tenant agreements;
4. Resolves to enter into a lease with St Kilda Football Club for land at 151R East Road Seaford, being part of Lot 1 Title Plan Numbers 215097 and 845727 and known locally as the Belvedere Park Reserve, for a term of 7 years, with two further terms of 7 years (providing there are no unresolved lease obligations), for the sum of \$10,000 plus GST per annum in year 1 and 2, \$15,000 in year 3 and \$20,000 in year four and for the remainder of the first term, for the purposes of the development and use of a community health and wellbeing hub;
5. Authorises the Chief Executive Officer to finalise arrangements for the lease;
6. Authorises the lease documents to be signed and sealed;
7. Notes a public open day is to be organised at a future date to allow the community to explore the entirety of both the former Linen House site and Frankston Yacht Club site. These opportunities are to be sufficiently advertised to the community; and
8. Resolves that funding for the overflow car parking to cater for game-day demand at

Chairperson's initials

the Belvedere Precinct be committed to the Annual Budget 2022/2023 (\$400,000) - as opposed to Annual Budget 2023/2024 - for implementation. Any additional design/concept monies for the new car parking site are to be funded from the existing 2021/2022 budget allocation for the upgrade to the former Linen House site.

*In accordance with Governance Rule 35.1,
this motion was moved in parts*

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hill

That Council:

1. Having complied with the requirements of section 115 of the Local Government Act 2020, notes that no formal submissions were received in response to public notification of the proposed lease;
2. Notes that 81% of the feedback received through community engagement was supportive of the lease proposal;
3. Notes the refurbishment works are scheduled to commence in June 2022, with construction completed in December 2022 subject to finalisation of the sub-tenant agreements;
4. Resolves to enter into a lease with St Kilda Football Club for land at 151R East Road Seaford, being part of Lot 1 Title Plan Numbers 215097 and 845727 and known locally as the Belvedere Park Reserve, for a term of 7 years, with two further terms of 7 years (providing there are no unresolved lease obligations), for the sum of \$10,000 plus GST per annum in year 1 and 2, \$15,000 in year 3 and \$20,000 in year four and for the remainder of the first term, for the purposes of the development and use of a community health and wellbeing hub;
5. Authorises the Chief Executive Officer to finalise arrangements for the lease;
6. Authorises the lease documents to be signed and sealed;

Carried

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Tayler

Against the Motion: Crs Liam Hughes and Steven Hughes

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hill

7. Notes a public open day is to be organised at a future date to allow the community to explore the entirety of both the former Linen House site and Frankston Yacht Club site. These opportunities are to be sufficiently advertised to the community; and

Carried

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Tayler

Against the Motion: Crs Liam Hughes and Steven Hughes

Council Decision

Moved: Councillor Bolam

Seconded: Councillor Hill

8. Resolves that funding for the overflow car parking to cater for game-day demand at the Belvedere Precinct be committed to the Annual Budget 2022/2023 (\$400,000) - as opposed to Annual Budget 2023/2024 - for implementation. Any additional design/concept monies for the new car parking site are to be funded from the existing 2021/2022 budget allocation for the upgrade to the former Linen House site.

Carried

For the Motion: Crs Asker, Baker, Bolam, Conroy, Harvey, Hill and Tayler

Against the Motion: Crs Liam Hughes and Steven Hughes

Chairperson's initials

12.11 Proposed Lease of Council Land - Existing Telecommunications Facility - 45R Wedge Road Carrum Downs (Carrum Downs Recreation Reserve)

(DW Chief Financial Office)

Council Decision**Moved: Councillor Hill****Seconded: Councillor Harvey**

That Council :

1. Acting in its capacity as registered proprietor, agrees in principle to the leasing of Council land at 45R Wedge Road Carrum Downs, being part of Lot 2 Plan of Subdivision Number 737596, for a term of 10 years, with one further term of five (5) years, for the sum of \$25,000 plus GST per annum, for the purposes of a Telecommunications facility (existing), subject to the satisfactory completion of community engagement procedures pursuant to s.115 of the Local Government Act 2020; and
2. Authorises the Chief Executive Officer to commence the community engagement process for the leasing of Council land, including public notification, pursuant to s.115 (4) of the Local Government Act 2020.

Carried Unanimously

12.12 Award of Contract CN10604 - Construction of Turf Sportsfield Oval, Lighting and Carpark at Jubilee Park

(VG Infrastructure and Operations)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Awards contract CN10604 for the construction of Turf Sportsfield Oval, Lighting and Carpark at Jubilee Park to Turf One Pty Ltd (ACN: 141 656 251) for the sum of \$3,588,354.80 GST exclusive;
2. Notes the budget allocation of \$833,000 in 2021/22 and \$3,061,000 in 2022/23 are included in the Long Term Infrastructure Plan to support delivery of the proposed works;
3. Authorises the Chief Executive Officer to sign the contract;
4. Delegates approval of contract variations to the Chief Executive Officer; and
5. Resolves the attachments B ,C and D to this report be retained confidential, pursuant to section 77 of the Local Government Act 1989, on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, pursuant to 3(1)(c) of the Local Government Act 2020.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

12.13 Award of Contract CN10587 - Specialist Mowing Services

(BH Infrastructure and Operations)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Awards contract CN10587 – Specialist Mowing Services to MACA Civil Pty Ltd for \$5,408,328.00 GST exclusive for a term of up to 8 years being an initial 4 year term with the provision for a further 2 X 2 year extensions, noting that this is a lump sum contract with the provision for selected items to be performed as schedule of rates;
2. Authorises the Chief Executive Officer to sign the contract and contract extensions based on the contractors successful performance;
3. Delegates approval of contract variations to the Chief Executive Officer; and
4. Resolves attachments A and B to this report be retained confidential, pursuant to section 77 of the *Local Government Act 1989*, on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, pursuant to 3(1)(c) of the *Local Government Act 2020*.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

12.14 Award of Contract CN10593 - Plant, Operator, Equipment & Materials Panel
(BH Infrastructure and Operations)**Council Decision****Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Awards contract CN10593 – Plant, Operator, Equipment and Materials to:

- Bastow Plant Operations; ACN 143 007 130;
- C & K Dawson AUST Pty Ltd; ACN 101 215 221;
- Hillview Quarries Pty Ltd; ABN 52 004 723 460;
- Maw Civil Pty Ltd; ACN 112 216 574;
- Parsons Plant & Construction; ACN 161 212 095;
- Penport Road Profiling; ABN 65 338 260 810;
- Prestige Paving Pty Ltd; ACN 140 970 912; and
- TNM Road Services Pty Ltd; ACN 155 309 318

for \$7,762,091.86 GST exclusive for a term of up to 6 years being an initial 2 year term with the provision for a further 2 X 2 year extensions, noting that this is a schedule of rates contract;

2. Authorises the Chief Executive Officer to sign the contract and contract extensions based on the contractors' successful performance;
3. Delegates approval of contract variations to the Chief Executive Officer; and
4. Resolves the attachments 1 and 2 to this report be retained confidential, pursuant to section 77 of the *Local Government Act 1989*, on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released, pursuant to 3(1)(c) of the *Local Government Act 2020*.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

12.15 Award of Contract CN10611 - Lloyd Park Senior Pavilion Redevelopment - Seeking Council delegation to Chief Executive Officer to award Tender and Enter into Contract

(MS Infrastructure and Operations)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Notes this update in regards to the Tender for Contract CN 10611 Lloyd Park Senior Pavilion Redevelopment in Langwarrin;
2. Notes Council has received funding of \$3 million from the Australian Government as part of the Community Development Grants Programme (CDGP);
3. Notes the total project budget being \$6.5 million (\$3 million CDGP and \$3.5 million Council Strategic Reserve); and
4. Delegates the authority to the Chief Executive Officer to accept a tender and enter into a contract for the Tender CN 10611 Lloyd Park Senior Pavilion Redevelopment in Frankston, subject to the following conditions:
 - a. The recommended contract sum being within ten percent (10%) of the allocated budget (maximum contract value of \$6.5 million excluding GST).
 - b. Report to be presented to Council at its meeting in February 2022 to note the details of award of tender for the Contract CN 10611 under the delegation. Report to also include details of the tender evaluation process.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

12.16 Award of Contract CN10607 - Kevin Collopy Pavilion Refurbishment - Seeking Council delegation to Chief Executive Officer to Award Tender and Enter into Contract

(MS Infrastructure and Operations)

Council Decision**Moved: Councillor Harvey****Seconded: Councillor Baker**

That Council:

1. Notes the update in regards to the Tender for Contract CN 10607 Kevin Collopy Pavilion Refurbishment works in Frankston;
2. Notes Council has received a loan of \$3 million from the State Government as part of the Community Sports Infrastructure Loans Scheme (CSILS) program;
3. Notes the total project budget being \$3.4 million (\$3 million CSILS and \$400K Council); and
4. Delegates the authority to the Chief Executive Officer to accept a tender and enter into a contract for the Tender CN 10607 Kevin Collopy Pavilion Refurbishment works in Frankston, subject to the following conditions:
 - a) The recommended contract sum being within ten percent (10%) of the allocated budget (maximum contract value of \$3.4 million excluding GST).
 - b) Report to be presented to Council at its Ordinary meeting in February 2022 to note the details of award of tender for the Contract CN 10607 under the delegation. Report to also include details of the tender evaluation process.

Carried Unanimously**Note:** Refer to page 4 of these Minutes where this item was Block Resolved

Chairperson's initials

13. RESPONSE TO NOTICES OF MOTION**13.1 Response to 2021/NOM5 - Greening of Residential nature-strips: Update to Naturestrip Planting Guidelines***(SB Communities)***Council Decision****Moved: Councillor Liam Hughes****Seconded: Councillor Baker**

That Council:

1. Notes officers formed a working group to review the 'Development and Planting within Road Reserve Guidelines' and its application process based on recent community feedback;
2. Notes that community consultation of the draft revised Guidelines for Nature Strip Planting occurred via the 'Engage Frankston' platform, between 20/10/2021 – 5/11/2021 with majority support received from 109 contributors;
3. Resolves the removal of fees for Nature Strip Planting permit applications in 2021/22, with future considerations to be subject to review in the annual budget planning process, and
4. Adopts the "Guidelines for Nature Strip Planting".

Lost*Councillor Bolam left the chamber at 9:30 pm.**Councillor Bolam returned to the chamber at 9:31 pm.***The motion was put and****Lost**

For the Motion: Crs Baker, Harvey, Liam Hughes and Steven Hughes

Against the Motion: Crs Asker, Bolam, Conroy, Hill and Tayler

14. NOTICES OF MOTION

Nil

15. LATE REPORTS

Nil

16. URGENT BUSINESS

Nil

17. CONFIDENTIAL ITEMS**Council Decision****Moved: Councillor Tayler****Seconded: Councillor Baker**

That the Council Meeting be closed to the public to discuss the following Agenda items and all documents associated with the consideration and discussion of it, that are designated confidential information by me, the Chief Executive Officer, as confidential information under Section 3(1) of the *Local Government Act 2020* on the following grounds:

C.1 Proposed Recipients for Citizen, Young Citizen, Senior Citizen and Community Event of the year Awards for 2022

- on the grounds that it includes Council business information that would prejudice the Council's position in commercial negotiations if prematurely released (LGA2020, s.3(1)(a)) and Personal information (LGA2020, s.3(1)(f))
- These grounds apply because the information contains detailed personal information of Frankston residents and would be a breach of Privacy if the information is released.

C.2 Strategic Property Opportunities (Land Acquisition and Offset Report)

- on the grounds that it includes Council business information that would prejudice the Council's position in commercial negotiations if prematurely released (LGA2020, s.3(1)(a)).
- These grounds apply because the information concerns the potential acquisition or disposal of Council land that would, if prematurely released, likely compromise the outcome of negotiations.

C.3 Award of Contract CN10579 Primary Foodstuffs for Meals on Wheels

- on the grounds that it contains information that is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)), and private commercial information, being information provided by a business, commercial or financial undertaking that (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (section 3(1)(g);).
- These grounds apply because the information concerns the potential provision of services that would, if prematurely released, likely compromise the outcome of negotiations.

Carried Unanimously

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Signed by the CEO

Cr Asker left the Chamber at 9.34pm

Chairperson's initials

The meeting was closed to the public at 9.35 pm

**DRAFT MINUTES
CONFIRMED THIS**

9th

DAY OF

December

2021



.....
CHAIRPERSON

Chairperson's initials.....

