



**GREATER
DANDENONG**
City of Opportunity

MINUTES

COUNCIL MEETING

MONDAY 28 AUGUST 2023
Commencing at 7:00 PM

COUNCIL CHAMBERS
225 Lonsdale Street, Dandenong VIC 3175

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1 MEETING OPENING

1.1 ATTENDANCE

Apologies

Cr Angela Long (Leave of Absence), Cr Bob Milkovic.

Councillors Present

Cr Eden Foster (Mayor/Chair)

Cr Tim Dark, Cr Lana Formoso (Deputy Mayor), Cr Rhonda Garad, Cr Richard Lim OAM, Cr Jim Memeti, Cr Sean O'Reilly, Cr Sophie Tan, Cr Loi Truong.

Officers Present

Jacqui Weatherill, Chief Executive Officer; Jody Bosman, Director City Planning, Design and Amenity; Peta Gillies, Director Community Strengthening; Paul Kearsley, Director Business, Engineering and Major Projects; Michelle Hansen, Executive Manager Finance and Information Technology; Kylie Sprague, Executive Manager Communications and Customer Service; Lisa Roberts, Manager Governance.

1.2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND

We acknowledge the Traditional Custodians of this land, the Bunurong People, and pay respect to their Elders past and present.

We recognise and respect their continuing connections to climate, Culture, Country and waters and we also pay our respect and acknowledge all Aboriginal and Torres Strait Islander peoples and their Elders present here today, in acknowledging their journey.

1.3 OFFERING OF PRAYER, REFLECTION OR AFFIRMATION

All remained standing as Ursula Aruma from the Sri Sathya Sai Organisation, a member of the Greater Dandenong Interfaith Network, read the following:

“Oh Lord! take our love and let it flow in fullness of devotion to thee

Oh Lord! take our hands and let them work incessantly for thee

Oh Lord! take our souls and let it be merged in one with thee

Oh Lord! take our minds and thoughts and let them be in tune with thee

Oh Lord! take our everything and let us be instruments to work for thee”

1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Meeting of Council held 14 August 2023.

Recommendation

That the minutes of the Meeting of Council held 14 August 2023 be confirmed.

MINUTE 854

Moved by: Cr Lana Formoso

Seconded by: Cr Loi Truong

That the minutes of the Meeting of Council held 14 August 2023 be confirmed.

CARRIED

1.5 DISCLOSURES OF INTEREST

Cr Tim Dark disclosed an indirect material conflict of interest of a pecuniary nature (s128 of the *Local Government Act 2020*) in Item 4.1.1 Contact No. 1213-04B Receipt of Recyclables - Extension of Contract as the Real Estate Agency which he owns has several contracts with a subsidiary of Re. Group Pty. Cr Tim Dark left the Chamber prior to discussion and voting on this item.

2 OFFICERS' REPORTS - PART ONE

2.1 DOCUMENTS FOR SEALING

2.1.1 Documents for Sealing

File Id: A2683601
Responsible Officer: Manager Governance

1. Report Summary

Under the Victorian Local Government Act, each Council is a body corporate and a legal entity in its own right. Each Council must therefore have a common seal (like any corporate entity) that is an official sanction of that Council.

Sealing a document makes it an official document of Council as a corporate body. Documents that require sealing include agreements, contracts, leases or any other contractual or legally binding document that binds Council to another party.

2. Recommendation Summary

This report recommends that the listed documents be signed and sealed.

2.1.1 Documents for Sealing (Cont.)

3. Item Summary

There is one (1) item being presented to Council's meeting of 28 August 2023 for signing and sealing as follows:

1. A letter of recognition to Dani Trimble, Corporate Services for 10 years of service to the Greater Dandenong City Council.

4. Recommendation

That the listed documents be signed and sealed.

MINUTE 855

Moved by: Cr Rhonda Garad
Seconded by: Cr Richard Lim OAM

That the listed documents be signed and sealed.

CARRIED

2.2 DOCUMENTS FOR TABLING

2.2.1 Documents for Tabling

File Id: qA228025
Responsible Officer: Manager Governance

1. Report Summary

Council receives various documents such as annual reports and minutes of committee meetings that deal with a variety of issues that are relevant to the City.

These reports are tabled at Council Meetings and therefore brought to the attention of Council.

2. Recommendation Summary

This report recommends that the listed items be received.

2.2.1 Documents for Tabling (Cont.)

3. List of Reports

Author	Title
Springvale Indochinese Mutual Assistance Association (SICMAA)	Annual Report 2021-2022

A copy of each report is made available at the Council meeting or by contacting the Governance Unit on telephone 8571 5235.

4. Recommendation

That the listed items be received.

MINUTE 856

Moved by: Cr Jim Memeti
Seconded by: Cr Richard Lim OAM

That the listed items be received.

CARRIED

2.2.2 Petitions and Joint Letters

File Id:	qA228025
Responsible Officer:	Manager Governance
Attachments:	Petitions and Joint Letters

1. Report Summary

Council receives a number of petitions and joint letters on a regular basis that deal with a variety of issues which have an impact upon the City.

Issues raised by petitions and joint letters will be investigated and reported back to Council if required.

A table containing all details relevant to current petitions and joint letters is provided in Attachment 1. It includes:

1. the full text of any petitions or joint letters received;
2. petitions or joint letters still being considered for Council response as pending a final response along with the date they were received; and
3. the final complete response to any outstanding petition or joint letter previously tabled along with the full text of the original petition or joint letter and the date it was responded to.

Note: On occasions, submissions are received that are addressed to Councillors which do not qualify as petitions or joint letters under Council's current Governance Rules. These are also tabled.

2. Recommendation Summary

This report recommends that the listed items in Attachment 1, and the current status of each, be received and noted.

2.2.2 Petitions and Joint Letters (Cont.)

3. Petitions and Joint Letters Tabled

Council received no new petitions and no joint letters prior to the Council Meeting of 28 August 2023.

N.B: Where relevant, a summary of the progress of ongoing change.org petitions and any other relevant petitions/joint letters/submissions will be provided in the attachment to this report.

4. Recommendation

That this report and Attachment be received and noted.

MINUTE 857

Moved by: Cr Jim Memeti
Seconded by: Cr Sophie Tan

That this report and Attachment be received and noted.

CARRIED

2.2.2 Petitions and Joint Letters (Cont.)

DOCUMENTS FOR TABLING

PETITIONS AND JOINT LETTERS

ATTACHMENT 1

PETITIONS AND JOINT LETTERS

PAGES 6 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5235.

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
25/07/23	<p>• Petition Text (Prayer)</p> <p>Please note the following is an excerpt from the petition sent to Council and does not contain the letter in its entirety due to its size.</p> <p>I am writing in relation to the Progress St Level Crossing Removal Project (Project), comprising:</p> <ul style="list-style-type: none"> the closure of the Progress St level crossing; construction of a road bridge to provide a connection between Progress St (south of the railway line) and Fowler Road; and upgrades to Fowler Road and the intersection between Fowler Road and South Gippsland Highway. <p>Issues of concern</p> <p>As you know, there is significant public concern about the Project which, if it were to proceed, would have a detrimental impact for landowners and businesses in the precinct.</p> <p>Examples of the grave concerns raised by stakeholders include:</p> <ul style="list-style-type: none"> that the Fowler Road intersection with the South Gippsland Highway will become more congested and dangerous; and the closure of Progress Street and inferior alternative access arrangements will increase travel times to and from Princes Highway, materially diminishing the capacity (and value) of land to service warehousing and logistics businesses; concerns about the capacity of Fowler Road to accommodate the volume and size of vehicles of the size that will be diverted from the closure of Progress Street; and the safety implications of additional traffic on Fowler Road, including increased risk of head-on collisions, sideswiping, pedestrians being run over, and bicycles being sideswiped. <p>We understand that these and other concerns are shared broadly by other property owners and operators in the precinct, as evident by a 765-strong petition opposing the Project which was tabled before Parliament on 22 June 2023. The petition called for the immediate suspension of the Project and for alternative design solutions for the removal of the rail crossing at Progress Street to be considered and implemented.</p>	155	In Progress	<p>Responsible Officer: Director Business, Engineering & Major Projects.</p> <p>Acknowledgment letter sent 31/07/2023 to the head petitioner.</p> <p>Further correspondence occurred on 03/08/2023 between Director Business, Engineering & Major Projects and the head petitioner.</p>

If the details of the attachment are unclear, please contact Governance on 8571 5235.

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	• Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
	<p>What can Council and the elected Councillors do about it? It is imperative that Council take whatever steps are available to it to represent its constituents concerns and preserve the ambition behind the DNEIC – particularly given that Council is identified by Plan Melbourne as a ‘key partner’ for the future of the DNEIC.</p> <p>We recognize that the Project is declared under the <i>Major Transport Projects Facilitation Act 2009</i> (Vic) (MTPF Act), and that as a result, Council’s ordinary regulatory decision making function has been displaced.</p> <p>Even so, Council remains a significant stakeholder and your constituents implore Council to use every opportunity available to it to advocate for their interests. Doing so would align with Council’s role under the <i>Local Government Act 2020 (Act)</i> and the Greater Dandenong’s Councillor Code of Conduct and Governance Rules (Rules), which require Councils to provide good governance for the benefit and wellbeing of its community.</p> <p>Council has a responsibility to represent all people that live, participate in, and invest within the municipality and should advocate for the interests of the local community to other communities and government.</p> <p>Opportunities for advocacy include direct engagement with the Level Crossing Removal Project team (being part of the Major Transport Infrastructure Authority), whom we understand has been liaising with Greater Dandenong’s Council, and who will be providing an urgent briefing to Councillors imminently.</p> <p>It may also be appropriate for Council, in due course, to apply for review of the Minister for Planning’s decision under clause 52.03 of the Greater Dandenong Planning Scheme, as is available to it under section 149(1)(a) of the <i>Planning and Environment Act 1987</i> (Vic).</p> <p>As a first step, we respectfully appeal to Councillor Foster and Councillor Memeti to move the attached notice of motion at Annexure 1.</p>			<p>What can Council’s CEO do about it? Council’s Chief Executive Officer (CEO), has a responsibility to support the Mayor and Councillors in the performance of their roles and for delivering Council’s strategies and services via efficient and effective day-to-day management of operations. One element of this is ensure that issues of significance are placed before Council for its decision or information; another is to carry out any power, duty or function that is delegated to the CEO by Council or via a Local Law.</p>

If the details of the attachment are unclear please contact Governance on 8571 5235.

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	• Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
	<p>• Petition Text (Prayer)</p> <p>Consistent with these obligations, we ask that Ms Weatherill include the attached petition (Annexure 2) on the agenda for the next Council meeting and ensure that any Council resolution that flows from that motion is implemented without undue delay.</p> <p>More generally, we implore that you, Ms Weatherill, within the constraints of your role and powers, advocate for your constituents and their concerns regarding the Project wherever possible via the following avenues:</p> <ul style="list-style-type: none"> • Where you are involved with any meetings directly with the Project team, raise the concerns of your constituents and impress the amount of adversity to the Project. • When Project plans are received, ensure that they are properly reviewed, that their content is shared with stakeholders in the community, and that feedback is relayed firmly and promptly. • Ensure that representations from the community, including this letter, are brought to the Councillors attention to keep them fully informed of their constituents concerns and any developments with the Project. • Wherever possible, seek to promote public consultation and information sharing, to ensure that public awareness of Council's decisions and steps taken to implement such decisions is kept high, and that public concerns are kept front of mind for both Councillors and Council officers. • When receiving public questions prior to a Council meeting, facilitate their audience and even if those questions appear repetitive, advise the meeting of that fact to emphasise the community's ongoing and unresolved concerns. <p>Time is of the essence As I am sure you are all aware, there is now an acute sense of urgency in resolving the outstanding concerns of the community. This is because, despite being aware of the issues raised in this letter, the Project team continues to take steps to deliver the Project, including through awarding a contract and advising that works will commence in September 2023.</p> <p>This must stop to enable the legitimate issues raised by the community to be considered and resolved. Please help us to have a voice in this Project that will, as currently proposed, cause immense local pain for no local gain. Please let me know if you have any queries, or if I can provide any other assistance with this matter.</p>			

If the details of the attachment are unclear, please contact Governance on 8571 5235.

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	• Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response

If the details of the attachment are unclear, please contact Governance on 8571 5235.

2.2.2 Petitions and Joint Letters (Cont.)

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If the details of the attachment are unclear, please contact Governance on 8571 5235.

2.3 STATUTORY PLANNING APPLICATIONS

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025)

File Id: A9810795
Responsible Officer: Director City Planning Design & Amenity
Attachments: Assessed Plans
PLA22/0069 Endorsed Plans

1. Application Summary

Applicant: Le Mans Entertainment

Proposal: Amendment to planning permit PLA22/0069 (PLN04/0682) which allows for use of the land for the purpose of a Motor racing track (Go Kart Complex), Indoor recreation facility (laser tag, mini golf, and VR arena), amusement parlour, a food and drink premise, a licensed premise and associated buildings and works.

The amendment seeks to:

- Amend the permit and endorsed plans to allow the sale and consumption of liquor within the existing Mini Golf area.
- Deletion of Condition 1.1.

Zone: Clause 34.02 Commercial 2 Zone
Clause 37.01 Special Use Zone
Clause 37.03 Urban Floodway Zone

Overlay: Clause 44.04 Land Subject to Inundation Overlay

Ward: Dandenong

The application is brought before the Council because Council's Instrument of Delegation requires all applications for a liquor licence (where not associated with a food and drink premise) to be determined by Council at a Council meeting.

The application proposes to amend Planning Permit PLA22/0069 (PLN04/0682) to increase the area where liquor is allowed to be sold and consumed. The increase will allow the sale and consumption of liquor in conjunction with the existing ground floor Mini Golf use under Section 72 of the Planning and Environment Act.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

A permit is required pursuant to:

- Clause 52.27 (Licensed Premise) to use the land to sell or consume liquor.

2. Assessment Summary

The proposed increase in the area where liquor is allowed to be sold and consumed (mini golf) is not considered to result in adverse amenity impacts to the subject site and surrounding commercial area, subject to conditions to ensure that the sale and consumption of liquor is appropriately controlled and maintained.

3. Recommendation Summary

As assessed, officers consider this proposal to be generally compliant with all of the relevant provisions of the Greater Dandenong Planning Scheme. Council officers are of the view that on balance, the proposal's degree of compliance with the Planning Scheme justifies that the application should be supported. Therefore, it is recommended that an **amended permit** be issued subject to the conditions as set out in the recommendation.

If the application was to be appealed to VCAT, it is the officer's view that it is highly likely that VCAT would also issue a planning permit for this proposal.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

4. Subject Site and Surrounds

Subject Site

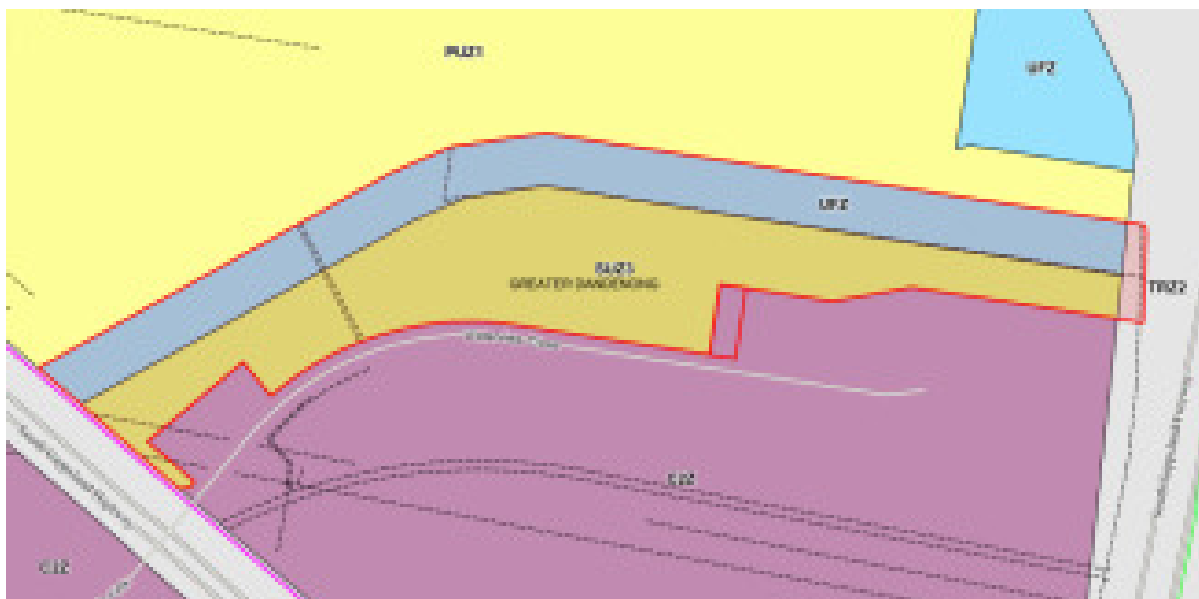
- The subject site is an irregular shaped allotment located on the north side of Waterview Close and covers three (3) sites as follows:
- (No. 11-53 (Lot Res 1 LP 222258 Vol 10954 Fol 057);
- No. 55 (Lot 1 PS 531482 Vol 10885 Fol 515); and
- No. 57 (Lot 2 PS 531482 Vol 10885 Fol 516) Waterview Close).
- The site contains an existing business known as Le Mans Go Kart track, approved under the parent planning permit proposed to be amended as a part of this review (PLA22/0069).
- The site is currently used for the purpose of a Motor racing track (Go Kart Complex), Indoor recreation facility (laser tag, mini golf, and VR arena), amusement parlour, a food and drink premise, a licensed premise and associated buildings.
- The current liquor license on site covers the areas associated with the food and drink component of the site.
- The go kart track and other recreational uses e.g. Virtual Reality and Laser Tag are not included in the red line plan and will continue to not be included in the red line plan.
- The subject site has a total of ninety-two (92) car parking spaces accessible from the southern frontage connecting to Waterview Close via two (2) double width crossovers.

Surrounding Area

- The subject site is surrounded by industrial and warehouse uses within a Commercial 2 Zone bounded by a Melbourne Water retarding basin to the north and South Gippsland Highway to the eastern and south-western sides respectively.
- The nearest residential zone is located 750m to the east (Casey Council).

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

Locality Plan



4. Background

Previous Applications

A search of Council records revealed that Council has previously considered the following planning applications for the sites:

- Relevant permit to be amended under this review:
 - Planning Permit PLA22/0069 was issued for the “Use of the land for the purpose of a Motor racing track (Go Kart Complex), Indoor recreation facility (laser tag, mini golf, and VR arena), amusement parlour, a food and drink premise, a licensed premise and associated buildings and works”.
 - This planning permit consolidated permits PLN04/0682, PLN06/0628 and PLN11/0485.01 (all detailed below).
 - Specifically, this application proposed the use of the land for the purpose of an indoor recreation facility (mini golf, laser tag and VR arena), an amusement parlour and an increase to the red line plan.
 - This application originally proposed the red line plan to be increased across the entire site (with the exception of the Go Kart Track).

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- All areas associated with food and drink were approved to be included in the red line area for the sale and consumption of liquor as these areas had already been approved for this purpose under the previous planning permits (as per Council delegations). However, the additional areas proposed for the sale and consumption of liquor (mini golf, laser tag and VR arena) were requested to be deleted by the applicant by way of the inclusion of Condition 1.1 which reads as follows:
 - Amended red line plan to remove the indoor recreation facilities (virtual reality arena, mini golf, laser tag).
- This condition was included because Council's Instrument of Delegation requires all applications for a liquor licence (where not associated with a food and drink premise) to be determined by Council at a Council meeting. The applicant did not wish to wait the additional time required for a decision to be made at a Council meeting, and as such requested Condition 1.1 be imposed to allow a decision under delegation.
- The amended permit was issued 28 February 2023 and plans endorsed 04 April 2023.

The subject land covers three (3) sites, these being No. 11-53, No. 55 and No. 57 Waterview Close, Dandenong South.

All past permits tabled below:

Property Address:	Permit Number:	Permit details:
No. 11-53 Waterview Close	PLN04/0682 (Amended twice under reference numbers PLN04/0682.01 and PLA22/0069)	<i>Use and development of the land for the purpose of a motor racing track (go kart complex) and associated buildings and works</i> Amendment issued to combine PLN06/028 (food and drink and liquor) and PLN11/0485.01 (laser tag) and the additional land uses of mini golf, virtual reality arena, an amusement parlour to operate in conjunction with each other.
	PLN06/0628	<i>Use of the land for a licensed premise (sale and consumption of liquor within the premises).</i>
No. 55 Waterview Close	PLN09/0158	<i>Development and display of signage</i>

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

	PLN11/0779	<i>Buildings and works to construct a weather shelter</i>
	PLN18/0690	<i>Development and display of signage</i>
	PLN19/0055	<i>Development of the land for a go kart shelter</i>
No. 57 Waterview Close	PLN15/0145	<i>Development and display of signage</i>
	PLN11/0485.01	<i>Use and develop the land for the purpose of an indoor recreation facility (laser tag).</i>

5. Proposal

The application proposes to amend planning permit PLA22/0069 to:

- Amend the endorsed red line plan to allow the sale and consumption of liquor in the Mini Golf area; and
- Delete Condition 1.1 to allow for the sale and consumption of liquor in the Mini Golf area. Condition 1.1 states “*amended red line plan to remove the indoor recreation facilities (virtual reality arena, mini golf, laser tag).*”

There are no other changes proposed as a part of this application.

A copy of the submitted plans is included as Attachment 1.

6. Victorian Charter of Human Rights and Responsibilities

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

7. Financial Implications

No financial resources are impacted by this report.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

8. Planning Scheme and Policy Frameworks

Pursuant to the Greater Dandenong Planning Scheme, a planning permit is required:

- Clause 52.27 (Licensed Premises) to use land to sell or consume liquor.

The relevant controls and policies are as follows:

Zoning Controls

Part of the subject site is located in a **Special Use Zone, Schedule 3**.

The purpose of the Special Use Zone outlined at Clause 37.01 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone*

Schedule 3 to the Special Use Zone specifically relates to 11-53 and part of 55-79 Waterview Close Dandenong South for the following purpose:

- *To provide land for the purpose of a motor racing track (Go-Kart Complex) and support facilities and for other recreational uses which protect the function of the land as a drainage reserve*

Part of the subject site is located in a **Commercial 2 Zone**, as is the surrounding area to the east and south.

The purpose of the Commercial 2 Zone outlined at Clause 34.02 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

Part of the subject site is located in an **Urban Floodway Zone**, as is the surrounding area to the north.

The purpose of the Urban Floodway Zone, outlined at Clause 37.03 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.*
- *To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.*

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- *To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*

The subject site is located connecting to a Transport Zone 2 (South Gippsland Highway)

The purpose of the Transport Zone outlined at Clause 36.04 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for an integrated and sustainable transport system.*
- *To identify transport land use and land required for transport services and facilities.*
- *To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.*
- *To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.*

Overlay Controls

Part of the subject site is located in a **Land Subject to Inundation Overlay**, as is the surrounding area to the north.

The purpose of the Land Subject to Inundation Overlay, outlined at Clause 37.03 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

Planning Policy Framework

The **Operation of the Planning Policy Framework** outlined at Clause 10 seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The objectives of Planning in Victoria are noted as:

- (a) To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- (c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*
- (e) To protect public utilities and other facilities for the benefit of the community.*
- (f) To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*
- (g) To balance the present and future interests of all Victorians.*

In order to achieve those objectives, there are a number of more specific objectives contained within the State Planning Policy Framework that need to be considered under this application.

Clause 11 - Settlement

Clause 11 states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Clause 13.05-1S- Noise abatement

Clause 13.05-1S seeks to assist the control of noise effects on sensitive land uses. The policy documents include Environment Protection Regulations under the *Environment Protection Act 2017* and *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues* (Publication 1826.2, Environment Protection Authority, March 2021).

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

Clause 17 – Economic Development

Under this Clause, it notes that planning is to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity, and planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts so that each district may build on its strengths and achieve its economic potential.

Clause 17.01-1 (Business) has the objective to encourage development which meet's the community's needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

The matter of Transport is considered at Clause 18, with Integrated Transport focused on under Clause 18.01. A relevant objective of that Clause which needs to be considered under this application includes that listed at Clause 18.01-1 relating to Land Use and Transport Planning, with that objective:

To create a safe and sustainable transport system by integrating land-use and transport.

Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies.

The MSS is contained within Clause 21 of the Scheme. The MSS at **Clause 21.02** focuses on the **Municipal Profile**, within which the following is noted:

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies.

The MSS is contained within Clause 21 of the Scheme. The MSS at **Clause 21.02** focuses on the **Municipal Profile**, within which the following is noted:

Clause 21.04-2 Retail, Commerce and Entertainment

Environmental issues – The easy accessibility by train and other modes of public and private transport to the retail and commercial centres of central Dandenong, Springvale and Noble Park helps achieve environmental sustainability. This needs to be maintained and improved by providing facilities and services accessible by bicycle and walking.

Economic issues – Greater Dandenong's retail, commercial, industrial and entertainment uses provide a range of jobs. Strengthening these assets will attract visitors from outside the municipality and improve employment opportunities. With suitable promotion, they could realise increased economic benefits for the City.

Social issues – Local retail centres can act as a focus for local communities helping strengthen local connections. Entertainment and associated uses are important in maintaining local cultural vitality but need to be managed to avoid late night disturbances to surrounding residents, and inadequate provision of car parking.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

The following objectives and strategies are relevant:

Under **Clause 21.07 – Infrastructure and Transportation** matters of: physical, community and cultural infrastructure; public transport; walking and cycling; cars and parking; and, transport services are covered.

Within Clause 21.07-2 where the matter of public transport is considered, the following relevant objective and strategies are noted:

2. To integrate transport and land use.

2.1 Ensure residential, commercial and industrial development provides for safe and accessible pedestrian/bicycle movement to the public transport network.

The objectives and strategies of Clause 21.07-3 which relate to the matter of walking and cycling should also be considered.

Particular Provisions

Car Parking (Clause 52.06)

Clause 52.06 Car Parking needs to be considered to determine the appropriateness of the car parking provision of the development. The purpose of this Clause is:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

The following car parking rates apply to the site:

- Motor racing track (go kart) = no rate specified (discretionary to the satisfaction of the Responsible Authority)
- Indoor recreation facility (laser tag, mini golf and virtual reality) = no rate specified (discretionary to the satisfaction of the Responsible Authority)
- Amusement Parlour = 4 spaces to each 100 sqm of net floor area
- Food and Drink Premise = 4 spaces to each 100 sqm of net floor area

No car parking spaces are proposed to be altered as a part of this amended application.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

Clause 52.27 – Licensed Premises

The purposes of this provision are:

- *To ensure that licensed premises are situated in appropriate locations.*
- *To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.*

These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.

Clause 52.34 - Bicycle Facilities

The purpose of this Clause is:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.*

Clause 52.34-1 states that a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Under Clause 52.34-2 states that a permit may be granted to vary, reduce or waive the requirements of Clause 52.34-3 and Clause 52.34-4. An application is exempt from the notice and decision requirements and appeal rights of some sections of the Act.

Under the table to Clause 52.34-3, a motor racing track (go kart) and indoor recreation facility (laser tag, mini golf and virtual reality) are not listed in this Clause.

An amusement parlour is listed with the rate of two (2) plus one (1) to each 50 sqm of net floor area.

A Retail Premise (food and drink) is listed with the rate of one (1) to each 300 sqm of leasable floor area for employees plus one (1) to each 500 sqm of leasable floor area for visitors/shoppers.

General Provisions

Clause 65 – Decision Guidelines needs to be considered, as is the case with all applications. For this application the requirements of Clause 65.01 for the approval of an application or plan is of relevance. This Clause outlines the requirements that the responsible authority must consider when determining the application.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

9. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four (4) years. In accordance with the commitment in Council's Annual Plan, all applications are considered on their merits.

10. Diversity (Access & Equity)

It is not considered that the proposal raises any diversity issues affecting the planning assessment of this application.

11. Community Safety

It is considered that there would be no adverse community safety implications in permitting the proposal subject to strict conditions on any planning permit issued.

12. Safe Design Guidelines

Consideration of the relevant requirements of these Guidelines has been undertaken within the Assessment of this application.

13. Referrals

The amendment was not required to be externally referred given the proposal was referred to all relevant authorities under PLA22/0069 with responses received 04/01/2023 and 17/02/2023.

These external referrals are detailed as follows:

External Authority	Response
Victorian Gambling and Casino Control Commission (VGCCC) S52 comment non-mandatory referral	No comments.
Melbourne Water S52 comment non-mandatory referral	No objections.
Victoria Police S52 comment non-mandatory referral	No comments.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

The amendment was internally referred to the following:

Council Referrals	Response
Community Services	No objections (subject to conditions).

14. Advertising

Public notice was not required to be undertaken in this instance for the following reasons:

- The proposal to increase the red line area within the mini golf area was previously considered and advertised under planning permit PLA22/0069 (PLN04/0682).
- The proposal to include the indoor recreation areas (including the mini golf) within the red line plan was previously advertised under planning application PLA22/0069, and no objections were received.
- The result of the advertising shows that adjoining owners and occupiers did not have any concerns to raise with regard to including the mini golf area within the red line area.
- It is noted that the operating hours and number of patrons approved on the existing planning permit and liquor license is not proposed to increase or change.
- The sale and consumption of liquor will continue to operate in accordance with the endorsed Venue Management Plan which outlines risk mitigation strategies including Responsible Service of Alcohol procedures, patron management and noise management procedures.
- Additionally, there are no sensitive interfaces within the immediate vicinity and the area proposed to be included within the red line area is internal to the building.

15. Assessment

Use

The proposed amendment has been assessed against the relevant provisions of the Greater Dandenong Planning Scheme, including the Planning Policy Framework, Local Planning Policy Framework and the Particular Provision for Liquor Licencing at Clause 52.27.

The amendment is only seeking to increase the red line plan to include the existing mini golf area already approved under the existing planning permit. Alcohol will continue to not be sold or consumed within the Go Kart Track area, the Virtual Reality and Laser Tag areas.

Licensed mini golf is an increasingly common leisure activity with centres such as “Holey Moley” which is a similar use, operating at a number of sites across Victoria. It is considered that this inclusion will offer economic benefits and consumer choice within the area and will support the subject businesses ongoing viability, whilst enabling an enhanced vitality of the area for uses operating after normal business hours with no additional social or amenity impacts.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

The licensed premise will be required to continue to comply with the existing noise and amenity conditions imposed. This includes the retention of the existing endorsed Venue Management Plan details noise and patron management procedures to ensure activities within the venue do not cause unreasonable disturbance to neighbouring properties with regards to noise, light and/or unruly behaviour and provides for full and proper responsible service of alcohol.

It is noted that the existing operating hours and maximum patron numbers will not be amended, and that the operator has a current five (5) star rating with the Victorian Liquor Commission under their liquor licence which has been operating with no non-compliance incidents within the past 36 months, including no incidents of intoxicated patrons or supply of liquor to underage persons.

Clause 52.27 (Licensed Premise):

Before deciding on an application, the responsible authority must consider, as appropriate the decision guidelines to Clause 52.27 (Licensed Premise). These are detailed as follows:

- The proposal meets the objectives of Clause 17 (Economic Development) and Clause 17.02-1S (Business) of the Planning Policy Framework in that it is considered to meet the community's needs for accessible facilities located within the municipality.
- The Venue Management Plan includes noise management procedures demonstrating a high level of compliance with the Clause 13.05-1S Noise abatement reducing amenity potential. The Venue Management Plan also details how the operators will ensure that patrons consuming alcohol behave in an appropriate manner, and what actions they will undertake if patrons do not behave appropriately.
- The proposal would not result in adverse detriment to the surrounding uses which are general industrial and warehouse uses. There are no sensitive uses around the immediate site and the surrounding commercial precinct.
- The hours of operation and patron numbers are not changing with this application.
- The licensed premise will comply with the noise and amenity conditions endorsed on its Liquor Licence under Planning Application No. PLA22/0069, with appropriate management strategies in place to ensure minimum disturbance or nuisance is caused to the neighbouring commercial premises.

Overall, the cumulative impact of the existing licensed premises and the proposed licensed premises on the amenity of the surrounding area is considered to be consistent with the existing operations on site, a minor increase and acceptable for the site.

Condition review:

The application seeks the deletion of Condition 1.1 to allow the red line increase, which currently reads as follows:

- Condition 1.1: Amended red line plan to remove the indoor recreation facilities (virtual reality arena, mini golf, laser tag).

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

Council officers find that the proposed minor amendment to the redline plan and the associated deletion of Condition 1.1 to allow for the amended plans to be endorsed is acceptable and would not result in additional cumulative impacts or detriment to the amenity of adjoining or surrounding land and an amended permit should be granted.

Other Matters:

It has been identified that no previous planning permit has implemented a Condition limiting the maximum number of patrons allowed on the land at anyone time to the site. The current endorsed Operational Management Plan details a maximum of 650 patrons at any one time.

Given this number is already established through an endorsed document, it is considered that a permit condition should be included to formalise the patron numbers allowed on site at any one time. Therefore, Condition 53 has been added to reflect the patron numbers as identified in the existing endorsed Operational Management Plan being 650 patrons. It would not be appropriate to reduce patron numbers through an amendment such as that proposed, and it would be highly unlikely to be successfully defended at VCAT if Council sought to do so.

16. Conclusion

The application has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the Planning Policy Framework, Local Planning Policy Framework, Municipal Strategic Statement, zones, overlays, Clause 52.27, and Clause 65.

Overall, it is considered that the minor amendment is appropriate having regard to the site's location within a Commercial 2 Zone.

The following amendments to the permit are recommended:

- Delete condition 1.1 to allow expansion of the red line area into the mini golf area.
- Additional condition 53 (patron numbers) and renumbered condition 54 (expiry).
- Amend the endorsed red line plan to include expansion of the red line area into the mini golf area.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

17. Recommendation

That Council resolves to grant a planning permit in respect of the land known and described as 11-53 Waterview Close DANDENONG SOUTH, for the “AMENDMENT TO: Use of the land for the purpose of a Motor racing track (Go Kart Complex), indoor recreation facility (laser tag, mini golf, and VR arena), amusement parlour, a food and drink premise, a licensed premise and associated buildings and works (PLN04/0682)”, subject to the following conditions:

- 1. Prior to the endorsement of plans, amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. The approved permit must not commence until the plans have been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit. The plans must be in accordance with the plans submitted with the application, but modified to show**

1.1 Deleted

All to the satisfaction of the Responsible Authority.

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.**
- 3. Once the development has started, it must be continued and completed all to the satisfaction of the responsible authority.**
- 4. Before the use commences, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:**
 - 4.1. constructed.**
 - 4.2. properly formed to such levels that they can be used in accordance with the plans.**
 - 4.3. surfaced with an all-weather seal coat**
 - 4.4. drained to the legal point of discharge.**
 - 4.5. Line-marked to indicate each car space and all access lanes**
 - 4.6. Line-marked to indicate a minimum of two (2) disabled car parking spaces.**
 - 4.7. Parking areas and access lanes must be kept available for these purposes at all times.**

All to the satisfaction of the responsible authority.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 5. A continuous concrete raised kerb no less than 150 mm (or 75 mm) in height, or other measures approved by the responsible authority, must be provided adjacent to the landscaped areas as protective measures to the landscaping treatment to the satisfaction of the Responsible Authority.**
- 6. A sign(s) to the satisfaction of the responsible authority must be provided directing drivers to the area set aside for car parking and must be located and maintained to the satisfaction of the responsible authority. The sign must not exceed 0.3 square metres.**
- 7. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operators control, or the operator's staff, are parked in the streets nearby.**
- 8. The car parking provided on the land must always be made available for use by persons employed on or visiting the subject premises to the satisfaction of the responsible authority, and no measures restricting access by such persons to the car park may be taken without the prior permission of the responsible authority.**
- 9. The amenity of the area must not be detrimentally affected by the use or development, through the:**
 - 9.1. transport of materials, goods or commodities to or from the site**
 - 9.2. the appearance of any building, works or materials.**
 - 9.3. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and.**
 - 9.4. adverse or unruly behaviour of patrons on, to or from the premises.**

All to the satisfaction of the responsible authority.
- 10. The site must be landscaped with lawns, native trees and shrubs and thereafter maintained, all to the satisfaction of the responsible authority.**
- 11. Provision must be made for the drainage of the site including landscaped and pavement areas all to the satisfaction of the responsible authority.**
- 12. The boundaries of the land must be fenced to the satisfaction of the responsible authority and the fencing must be maintained to the satisfaction of the responsible authority.**
- 13. The uses allowed by this permit must only operate in accordance with the following**
 - 13.1. On any day between 8.00 am and 11.30 pm.**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 14. All sewerage and sullage waters not connected to an approved sewerage system must be treated in an all-wastes septic tank or treatment plant in accordance with the requirements of the Environment Protection Act 1970, the Health Act 1958 and Council's Health Department, all to the satisfaction of the responsible authority.**
- 15. Noise emitted from the land must not exceed the Environment Protection Regulations 2021 Part 5.3 (EPR 2021) and Environmental Protection Authority (EPA) Victoria Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues Publication 1826.4 (Publication 1826.4)**
- 16. Noise emitted from the premises as a consequence of go-kart operations on the most westerly track must not exceed a level of 60 dB (A) [Leq 30 seconds] at any point on the Water-view Close boundary of existing industrial and/or commercial premises on the southern side of Waterview Close. Any noise attenuation structures erected on the site in order to achieve this condition shall be to the satisfaction of the responsible authority.**
- 17. Adequate measures must be provided to prevent the loss of amenity to the neighbourhood by the emission of dust from the site, to the satisfaction of the responsible authority.**
- 18. An effective spark arresting system shall at all times be fitted to each go-kart to the satisfaction of the responsible authority.**
- 19. Go-karts operated on the site shall only be those owned by the operator under this permit or by an organisation approved in writing by the Responsible Authority.**
 - 19.1. Go-karts equipped with 2 stroke engines shall not be permitted.**
 - 19.2. Condition 19.2 does not apply to the go-karts operated by Hand Brake Turn for a maximum of 4 hours between 10am and 2pm to a maximum of six (6) days during the year of 2008, and thereafter reviewed.**
 - 19.3. Prior to the use of the go-karts under Condition 19.3, the operator of the site or the operators representative must advise the Responsible Authority in writing of the dates and times Hand Brake Turn are to use the site and such use must not be outside the times provided.**
 - 19.4. The operator of the go-karts under Condition 19.3 must engage the services of an appropriately qualified acoustic engineer to monitor the go-karts in accordance with condition 19.6 and at the completion of the days provide the Responsible Authority with a report on the noise levels recorded.**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 19.5.** All go-karts operating at the facility must at all times be properly maintained and fitted with noise reduction mufflers in good condition. The maximum noise level due to any operating go-kart on the most easterly track shall not exceed 78 dB(A) [Leq 2 seconds] when measured at a distance of 4 metres. The maximum noise level of any other operating go-kart shall not exceed 81 dB (A) [Leq 2 seconds] when measured at a distance of 4 metres.
- 20.** The operator under this permit shall carry out noise level monitoring so as to ensure that all go-karts operated at the facility comply with the noise limit condition. Every vehicle shall be monitored prior to being introduced to the facility and subsequent monitoring shall be carried out at intervals of 6 months or such shorter period as the responsible authority may direct.
- 21.** All noise level instruments used for monitoring shall be calibration checked at intervals not exceeding 12 months. Records shall be kept of all vehicle noise level measurements, such records to be available to the responsible authority on request.
- 22.** During construction periods and afterwards, until the land is occupied, the owner must provide adequate precautions to prevent the emission of dust, land vibration and storm water runoff from the land, all to the satisfaction of the responsible authority.
- 23.** The permitted works must not commence and the subject site must not be occupied for that use until all the buildings and works and the conditions of this permit have been complied with, unless with the further written consent of the responsible authority.
- 24.** The carparking must be lit if in use during hours of darkness, and all lights must be designed, fitted with suitable baffles and located to prevent any adverse effect on adjoining land, all to the satisfaction of the responsible authority.
- 25.** All external lighting of the site, including car parking areas and buildings, must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
- 26.** Bins or receptacles for any form of rubbish or refuse must not be placed or allowed to remain in the view of the public, and smell must not be emitted from any such receptacle.
- 27.** Where required, a bulk waste collection bin or approved alternative may be provided, but shall be contained in a suitably screened and accessible area, all to the satisfaction of the responsible authority.
- 28.** Any public address system installed or used on the premises must only for safety purposes and must not be installed so as not to be audible from a distance of more than 50 metres from the site, all to the satisfaction of the responsible authority.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 29. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the responsible authority.**
- 30. A landscape plan for the site prepared by a person qualified in landscape design shall be submitted to the responsible authority. The details of that person's qualifications must be given and all proposed trees, shrubs and ground cover, including the botanical names and sizes at maturity of all plants and the location of all areas to be covered with grass, lawn or other surface material to be specified. The use of the land must not be commenced until such time that the submitted plan has been approved by the responsible authority.**
- 31. Prior to the commencement of works, an acoustic report prepared by an appropriately qualified person must be approved by the responsible authority making recommendations on noise reduction techniques. These techniques must be employed in the development of the facility.**
- 32. The maximum number of go-karts operating on either of the main tracks at any one time shall be 16 and the maximum number operating on the children's track at any one time shall be 8. No go-karts may be driven other than on the designated tracks**
- 33. Condition required by Roads Corporation**
 - 33.1. All buildings and works must be set back at least three (3) metres from the Road Zone 1 boundary**
- 34. Conditions required by Melbourne Water**
 - 34.1. Engineering drawings are to be submitted prior to construction showing existing and proposed levels of the track alignment, car park area, existing pond, site boundary, top of creek bank and general grounds, reduced to Australian Height Datum.**
 - 34.2. A Certified Survey Plan is to be submitted after construction.**
 - 34.3. No filling shall be permitted within the creek reserve. Filled slopes must not taper into the reserve. Any slopes adjacent to the boundary are to be less than 1(v) in 5(1,or).**
 - 34.4. Any earthworks must be done such that the volume of fill does not exceed the volume . of cutting. Volume calculations must be submitted before construction should areas of fill be proposed.**
 - 34.5. A landscaping plan must be submitted for approval that addresses the interface issue of the facility adjacent to the creek reserve. Planting of screening vegetation will be required.**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 34.6. Runoff from the site is to be treated to comply with the criteria in the Urban Stormwater Best Practise Environmental Management Guidelines regarding pollutant removal.**
- 34.7. A flood / emergency response plan is to be prepared.**
- 34.8. All floors of office or function rooms must be located a minimum of 600mm above the 1 in 100 year flood level.**
- 34.9. All floors of office or function rooms must be located a minimum of 600mm above the 1 in 100 year flood level.**
- 34.10. Any new fences must be of an open style.**
- 34.11. Runoff treatment must be measured for any outlets to the waterway.**
- 34.12. Before starting works, a separate application direct to Melbourne Water must be made for any new or modified stormwater connection to Melbourne Water's drains or watercourses.**
- 34.13. The land owner must enter into a legal agreement with Melbourne Water that sets out the terms and duration for occupation of the site. All costs associated with the preparation of this document are to be met by the landowners.**
- 34.14. At least 21 days before construction commences a Site Management Plan detailing pollution and sediment control measures during construction must be submitted to Melbourne Water.**
- 34.15. Pollution and sediment laden runoff shall not be discharged directly or indirectly in to Melbourne Water's Drains or waterways during construction or operation of the facility.**
- 35. Condition required by the Environmental Protection Authority (EPA)**
 - 35.1. Except where provided for under Condition 19 of this permit, go-karts fitted with two-stroke engines are prohibited from operating on any track within the facility or on the premises**
- 36. Condition required by Department of Sustainability and Environment (DSE)**
 - 36.1. Prior to the commencement of the use three (3) copies of an Operational Management Plan (OMP) shall be submitted for the approval of the responsible authority. The OMP shall be**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

submitted for the approval of the responsible authority. The OMP shall detail the management of the site and operation and address the following matters:

- **Water supply (including arrangements for connection to mains water).**
- **Collection of rain water**
- **Effluent disposal measures**
- **External lighting**
- **Conservation of the areas of Plains Grassy Wetland Ecological Vegetation Classes (EVC)**

36.2. Before the development starts three (3) copies of an Environmental Management Plan (EMP) developed in consultation with the DSE shall be submitted for the approval of the responsible authority. The EMP shall include:

(i) A detailed assessment of Flora and Fauna

(ii) A targeted survey for Growling Grass Frogs and Dwarf Galaxias in the existing artificial wetland and the section of the Hallam Main Drain adjacent to the site.

(iii) Evidence of compliance with Victoria's Native Vegetation - A Framework for Action', including a Net Gain Assessment of the impact of the proposal.

(iv) An assessment of potential impacts and any mitigation measures

(v) A re-assessment of track(s) design and location

36.3. The survey for the Growling Grass Frog is to be undertaken using qualified biologists and be conducted during October to January if practical. If the Growling Grass Frog is found to inhabit either or both wetlands, expert and independent advice is to be sought to assess whether the expected impacts from the go-kart facility on the Growling Grass Frog habitat are significant enough to warrant a referral to the Commonwealth Minister for Environment and Heritage as required under the Environment Protection and Biodiversity Conservation (EPBC) Act.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 36.4.** The re-assessment of track design and location shall include consideration of location adjustment in order to:
- (a) Avoid the need to clear the areas of Plains Grassy Wetland EVC, or at least any clearing of the main area of the EVC is minimised**
 - (b) Minimise interference with the fringing vegetation around the artificial wetland and along the Hallam Main Drain and desirably avoid interference during the construction of the proposed bund.**
 - (c) Enable an effective vegetation barrier to be planted to reduce the visual impact of the go-kart tracks (especially on the public track) on the fauna inhabiting the artificial wetland, even if this reduces the distance between the tracks and the Plains Grassy Wetland areas.**
 - (d) Enable an assessment to be made of the feasibility and advantages of erecting an "artificial" barrier between the go-kart tracks (especially the public track) and the artificial wetland at those locations where the greatest impacts of noise and visual intrusion on the artificial wetland are expected to occur.**
- 36.5.** Before the development starts, a Construction Management Plan must be prepared and incorporate information gained from the surveys of fauna and flora, and specifically is to include:
- (a) A section on the conservation of the area(s) of the Plains Grassy Wetland EVC.**
 - (b) A section on the avoidance of interference with the fringing vegetation around the artificial wetland and vegetation along the Hallam Main Drain.**
- 37.** The site must contain a concrete bay for washing vehicles and waste from the bay must drain into a public or site sewer system or a settlement and oil separation system. The system must comply with the Environment Protection Act 1970 and be installed to the satisfaction of the responsible authority.
- 38.** Vehicles may only be washed in the washing bay.
- 39.** Water from the site must be discharged by an underground pipe to an approved outlet to the satisfaction of the responsible authority.
- 40.** Conditions required by GasNet Australia

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

40.1. Restrictions on the use of the easement area will be enforced in accordance with the Creation of Easement and Restrictive Covenant Instrument registered on Title. In particular:

- **No structures will be permitted on the easement without prior written approval.**
- **Line of sight along the easement must be maintained.**
- **Approval from Gasnet Australia must be obtained before commencing fencing or other works on the easement.**

41. Three (3) metres clearance between the pipeline and any vegetation greater than 0.5m in height must be maintained.

42. No alteration of the surface level of the pipeline will be permitted without written approval.

43. The requirement regarding the use of mechanical equipment within 1.0m of the pipeline as outlined in the attachment "CONDITIONS FOR WORKS NEAR GAS TRANSMISSION PIPELINES" is adhered to.

44. Final design drawings of the proposed development in the vicinity of the pipeline must be forwarded to the Pipelines Manager, attention Pipelines Superintendent, for approval and to ascertain compliance with the Pipelines Act.

45. It is mandatory that, within the easement boundary, a minimum of 48 hours notice of intended provings and /or construction be given to the Pipelines Section, Freecall 1800 686 634, in order that arrangements can be made to have an inspector on site during work. Under normal circumstances, no charge is made for this service.

46. The use as shown on the endorsed plans must not be altered.

47. An application to the relevant Liquor Licensing Authority must only be for an on-premises licence.

48. The licensed area shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority..

49. The operator shall install and maintain video surveillance cameras and recorders to monitor and record the main entrance, car parking areas and exits of the premises during operation hours and for half an hour after closure, irrespective of whether or not any activity is being conducted.

Tapes shall be retained for at least three (3) months and made available for viewing and or removal at all times by a Police officer or authorised Council officer. The recorded video images must display the date and time of recording and images must be of such quality that any person may be identified in all lighting conditions.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 50. The provisions, recommendations and requirements of the endorsed Venue Management Plan must be implemented and complied with to the satisfaction the Responsible Authority.**

Except with the prior written consent of the Responsible Authority, the venue management plan must not be modified.

- 51. Within three (3) months of the issue of this amended, an updated Waste Management Plan is required to be submitted for review by the Responsible Authority. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction the Responsible Authority**

Except with the prior written consent of the Responsible Authority, the Waste Management Plan must not be modified.

- 52. The endorsed plans and documents are to be read in conjunction with the plans endorsed to Planning Permit PLN04/0682.**

- 53. No more than six hundred and fifty (650) patrons may be present on the premises at any one time unless with the written consent of the Responsible Authority.**

- 54. This permit will expire if:**

54.1. The use does not start within two (2) years of the date of this permit; or

54.2. The use is discontinued for a period of two (2) years.

Before the permit expires or within three (3) months afterwards the owner or occupier of the land may in writing request the responsible authority to extend the expiry date.

Notes:

- If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Darren McAdie on telephone 9235 2188 quoting Melbourne Water's reference 102451.**

Advice to Applicant

- Acceptable methods for the design of treatment measures include the stormwater treatment modelling software package Model for urban Stormwater Improvement Conceptualisation (MUSIC) or the Water Sensitive Urban Design technical Manual available at <http://wsud.melbournewater.com.au> which provides the procedure for design of various treatment measures.**
- Please contact George Tserntsidis on ph. 9235 7298 for Melbourne Water's connection requirements, including payment of applicable fees.**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- **The Best Practice Environmental Management Guidelines for Urban Stormwater (The Stormwater Committee, 1999) may be used as a guide when developing site controls to minimise sediment laden runoff and stormwater pollution during construction. Section 6.3, titled Construction Activity, of these guidelines provides a useful checklist to develop a site management plan**
- **A referral must be made to the Department of Environment and Heritage, should it be considered that species listed under the Environment Protection and Biodiversity Conservation Act 1999 will be significantly impacted by the proposal.**

MINUTE 858

Moved by: Cr Tim Dark

Seconded by: Cr Jim Memeti

- 1. Prior to the endorsement of plans, amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. The approved permit must not commence until the plans have been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit. The plans must be in accordance with the plans submitted with the application, but modified to show**
 - 1.1 Deleted**

All to the satisfaction of the Responsible Authority.
- 2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.**
- 3. Once the development has started, it must be continued and completed all to the satisfaction of the responsible authority.**
- 4. Before the use commences, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:**
 - 4.1. constructed.**
 - 4.2. properly formed to such levels that they can be used in accordance with the plans.**
 - 4.3. surfaced with an all-weather seal coat**
 - 4.4. drained to the legal point of discharge.**
 - 4.5. Line-marked to indicate each car space and all access lanes**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

4.6. Line-marked to indicate a minimum of two (2) disabled car parking spaces.

4.7. Parking areas and access lanes must be kept available for these purposes at all times.

All to the satisfaction of the responsible authority.

5. A continuous concrete raised kerb no less than 150 mm (or 75 mm) in height, or other measures approved by the responsible authority, must be provided adjacent to the landscaped areas as protective measures to the landscaping treatment to the satisfaction of the Responsible Authority.

6. A sign(s) to the satisfaction of the responsible authority must be provided directing drivers to the area set aside for car parking and must be located and maintained to the satisfaction of the responsible authority. The sign must not exceed 0.3 square metres.

7. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operators control, or the operator's staff, are parked in the streets nearby.

8. The car parking provided on the land must always be made available for use by persons employed on or visiting the subject premises to the satisfaction of the responsible authority, and no measures restricting access by such persons to the car park may be taken without the prior permission of the responsible authority.

9. The amenity of the area must not be detrimentally affected by the use or development, through the:

9.1. transport of materials, goods or commodities to or from the site

9.2. the appearance of any building, works or materials.

9.3. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; and.

9.4. adverse or unruly behaviour of patrons on, to or from the premises.

All to the satisfaction of the responsible authority.

10. The site must be landscaped with lawns, native trees and shrubs and thereafter maintained, all to the satisfaction of the responsible authority.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 11. Provision must be made for the drainage of the site including landscaped and pavement areas all to the satisfaction of the responsible authority.**
- 12. The boundaries of the land must be fenced to the satisfaction of the responsible authority and the fencing must be maintained to the satisfaction of the responsible authority.**
- 13. The uses allowed by this permit must only operate in accordance with the following**
 - 13.1. On any day between 8.00 am and 11.30 pm.**
- 14. All sewerage and sullage waters not connected to an approved sewerage system must be treated in an all-wastes septic tank or treatment plant in accordance with the requirements of the Environment Protection Act 1970, the Health Act 1958 and Council's Health Department, all to the satisfaction of the responsible authority.**
- 15. Noise emitted from the land must not exceed the Environment Protection Regulations 2021 Part 5.3 (EPR 2021) and Environmental Protection Authority (EPA) Victoria Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues Publication 1826.4 (Publication 1826.4)**
- 16. Noise emitted from the premises as a consequence of go-kart operations on the most westerly track must not exceed a level of 60 dB (A) [Leq 30 seconds] at any point on the Water-view Close boundary of existing industrial and/or commercial premises on the southern side of Waterview Close. Any noise attenuation structures erected on the site in order to achieve this condition shall be to the satisfaction of the responsible authority.**
- 17. Adequate measures must be provided to prevent the loss of amenity to the neighbourhood by the emission of dust from the site, to the satisfaction of the responsible authority.**
- 18. An effective spark arresting system shall at all times be fitted to each go-kart to the satisfaction of the responsible authority.**
- 19. Go-karts operated on the site shall only be those owned by the operator under this permit or by an organisation approved in writing by the Responsible Authority.**
 - 19.1. Go-karts equipped with 2 stroke engines shall not be permitted.**
 - 19.2. Condition 19.2 does not apply to the go-karts operated by Hand Brake Turn for a maximum of 4 hours between 10am and 2pm to a maximum of six (6) days during the year of 2008, and thereafter reviewed.**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 19.3.** Prior to the use of the go-karts under Condition 19.3, the operator of the site or the operators representative must advise the Responsible Authority in writing of the dates and times Hand Brake Turn are to use the site and such use must not be outside the times provided.
- 19.4.** The operator of the go-karts under Condition 19.3 must engage the services of an appropriately qualified acoustic engineer to monitor the go-karts in accordance with condition 19.6 and at the completion of the days provide the Responsible Authority with a report on the noise levels recorded.
- 19.5.** All go-karts operating at the facility must at all times be properly maintained and fitted with noise reduction mufflers in good condition. The maximum noise level due to any operating go-kart on the most easterly track shall not exceed 78 dB(A) [Leq 2 seconds] when measured at a distance of 4 metres. The maximum noise level of any other operating go-kart shall not exceed 81 dB (A) [Leq 2 seconds] when measured at a distance of 4 metres.
- 20.** The operator under this permit shall carry out noise level monitoring so as to ensure that all go-karts operated at the facility comply with the noise limit condition. Every vehicle shall be monitored prior to being introduced to the facility and subsequent monitoring shall be carried out at intervals of 6 months or such shorter period as the responsible authority may direct.
- 21.** All noise level instruments used for monitoring shall be calibration checked at intervals not exceeding 12 months. Records shall be kept of all vehicle noise level measurements, such records to be available to the responsible authority on request.
- 22.** During construction periods and afterwards, until the land is occupied, the owner must provide adequate precautions to prevent the emission of dust, land vibration and storm water runoff from the land, all to the satisfaction of the responsible authority.
- 23.** The permitted works must not commence and the subject site must not be occupied for that use until all the buildings and works and the conditions of this permit have been complied with, unless with the further written consent of the responsible authority.
- 24.** The carparking must be lit if in use during hours of darkness, and all lights must be designed, fitted with suitable baffles and located to prevent any adverse effect on adjoining land, all to the satisfaction of the responsible authority.
- 25.** All external lighting of the site, including car parking areas and buildings, must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 26. Bins or receptacles for any form of rubbish or refuse must not be placed or allowed to remain in the view of the public, and smell must not be emitted from any such receptacle.**
- 27. Where required, a bulk waste collection bin or approved alternative may be provided, but shall be contained in a suitably screened and accessible area, all to the satisfaction of the responsible authority.**
- 28. Any public address system installed or used on the premises must only for safety purposes and must not be installed so as not to be audible from a distance of more than 50 metres from the site, all to the satisfaction of the responsible authority.**
- 29. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the responsible authority.**
- 30. A landscape plan for the site prepared by a person qualified in landscape design shall be submitted to the responsible authority. The details of that person's qualifications must be given and all proposed trees, shrubs and ground cover, including the botanical names and sizes at maturity of all plants and the location of all areas to be covered with grass, lawn or other surface material to be specified. The use of the land must not be commenced until such time that the submitted plan has been approved by the responsible authority.**
- 31. Prior to the commencement of works, an acoustic report prepared by an appropriately qualified person must be approved by the responsible authority making recommendations on noise reduction techniques. These techniques must be employed in the development of the facility.**
- 32. The maximum number of go-karts operating on either of the main tracks at any one time shall be 16 and the maximum number operating on the children's track at any one time shall be 8. No go-karts may be driven other than on the designated tracks**
- 33. Condition required by Roads Corporation**
 - 33.1. All buildings and works must be set back at least three (3) metres from the Road Zone 1 boundary**
- 34. Conditions required by Melbourne Water**
 - 34.1. Engineering drawings are to be submitted prior to construction showing existing and proposed levels of the track alignment, car park area, existing pond, site boundary, top of creek bank and general grounds, reduced to Australian Height Datum.**
 - 34.2. A Certified Survey Plan is to be submitted after construction.**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

- 34.3. No filling shall be permitted within the creek reserve. Filled slopes must not taper into the reserve. Any slopes adjacent to the boundary are to be less than 1 (vert) in 5 (1, or).**
- 34.4. Any earthworks must be done such that the volume of fill does not exceed the volume of cutting. Volume calculations must be submitted before construction should areas of fill be proposed.**
- 34.5. A landscaping plan must be submitted for approval that addresses the interface issue of the facility adjacent to the creek reserve. Planting of screening vegetation will be required.**
- 34.6. Runoff from the site is to be treated to comply with the criteria in the Urban Stormwater Best Practise Environmental Management Guidelines regarding pollutant removal.**
- 34.7. A flood / emergency response plan is to be prepared.**
- 34.8. All floors of office or function rooms must be located a minimum of 600mm above the 1 in 100 year flood level.**
- 34.9. All floors of office or function rooms must be located a minimum of 600mm above the 1 in 100 year flood level.**
- 34.10. Any new fences must be of an open style.**
- 34.11. Runoff treatment must be measured for any outlets to the waterway.**
- 34.12. Before starting works, a separate application direct to Melbourne Water must be made for any new or modified stormwater connection to Melbourne Water's drains or watercourses.**
- 34.13. The land owner must enter into a legal agreement with Melbourne Water that sets out the terms and duration for occupation of the site. All costs associated with the preparation of this document are to be met by the landowners.**
- 34.14. At least 21 days before construction commences a Site Management Plan detailing pollution and sediment control measures during construction must be submitted to Melbourne Water.**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

34.15. Pollution and sediment laden runoff shall not be discharged directly or indirectly in to Melbourne Water's Drains or waterways during construction or operation of the facility.

35. Condition required by the Environmental Protection Authority (EPA)

35.1. Except where provided for under Condition 19 of this permit, go-karts fitted with two-stroke engines are prohibited from operating on any track within the facility or on the premises

36. Condition required by Department of Sustainability and Environment (DSE)

36.1. Prior to the commencement of the use three (3) copies of an Operational Management Plan (OMP) shall be submitted for the approval of the responsible authority. The OMP shall be submitted for the approval of the responsible authority. The OMP shall detail the management of the site and operation and address the following matters:

- Water supply (including arrangements for connection to mains water).**
- Collection of rain water**
- Effluent disposal measures**
- External lighting**
- Conservation of the areas of Plains Grassy Wetland Ecological Vegetation Classes (EVC)**

36.2. Before the development starts three (3) copies of an Environmental Management Plan (EMP) developed in consultation with the DSE shall be submitted for the approval of the responsible authority. The EMP shall include:

(i) A detailed assessment of Flora and Fauna

(ii) A targeted survey for Growling Grass Frogs and Dwarf Galaxias in the existing artificial wetland and the section of the Hallam Main Drain adjacent to the site.

(iii) Evidence of compliance with Victoria's Native Vegetation - A Framework for Action', including a Net Gain Assessment of the impact of the proposal.

(iv) An assessment of potential impacts and any mitigation measures

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

(v) A re-assessment of track(s) design and location

- 36.3.** The survey for the Growling Grass Frog is to be undertaken using qualified biologists and be conducted during October to January if practical. If the Growling Grass Frog is found to inhabit either or both wetlands, expert and independent advice is to be sought to assess whether the expected impacts from the go-kart facility on the Growling Grass Frog habitat are significant enough to warrant a referral to the Commonwealth Minister for Environment and Heritage as required under the Environment Protection and Biodiversity Conservation (EPBC) Act.
- 36.4.** The re-assessment of track design and location shall include consideration of location adjustment in order to:
- (a) Avoid the need to clear the areas of Plains Grassy Wetland EVC, or at least any clearing of the main area of the EVC is minimised**
 - (b) Minimise interference with the fringing vegetation around the artificial wetland and along the Hallam Main Drain and desirably avoid interference during the construction of the proposed bund.**
 - (c) Enable an effective vegetation barrier to be planted to reduce the visual impact of the go-kart tracks (especially on the public track) on the fauna inhabiting the artificial wetland, even if this reduces the distance between the tracks and the Plains Grassy Wetland areas.**
 - (d) Enable an assessment to be made of the feasibility and advantages of erecting an "artificial" barrier between the go-kart tracks (especially the public track) and the artificial wetland at those locations where the greatest impacts of noise and visual intrusion on the artificial wetland are expected to occur.**
- 36.5.** Before the development starts, a Construction Management Plan must be prepared and incorporate information gained from the surveys of fauna and flora, and specifically is to include:
- (a) A section on the conservation of the area(s) of the Plains Grassy Wetland EVC.**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

(b) A section on the avoidance of interference with the fringing vegetation around the artificial wetland and vegetation along the Hallam Main Drain.

- 37. The site must contain a concrete bay for washing vehicles and waste from the bay must drain into a public or site sewer system or a settlement and oil separation system. The system must comply with the Environment Protection Act 1970 and be installed to the satisfaction of the responsible authority.**
- 38. Vehicles may only be washed in the washing bay.**
- 39. Water from the site must be discharged by an underground pipe to an approved outlet to the satisfaction of the responsible authority.**
- 40. Conditions required by GasNet Australia**
 - 40.1. Restrictions on the use of the easement area will be enforced in accordance with the Creation of Easement and Restrictive Covenant Instrument registered on Title. In particular:**
 - No structures will be permitted on the easement without prior written approval.**
 - Line of sight along the easement must be maintained.**
 - Approval from Gasnet Australia must be obtained before commencing fencing or other works on the easement.**
- 41. Three (3) metres clearance between the pipeline and any vegetation greater than 0.5m in height must be maintained.**
- 42. No alteration of the surface level of the pipeline will be permitted without written approval.**
- 43. The requirement regarding the use of mechanical equipment within 1.0m of the pipeline as outlined in the attachment "CONDITIONS FOR WORKS NEAR GAS TRANSMISSION PIPELINES" is adhered to.**
- 44. Final design drawings of the proposed development in the vicinity of the pipeline must be forwarded to the Pipelines Manager, attention Pipelines Superintendent, for approval and to ascertain compliance with the Pipelines Act.**
- 45. It is mandatory that, within the easement boundary, a minimum of 48 hours notice of intended provings and /or construction be given to the Pipelines Section, Freecall 1800 686 634, in order that arrangements can be made to have an inspector on site during work. Under normal circumstances, no charge is made for this service.**
- 46. The use as shown on the endorsed plans must not be altered.**

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

47. An application to the relevant Liquor Licensing Authority must only be for an on-premises licence.
48. The licensed area shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority..
49. The operator shall install and maintain video surveillance cameras and recorders to monitor and record the main entrance, car parking areas and exits of the premises during operation hours and for half an hour after closure, irrespective of whether or not any activity is being conducted.

Tapes shall be retained for at least three (3) months and made available for viewing and or removal at all times by a Police officer or authorised Council officer. The recorded video images must display the date and time of recording and images must be of such quality that any person may be identified in all lighting conditions.

50. The provisions, recommendations and requirements of the endorsed Venue Management Plan must be implemented and complied with to the satisfaction the Responsible Authority.

Except with the prior written consent of the Responsible Authority, the venue management plan must not be modified.

51. Within three (3) months of the issue of this amended, an updated Waste Management Plan is required to be submitted for review by the Responsible Authority. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction the Responsible Authority

Except with the prior written consent of the Responsible Authority, the Waste Management Plan must not be modified.

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53. No more than six hundred and fifty (650) patrons may be present on the premises at any one time unless with the written consent of the Responsible Authority.

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2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

Notes:

- If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Darren McAdie on telephone 9235 2188 quoting Melbourne Water's reference 102451.

Advice to Applicant

- Acceptable methods for the design of treatment measures include the stormwater treatment modelling software package Model for urban Stormwater Improvement Conceptualisation (MUSIC) or the Water Sensitive Urban Design technical Manual available at <http://wsud.melbournewater.com.au> which provides the procedure for design of various treatment measures.
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- A referral must be made to the Department of Environment and Heritage, should it be considered that species listed under the Environment Protection and Biodiversity Conservation Act 1999 will be significantly impacted by the proposal.

CARRIED

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 11-53 WATERVIEW CLOSE,
DANDENONG SOUTH (PLANNING APPLICATION NO. PLA23/0025)**

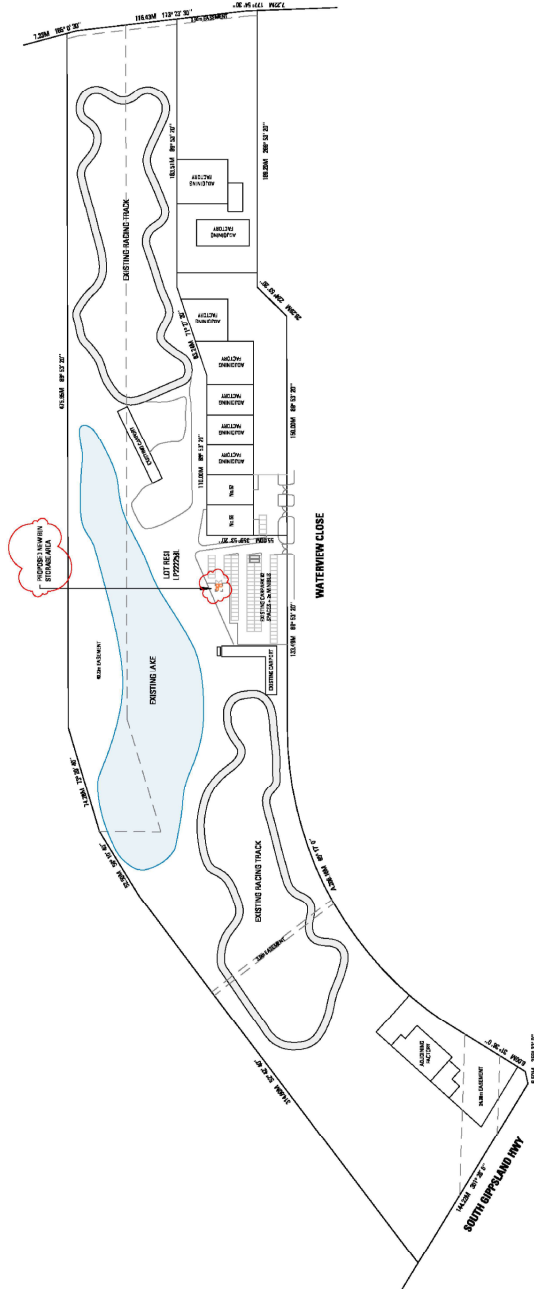
ATTACHMENT 1

ASSESSED PLANS

PAGES 6 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5235.

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)



SITE PLAN
 A101 | 1:2500

TITLE: OVERALL SITE PLAN
 PROJECT: LE MANS ENTERTAINMENT
 55-57 WATERVIEW CLOSE, DANDENONG SOUTH
 LE MANS ENTERTAINMENT

SCALE: 1:2500
 NORTH
 DATE: 11/08/2023
 DRAWN BY: JEN VAUGHAN
 CHECKED BY: JEN VAUGHAN
 PROJECT NO: 11-53
 REVISION: A

A101

WITH DESIGN

INFO: 1. THIS PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY OTHER DECISIONS.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND RELEVANT AGENCIES.
 3. THIS PLAN IS SUBJECT TO CHANGE WITHOUT NOTICE.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL COUNCIL AND RELEVANT AGENCIES.
 5. THIS PLAN IS SUBJECT TO CHANGE WITHOUT NOTICE.

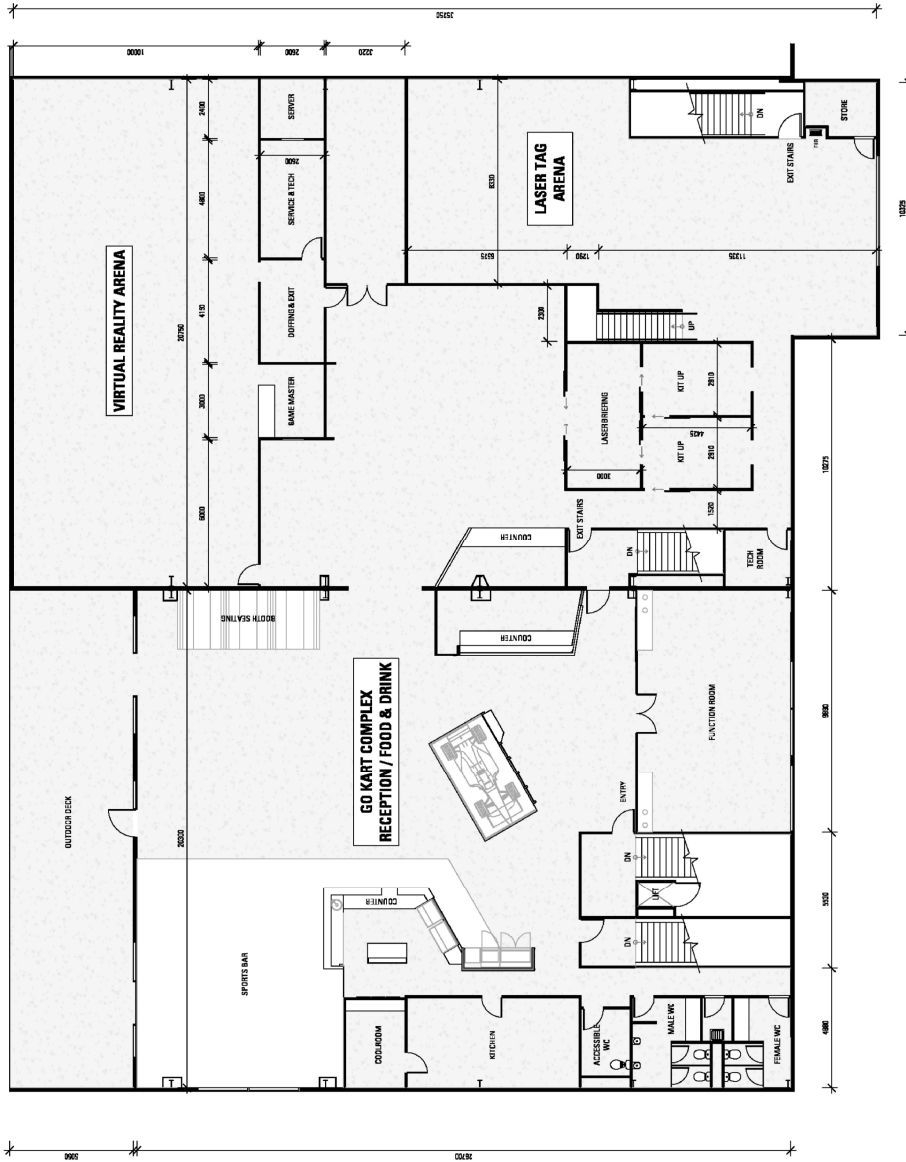
REVISIONS:
 A: 11/08/2023: INITIAL AMENDMENTS FOR PLANNING COMMENTS

ENGINTEER:
 REGISTERED:
 NAME: JEN VAUGHAN
 NO: 12817
 EXP: 11/08/2018

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)



2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)



BT LEVEL ONE PLAN
 A202 1:150

TITLE: LEVEL ONE PLAN
 PROJECT: LE MANS ENTERTAINMENT
 ADDRESS: 55-57 WATerview CLOSE, DANDENONG SOUTH
 CLIENT: LE MANS ENTERTAINMENT
 SCALE: 1:150
 DATE: 11/10/22
 DRAWN BY: JET VA
 CHECKED BY: JET VA
 APPROVED BY: JET VA
 STATUS: PRELIMINARY
 REVISION: 8

THIS DRAWING IS PREPARED IN ACCORDANCE WITH THE BUILDING REGULATIONS AND THE BUILDING ACT 2011. IT IS THE RESPONSIBILITY OF THE ARCHITECT TO ENSURE THAT THE DRAWING COMPLIES WITH ALL APPLICABLE REGULATIONS AND ACTS. THE ARCHITECT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR OMISSIONS THAT MAY OCCUR AS A RESULT OF THIS DRAWING. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY HIMSELF OR HIS EMPLOYEES OR AGENTS.

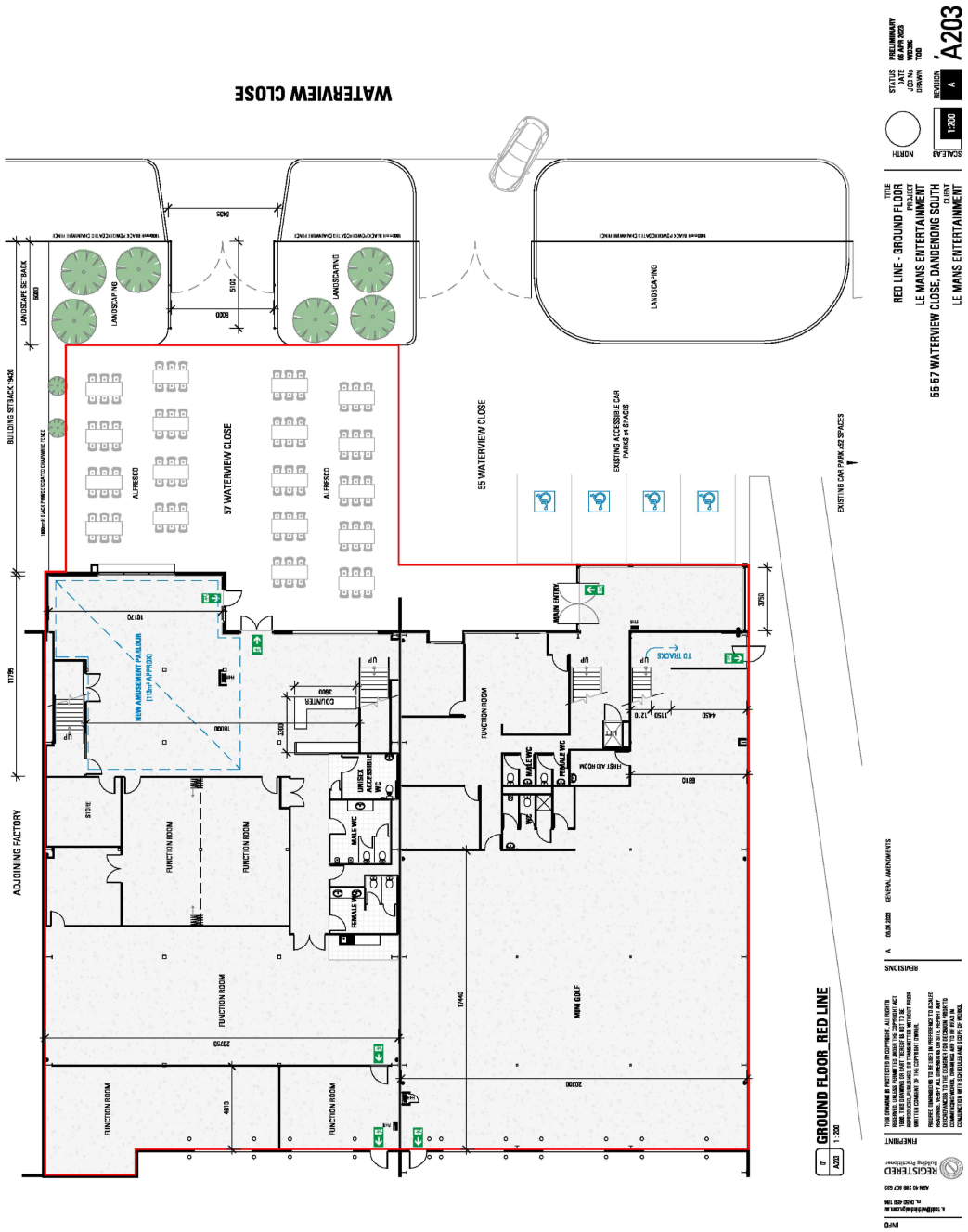
REVISIONS
 NO. DATE BY REASON
 1 11/10/22 JET VA INITIAL AND COMMENTS
 2 11/10/22 JET VA INITIAL AND COMMENTS
 3 11/10/22 JET VA INITIAL AND COMMENTS

INFO
 1. THE ARCHITECT HAS BEEN ADVISED THAT THE CLIENT HAS OBTAINED ALL NECESSARY APPROVALS AND PERMITS FROM THE LOCAL GOVERNMENT AND IS SATISFIED THAT THE CLIENT IS AWARE OF ALL APPLICABLE REGULATIONS AND ACTS. THE ARCHITECT HAS NOT CONDUCTED A VISUAL CHECK OF THE SITE OR THE EXISTING BUILDING. THE ARCHITECT HAS NOT CONDUCTED A VISUAL CHECK OF THE SITE OR THE EXISTING BUILDING. THE ARCHITECT HAS NOT CONDUCTED A VISUAL CHECK OF THE SITE OR THE EXISTING BUILDING.

RICHARDSON
 ARCHITECTS
 111 DUNDAS STREET
 MELBOURNE VIC 3000
 PH: 03 9594 1111
 WWW.RICHARDSONARCHITECTS.COM.AU

WITHIN
 DESIGN

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)



SCALE: 1:200
 NORTH
 TITLE: RED LINE - GROUND FLOOR PROJECT
 PRODUCT: LE MANS ENTERTAINMENT
 5557 WATERVIEW CLOSE, DANDENONG SOUTH
 LE MANS ENTERTAINMENT

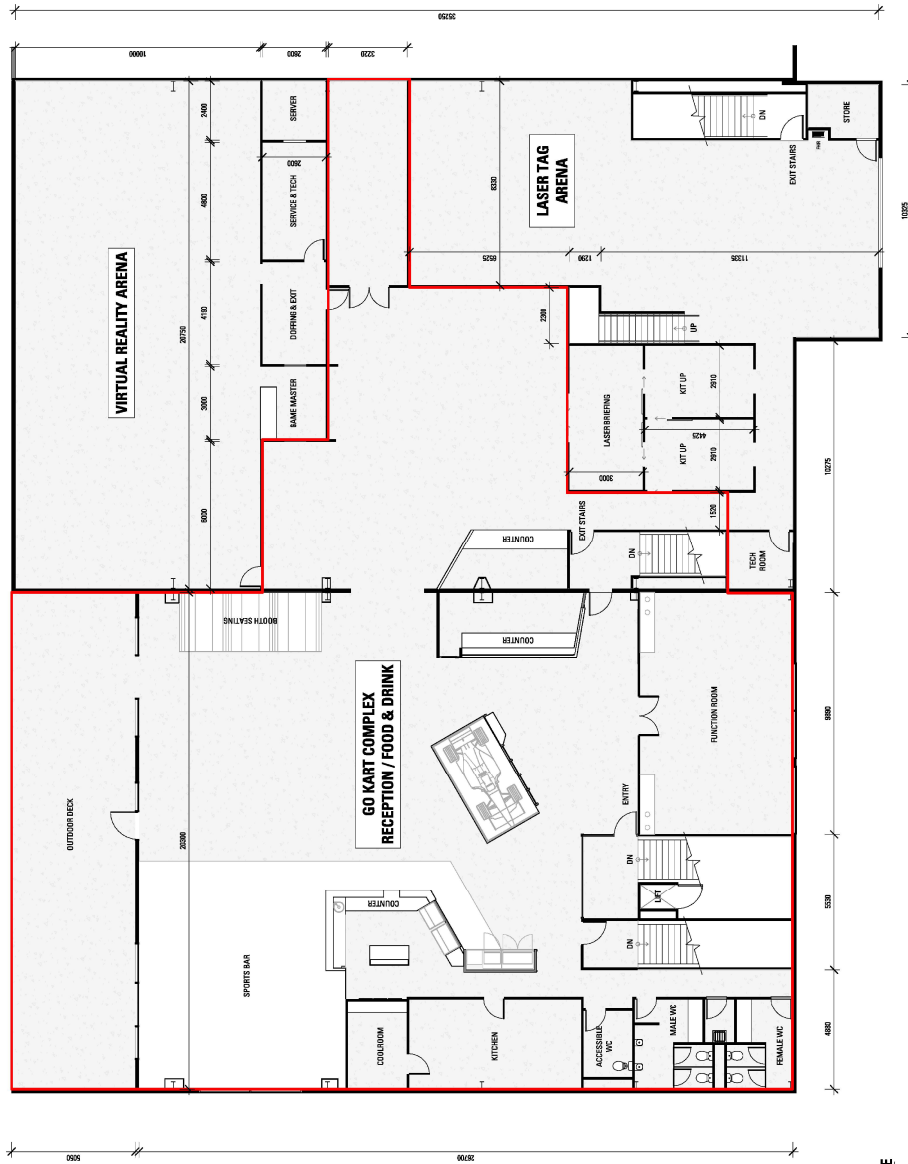
STATUS: PRELIMINARY
 DRAWN BY: JES VA
 CHECKED BY: JES VA
 DATE: 10/08/23
 REVISION: A
 A203

REVISIONS
 A: BAR ROOM, GENERAL MAINTENANCES

INTRO
 1. THIS DRAWING IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL.
 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL COUNCIL AND OTHER RELEVANT AUTHORITIES.
 3. THIS DRAWING IS TO BE USED AS A GUIDE ONLY AND DOES NOT REPRESENT A CONTRACT DOCUMENT.
 4. ANY CHANGES TO THIS DRAWING MUST BE APPROVED BY THE ARCHITECT.
 5. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHER PROFESSIONALS.
 6. THIS DRAWING IS THE PROPERTY OF WITHERS DESIGN AND SHOULD NOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF WITHERS DESIGN.
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 9. WITHERS DESIGN IS A MEMBER OF THE INSTITUTE OF ARCHITECTS IN AUSTRALIA.
 10. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION.
 11. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN INSTITUTE OF ARCHITECTS.
 12. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF VICTORIA.
 13. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF SOUTH AUSTRALIA.
 14. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF WESTERN AUSTRALIA.
 15. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF QUEENSLAND.
 16. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF NEW SOUTH WALES.
 17. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF TASMANIA.
 18. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF NORTHERN TERRITORY.
 19. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE AUSTRALIAN CAPITAL TERRITORY.
 20. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE CANTON OF HONG KONG.
 21. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE SPECIAL ADMINISTRATIVE REGION OF HONG KONG.
 22. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE PEOPLE'S REPUBLIC OF CHINA.
 23. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.
 24. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF KOREA.
 25. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (TAIWAN).
 26. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (HONG KONG).
 27. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (MACAU).
 28. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (TIBET).
 29. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (XINJIANG).
 30. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (GUANGDONG).
 31. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (GUANGXI).
 32. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (HUBEI).
 33. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (HUNAN).
 34. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (SICHUAN).
 35. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (YUNNAN).
 36. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (ZHEJIANG).
 37. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (SHANGHAI).
 38. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (BEIJING).
 39. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (TIANJIN).
 40. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (JILIN).
 41. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (LIAONING).
 42. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (JILIN).
 43. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (HEILONGJIANG).
 44. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (NEI MONGOLIA).
 45. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (GANSU).
 46. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (QINGHAI).
 47. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (NINGXIA).
 48. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (SHANXI).
 49. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (SHENJIANG).
 50. WITHERS DESIGN IS A MEMBER OF THE AUSTRALIAN ARCHITECTURAL ASSOCIATION OF THE REPUBLIC OF CHINA (CHINA).

WITHERS
 DESIGN

2.3.1 Town Planning Application - No. 11-53 Waterview Close, Dandenong South (Planning Application No, PLA23/0025) (Cont.)



01 LEVEL ONE - RED LINE
 A204 1:150

WITHIN DESIGN
 11 Sandringham Circuit
 Melbourne VIC 3048
 Tel: 03 9594 1544
 Fax: 03 9594 1533
 www.withindesign.com.au

REGISTERED
 ARCHITECTS
 No. 12007
 No. 12008

REVISIONS

THIS DRAWING IS PROVIDED AS INFORMATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS EVIDENCE OF ANYTHING. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS AND PERMITS. THE ARCHITECTS ACCEPT NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS DRAWING. THE ARCHITECTS WILL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS DRAWING. THE ARCHITECTS WILL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS DRAWING.

TITLE
 RED LINE - LEVEL ONE
 PROJECT
 LE MANS ENTERTAINMENT
 55-57 WATERVIEW CLOSE, DANDENONG SOUTH
 LE MANS ENTERTAINMENT

STATUS
 PRELIMINARY
 JOB NO.
 DRAWN
 YEAR

REVISION
 1:150

SCALE
 NORTH

A204

2.3.2 Planning Decisions Issued by Planning Minister's Delegate - July 2023

File Id: qA280444
Responsible Officer: Director City Planning Design & Amenity
Attachments:

1. Report Summary

This report provides Council with an update on the exercise of delegation by Planning Minister's delegate.

No decisions were reported for the month of July 2023.

2. Recommendation

That the report be noted.

MINUTE 859

Moved by: Cr Richard Lim OAM
Seconded by: Cr Rhonda Garad

That the report be noted.

CARRIED

2.3.3 Planning Delegated Decisions Issued - July 2023

File Id: qA280
Responsible Officer: Director City Planning Design & Amenity
Attachments: Planning Delegated Decisions Issued

1. Report Summary

This report provides Council with an update on the exercise of delegation by Council officers.

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in July 2023.

It should be noted that where permits and notices of decision to grant permits have been issued, these applications have been assessed as being generally consistent with the Planning Scheme and Council's policies.

Application numbers with a PLA#, PLN#.01 or similar, are applications making amendments to previously approved planning permits.

The annotation 'SPEAR' (Streamlined Planning through Electronic Applications and Referrals) identifies where an application has been submitted electronically. SPEAR allows users to process planning permits and subdivision applications online.

2. Recommendation

That the items be received and noted.

MINUTE 860

Moved by: Cr Jim Memeti
Seconded by: Cr Sophie Tan

That the items be received and noted.

CARRIED

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

City of Greater Dandenong

Planning Delegated Decisions Issued from 01/07/2023 to 31/07/2023

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLA22/0107	PinAppAmd	No	57 Bazalgette Crescent DANDENONG SOUTH VIC 3175	Calbah Industries Pty Ltd	AMENDMENT TO: Development of the land for three (3) warehouse buildings and reduction in car parking (PLN19/0648)	Amend endorsed plans to include additional windows to the ground floor office area	Delegate	AmendPerm	13/07/2023	Dandenong
PLA22/0123	PinAppAmd	No	9 Vizard Street DANDENONG VIC 3175	H Tavakkoli	AMENDMENT TO: Development of the land for two (2) double storey dwellings (PLN21/0181)	Proposal is inconsistent with Clause 15.01-2S (Building Design), Clause 15.01-5S (Neighbourhood Character), Clause 21.05-1 (Urban Design, Character and Landscapes), Clause 32.08 (General Residential Zone), Clause 22.09-3.1 (General Design Principles), Clause 22.09-3.3 (Design Principles Incremental Change Area), Clause 55 and Clause 65.	Delegate	Refusal	26/07/2023	Cleveland
PLA23/0016	PinAppAmd	No	18 Heritage Drive SPRINGVALE VIC 3171	Abacus Design & Planning	AMENDMENT TO: Development of the land for two (2) double storey dwellings and to construct a front fence exceeding 1.2m in height (PLN21/0498)	Amend endorsed plans to increase floor to ceiling heights, additional windows and first floor layout changes	Delegate	AmendPerm	21/07/2023	Springvale Central
PLA23/0028	PinAppAmd	No	45 Keys Road KEYSBOROUGH VIC 3173	TH Ta	AMENDMENT TO: Development of the land for a single dwelling (PLN22/0381)	Amend endorsed plans to allow construction of shed	Delegate	AmendPerm	24/07/2023	Keysborough South
KSLIFK					1				01/08/2023	

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLA23/0029	PinAppAmd	No	877-879 Princes Highway SPRINGVALE VIC 3171	Urban Edge Consultants	AMENDMENT TO: Use and development of the land for a restricted recreation facility, restricted retail premises, place of assembly, education centre, office and display home centre, development of a warehouse, alteration of access to a road in a Road Zone Category 1, reduction in bicycle facilities, reduction in car parking requirements and to construct or put up signage (PLN18/0327)	Amend permit condition 47 to extend the expiry of the permit relating to the display home centre and amendment of the endorsed plans	Delegate	AmendPerm	2/10/2023	Springvale North
PLA23/0031	PinAppAmd	No	38 Callander Road NOBLE PARK VIC 3174	N Dermawan	AMENDMENT TO: Development of the land for two (2) double storey dwellings (PLN21/0718)	Amend endorsed plans to allow conversion of study into a bedroom	Delegate	AmendPerm	27/07/2023	Yarraman
PLA23/0044	PinAppAmd	No	Church 55-59 Langhome Street DANDENONG VIC 3175	Geoff Pearson Architects	AMENDMENT TO: Demolition of buildings including fences, construction and carrying out of works, externally painting buildings, and removal of trees, all in the Heritage Overlay 31; and construction and carrying out of works to an existing Place of Worship in a Residential Growth Zone DECLARED AREA (PLN21/0661)	Amend Condition 7 of the permit in relation to timing of submission of a Conservation Management Plan	Delegate	AmendPerm	2/10/2023	Dandenong
PLN21/0581	PinApp	No	870-878 Heatherton Road SPRINGVALE SOUTH VIC 3172	O Alsharbatl	Use and development of part of the land for a Food and Drink Premises (Food Truck), to allow access to a Transport Zone 2 and to display one internally illuminated business identification sign	Proposal is inconsistent with Section 4 of the Act, fails to meet Clause 13.07-1S (community amenity, human health and safety), Clause 52.06 (car parking), will reduce landscaping and result in adverse noise detriment, does not provide safe and efficient loading facilities and does not contribute to orderly planning under Clause 65	Delegate	Refusal	28/07/2023	Springvale South

01/08/2023

2

KSLIFK

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN21/0621	PinApp	No	52-56 Berends Drive DANDENONG SOUTH VIC 3175	O-Kaiser Pty Ltd	Use and development of the land for a Transfer Station	Industrial 2 Zone, 1202sqm, use and development of recycling and transfer station	Applicant	Withdrawn	2/07/2023	Dandenong
PLN22/0003	PinApp	No	36 Healey Road DANDENONG SOUTH VIC 3175	George Batsakis Architecture	To construct buildings and works, to display business identification signage and to reduce the car parking requirements of Clause 52.06	Industrial 1 Zone, non-illuminated business identification signage, motor repairs, reduction in car parking requirement	Delegate	PlanPermit	2/07/2023	Dandenong
PLN22/0203	PinApp	No	14 Awun Court SPRINGVALE VIC 3171	Jova Drafting Consultants Pty Ltd	Development of the land for an extension to an existing Warehouse building	Industrial 1 Zone, 1954sqm, warehouse and canopy extension	Delegate	PlanPermit	07/07/2023	Springvale Central
PLN22/0315	PinApp	No	66 Queens Avenue SPRINGVALE VIC 3171	Anthony G and Associates Pty Ltd	The construction of four (4) double-storey dwellings	General Residential 3 Zone, 1095 sqm	Delegate	PlanPermit	2/07/2023	Springvale Central
PLN22/0374	PinApp	No	873 Taylors Road DANDENONG SOUTH VIC 3175	Fraser Property Industrial	Development of the land for one (1) warehouse, display of internally and non-internally illuminated business identification signage, and reduction in the car parking requirements (Future Property: 23 & 31 Ibis Circuit, Dandenong South)	Industrial 1 Zone, 102.45sqm, development of warehouse and ancillary office, business identification signage and reduction in car parking requirements	Delegate	PlanPermit	2/10/2023	Dandenong
PLN22/0377	PinApp	No	29 Camellia Avenue NOBLE PARK NORTH VIC 3174	Con Tscourounakis	Development of the land for three (3) double storey dwellings	General Residential 1 Zone, 863sqm	Delegate	PlanPermit	28/07/2023	Noble Park North
KSLIFK					3				01/08/2023	

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0445	PinApp	No	20 Lexton Avenue DANDENONG VIC 3175	HD Whitfield	Development of the land for two (2) double storey dwellings	General Residential 1 Zone, 603sqm	Delegate	PlanPermit	28/07/2023	Yarraman
PLN22/0471	PinApp	No	13 Park Drive DANDENONG SOUTH VIC 3175	Phil Bernardo Drafting Pty Ltd	Development of the land for a Warehouse	Industrial 1 Zone, 1365sqm, warehouse and ancillary office, reduction in car parking requirements	Delegate	PlanPermit	12/07/2023	Dandenong
PLN22/0474	PinApp	No	5 McKeon Circuit DANDENONG NORTH VIC 3175	Jova Drafting Consultants	Development of the land for one (1) double storey dwelling to the rear of an existing dwelling and to construct and carry out works to the existing dwelling	The proposal fails to meet the objectives of Clause 15.01-2S (Building Design), Clause 15.01-5S (Neighbourhood Character), Clause 21.06 (Built Form), Clause 22.09-3.1 (Design Principles)	Delegate	Refusal	18/07/2023	Dandenong North
PLN22/0506	PinApp	No	9 Seventh Avenue DANDENONG VIC 3175	KVT 3 Architects	Development of the land for three dwellings (3) (two double storey dwellings and one single storey dwelling to the rear)	General Residential 1 Zone, 694sqm	Delegate	PlanPermit	28/07/2023	Yarraman
PLN22/0510	PinApp	No	1054-1060 Heatherton Road NOBLE PARK VIC 3174	KM Town Planning	To construct building and works comprising of a carport and verandah (extension of a dwelling on a lot less than 300 square metres)	General Residential 1 Zone, 82sqm, construction of carport and two separate verandahs	Delegate	NOD	17/07/2023	Springvale Central
PLN22/0523	PinApp	No	1153-1155 Heatherton Road NOBLE PARK VIC 3174	K Huynh	Development of the land for two (2) double storey dwellings and alteration of access to a road in a Transport Zone 2	General Residential 1 Zone, 627sqm	Delegate	NOD	28/07/2023	Springvale North
KSLIFK					4				01/08/2023	

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0543	PinApp	No	41 Wilma Avenue DANDENONG VIC 3175	SMART Town Planning Pty Ltd	Development of the land for four (4) dwellings (three (3) double storey dwellings and one (1) single storey dwelling to the rear)	General Residential 1 Zone, 989sqm	Delegate	NOD	3/10/2023	Yarraman
PLN22/0551	PinApp	No	75 Lewis Street SPRINGVALE VIC 3171	Sylobate Architecture P/L	Development of the land for two (2) double storey dwellings	Proposal fails to meet the objectives of Clauses 15.01-2S (Building Design), 15.01-5S (Neighbourhood Character), 21.05 (Built Form), 22.09-3.1 (Design Principles), 22.09-3.3 (Design Principles), Clauses 55.02-1, 55.02-2, 55.03-8, 55.06-1 and Clause 65	Delegate	Refusal	13/07/2023	Springvale North
PLN22/0555	PinApp	No	Pr-Number 2824-69-99 Kirkham Road West KEYSBOROUGH VIC 3173	DD Planning	To construct building and works and a reduction in the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme	Industrial 1 Zone, 13892sqm, retrospective works of light poles, security fence, gate, crushed rock and stormwater pits	Delegate	PlanPermit	2/10/2023	Keysborough South
PLN22/0590	PinApp	No	86 Jacksons Road NOBLE PARK NORTH VIC 3174	Emtwo Pty Ltd	Use and development of the land for a medical centre and display of one (1) business identification sign	Neighbourhood Residential 1 Zone, 523sqm	Delegate	PlanPermit	3/10/2023	Noble Park North
KSLIFK					5				01/08/2023	

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0606	PinApp	No	18-20 Lonsdale Street DANDENONG VIC 3175	Market City Motors Pty Ltd	Change of Use (Motor Vehicle Sales)	No response to further information request	Delegate	Lapsed	17/07/2023	Dandenong
PLN22/0615	PinApp	No	705 Princes Highway SPRINGVALE VIC 3171	Durable Design Pty Ltd	Development of the land for two (2) dwellings (one double storey and one single storey to the rear)	General Residential 1 Zone, 585sqm	Delegate	PlanPermit	21/07/2023	Springvale North
PLN23/0041	PinAppVic	Yes	33 Kimberly Road DANDENONG SOUTH VIC 3175	Southern Planning Consultants	Development of the land for two (2) warehouses and the reduction of the car parking requirement VICSMART	Industrial 1 Zone, 877sqm, construction of two warehouses	Delegate	PlanPermit	26/07/2023	Dandenong
PLN23/0049	PinApp	No	138 Walker Street DANDENONG VIC 3175	Stelford Pty Ltd, Asmat Pty Ltd	Buildings and Works (Facade alterations and external roller shutter doors) DECLARED AREA	Comprehensive Development 2 Zone, installation of security door and window	Delegate	PlanPermit	14/07/2023	Dandenong
PLN23/0059	PinApp	No	28 Flynn Street SPRINGVALE VIC 3171	C Dao	Use and development of the land for a Child Care Centre, to display business identification signage and reduce the car parking requirements.	No response to further information request	Delegate	Lapsed	04/07/2023	Springvale North
PLN23/0063	PinApp	No	59-61 Jellicoe Street NOBLE PARK VIC 3174	Architekton Ltd	Development of the land for three (3) double storey dwellings	General Residential 1 Zone, 1171sqm	Delegate	PlanPermit	14/07/2023	Yarraman
KSLIFK					6				01/08/2023	

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN23/0080	PinApp	No	5 Barbara Avenue DANDENONG NORTH VIC 3175	Archiscape Consulting Pty Ltd	Development of the land for two (2) dwellings (one double storey dwelling and one single storey dwelling to the rear)	General Residential 1 Zone, 585sqm	Delegate	NOD	14/07/2023	Noble Park North
PLN23/0082	PinApp	No	245 Cheltenham Road KEYSBOROUGH VIC 3173	G Moses	Buildings and works, to display business identification, promotional and internally illuminated signage and to alter access to a Transport Zone 2	Industrial 1 Zone, Installation of Electric Vehicle Charging Stations including construction of carparking area, signage and installation of solar panels	Delegate	PlanPermit	14/07/2023	Keysborough
PLN23/0112	PinApp	No	1/10 Golding Court SPRINGVALE SOUTH VIC 3172	Atlantic Home Designs & Developments Pty Ltd	Buildings and Works (Carport)	General Residential 1 Zone, 43sqm	Delegate	PlanPermit	12/07/2023	Springvale South
PLN23/0129	PinApp	No	80 South Gippsland Highway DANDENONG SOUTH VIC 3175	Safety Steel Structures	Buildings and Works (Warehouse Extension)	No response to further information request	Delegate	Lapsed	04/07/2023	Dandenong
PLN23/0134	PinApp	No	15 Raymond Street NOBLE PARK VIC 3174	M.J. Reddie Surveys Pty Ltd	Subdivision of the land into four (4) lots SPEAR	Residential	Delegate	PlanPermit	25/07/2023	Noble Park
PLN23/0145	PinApp	No	1/19 Ylannis Court SPRINGVALE VIC 3171	YSL Trading Pty Ltd	Use of the land for Motor Vehicle Sales	No response to further information request	Delegate	Lapsed	11/07/2023	Springvale North
KSLIFK					7				01/08/2023	

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN23/0151	PinAppVic	Yes	4 Kelly Court SPRINGVALE VIC 3171	Nilsson Noel & Holmes (Surveyors) Pty Ltd	Subdivision of the land into two (2) lots SPEAR (VICSMART)	Industrial	Delegate	PlanPermit	07/07/2023	Springvale North
PLN23/0162	PinAppVic	Yes	1/23-27 Olive Grove KEYSBOROUGH VIC 3173	Ego Print	Development of the land for a mezzanine to an existing industrial building and to reduce the car parking requirements VICSMART	Industrial 1 Zone, 225sqm, mezzanine	Delegate	PlanPermit	19/07/2023	Keysborough
PLN23/0165	PinApp	No	43-63 Princes Highway DANDENONG SOUTH VIC 3175	Alise/Australian Sub TC Pty Ltd	The removal and creation of easements SPEAR	Commercial	Delegate	PlanPermit	28/07/2023	Dandenong
PLN23/0168	PinApp	No	25 Enterprise Circuit DANDENONG SOUTH VIC 3175	Summit Building Design	Buildings and works (mezzanine) and a reduction in the car parking requirements	Industrial 1 Zone, 77sqm, mezzanine office and storage	Delegate	PlanPermit	25/07/2023	Dandenong
PLN23/0188	PinApp	No	59 Potter Street DANDENONG VIC 3175	Moya Design	Development of the land for six (6) double storey dwellings	No response to further information request	Delegate	Lapsed	13/07/2023	Yarraman
PLN23/0189	PinApp	No	5 Ailsace Street DANDENONG VIC 3175	AMS Pty Ltd	Subdivision of the land into four (4) lots SPEAR	Residential	Delegate	PlanPermit	25/07/2023	Yarraman
KSLIFK					8				01/08/2023	

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN23/0205	PinApp	No	468-472 Princes Highway NOBLE PARK NORTH VIC 3174	VHP Health Pty Ltd	Change of Use (Barber Shop)	No response to further information request	Delegate	Lapsed	31/07/2023	Noble Park North
PLN23/0216	PinApp	No	6 Bramley Street DANDENONG VIC 3175	Nilsson Noel & Holmes (Surveyors) Pty Ltd	Subdivision of the land into eight (8) lots SPEAR	Industrial	Delegate	PlanPermit	25/07/2023	Dandenong
PLN23/0217	PinApp	No	1/218-220 Springvale Road SPRINGVALE VIC 3171	Con Tsourounakis	Use of the land for a Food and Drink Premise	Permit is not required for the use of the land for a food and drink premise under Clause 34.01-01 (Commercial 1 Zone) and Clause 52.06-4 (Car Parking)	Delegate	NotRequire	05/07/2023	Springvale Central
PLN23/0221	PinApp	No	42 Nockolds Crescent NOBLE PARK VIC 3174	Nilsson Noel & Holmes (Surveyors) Pty Ltd	Subdivision of the land into five (5) lots, removal of easement E-1 on LP-16847 and creation of easement SPEAR	Residential	Delegate	PlanPermit	28/07/2023	Springvale North
PLN23/0226	PinApp	No	21 French Street NOBLE PARK VIC 3174	Greater Melbourne Surveyors Pty Ltd	Subdivision of the land into six (6) lots SPEAR	Residential	Delegate	PlanPermit	03/07/2023	Yarraman
PLN23/0234	PinApp	No	202-214 Greens Road DANDENONG SOUTH VIC 3175	Diadem	To display non-illuminated business identification signs	Industrial 2 Zone, installation of 3 freestanding non illuminated signs	Delegate	PlanPermit	25/07/2023	Dandenong
KSLIFK					9				01/08/2023	

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN23/0237	PlnAppVic	Yes	30-32 Westall Road SPRINGVALE VIC 3171	Goodman Property Services (Aus) Pty Ltd	Buildings and Works (in ground solar system) VICSMART	Industrial 1 Zone, construction of an in-ground solar system	Delegate	PlanPermit	05/07/2023	Springvale North
PLN23/0252	PlnApp	No	1/4 Maxine Court NOBLE PARK VIC 3174	T Cooper & Associates	Subdivision of the land into two (2) lots SPEAR	Residential	Delegate	PlanPermit	24/07/2023	Yarraman
PLN23/0258	PlnAppVic	Yes	Shop 1-2/305-307 Thomas Street DANDENONG VIC 3175	Turkmani Foods Pty Ltd	Buildings and works (outdoor enclosure) DECLARED AREA (VICSMART)	Comprehensive Development 2 Zone, construction of outdoor dining enclosure	Delegate	PlanPermit	20/07/2023	Dandenong
PLN23/0272	PlnAppVic	Yes	9 Colemans Road DANDENONG SOUTH VIC 3175	C Zigosouras	Construction of a building (storage) and a reduction to the car parking requirements of Clause 52.06 VICSMART	Public Use 1 Zone, Industrial 1 Zone, 1157sqm, construction of shed for storage of finished products	Applicant	Withdrawn	05/07/2023	Dandenong
PLN23/0276	PlnApp	No	22 Napier Street DANDENONG VIC 3175	Nilsson Noel & Holmes (Surveyors) Pty Ltd	Subdivision of the land into four (4) lots SPEAR	Residential	Delegate	PlanPermit	27/07/2023	Dandenong
PLN23/0279	PlnApp	No	7 Diamond Street KEYSBOROUGH VIC 3173	Geomatics Engineers Melbourne Pty Ltd	Consolidation SPEAR	Residential	Applicant	Withdrawn	25/07/2023	Keysborough South
KSLIFK					10				01/08/2023	

2.3.3 Planning Delegated Decisions Issued - July 2023 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN23/0307	PlnApp	No	289-291 Lonsdale Street DANDENONG VIC 3175	M Pritchett	Buildings and works to construct a window DECLARED AREA	Comprehensive Development 2 Zone, alterations to shop facade by installing a window	Delegate	PlanPermit	28/07/2023	Dandenong
PLN23/0315	PlnApp/vic	Yes	74 King George Parade DANDENONG VIC 3175	Neda Travica & Zoran Vukas	Subdivision of the land into two (2) lots SPEAR (VICSMART)	Residential	Delegate	PlanPermit	27/07/2023	Yarraman
56										
KSLIFK										
11										
01/08/2023										

3 QUESTION TIME - PUBLIC

Question

Tina Congues, Dandenong

When will the co-design sessions to finalise the Dandenong Community Hub concept design with the community be held?

Question

Melinda Puglisi, Dandenong

It is great that Council are proceeding with the co-design to finalise the concept design for the Dandenong Community Hub.

- a. how will the co-design process work?
- b. when will the co-design process start?
- c. how many people will be part of the co-design resident group and how many sessions will there be between residents and the architect?

Response

Paul Kearsley, Director Business, Engineering & Major Projects

The architects Croxon Ramsey were reappointed to this project at the last Council meeting. We are now working with them on contractual matters and a program including the co-design phase and will have some further information on that in the coming weeks. In a few weeks we will invite all residents who participated in the process to meet the architect for further information. Council resolution is that the co-design process is completed by the end of October 2023.

Question

Phillip Lamaro, Dandenong

I asked a public question last year about a pedestrian crossing on Allan Street, Dandenong, that runs along the Dandenong creek. I was advised this would be done in the 2023/2024 term.

- a. I would like to know if Council will abide to their promise of installing the pedestrian crossing in this financial year?
- b. if not, why are they breaking their promise?
- c. if they are, what date is the estimated time of arrival of installation of this crossing?

Response

Paul Kearsley, Director Business, Engineering & Major Projects

A pedestrian crossing has been identified and prioritised within the Active Transport Infrastructure Program for the Dandenong Creek Trail on the northside of Allan Street Bridge over the creek. The Active Transport Infrastructure Program is responsible for prioritising and delivering projects across the entire municipality. As per my response when this was raised last year, we are still unable to provide a time frame for when this crossing will be delivered as it is subject to program budget availability and competes for priority with other locations.

3 QUESTION TIME - PUBLIC (Cont.)

Question

Phillip Lamaro, Dandenong

When walking around Greater Dandenong you notice so many dumped supermarket trolleys. Council introduced laws 5 years ago regarding supermarket trolleys and this issue, so I would like to ask:

- a. as Council's current system is not decreasing the amount of shopping trolleys dumped through the area, what does Council plan to do to improve the situation?
- b. there are a few non-mainstream supermarkets that have over 20 trolleys but do not use the coin locking service. How often does Council inspect this law is being followed?
- c. as the Dandenong Market is Council owned, what are its legal requirements with it having stolen illegal supermarket trolleys being used on site by shop owners and customers?

Response

Jody Bosman, Director City Planning, Design & Amenity

In 2022, the Greater Dandenong City Council initiated an educational program designed to work in conjunction with existing enforcement activities combatting abandoned shopping trolleys within the municipality. The program was designed to strengthen relationships with the major retailers, supermarkets, and shopping complexes, with the view of reducing instances of abandoned shopping trollies.

The program provided a multi-faceted approach and further highlighted the responsibilities of the retailer to:

- limit opportunity for abandoned trolleys (technology);
- ensure abandoned trolleys are collected within minimum times (collection); and
- provide community education programs for their customers (education).

Since the program was introduced, Council has recorded a dramatic drop in the instances of abandoned trolleys across the municipality through proactive activities and is continuing to work with the major retailers such as Coles and Woolworths.

Council continues to work proactively working with these retailers and others in the municipality to ensure an educational, proactive and technological approach is taken to all advances in shopping trolley management. Council understands the issue of abandoned shopping trolleys is a complex one that is still far from perfect but believes a program comprising of education, positive relationships and enforcement will continue to gain positive ground on the issue.

Further response tabled

Jody Bosman, Director City Planning, Design & Amenity

There is no Council officer inspection routine for the coin locking devices on supermarket trolleys. Coin lock devices are not provided in response to the requirements of a Council permit or local law and are provided by the supermarkets as part of their attempt to minimise trolley abuse and abandonment, both on-site and off-site. However, Council is working with the supermarkets to utilise technology as a way of combatting the abandoned trolley issue in our community.

3 QUESTION TIME - PUBLIC (Cont.)

Council has no legal obligations of illegally stolen trolleys being used at any Council owned facility by tenants and visitors. I can advise that supermarket trolleys are not permitted at the Dandenong Market under the Market Rules. The supermarkets do collect their trolleys from the Market on a regular basis. Coles collect their own trolleys and Kmart and Aldi use a third-party provider, visiting a couple of times a week to collect their trolleys.

Market management have a relationship with each of these supermarkets and contact them if there are excessive numbers and also allow them access to areas of the market so that they can collect them on non-market days (e.g. in the multi deck).

We are aware that trolleys are an issue at the Market, and that some traders are using them for their business needs – which is not supported by the Market management or by Council. Council does have a liaison role with the Market Board and will use that relationship to bring this to the attention of the Market management.

Question

Phillip Lamaro, Dandenong

I have asked at two previous Council meetings about the Dandenong car park on Clow Street at Palm Plaza. Council have owned this area for over 20 years and as of today's date, no improvements have been done at this Central Dandenong site. Last meeting Council advised trees would be planted here.

- a. when will these trees be planted?
- b. how many trees does Council plan to plant on this site?
- c. Why, in over 20 years that Council has owned this site, with no plans or permits allocated to it, have had no landscaping or trees planted on it like other Council owned car parks in the Greater Dandenong area?

Response

Paul Kearsley, Director Business, Engineering & Major Projects

Previously answered by Acting Director Business, Engineering & Major Projects, Craig Cinquegrana, at Council Meeting 14 August 2023 and 24 July 2023.

Response from 14 August 2023:

This planting is proposed to occur within the car park. A site meeting can be arranged to discuss the proposed scope of work, noting as previously advised, that other locations are planned for implementation as a priority should funds become available.

Response from 24 July 2023:

Council purchased the property at 22-28 Clow Street, Dandenong in 2002.

This car park was purchased as a future strategic development site. The gateway location between our two biggest activity generators being the Dandenong Market and the Dandenong Plaza shopping centre warrant this land being redeveloped as a mixed use multi-level development in the future.

3 QUESTION TIME - PUBLIC (Cont.)

Tree planting is proposed along the Clow Street edge to this car park, which is pending the completion of other priority locations, in accordance with our central Dandenong tree planting plan.

Further Response

Paul Kearsley, Director Business, Engineering & Major Projects

As per the response from Council Meeting 14 August 2023, a site meeting can be arranged to discuss the proposed scope of work. A site meeting will be prioritised in a few days to discuss the proposal. The Clow Street carpark trees are identified as “moderate” planting difficulty and hence may not be planted for several years until all the trees identified as “easy” detailed in our Activity Centres 10-year Planting Plan have been completed. This car park is a future strategic development site, which has been the subject of feasibility work in the past. Ten trees are proposed along the Clow Street edge of the car park.

Question

Emily Sloan, Dandenong

We are looking forward to the new park in Yarraman Ward at 218 Railway Parade, Noble Park and are very grateful that the trees have been maintained on the site while the previous building is being demolished. When is community consultation on the concept design going to commence and will it include an after hours drop-in session? I would like an opportunity for residents who are interested in the space to be able to meet each other and discuss their ideas about this public resource with Council officers.

Response

Jody Bosman, Director City Planning, Design & Amenity

The consultation on the concept plan for the park is currently anticipated to occur in November 2023. Drop-in sessions are generally not undertaken for pocket parks such as this. However, officers are yet to develop the consultation plan for this site, and once this is completed the full details of the consultation methods will be available prior to the consultation occurring.

Jacqui Weatherill, Chief Executive Officer tabled a listing of responses to questions taken on notice/requiring further action at the previous Council meeting. A copy of the responses is provided as an attachment.

3 QUESTION TIME - PUBLIC (Cont.)

PUBLIC QUESTIONS TAKEN ON NOTICE/REQUIRING FURTHER ACTION

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
14/08/23 PQT8	Phillip Lamaro, Dandenong	<p>Webster Street, Dandenong - Train Line Tree Protection</p> <p>The Victorian Government has advised that the Webster Street, Dandenong train line intersection will be removed by 2025. As I assume Council is advised on updates of the planning of this train line removal. Will the 100-year-old gum trees on Webster Street from the train line to Princes Highway be removed? What powers does Council's new tree protections have to protect these trees if they are planned to be removed by State Government? What updates can Council give on this development?</p>	Director City Planning, Design & Amenity / Director Business, Engineering and Major Projects	23/08/2023	<p>Initial Response Provided 14/08/2023:</p> <p>As this land is State Government owned the Local Law would not apply. Therefore, Council would not have any decision-making role. However, be assured Council would advocate to protect trees, where possible, through the design process.</p> <p>Regarding what updates Council can give on this development, I will take that question on notice.</p> <p>Further Response Provided 23/08/2023:</p> <p>Apart from the commitment to remove the Webster Street level crossing by 2025, Council is currently unaware of the timing for this project or the proposed method for this level crossing removal.</p> <p>The Webster Street level crossing removal project team has engaged council officers to obtain background information and context regarding the location, including the importance of trees, to inform their design proposals. Council has used this opportunity to highlight issues of concern to the local community which the project may impact or have the opportunity to address.</p> <p>Once a preferred solution is announced by the State Government, in accordance with 52.03 of the Greater Dandenong planning scheme applicable to level crossing removal projects; public consultation, and consultation with the council, must be</p>

Question Time Public – Questions Taken on Notice & Requiring Further Action

3 QUESTION TIME - PUBLIC (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>undertaken to the satisfaction of the Minister for Planning, prior to the commencement of the use or development.</p> <p>Community members are encouraged to submit any comments they have via the EngageVic website when this consultation occurs.</p> <p>Following this process, the Minister of Planning will declare a project area and the Major Transport Projects Facilitation Act will apply to the declared project area.</p> <p>COMPLETED.</p>

4 OFFICERS' REPORTS - PART TWO

4.1 CONTRACTS

4.1.1 Contract No. 1213-04B Receipt of Recyclables - Extension of Contract

Cr Tim Dark disclosed an indirect material conflict of interest of a pecuniary nature (s128 of the *Local Government Act 2020*) in Item 4.1.1 Contract No. 1213-04B Receipt of Recyclables - Extension of Contract as the Real Estate Agency which he owns has several contracts with a subsidiary of Re. Group Pty. Cr Tim Dark left the Chamber at 7.21 pm prior to discussion and voting on this item.

File Id: qA309528

Responsible Officer: Director Business, Engineering & Major Projects

Attachments:

1. Report Summary

This report seeks approval for a six (6) month contract extension with our current contractor, Polytrade Operations Pty Ltd, for the provision of mixed recyclables processing services. The extension will allow sufficient time for the City of Greater Dandenong to conduct a competitive tender process while ensuring uninterrupted mixed recyclables processing services. It is important to note that all existing contract terms will remain unchanged during this extension period.

2. Recommendation Summary

This report recommends that Council approves the extension of Contract 1213-04B for the Receipt of Recyclables for six (6) months from 1 October 2023 until 30 March 2024.

4.1.1 Contract No. 1213-04B Receipt of Recyclables - Extension of Contract (Cont.)

3. Background

The City of Greater Dandenong has been successfully collaborating with Polytrade for the receipt of recyclables processing services since 2013. Over this period, Polytrade has demonstrated a commitment to sustainability and environmental responsibility, helping the city achieve its waste management objectives.

Given the evolving landscape of the recycling industry, several uncertainties have arisen, including the introduction of the Victorian Container Deposit Scheme, the implementation of Victorian glass-only collections and how these services will impact on current recycling tonnages plus the uncertainties surrounding recycling markets due to Commonwealth export bans. These factors have created the need for a comprehensive and competitive tender process to ensure Council continues to receive the best value and service for mixed recyclables processing.

According to Council's procurement policy and best practices, it is essential to conduct a competitive tender process to ensure transparency, fairness and best value for our residents and stakeholders. The six (6) month extension with Polytrade Operations Pty Ltd will facilitate the completion of this process without disrupting the ongoing waste management operations. Upon the completion of the competitive tender process, Council will be presented with a report including a recommendation for the awarding of a new contract for this significant service. Rational for Extension

The City of Greater Dandenong has identified several key reasons for proposing the contract extension with Polytrade Operations Pty Ltd, as listed below:

Risk Mitigation:

The extension will provide a buffer against the uncertainties in the recycling market, particularly with the introduction of the Victorian Container Deposit Scheme and glass-only collections. By extending the contract with Polytrade Operations Pty Ltd, Council can navigate these changes effectively without compromising the quality of service or incurring disruptions in waste management operations.

Cost Considerations:

The six (6) month extension with Polytrade Operations Pty Ltd allows for continued cost stability during the competitive tender process. It provides Council with ample time to assess potential contractors and secure the most competitive rates for the services while maintaining budget predictability.

Thorough Competitive Tender Process:

The extension enables Council to conduct a comprehensive and competitive tender process to explore a range of potential service providers. This process will allow for a thorough evaluation of proposals, ensuring Council selects the most suitable and qualified contractor for the long-term waste management needs.

4.1.1 Contract No. 1213-04B Receipt of Recyclables - Extension of Contract (Cont.)

Continuity of Services:

Maintaining the current contract with Polytrade Operations Pty Ltd for an additional six (6) months ensures the continuity of mixed recyclables processing services for residents and businesses. It guarantees uninterrupted waste management operations while the competitive tender process is underway.

Confirmation of Existing Contract Terms

During the six (6) month extension period, all existing contract terms, conditions, and pricing agreements with Polytrade Operations Pty Ltd will remain unchanged. The extension will solely focus on extending the contract duration and will not alter any other contractual obligations.

Proposed Extension Dates / Period

Contract Extension Start Date: 1 October 2023

Contract Extension End Date: 30 March 2024

Six (6) Months

Compliance and Legal Considerations

The proposed contract extension with Polytrade Operations Pty Ltd aligns with all relevant procurement policies, regulations, and legal requirements of the City of Greater Dandenong. It ensures transparency and fairness in the competitive tender process.

Referring to Council's procurement policy, Item 5.10 Exemptions and Breaches - Extension of contracts while Council is conducting a market tender. Explanation - This allows Council to extend an existing contract where the procurement process to replace the contract has commenced, and where the tender process or negotiations will take or have taken longer than expected. This exemption may be used when the establishment of an interim short-term arrangement is considered not to be in the public interest, as it may be cost prohibitive and/or present a risk in the delivery of critical public services to the municipality.

After consulting with Maddocks lawyers, council staff have obtained legal advice confirming that a 6-month extension with Polytrade Operations Pty Ltd complies with the current procurement policy. It has been determined that this extension can be effectively executed through an exchange of letters. The letter should explicitly outline that all existing contract terms and conditions will remain in effect during the extension period. Additionally, the letter should request written confirmation / acceptance of extension by Polytrade Operations Pty Ltd.

4.1.1 Contract No. 1213-04B Receipt of Recyclables - Extension of Contract (Cont.)

4. Financial Implications

The estimated value of the contract for the six (6) month extension with Polytrade Operations Pty Ltd is approximately One Million, One Hundred and Fifty-Nine Thousand, Nine Hundred and Seventy-Five Dollars (\$1,159,975). This amount has been accounted for in the existing budget, and the extension will not result in any additional financial burden during this period.

5. Conclusion

This extension will provide Council with reasonable time to conduct a competitive tender process, undertake a fair and through evaluation process, concluding with a report recommending the awarding of a new contract while assuring the uninterrupted delivery of waste management and recycling services to our community.

6. Recommendation

That Council:

- 1. approves the six (6) month contract extension of Contract 1213-04B for the Receipt of Recyclables with Polytrade Operations Pty Ltd for six (6) months commencing 1 October 2023 and ending 31 March 2024 at a value of \$1,159,975.00 (ex GST);**
- 2. authorises the Chief Executive Officer to execute the contract agreements and any associated documentation with the contractor; and**
- 3. notes that Council Officers will commence a competitive tendering process for a new Mixed Recyclables Contract, which will be presented to a future Council Meeting for consideration prior to the expiration of this contract extension.**

4.1.1 Contract No. 1213-04B Receipt of Recyclables - Extension of Contract (Cont.)

MINUTE 861

Moved by: Cr Sean O'Reilly
Seconded by: Cr Sophie Tan

That Council:

1. **approves the six (6) month contract extension of Contract 1213-04B for the Receipt of Recyclables with Polytrade Operations Pty Ltd for six (6) months commencing 1 October 2023 and ending 31 March 2024 at a value of \$1,159,975.00 (ex GST);**
2. **authorises the Chief Executive Officer to execute the contract agreements and any associated documentation with the contractor; and**
3. **notes that Council Officers will commence a competitive tendering process for a new Mixed Recyclables Contract, which will be presented to a future Council Meeting for consideration prior to the expiration of this contract extension.**

CARRIED

Cr Tim Dark returned to the Chamber at 7.25 pm

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services

File Id: A9902442
Responsible Officer: Director Community Strengthening
Attachments:

1. Report Summary

The report outlines the tender process to select a suitably qualified and experienced panel of contractors for Event Infrastructure and Equipment Hire Services within the municipality.

Services awarded under this contract will be based on a quotation process, where a request to quote will be issued to panel members and a Contract awarded based on the information provided by the contractor and according to Council's Procurement Principles.

The initial contract term is three (3) years from the date of commencement with an option to extend the contract by three (3) twelve-month periods at the sole and absolute discretion of the City of Greater Dandenong.

2. Recommendation Summary

This report recommends that Council awards Contract 2223-44 Event Infrastructure and Equipment Hire Services to a panel of two (2) contractors including;

- **Event Logistic Group Pty Ltd – ABN 82 636 030 316**
- **Pride Events Pty Ltd – ABN 71 072 658 710.**

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

3. Background

Council delivers an annual program of festivals and events, each requiring access to various types and quantities of equipment such as marquees, stages, outdoor seating facilities etc. At times, Council requires equipment to be accessible at multiple locations at the same time, and much of the equipment requires appropriately skilled and qualified staff to assemble in a safe way.

Hiring such equipment and resourcing ensures that Council can access the required infrastructure to deliver its festivals and events on an as-needs basis, and that the infrastructure and equipment can be delivered and assembled in a safe manner by appropriately skilled and trained personnel.

4. Tender Process

The tender was advertised from Saturday 6 May 2023 in The Age newspaper and on Council's website and at the close of tenders (2:00pm) Thursday 25 May 2023, ten (10) submissions were received as follows:

- 1) Chillizone Pty Ltd.** - ABN 95 116 979 652
- 2) Composting Toilet Systems Pty Ltd.** - ABN 20 147 034 295
- 3) Event Logistic Group Pty. Ltd.** – ABN 82 636 030 316
- 4) Event Marquees** - ABN 82 116 942 253
- 5) Eventpower Electrical Contractors Unit** - ABN 41 385 364 362
- 6) Happy Events & Party Hire Pty. Ltd.** - ABN 78 608 045 683
- 7) Pride Events Pty. Ltd.** – ABN 71 072 658 710
- 8) The Trustee for the Rent a Fence Australia Trust trading as Rent A Fence Pty. Ltd.** – ABN 18 396 900 781
- 9) Peter McMurray Family Discretionary Trust & Peter Scott Family Discretionary Trust trading as Super Safe Hire** – ABN 22 414 090 575, and
- 10) The Trustee for The TFH Hire Trust trading as TFH Hire Services Pty. Ltd.** – ABN 30 063 810 679.

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

5. Tender Evaluation

The evaluation panel consisted of Council's Coordinator Festivals and Events, Festivals and Events Officer and Contracts Officer, with Occupational Health & Safety and Environmental Management consultants providing specialist advice. The Tenders were evaluated using Council's Weighted Attributed Value Selection Method. The advertised evaluation criteria and the allocated weightings for evaluation are as follows

	Evaluation Criteria	Weighting
1	Price (<i>scoring based on items priced & available to this contract</i>)	40%
2	Relevant Experience	15%
3	Range of Equipment / Suitability	15%
4	Capability and Capacity	15%
5	Local Industry	7.5%
6	Social Procurement	7.5%
7	OH&S Systems (Pass / Fail)	Pass / Fail
8	Environmental System (Pass / Fail)	Pass / Fail

The Evaluation Criteria 1-6 are given a point score between 0 (Not Acceptable) and 5 (Excellent) as detailed in the following table:

Score	Description
5	Excellent
4	Very Good
3	Good, better than average
2	Acceptable
1	Marginally acceptable (Success not assured)
0	Not Acceptable

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

Evaluation Criteria 7 and 8 are given a Pass or Fail via the Rapid Global (Council's Workforce Management Software – Health and Safety Compliance). Each submission was assessed against all the evaluation criteria to ensure that the tenderers met the standards required for Council contractors. The weighted attribute points scores resulting from the assessment are shown in the following table:

Price Points	Price Points	Non-Price Points	OH&S	EMS	Total Score	Rapid Global
Pride Events Pty. Ltd.	1.60	2.25	PASS	PASS	3.85	Registered and Compliant
Event Logistic Group Pty. Ltd.	1.40	2.22	PASS	PASS	3.62	Registered and Compliant
Chillizone Pty Ltd	Non Conforming – Tenderer did not complete any of Council's non-price tender schedules					
Composting Toilet Systems Pty Ltd	Non Conforming – Tenderer did not complete any of Council's tender schedules					
Event Marquees	Non Conforming – Tenderer did not complete any of Council's non-price tender schedules					
Eventpower Electrical Contractors Unit	Non Conforming - Tenderer is not registered with Rapid Global - All tenderers are required to be registered with Rapid Global at the close of the tender advertising period					
Happy Events & Party Hire Pty Ltd	Non Conforming – Tenderer did not complete any of Council's tender schedules					
Rent A Fence Pty Ltd	Non Conforming - Tenderer is not registered with Rapid Global - All tenderers are required to be registered with Rapid Global at the close of the tender advertising period					
Super Safe Hire	Non Conforming – Tenderer did not complete any of Council's tender schedules					
TFH Hire Services Pty. Ltd.	Non Conforming – Tenderer is registered with Rapid Global with a Risk Task Level of Four (Low / Medium), Council's stated minimum Risk Task Level for this contract is Level Two (High Risk).					

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

Note:

The higher the non-price score – represents better capability and capacity to undertake the service.

Tenderers - **Chillizone Event Hire Pty. Ltd, Composting Toilets Systems Pty. Ltd., Event Marquees, Happy Events & Party Hire Pty. Ltd.** and **Super Safe Hire** were all provided with the opportunity to complete and upload their missing tender schedules and did not respond, therefore they were declared non-conforming.

At the completion of the tender evaluation process (described above), the Evaluation Panel agreed that the tender submissions from **Event Logistic Group Pty. Ltd. – ABN 82 636 030 316** and **Pride Events Pty. Ltd. – ABN 71 072 658 710** would provide the best outcome for Council.

Event Logistic Group Pty. Ltd. – the tenderer is registered and compliant with the Creditor Watch and Rapid Global Website. They provided all the information required. The tenderer has extensive experience in working with relevant Victorian local government authorities and private organisations on various sizes of festivals and events. They have been able to provide information about the range of equipment and infrastructures that are needed for the delivery festivals and events. They have been able to show their level of experience and staff resources, including ability to maintain Occupational Health and Safety (OH&S) and Environmental Management Systems. This tenderer is located in Carrum Downs, not far from Council's location areas.

Pride Events Pty. Ltd. - the tenderer is registered and compliant with the Creditor Watch and Rapid Global Website. They provided all the information required. The tenderer has extensive experience in working with relevant Victorian local government authorities and private organisations on various sizes of festivals and events. They have been able to provide information about the range of equipment and infrastructures that are needed for the delivery of festivals and events. They have been able to show their level of experience and staff resources, including ability to maintain OH&S and Environmental Management Systems. This tenderer is located in Dandenong.

6. Financial Implications

Resource requirements are in accordance with existing budgetary allocation. The current funding allocation will meet the financial requirement of this contract.

All services awarded under this contract will be based on a quotation process, where a request to quote will be issued to panel members and a Contract awarded based on the information provided by the contractor and according to Council's Procurement Principles.

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

7. Social Procurement

Event Logistic Group Pty. Ltd. are in Carrum Downs, not far from the Council boundary.

Social employment opportunities – they have a Local Employment & Industry Participation Policy and an Environmental Management Plan, they say that they are committed to strengthening and protecting local economies and they will hire local staff and engage with local suppliers and businesses.

They currently work with a wide range of diverse groups within the Mornington Peninsula and would make contact with similar groups within the City of Greater Dandenong. They also say that they have built relationships with Project C, Taskforce and the homeless. Event Logistics Group Pty. Ltd. are currently developing policies and procedures to improve its corporate social responsibilities and to educate all staff accordingly.

Pride Events Pty. Ltd. maintain their office in Dandenong.

Social employment opportunities - Pride Events say they actively engage with local employment agencies, community organisations, and vocational training centres to identify and connect with individuals from disadvantaged backgrounds.

Social Enterprise - Yes, they are a social enterprise - their stated mission is to use their business as a platform for social good, ensuring that their actions have a lasting and positive ripple effect on society. Pride Events Pty. Ltd. says that gaining this contract will enable their business to deliver significant social outcomes that positively impact individuals and communities in the areas of: employment opportunities; skills development and training; support for local businesses and suppliers; and the positive impact on event attendees.

Corporate Social Responsibility - Pride Events Pty. Ltd. support the Dandenong Returned Services League (RSL) and Relay for Life. They have implemented strategies to reduce waste by choosing to repair equipment rather than replace it where possible, purchase products that can be recycled or repurposed, have implemented Light-Emitting Diode (LED) lights for both their building and onsite requirements and have upgraded their hot water system to a more energy efficient system.

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

8. Local Industry

Contractor	LOCAL CONTENT				Other
	Labour	Materials	Plant	Supervision	
Event Logistic Group Pty. Ltd.	(18%) \$34,000	(28%) \$48,000	(45%) \$23,000	(18%) \$34,000	Office is located in Carrum Downs. Four staff live/reside in CGD. They have listed eight (8) major purchases from businesses within the Council boundary – total \$142,000.
Pride Events Pty. Ltd.	(80%) \$300,000	(90%) \$150,000	(80%) \$100,000	(70%) \$150,000	Office is located in Dandenong. Say 70% of full time staff reside in CGD. They have listed three (3) major purchases from businesses within the Council boundary – Total \$125,000.

9. Consultation

In preparation for this tender process, Council’s Festivals and Events team consulted with the Festivals and Events Network members.

During the tender evaluation process and in preparation of this Report, relevant Council officers within Community Strengthening department and the Festivals and Events unit were consulted.

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

10. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* (the LGA 2020) states that a Council must in the performance of its role give effect to the overarching governance principles. When a

tender process is undertaken it is fundamentally underpinned by the following overarching governance principles:

- Section 9 (2)(a) of the LGA2020 - Council decisions are to be made and actions taken in accordance with the relevant law;
- Section 9 (2)(b) of the LGA2020 - Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- Section 9 (2)(c) of the LGA2020 - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- Section 9 (2)(e) of the LGA2020 - innovation and continuous improvement is to be pursued;
- Section 9 (2)(f) of the LGA2020 - collaboration with other councils and governments and statutory bodies is to be sought;
- Section 9 (2)(g) of the LGA2020 - the ongoing financial viability of the Council is to be ensured; and
- Section 9 (2)(i) of the LGA2020 - the transparency of Council decisions, actions and information is to be ensured.

In giving effect to the overarching governance principles above, the following supporting principles are also considered throughout any tender process:

- Section 89 of the LGA2020 - the strategic planning principles; and
- Section 101 of the LGA 2020 - the financial management principles.

11. Victorian Charter of Human Rights and Responsibilities

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this report and are consistent with the standards set by the Charter. Included in the tender submissions, successful contractors have completed the Modern Slavery Questionnaire (Schedule 9), Fair Work Questionnaire for Potential Contractors (Schedule 10) and the Victorian Child Safe Standards Questionnaire (Schedule 11).

The responses provided to these statements by the successful contractor were assessed and determined to be satisfactory in the context of the Victorian Charter of Human Rights and Responsibilities.

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

12. The Gender Equality Act 2020

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

Included in the submissions for this tender process, contractors were required to address Council's Social Employment opportunities (Schedule 7). This includes questions to address Council's Diversity, Access and Equity Policy.

The responses provided to these statements by the recommended contractors were assessed and determined to be satisfactory in the context of the Gender Equality Act.

13. Climate Change and Sustainability

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a 'Climate and Ecological Emergency' and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

Included in the submission for this tender, contractors were required to address Council's Statement of Environmental (Schedule 8). This includes questions to assess if the contractors' attitude towards sustainability is in line with Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 and the requirements of the *Local Government Act 2020*.

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

14. Conclusion

At the conclusion of the tender evaluation process, the evaluation panel agreed that the tender submissions from **Event Logistic Group Pty. Ltd.**, and **Pride Events Pty. Ltd.**

demonstrated the relevant experience and capability to qualify them as contract panel members for **Contract 2223-44 Event Infrastructure and Equipment Hire Services** and represented the best value outcome for Council and should be accepted due to:

1. their conforming tender submissions;
2. their relevant experience working with relevant Victorian local government authorities and private organisations on similar events;
3. their level of experience and staff resources;
4. receiving a **pass** for their Occupational Health and Safety (OH&S) and Environmental Management Systems;
5. receiving a **neutral risk** assessment via the Creditor Watch / Rapid Global website;
6. they are both registered and compliant with Rapid Global (Council's Contractor Risk Management Compliance database).

15. Recommendation

That Council:

1. **awards Contract No. 2223-44 for Event Infrastructure and Equipment Hire Services to a panel of two (2) contractors for three (3) years comprising:**
 - **Event Logistic Group Pty. Ltd. - ABN 82 636 030 316, and**
 - **Pride Events Pty. Ltd. - ABN 71 072 658 710;**
2. **reserves the option to extend the initial contract term by three (3) 12-month extensions at the sole and absolute discretion of the City of Greater Dandenong; and**
3. **authorises the Chief Executive Officer to execute the contract agreements, any contract extensions and any associated documentation with the successful contractor.**

4.1.2 Contract No. 2223-44 Event Infrastructure and Equipment Hire Services (Cont.)

MINUTE 862

Moved by: Cr Tim Dark

Seconded by: Cr Sophie Tan

That Council:

1. **awards Contract No. 2223-44 for Event Infrastructure and Equipment Hire Services to a panel of two (2) contractors for three (3) years comprising:**
 - **Event Logistic Group Pty. Ltd. - ABN 82 636 030 316, and**
 - **Pride Events Pty. Ltd. - ABN 71 072 658 710;**
2. **reserves the option to extend the initial contract term by three (3) 12-month extensions at the sole and absolute discretion of the City of Greater Dandenong; and**
3. **authorises the Chief Executive Officer to execute the contract agreements, any contract extensions and any associated documentation with the successful contractor.**

CARRIED

4.2 OTHER

4.2.1 Response to Notice of Motion No. 26 - Racism Not Welcome Campaign

File Id: **A9990853**
Responsible Officer: Director Community Strengthening
Attachments:

1. Report Summary

On 11 April 2023, Council endorsed a Notice of Motion to support the #RacismNotWelcome Campaign to demonstrate its commitment to promoting a culture of respect and inclusion, and to showcase the City as a leader in the fight against racism.

Through consultation with Council's Transport, Civil Development, Infrastructure Services and Planning departments, this report responds to Action 2 of the NoM, and puts forward a practical approach for Council's consideration in supporting the #RacismNotWelcome campaign.

2. Recommendation Summary

The report recommends that Council installs forty (40) #RacismNotWelcome fingerboard signs in highly pedestrianised areas (parks, plazas and community squares) focused across the activity centres of Dandenong, Noble Park, Springvale and Keysborough South. Noting they would not be installed on poles bearing street names or at similar locations providing instruction and direction to road users.

4.2.1 Response to Notice of Motion No. 26 - Racism Not Welcome Campaign (Cont.)

3. Background and Discussion

The #RacismNotWelcome Campaign is a community-led, grassroots initiative intended to acknowledge the existence of racism, validate people's lived experiences with racism and normalise conversations about racism, to encourage positive change.

Led by the Inner West Multicultural Network in NSW, an important element of the #RacismNotWelcome Campaign is the desire to expand its reach to every local council across the country by erecting #RacismNotWelcome street 'finger board' signs as a way of public demonstration to call out racism.

The Campaign supports and complements the important work that Greater Dandenong City Council has already done in raising and addressing racism within our communities. In 2021, Casey and Greater Dandenong City Councils partnered with Victoria University to conduct a place-based project aimed at improving responses to racism within our communities.

The report, titled, Towards Improved Anti-Racism Support in Casey and Greater Dandenong, was released earlier this year with a roadmap made up of several recommendations to reduce barriers and to strengthen those factors that may encourage people to report racism and seek support.

Awareness raising is one (1) of the recommendations included in the roadmap and the #RacismNotWelcome Campaign would directly contribute to this outcome if supported by Council.

By clearly calling racism out within the community, finger board signs promoting the #RacismNotWelcome Campaign encourages people to act against racism.

Key Considerations

Safety: In forming the preferred options and on advice from Council's Transport and Civil Development department, officers consider that Campaign signage should not be located on poles below street name blades or any similar locations as it may interfere with providing instruction and direction to road users (mainly motorists).

The preferred option is therefore to install the finger board signs at more pedestrianised areas, such as parks, plazas and community squares.

Ongoing Maintenance: Information received from Inner West Council indicate their #RacismNotWelcome finger board signs have not deteriorated appreciably within the two-year timespan since their installation. It is projected that the signage will have a significant lifespan and will not need any ongoing maintenance for many years.

4.2.1 Response to Notice of Motion No. 26 - Racism Not Welcome Campaign (Cont.)

Option 1 Focused on four (4) activity centres

That Council installs forty (40) #RacismNotWelcome fingerboard signs in highly pedestrianised areas (parks, plazas and community squares) focused across the activity centres of Dandenong, Noble Park, Springvale and Keysborough South. Noting they would not be installed on poles bearing street names or at similar locations providing instruction and direction to road users.

This option provides a reasonable spread of signage across the highly pedestrianised activity centres and as such provide high profile exposure of the messaging to a large number of people.

Option 2 Distributed municipal wide coverage

That Council installs forty (40) #RacismNotWelcome fingerboard signs in highly pedestrianised areas (parks, plazas and community squares) distributed across the municipality (not just primary activity centres). Noting they would not be installed on poles bearing street names or at similar location providing instruction and direction to road users.

In terms of messaging this option lacks the level of exposure offered in Option 1. Additionally, installation costs would be higher this option given the additional time required for dispersal across the municipality.

4. Financial Implications

The financial implications associated with the two (2) options recommended in this report are a one-off cost of \$3,400 for fingerboard manufacture and installation. Instalment will be rolled out as part of Council officers doing works in these locations. There are no ongoing costs in future year budgets.

5. Consultation

External consultation:

- Inner West Council
- Inner West Multicultural Network
- Paoli Smith Creative.

Internal:

- Transport and Civil Development
- Infrastructure Services and Planning
- Community Development.

4.2.1 Response to Notice of Motion No. 26 - Racism Not Welcome Campaign (Cont.)

6. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

The City of Greater Dandenong is a home to all.
It's a city where you can enjoy and embrace life through celebration and equal opportunity.
We harmonise the community by valuing multiculturalism and the individual.
Our community is healthy, vibrant, innovative and creative.
Our growing city is committed to environmental sustainability.
Welcome to our exciting and peaceful community.

6.1 Community Vision 2040

This report is consistent with the Community Vision 2040 and its accompanying principles:

- Safe and peaceful community
- Sustainable environment
- Embrace diversity and multiculturalism

6.2 Council Plan 2021-25

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four (4) years. This report is consistent with the following strategic objectives:

- A socially connected, safe and healthy city
- A city that respects and celebrates diversity, our history and the arts
- A city of accessible, vibrant centres and neighbourhoods
- A green city committed to a sustainable future
- A Council that demonstrates leadership and a commitment to investing in the community.

7. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles.

The topic presented in this report gives particular consideration to the following overarching governance principles:

- Section 9(a) of the LGA2020 – Any installation of #RacismNotWelcome signs will be done in accordance with the relevant law.
- Section 9(b) of the LGA2020 - The outcome from the installation of the #RacismNotWelcome fingerboard signage is to promote and encourage a safe and harmonious community now, and for future generations.

4.2.1 Response to Notice of Motion No. 26 - Racism Not Welcome Campaign (Cont.)

- Section 9(c) of the LGA2020 - Fingerboard signage has low embodied energy, a long lifespan, is recyclable at the end of their usable life and has minimal maintenance requirements once installed.
- Section 9(d) of the LGA2020 – The wider Greater Dandenong community had opportunity for consultation and input in the Victoria University’s ‘Towards Improved Anti-Racism Support in Casey and Greater Dandenong Report’. The options described above would directly contribute to the recommendation for awareness raising where the community has been engaged in formulating this report thus providing strategic direction and guidance in decision making.
- Section 9(e) & (f) of the LGA 2020 - The #RacismNotWelcome campaign is an innovative grass roots initiative with multiple councils being involved across Australia.
- Section 9(i) of the LGA2020 – This report fulfills the requirement for transparency of Council decisions, actions and information that is provided.

In preparation of this report Council has taken into account the following supporting principles:

1. the community engagement principles (section 56);
2. the public transparency principles (section 58);
3. the strategic planning principles (section 89);
4. the financial management principles (section 101);
5. the service performance principles (section 106).

8. Victorian Charter of Human Rights and Responsibilities

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

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

The Charter is founded on the following principles:

- human rights are essential in a democratic and inclusive society that respects the rule of law, human dignity, equality and freedom;
- human rights belong to all people without discrimination, and the diversity of the people of Victoria enhances our community;
- human rights come with responsibilities and must be exercised in a way that respects the human rights of others;
- human rights have a special importance for the Aboriginal people of Victoria, as descendants of Australia’s first people, with their diverse spiritual, social, cultural and economic relationship with their traditional lands and waters.

4.2.1 Response to Notice of Motion No. 26 - Racism Not Welcome Campaign (Cont.)

The report preparation emphasises the right of all members of the community to be consulted and heard by Council, to freely express their views and concerns, to give unstifled and open expression to their culture and other aspects of their personal identity, and to enjoy as equals the opportunity to participate in all cultural, social, economic and civic aspects of community life. Accordingly, this report is consistent with the following section of the Charter

- Section 13 – Right to privacy and reputation;
- Section 14 – Right to freedom of thought, conscience, religion and belief;
- Section 15 – Right to freedom of expression;
- Section 16 – Right to peaceful assembly and freedom of association;
- Section 17 – Right to the protection of families and children (
- Section 18 – Right to have the opportunity to take part in public life and to vote;
- Section 19 – Right to enjoy one’s culture, practice religion or use one’s own language and in the case of Aboriginal persons, the right to have distinct cultural rights;
- Section 24 - Right to a fair hearing.

9. The Gender Equality Act 2020

Council’s Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report and are relevant as the #RacismNotWelcome Campaign seeks to raise awareness of anti-racism supports available to all members of the community and to reduce systemic and episodic acts of racism that may compound gender inequality.

10. Consideration of Climate Change and Sustainability

Notice of Motion No. 26 – Racism Not Welcome Campaign has no impact on Council’s Declaration on a Climate and Ecological Emergency, Council’s Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability.

The fingerboard signage options have low embodied energy, a long lifespan, are recyclable at the end of their usable life and have minimal maintenance requirements once installed.

4.2.1 Response to Notice of Motion No. 26 - Racism Not Welcome Campaign (Cont.)

11. Related Council Policies, Strategies or Frameworks

Related Council and Other Policies, Procedures, Strategies, Protocols, Guidelines (in alphabetical order)

- *Greater Dandenong City Council Access, Diversity and Equity Policy*
- *Greater Dandenong City Council City of Greater Dandenong Reconciliation Action Plan 2021-2023*
- *Greater Dandenong City Council Climate Change Emergency Strategy and Action Plan 2020-2030*
- *Greater Dandenong City Council Council Plan 2021-2025*
- *Greater Dandenong City Council [Community Engagement Policy 2021-2025](#)*
- *Greater Dandenong City Council [Community Engagement Planning Framework 2021](#)*
- *Greater Dandenong City Council [Greater Dandenong Community Engagement Planning](#)*

Framework 2022

- *Greater Dandenong City Council Imagine 2030 Community Plan.*

12. Recommendation

That Council endorses Option 1 and installs forty (40) #RacismNotWelcome fingerboard signs in highly pedestrianised areas across the activity centres of Dandenong, Noble Park, Springvale and Keysborough South.

MINUTE 863

Moved by: Cr Rhonda Garad
Seconded by: Cr Lana Formoso

That Council endorses Option 1 and installs forty (40) #RacismNotWelcome fingerboard signs in highly pedestrianised areas across the activity centres of Dandenong, Noble Park, Springvale and Keysborough South.

CARRIED

4.2.2 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings

File Id: fA25545
Responsible Officer: Manager Governance

1. Report Summary

As part of Council's ongoing efforts to improve transparency in Council processes, matters discussed at Councillor Briefing Sessions & Pre-Council Meetings (other than those matters designated to be of a confidential nature) are reported on at Council meetings.

The matters listed in this report were presented to Councillor Briefing Sessions & Pre-Council Meetings during the period 10 July – 7 August 2023.

2. Recommendation Summary

This report recommends that the information contained within it be received and noted.

4.2.2 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings (Cont.)

3. Background

The Executive Team and associated staff at Greater Dandenong City Council host Councillor Briefing Sessions and Pre-Council Meeting on a regular basis (weekly) to inform Councillors about the work officers are undertaking, share information, obtain feedback and discuss strategies and options for current and future work.

To ensure transparency in this process, matters discussed at Councillor Briefing Sessions and Pre-Council Meetings (other than those matters designated to be confidential under the *Local Government Act 2020*) are reported on at Council Meetings. This report represents matters discussed at the Councillor Briefing Sessions & Pre-Council Meetings during the period 10 July – 7 August 2023.

4. Matters Presented for Discussion

Item		Councillor Briefing Session/Pre-Council Meeting
1.	<p>General Discussion</p> <p>Councillors and council officers briefly discussed the following matters:</p> <ul style="list-style-type: none">a. an incident that occurred at the Plaza in Dandenong;b. the proposed cutting of funding to the PRIME immunisation program;c. an article in the Age regarding a new sports hub tied into the Keysborough Golf Club proposed development;d. the engagement of performers at council events; ande. Agenda items for the Council Meeting on 10 July 2023.	<p>Pre-Council Meeting (PCM) – 10 July 2023</p>
2.	<p>Community Satisfaction Survey Results</p> <p>Councillors and council officers discussed the results of the 2023 community satisfaction survey. Results can be found at Council's website here.</p>	<p>Councillors Briefing Session (CBS) – 17 July 2023</p>
3.	<p>New Building Reforms Update</p> <p>Councillors were advised of the Building Reform Expert Panel's completed review of the Victorian building regulatory system and how its recommendations will significantly impact the local government sector and the Greater Dandenong Building Services team.</p>	<p>CBS – 17 July 2023</p>

4.2.2 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings (Cont.)

Item		Councillor Briefing Session/Pre-Council Meeting
4.	<i>Response to Notice of Motion No. 26 – Racism Not Welcome Campaign</i> Council officers provided a report in response to Notice of Motion No. 26 and discussed the Racism Not Welcome campaign and options for fulfilling the Notice of Motion requirements.	<i>CBS – 17 July 2023</i>
5.	<i>Australia Day Awards Review</i> Council officers have conducted a review of the Greater Dandenong Australia Day Awards program and reported findings to Councillors. The review identified several improvement opportunities which will be introduced into the awards process for 2024.	<i>CBS – 17 July 2023</i>
6.	<i>General Discussion</i> Councillors and council officers briefly discussed the following matters: a. the draft Springvale Revitalisation Action Plan; b. a planning approval given by the Minister for Planning for a property in Noble Park; c. a recent fire incident in Dandenong; d. the status of a council-owned property in Lonsdale Street, Dandenong; e. Agenda items for the Council Meeting on 24 July 2023.	<i>CBS – 17 July 2023</i>
7.	<i>CEO and Councillors Only Session</i> CONFIDENTIAL ITEM under s 3(1)(a)(e) & (g) of the <i>Local Government Act 2020</i> .	<i>CBS – 17 July 2023</i>

4.2.2 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings (Cont.)

Item		Councillor Briefing Session/Pre-Council Meeting
8.	<p><i>General Discussion</i></p> <p>Councillors and council officers briefly discussed the following matters:</p> <ul style="list-style-type: none"> a. an update on the draft Springvale Reserve Master Plan; b. a recent fire incident in Noble Park; c. deep frying capabilities for clubs using Council's community facilities; d. Bloomfield Road, Keysborough speedhumps; and e. Agenda items for the Council Meeting on 24 July 2023. 	<i>PCM – 24 July 2023</i>
9.	<p><i>iCook Foods Matter (Remote Meeting)</i></p> <p>Interested councillors, council officers and Council's solicitor discussed the outcome of Supreme Court mediation with iCook Foods.</p>	<i>CBS – 31 July 2023</i>
10.	<p><i>Progress Street Level Crossing</i></p> <p>Representatives from the Level Crossing Removal Project (LXRP) discussed its plans to remove the crossing at Progress Street in Dandenong South.</p> <p><i>Cr Sean O'Reilly disclosed a conflict of interest in this item and left the meeting after LXRP finished its presentation and while Councillors and officers discussed any actions that Council may take in this matter.</i></p>	<i>CBS – 7 August 2023</i>
11.	<p><i>Operation Sandon (IBAC)</i></p> <p>Councillors were provided with a brief on the 34 recommendations made by the Independent Broad-Based Anti-Corruption Commission's (IBAC's) Operation Sandon Investigation and Special Report and the possible implications for the local government sector and Greater Dandenong City Council.</p>	<i>CBS – 7 August 2023</i>

4.2.2 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings (Cont.)

Item		Councillor Briefing Session/Pre-Council Meeting
12.	<i>Council News Distribution</i> Councillors were provided with options and costings for continued hard copy distribution of The Council News.	<i>CBS – 7 August 2023</i>
13.	<i>General Discussion</i> Councillors and council officers briefly discussed the following matters: a. Dandenong and Districts Cricket Association; b. deep frying capabilities for clubs using Council's community facilities; and c. Agenda items for the Council Meeting on 14 August 2023.	<i>CBS – 7 August 2023</i>
14.	<i>CEO/Manager Governance/Councillors Session only</i> CONFIDENTIAL ITEM under section 3(1)(a) of the <i>Local Government Act 2020</i> .	<i>CBS – 7 August 2023</i>

5. Apologies

- Councillors Long and Memeti submitted apologies for the Pre-Council Meeting held on 10 July 2023.
- Councillors Long, Memeti and Truong submitted apologies for the Councillor Briefing Session held on 17 July 2023.
- Councillors Long and Memeti submitted apologies for the Pre-Council Meeting held on 24 July 2023.
- Councillors Dark, Memeti, Milkovic, Tan and Truong submitted apologies for the remote Councillor Briefing Session held on 31 July 2023.
- Councillors Formoso, Long, Memeti and Truong submitted apologies for the Councillor Briefing Session held on 7 August 2023.

4.2.2 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings (Cont.)

7. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* (LGA2020) states that a Council must in the performance of its role give effect to the overarching governance principles.

Reporting on matters discussed at Councillor Briefing Sessions and Pre-Council Meetings gives effect to the overarching governance principles (in particular, section 9(i) of the *Local Government Act 2020*) in that the transparency of Council actions and information is ensured.

11. Recommendation

That:

- 1. the information contained in this report be received and noted; and**
- 2. the information discussed at the above listed Councillor Briefing Sessions on 7 and 14 July 2023 that was declared confidential under section 3(1) of the *Local Government Act 2020* in items 7 and 14 above remains confidential until further advisement unless that information forms the subject of a subsequent Council report.**

MINUTE 864

Moved by: Cr Lana Formoso
Seconded by: Cr Richard Lim OAM

That:

- 1. the information contained in this report be received and noted; and**
- 2. the information discussed at the above listed Councillor Briefing Sessions on 7 and 14 July 2023 that was declared confidential under section 3(1) of the *Local Government Act 2020* in items 7 and 14 above remains confidential until further advisement unless that information forms the subject of a subsequent Council report.**

CARRIED

4.2.3 List of Registered Correspondence to Mayor and Councillors

File Id: qA283304
Responsible Officer: Manager Governance
Attachments: Correspondence Received 7-18 August 2023

1. Report Summary

Subsequent to resolutions made by Council on 11 November 2013 and 25 February 2014 in relation to a listing of incoming correspondence addressed to the Mayor and Councillors, Attachment 1 provides a list of this correspondence for the period 7-18 August 2023.

2. Recommendation

That the listed items provided in Attachment 1 for the period 7-18 August 2023 be received and noted.

MINUTE 865

Moved by: Cr Loi Truong
Seconded by: Cr Jim Memeti

That the listed items provided in Attachment 1 for the period 7-18 August 2023 be received and noted.

CARRIED

4.2.3 List of Registered Correspondence to Mayor and Councillors (Cont.)

OTHER

**LIST OF REGISTERED CORRESPONDENCE TO
MAYOR AND COUNCILLORS**

ATTACHMENT 1

**CORRESPONDENCE RECEIVED
7-18 AUGUST 2023**

PAGES 3 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5235.

4.2.3 List of Registered Correspondence to Mayor and Councillors (Cont.)



Correspondences addressed to the Mayor and Councillors received between 07/08/23 & 18/08/23 - for officer action - total = 3

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
A Dandenong North resident's offer to assist lonely elderly people by including them on their family outings.	14-Aug-23	14-Aug-23	fA287300	Mayor & Councillors
A complaint from a Dandenong resident regarding pavement damage in Carlton Road, Dandenong and Council's response time.	09-Aug-23	10-Aug-23	fA286533	Mayor & Councillors
A request to the Mayor from a Dandenong South manufacturer for a copy of Council's letter to the Minister for Transport and Infrastructure calling for a stop to the Progress Street level crossing removal.	10-Aug-23	11-Aug-23	fA286643	Mayor & Councillors

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

4.2.3 List of Registered Correspondence to Mayor and Councillors (Cont.)



Correspondences addressed to the Mayor and Councillors received between 07/08/23 & 18/08/23 - for information only - total = 10

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
Advice to the Mayor from the Lord Mayor of Brisbane regarding the 14th Asia Pacific Cities Summit & Mayors' Forum 11-13 October 2023.	27-Jul-23	07-Aug-23	A10040992	Mayor & Councillors
Thank you letters to the Mayor from EAL (Transition) students at Dandenong North Primary School.	04-Aug-23	07-Aug-23	A10040987	Mayor & Councillors
A letter to the Mayor from Pioneer International Pty Ltd expressing concern about compounds used in air-conditioners and their impact on human health.	08-Aug-23	08-Aug-23	A10046913	Mayor & Councillors
An invitation to the Mayor from LUYTEN 3D to attend a tour of its Mordialloc facility.	14-Aug-23	15-Aug-23	A10073027	Mayor & Councillors
An invitation to the Mayor from the Office for Women for launch of Our Equal State on 24 August 2023.	15-Aug-23	15-Aug-23	A10075717	Mayor & Councillors
A letter to the Mayor from the Minister for Suburban Development advising of the Mayor's appointment to the Noble Park Suburban Revitalisation Board.	11-Aug-23	15-Aug-23	A10076923	Mayor & Councillors
A letter to the Mayor from the Minister for Environment advising of funding available to Greater Dandenong under the Better Parks and Playgrounds Program.	12-Aug-23	17-Aug-23	A10082657	Mayor & Councillors
A letter to the Mayor from Community Links Pakenham regarding the Mayor's Notice of Motion in relation to the upcoming Referendum.	16-Aug-23	17-Aug-23	A10083367	Mayor & Councillors
An invitation to the Mayor from SSI to participate in a panel discussion at the launch of SSI's new Dandenong office in September 2023.	15-Aug-23	18-Aug-23	A10086172	Mayor & Councillors
An invitation to the Mayor from Neighbourhood Watch Australasia to its National Secure Your Home Day Event 23/09/2023 - 24/09/2023.	14-Aug-23	18-Aug-23	A10086173	Mayor & Councillors

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

5 NOTICES OF MOTION

5.1 Notice of Motion No. 32 - Ban on Fossil Fuel Advertising

File Id:

Responsible Officer: Director City Planning Design & Amenity

Author: Cr Rhonda Garad

Preamble

In 2018, the Greater Dandenong City Council took a decisive step forward by declaring a Climate Emergency. At the heart of this declaration is a commitment to facilitating the transition from fossil fuels to a more sustainable and renewable energy future.

Historical data indicates that since the 1970s, major fossil fuel corporations, including industry giant Exxon, were well-aware of the impending climate crisis precipitated by continued reliance on fossil fuels. Their in-house scientists accurately projected the extent of global warming and the subsequent destabilization of the planet's climate. As we are witnessing, the dire predictions have manifested through alarming patterns such as extreme heat waves globally and in places like Antarctica. This is further evidenced by disruptions in natural habitats leading to struggling animal populations, and an increased frequency of wildfires and floods.

Though the Greater Dandenong City Council traditionally refrains from allowing commercial advertising on its properties, there are instances where indirect advertising for fossil fuel-affiliated companies might occur. This could be through sponsorship affiliations with sporting clubs that utilise council sports grounds or through public events and festivals conducted on council land.

Increasingly, fossil fuel companies are seeking sponsorships or partnerships with organisations as a form of "greenwashing". This deceptive tactic attempts to present an environmentally responsible facade, thereby legitimising their significant role in exacerbating the current climate emergency. Council must remain vigilant against participating or becoming a conduit for such misleading endeavours.

Current stipulations for hiring and usage of council facilities for such events do not yet reflect the urgency of the Climate Emergency or align with the Council's Climate Emergency Plan. Promotion or endorsement of companies engaged in fossil fuel production or supply on council property or facilities contradicts Council's established stance.

5.1 Notice of Motion No. 32 - Ban on Fossil Fuel Advertising (Cont.)

Motion

That Greater Dandenong City Council resolves:

- 1. not to endorse or support advertising from companies engaged in the production or supply of fossil fuels on any council-owned property, in alignment with its Climate Emergency Plan;**
- 2. that it will neither engage with, nor accept, sponsorship funds from entities within the fossil fuel sector, or partner with organisations accepting such sponsorships; and**
- 3. to receive an officer report by the end of October 2023 detailing the implications of prohibiting advertising or sponsorships from companies involved in the production or supply of fossil fuels on council premises, which includes a feasible strategy for implementing this ban.**

MINUTE 866

Moved by: Cr Rhonda Garad

Seconded by: Cr Lana Formoso

That Greater Dandenong City Council resolves:

- 1. not to endorse or support advertising from companies engaged in the production or supply of fossil fuels on any council-owned property, in alignment with its Climate Emergency Plan;**
- 2. that it will neither engage with, nor accept, sponsorship funds from entities within the fossil fuel sector, or partner with organisations accepting such sponsorships; and**
- 3. to receive an officer report as early as possible detailing the implications of prohibiting advertising or sponsorships from companies involved in the production or supply of fossil fuels on council premises, which includes a feasible strategy for implementing this ban.**

CARRIED
(CR SOPHIE TAN ABSTAINED FROM VOTING ON THIS ITEM)

For Motion: Cr Rhonda Garad, Cr Lana Formoso, Cr Jim Memeti, Cr Richard Lim OAM,
Cr Eden Foster.

Against Motion: Cr Sean O'Reilly, Cr Loi Truong, Cr Tim Dark.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS

Question

Cr Tim Dark

What is the confirmed date for fence removal at Frederick Wachter Reserve Playground? What is planned for opening the playground to the public?

Response

Paul Kearsley, Director Business, Engineering & Major Projects

I cannot provide a firm date for fence removal, it is hoped to occur next week subject to discussion with contractors. We will liaise with the Mayor's office to plan the opening event. If we receive state support, we will coordinate a time with the relevant Ministers and local Parliament Members. I will hopefully be able to provide more dates later this week.

Cr Lana Formoso left the Chamber at 7.50 pm

Question

Cr Tim Dark

The FC Noble Hurricanes Soccer Club currently play at Harold Road, Noble Park. A local teacher started the club to encourage disadvantaged youths to play soccer and promote fitness and community participation. There has been substantial growth in this club, with a lot more people getting involved. The middle of the current pitch is a hard cricket surface, what alternate ground allocation options are available for them to use?

Response

Peta Gilles, Director Community Strengthening

Please send through the specific information and we will contact the club to see how we can support them.

Questions

Cr Tim Dark

The surrounding industrial areas of Mills Road, Wayne Court, and Sinclair Road have dumped, unregistered, damaged cars. This area is looking extremely dirty with mirrors and glass on the ground. Canaried cars are moved to the private lot. After a month, the canary is removed, and the car is back on the street. What options does Council have to manage these unregistered and unroadworthy cars?

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Response

Jody Bosman, Director City Planning, Design & Amenity

Council has an active Clear Streets Program across the Municipality. Once a street is cleared and we move on, vehicle dumping returns. I will add this area to the hot spot list so officers can pay additional attention and factor it into the Abandoned Vehicles Program.

Cr Lana Formoso returned to the Chamber at 7.54 pm

Question

Cr Tim Dark

The Perry Road Construction and Widening Project is in progress and contracts have been awarded. It is noted that there is substantial crocodile cracking at the Eastlink bridge on this road, could Council's engineering team please investigate this or refer it to Eastlink to resolve?

Response

Paul Kearsley, Director Business, Engineering & Major Projects

If it is on the bridge, there is a point where Council does not have control of the asset. Our Engineers can investigate and address issues directly with Eastlink.

Question

Cr Tim Dark

There is a program for small businesses, similar to the Ignite Program, to help them thrive in Greater Dandenong. There is also a new officer who connects the business with the available Council services. I think this is an amazing strategy. What are the details of this program and how is it being rolled out?

Response

Paul Kearsley, Director Business, Engineering & Major Projects

We are implementing an additional phase to the Ignite Program for new and upcoming businesses to learn the skills of creating a business. The other program, Better Business, runs in conjunction with the City Planning, Design & Amenity team in environmental health planning and building. It is a concierge service where representatives from the economic development department assist, manage and coordinate applications relating to local laws and planning applications. It has been a successful program initially from the Department of Treasury and Finance. Staff will have the opportunity to brief Council at a Councillor Briefing Session early next year. Information will be provided to you in the interim.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Comment

Cr Richard Lim

On Tuesday 15 August 2023, I attended a dinner with general practitioners and pharmacists from the South East to discuss preventative health updates. There has been an update to the shingles vaccine program. The vaccine was initially recommended for patients 70 years and over but is now recommended for patients 50 years and over. We also discussed updates to the Meningococcal B vaccine, Flu vaccine, COVID-19 vaccines, and other vaccines.

On Saturday 19 August 2023, I was a guest speaker for the Cambodian Overseas Students Association of Victoria at Melbourne University. I shared the lessons I learnt from my early challenges of working and studying, which I overcame with determination and resilience.

On Sunday 20 August 2023, I attended a charity lunch to meet with Cambodia Vision to discuss Mission to Cambodia. Later that day, I attended a charity gala dinner hosted by Monash Children's Hospital.

On Wednesday 23 August 2023, I attended the Monash Health Business Breakfast with Jacqui Weatherill, Chief Executive Officer, for the second time.

On Saturday 26 August 2023, I attended My Room's 30th Year Anniversary Gala Dinner with Jacqui Weatherill, Chief Executive Officer, Councillor Jim Memeti, Deputy Mayor Lana Formoso and the Deputy Mayor for the City of Monash, Nicky Luo.

On Sunday 27 August 2023, I attended the Cambodia Vision Charity Lunch at Wat Buddharaigsai with Clare O'Neil, Minister for Home Affairs, Councillor Jim Memeti, the Monash Health Director, the CEO of Kidsafe, and Professor Chyrisse Heine, the Manager of Kidsafe.

Question

Cr Sophie Tan

Do we have a response from the Minister for Planning regarding 51A Douglas Street, Noble Park, since our submission in May 2023?

Response

Jody Bosman, Director City Planning, Design & Amenity

The situation is unchanged since the last Council Meeting. The officers received a response from the State Government explaining why they recommended the approval of the permit. To date, the letter to the Minister for Planning under the hand of the Mayor has still not been responded to.

Question

Cr Sophie Tan

Residents has been trying to save the river red gums in Noble Park via social media. Will a petition with many signatures help protect the trees?

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Response

Jody Bosman, Director City Planning, Design & Amenity

The permit to remove the two (2) river red gums has already been issued and belongs to the developer. I doubt community petitioning will change the permit. The process of amending that permit without the voluntary collaboration of the permanent owner is very unlikely.

Further question

Cr Sophie Tan

When will the development start?

Response

Jody Bosman, Director City Planning, Design & Amenity

We have no indication of when the development will start. Standard conditions apply to the permit, which means development must start within two (2) years. There is provision in the *Planning and Environment Act 1987* to apply for an extension of that time should they not be able to meet the start date.

Question

Cr Jim Memeti

Congratulations to the Dandenong City Football Club on becoming the premier of National Premier Leagues Victoria (NPL) 2, which means they are promoted to NPL1. I request the Mayor write a letter to congratulate them.

Response

Cr Eden Foster, Mayor

Noted for further action.

Question

Cr Jim Memeti

I attended the 30th year anniversary of Minaret College. The late Mr Mohamed Hassan OAM founded the school in Noble Park with 22 students. Now they have over 2000 students in Springvale with additional campuses in Officer and Doveton, which is a testament to Mr Hassan's work. Can the Mayor write a letter of congratulations to Amit Hassan, the Board of Director and son of the late Mohamed Hassan OAM, and to Mohammed Taksim, the Executive Principal.

Response

Cr Eden Foster, Mayor

Noted for further action.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Comment

Cr Jim Memeti

I attended the first art exhibition from the Afghan community at the Dandenong Plaza. Hopefully next year, we will house the art at the new Dandenong Art Centre.

On Saturday 26 August 2023, I attended the My Room Fundraiser with over 1500 people in attendance. My Room is a charity organisation where 95% of funds go to the charity. It was a great event and I look forward to supporting them in the future.

On Sunday 27 August 2023, I attended the Cambodian Vision in Springvale, which has been supported by our local community for over 15 years. As the Honourable Clare O'Neill said in her speech; blindness in Cambodia is like a death sentence, you get minimal support from the Government. The money raised in Springvale, Sydney and other parts of Australia protects people from losing their vision.

I attended the Dandenong Community Safety Forum which invited the community to speak with local police. I would like to thank the people that attended from the community and Victoria Police who host these throughout our Municipality.

I visited Progress Street, Dandenong South. Gabrielle Williams MP has organised a meeting with Eden Foster, Mayor, this Friday, and I have been invited as the Ward Councillor. I look forward discussing advocacy and outcomes.

Question

Cr Jim Memeti

14 Environmental Protection Authority (EPA) officers and two (2) Council officers have visited Industrial 2 Zones in Dandenong speaking to business owners who are not doing the right thing. This is welcomed by the community, as they do not want the Industrial 2 Zone, this is the next best thing. They have mobile air monitoring, blitzes, and EPA officers establishing closer operational working relationships. What plans are there for community engagement?

Response

Jody Bosman, Director City Planning, Design & Amenity

There has been a lot of activity and a strong operational working relationship between Council, EPA and other agencies as we investigate the industrial area. It is proposed that the EPA will brief Councillors at the beginning of November, before sharing the information with the community via Community Information Sessions. Further details will be provided at Councillor Briefing Sessions before community engagement.

Further question

Cr Jim Memeti

Is there any information about community engagement pop-up centres?

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Response

Jody Bosman, Director City Planning, Design & Amenity

By the time we brief Councillors we will have a community engagement strategy that we can present in November 2023.

Comment

Cr Jim Memeti

A resident posed the following question to me on Facebook referring to the Industrial 2 Zone: "Jim Memeti, this game of cat and mouse has to stop. As our representative Councillor, I believe you should consider putting your efforts into securing compensation for us affected residents and push for a rebate to be applied on our rates notice until our safety is secured".

The question was posed in response to the following quote from The Journal: "The air monitoring station absurdly located in Greaves Reserves is an understatement. Years of complaints from residents in neighbouring suburbs and nothing has changed".

Response

Jody Bosman, Director City Planning, Design & Amenity

We will continue to work on this. In November 2023, we will bring the results from our investigations to Council and the community through a community engagement strategy.

Comment

Cr Lana Formoso

I attended the My Room 30th Year Anniversary Gala Dinner. I am touched by this charity and the funds they raised. They helped us when my son was diagnosed with Leukemia last year, and I have seen their impact on families, research, equipment, and children's lives. These funds are integral to ensuring a 100% cure rate. Their Telethon will be on 29 September 2023. They raised close to 1 Million dollars from this dinner. Congratulations to Margaret Zeta, CEO, and the entire charity for their remarkable achievements.

Comment tabled

Cr Lana Formoso

On Tuesday 15 August 2023, I attended the Healthy Minds Mental Health Forum hosted by the Rotary Club of Greater Dandenong and Endeavor Hills at Lyndale Secondary College.

I also attended the South East Leisure Board Meeting.

On Saturday 19 August 2023, I attended the Dandenong Wetlands Community Planting Day. Later that day, I attended the Women at the Wheel Open Day hosted by Ventura Bus Lines.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

On Sunday 20 August 2023, I attended the Rotary Club of Springvale City's 20th Anniversary celebrations at the Spring Valley Gold Club. Later that day, I attended the 104th Independence Day Celebration of Afghanistan Annual General Meeting hosted by the Afghan Youth Association of Australia.

I also attended the Keysborough Fire Brigade Awards Night at the South Eastern Masonic Centre.

On Saturday 26 August 2023, I attended the Onam Festival hosted by the Malayalee Association of Victoria at Springvale City Hall.

Question

Cr Lana Formoso

At the last Council meeting I raised a question about a resident's driveway in Dandenong North being continuously blocked. I have been raising this for over a year and there is still no resolution. What are we going to do about this issue?

Response

Jody Bosman, Director City Planning, Design & Amenity

This week the second patrol team went live and is looking at extended hours. This greater spread of geographical area and hours means we can better monitor residential areas and provide relief to residents.

Further question

Cr Lana Formoso

The officers will not be able to monitor the area 24/7. It is outrageous that a person cannot come in and out of their own property. Can we implement signage or markings?

Response

Jody Bosman, Director City Planning, Design & Amenity

I will liaise with the traffic engineers in the Business Engineering & Major Projects department and see if there is an appropriate signage response. Signage does not always resolve behavioural problems. I will consult traffic engineers to see if a combination of enforcement and signage will provide relief.

Question

Cr Lana Formoso

A busy area of Stud Road, Dandenong being crossed by residents has barriers, but no pedestrian crossing. Can the Mayor write to the Local Member of Parliament and the Road Transport Minister advising that we desperately need a crossing?

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Response

Cr Eden Foster, Mayor

Noted for further action.

Comment

Cr Rhonda Garad

Deputy Mayor Lana Formoso and I attended the Keysborough Fire Brigade Awards Night. The regional heads and Local Member were there. We heard about the phenomenal work of the brigade and their fears for the upcoming fire season. A shout out to them for the extraordinary amount of effort and time they put into this event.

Question

Cr Rhonda Garad

Regarding the EPA's investigation, I am deeply worried about the secrecy of the odours and their potential health impacts. Council has worked tirelessly to form a local taskforce and finally the EPA are working with us. It is good that the EPA is utilising mobile air quality devices, however this is not a sustainable solution, and it does not bring comfort to residents. What is the status of the taskforce that Councillor Jim Memeti called for in 2020?

Response

Jody Bosman, Director City Planning, Design & Amenity

In the past couple of months officers have sought assistance from the EPA, the Department of Health, Monash Health, and the community to establish a taskforce. Most responses have directed us to the EPA. This is supported by the Clean Air for All Victorians Strategy released by the Minister for Energy Environment and Climate Action, Lily D'Ambrosio, in October 2022, which sets the EPA as the agency responsible for air quality in Australia. The EPA are collaborating with Council to improve air quality.

The formulation of a taskforce depends on the following steps:

- EPA and Council compliance officers have undertaken inspections of our most offensive sites. At these inspections, air quality samples were gathered, and permits were reviewed to ensure compliance.
- The EPA have also undertaken mobile air quality monitoring to measure airborne particulates in Dandenong South and Keysborough. This will continue to determine if there is an actual or perceived air quality issue.
- The EPA will report back to Councillors and executives on outcomes from the inspections and air quality studies.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

In the meantime, the day-to-day activities that the combined efforts of the EPA and Council officers undertake to ensure that the air quality is maintained and nuisance industrial sites are held accountable for any impacts will continue. These activities include:

- Regularly investigating over 200 industrial sites within our City and the neighbouring Casey and Kingston Councils, as part of the High-risk Waste Sites program. This program looks to ensure the risk of fire and odours are removed or reduced and do not cause off-site impacts.
- Weekly involvement in the Local Intelligence Network, which raises “of concern” sites within our city, so that a collaborative approach (with all State agencies) to resolving harmful industrial sites are actioned immediately.
- Undertake prosecution and enforcement of any businesses found to be causing a detrimental effects on the amenity of the city. A number of businesses have been prosecuted by the EPA in the past 12 months as a result. More recently identified businesses may similarly be prosecuted in due course, depending on the outcome of current assessments.
- The introduction of six new Officers for the Protection of the Local Environment (OPLs) have been added to the EPA team in our region and are actively undertaking investigations to reduce environmental harm.

It is comforting to know that whilst a taskforce is not currently established, there is a multi-agency approach to the issues and a lot of work is going into protecting the air quality and environment as a whole, through the combined efforts of the EPA, Council officers, and a number of supporting agencies. It is through these efforts that we believe the intent for the establishment of the taskforce will be achieved very soon.

Comment

Cr Rhonda Garad

I agree, after three (3) years, it is terrific that work is being done. I remain sceptical and will strongly push for the taskforce to be formed because Councillors, members of the community, members of parliament and health experts will be on board.

Question

Cr Rhonda Garad

I am deeply concerned that children in Greater Dandenong have one of the lowest accesses to libraries of all the Local Government Authorities in metropolitan Melbourne and regional areas. Children in wealthy suburbs, such as Stonnington, have five times greater access to libraries than our children. It is of greater concern that people primarily go to libraries to feel safe, because we, along with the City of Casey, have the most digitally disadvantaged residents in all of Melbourne. We have crowded houses and spaces not conducive to study. We have the highest need and the lowest access, aside from Melton.

What are we doing about readdressing the balance of access?

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Response

Peta Gillies, Director Community Strengthening

Greater Dandenong Libraries is committed to providing a place of inspiration, knowledge, learning, connection and creativity. Where the libraries are safe, trusted and accessible spaces. This is guided through the delivery of the Libraries Strategy 2022-2026.

Public Libraries Victoria completes an Annual Benchmarking report, in 2021-2022 Greater Dandenong is open an average of 73 hours per week across 2 branches to enable greater access, in comparison Stonnington is open across an average of 51 hours across 4 branches. Similarly, CGD 63,000 members and Stonnington had 39,000 members. Overall, Greater Dandenong was rated 17 out of 48, with 2.1 visits per capita, with Stonnington coming in at 46 out of 48, with 1.4 visits per capita. The top library service was Glenelg, with 4.8 visits per capita. It should be noted that the stats provided were impacted by COVID-19, in particular regional libraries had less restrictions during this year.

The strategy has four key priorities:

Priority 1: Improving health and wellbeing outcomes through literacy, learning and social connection.

Priority 2: Ensuring we are an accessible and inclusive service that is responsive and reflective of our community.

Priority 3: Growing our service and reach through our physical, digital and outreach streams

Priority 4: Developing strong and collaborative partnerships to help scale our impact for community

Each priority addresses a range of themes, including engagement, people, spaces and technology.

One of the actions within spaces theme is to expand access to areas of the municipality, who have further distances to travel to the main branches at Dandenong and Springvale. This will include the establishment of a library lounge at Keysborough South Community Hub and exploration of library lockers. This is on top of existing outreach programs, including Home Library Service, Literacy programs in schools and program delivery (baby bounce and story time) in locations in Keysborough and Noble Park, kindergartens and Maternal Child Health Centres.

Council has secured two (2) years of federal funding through Communities for Children grant through Mission Australia, to assist in literacy support in schools as well as at special events throughout the year. This is on top of Council's ongoing Literacy Officers who work at both branches to assist members of the community to find English programs, filling out forms, finding employment and participating in Australian Citizenship Ceremonies. These are just some of the initiatives Libraries is delivering to assist in literacy access.

In regard to technology theme, Council is committed to ensuring there is the right technology available both within branches, in the online branch accessible via the website and also in delivering a range of programs and tech support to assist in reducing the digital gap. This includes members of the public being able to schedule or drop in for one on one tech assist sessions (i.e. how to search the internet, use emails or use a mobile device), through to computer programs and general PC access.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Council recently received funding to deliver a range of Digital Literacy programs for Seniors from State Government. This will include providing outreach services. Council currently has 91 public access devices available for use and assistance from staff.

Comment

Cr Rhonda Garad

I think the officer has misinterpreted the question. I know our library services are outstanding, and the quality of our libraries is not the issue. The issue is the number of libraries, as outsource libraries do not provide safe spaces, education programs in-house, and a quite space conducive to study. The issue is about us, as a Council, building libraries and having physical spaces. It is probably a discussion around funding with the Councillors.

Question

Cr Rhonda Garad

Now that there is confirmation that the Government's position is not to rezone the Keysborough Golf Course out of the Green Wedge, will the City of Greater Dandenong stop wasting money and time on planning sports grounds that are conditional on a rezoning that, according to the Minister, is not going to happen?

Response

Jody Bosman, Director City Planning, Design & Amenity

The Master Plan of the proposed South East Sports Hub was developed and drafted by the proponent and involved no resources or expenses of Council. Future proposals to shift the Urban Growth Boundary or to rezone land will be considered at that time and Councillors will be advised.

Question

Cr Rhonda Garad

The Premier claims that councils are the problem in pushing back planning applications. The Municipal Association of Victoria's (MAV) data shows that councils are not the problem. Councils approve 90% of applications and the Victorian Civil and Administrative Tribunal approves many more. Has the City of Greater Dandenong provided our data to MAV, and if so, what is our rate and average time frames of approval?

Response

Jody Bosman, Director City Planning, Design & Amenity

That data is available to MAV, as is available from all councils. That is the data they use to form their position. The Greater Dandenong City Statutory Planning Team processed 82.4% of planning applications within the 60 statutory days last financial year. We were in the top three councils in the State of Victoria and have consistently issued decisions above the 80% mark for the past three years. Of these, 96% of decisions were approved.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Question

Cr Rhonda Garad

Following a Notice of Motion last year, the Greater Dandenong City Council agreed to work on setting up a regional Biodiversity network. Can we have an update on where this is at?

Response

Paul Kearsley, Director Business, Engineering & Major Projects

Council Officers have held several meetings to date with neighbouring councils to explore the opportunity to develop a regional biodiversity network. Whilst these conversations are continuing, the working group have identified several agencies who are currently aligned with analysing strategic biodiversity values at a regional level.

Further discussions are still to be held to determine the most efficient and effective way for Council to positively influence biodiversity at a regional level. An options paper for Council to consider will be finalised soon.

Comment

Cr Loi Troung

On Sunday 20 August 2023, I commemorated Vietnamese Veteran Day at Collingwood Town Hall.

On Sunday 27 August 2023, I met with a Vietnamese man who went back to Vietnam in 2019 to encourage the Vietnamese people to stand for democracy and freedom. He was jailed and only released last month after receiving help from the Federal Government.

On Sunday 24 September 2023 the Lantern Festival will take place from 11am until 7pm and we welcome people from all communities.

Question

Cr Sean O'Reilly

Can I have a report on the status of Council's Public Open Space Acquisition and Improvement Policy and any future plans, given this is an on-going policy? I understand there have not been any acquisitions within the last 20 months. The policy suggests using funding from developers' contributions to purchase small pocket parks and open spaces to combat the lack of open spaces through increased diversification. The Victorian Government suggests densification is accelerating.

Response

Jody Bosman, Director City Planning, Design & Amenity

Officers will prepare a report for yourself and other Councillors.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Comment

Cr Eden Foster, Mayor

On Tuesday 22 August 2023, I attended the Dandenong Community Safety Forum with Victoria Police where the community shared their safety concerns. I noted recurring comments of racism in our Municipality. I hope the Notice of Motion for the Racism Not Welcome Campaign will send a strong message that racism is not welcome in this Municipality and will make people feel safer.

On Wednesday 23 August 2023, I attended the Annual Gathering of the Interfaith Network of the City of Greater Dandenong where leaders in our faith and spiritual communities came together to share a common statement. Later that day, I officiated over a Citizenship Ceremony where over 300 new Australian citizens were provided citizenship.

On Thursday 24 August 2023, I attended the Noble Park Revitalization Board Meeting and the Rotary Club of Noble Park and Dingley Meeting. It was lovely to connect with the Rotarians in Noble Park and Dingley.

On Friday 25 August 2023, I visited the Rosewood Downs Primary School Kindergarten with the Minister for Early Childhood Pre-Prep, Ingrid Stitt, the Local Member of Parliament for Dandenong, Gabrielle Williams and Councillor Bob Milkovic.

On Saturday 26 August 2023, I attended the Ukraine Independence Day celebration hosted by the Ukrainian Community School at the Ukrainian Community Centre in Noble Park. It should be a day of celebration for the Ukrainian Community, but unfortunately it is still marked by the fear and sadness of the war. My thoughts and prayers are with our Ukrainian friends in Ukraine, Australia, and around the world.

On Sunday 27 August 2023, I attended the Golden Jubilee Mass for Parish Priest, Father Brendan Lane, from Saint Mary's Parish in Dandenong. Father Brendan Lane has been a priest for 50 years. The mass was a wonderful celebration of our community's diversity.

Jacqui Weatherill, Chief Executive Officer tabled a listing of responses to questions taken on notice/requiring further action at the previous Council meeting. A copy of the responses is provided as an attachment.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

COUNCILLOR QUESTIONS TAKEN ON NOTICE/REQUIRING FURTHER ACTION

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
14/08/23 CQT5	Cr Sophie Tan	Black spot program update, Noble Park Regarding the Black Spot Program in Railway Parade, Noble Park. We received funding from the Federal Government to install and raise a safety platform and line markings between Chandler Road and Bennett Street, Noble Park. The project was expected to be delivered in December 2022. What is the progress with this project? Have you done any consultation with the community at this stage?	Director Business, Engineering & Major Projects	21/08/2023	Initial response provided 14/08/23: We have been doing the design and preparation work for this. I will provide Council details of the past consultation and what is planned. Further response provided 21/08/23: Consultation is expected to occur in September 2023 which will provide the community an opportunity to provide feedback on the proposed designs. As Blackspot funding is provided for a specific type of proven treatment, there is limited scope to change the design, however consideration may be given to adjustments to address issues which may not have been initially identified.
14/08/23 CQT6	Cr Richard Lim	Buckingham and Queens Avenue Congestion, Springvale Last year I showed Council officers the corner of Buckingham and Queens Avenue, Springvale, where there is a lot of congestion. People need to turn right and there are many cars coming from Westall Road. The officers took photos, but I have not heard anything back. Is there an update on this?	Director Business, Engineering & Major Projects	28/08/2023	COMPLETED Initial response provided 14/08/23: Question taken on notice. Further response provided 28/08/23: Our traffic engineers have investigated this location. Some congestion can be caused by vehicles turning right out from Buckingham Ave into Queens Avenue at this intersection, with left turners held up. Delays of over one minute

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>have been observed, the issue affects some peak periods only, and is not consistent throughout the day.</p> <p>A review of accident history has been undertaken and identified that there have been no accidents at that intersection. However, the stretch of Queens Avenue to the west and the roundabout has previously experienced issues with u-turning vehicles being involved in accidents. Signage has been installed on Queens Avenue in an attempt to deter the dangerous midblock U-turn manoeuvres.</p> <p>Council officers have considered restricting the right turn movement out of Buckingham Avenue, however, this is not supported at this time as it is anticipated that this would lead to an increase in the number of drivers attempting the dangerous and illegal U-turns nearby on Queens Avenue. While the congestion may cause some frustration, this is a safer outcome.</p> <p>Any community members wishing to discuss further would be welcome to contact Council's traffic engineers directly at RoadSafety@cqd.vic.gov.au.</p> <p style="text-align: right;">COMPLETED</p>

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
14/08/23 CQT8	Cr Tim Dark	<p>Car parking, Chandler Road, Keysborough There was a Turkish restaurant on Popes Road, Keysborough which has closed down. The patronage has now moved to Street Food Turkey, Chandler Road, Keysborough. There was email correspondence regarding the traffic implication of having many cars parking there. When I did a drive by, cars were banking up. This is because of the car park allocations and the success of this business.</p> <p>Can officers investigate car park planning options and the capacity of these car parks? A resident emailed me with legitimate concerns as there were people making illegal turns or U turns on corners after collecting their food. I am worried that there is a real risk.</p>	Director Business, Engineering & Major Projects	23/08/2023	<p>Initial response provided 14/08/23: There are issues with traffic enforcement, design, and parking layout. We will arrange a meeting to discuss these issues. We may include traffic engineers from the Business, Engineering & Major Project team in that meeting.</p> <p>Further response provided 23/08/23: Following discussion amongst others between Regulatory Services officers, Council's town planners and its traffic engineers I can confirm that:</p> <ul style="list-style-type: none"> • There are no breaches of any planning permits or any need to adjust any planning permits or approvals in the area; • Some substantial changes to parking conditions at this location were implemented several months ago to assist with enforcement activities. Changes included the addition of a No stopping area at the front of the shop and an extended No Stopping area along the street leading up to the group of shops. No further changes are deemed necessary. • Where it is within the powers of Council to do so, Council's parking compliance officers are continuing to monitor, educate and enforce as deemed appropriate. Monitoring and enforcement of driver/driving behaviour (i.e. moving violations) and non-compliance with the Road Rules,

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
14/08/23 CQT9	Cr Tim Dark	<p>Rowley Allen Master Plan – fencing issues The Rowley Allen Reserve, Keysborough have been selected to host the semi-finals and the finals of the Southern Football Netball League (SFNL), due to their good ground conditions. However, they have concerns about whether the surrounding fence meets the SFNL safety and security requirements. Is the fence scheduled to be removed as part of the Final Concept Plan? What level of consultation will there be regarding driveway and car parking capacities?</p>	Director Business, Engineering & Major Projects / Director of Community Strengthening	23/08/2023	<p>such as illegal U-Turns is not within the jurisdiction of Council officers - it is a matter which would fall within the jurisdiction of Victoria Police.</p> <p>COMPLETED</p> <p>Initial response provided 14/08/23: Question taken on notice.</p> <p>Further response provided 23/08/23: Rowley Allen Reserve has successfully hosted SFNL finals in recent years.</p> <p>Officers have contacted the SFNL, who have advised that they have no concern about the fencing at the reserve and the ability to conduct finals at the venue.</p> <p>The Council-endorsed concept plan did not reference specifically the renewal of the oval fencing, however it is considered as part of the draft Sports Facilities Plan for renewal, and is likely to be prioritised in the coming 2-3 years.</p> <p>Officers will engage with the users when funding is available.</p> <p>2023-24 Council has a project to install high fencing behind the football goals to control errant footballs, but otherwise nothing else is proposed. Any future fencing works are subject to a Capital Works (CIP) bid being supported through Council's annual process.</p> <p>Master Plan consultation has already been completed and feedback received from the community and tenant clubs. A future car</p>

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
14/08/23 CQT10	Cr Tim Dark	<p>Rowley Allen Reserve - tree roots creating trip hazards Some time ago, an elderly lady tripped over and injured herself in the car park of the Rowley Allen Reserve, Keysborough. The concreted area that meets the car park is uneven and there are large tree roots. I was told there would be appropriate modifications, however, when I visited on the weekend, nothing had been done. Additionally, directly underneath the pavilion there is an asphalt surface that has erupted with the tree root coming out of the middle. I have taken photos to circulate to the relevant officer. Could we please prioritise managing this trip hazard?</p>	Director Business, Engineering & Major Projects	25/08/2023	<p>COMPLETED Initial response provided 14/08/23: We will get onto that immediately. Further response provided 25/08/23: Council Officers have inspected the tree and hard stand around the car park and pavilion at Rowley Allen Reserve. Officers are currently planning to remove sections of hard stand with the view to undertake root investigation and pruning works. Works are scheduled to be completed within the next two weeks subject to weather conditions and contractor availability.</p>
14/08/23 CQT11	Cr Bob Milkovic	<p>Palm Plaza, Dandenong - loose pavers The Palm Plaza, Dandenong pedestrian area pavers are in poor condition, despite talk of improvements for a few years. Last month, an elderly resident fell and required medical attention. It is concerning that residents are being deterred from visiting the Greater Dandenong City's central business district. Can we have an urgent assessment of the paving quality? What can be done immediately to secure them? It is concerning that residents shopping at the</p>	Director Business, Engineering & Major Projects	25/08/2023	<p>COMPLETED Initial response provided 14/08/2023: This was brought to my attention in the last 10 days and we will be looking at short term, medium and long term potential solutions. If we lift all the pavers, it could be a considerable project that may need to go into the next capital improvement program. In the short term, we will do immediate fixes to ensure safety. Further response provided 25/08/23: Council Officers inspected Palm Plaza in response to a report received from a resident on 27 July 2023 and works were completed the following week to repair the area highlighted by the resident. Council Officers</p>

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
14/08/23 CQT12	Cr Bob Milkovic	<p>market or visiting Dandenong Plaza may fall and injure themselves.</p> <p>Rhur Street, Dandenong South - Storm water drain I was at a business meeting on Rhur Street, Dandenong South at factory 18-20. There was a large plastic cover on the stormwater drain with a collapsed curb. It was full of plastic bottles, cigarette butts and rubbish that is flowing into our creeks and rivers. What can be done to rectify this and stop the debris washing into the Dandenong River because it is not good for the environment?</p>	Director Business, Engineering & Major Projects	25/08/2023	<p>have also assessed the condition of the pavement throughout the Plaza and it is recognised that the pavers are approaching the end of their life. The Works Team monitors and repairs the pavers reactively in addition to yearly proactive inspections. The cost to improve (not maintain) the paving is significant and in the current financial climate is likely to be a number of years away. In the meantime, Council Officers will submit a bid for a master plan for Palm Plaza in the 24/25 financial year to identify design, scope and costs to upgrade the pavers and streetscape.</p> <p>COMPLETED</p> <p>Initial response provided 14/08/23: There is a temporary repair being done which may have contributed to the problem. I will take the question on notice.</p> <p>Further response provided 25/08/23: Council Officers inspected the drain outside 18 Rhur Street on 24 August 2023, which was programmed to be cleaned the following day. Works have also been programmed to reconstruct the damaged kerb and drain that are likely to be completed by the end of September 2023. The street will also be added to Council's regular inspection program with the intention to monitor pollution, blockages and damage.</p>
14/08/23 CQT13	Cr Lana Formoso	<p>McFarlane Crescent – Blind Corner A student from Dandenong High School advised there is a very dangerous blind spot corner on McFarlane Crescent, Dandenong that is concerning everyone</p>	Director Business, Engineering & Major Projects	21/08/2023	<p>COMPLETED</p> <p>Initial response provided 14/08/23: Question taken on notice.</p> <p>Further response provided 21/08/23: Council's traffic engineers would be keen to</p>

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
14/08/23 CQT14	Cr Lana Formoso	<p>in the street. The student has recently obtained his learner permit and finds it frightening to drive along this street due to this bend that impairs driver vision and it is extremely tight. He says he has witnessed many accidents here. Can we please have our team look at the location and perhaps consider a mirror being installed to help drivers?</p> <p>Intersection in poor condition I had a group of Dandenong High School students tell me that the condition of the road at the intersection near Dandenong station is in very poor condition with many potholes and no line markings. This has caused a lot of confusion for drivers exiting the train station car park driving straight and drivers turning right onto Foster Street from Hammond Road have seen many collisions here. Can we</p>	Director Business, Engineering & Major Projects	28/08/2023	<p>discuss road safety concerns with the student, or any residents on the street that are experiencing road safety concerns.</p> <p>There are parking restrictions on the north side of the street on busy market days so that visibility is not heavily restricted at the times when traffic volumes are higher. There have been no recorded accidents on this street in the last 10 years (meaning none where an injury was reported or the police attended). We have received no previous concerns regarding road safety on this street.</p> <p>Convex mirrors are unsafe in locations such as this. These mirrors significantly distort images, so while they can be used to identify if a vehicle is present, they are extremely misleading in terms of gauging the distance away and speed of any vehicles. If relied upon, this can result in serious accidents. Convex mirrors are only safe for use where traffic speeds are extremely low (within car parks etc.).</p> <p>COMPLETED</p>
					<p>Initial response provided 14/08/23: Question taken on notice.</p> <p>Further response provided 28/08/23: Thank you for your enquiry regarding road condition and safety at the intersection of Cheltenham Road and Hammond Road. The Transport team has raised this location with our contacts at the Department of Transport and Planning who will investigate these issues. This location is not eligible for Blackspot Funding. Blackspot funding can</p>

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
14/08/23 CQT15	Cr Lana Formoso	<p>write a letter to VicRoads about this intersection? Could this fall under the Federal Black Spot funding program?</p> <p>Blocked driveway, Dandenong I had a resident call me for the third or fourth time now about her driveway in Dandenong being blocked on a regular basis. I called officers to attend the location, however when I got there the car had gone, so I cancelled the request. The resident is getting extremely frustrated and is considering moving out because of it. The driveway is quite long and many people do not see that there is a house at the end, some have even parked their cars in the driveway. Can officers investigate and provide a solution? I think a no standing sign or markings on the road would assist.</p>	Director City Planning, Design & Amenity	25/08/2023	<p>only be used on local (Council managed) roads and only at locations where there is a significant history of accidents.</p> <p>COMPLETED</p> <p>Initial response provided 14/08/23: Question taken on notice.</p> <p>Further response provided 25/08/23: Council have previously investigated this issue in Dandenong as it was raised a short time ago. Parking conditions such as signage were assessed by Council's traffic engineers and deemed not suitable for upgrading or changing due to the demands already placed on parking space in the immediate area. As a result, the matter of parking over driveways and other parking issues were placed on the Regulatory Services' department's regular patrol list. Records indicate that recent regular patrols have not identified any breaches to parking regulations such as parking over driveways. Council Officers are keen to take action against such breaches so urge the community members in these cases to notify Council directly on 03 8571 1000 at the time of observing the offence so as to enable an officer to be directly dispatched to the area.</p> <p>COMPLETED</p>

7 URGENT BUSINESS

No urgent business was considered.

The meeting closed at 8.47 PM.

Confirmed: / /
