



Agenda

Council Meeting

Monday 11 September 2023, 7:00 pm

Dandenong Civic Centre, 225 Lonsdale Street,
Dandenong, Victoria 3175

greaterdandenong.vic.gov.au



Council Meeting Details

At the time of printing this Agenda, the Council Meeting to be held on Monday 11 September 2023, will be open to the public to attend in person but will be subject to venue seating capacity. This will be a hybrid meeting consisting of Councillors attending in person and remotely.

If we are unable to accommodate you indoors, you will still be able to watch the webcast live on the Urban Screen in Harmony Square. To view the webcast and stay informed about the status of Council Meetings please visit Council's [website](#).

The Civic Centre basement carpark will be opened to all members of the public during library opening hours. Any parking in this area will be subject to availability and time limits as notified by any signage posted.

Your Councillors

[Mayor Eden Foster](#)

[Cr Sean O'Reilly](#)

[Deputy Mayor Lana Formoso](#)

[Cr Sophaneth \(Sophie\) Tan](#)

[Cr Tim Dark](#)

[Cr Loi Truong](#)

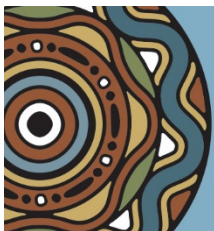
[Cr Rhonda Garad](#)

[Cr Richard Lim](#)

[Cr Angela Long](#)

[Cr Jim Memeti](#)

[Cr Bob Milkovic](#)



We acknowledge the Traditional Owners and 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.



(03) 8571 1000



council@cgd.vic.gov.au



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COUNCIL OBLIGATIONS AND AGENDA REPORTS

Council has several obligations in relation to its Community Vision, Council Plan, Instruments of Legislation and Council policy. These are summarily considered in each Agenda report and further details are added as required. The obligations are as follows:

Community Vision 2040 (Community Vision | Greater Dandenong Council)

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.*

Reports in this Agenda will identify when any of the above principles are relevant.

The Council Plan 2021-25 (Council Plan 2021-25 | Greater Dandenong Council)

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. The Council Plan has the following key 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 city that supports entrepreneurship, quality education and employment outcomes*
- *A Council that demonstrates leadership and a commitment to investing in the community.*

Reports in this Agenda will identify when any of the above principles are relevant.

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. These are:

- a) Council decisions are to be made and actions taken in accordance with the relevant law;
- b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d) the municipal community is to be engaged in strategic planning and strategic decision making;
- e) innovation and continuous improvement are to be pursued;
- f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- g) the ongoing financial viability of the Council is to be ensured;
- h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- i) the transparency of Council decisions, actions and information is to be ensured.

Also, in giving effect to the overarching governance principles above, a Council must take into account the following supporting principles:

- a) the community engagement principles (section 56);
- b) the public transparency principles (section 58);
- c) the strategic planning principles (section 89);
- d) the financial management principles (section 101);
- e) the service performance principles (section 106).

Reports in this Agenda will identify when any of the above principles are relevant.



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. The objects of the Act are as follows:

- a) to promote, encourage and facilitate the achievement of gender equality and improvement in the status of women; and
- b) to support the identification and elimination of systemic causes of gender inequality in policy, programs and delivery of services in workplaces and communities; and
- c) to recognise that gender inequality may be compounded by other forms of disadvantage or discrimination that a person may experience on the basis of Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and other attributes; and
- d) to redress disadvantage, address stigma, stereotyping, prejudice and violence, and accommodate persons of different genders by way of structural change; and
- e) to enhance economic and social participation by persons of different genders; and
- f) to further promote the right to equality set out in the Victorian Charter of Human Rights and Responsibilities and the Convention on the Elimination of All Forms of Discrimination against Women.

Council is obligated to think about how its programs and services affect different people and different communities and how we can avoid reinforcing unintentional inequalities. Reports authors must consider the requirements of the *Gender Equality Act 2020* and Council's Diversity, Access and Equity Policy when asking Council to consider or review any issues which have a direct or significant impact on members of the Greater Dandenong community.

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). 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.

Given this municipality's diversity and inclusiveness, when developing or preparing a report for Council consideration, report authors are required to ensure their report is consistent with the standards set by the Charter.



Consideration of 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.

When developing or preparing a report for Council consideration, report authors are required to consider what impacts their issue has on Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy and the requirements of the *Local Government Act 2020* in relation to the overarching principle on climate change and sustainability.

Related Council Policies, Strategies or Frameworks

Report authors will consider how their report aligns with existing Council policies, strategies, frameworks or other documents, how they may affect the decision of this report or are relevant to this process.



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1 MEETING OPENING

1.1 OPENING OF MEETING BY MAYOR

1.2 ATTENDANCE



1.3 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS OF 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.

1.4 OFFERING OF PRAYER, REFLECTION OR AFFIRMATION

As part of Council's commitment to recognising the cultural and spiritual diversity of our community, the prayer, reflection or affirmation this evening will be offered by Venerable OI Sam from Buddhist Wat Buddharangsi, a member of the Greater Dandenong Interfaith Network.



1.5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Meeting of Council held 28 August 2023.

Recommendation

That the minutes of the Meeting of Council held 28 August 2023 be confirmed.

1.6 DISCLOSURES OF INTEREST

Any interest that a Councillor or staff member has deemed to be significant and has disclosed as either a material or general interest is now considered to be a conflict of interest. Conflict of Interest legislation is detailed in Division 2 – Conflicts of Interest: sections 126, 127, 128, 129 & 130 of the *Local Government Act 2020*. This legislation can be obtained by contacting the Greater Dandenong Governance Unit on 8571 5216 or by accessing the Victorian Legislation and Parliamentary Documents website at www.legislation.vic.gov.au.

If a Councillor discloses any interest in an item discussed at any Council Meeting (whether they attend or not) they must:

1. complete a disclosure of interest form prior to the meeting;
2. advise the chairperson of the interest immediately before the particular item is considered (if attending the meeting); and
3. leave the chamber while the item is being discussed and during any vote taken (if attending the meeting).

The Councillor will be advised to return to the chamber or meeting room immediately after the item has been considered and the vote is complete.



2 OFFICERS REPORTS - PART 1

2.1 PETITIONS AND JOINT LETTERS

2.1.1 Petitions and Joint Letters

Responsible Officer: Manager Governance
Attachments: 1. Petitions and Joint Letters [2.1.1.1 - 3 pages]

Executive Summary

1. 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.
2. Issues raised by petitions and joint letters will be investigated and reported back to Council if required.
3. A table containing all details relevant to current petitions and joint letters is provided in Attachment 1. It includes:
 - a) the full text of any petitions or joint letters received;
 - b) petitions or joint letters still being considered for Council response as pending a final response along with the date they were received; and
 - c) 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.
4. This report recommends that the listed items in Attachment 1, and the current status of each, be received and noted.



Petitions and Joint Letters Tabled

5. Council received no new petitions and no joint letters prior to the Council Meeting of 11 September 2023.

Note: 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.

Recommendation

That this report and its attachment be received and noted.

Date Received	<ul style="list-style-type: none"> Petition Text (Prayer) 	No. of Petitioners	Status	Responsible Officer Response
25/07/23	<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 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> <p>A meeting has been scheduled for 01/09/2023 with the Local MP, Parliamentary Secretary for Level Crossings, Mayor Eden Foster, the Ward Councillor and Acting CEO Jody Bosman.</p>

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

ATT 2.1.1.1 Petitions and Joint Letters

Date Received	<ul style="list-style-type: none"> 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</i> (Act) 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.

ATT 2.1.1.1 Petitions and Joint Letters

Date Received	<ul style="list-style-type: none"> Petition Text (Prayer) 	No. of Petitioners	Status	Responsible Officer Response
	<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.</p> <p>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 STATUTORY PLANNING APPLICATIONS

2.2.1 Town Planning Application - No. 12 Kelly Court, Springvale (Planning Application No. PLN22/0486)

Responsible Officer:	Director City Planning, Design & Amenity
Attachments:	1. Assessed Plans [2.2.1.1 - 1 page] 2. Location of Objectors [2.2.1.2 - 1 page]

Application Summary

Applicant:	Mr How Ng – Melbourne Planning Pty Ltd
Proposal:	Use of the land for a Funeral Services Facility (Mortuary) and internal buildings and works (mezzanine)
Zone:	Industrial 1 Zone
Overlay:	Design and Development Overlay, Schedule 6
Ward:	Springvale North

1. The application is brought before the Council as it has received six (6) objections.
2. The application proposes to change the use of the land from a warehouse for the purposes of a Funeral Services Facility (Mortuary) and to construct a first-floor mezzanine internal to the building.
3. A permit is required pursuant to the following:
 - Clause 33.01-1 of the Greater Dandenong Planning Scheme to use the land as a Funeral Services Facility (Mortuary); and
 - Clause 33.01-4 of the Greater Dandenong Planning Scheme for the construction of buildings and works.

Objectors Summary

4. The application was advertised to the surrounding area through the erection of one (1) notice on-site and the mailing of notices to adjoining and surrounding owners and occupiers. Six (6) objections were received to the application.
 - Compatibility of proposed use and surrounding uses within the industrial zone;
 - Property values;
 - Religious belief and mental health;
 - Potential visual impacts of use;
 - Potential odour impacts of use; and
 - Incompatibility with the National Pathology Accreditation Advisory Council (NPAAC) (Requirements for the Facilities and Operations of Mortuaries Third Edition 2013).



Recommendation Summary

5. 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 a Permit be granted and a **Notice of Decision** (which provides appeal rights to objectors) to grant a permit be issued containing the conditions as set out in the recommendation.
6. If the application was to be appealed to Victorian Civil and Administrative Tribunal (VCAT), it is of the officer's view that it is highly likely that VCAT would also issue a planning permit for this proposal.



Subject Site and Surrounds

Subject Site

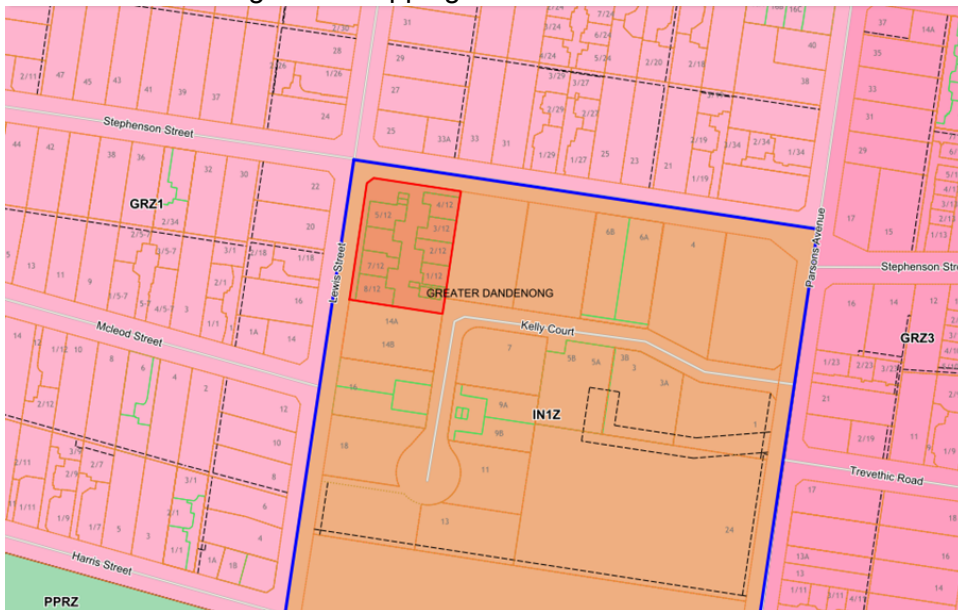
7. The subject site is one (1) of eight (8) recently constructed warehouse buildings located to the larger site known as 12 Kelly Court, Springvale.
8. The warehouse building development was approved under Planning Permit PLN20/0306, issued by Council on 03 September 2021.
9. The building subject to this application is No. 1/12 Kelly Court. The building is irregular in shape with an average width of 9.92 metres, length of 11.4 metres for an overall internal gross floor area of 126.31 square metres (internal net floor area of 101 square metres).
10. The building has been approved with an internal loading bay, kitchenette, toilet and bin storage.
11. The subject site is allocated three (3) car parking spaces on Title and are located to adjacent to the building to the south and west as indicated on the Plan of Subdivision to the copy of Title.

Surrounding Area

12. The subject site is located within an Industrial 1 Zone, a Design and Development Overlay - Schedule 6, and is located within the Springvale Activity Centre.
13. The immediate area is developed for industrial purposes along Kelly Court and Parsons Avenue to the east and south of the subject site and characterised predominantly by recently developed industrial / warehouse buildings.
14. The industrial zone is bounded by residential interfaces along Stephenson Street to the north, Lewis Street to the west and further to the east along Parsons Avenue.

Locality Plan

15. Greater Dandenong Zone mapping:





16. Nearmaps image February 2023:



17. Nearmaps image February 2023 (subject site highlighted in yellow):





Background

Previous Applications

18. A search of Council records revealed that Council has previously considered the following planning applications for the site:
 - PLN21/0376 (26-30 Parsons Avenue, future 12 Kelly Court, Springvale) – Permit was issued for subdivision of the land (8 Lots).
 - PLN20/0306 (12 Kelly Court, Springvale) - Permit was issued for the development of the land for eight (8) warehouses.
 - PLN19/0043 (26-30 Parsons Avenue, Springvale) - Permit was issued for the use of the land for warehouse, the subdivision of the land into seventeen (17) lots and the removal of easements. This permit has been amended twice with the reference numbers PLN19/0043.01 and PLN19/0043.02.

Proposal

19. The application proposes to use the land for a Funeral Services Facility (Mortuary). Specifically, the proposal seeks the storage of a maximum of six (6) deceased persons within a cool room and the storage of goods associated with a Mortuary business such as coffins, a hearse, records and the like.
20. The mortuary will operate as a 'back of house' type use with no embalming, no viewings and no funeral services and does not involve any clients or visitors arriving on site at any time. All other funeral operations will occur offsite.
21. The deceased persons will be brought to the site within an enclosed vehicle, will be loaded and unloaded within the loading bay inside the building. The bodies will remain for a maximum of 24 hours and will then be transferred to an off-site funeral parlour for preparation.
22. To facilitate the use a first-floor mezzanine (with stairs) internal of the building with an additional floor area of 52 square metres will be constructed. The buildings and works for the mezzanine trigger a planning permit due to the increase in the floor area.
23. The proposed cool room and minor internal rearrangement of building including relocating a tea room and toilet and installation of a dividing wall do not trigger a planning permit requirement.
24. A copy of the submitted plans is provided in Attachment 1 to this report.

Planning Scheme and Policy Frameworks

25. Pursuant to the Greater Dandenong Planning Scheme, a planning permit is required:
 - Under Clause 33.01-1 to use the land as a Funeral Services Facility (Mortuary); and
 - Under Clause 33.01-4 to construct and carry out buildings and works.



Zoning Controls

26. The subject site is located in an **Industrial 1 Zone**.
27. The purpose of the Industrial 1 Zone outlined at Clause 33.01 is:
 - *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*
28. A funeral services facility (mortuary) is not listed in the Table of Uses to Clause 33.01 (Industrial 1 Zone), therefore the land use falls under Section 2 (Permit Required) for “any other use not in Section 1 or 3”.
29. Additionally, pursuant to Clause 33.01-4; a planning permit is required to construct a building or construct or carry out works.

Overlay Controls

30. The subject site is located in a **Design and Development Overlay**, as is the surrounding area.
31. The purpose of the Design and Development Overlay outlined at Clause 43.02 is:
 - *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To identify areas which are affected by specific requirements relating to the design and built form of new development.*
32. Specifically, the subject land is located within Schedule 6 of the overlay which relates to the **Springvale Activity Centre**.
33. The design objectives, detailed in the Schedule are as follows:
 - *To implement the Springvale Activity Centre Structure Plan (2017) and the Springvale Activity Centre Building Heights and Setbacks Study (2016) to maintain and create a strong and distinct image of the Springvale Major Activity Centre.*
 - *To encourage higher density development, whilst maintaining the fine grain rhythm at street level, and achieve a transition down in scale to reduce amenity impacts to the surrounding established residential areas.*
 - *To ensure the height and setbacks of development delivers a high quality public realm which maintains sunlight and comfortable wind conditions.*
 - *To encourage high quality buildings and ensure building separation and setbacks achieve high levels of external and internal amenity for occupants, visitors and the general public which may require consolidation of sites.*
 - *To enhance the amenity and appearance of the industrial area (Precinct 11).*



Planning Policy Framework

34. 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.
35. 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.
36. 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.
37. 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).
38. 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.
39. Clause 17.02-1 (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.



40. 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:
41. To create a safe and sustainable transport system by integrating land-use and transport.

Local Planning Policy Framework

42. The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies.
 43. 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:
 - a) 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.
 44. The following objectives and strategies are relevant:
 - a) 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.
 - b) Within Clause 21.07-2 where the matter of public transport is considered, the objective to integrate transport and land use includes the following relevant strategy:
 - Ensure residential, commercial and industrial development provides for safe and accessible pedestrian/bicycle movement to the public transport network.
 45. The objectives and strategies of Clause 21.07-3 which relate to the matter of walking and cycling should also be considered.
 - a) Clause 22.10 Major Springvale Activity Centre:
 - This policy applies to all land in the Springvale Major Activity Centre (as identified in Map 1 and 2 at Clause 22.10-4) and is affected by Schedule 6 of the Design and Development Overlay. This policy provides direction to Council in considering future land use and development applications within the Springvale Activity Centre and Implements the vision, objectives and strategies of the Springvale Activity Centre Structure Plan, 2017 (Structure Plan) which supports the continued development and expansion of Springvale as a Major Activity Centre
 46. The Policy Objectives specific to this application relate to Land Use and Economic Activity.
-



Particular Provisions

47. Car Parking (Clause 52.06):

- a) 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.*

48. A funeral services facility (mortuary) is not listed in Table 1 to Clause 52.06; therefore, the car parking rate is to the satisfaction of the Responsible Authority.

49. Clause 52.34 - Bicycle Facilities

- a) 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.*

50. 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.

51. 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.

52. Under the table to Clause 52.34-3, a funeral services facility (mortuary) is not listed in this Clause; therefore, the bicycle parking rate is to the satisfaction of the Responsible Authority.

General Provisions

53. Clause 65 – Decision Guidelines need 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 are of relevance. This Clause outlines the requirements that the responsible authority must consider when determining the application.



Restrictive Covenants

54. Restrictive covenant PS816233C applies to the land which states that the burdened land must be used and developed in accordance with a Memorandum of Common Provisions MCPAA6741 (expiry date 31 December 2030).
55. MCPAA6741 has the following details:

Access:

- *Vehicle access to Stephenson Street is prohibited from the northern boundary of Lots 1 to 6 (both inclusive).*
- *Vehicle access to Lewis Street is prohibited from the western boundary of Lots 1 and 14 to 17 (both inclusive).*
- *Unless with the written consent of the Responsible Authority, there is to be no pedestrian or vehicular passage along the 3-metre-wide common property strip abutting Lots 14 and 15. This land is to be utilised solely for drainage overland flow purposes and should not be obstructed.*
- *Each lot must only be accessed from the Common Property Road (Kelly Court) via a singular concrete crossover no wider than 11m.*

Landscaping

- *Lots 1 to 6 must provide a minimum landscape setback of 3 metres along the northern boundary adjacent to Stephenson Street (inclusive of the corner splay). No vehicular or building access, storage of goods, materials or the like is allowed within this landscape setback area.*
- *Lots 1 and Lots 14 to 17 must provide a minimum landscape setback of 3 metres along the western boundary adjacent to Lewis Street. No vehicular or building access, storage of goods, materials or the like is allowed within this landscape setback area.*
- *Lots 6 and 7 must provide a minimum landscape setback of 3 metres along the eastern boundary adjacent to Parsons Avenue. No vehicular or building access, storage of goods, materials or the like is allowed within the landscape area.*
- *Lots 1 to 12 and Lots 15 to 17 must provide a minimum landscape setback of 2 metres to the internal common property (Kelly Court). Vehicular crossovers and accessways are permissible within this landscape setback.*
- *All landscaping within the landscape setbacks must be maintained and protected in perpetuity in accordance with the approved landscape design.*

Design

- *Unless with the written consent of the Responsible Authority, Lots 6 and 7 must incorporate a corner office design that interfaces with both the internal front boundary and Parsons Avenue.*

Use

- *Unless with the written consent of the Responsible Authority, the land must not be used for industry as defined within the Planning Scheme or any use listed under Clause 53.10 of the Planning Scheme.*
56. The proposal complies with the requirement of the restrictive covenant and memorandum of common provisions.



Links to the Community Vision and Council Plan

57. This report is consistent with the following principles in the Community Vision 2040:

- Not Applicable

58. This report is consistent with the following strategic objectives from the Council Plan 2021-25:

- Not Applicable

Diversity, Access and Equity

59. It is not considered that the planning assessment of this application raises any diversity issues. The application itself does not have a direct and significant impact on the wider Greater Dandenong community.

Community Safety

60. 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.

Safe Design Guidelines

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

Referrals

62. The application was not required to be referred to any external referral authorities pursuant to section 55 of the *Planning and Environment Act 1987*.

63. The application was internally referred to the following Council teams for their consideration:

- Transport Planning – no objections (no conditions).

Advertising

64. The application has been advertised pursuant to section 52 of the *Planning and Environment Act 1987*, by:

- sending notices to the owners and occupiers of adjoining land; and
- placing one (1) sign on site facing the internal common property of 12 Kelly Court.

65. The notification has been carried out correctly. Council has received six (6) objections to date.

The location of objectors/submitters is shown in Attachment 2 to this report.



Summary of Grounds of Submissions/Objections

66. The objections are summarised below (**bold**), followed by the Town Planner's Response (*italics*).

67. **Compatibility of proposed use with other uses within the development**

- *Concerns are raised by objectors regarding the existing and potential land uses of the newly constructed warehouse buildings and their compatibility with the proposed mortuary use.*
- *It is considered that the proposed land use and operations are relatively discrete and will primarily be conducted internal to the building. Bodies will be delivered to site within an enclosed vehicle and all activities will occur within the site building where they will be stored and transported off site. The remaining areas of the building will be for used the storage of goods associated with the business such as cars, records and the like. In addition, the use is not considered a sensitive use and would not be impacted upon or impact on other industrial uses.*
- *The proposed operations are considered to be consistent with the surrounding land uses permissible within the Industrial 1 Zone and the purpose of the zone which is to provide for manufacturing industry, the storage and distribution of goods.*

68. **Property values**

- *Whilst Council officers acknowledge the concerns of the objections, the impact of a proposed use on property values is not a planning consideration and will not be further considered in this assessment.*

69. **Religious belief and mental health**

- *Whilst Council officers acknowledge the concerns of the objections, the impact of a proposed use on religious beliefs or mental health is not a planning consideration and will not be further considered in this assessment.*

70. **Potential visual impacts of use**

- *No funeral services or public viewings are proposed. Bodies will be delivered to site within an enclosed vehicle and transported from the vehicle internal to the building. At no time are the deceased persons proposed to be openly visual. In addition, no advertising signage is proposed that would identify the proposed building as a mortuary.*
- *Therefore, it is considered that the proposed use of the land for mortuary would be relatively unidentifiable. Permit conditions can be included to ensure that bodies are moved to and from the vehicle quickly, internal to the building and in a discrete manner.*

71. **Potential odour impacts of use**

- *No embalming of bodies will occur on site and no chemicals will be used. The bodies will be stored in coolers for a maximum of 24 hours where no preparation activities will occur during this time prior to being transferred off site.*
- *Therefore, it is considered that bodies will not be in advanced stage of decomposition and will not cause offsite amenity impacts by way of odour. Permit conditions can be included to limit the number of bodies, ensure bodies are not stored on site for longer than 24 hours and ensure that no embalming or use of chemicals occurs on site.*



72. Incompatibility with the National Pathology Accreditation Advisory Council (NPAAC) (Requirements for the Facilities and Operations of Mortuaries Third Edition 2013).

- *The NPAAC requirements for the facilities and operations of mortuaries are not a consideration of this planning application and rather will be a separate consideration that will be reviewed by the relevant authority at the time of operation, if required.*

Assessment

73. The proposal has been assessed against the relevant provisions of the Planning Policy Framework and Local Planning Policy Framework, the zoning of the land, the relevant particular provisions, and the decision guidelines of Clause 65.
74. Overall, the proposal is considered acceptable and would not result in any adverse impact to the amenity of adjoining or surrounding land

Use

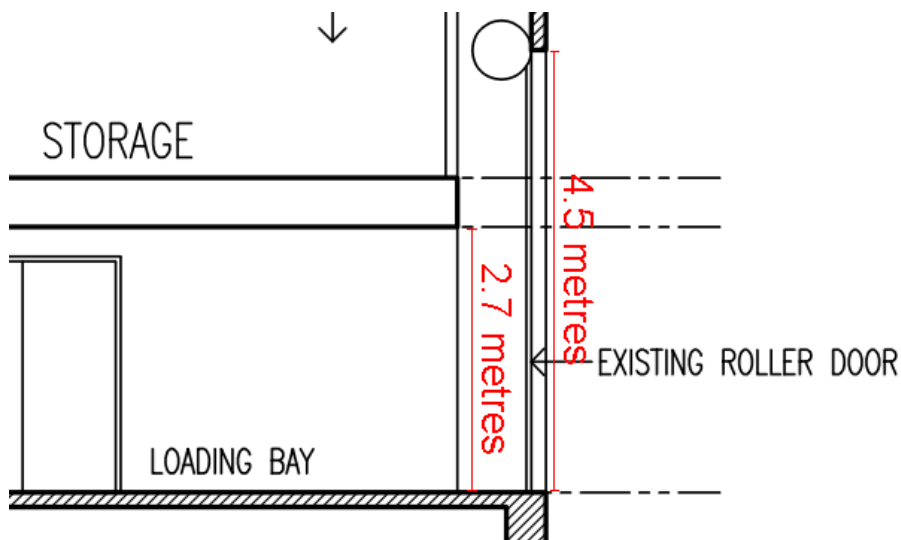
75. The application seeks to change the use of the land to a Funeral Services Facility, specifically a Mortuary.
76. The building was constructed in 2022 and was approved for the purposes of a warehouse.
77. Pursuant to Clause 33.01-1 (Industrial 1 Zone), a planning permit is required to use the land for Funeral Services Facility (Mortuary), as the land use is not explicitly listed in the Table of Uses within the zone.
78. The use is proposed to include the storage of deceased persons within the proposed cool room on ground floor. The maximum number of deceased persons to be stored within the building is six (6) at any one time. Additionally, the applicant has stated that the deceased persons will be stored on site for a maximum of 24 hours.
79. It is noted that there will be no preparation of bodies, associated funeral services, viewings, visitors, meetings or gatherings of family or friends of the deceased within the subject building. The deceased persons will be brought to the site within an enclosed vehicle and will then be transferred from the site to an off-site funeral parlour for preparation.
80. In addition, the building will also be used for the storage of items associated with a funeral parlour business which is operating off site. These include the storage of coffins, hearse, and other associated business-related items such as the storage of records.
81. As the site is located within a recently constructed warehouse / industrial precinct, consideration has been given to potential amenity impacts on the existing commercial and industrial businesses adjacent to the premises in addition to the surrounding residential areas.
82. It is considered that the proposal would be of a discrete nature, improve services within the area and provide a benefit to the community by way of employment, without compromising the local amenity of the surrounding land uses. 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.
83. The proposed change of use is compatible with the existing uses in the immediate vicinity, would not impede any new or proposed uses from being established in the area and will not detrimentally impact the surrounding industrial or residential areas by way of noise or odour.



84. In addition, it is considered that the proposed use contributes to and reinforces the Activity Centre by contributing to a diverse mix of land uses whilst meeting the purposes and decision guidelines of the Industrial 1 Zone and contributing to the orderly planning of uses within the newly developed industrial precinct.
85. Council officers have recommended that a number of permit conditions and notes be imposed to restrict the uses operations in line with what is proposed to appropriately manage the use and any potential off site amenity impacts.
86. Based on the above, it is considered that the proposal is appropriately located and would be managed to avoid any impact on the amenity of the surrounding area and community.

Development

87. The proposed development that requires a planning permit consists of the following:
 - First floor: construction of a first floor mezzanine and associated stairs with an additional net floor area of 52 square metres.
88. The proposed addition of a cool room and other minor internal alterations and such as dividing walls and relocation of tea room at the ground floor do not require a planning permit.
89. It is considered that the proposed mezzanine and staircase will provide for additional storage space, are minor in nature and will not alter external areas of the building and as such should be supported.
90. However, pursuant to Clause 33.01-4 (Buildings and works), the responsible authority must consider the loading and unloading provisions and service areas of the site as a part of the application.
91. The mezzanine floor extends directly on top of the ground floor area set aside for the internal loading bay, and is setback approximately 0.6 metres from the roller door along the western frontage of the building.
92. A cross section provided by the applicant details the height of the existing roller door and proposed mezzanine floor as follows:



93. As detailed, the existing roller door was approved with a height of 4.5 metres to allow vehicles of an industrial / warehouse nature to move efficiently in and out of the building.



94. According to the National Heavy Vehicle Regulator, the average height of a heavy vehicle is approximately 4.3 metres. This would mean that operators of the industrial / warehouse building would be limited and restricted to use smaller vehicles with a maximum height of less than 2.7 metres.
95. The loading and unloading from or to vehicles must only be carried out on the land within the designated loading bay internal to the building, not within the common property accessway, and must not disrupt the circulation and parking of vehicles on the land. Therefore, the mezzanine is required to be reduced in size to allow the future operators to efficiently use this space.
96. A condition is required to be imposed to the permit to ensure the mezzanine floor is constructed clear of the internal loading bay. This may be worded in a way to allow the additional floor area lost with this reduction to be constructed to the west of the proposed approved mezzanine floor area.
97. It is considered, subject to conditions, the proposed buildings and works to facilitate the use are appropriate for the site and comply with the requirements of the scheme.

Car-Parking

98. The table to Clause 52.06-5 (Car parking – Number of car parking spaces required under Table 1) contains car parking for different uses. The subject site is within the Principle Public Transport Network map area. Therefore, Column B of Clause 52.06-5 is applicable.
99. The use of the land for a Funeral Services Facility (Mortuary) is not listed in the table and therefore the application has a discretionary car parking rate to the satisfaction of the Responsible Authority.
100. The site is allocated three (3) car parking spaces on Title and the proposed use is anticipated to generate a requirement of two (2) staff members and no visitors are proposed. In addition, the additional mezzanine floor area of 52 sqm will not generate an additional car parking requirement under Clause 52.06.
101. The application was referred to Council's Transport Department who had no objections to the change of use or any comments in relation to the parking demand however standard conditions are to be imposed restricting the total number of staff and for the ongoing maintenance of the car parking spaces and for car parking to be made available at all times to the users of the building.
102. Overall, it is considered that the three (3) existing car parking spaces are adequate to cater for the proposed use and that the proposal would not result in car parking detriment to the surrounding land uses.

Conclusion

103. 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 and Clause 65.
104. Overall, it is considered that the proposal is appropriate having regard to the site's location within an Industrial 1 Zone.



Recommendation

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as No. 12 Kelly Court, SPRINGVALE VIC 3171, for the purpose of the use of the land for a Funeral Services Facility (Mortuary) and internal buildings and works (mezzanine) in accordance with the plans submitted with the application subject to the following conditions:

- 1. Before the development starts, amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plan/s have been approved and endorsed by the Responsible Authority. The plans must be in accordance with the plans submitted with the application but modified to show:**

- 1.1. The mezzanine floor to be reduced, clear of the internal loading bay (3.2m wide x 7m depth);**

All to the satisfaction of the Responsible Authority.

- 2. The use and development as shown on the endorsed plans must not be altered without the further written consent of the Responsible Authority.**
- 3. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.**
- 4. The building hereby approved must not be occupied until all buildings and works and the conditions of this permit have been complied with, unless with the written consent of the Responsible Authority.**
- 5. The amenity of the area must not be detrimentally effected by the use or development on the land, through the:**
 - 5.1. Transport of materials, goods or commodities to or from the land.**
 - 5.2. Appearance of any building, works or materials.**
 - 5.3. Adverse behaviour of patrons on, to or from the premises; and**
 - 5.4. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.**
 - 5.5. Presence of vermin.**

All to the satisfaction of the Responsible Authority.
- 6. No viewings, funeral services, memorials, any other similar activity or services/activities which include the accompaniment of the deceased person and/or the inclusion of a funeral cortege shall be conducted on or from the site.**



- 7. There must be no more than six (6) bodies stored within the mortuary on site at any time and such bodies must be stored within the building at all times.**
- 8. No more than three (3) people may work within the mortuary at any one time.**
- 9. Bodies must not be stored on the site for longer than 24 hours.**
- 10. No embalming or use of chemicals in the preparation of bodies may occur on the site at any time.**
- 11. The loading and unloading of bodies must be carried out entirely within the subject building and in a swift and discrete manner, all to the satisfaction of the Responsible Authority.**
- 12. All wastes must be disposed of to the satisfaction of the Responsible Authority and no liquid waste or polluted waters shall be discharged into a sewer or stormwater drainage system.**
- 13. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.**
- 14. The connection of the internal drainage infrastructure to the Legal Point of Discharge (LPD) must be to the satisfaction of the Responsible Authority.**
- 15. Car spaces, access lanes, loading bays and driveways must be maintained (including line marking) and kept available for these purposes at all times.**
- 16. The loading and unloading of goods from or to vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land, all to the satisfaction of the Responsible Authority.**
- 17. The car parking provided on the land must always be kept available for its intended purpose at all times. No measures must be taken to restrict access to the car park.**
- 18. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.**
- 19. Bins or other receptacles for any form of rubbish or refuse may not be placed or allowed to remain in the view of the public, and no adverse odour shall be emitted from any such receptacle.**
- 20. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operator's control, or the operator's staff, are parked in the streets nearby, all to the satisfaction of the Responsible Authority.**



21. This permit will expire if:

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

21.2. The development is not completed within four (4) years of the date of this permit; or

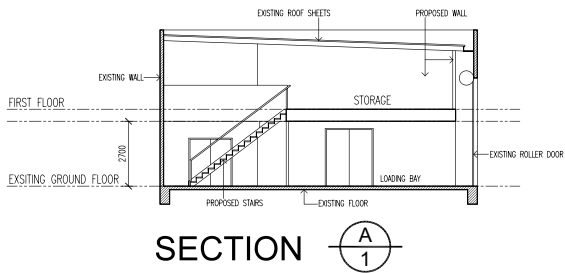
21.3. The use does not start within six (6) months of the completion of the development; or

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

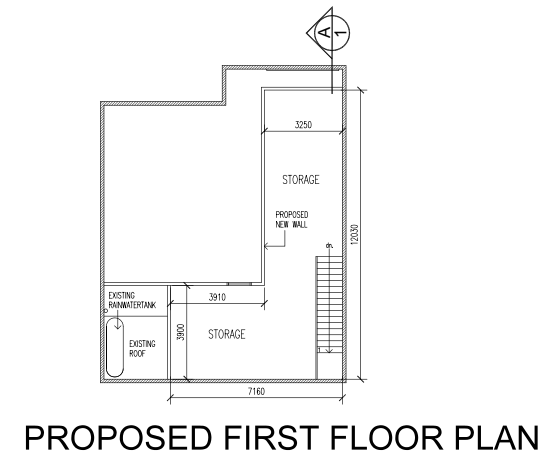
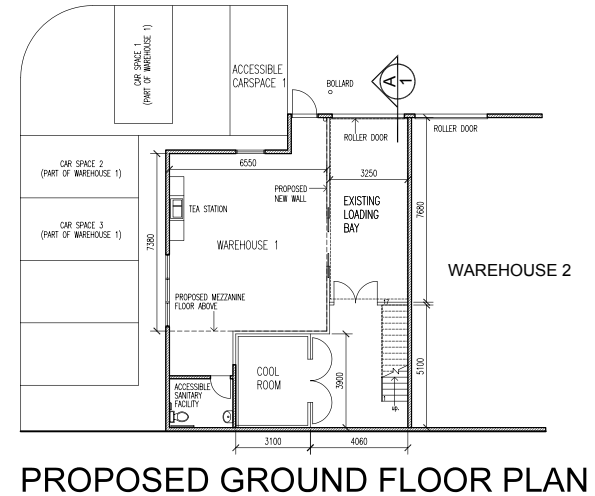
Before the permit expires or within six (6) months afterwards, the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.



PROPOSED SITE AND FLOOR PLAN





SECTION



<p>Jack Lai Pty. Ltd. A.C.N. 063 495 867 Architects and Interior Designers P.O. Box 338, Burwood, Victoria 3125 Fax: 03-98802068 Mobile: 0478 188 188</p>	<p>Do not scale. Contractor must verify all dimensions, levels, locations, etc. establishment on site before commencing any work or preparing shop drawings and approved by relevant building authorities. These drawings, unless otherwise stated, are for information only. All work must comply with all building regulations and applicable standards. © - COPYRIGHT</p>	<p>rev 8 - oct 2022 - carports deleted as per title rev 7 - nov 2022 - area dimensioned as per title rev 6 - apr 23 - title changed.</p>								<p>North</p>	<p>Proposed Internal Alterations to Existing Warehouse and use part of Building as Mortuary at Lot 18 (1/12) Kelly Court, Springvale 2022-03 1-200 1-100 (A1) AUG 2022 TOWN PLANNING STAGE 0 1 2 4 6 8 (A1)</p>	<p>DWG. NO. TP 1-1'd</p>
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ATT 2.2.1.2 Location of Objectors



-  = Subject site
-  = Location of objectors

Please note: 6/12 Kelly Court submitted two (2) objections.



3 PUBLIC QUESTION TIME

Question Time at Council meetings provides an opportunity for members of the public in the gallery to address questions to the Councillors, Delegates and/or officers of the Greater Dandenong City Council. Questions must comply with s. 4.5.8 of Council's Governance Rules.

QUESTIONS FROM THE GALLERY

Questions are limited to a maximum of three (3) questions per individual. Where time constraints deem it likely that not all questions can be answered within the time allowed for Question Time, the Mayor at his/her discretion may determine only the first question may be presented verbally with others deferred to be managed in the same manner as public questions not verbally presented.

Priority will be given to questions that relate to items on the Council Agenda for that meeting. Questions including any preamble should not exceed 300 words.

- a) All such questions must be received in writing on the prescribed form or as provided for on Council's website and at Ordinary meetings of Council. Where there are more than three (3) questions received from any one individual person, the Chief Executive Officer will determine the three (3) questions to be considered at the meeting.
- b) All such questions must clearly note a request to verbally present the question and must be received by the Chief Executive Officer or other person authorised for this purpose by the Chief Executive Officer no later than:
 - i) the commencement time (7.00pm) of the Ordinary meeting if questions are submitted in person; or
 - ii) noon on the day of the Ordinary meeting if questions are submitted by electronic medium.
- c) A question can only be presented to the meeting if the Chairperson and/or Chief Executive Officer has determined that the question:
 - i) does not relate to a matter of the type described in section 3(1) of the *Local Government Act 2020* (confidential information);
 - ii) does not relate to a matter in respect of which Council or a Delegated Committee has no power to act;
 - iii) is not defamatory, indecent, abusive or objectionable in language or substance, and is not asked to embarrass a Councillor, Delegated Member or Council officer; and
 - iv) is not repetitive of a question already asked or answered (whether at the same or an earlier meeting).
- d) If the Chairperson and/or Chief Executive Officer has determined that the question may not be presented to the Council Meeting or Delegated Committee, then the Chairperson and/or Chief Executive Officer:
 - i) must advise the Meeting accordingly; and
 - ii) will make the question available to Councillors or Members upon request.
 - iii) The Chairperson shall call on members of the gallery who have submitted an accepted question to ask their question verbally if they wish.
- e) The Chairperson, Chief Executive Officer or delegate may then direct that question to be answered by a nominated Councillor or member of Council staff.



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- f) No debate on, or discussion of, a question or an answer will be permitted other than for the purposes of clarification.
 - g) A Councillor, Delegated Committee Member or member of Council staff nominated to answer a question may:
 - i) seek clarification of the question from the person who submitted it;
 - ii) seek the assistance of another person in answering the question; and
 - iii) defer answering the question, so that the answer may be researched and a written response be provided within ten (10) working days following the Meeting (the question thereby being taken on notice).
 - h) Question time for verbal presentations is limited in duration to not more than twenty (20) minutes. If it appears likely that this time is to be exceeded then a resolution from Council will be required to extend that time if it is deemed appropriate to complete this item.
 - i) The text of each question asked and the response will be recorded in the minutes of the Meeting.



4 OFFICERS REPORTS - PART 2

4.1 CONTRACTS

4.1.1 Contract No. 2223-50 Concrete, Drainage & Asphalt Maintenance Services

Responsible Officer: Director Business, Engineering & Major Projects
Attachments: Nil

Executive Summary

1. This report outlines the tender process undertaken to select a panel of suitably qualified and experienced contractors for the provision of Concrete, Drainage and Asphalt Maintenance Services within the City of Greater Dandenong (CGD). This is a Schedule of Rates based contract.
2. The initial contract term is two (2) years from the date of commencement, with an option to extend the contract by three (3), twelve (12) month extensions at the sole and absolute discretion of Council.
3. This report recommends that Council awards Contract 2223-50 to a panel of five (5) contractors comprising:
 - The Trustee for Morison Family Trust trading as Morison's Concreting Pty Ltd – ABN 80 112 475 812;
 - Comar Constructions Pty Ltd – ABN 94 082 210 231;
 - The Trustee for The Urban C.C.G. Trust trading as Urban Civil Construction Group Pty Ltd –ABN 68 287 516 753;
 - Paper Street Pty Ltd Trading as Metro plant & Civil Services – ABN 81 152 055 359; and
 - The Trustee for Lazzaro Family Trust trading as Lazzaro Concrete Works Pty Ltd – ABN 11 798 654 054.
4. The estimated budget expenditure for this contract over the initial two (2) year term is Five Million Dollars (\$5,000,000.00) excluding GST.



Background

5. This is a Schedule of Rates contract designed to meet the planned and reactive maintenance requirements of Council in streets, roads and parks.
6. The work to be executed under this specification consists of Concrete asset repair/renewal, Asphalt patching works and Drainage maintenance repair works at various locations across the City of Greater Dandenong and is instructed by the Superintendent throughout the term of the contract.
7. The work shall consist of all Labour, plant, and equipment to carry out Concrete, Asphalt and Drainage works.
8. Works will be clearly defined into two (2) categories, 'Cyclic Maintenance Works' and 'Minor Works' therefore tenderers were requested to supply a schedule of rates to cover all associated costs per unit of service in each category.
9. Cyclic Maintenance Works - will be divided into areas consisting of footpaths, kerb & channel and drainage works. These works are generated from customer requests and Council's inspection programs. All Cyclic works issued will be completed within the same financial year to keep within Council's programming and budgeting requirements.
10. Minor Maintenance Works - will comprise of smaller urgent works consisting of footpath, pavers, kerb and channel, drainage works and asset protection reinstatements spread around the city. Minor works will be generated outside of cyclic maintenance works, these works will be generated from customer requests, asset protection inspections or at the request of the Superintendent.

Tender Process

11. This tender was advertised in The Age Newspaper and on Council's website on Saturday 27 May 2023 and at the close of tenders at 2.00PM Thursday 15 June 2023 seventeen (17) tender submissions were received as follows:
 - 1) **A and G Concrete Constructions Pty Ltd**
 - 2) **Accomplished Plumbing Services Pty Ltd Trading as APS Drainage and Civil**
 - 3) **The Trustee for Blue Peak Constructions Family Trust Trading as Blue Peak Constructions**
 - 4) **The Trustee for Burgermeister Family Trust Trading as Burstruct**
 - 5) **Comar Constructions Pty Ltd**
 - 6) **Fourteen Roads Pty Ltd**
 - 7) **The Trustee for Bazzucchini Family Trust Trading as Gondola Paving**
 - 8) **The Trustee for Lazzaro Family Trust Trading as Lazzaro Concrete Works Pty Ltd**
 - 9) **Main Street Civil Pty Ltd**
 - 10) **Paper Street Pty Ltd Trading as Metro Plant & Civil Services**
 - 11) **The Trustee for Morison Family Trust Trading as Morison's Concreting Pty Ltd**
 - 12) **The Trustee for Novacon Group Unit Trust Trading as Novacon Group**
 - 13) **Prestige Paving Pty Ltd**
 - 14) **The Trustee for Parente Paving Civil Unit Trust Trading as Parente Paving Civil Pty Ltd**
 - 15) **Ultimate Civil Pty Ltd**
 - 16) **The Trustee for The Urban C.C.G. Trust Trading as Urban Civil Construction Group Pty Ltd**
 - 17) **Victorian Infrastructure Services Pty Ltd**



12. Tenderers were required to complete and submit all of Council's tender schedules including the submission of a schedule of rates and prices per item for the services specified detailed in Schedule 1 – Schedule of Rates of the tender document.
13. Tenderers were also required to be registered with Rapid Global (Council's Workforce Management Software – Health and Safety Compliance) prior to the tender closing date.

Tender Evaluation

14. The evaluation panel consisted of Council's Team Leader Works Services Unit, Works Foreperson, Infrastructure & Utilities Contracts Coordinator, Works Planner and Contracts Officer with Occupational Health & Safety and Environmental Management consultants providing specialist advice.
15. 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	40%
2	Relevant Experience – In Business	15%
3	Relevant Experience – Technical Works	15%
4	Capability – Including Similar Contracts, Personnel and Plant & Equipment	15%
5	Social Procurement	7.5%
6	Local Industry	7.5%
7	OH&S Systems (Pass / Fail)	Pass / Fail
8	Environmental System (Pass / Fail)	Pass / Fail

16. The Evaluation Criteria 1- 6 are given a point score between 0 (Not Acceptable) and 5 (Excellent) as detailed in the following table:
17. Evaluation Criteria 7 and 8 are given a Pass or Fail via the Rapid Global (Council's Workforce Management Software – Health and Safety Compliance).

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

18. Each submission was assessed against all evaluation criteria, to ensure that the tenderers met the standards required for Council contractors. A fail in any criterion would automatically exclude tenderers from further consideration for this contract.
19. The tender submission from the following tenderer was deemed Non Conforming and they were not evaluated.
 - The trustee for Burgermeister Family Trust trading as Burstruct – The tenderer did not complete any of Council's non price tender schedules.



20. All other submissions were 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	Total Score	OH&S	EMS	Rapid Global
Morison's Concreting	0.89	2.65	3.54	PASS	PASS	Registered & Compliant in Rapid Global
Comar Constructions	0.84	2.47	3.31	PASS	PASS	Registered & Compliant in Rapid Global
Urban Civil Construction Group	1.22	2.08	3.30	PASS	PASS	Registered & Compliant in Rapid Global
Metro Plant & Civil Services	1.02	2.27	3.29	PASS	PASS	Registered & Compliant in Rapid Global
Lazzaro Concrete Works	1.15	2.03	3.18	PASS	PASS	Registered & Compliant in Rapid Global
Parente Paving Civil	1.37	1.79	3.16	Not Assessed	Not Assessed	Registered – Not Compliant in Rapid Global
Ultimate Civil	1.29	1.79	3.08	PASS	PASS	Registered & Compliant in Rapid Global
Novacon Group	1.26	1.54	2.80	PASS	PASS	Registered – Not Compliant in Rapid Global
Gondola Paving	0.55	2.24	2.79	PASS	PASS	Registered & Compliant in Rapid Global
A and G Concrete Construction	0.64	2.02	2.66	PASS	PASS	Registered & Compliant in Rapid Global
Victorian Infrastructure Services	0.98	1.68	2.66	Not Assessed	Not Assessed	Registered – Not Compliant in Rapid Global
APS Drainage and Civil	0.73	1.86	2.59	PASS	PASS	Registered & Compliant in Rapid Global
Fourteen Roads	1.43	1.07	2.50	PASS	PASS	Registered & Compliant in Rapid Global
Blue Peak Constructions	0.82	1.55	2.37	PASS	PASS	Registered & Compliant in Rapid Global
Prestige Paving	0.78	1.54	2.32	PASS	PASS	Registered & Compliant in Rapid Global
Main Street Civil	1.30	0.85	2.15	Not Assessed	Not Assessed	Registered – Not Compliant in Rapid Global
Burstruct		Non Conforming – Due to the non completion of all of Council's Non Price Tender Schedules				



Note:

The higher the price score – lower the tendered price.

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

21. Based on the above point scores the evaluation panel agreed that Contracts should be awarded to the following panel of five (5) contractors: (1) Morison's Concreting Pty Ltd; (2) Comar Constructions; (3) Urban Civil Construction Group Pty Ltd. (4) Metro Plant & Civil Services and (5) Lazzaro Concrete Works Pty Ltd.

22. **Morison's Concreting Pty Ltd**

The Company:

Morison's Concreting is a medium sized contractor established in 1992. They employ six (6) experienced crew members plus the Director and administration staff. Their office and depot are located in Dandenong South. They are registered and compliant in Rapid Global

23. **Relevant Experience/Track Record**

Morison's Concreting are a very capable contractor, they currently provide Council with all of the services required under this contract. Morison's have been a Greater Dandenong contractor for more than 20 years and have provided an excellent service during that time.

24. **Comar Constructions Pty Ltd**

The Company:

Comar Constructions is a medium sized contractor that has been operating in excess of 20 years. They employ nine (9) experienced crew members plus the Director and administration staff. They are registered and compliant in Rapid Global

25. **Relevant Experience/Track Record**

Comar Constructions are a very capable contractor, they currently provide Council with all of the services required for this contract under the capital works contract. Comar have been a Greater Dandenong contractor for more than 15 years and have provided an excellent service during that time

26. **Urban Civil Construction Group Pty Ltd**

The Company:

Urban Civil Construction Group is a medium sized contractor that has been in operation for more than ten (10) years, they employ nine (9) experienced works crew members plus the Director and administration staff. Their office and depot are located in Dandenong. They are registered and compliant in Rapid Global

27. **Relevant Experience/Track Record**

Urban Civil Construction Group are a capable contractor with over 30 years' experience in the industry. They currently provide Council with the services required under this contract and their director has been a Greater Dandenong contractor for over 20 years. They are registered and compliant with Rapid Global.



28. **Metro Plant & Civil Services**

The Company:

Metro Plant & Civil Services is a medium sized contractor that has been operating in excess of 12 years. They employ six (6) experienced crew members plus administration staff. They are registered and compliant in Rapid Global.

29. **Relevant Experience/Track Record**

Metro Plant & Civil Services currently hold multiple similar contracts with other local governments and have a proven track record of quality works completed within time frames and budgets, this has been confirmed with reference checks from past and present clients of theirs.

30. **Lazzaro Concrete Works Pty Ltd**

The Company:

Lazzaro Concrete Works are a small sized contractor that has been operating in excess of 20 years. They employ five (5) experienced crew members plus administration staff. Their office and Depot are located in Dandenong. They are registered and compliant in Rapid Global

31. **Relevant Experience/Track Record**

Lazzaro Concrete Works currently hold multiple similar contracts with two (2) other local governments and have a proven track record of quality works completed within time frames and budgets, this has been confirmed with reference checks from past and present clients of theirs

Financial Implications

32. This is a Schedule of Rates Contract.

33. The approved annual budget for works associated with this contract is \$2,500,000.00 excluding GST for the financial year 2023/2024 and expected budget for 2024/2025 is \$2,500,000.00.

34. The estimated budget expenditure for this contract over the initial two (2) year term is \$5,000,000.00 (Five Million Dollars) (excluding GST)

Note:

Schedule of Rates – A schedule of rates contract is one under which the amount that is payable to the contractor is calculated by applying an agreed schedule of rates to the quantity of work that is performed.

Social Procurement

35. **Comar Constructions**

Comar has a long term working relationship with current employees and contractors, where any employment opportunities arise, Comar would encourage and favour local recruitment to fulfill any requirements.

36. Comar abides by the Equal Opportunity Act. They have an all-inclusive approach to all employment opportunities within their company. Comar has a Corporate Social Responsibility Policy.



37. Lazzaro Concrete Works

Lazzaro Concrete Works are a local City of Greater Dandenong business. Lazzaro seeks to employ trainees & engages in apprenticeship programs to encourage young people to join the industry.

38. Lazzaro encourages people of all backgrounds to apply for vacant positions and does not discriminate against any people or persons. Lazzaro says that they have employed several early school leavers and provided training opportunities to these staff members.

39. Lazzaro says that they employ by word of mouth and are eager to provide employment and training opportunities to the disadvantaged and are keen to partner with local government and agencies.

40. Metro Plant & Civil Services

Metro says that they are actively recruiting for more staff from the area, with advertising underway on Seek and Gumtree. Previously they have advertised on Jobsearch and have worked with Matchworks employment services and will consider other local organisations. Metro commits to engaging local suppliers & employees.

41. Metro says that if they are successful with their submission, they will contact local organisations such as Uniting Employment Services for any recruitment that they require.

42. Morison's Concreting

Have provided many policies with their Site Management & Safety Coordination Plan in Rapid Global including; Discrimination, Harassment & Workplace Bullying Policy, Corporate Social Responsibility Policy and Child Safe Standards Policy.

They say they are committed to furthering training opportunities for employees and will always engage and seek local Greater Dandenong employees, currently they have seven (7).

43. Morison's says that they are already providing employment to a number of people who reside in the city and that they also engage suppliers from this precinct and support local businesses. They have a Corporate Social Responsibility Policy that details their commitment to corporate governance, the workplace, the environment and a Code of Conduct for all personnel

44. Urban Civil Construction Group

Urban Civil are a local City of Greater Dandenong business.

Urban Civil commits to providing employment and training opportunities in the municipality by using local labour supply companies and training providers. Urban Civil have employees from a blend of ethnicities including an indigenous person.

45. Urban Civil support the Southern Migrant & Refugee Centre in Dandenong and they will return profits to the local community by supporting local retailers and suppliers by purchasing plant, equipment, consumables and vehicles.



Local Industry

Contractor	LOCAL CONTENT				Other
	Labour	Materials	Plant	Supervision	
Morison's Concreting	(100%) \$1.15M	(100%) \$2.27M	(100%) \$1.8M	(100%) \$360K	Office located in Carrum Downs. Estimated costs based on three (3) year contract on previous work * Listed four (4) Major items to be purchased from business in CGD. Total \$2.2M
Comar Constructions	(0%) \$0	(0%) \$0	(0%) \$0	(0%) \$0	Office located in Hallam with Depot in Keysborough. Listed six (6) Major items to be purchased from business in CGD. Have long standing relationships with many CGD business
Urban Civil Construction Group	(40%) \$0	(25%) \$0	(20%) \$0	(15%) \$0	YES office & depot located in Dandenong Sth. Listed three (3) Major items to be purchased from business in CGD
Metro Plant & Civil Services	(50%) \$0	(100%) \$0	(100%) \$0	(50%) \$0	Office & Depot location in Highett & North Melbourne. Eight (8) staff live in CGD. Listed three (3) Major items to be purchased from business in CGD.
Lazzaro Concrete Works	(100%) \$100K	(100%) \$100K	(100%) \$100K	(100%) \$100K	Office & Depot located in Dandenong. Ten (10) staff live in CGD. Listed three (3) Major items to be purchased from business in CGD.

Community and Stakeholder Consultation

46. During the tender evaluation process and in preparation of this report, relevant Council Officers from Council's Operations Centre and Council's Occupational Health & Safety and Environmental Planning were consulted.
47. This matter is not subject to Council's Community Engagement Policy under the *Local Government Act 2020* and Council's Community Engagement Planning Framework.

Legislative and Policy Obligations

48. This report has considered Council's legislative and policy obligations (where applicable) as outlined in the Report Considerations section detailed in the front of this Agenda. The applicable obligations considered and applied are:
 - The Overarching Governance Principles of the Local Government Act 2020.
 - The Gender Equality Act 2020.
 - Victorian Charter of Human Rights and Responsibilities 2006.
 - Climate Change and Sustainability.



Conclusion

49. At the conclusion of the tender evaluation process, the evaluation panel agreed that the tender submissions from; 1) Morison's Concreting Pty Ltd, 2) Comar Constructions Pty Ltd 3) Urban Civil Construction Group Pty Ltd, 4) Metro Plant & Civil Services, 5) Lazzaro Concrete Works Pty Ltd demonstrated the relevant experience and capability to qualify them as contract panel members for Contract 2223-50 Concrete, Drainage and Asphalt Maintenance Services.
50. The Evaluation Matrix and other supporting documents have been placed in the relevant Objective Contract Procurement file.

Recommendation

That Council:

1. **awards Contract No. 2223-50 for Concrete, Drainage and Asphalt Maintenance Services to a panel of five (5) contractors for two (2) years comprising:**
 - **The Trustee for Morison Family Trust trading as Morison's Concreting Pty Ltd – ABN 80 112 475 812;**
 - **Comar Constructions Pty Ltd – ABN 94 082 210 231;**
 - **The Trustee for The Urban C.C.G. Trust trading as Urban Civil Construction Group Pty Ltd – ABN 68 287 516 753;**
 - **Paper Street Pty Ltd Trading as Metro plant & Civil Ser and: vices – ABN 81 152 055 359; and**
 - **The Trustee for Lazzaro Family Trust trading as Lazzaro Concrete Works Pty Ltd – ABN 11 798 654 054.**
2. **reserves the option to extend the initial contract term by three (3) x twelve (12) month extensions at the sole and absolute discretion of Council; and**
3. **authorises the Chief Executive Officer to execute the contract agreements, any associated documentation with the successful contractor/s and execution of any contract extensions.**



4.2 OTHER

4.2.1 Draft Minutes of Springvale Community Hub Committee Meeting - 25 July 2023

Responsible Officer: Director Community Strengthening

Attachments: 1. Draft Minutes of Springvale Community Hub Committee Meeting 25 July 2023 [4.2.1.1 - 4 pages]

Executive Summary

1. At the Council meeting held 23 April 2018, Council resolved in part to *invite Advisory Committees and Reference Groups to submit meeting minutes for Council endorsement*. This resolution also allowed interested Councillors (and those that attend these Committees and Reference Groups) to speak to the meeting about items discussed at these meetings.
2. This report recommends that the Draft Minutes of the Springvale Community Hub Committee meeting held on 25 July 2023 as provided in Attachment 1 to this report be noted by Council.



Background

3. Greater Dandenong Council is represented on a range of Committees, Reference Groups and Advisory Groups which frequently reflect the interests of individual Councillors in serving the broader community in their role. A full listing of these appointments is confirmed each November at Council's Meeting to elect the Mayor and Deputy Mayor and is available via Council's website.
4. The resolution of Council made on 23 April 2018 provides for Minutes of meetings held by Advisory Committees or Reference Groups to be submitted to Council for information purposes and for noting. To ensure they are provided to Council in a timely manner, Minutes of these Advisory Committees or Reference Groups are submitted to Council typically in a draft form (in that they have not yet been adopted by the relevant Committee). If significant material changes occur when they are adopted by the Advisory Committee or Reference Group, then those particular Minutes would then be resubmitted to Council for noting.
5. As such, Draft Minutes are provided as Attachment 1 to this report.
6. There are no financial implications associated with the submission of this report.

Links to the Community Vision and Council Plan

7. This report is consistent with the following principles in the Community Vision 2040:
 - Education, training, entrepreneurship and employment opportunities.
 - Embrace diversity and multiculturalism.
 - Mind, body and spirit.
 - Art and culture.
8. This report is consistent with the following strategic objectives from the Council Plan 2021-25:
 - 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 Council that demonstrates leadership and a commitment to investing in the community.

Legislative and Policy Obligations

9. This report has considered Council's legislative and policy obligations (where applicable) as outlined in the Report Considerations section detailed in the front of this Agenda. The applicable obligations considered and applied are:
 - The Overarching Governance Principles of the *Local Government Act 2020*.
 - The *Gender Equality Act 2020*.
 - *Victorian Charter of Human Rights and Responsibilities 2006*.
 - Climate Change and Sustainability.

Recommendation

That Council notes the Draft Minutes of the meeting for the Springvale Community Hub Committee as provided in Attachment 1 to this report.

Advisory Committee or Reference Group Name: *Springvale Community Hub Committee Meeting*

Date of Meeting: *25 July 2023*

Time of Meeting: *5.30pm – 7.15pm*

Meeting Location: *Springvale Community Hub*

Attendees: *Sarita Kulkarni (SK), Gaye Guest (GG), Zoë Mohl (ZM), Louisa Willoughby (LW), Matthew Kirwan (MK), Vinh Luong (VL), Elena Sheldon (ES), Acting Manager Community Arts, Culture and Library Services (City of Greater Dandenong [CGD]), Acting Community Precincts Strategic Operations Coordinator (Chair) (CGD)*

Apologies:
Silvia Mastrogiovanni (SM), Cr Richard Lim (CGD), Dani Holl (DH), Chris Keys (CK)

Minutes: *Acting Community Development Officer, Springvale Community Hub (CGD)*

Item No.	Item	Action	Action By
1	<p>Acknowledgement of Country <i>"We acknowledge the Traditional Custodians of this land, the Bunurong People, and pay respects to their Elders past and present.</i></p> <p><i>We recognise and respect their continuing connections to climate, Culture, Country and waters and we also pay our respects and acknowledge all Aboriginal and Torres Strait Islander peoples and their Elders present here today, in acknowledging their journey."</i></p>		Chair
2	<p>Apologies Apologies noted.</p>		Chair
3	<p>Minutes CGD - acknowledged correspondence around the Council process of draft minutes being taken to Council to be noted and explained the current Council process in detail to the group, including the Terms of Reference which specify reporting requirements. CGD - Governance team is reviewing further and looking at potential changes. Noting that this will take time, as it would apply to all committees across Council. Potential for CGD Governance team to attend a future meeting. CGD acknowledged that in the past the minutes were run past the Chairperson, who can review on behalf of the committee. LW requested minutes be recorded in more detail (with points attributed to speakers on key issues) as per the Minutes of 13 December 2022. Further clarity to be sought from Governance given previous advice that 13 December 2022 Minutes</p>	Feedback from the committee on Council process to be provided through to Council Governance team.	Council Officers

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

	<p>were too long, hence requirement to be brief.</p> <p>Endorsement of Minutes of Previous Meeting</p> <p>Committee endorsed the previous meeting minutes (25 June 2023) with the following amendments: Sarita Kulkarni to be marked as an apology Item 5 - Strategic vs operation – change the word require to advice “Officers will seek advice from committee members to advise on....” Item 7 - Remove action “Draft ‘Youth Springvale Community Hub working group’ Terms of Reference.” Replace in discussion section with “Discuss Youth Springvale Community Hub working group’ Terms of Reference.” Item 6 Clarify that it was the previous SCH Committee that identified the 2020 – 2021 Action Plan as having too many actions. CGD Officers– Actions were condensed in the 2022 - 2025 based on both the feedback from the community and the previous committee. Item 8 - Amend ‘proposed trialling’ bi-monthly, ‘to move to’, as committee agreed to move to 6 meetings per year.</p> <p>Minutes Moved MK Seconded LW</p> <p>Endorsement of Minutes from 13 December 2022</p> <p>Unable to be moved as there was not enough members from previous committee present at the meeting to confirm the minutes.</p>	<p>Amend minutes 25 June as per discussion.</p> <p>Committee to review 13 December 2022 Minutes/Actions at next meeting.</p>	<p>Council Officers</p> <p>All</p>
4	<p>Conflicts of Interest</p> <p>No conflicts of interest in relation to agenda.</p> <p>(ES) noted that conflicts of interest should also be declared throughout the meeting where appropriate.</p>		
5	<p>Voting for Chairperson</p> <p>Conducted as per SCH Terms of Reference and Chairperson procedures circulated in advance to Committee.</p> <p>CGD – One person has been nominated for Chair, Louisa Willoughby.</p> <p>LW – Confirmed that she would like to still be nominated, MK confirmed his willingness to second.</p> <p>All in favour with no dissent.</p> <p>LW – Accepted position of chair.</p> <p>Moved ES Seconded SK</p>	<p>Set up meeting with Chairperson.</p>	<p>Council Officers</p>

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

6	<p>Deputy Chairperson CGD officers – Governance has advised that the group can vote and endorse deputy chairperson in the meeting.</p> <p>Process went to vote. Voted in favour of electing and endorsing at meeting.</p> <p>It was agreed that the Deputy Chairperson will perform the duties of the Chairperson of the SCH Committee in the absence Chairperson.</p> <p>Moved ES Seconded SK</p> <p>CGD – Two nominations received for deputy chair, SK and MK. CGD confirmed that both nominees were still willing to stand and confirmed the seconds.</p> <p>CGD – Handed out voting slips, advised that in the event of a tie vote, nominees would be able to speak to their nomination. Voting to be completed after Group Discussion.</p>		
7	<p>SCH report LW – Clarification on how visitation statistics are counted.</p> <p>CGD – People counters at each entrance to the main building, noting the statistic do not capture outdoor areas, or the town hall. Current booking system is limiting, investigating new systems and software.</p> <p>MK - would be good to get people counters for town hall as well</p> <p>CGD – Town Hall is included in statistics when programs cross over with the hub, i.e. Refugee Week Springvale Town Hall is administered by a separate department to council and operates on a fee for hire space.</p>	Context to statistics to be noted in future reports.	Council Officers
8	<p>Small Group Discussion Break out session, workshopping of three topics:</p> <ul style="list-style-type: none"> • Circle of Influence • CALD access to the Hub • Increasing accessibility of room use <p>Fees and language barriers in booking noted as key concerns.</p> <p>LW moved that fees and charges be added to agenda of next meeting, Seconded ES</p>	<p>Collation of ideas into electronic document for feedback.</p> <p>Distribute item to all committee so members who were absent can contribute.</p> <p>Add this item to agenda for further discussion at next meeting.</p> <p>Fees and charges requested to be added to agenda for the next meeting.</p>	<p>Council Officers</p> <p>Council Officers</p> <p>Council Officers</p> <p>Council Officers</p>

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

9	<p>Announcement of Deputy Chairperson CGD – Votes were collated from the committee, with voting in favour of Matthew Kirwan. CGD noted there were no dissents.</p> <p>MK – Accepted position of deputy chair.</p> <p>GG – expressed disappointment in the absence of Councillors at committee meetings.</p> <p>CGD – advised that Councillors are part of committees over a twelve month term, selected each November when a new Mayor is appointed.</p>		
10	<p>Nominations for the 2023 Victorian Community Achievement Award CGD - Encourage nominations and information to be distributed to committee's contacts.</p>	Further information to be emailed to committee.	Council Officers
11	<p>Other Business MK – questioned to signage around vaping and if there is an issue that is impacting both the building, and patrons.</p> <p>CGD – Issues with vaping come in waves, Council are working with youth services around education. No complaints have been received from patrons.</p>		
12	<p>Next Meeting CGD – advised that attendance can be hybrid (digital and in person)</p> <p>Discussion around the time of the meeting.</p>	Meeting time to change to a 5:45pm arrival for a 6pm start, 7:30pm finish.	All
Meeting closed 7:16pm			

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



4.2.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 27 June 2023

Responsible Officer: Director Community Strengthening

Attachments: 1. Multicultural and People Seeking Asylum Advisory Committee Meeting Minutes 2 [4.2.2.1 - 5 pages]

Executive Summary

1. At the Council meeting held 23 April 2018 Council resolved in part to invite Advisory Committees and Reference Groups to submit meeting minutes for Council endorsement. This resolution also allowed interested Councillors (and those that attend these Committees and Reference Groups) to speak to the meeting about items discussed at these meetings.
2. This report recommends that the Draft Minutes of the Multicultural and People Seeking Asylum Advisory Committee meeting held on 27 June 2023 as provided in Attachment 1 to this report be noted by Council and Council formally endorses the Committee's provisional acceptance of Ali Al Lawati as a new advisory committee member.



Background

3. Greater Dandenong Council is represented on a wide range of Committees, Reference Groups and Advisory Groups which frequently reflect the interests of individual Councillors in serving the broader community in their role. A full listing of these appointments is confirmed each November at Council's Meeting to elect the Mayor and Deputy Mayor and is available via Council's website.
4. The resolution of Council made on 23 April 2018 provides for Minutes of meetings held by Advisory Committees or Reference Groups to be submitted to Council for information purposes and for noting. To ensure they are provided to Council in a timely manner, Minutes of these Advisory Committees or Reference Groups are submitted to Council typically in a draft form (in that they have not yet been adopted by the relevant Committee). If significant material changes occur when they are adopted by the Advisory Committee or Reference Group, then those particular Minutes would then be resubmitted to Council for noting.
5. As such, Draft Minutes are provided as Attachment 1 to this report.
6. There are no financial implications associated with the development and submission of this report.

Links to the Community Vision and Council Plan

7. This report is consistent with the following principles in the Community Vision 2040:
 - Education, training, entrepreneurship and employment opportunities.
 - Embrace diversity and multiculturalism.
8. This report is consistent with the following strategic objectives from the Council Plan 2021-25:
 - A socially connected, safe and healthy city.
 - A city that respects and celebrates diversity, our history and the arts.

Recommendation

That Council notes the Draft Minutes of the meeting for the Multicultural and People Seeking Asylum Advisory Committee as provided in Attachment 1 to this report and Council formally endorses the Committee's provisional acceptance of Ali Al Lawati as a new advisory committee member.

Advisory Committee or Reference Group Name: Multicultural and People Seeking Asylum Advisory Committee (MAPSAAC)

Date of Meeting: 27 June 2023

Time of Meeting: 9.30am-11.35am

Meeting Location: Online via Microsoft Teams

Attendees:

Mayor Cr Eden Foster (Greater Dandenong City Council [CGD]), Kylie Reid (Chisholm Institute – Foundation College), Sri Samy (Friends of Refugees), Chiedza Malunga (Monash Health), Silvia Brito (Life Without Barriers), Rachel Hashemi (Australian Red Cross), Nazir Yousafi (Victorian Afghan Association Network), Ifrin Fitlock (Sisterworks), Peter McNamara (South East Community Links [SECL]), Chaw Po (Community Member), Qutbiallam Timor (Refugee Resource Hub - Asylum Seeker Resource Centre), , A/Manager Community Development, Sport and Recreation (CGD).

Guests:

Community Advocacy Officer (CGD), Springvale Community Hub Coordinator (CGD), Environmental Planner (CGD), Sustainability Team Leader (CGD), Michelle Read (Consultant - Planning for Communities) and Belinda Liddell (University of New South Wales).

Apologies:

Jacquie McBride (Monash Health), Jennifer Sinclair (Life Without Barriers), Adwin Town (Voice of Outer South East), Ashleigh Newnham (South East Monash Legal Service) and Roz Blades AM (Community Member).

Minutes:

Community Advocacy Officer (CGD).

Item No.	Item	Action	Action By
1.	Welcome and Acknowledgement of Country Greater Dandenong City Council acknowledges the Traditional Custodians of this land, the Bunurong People, and pays respect to their Elders past and present. We recognise and respect their continuing connections to climate, Culture, Country and waters.		
2.	MAPSAAC Housekeeping <ul style="list-style-type: none"> MAPSAAC MS Teams Channel will be used to share relevant sector updates, programs and opportunities. All members can use this platform to communicate in between Committee meetings. 	Re-send members' link to join the Teams channel.	Community Advocacy Officer (CGD).
3.	PRISM Family - the Project Researching the Impact of Separated and Missing Family - Associate Professor Belinda		

	<p>Liddell (University of New South Wales - UNSW)</p> <ul style="list-style-type: none"> • The project is a collaboration between UNSW, the Restoring Family Links Program at the Australian Red Cross and the International Committee of the Red Cross. This research is the first of its kind worldwide and aims to examine the impact of missing and separated family on the mental health and psychosocial functioning of forcibly displaced people over time. • The first PRISM Family study is a multiwave longitudinal study, which is now open to participants – who must be Australian-based, have a refugee background (or family is missing due to forced displacement), be older than 18 years old, able to complete as survey online (Arabic, Dari, Swahili, English) or on the phone (open to any language), and have at least one missing family member. • The study is survey based where participants are asked questions about their feelings, thoughts and coping behaviours, which they complete four times over three years. Participants receive a Coles/Myer shopping voucher after every survey, are provided referrals to psychological support or family tracing services if requested and become part of a research community sharing experiences in relation to having missing family members. • Researchers want as many people in the Australian community to have the opportunity to participate if they wish to. • A website link is available for more information in multiple languages: https://www.rtrp-research.com/prism-language-selection. Alternatively, prospective participants can email the PRISM Family research team on prism@unsw.edu.au or the study lead, Associate Professor Belinda Liddell b.liddell@unsw.edu.au. • A committee member enquired whether the study included family separation – it was indicated ethics approval to expand the study to include refugees separated from family (not just with a missing family member) has been obtained. UNSW 	<p>Share Project PowerPoint Presentation with Committee members.</p>	<p>Community Advocacy Officer (CGD).</p>
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	<p>will be ramping up engagement with this other group.</p> <ul style="list-style-type: none"> • Monash Health representative offered to share study details with Refugee Health clinics, Foundation House and Network of Asylum Seekers Agencies Victoria (NASAVic). 		
4.	<p>Afghan Community Centre Feasibility Study project - Michelle Read (Consultant - Planning for Communities) and Community Advocacy Officer (CGD)</p> <ul style="list-style-type: none"> • The State Government funded feasibility study is considering the service needs within the community and what kind of facility is required to address these. • Committee members suggested the need for a more inclusive name of this study and any centre itself (if built). Consultant indicated the name of the study was set by the State Government. • Mayor Foster indicated concern about survey participation by community members not local to the area – Consultant assured members that there is a survey function to minimise this occurrence. • Consultation focus groups targeting specific cohorts e.g. women, youth to be held soon. • Committee members suggested circulating survey to community members not affiliated with organisations to reach ‘minority voices’. • Committee members offered to help further promote survey through community connections and networks. 		
5.	<p>Greater Dandenong’s Climate Engagement and Mobilisation Plan – Consultation</p> <ul style="list-style-type: none"> • Council is undertaking a consultation on how it engages and supports the community to respond to climate change. • It was shared that climate change is happening now and impacts the social determinants of health. • Climate change is a serious health threat for many Australians. As extreme heat events worsen, the risk of adverse human health impacts increase and places intense pressure on health services. • Greater Dandenong has a diverse and vibrant community, and it is widely recognised that being from a culturally and linguistically diverse 	<p>Share survey link and continue engagement with Committee members post-meeting.</p>	<p>Environmental Planner (CGD).</p>

	<p>(CALD) community can affect the vulnerability of individuals to climate change.</p> <ul style="list-style-type: none"> • Within CALD communities, there are particular groups that are even more vulnerable, such as older migrants, new arrivals, people in new and emerging communities, and low-income migrants who lack English proficiency skills. • Council is conducting a ‘Climate is Changing - So Should We’ survey to help inform Council’s actions to support our community. 		
<p>6.</p>	<p>Greater Dandenong Refugee Week 2023 Celebration and Mayoral Taskforce Update</p> <ul style="list-style-type: none"> • In celebration of Refugee Week, Council hosted a community event at Springvale City Hall and Springvale Community Hub on Friday 23 June. • The event was attended by representatives from Bunurong Land Council Aboriginal Corporation, the Minister for Immigration, Citizenship and Multicultural Affairs, The Hon. Andrew Giles MP and State Member for Dandenong, The Hon. Gabrielle Williams MP. • Thirty-eight different community organisations and Council teams were represented at the event with approximately 370 attendees across the Springvale City Hall, Springvale Hub and Library. • Greater Dandenong is a proud Refugee Welcome Zone and members expressed thanks for celebrating the strength of its refugee and people seeking asylum communities. • The Mayoral Taskforce Supporting People Seeking Asylum hosted a morning tea in Canberra at the Australian Local Government Association’s National General Assembly on Wednesday 14 June. • The event was led by Mayor Cr Eden Foster, Mayor Cr Hadi Saab of Kingston Council and community advocates to promote the Taskforce’s Back Your Neighbour campaign. • A delegation comprising of Taskforce Council Members and community advocates also met with Minister The Hon. Clare O’Neil, Greens and Independent MPs to call on the Federal Government for better support for all people seeking asylum in our communities. 		

7.	<p>New MAPSAAC Member Nomination</p> <ul style="list-style-type: none"> • An expression of interest has been received from community member, Ali Al Lawati and his written submission was shared with members. • Committee members voted and provisionally endorsed for Ali to join MAPSAAC. 	Member nomination to be put to Council for formal endorsement.	
8.	<p>Other Business</p> <ul style="list-style-type: none"> • Query from member Chaw Po about local agencies that work with Burmese community. It was shared that most people identify as Karen or Rohingya instead of as Burmese – predominantly residing in Springvale. Peter McNamara (South East Community Links) will link Chaw Po to relevant community groups. 		
9.	Meeting closed at 11.35am		



4.2.3 List of Registered Correspondence to Mayor and Councillors

Responsible Officer: Manager Governance

Attachments: 1. Correspondence Received 21 August - 1 September 2023 [4.2.3.1 - 2 pages]

Executive Summary

1. Subsequent to past Council resolutions in relation to the listing of registered incoming correspondence addressed to the Mayor and Councillors, Attachment 1 to this report provides a list of this correspondence for the period 21 August – 1 September 2023.

Recommendation

That the listed items for the period 21 August – 1 September 2023 provided in Attachment 1 to this report be received and noted.

Objective

CONNECTED. COLLABORATIVE. COMMUNITY.

Correspondences addressed to the Mayor and Councillors received between 21/08/23 & 01/09/23 - for officer action - total = 1

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
Advice to the Mayor and CEO from the Glen Eira City Council Mayor regarding its Priority Advocacy Projects 2023-2024.	23-Aug-23	24-Aug-23	fA289298	Mayor & Councillors

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

Objective

CONNECTED. COLLABORATIVE. COMMUNITY.

Correspondences addressed to the Mayor and Councillors received between 21/08/23 & 01/09/23 - for information only - total = 4

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
Advice to the Mayor from the National Waste Recycling Industry Association regarding the mixed cardboard and paper export bans coming into effect in 2024.	22-Aug-23	22-Aug-23	A10098081 A10121000	Mayor & Councillors
Invitation to the Mayor from the Victorian Tamil Cultural Association to attend its Annual Dance Presentation of Narthanalaya on 02/09/2023.	30-Aug-23	30-Aug-23	A10124275	Mayor & Councillors
Email to the Mayor from the Mayor of Inner-West (NSW) asking the Mayor to join the grassroots campaign for Yes at the referendum on the Voice to Parliament.	30-Aug-23	30-Aug-23	A10128762	Mayor & Councillors
Advice to the Mayor and CEO from the University of Melbourne regarding its VOICEfacts video resources,	31-Aug-23	01-Sep-23	A10134630	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

A Notice of Motion is a notice setting out the text of a motion proposed to be moved at the next relevant meeting. It must be in writing, signed by a Councillor, and be lodged with the Chief Executive Officer in sufficient time for them to give each Councillor at least 72-hours notice of such notice.

The guidelines for submitting a notice of motion to a Council meeting are included in the current Governance Rules.



6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS

The principal purpose of this item in the Council Meeting Agenda is for Councillors to report on their attendance, observations or important matters arising from their liaison or representation with groups for which the Councillor has been formally appointed by Council. In accordance with the documented 'protocol' that applies to either liaisons or representatives, Councillors should raise matters of importance during this item. Other matters may also be reported.

If a Councillor chooses to speak, the name of the conference/event and the Councillor will be noted in the Minutes for that meeting. If a Councillor requires additional information on the conference/event to be listed in the Minutes, they must submit it in writing to a Governance staff member by 12.00pm the day following this Council Meeting.

Question time is provided to enable Councillors to address questions to members of Council staff. The guidelines for asking questions at a Council meeting are included in the current Governance Rules.

Councillors have a total of 15 minutes each to report on their attendances at meetings, conferences or events and to ask questions of Council staff.



7 URGENT BUSINESS

No business may be admitted as urgent business unless it:

- a) relates to or arises out of a matter which has arisen since distribution of the Agenda; and
- b) cannot safely or conveniently be deferred until the next ordinary meeting and unless agreed to by a majority of those Councillors present at the meeting.



8 CLOSE OF BUSINESS