



**GREATER
DANDENONG**
City of Opportunity

AGENDA

MONDAY 14 DECEMBER 2020

COUNCIL MEETING

Commencing at 7:00 PM

Statement - Coronavirus (COVID-19)

At the time of printing this Agenda
the Council Meeting to be held on Monday 14 December 2020 will
be open to the public but will be subject to density quotients.

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 of the status of Council
Meetings please visit Council's website.

COUNCIL CHAMBERS
225 Lonsdale Street, Dandenong VIC 3175

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1 MEETING OPENING

1.1 ATTENDANCE

Apologies

1.2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND

Council acknowledges and pays respect to the past, present and future Traditional Custodians and Elders of this nation and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

1.3 OFFERING OF PRAYER

As part of Council's commitment to recognising the cultural and spiritual diversity of our community, the prayer this evening was provided by Agnes Kean from the Baha'i Community of Greater Dandenong, a member of the Greater Dandenong Interfaith Network.

1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of Council held 30 November 2020.

Recommendation

That the minutes of the Ordinary Meeting of Council held 30 November 2020 be confirmed.

1.5 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:

- complete a disclosure of interest form prior to the meeting.
- advise the chairperson of the interest immediately before the particular item is considered (if attending the meeting).
- 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 ONE

2.1 DOCUMENTS FOR SEALING

2.1.1 Documents for Sealing

File Id:	A2683601
Responsible Officer:	Director Corporate Services

Report Summary

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

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

Recommendation Summary

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

2.1.1 Documents for Sealing (Cont.)

Item Summary

There are five [5] items being presented to Council's meeting of 14 December 2020 for signing and sealing as follows:

1. A letter of recognition to Kate McManus, Community Services for 10 years of service to the City of Greater Dandenong;
2. A letter of recognition to Damayanthi Sureshkumar, Corporate Services for 10 years of service to the City of Greater Dandenong; and
3. A letter of recognition to Aishling Fagan, Community Services for 10 years of service to the City of Greater Dandenong.
4. A letter of recognition to Michael Beck, Business, Engineering and Major Projects Services for 10 years of service to the City of Greater Dandenong; and
5. A letter of recognition to Hulya Yan, Corporate Services for 10 years of service to the City of Greater Dandenong.

Recommendation

That the listed documents be signed and sealed.

2.2 DOCUMENTS FOR TABLING

2.2.1 Documents for Tabling

File Id:	qA228025
Responsible Officer:	Director Corporate Services

Report Summary

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

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

Recommendation Summary

This report recommends that the listed items be received.

2.2.1 Documents for Tabling (Cont.)

List of Reports

Author	Title
Resilience and Opportunity	Annual Report 2019-20

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

Recommendation

That the listed items be received.

2.2.2 Petitions and Joint Letters

File Id:	qA228025
Responsible Officer:	Director Corporate Services
Attachments:	Petitions and Joint Letters

Report Summary

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

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

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

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

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

2.2.2 Petitions and Joint Letters (Cont.)

Petitions and Joint Letters Tabled

Council received no new petitions and no joint letters prior to the Council Meeting of 14 December 2020.

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

Recommendation

That the report be noted.

2.2.2 Petitions and Joint Letters (Cont.)

DOCUMENTS FOR TABLING

PETITIONS AND JOINT LETTERS

ATTACHMENT 1

PETITIONS AND JOINT LETTERS

PAGES 4 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 1000.

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	• Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
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If the details of the attachment are unclear, please contact Governance on 8571 1000.

2.2.2 Petitions and Joint Letters (Cont.)

Date Received	• Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
14/09/20	<p style="text-align: center;">THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK</p>			

If the details of the attachment are unclear, please contact Governance on 8571 1000.

2.2.2 Petitions and Joint Letters (Cont.)

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2.3 STATUTORY PLANNING APPLICATIONS

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224)

File Id:	295870 & 295875
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plans Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

Application Summary

Applicant:	Archiden Architecture
Proposal:	Development of the land for eight (8) double storey dwellings
Zone:	General Residential Zone 1 (GRZ1)
Overlay:	Design and Development Overlay 3 (DDO3)
Ward:	Cleeland

The application proposes the development of the land for eight (8) double storey dwellings. A permit is required pursuant to Clause 32.08-6 of the Greater Dandenong Planning Scheme to construct two or more dwellings on a lot.

This application has been brought to a Council meeting as it has received four (4) objections.

Objectors Summary

The application was advertised to the surrounding area through the erection of two (2) notices on-site and the mailing of notices to adjoining and surrounding owners and occupiers. Four (4) objections were received to the application. Issues raised generally relate to matters of overshadowing; construction impacts; overlooking/loss of privacy; insufficient on-site/onstreet car parking; double storey nature of development; loss of views; noise and loss of property values.

Recommendation Summary

As assessed, the proposal is consistent with and appropriately responds to the provisions of the Greater Dandenong Planning Scheme. The proposal appropriately responds to strategic policy for residential development in the area with this report recommending that the application be supported, 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.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)**Subject Site and Surrounds****Subject Site**

The subject site (which comprises of two separate disposable lots being 72 and 74 Cleeland Street) is located on the eastern side of Cleeland Street, Dandenong, between Herbert Street to the south and Olive Street to the north. It has a western frontage of 37.18 metres to Cleeland Street and a depth of 44.2 metres giving it an area of 1,644 square metres. The site is oriented east-west, is rectangular in shape, and is sloped. A 1.22 metre wide drainage easement runs along the eastern rear boundary. The subject site is currently occupied by two (2) single storey brick dwellings. The site is currently accessed via two (2) crossovers to Cleeland Street. There is no significant vegetation on the subject site.

Surrounding Area

The subject site is located within a broader general residential area which is bounded by Herbert Street to the south, Cleeland Street to the west, David Street to the north and Stud Road to the west. The area accommodates a variety of dwelling types including single dwellings on lots, and multi-unit developments. The area is experiencing an incremental level of change with infill multi-unit development replacing older single dwellings.

The property to the north at 76 Cleeland Street contains a single storey dwelling. The property to the south at 70 Cleeland Street contains three (3) single storey dwellings. The property to the east at 45 Herbert Street (at the immediate rear of the subject site) contains six (6) double storey dwellings.

The subject site is located 250m to the north of the Dandenong CAD. Dandenong High School is located 230m to the north-west, Dandenong North Primary School and Dandenong Hospital are located 390m to the north and Chisholm TAFE is located 540m to the north. Bus routes 802, 804 and 811 run along Cleeland Street directly past the subject site.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Locality Plan



Background

Previous Applications

No previous planning permits have been issued for the subject site. However, Planning Permit Application No. PLN18/0552 was refused under delegation on 01/03/2019 for ‘Development of the land for ten (10) double storey dwellings and reduction in the number of car parking spaces required’. It was considered to be an inappropriate design response which did not respect the existing or preferred neighbourhood character and was deemed to be an overdevelopment of the site.

Proposal

The application proposes the development of the land for eight (8) double storey dwellings as follows:

	Details
Type of proposal	Multi dwellings
Number of dwellings	Eight (8)
Levels	Double storey
Height	7.86 metres
Orientated to	Dwellings 1 and 2 – Cleeland Street / Dwellings 3 to 8 – Shared driveway

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

External materials	Brick at ground floor level and a combination of render and horizontal cladding at first floor level
Set backs	<p>Dwelling 1 – 7.55m front (western) setback, garage built to side (southern) boundary</p> <p>Dwelling 2 – 7.55m front (western) setback, garage setback 0.15m from side (northern) boundary</p> <p>Dwelling 3 – garage setback 3.97m from side (northern) boundary</p> <p>Dwelling 4 – garage setback 3.97m from side (northern) boundary</p> <p>Dwelling 5 – 1.1m side (northern) setback, 2.9m rear (eastern) setback</p> <p>Dwelling 6 – 2.9m rear (eastern) setback, 1.2m side (southern) setback</p> <p>Dwelling 7 – garage setback 3.97m from side (southern) boundary</p> <p>Dwelling 8 – garage setback 3.97m from side (southern) boundary</p>
Open space type	<p>Dwelling 1 – 91m² front yard (private open space) + 32.05m² backyard (secluded private open space)</p> <p>Dwelling 2 – 89.85m² front yard (private open space) + 30.95m² backyard (secluded private open space)</p> <p>Dwellings 3 and 4 – 52.34m² backyard each (secluded private open space)</p> <p>Dwelling 5 – 75.08m² backyard (secluded private open space)</p> <p>Dwelling 6 – 79.12m² backyard (secluded private open space)</p> <p>Dwellings 7 and 8 – 52.34m² backyard each (secluded private open space)</p>
Number of Car parking Spaces provided	16
Number of Car parking Spaces required	16
Type of car parking	Dwellings 1 to 4 and 6 to 8 – Single garage with tandem car space in front; Dwelling 5 – Single garage and 1 onsite visitor car space
Access	Access located to the west of the development

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	Connects to Cleeland Street Minimum width is 3 metres for each of the 3 accessways
Front Fence	A 0.9 metre high front fence is proposed
Garden Area:	
Provided	626.25 square metres or 38.09%
Required	575.4 square metres or 35%

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

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

No financial resources are impacted by this report.

Planning Scheme and Policy Frameworks

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

- Under Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in a General Residential Zone, as is the surrounding area.

The purpose of the General Residential Zone outlined at Clause 32.08 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.08-6, a permit is required to construct two or more dwellings on a lot.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

The development must also provide a minimum garden area of 35% pursuant to Clause 32.08-4 as the lot exceeds 650 square metres.

It is noted that within Schedule 1 to the zone, varied requirements of Clause 55 are set out as follows:

- *Standard B6 (Minimum street setback) – As per B6 or 7.5 metres, whichever is the lesser;*
- *Standard B9 (Permeability) – Minimum of 30%;*
- *Standard B13 (Landscaping) – 70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees;*
- *Standard B28 (Private open space) – An area of 50 square metres of ground level, private open space, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres, and a minimum dimension of 5 metres and convenient access from a living room; or a balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; or a roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; and*
- *Standard B32 (Front fence height) – Maximum 1.5 metre height in streets in Road Zone Category 1, 1.2 metre maximum height for other streets.*

Overlay Controls

The subject site and surrounding area is affected by the Design and Development Overlay 3 (DDO3) – Dandenong Hospital Flight Path Protection (Outer).

Under this overlay a permit is not required to construct a building or construct or carry out works, which have a height of less than 62.9m above the Australian Height Datum. The proposed elevations demonstrate that the maximum height of the proposed development is less than 47m above the AHD. Therefore a permit is not triggered or required under this overlay.

Planning Policy Framework

The objectives of Planning in Victoria are outlined in Section 4 of the *Planning and Environment Act 1987* 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.*

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

(f) To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).

(fa) to facilitate the provision of affordable housing in Victoria.

(g) To balance the present and future interests of all Victorians.

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

Clause 11 Settlement

Clause 11 Settlement 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, amongst others.

Managing growth is the focus of **Clause 11.02** which includes an objective that aims to ensure a sufficient supply of land is available for residential development, which is relevant to the current application.

Clause 15 Built Environment and Heritage

Clause 15 Built environment and heritage seeks to ensure that planning achieves high quality urban design and architecture that meets a number of objectives. The following objectives are of relevance to the current application:

- *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*
- *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*
- *To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*
- *To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.*

Clause 16 Housing

Clause 16 (Housing) contains two key objectives, which can be summarised as relating to housing diversity, sustainability of housing and the provision of land for affordable housing.

These objectives are reinforced by a number of sub-clauses, including **Clause 16.01-1S (Housing supply)**, which seeks to facilitate well-located, integrated and diverse housing that meets community needs, and **Clause 16.01-2S (Housing affordability)** which seeks to deliver more affordable housing closer to jobs, transport and services.

Clause 16.01-1R (Housing supply – Metropolitan Melbourne), includes several strategies to manage the supply of new housing including, increased housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs, public transport; as well as a strategy that allows for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Clause 18 Transport

There are a number of objectives of relevance to the current application under **Clause 18 Transport** including the following:

- *To create a safe and sustainable transport system by integrating land-use and transport.*
- *To promote the use of sustainable personal transport.*
- *To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.*

Local Planning Policy Framework

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

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

- *There is considerable diversity within Greater Dandenong's housing stock. Most housing stock is aged between 30 to 50 years old, though there are some areas with dwellings in excess of 100 years old. Areas of newer housing are located in the north-east and central-southern areas, with in-fill development occurring across the municipality (Clause 21.02-3).*
- *Higher density housing is generally located in proximity to railway stations and major shopping centres, in particular in central Dandenong (Clause 21.02-3).*
- *Whilst there is a clear pre-dominance of single detached dwellings, there are a range of other types of dwellings including dual occupancies, villa-units, town houses and apartments. The highest concentration of older villa units and apartments and more recent multi-unit redevelopments have occurred around central Dandenong, Springvale and Noble Park activity centres (Clause 21.02-4).*
- *With diverse cultural groups that call Greater Dandenong home, there are certain distinct precincts that are emerging that have their own character. Their built form is characterised by buildings with flat unarticulated facades, prominent balconies, limited frontage/side setbacks, limited or no landscaping (Clause 21.02-4).*

A **Vision for Greater Dandenong** is outlined at **Clause 21.03**. The vision is that Greater Dandenong will be a municipality where housing diversity and choice is promoted in its various attractive neighbourhoods.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

The objectives and strategies of the MSS are under four (4) main themes including: land use; built form; open space and natural environment; and, infrastructure and transportation (considered individually under Clauses 21.04 to 21.07). Of particular relevance to this application are Clauses 21.04 – Land Use and 21.05 – Built Form:

Clause 21.04-1 Housing and community

- *Greater Dandenong's population is expected to rise by 22 percent, from 147,000 to 179,000 in the decade to 2024, placing pressure on transport networks, infrastructure, services and public open space.*
- *Approximately 9,950 new households will need to be accommodated across the municipality by 2024 (Greater Dandenong Housing Strategy 2014-2024).*
- *Supporting urban consolidation and providing housing in existing areas close to activity centres means that people do not need to travel as far to work, shop or to take part in sports/leisure activities thus reducing the environmental impacts of transport.*
- *Increases in housing density must be balanced by adequate provision of open space, good urban design and improvements to the public realm.*
- *Encourage the provision of housing that is adaptable to support the needs of the changing needs of present and future residents.*
- *Encourage innovative redevelopment and renewal of deteriorating housing stock and older styled higher-density apartments and multi-unit developments.*
- *Encourage new residential development that incorporates adequate space for the planting and the long term viability and safe retention of canopy trees.*
- *Respect the valued, existing neighbourhood character within incremental and minimal change areas.*
- *Requiring medium-density developments to be site and locality responsive and to respect existing and proposed neighbourhood character.*

Clause 21.05-1 – Urban design, character, streetscapes and landscapes – contains the following relevant objectives and strategies:

- *To facilitate high quality building design and architecture.*
 - *Ensure building design is consistent with the identified future character of an area and fully integrates with surrounding environment.*
 - *Encourage high standards of building design and architecture, which allows for flexibility and adaptation in use.*
 - *Encourage innovative architecture and building design.*
 - *Encourage development to incorporate sustainable design elements that enhance occupant comfort and environmental performance.*

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

- *To facilitate high quality development, which has regard for the surrounding environment and built form.*
 - *Promote views of high quality landscapes and pleasing vistas from both the public and private realm.*
 - *Promote all aspects of character – physical, environmental, social and cultural.*
 - *Encourage planting and landscape themes, which complement and improve the environment.*
 - *Encourage developments to provide for canopy trees.*
 - *Recognising valued existing neighbourhood character and promoting identified future character as defined in the Residential Development and Neighbourhood Character Policy at Clause 22.09.*
- *To protect and improve streetscapes*
 - *Ensure that new developments improve streetscapes through generous landscape setbacks and canopy tree planting.*
 - *Ensure landscaping within private property that complements and improves the streetscapes and landscaping of public areas.*
- *To ensure landscaping that enhances the built environment*
 - *Encourage new developments to establish a landscape setting, which reflects the local and wider landscape character.*
 - *Encourage landscaping that integrates canopy trees and an appropriate mix of shrubs and ground covers and complements and integrates with existing or proposed landscaping in public areas.*

Clause 22.09 – Residential Development & Neighbourhood Character Policy – contains the following objectives at Clause 22.09-2:

- *To guide the location and design of different types of residential development within Greater Dandenong, having regard to State and local planning policies, while respecting the valued characteristics and identified future character of residential neighbourhoods.*
- *To ensure that new residential development is consistent with the identified future character and preferred built form envisaged for the three Future Change Areas.*
- *To provide certainty about which areas are identified for, or protected from, increased residential development consistent with the purpose of the applicable zone.*
- *To facilitate high quality, well designed residential development and on-site landscaping.*
- *To promote a range of housing types to accommodate the future needs of the municipality's changing population.*

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

- *To ensure that residential development uses innovative, responsive and functional siting and design solutions that:*
 - *Achieve high quality internal amenity and private open space outcomes for future residents;*
 - *Make a positive contribution to the streetscape through quality design, contextual responsiveness and visual interest;*
 - *Promote public realm safety by maximising passive surveillance.*
 - *Demonstrate responsiveness to the site, adjoining interfaces, streetscape and landscape context;*
 - *Respect the amenity of adjoining residents and the reasonable development potential of adjoining properties;*
 - *Achieve environmentally sustainable design outcomes;*
 - *Use quality, durable building materials that are integrated into the overall building form and façade; and*
 - *Minimise the visual dominance of vehicle accessways and storage facilities, such as garages, car ports and basement entrances.*

Clause 22.09-3.1 (Design Principles) provides design principles, which apply to all Future Change Areas.

Clause 22.09-3.3 (Incremental Change Areas) provides design principles, some of which also relate to the variances to the requirements of standards to Clause 55 under the schedule to the Neighbourhood Residential Zone. The guidelines consider matters such as: housing form; height; bulk & built form; and site design.

An assessment against Clause 22.09 is included as Attachment 3 to this report.

Particular Provisions

Car Parking (Clause 52.06)

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

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

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

The table at Clause 52.06-5 notes that a dwelling with 1 or 2 bedrooms requires 1 car space and a dwelling with 3 or more bedrooms requires 2 spaces to each dwelling. 1 visitor car space is required for visitors to every 5 dwellings for developments of 5 or more dwellings.

Clause 52.06-5 (Car parking – Number of car spaces required under Table 1) also requires that if in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

A total of sixteen (16) car parking spaces are required comprising fifteen (15) car spaces for the residents and one (1) visitor car space. Each two-bedroom dwelling would be provided with one (1) car space and each three (3) bedroom dwelling would be provided with two (2) car spaces with at least one (1) undercover car space. A visitor car space is provided. The proposed development does not require a reduction of car parking.

Car parking is to be designed in accordance with the requirements of Clause 52.06-9 and 52.06-11 of the Scheme.

An assessment against Clause 52.06 is included as Attachment 4 to this report.

Two or more dwellings on a lot and residential buildings (Clause 55)

Pursuant to Clause 55 of the Greater Dandenong Planning Scheme, the provisions of this Clause apply to an application:

- *To construct two or more dwellings on a lot.*

The purposes of this clause are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*

A development:

- *Must meet all of the objectives of this clause; and*
- *Should meet all of the standards of this clause.*

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

An assessment against Clause 55 is included as Attachment 5 to this report.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

General Provisions

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

Restrictive Covenants

Covenant 1713202 dated 30/11/1938 applies to Lot 38 (72 Cleeland Street) and Covenant 1710804 dated 10/11/1938 applies to Lot 39 (74 Cleeland Street).

The covenants state that the owners shall not at any time hereafter:

“...excavate, carry away or remove, or permit to be excavated, carried away or removed any earth, clay, stone, gravel or sand from the said land hereby transferred except for the purpose of excavating for the foundations of any building to be erected thereon or use or permit or allow the said land hereby transferred to be used for the manufacture or winning of bricks, tiles or pottery ware...”

The applicant has declared that the permit sought will not result in a breach of each respective covenant. Council officers also agree that the proposed development would not result in a breach of the restrictive covenants on title.

Council Plan 2017-2021 – Strategic Objectives, Strategies and Plans

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

Diversity (Access & Equity)

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

Community Safety

It is considered that there would be no adverse community safety implications in permitting the proposal.

Safe Design Guidelines

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

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Referrals

Pursuant to Section 52 of the Planning and Environment Act 1987, the application was externally referred to:

Referral Authority	Brief summary of response
APA Group	No objection
Telstra	No concerns
United Energy	No concerns

Internal

The application was internally referred to the following Council departments for their consideration. The comments provided will be considered in the assessment of the application.

Internal Referrals	
Civil Development	No objections, subject to conditions on permit.
Transport Planning	No objections, subject to conditions on permit.
Sustainability Planning	No objections, subject to conditions on permit.
Asset Planning	No objections, subject to conditions on permit.

Advertising

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 and surrounding land.
- Placing two (2) signs on site facing Cleeland Street

The notification has been carried out correctly.

Council has received four (4) objections to the application.

The location of the objectors is shown in Attachment 2.

Consultation

The application received four (4) objections which meets the threshold to conduct a consultative meeting. However due to the current COVID-19 pandemic, consultative meetings were not held to ensure compliance with State and Federal Government guidelines.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Summary of Grounds of Submissions/Objections

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

Overshadowing

The objectors are concerned about the impacts of overshadowing onto their properties at 1/70 Cleeland Street and 3/45 and 4/45 Herbert Street.

The proposed development would not overshadow the secluded private open space areas of 1/70 Cleeland Street, 3/45 Herbert Street or 4/45 Herbert Street at 9.00am.

The proposed development would not overshadow the secluded private open space areas 3/45 Herbert Street or 4/45 Herbert Street at 12.00pm and would only minimally overshadow the secluded private open space area of 1/70 Cleeland Street at this time.

The proposed development would not overshadow the secluded private open space areas 3/45 Herbert Street or 4/45 Herbert Street at 3.00pm and whilst there would be overshadowing of 1/70 Cleeland Streets' secluded private open space at 3.00pm, it would not reach the north-facing windows of the dwelling there.

Overall, at least 75% of the secluded private open space areas of each of the objector's properties would receive a minimum of 5 hours of sunlight between 9.00am and 3.00pm on 22 September, in compliance with Standard B21 of Clause 55.04-5.

Construction impacts

The objectors are concerned about the impacts of the construction of the proposed development on their amenity.

A condition of permit, if granted, can require the submission of a Construction Management Plan for Council's approval, to minimise potential detrimental impacts from the construction of the development on adjoining properties.

Overlooking/loss of privacy

The objectors from 1/70 Cleeland Street are concerned about overlooking onto their property from the proposed development and a resulting loss of privacy.

Dwellings 1 and 8 are proposed to the north of the objector's property. All south-facing upper level windows of these two dwellings are proposed to be provided with obscure glazing up to 1.7m above finished floor level in accordance with Standard B22 – Overlooking of Clause 55.04-6.

All other first floor habitable room windows within 9m of neighbouring habitable room windows or secluded private open space will also be screened in accordance with Standard B22.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Insufficient on-site/ onstreet car parking

The objectors are concerned that there is insufficient car parking proposed on the subject site and that this would have a detrimental impact upon on the street car parking provision along both Cleeland Street and Herbert Street.

Table 1 to Clause 52.06-5 states that a dwelling requires 1 car space to each one or two bedroom dwelling, 2 car spaces to each three or more bedroom dwelling and 1 visitor car space to every 5 dwellings for developments of 5 or more dwellings.

Dwelling 5 would be a 2 bedroom dwelling, whilst all other dwellings proposed would be 3 bedroom dwellings.

Dwellings 1 to 4 and 6 to 8 would each have 2 car spaces comprising of a single garage with a tandem car space in front. Dwelling 5 would have one car space comprising of a single garage and one (1) onsite visitor car space is proposed.

Council's Transport Planning Unit did not have any concerns with the proposed car parking provision on the subject site, nor did they have any concerns with potential impacts on on-street car parking.

Therefore, it is considered that sufficient car spaces would be provided on the site for residents and visitors in accordance with the requirements of Clause 52.06, and that the proposal would not result in adverse on-street parking impacts..

Double storey nature of development

The objectors are concerned about the double storey nature of the proposed development and have expressed a preference for single storey development.

The subject site is located in a General Residential Zone 1. Clause 22.09-3.3 of the Greater Dandenong (Incremental Change Areas – General Residential Zone (GRZ)). The identified future character of incremental change areas states that: "Residential development will comprise well designed houses, townhouses, units and dual occupancies of up to two (2) storeys or three (3) storeys with main living areas generally on the ground level".

The proposed development would be consistent with the identified future character of the area. There is nothing in the scheme to suggest that only single storey development is appropriate. It is noted that immediately adjoining the subject site to the east at 45 Herbert Street is an existing six (6) dwelling double storey development.

It is acknowledged that the proposal also includes two double storey dwellings to the rear of the site. The appropriateness of these dwellings is discussed in the Assessment.

Loss of views

The objectors are concerned that the proposed development would result in a loss of views.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

The Victorian Civil and Administrative Tribunal (VCAT) has determined on numerous occasions that views are a privilege, not a right, and cannot be used as a basis upon which to refuse a planning permit application.

Noise

The objectors are concerned that there will be increased noise in the area as a result of the new residents of the proposed development.

It is not anticipated that the proposed development would result in a significant increase in noise levels that would be out of place in a residential area.

Loss of property values

The objectors are concerned that the proposed development would result in a loss of property values for their properties.

The Victorian Civil and Administrative Tribunal (VCAT) has determined on numerous occasions that property values are not a relevant planning matter upon which to refuse a planning permit application.

Assessment

The subject site is located within an established residential area and is well suited for the development of medium density housing given that the site is located within easy walking distance of many community facilities and public transport. The proposal also seeks to reduce pressure on the urban fringe by providing eight (8) dwellings where previously two (2) existed through the redevelopment of the site, thereby ensuring that the housing required for the growing population is facilitated.

As required by the relevant provisions of the Planning Scheme, the proposed development has been assessed against the following:

- Clause 22.09 (full assessment attached as attachment 3);
- Clause 52.06 (full assessment attached as attachment 4); and
- Clause 55 (full assessment attached as attachment 5) as well as Schedule 1 to the General Residential Zone.

The proposal complies with all requirements of these clauses as outlined below.

Use

As outlined in Clause 32.08-2 (General Residential Zone), a dwelling is listed as a Section 1 use, and a planning permit is not required for the use of the proposal. However, a planning permit is required for the buildings and works which is discussed below.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Development

Planning Policy Framework / Local Planning Policy Framework

In considering the Planning Policy Framework and the Local Planning Policy Framework, Council can establish that an acceptable proposal will be guided by:

Clause 22.09 Residential Development and Neighbourhood Character Policy.

Clause 52.06 Car Parking; and

Clause 55 Two or more Dwellings on a lot and Residential Buildings.

Each of these Clauses ensures that Council facilitates the orderly development of urban areas, which is a specific objective of Clause 11.02 Settlement.

The objectives of Clause 15.01-1S Urban Design, Clause 15.01-2S Building Design and Clause 21.05-1 Built Form outline the key considerations in which a development must respond to urban design, character, streetscapes and landscape issues.

It is considered that the proposed design respects the preferred neighbourhood character of the incremental change area by providing a medium density housing typology.

The proposal is of a high quality urban design, with physical recession, articulation, varied use of materials, textures and other visual interest.

The overall layout allows space for acceptable landscape treatments such as canopy tree and shrubbery planting within well-proportioned setback areas to allow growth to maturity.

The proposal is also located within an area subject to incremental change with other multi-unit developments of a similar scale and massing being found within the surrounding residential area such as the adjoining land at 45 Herbert Street to the east. The proposal's compliance with Clause 22.09 and Clause 55 ensures that the development would achieve the objectives set out in Clause 15.01 and Clause 21.05-1.

As such, Council officers recommend that the application be approved subject to planning permit conditions as necessary.

Clause 22.09 Assessment - Residential Development and Neighbourhood Character Policy

An assessment against the design principles of Clause 22.09 is included at Attachment 3 of this report. This proposal provides a design response which is consistent with the preferred character envisaged by Clause 22.09.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

It is noted that Clause 22.09-3 encourages single storey dwellings to the rear of sites, however this clause does allow consideration of double storey dwellings to the rear where appropriate. Dwellings 5 and 6 to the rear are proposed to be double storey. In this instance, this is considered acceptable for the following reasons:

- The upper level of Dwelling 5 would be setback 5.36m from the northern boundary and 3.5m from the eastern boundary and Dwelling 6 would be setback 3.74m from the eastern boundary and 3.95m from the southern boundary. These considerable setbacks, along with the articulation provided on the upper floor of these dwellings would ensure the proposal would not result in unacceptable visual impact when viewed from neighbouring properties or nearby public vantage points.
- The visual impact of the building bulk would not adversely affect the identified future character of the area, particularly the six (6) attached double storey dwellings at 45 Herbert Street which immediately adjoin the subject site to the east.
- With respect to overlooking, Dwelling 5's east-facing upper level study windows would be provided with obscure glazing up to 1.7m above finished floor level, whilst the east-facing upper level Bedroom 2 window would have a minimum sill height of 1.7m above finished floor level, as would Dwelling 6's east-facing upper level Master Bedroom window. Dwelling 6's south-facing upper level Bedroom 3 and Stairwell windows would be provided with obscure glazing up to 1.7m above finished floor level.
- With respect to overshadowing, Dwellings 5 and 6 would not overshadow 76 Cleeland Street to the north, would only overshadow parts of the common accessway of 45 Herbert Street to the east at 3.00pm, and would only overshadow a small portion of the private open space of 3/70 Cleeland Street at 3.00pm.
- A minimum setback of 2.9m is proposed from the eastern boundary which would provide sufficient opportunity to screen adjoining properties.

Clause 52.06 Assessment - Car Parking

The table at Clause 52.06-5 (Car parking – Number of car spaces required under Table 1) sets out the car parking requirement that applies to the use of land for dwellings as follows:

- One (1) car parking space to each one (1) or two (2) bedroom dwelling; and
- Two (2) car parking spaces to each three (3) or more bedroom dwelling; plus
- One (1) car parking space for visitors to every five (5) dwellings for developments of five (5) or more dwellings.

Clause 52.06-5 (Car parking – Number of car spaces required under Table 1) also requires that if in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

The proposal would provide one (1) car space to each two-bedroom dwelling and two car spaces to each three-bedroom dwelling with at least one (1) under cover car space. The number of car spaces provided for the residents complies with Clause 52.06 (Car parking).

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

The development comprises of eight (8) dwellings and requires one (1) visitor car space. A visitor car space is provided, thus, the proposal does not require a reduction of the car parking requirement.

The application was also referred to Council's Transport Planning Unit who did not raise any parking or traffic concerns with the proposed development. They also advised that any alterations required to line-marking for onstreet car parking spaces are dealt with at the Vehicle Crossing Permit stage, and alterations will be a condition on a Vehicle Crossing Permit. There is no need for it to be considered as a condition on any planning permit granted.

The proposal complies with the Design Standards of Clause 52.06-9, and a full Clause 52.06 assessment is attached to this report at Attachment 4.

Clause 55 Assessment - Two or more Dwellings on a lot and Residential Buildings

A Clause 55 Assessment is attached to this report at Attachment 5. Standards that warrant further consideration are discussed as follows:

Clause 55.04-7 Internal views objective – Standard B23

This standard states that windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

Dwelling 3 would have a west-facing upper level stairwell window which would potentially overlook Dwelling 2's secluded private open space area. However, it is considered unlikely that residents of this dwelling would be able to view out of this window as it would be located at the bottom of the stairs and there is a solid wall to the master bedroom. Therefore, no adverse impacts are likely to occur to Dwelling 2. The removal of this window is unnecessary as it primarily serves as a façade treatment to the street.

Dwelling 8 would have a west-facing upper level stairwell window which would potentially overlook Dwelling 1's secluded private open space area. However, it is considered unlikely that residents of this dwelling would be able to view out of this window as it would be located at the bottom of the stairs and there is a solid wall to the master bedroom. Therefore, no adverse impacts are likely to occur to Dwelling 1. The removal of this window is unnecessary as it primarily serves as a façade treatment to the street.

Clause 55.05-5 Solar access to open space objectives – Standard B29

This standard requires the southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.

The southern boundary of Dwelling 2's secluded private open space area would be setback 4.4m from the southern ground floor wall of Dwelling 2 to the north. The wall has a height of 3.6m. Therefore, the setback required is 5.24m (i.e. $2m + 0.9 \times 3.6m$). However, it is considered reasonable to vary the requirement in this instance as the secluded private open space of this dwelling would receive the afternoon sun until sunset and would be bounded to the west by the large front yard associated with this dwelling.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)**Environmentally Sustainable Development**

The proposal complies with the requirements of Clause 22.06 by providing a Sustainable Design Assessment (SDA) including a Built Environment Sustainability Scorecard (BESS) assessment, completed by qualified professionals.

The provided BESS score complies with a score of 53% complying with best practice, encompassing the full life of the build and identifying the methods used for the best environmental performance outcomes. Having regard to the site's opportunities and constraints, the proposal has included the necessary water tanks, roof catchment areas, sufficient energy star ratings for fixtures, heating and cooling systems and the addition of double-glazed habitable room windows.

The referral response from Council's ESD department identified that the submitted plans and the SDA had some minor inconsistencies related to the capacity and connection of the rainwater tanks. Conditions have been included to require these details on the plans to be updated, as well as relevant notations to be updated as required.

BESS Information Summary		Project Overall Score: 53%		
		Fail	Best Practice	Design Excellence
Dwelling Type: Townhouse		(<49%)	(50-69%)	(>70%)
BESS Category	Score	Initiatives		
Water	50%			
		Potable water use reduction		
		Water efficient landscaping		
		Rainwater tanks for each dwelling		
Energy	50%			
		Natural gas supplied into building		
		External lighting controlled by motion detector		
		Maximum illumination power density of 4W/sqm or less		
Stormwater	100%			
		MUSIC or other modelling software		

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Indoor Environment Quality	80%	
		All habitable rooms designed with natural cross floor ventilation
		Double glazing to be used to all habitable areas
		At least 50% of living areas would be oriented to the north
Transport	67%	
		8 bicycle spaces provided. These can be shown on the plans as a condition of permit, if granted.
		2 visitor bicycle spaces required. These can be shown on the plans as a condition of permit, if granted.
Urban Ecology	38%	
		20% vegetation coverage achieved.

Conclusion

The proposal is consistent with the provisions of the Greater Dandenong Planning Scheme, including the zoning requirements, local policy direction, application of Clauses 22.09, 52.06 and 55, and the decision guidelines of Clause 65.

Recommendation

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 72 & 74 Cleeland Street, Dandenong, for the ‘Development of the land for eight (8) double storey dwellings’ in accordance with the plans submitted with the application subject to the following conditions:

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:**
 - 1.1. A minimum clearance of 1m between the new vehicle crossing of Unit 2 and the existing power pole on Cleeland Street.**
 - 1.2. Any requirements of Telstra with respect to Condition 3 of this permit.**
 - 1.3. Annotate the capacity of the rainwater tanks and connection to toilets.**

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

- 1.4. Location of the SPEL® Hydrochannel and the approximate diversion areas to the driveway.**
- 1.5 Notes showing double glazing on all habitable rooms (floor plans and elevations).**
- 1.6 The location of a bicycle space for each dwelling.**
- 1.7 The location of two (2) visitor bicycle parking spaces.**
- 1.8 A landscape plan in accordance with Condition 2.**

When approved, these plans will be endorsed and will form part of this permit.

- 2. Prior to the endorsement of plans under Condition 1, before the approved development starts and before any trees or vegetation are removed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority and drawn to scale with dimensions provided. The landscape plan must show:**

- 2.1. plans to accord with Condition 1 of this permit;**
- 2.2. the site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;**
- 2.3. details of the proposed layout, type and height of fencing;**
- 2.4. legend of all plant types, surfaces, materials and landscape items to be used;**
- 2.5. a plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities;**
- 2.6. at least one (1) advanced canopy tree with a minimum planting height of 1.5 metres within the rear secluded open space areas of each dwelling (with those associated with Dwellings 5 and 6 being easement/asset/infrastructure friendly) and within the front yards of Dwellings 1 and 2;**
- 2.7. any paving or deck areas within the secluded open space areas of the proposed dwellings on a permeable base.**

When approved, the landscape plan will be endorsed and will form part of this permit.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

The provisions, recommendations and requirements of the landscape plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the dwelling are occupied.

3. Prior to the endorsement of the plans under Conditions 1 and 2, Telstra approval must be obtained for the existing pits proposed within the new vehicle crossing for Unit 2. If consent is unable to be obtained, the pits will need to be relocated at the developer's cost and their revised location shown on the plans for endorsement with the consent of Telstra.
4. Prior to the endorsement of the plans under Conditions 1 and 2, the applicant is to submit a revised Sustainable Design Assessment (SDA) to the satisfaction of the responsible authority. The revised SDA must be in accordance with the initiatives specified in the Sustainable Design Assessment (prepared by Frater Consulting, dated 03/07/2020) but modified to include:
 - 4.1. Submission of a preliminary energy rating NatHERS for a sample of at least 4 dwellings.

The provisions, recommendations and requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority. The documentation must not be altered without the prior written consent of the Responsible Authority.

5. Before the approved development starts, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Construction Management Plan must address, but is not limited to:
 - 5.1. Hours of construction, control of noise and airborne matter, deliveries, vehicle access, worker car parking, damage to public assets, and contact numbers for complaints;
 - 5.2. All Traffic Management Plans for the site demolition, excavation, deliveries and other construction related activities that will affect vehicle and pedestrian traffic;
 - 5.3. The location of all areas on-site and off-site to be used for construction staff parking;
 - 5.4. All site sheds, portable toilet, storage and materials, etc. must be confined to the land;

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

- 5.5. The covering and maintenance of all roads/storage areas/external stockpiles/or vacant areas to avoid dust nuisance to any residential and commercial premises;**
- 5.6. No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the land;**
- 5.7. All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system;**
- 5.8. The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the land; and**
- 5.9. No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system.**

When approved, the Construction Management Plan will be endorsed and will form part of this permit.

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

- 6. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.**
- 7. Except with the prior written consent of the Responsible Authority, the approved dwellings must not be occupied until all buildings and works and the conditions of this permit have been complied with.**
- 8. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 9. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority.**
- 10. Before the approved dwellings are occupied, all piping and ducting above the ground floor storey of the dwellings, except downpipes, must be concealed to the satisfaction of the Responsible Authority.**

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

11. **Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Council's standard specifications. Any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.**
12. **Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
13. **Before the approved dwellings are occupied, the development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.**
14. **Before the approved dwellings are occupied, the obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass. Adhesive film or similar removable material must not be used.**
All glazing must at all times be maintained to the satisfaction of the Responsible Authority.
15. **Before the approved dwellings are occupied, all boundary walls in the development must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**
16. **This permit will expire if:**
 - 16.1. **The development or any stage of it does not start within two (2) years of the date of this permit, or**
 - 16.2. **The development or any stage of it is not completed within four (4) years of the date of this permit.**

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.

The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:

- (a) the request for the extension is made within twelve (12) months after the permit expires; and**
- (b) the development or stage started lawfully before the permit expired.**

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)**Permit Notes**

The property is subject to uncontrolled overland flow through the property.

The minimum finished floor level of the proposed development are as follows: Unit 1 – 37.50m; Unit 2 – 37.90m; Unit 3 – 37.90m; Unit 4 – 37.90m; Unit 5 – 37.90m; Unit 6 – 37.50m; Unit 7 – 37.50m; and Unit 8 – 37.50m. All levels are to AHD.

A flood dispensation is to be obtained prior to issue of Building Permit.

A minimum clearance of 1m is to be provided between the new vehicle crossing of Unit 2 and the existing power pole on Cleeland Street. Also, Telstra approval must be obtained for the existing pits proposed within the new vehicle crossing for Unit 2.

A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.

Approval of any retention system within the property boundary is required by the relevant building surveyor.

Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.

As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise on site verification should be undertaken by the applicant.

A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings. You may be required to apply for a Asset Protection Permit from Council's engineering services. Queries regarding engineering requirements can be directed to Council's general phone number on 8571 1000.

No buildings or works shall be constructed over any easement without the written consent of the relevant authorities.

This permit has been granted on the basis that consent to build over any easement will be obtained from the relevant authority. If consent is not able to be obtained, the development plan will be required to be amended.

An application must be made with Council's Parks Department for any street tree removal. Street tree/s must only be removed by or under the supervision of the Council. Prior to removal of any street tree the replacement cost must be paid to Council.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 72-74 CLEELAND STREET,
DANDENONG (PLANNING APPLICATION NO. PLN20/0224)**

ATTACHMENT 1

SUBMITTED PLANS

PAGES 12 (including cover)

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

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

WEST ELEVATIONS - UNIT 1 & 2
 EXTERNAL

NORTH ELEVATIONS - UNIT 1 & 6-8
 INTERNAL

SOUTH ELEVATIONS - UNIT 2 - 5
 INTERNAL

TOWN PLANNING PERMIT ISSUE - R1

ADEN

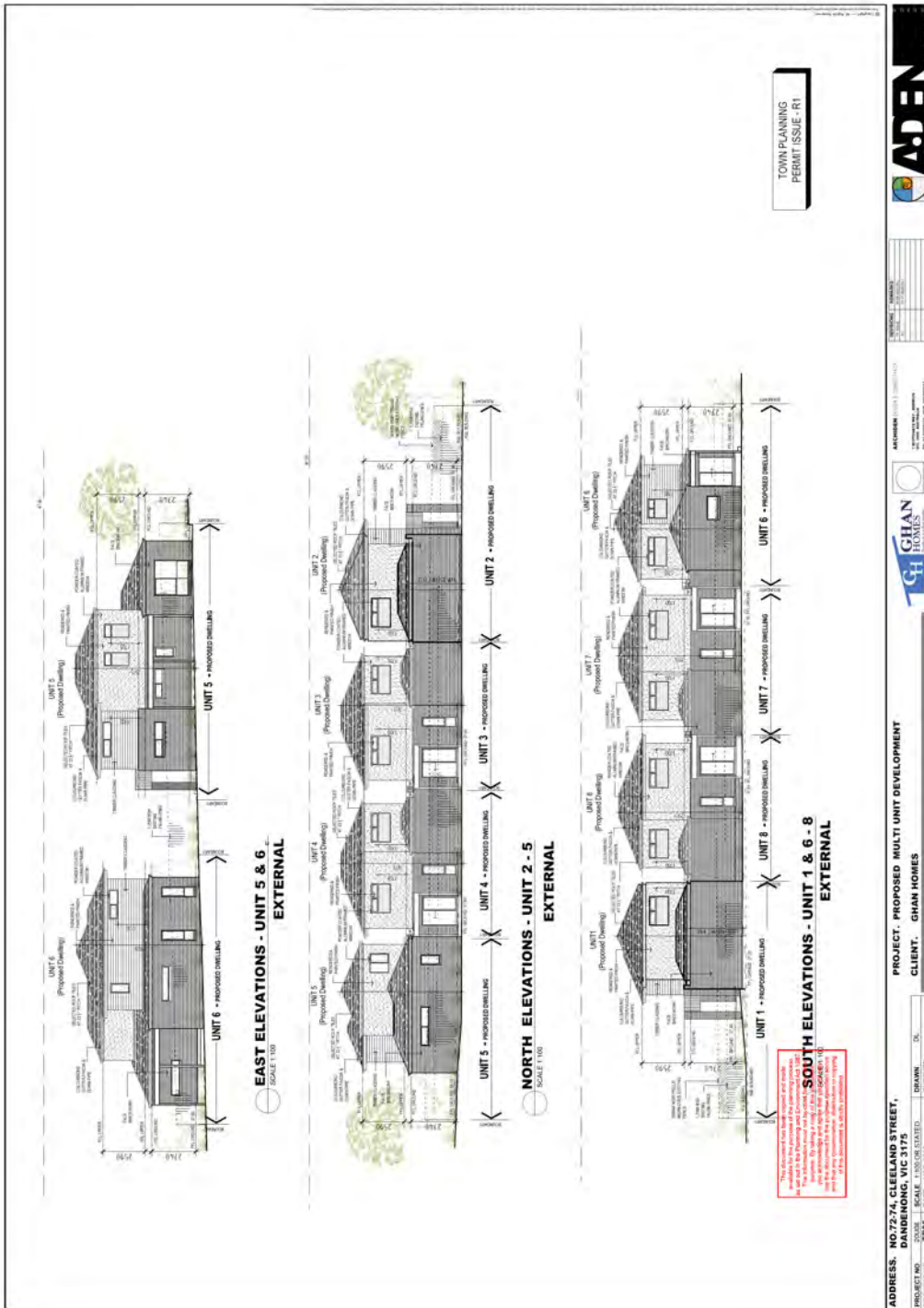
GHAN NORTH

PROJECT, PROPOSED MULTI UNIT DEVELOPMENT
 CLIENT, GHAN HOMES

ADDRESS: NO.72-74, CLEELAND STREET,
 DANDENONG VIC 3175
 PROJECT NO. 2020 | SCALE: 1:500 | DATE: 15/05/2020 | DRAWN: DL | CHECKED: DL
 DRAWING NO. TPO4 | DATE: 15/05/2020

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2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

SEPTEMBER 22ND - 9.00 AM

SEPTEMBER 22ND - 12.00 PM

SEPTEMBER 22ND - 3.00 PM

DESIGN RESPONSE PLAN

TOWN PLANNING PERMIT ISSUE - RT

DESIGN RESPONSE

The applicant has responded to the comments from the Council and the Council has approved the design response. The design response includes the following:

- The proposed building has been designed to meet the requirements of the Council's Design Response Plan.
- The proposed building has been designed to meet the requirements of the Council's Design Response Plan.
- The proposed building has been designed to meet the requirements of the Council's Design Response Plan.
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- The proposed building has been designed to meet the requirements of the Council's Design Response Plan.

SHADOW DIAGRAMS - SEPTEMBER 22ND

SCALE: 1:500

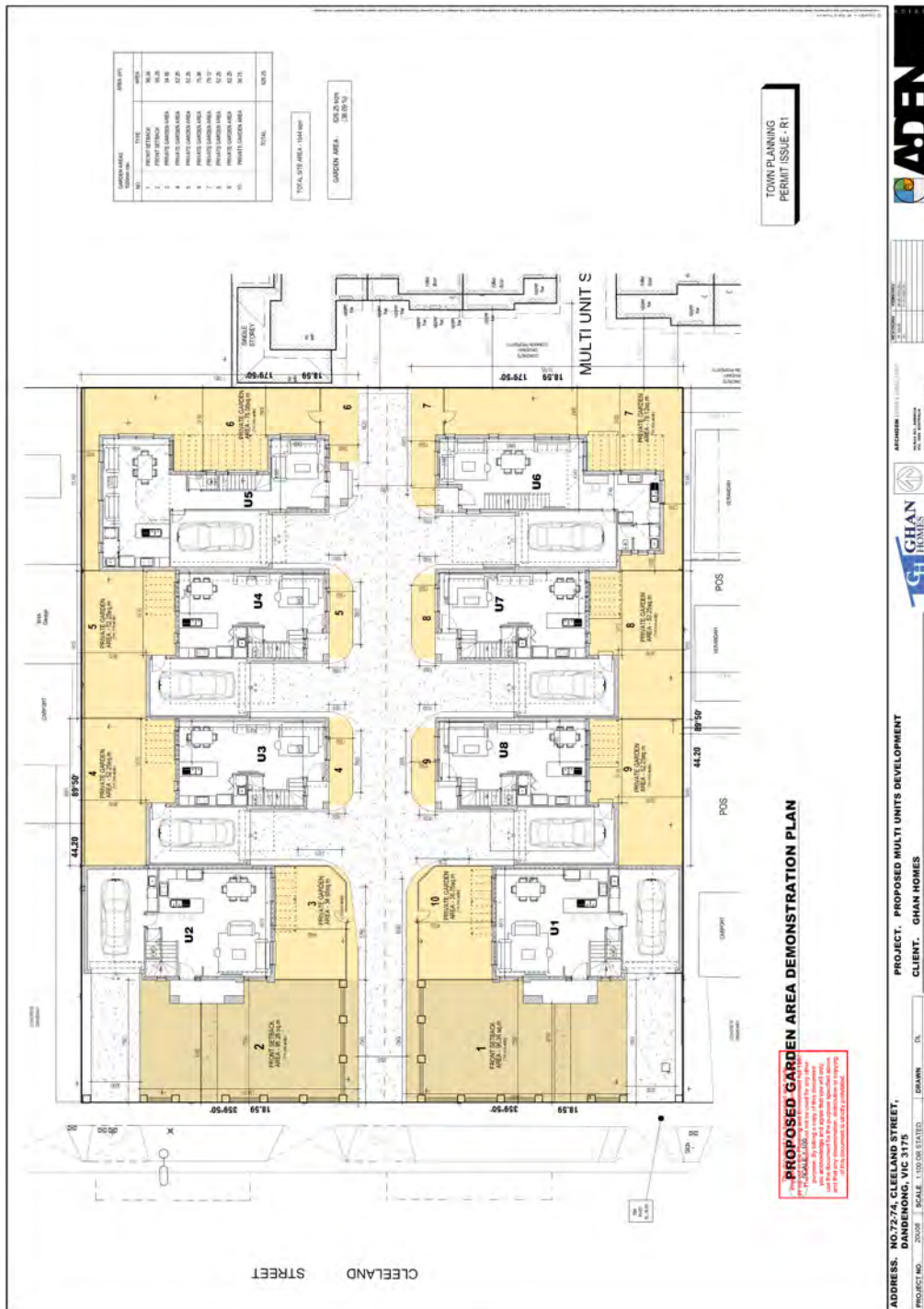
ADDRESS: NO.72-74, CLEELAND STREET, DANDENONG VIC 3175

PROJECT NO. 72000 | DATE: 15/09/2020 | DRAWN BY: [Name] | CHECKED BY: [Name]

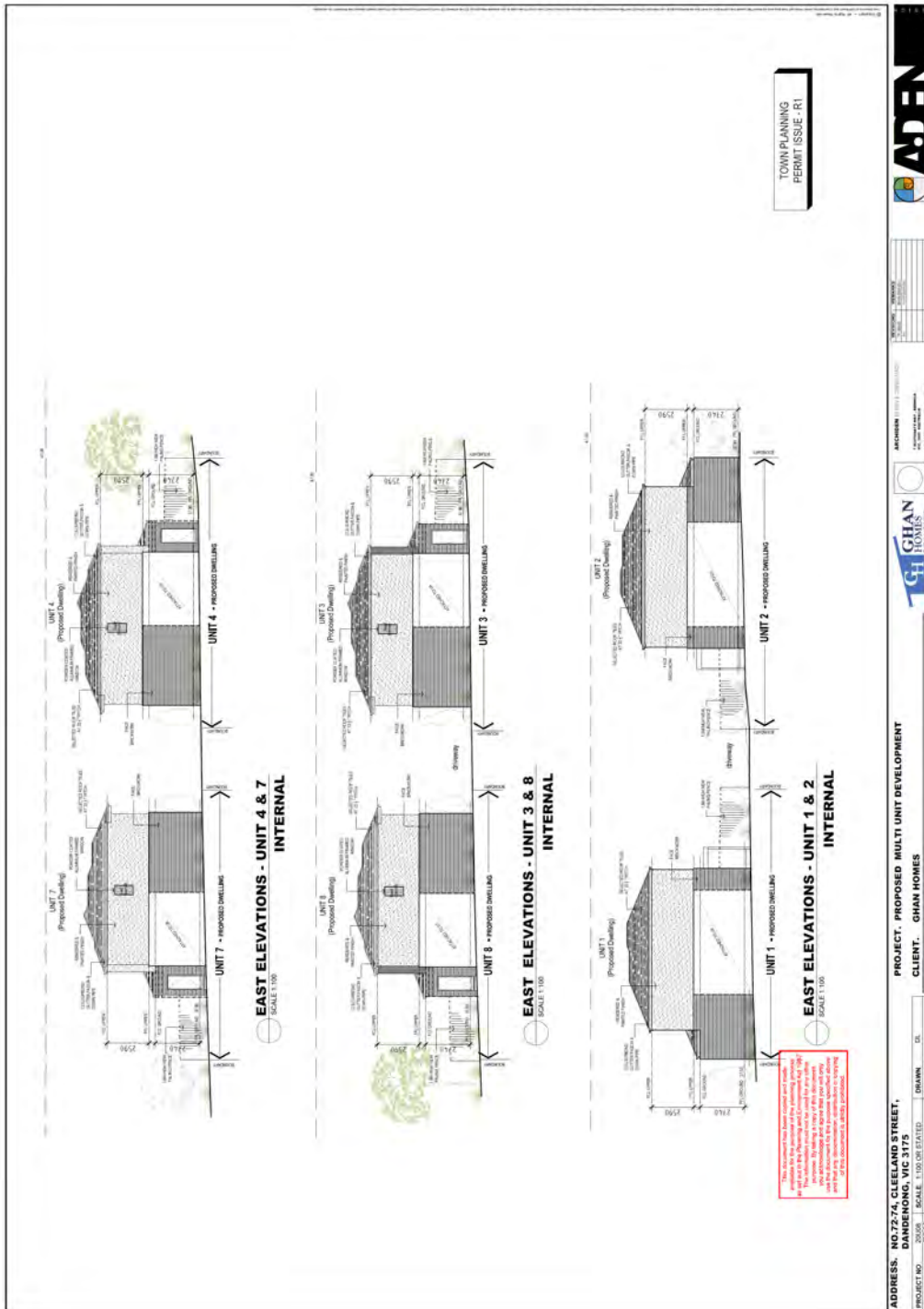
DRAWING NO. TP005 | DATE: 15/09/2020 | CHECKED BY: [Name]

PROJECT: PROPOSED MULTI UNITS DEVELOPMENT
 CLIENT: GHAN HOMES

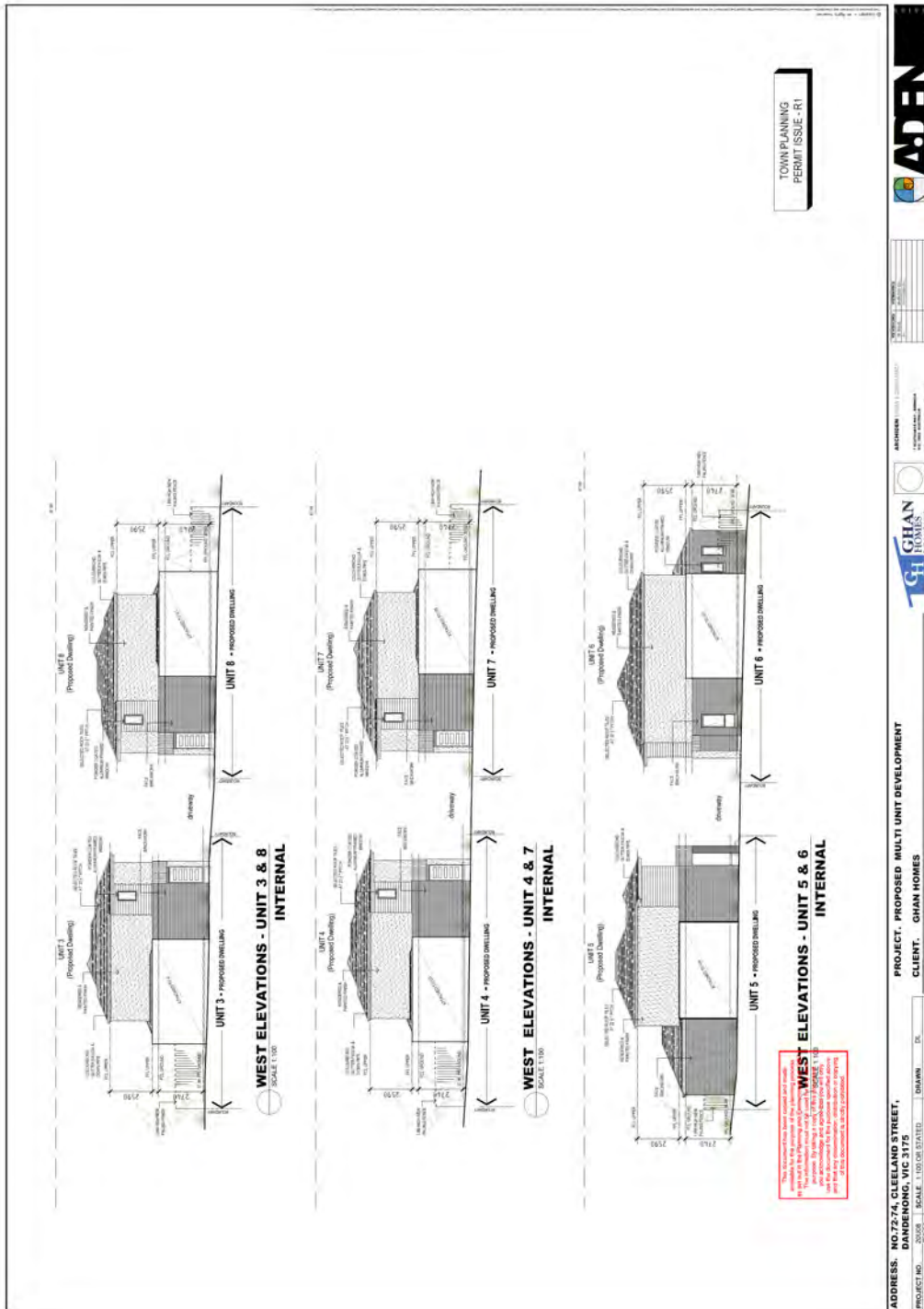
2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



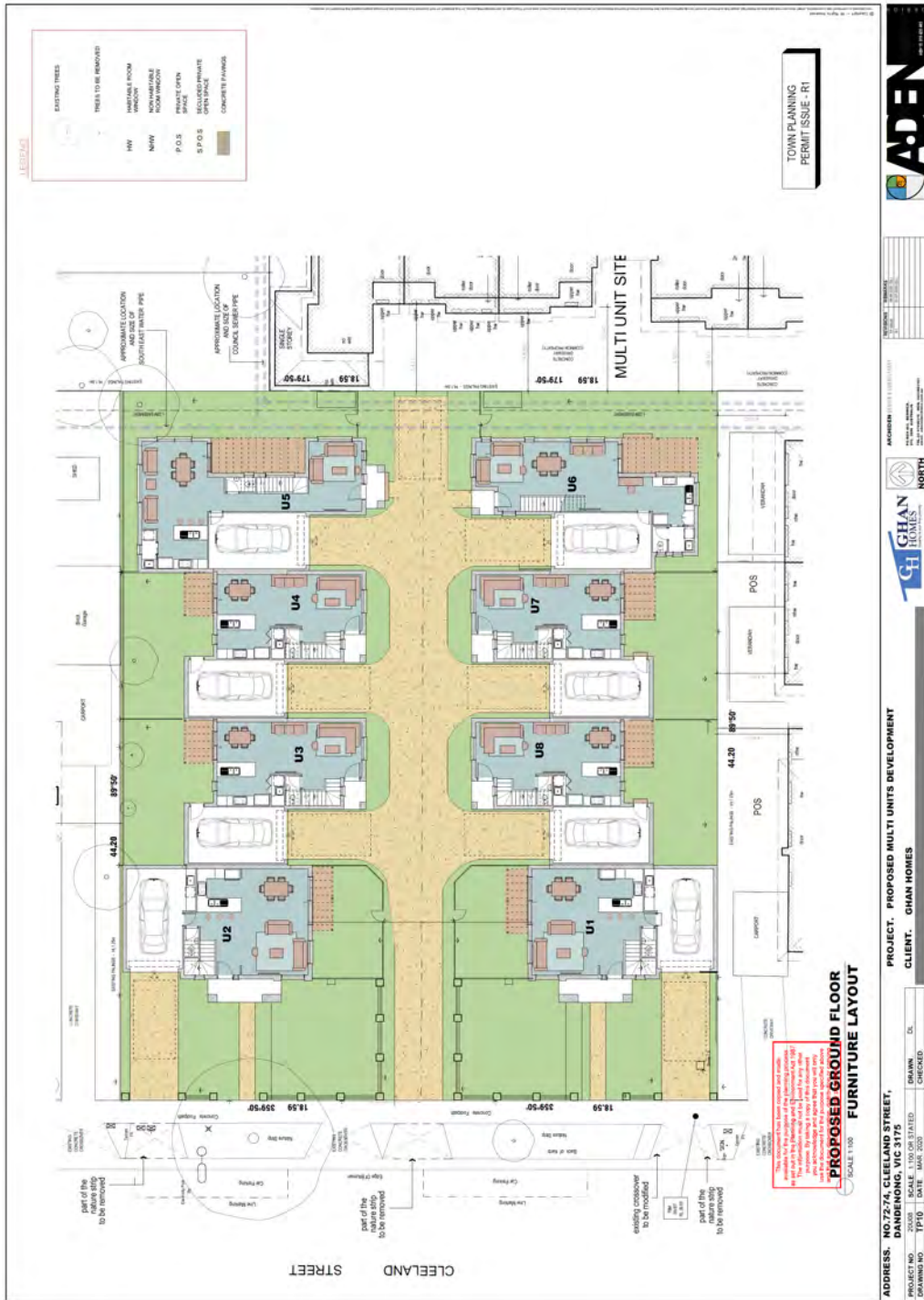
2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 72-74 CLEELAND STREET,
DANDENONG (PLANNING APPLICATION NO. PLN20/0224)**

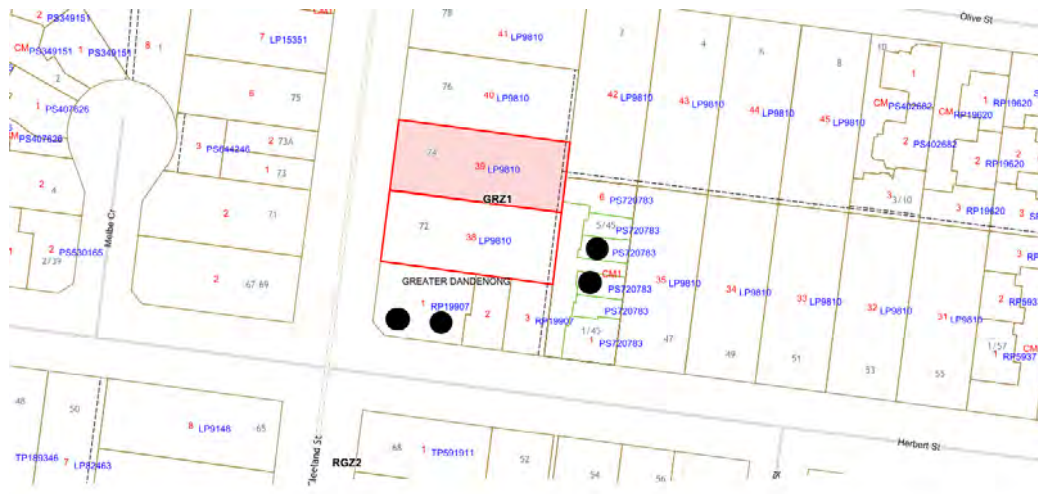
ATTACHMENT 2

LOCATION OF OBJECTORS

PAGES 2 (including cover)

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

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)



■ Subject Site ● Location of objectors Melways Map 90D5 ↑N

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 72-74 CLEELAND STREET,
DANDENONG**

ATTACHMENT 3

CLAUSE 22 ASSESSMENT

PAGES 13 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

**Assessment Table for Clause 22
Clause 22.09-3.1 Design Principles for all residential developments**

Title /Objective	Principles	Principle met/Principle not met/NA
Safety	To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that: Incorporate active frontages including ground floor habitable room windows.	✓ Principle met Each dwelling would incorporate active frontages including ground floor habitable room windows.
	Maximise the number of habitable room windows on all levels of residential buildings that overlook the public realm, streets, laneways, internal access ways and car parking areas.	✓ Principle met The proposed development maximises the number of habitable room windows which would overlook the public realm, street, internal accessways and car parking areas.
	Use semi-transparent fences to the street frontage.	✓ Principle met A 0.9 metre high front fence is proposed.
	Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.	✓ Principle met The plans show bollard lighting along the length of the common accessway and sensor lighting for the garage of each dwelling.
	Ensure that all main entrances are visible and easily identifiable from the street.	✓ Principle met Each dwelling's main entrance would be visible and easily identifiable from the street and the common accessway.
	Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.	✓ Principle met Non-habitable rooms such as bathrooms have been located away from entrances and street frontage.
Landscaping	Residential development should:	

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

<p>Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.</p>	<p>✓ Principle met The proposed development would be capable of providing substantial, high quality on-site landscaping, including screen planting and canopy trees along the ground level western frontage boundary, northern and southern side boundary and the eastern rear setback.</p>
<p>Provide substantial, high quality landscaping along vehicular accessways.</p>	<p>✓ Principle met The proposed development would be capable of providing substantial, high quality landscaping along the vehicular accessways.</p>
<p>Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.</p>	<p>✓ Principle met The proposed development would be able to include the planting of at least one substantial canopy tree to the front setbacks of Dwellings 1 and 2 and to each ground level secluded private open space area.</p>
<p>Planting trees that are common to and perform well in the area.</p>	<p>✓ Principle met The proposed development would be capable of planting trees that are common to and perform well in the area.</p>
<p>Avoid the removal of existing mature trees by incorporating their retention into the site design.</p>	<p>✓ Principle met The proposed development would avoid the removal of existing mature trees wherever possible.</p>
<p>Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</p>	<p>✓ Principle met The proposed development would be capable of using landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</p>
<p>Ensure that landscaping also addresses the Safety Design Principles.</p>	<p>✓ Principle met The proposed development would be capable of providing landscaping that addresses the Safety Design Principles.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.</p> <p>Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.</p> <p>Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.</p>	<p>✓ Principle met The proposed development would be capable of providing canopy trees planted in well proportioned setbacks/private open space that would be sufficient to accommodate their future growth to maturity.</p> <p>✓ Principle met The proposed development would be capable of providing landscaping which would minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.</p> <p>✓ Principle met The proposed development would be capable of providing landscaping which would be sustainable, drought tolerant and include indigenous species. It would be supported through the provision of a rainwater tank for each dwelling.</p>
<p>Car parking</p>	<p>The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.</p> <p>On-site car parking should be:</p> <ul style="list-style-type: none"> • Well integrated into the design of the building, • Generally hidden from view or appropriately screened where necessary, • Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. <p>Where car parking is located within the front setback it should be:</p> <ul style="list-style-type: none"> • Fully located within the site boundary, and • Capable of fully accommodating a vehicle between a garage or carport and the site boundary. 	<p>✓ Principle met The application proposes three (3) crossovers along its 37.18m frontage to Cleeland Street.</p> <p>✓ Principle met On-site car parking would be well integrated into the design of the dwellings, generally hidden from view and located to the side or rear so as to not dominate the streetscape and maximise soft landscaping opportunities at ground level.</p> <p>✓ Principle met Dwelling 1 and 2's tandem car spaces within the front setback would be fully located within the site boundary and capable of fully accommodating a vehicle between their respective garages and the site boundary.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	Developments with basement car parking should consider flooding concerns where applicable.	<p>✓ Principle met Basement car parking is not proposed.</p>
Setbacks, front boundary and width	Residential developments should: Provide a front setback with fence design and height in keeping with the predominant street pattern.	<p>✓ Principle met The proposed development would provide a front setback which would be in keeping with the predominant street pattern.</p>
	Maintain the apparent frontage width pattern.	<p>✓ Principle met The apparent frontage width pattern would be maintained.</p>
	Provide appropriate side setbacks between buildings to enable screen planting where required, and at least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity.	<p>✓ Principle met Appropriate side setbacks would be provided between buildings to enable screen planting and generous side setbacks are provided along the northern and southern boundaries to enable the planting and future growth of trees to maturity.</p>
	Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.	<p>✓ Principle met A 0.9 metre high front fence is proposed.</p>
Private open space	All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.	<p>✓ Principle met Each dwelling would provide good quality, useable private open space for each dwelling which would be directly accessible from the main living areas.</p>
	Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.	<p>✓ Principle met Ground level private open space areas would be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.</p>
	Private open space should be positioned to maximise solar access.	<p>✓ Principle met Private open space would be positioned to maximise solar access.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to ensure the solar access, useability and amenity of the space is not adversely affected.</p> <p>Upper level dwellings should avoid encroaching the secluded private open space of a separate lower level dwelling so as to ensure good solar access and amenity for the lower level dwelling.</p>	<p>✓ Principle met The upper levels of each dwelling would avoid encroaching over their respective secluded private open space areas.</p> <p>✓ Principle met There are no upper level dwellings proposed above a separate lower level dwelling.</p>
<p>Bulk & Built Form</p>	<p>All residential developments should respect the dominant façade pattern of the streetscape by:</p> <ul style="list-style-type: none"> • Using similarly proportioned roof forms , windows, doors and verandahs; and • Maintaining the proportion of wall space to windows and door openings. <p>Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.</p> <p>The development of new dwellings to the rear of existing retained dwellings is discouraged where:</p> <ul style="list-style-type: none"> • The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or • The retention of the existing dwelling detracts from the identified future character. <p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <ul style="list-style-type: none"> • Not exceeding the height of the neighbouring significant building; • Minimising the visibility of higher sections of the new building; and • Setting higher sections back at least the depth of one room from the frontage. <p>Residential development should:</p>	<p>✓ Principle met The design of the proposed dwellings would respect the dominant façade pattern of the streetscape by using similarly proportioned roof forms, windows, doors and front porch and maintaining a similar proportion of wall space to windows and door openings.</p> <p>✓ Principle met No balconies are proposed.</p> <p>✓ Principle met The existing dwellings are not being retained as part of this application.</p> <p>✓ Principle met The site is not adjacent to any identified heritage buildings.</p>
<p>Site Design</p>	<p>Residential development should:</p> <p>Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.</p>	<p>✓ Principle met The proposed development would preserve the amenity of adjoining dwellings through a responsive site design that considers the privacy, solar access and outlook of adjoining properties.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance</p> <p>Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.</p> <p>Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.</p> <p>Provide suitable storage provisions for the management of operational waste</p> <p>Appropriately located suitable facilities to encourage public transport use, cycling and walking.</p>	<p>✓ Principle met The proposed development would maximise thermal performance and energy efficiency of the built form by addressing orientation and passive design.</p> <p>✓ Principle met The proposed development would ensure that building height, massing and articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.</p> <p>✓ Principle met The proposed development would provide sufficient setbacks to accommodate the future growth of new trees.</p> <p>✓ Principle met The locations for bins are shown for each dwelling.</p> <p>✓ Principle met Bus routes 802, 804 and 811 run along Cleeland Street directly past the subject site. Residents would be able to walk and cycle to and from the subject site.</p>
Materials & Finishes	<p>Residential development should: Use quality, durable building materials and finishes that are designed for residential purposes.</p> <p>Avoid the use of commercial or industrial style building materials and finishes.</p>	<p>✓ Principle met The proposed dwellings would comprise of brick at ground floor level and a combination of rendered and horizontal cladding at first floor level.</p> <p>✓ Principle met The proposed development would not include any commercial or industrial style building materials or finishes.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials.</p> <p>Use a consistent simple palette of materials, colours finishes and architectural detailing.</p> <p>Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.</p>	<p>✓ Principle met The proposed development would not include any rendered cement sheeting, unarticulated surfaces or excessive repetitive use of materials.</p> <p>✓ Principle met The proposed development would use a consistent simple palette of materials, colour finishes and architectural detailing.</p> <p>✓ Principle met The proposed development would maximise the ongoing affordability and sustainability of residential developments through selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.</p>
<p>Domestic services normal to a dwelling and Building services</p>	<p>In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should:</p> <p>Ensure that all domestic and building services are visually integrated into the design of the building and appropriately positioned or screened so as to not be seen from the street or adjoining properties.</p> <p>Be designed to avoid the location of domestic and building services:</p> <ul style="list-style-type: none"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	<p>✓ Principle met Domestic and building services could be visually integrated into the design of the development and appropriately positioned or screened so as not to be seen from the street or adjoining properties.</p> <p>✓ Principle met The proposed development has been designed to generally avoid the location of domestic and building services within secluded private open space areas and where they may have noise impacts on adjoining habitable rooms and secluded private open space areas.</p>
<p>Internal Amenity</p>	<p>Residential development should:</p>	

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Ensure that dwelling layouts have connectivity between the main living area and private open space.</p>	<p>✓ Principle met The proposed development would ensure that dwelling layouts have connectivity between the main living areas and private open space.</p>
	<p>Be designed to avoid reliance on borrowed light to habitable rooms.</p>	<p>✓ Principle met The proposed development has been designed to avoid reliance on borrowed light to habitable rooms.</p>
	<p>Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.</p>	<p>✓ Principle met No balconies are proposed. Habitable room windows would be designed and located to reduce the need for excessive screening.</p>
	<p>Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 & 7, 55.05-3, 4 & 5.</p>	<p>✓ Principle met No dwellings without ground level main living areas are proposed.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ)

Principles		Principle met/Principle not met/NA
Titles & Objectives		
Preferred housing type	The preferred housing type for the Incremental Change Area is medium density.	✓ Principle met The proposed development would be a medium density development.
Building Height	The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.	✓ Principle met The proposed development would be a maximum of two storeys in height, including ground level.
Landscaping	Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties	✓ Principle met The proposed development would be capable of using landscaping to create a landscape character, particularly canopy trees in front and rear gardens.
Setbacks, front boundary and width	Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.	✓ Principle met Parking, paving and car access within the front setback would be limited to a single accessway each for Dwellings 1 and 2 and a common accessway for the remaining dwellings which would maximise the opportunity for soft landscaping and prevent the over dominance of garages in the street.
Private open space	Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.	✓ Principle met The proposed development would provide secluded private open space at the side/rear of each dwelling to avoid the need for excessive screening.
Bulk & Built	Residential development should:	

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Form	<p>Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;</p> <p>Provide separation between dwellings at the upper level;</p> <p>Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;</p> <p>Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.</p>	<p>✓ Principle met The proposed development would respect the scale of existing prevailing built form character and would respond to site circumstances and streetscape, by providing eight (8) new double storey dwellings, with double storey dwellings 5 and 6 to the rear adjoining an existing six (6) double storey dwelling development at 45 Herbert Street.</p> <p>✓ Principle met All of the proposed dwellings would be separated at the upper level.</p> <p>✓ Principle met A spine of open space would be provided at the rear of the site.</p> <p>✓ Principle met The provision of the two (2) largest double storey dwellings to the front of the site and the two (2) smallest double storey dwellings to the rear (particularly Dwelling 5) would achieve this. Dwelling 5 would have a substantial single storey element to the north and Dwelling 6 would contain single storey elements to the south.</p>
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If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.</p> <p>Two storey dwellings to the rear of a lot may be considered where:</p> <ul style="list-style-type: none"> • The visual impact of the building bulk does not adversely affect the identified future character of the area; • Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties; • The building bulk does not adversely affect the planting and future growth of canopy trees to maturity; • Sufficient side and rear boundary landscaping can be provided to screen adjoining properties; • Upper storey components are well recessed from adjoining sensitive interfaces. <p style="text-align: right;"><i>If the details of the attachment are unclear please contact Governance on 8571 5309.</i></p>	<p>✓ Principle met</p> <p>Dwellings 5 and 6 to the rear are proposed to be double storey. This is considered reasonable for the following reasons:</p> <ul style="list-style-type: none"> • The visual impact of the building bulk would not adversely affect the identified future character of the area, particularly the six (6) attached double storey dwellings at 45 Herbert Street which immediately adjoin the subject site to the east. • With respect to overlooking, Dwelling 5's east-facing upper level study windows would be provided with obscure glazing up to 1.7m above finished floor level, whilst the east-facing upper level Bedroom 2 window would have a minimum sill height of 1.7m above finished floor level, as would Dwelling 6's east-facing upper level Master Bedroom window. • Dwelling 6's south-facing upper level Bedroom 3 and Stairwell windows would be provided with obscure glazing up to 1.7m above finished floor level. • With respect to overshadowing, Dwellings 5 and 6 would not overshadow 76 Cleeland Street to the north, would only overshadow parts of the common accessway of 45 Herbert Street to the east at 3.00pm and would only overshadow a small portion of the private open space of 3/70 Cleeland Street at 3.00pm. • A minimum setback of 2.9m is proposed from the eastern boundary which would provide sufficient opportunity to screen adjoining properties. • At upper level Dwelling 5 would be setback 5.36m from the northern boundary and 3.5m from the eastern boundary, whilst Dwelling 6 would be setback 3.74m from the eastern boundary and 3.95m from the southern boundary.
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2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>	<p>✓ Principle met The proposed development would be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>
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If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 72-74 CLEELAND STREET,
DANDENONG (PLANNING APPLICATION NO. PLN20/0224)**

ATTACHMENT 4

CLAUSE 52.06 ASSESSMENT

PAGES 6 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Assessment Table - Clause 52.06

Clause 52.06-9 Design standards for car parking

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise. Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design Standards	Assessment	Requirement met/Requirement not met/NA
<p>Design standard 1 - Accessways</p>	<p>Accessways must:</p> <ul style="list-style-type: none"> • Be at least 3 metres wide. • Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. • Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre. • Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres. • If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed to that cars can exit the site in a forward direction. • Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in Road Zone. 	<p>✓ Standard met The proposed accessways would be a minimum of 3m wide along their entire lengths.</p> <p>✓ Standard met The proposed common accessway would have an internal radius of at least 4m at changes of direction.</p> <p>✓ Standard met The proposed common accessway would allow vehicles parked in the last space of the accessway (i.e. the visitor car space) to exit in a forward direction with one manoeuvre.</p> <p>✓ Standard met No overhead obstructions are proposed above the accessways.</p> <p>✓ Standard met The common accessway would serve 12 car spaces but does not connect to a road in a Road Zone. Cars for Dwellings 3 to 8 would be able to exit the site in a forward direction.</p> <p>✓ Standard met A passing area is not required for the common accessway as although more than 10 spaces are proposed, the accessway itself is less than 50m and does not connect to a road in a Road Zone.</p>

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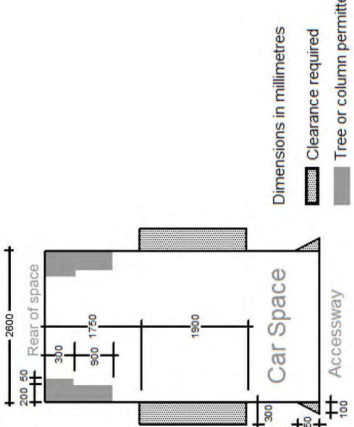
ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<ul style="list-style-type: none"> Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height. 	<p>✓ Standard met Corner splays have been shown along the frontage road from the edge of the exit lanes.</p>																																
	<p>If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.</p>	<p>✓ Standard met Cleeland Street is not a road zone.</p>																																
	<p>If entry to the car space is from a road, the width of the accessway may include the road.</p>	<p>✓ Standard met The entry to the car spaces is not directly from the road.</p>																																
<p>Design standard 2 – Car parking spaces</p>	<p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p>Table 2: Minimum dimensions of car parking spaces and accessways</p> <table border="1"> <thead> <tr> <th>Angle of car parking spaces to access way</th> <th>Accessway width</th> <th>Car space width</th> <th>Car space length</th> </tr> </thead> <tbody> <tr> <td>Parallel</td> <td>3.6 m</td> <td>2.3 m</td> <td>6.7 m</td> </tr> <tr> <td>45°</td> <td>3.5 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>60°</td> <td>4.9 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>90°</td> <td>6.4 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.8 m</td> <td>2.8 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.2 m</td> <td>3.0 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>4.8 m</td> <td>3.2 m</td> <td>4.9 m</td> </tr> </tbody> </table> <p><i>Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).</i></p>	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length	Parallel	3.6 m	2.3 m	6.7 m	45°	3.5 m	2.6 m	4.9 m	60°	4.9 m	2.6 m	4.9 m	90°	6.4 m	2.6 m	4.9 m		5.8 m	2.8 m	4.9 m		5.2 m	3.0 m	4.9 m		4.8 m	3.2 m	4.9 m	<p>✓ Standard met With the exception of Dwelling 5 which does not have a tandem car space, each dwelling's tandem car space would have dimensions of 4.9m long by 2.6m wide. The visitor car space would also have dimensions of 4.9m long by 2.6m wide.</p>
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length																															
Parallel	3.6 m	2.3 m	6.7 m																															
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2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

<p>✓ Standard met Each tandem car space and the visitor car space would provide the required 0.3m wide clearance on either side.</p>	<p>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:</p> <ul style="list-style-type: none"> • A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1. • A structure, which may project into the space if it is at least 2.1 metres above the space. <p>Diagram 1 Clearance to car parking spaces</p>  <p>Dimensions in millimetres ■ Clearance required ■ Tree or column permitted</p>
<p>✓ Standard met Each dwelling's single garage would be 6m long by 3.5m wide.</p>	<p>Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.</p>
<p>✓ Standard met At least 0.5m would be provided between each dwelling's garage and its tandem car space.</p>	<p>Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.</p>
<p>✓ Standard met Each dwelling has been provided with at least one (1) car space which is under cover.</p>	<p>Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.</p>
<p>✓ Standard met No disabled car parking spaces are proposed.</p>	<p>Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

<p>Design standard 3: Gradients</p>	<p>Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.</p>	<p>✓ Standard met The common accessway would serve six (6) of the proposed dwellings. The accessway itself would be relatively flat.</p>													
	<p>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</p>	<p>✓ Standard met No ramps are proposed.</p>													
	<p>Table 3: Ramp gradients</p> <table border="1" data-bbox="432 873 639 1545"> <thead> <tr> <th>Type of car park</th> <th>Length of ramp</th> <th>Maximum grade</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Public car parks</td> <td>20 metres or less</td> <td>1:5 (20%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:6 (16.7%)</td> </tr> <tr> <td rowspan="2">Private or residential car parks</td> <td>20 metres or less</td> <td>1:4 (25%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:5 (20%)</td> </tr> </tbody> </table> <p>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</p> <p>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</p>	Type of car park	Length of ramp	Maximum grade	Public car parks	20 metres or less	1:5 (20%)	longer than 20 metres	1:6 (16.7%)	Private or residential car parks	20 metres or less	1:4 (25%)	longer than 20 metres	1:5 (20%)	<p>✓ Standard met No ramps are proposed.</p>
Type of car park	Length of ramp	Maximum grade													
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	longer than 20 metres	1:6 (16.7%)													
Private or residential car parks	20 metres or less	1:4 (25%)													
	longer than 20 metres	1:5 (20%)													
<p>Design standard 4: Mechanical parking</p>	<p>Mechanical parking may be used to meet the car parking requirement provided:</p> <ul style="list-style-type: none"> At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres. Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation. The design and operation is to the satisfaction of the responsible authority. 	<p>✓ Standard met No mechanical parking is proposed.</p> <p>✓ Standard met No mechanical parking is proposed.</p> <p>✓ Standard met No mechanical parking is proposed.</p>													
<p>Design standard 5: Urban design</p>	<p>Ground level car parking, garage doors and accessways must not visually dominate public space.</p>	<p>✓ Standard met Ground level car parking, garage doors and the accessways would not visually dominate public space.</p>													

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.</p> <p>Design of car parks must take into account their use as entry points to the site.</p> <p>Design of new internal streets in developments must maximise on street parking opportunities.</p> <p>Car parking must be well lit and clearly signed.</p> <p>The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.</p> <p>Pedestrian access to car parking areas from the street must be convenient.</p> <p>Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.</p> <p>The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.</p> <p>Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.</p> <p>Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.</p>	<p>✓ Standard met Car parking within each dwelling's garage would be screened with a horizontal clad garage door.</p> <p>✓ Standard met The proposed development does not include car parking at the entry point of the site.</p> <p>✓ Standard met The spacing of the proposed crossovers would maximise on street parking opportunities.</p> <p>✓ Standard met The car parking area would be capable of being well lit.</p> <p>✓ Standard met The design of the car parking area would maximise natural surveillance and pedestrian visibility from the adjacent dwellings.</p> <p>✓ Standard met Pedestrian access to the car parking areas from the street would be via the accessways.</p> <p>✓ Standard met The accessways and car parking within the proposed development would not be high activity parking areas.</p> <p>✓ Standard met The layout of the car parking areas would provide for landscaping.</p> <p>✓ Standard met Landscaping and trees could be planted along the accessway to provide shade and shelter and soften the appearance of ground level car parking.</p> <p>✓ Standard met Trees planted with flush grilles are not required for residential developments such as the current proposal.</p>
<p>Design standard 6: Safety</p>		
<p>Design standard 7: Landscaping</p>		

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 72-74 CLEELAND STREET,
DANDENONG (PLANNING APPLICATION NO. PLN20/0224)**

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 24 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Assessment Table - Two or More Dwellings on a Lot and Residential Buildings (Clause 55)

Clause 55.02-1 Neighbourhood character objectives

Standard (Summarised)		Standard Met/Standard Not Met/NA
Title & Objective Standard B1	The design response must be appropriate to the neighbourhood and the site.	Standard met The proposed eight (8) double storey dwellings across two blocks would be appropriate to the neighbourhood and the site. The property to the south at 70 Cleeland Street contains three (3) single storey dwellings. The property to the north at 76 Cleeland Street contains a single storey dwelling. The property to the east at 45 Herbert Street contains six (6) double storey dwellings on a single block.
	The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.	Standard met The proposed eight (8) double storey dwellings would respect the existing and preferred neighbourhood character and respond to the features of the site.

Clause 55.02-2 Residential policy objectives

Standards		Standard Met/Standard Not Met/NA
Title & Objective Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the PPF and the LPPF, including the MSS and local planning policies.	Standard met A Planning Report was submitted with the application.

Clause 55.02-3 Dwelling diversity objective

Standards		Standard Met/Standard Not Met/NA
Title & Objective Standard B3	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> Dwellings with a different number of bedrooms. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	Standard met The proposed development is for only eight (8) dwellings.

Clause 55.02-4 Infrastructure objectives

Standards		Standard Met/Standard Not Met/NA
Title & Objective Standard B4	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.	Standard met The proposed development would be connected to reticulated services in this established residential area.

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>	<p>✓ Standard met The proposed development of the site for eight (8) dwellings would not unreasonably exceed the capacity of utility services and infrastructure.</p> <p>✓ Standard met There is no evidence to suggest that the subject site is located in an area where utility services or infrastructure have little or no spare capacity.</p>
<p>Clause 55.02-5 Integration with the street objective</p>		
<p>Title & Objective Standard B5</p>	<p>Standards Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p> <p>Developments should be oriented to front existing and proposed streets.</p> <p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met Dwellings 1 and 2 would have pedestrian and vehicles access directly from Cleeland Street. Dwellings 3 to 8 would have pedestrian and vehicular access from the common accessway.</p> <p>✓ Standard met Dwelling 1 and 2 would front Cleeland Street, whilst Dwellings 3 to 8 would front the common accessway.</p> <p>✓ Standard met A 0.9 metre high front fence is proposed.</p> <p>✓ Standard met The subject site does not adjoin any public open space.</p>
<p>Clause 55.03-1 Street setback objective</p>		
<p>Title & Objective Standard B6</p>	<p>Standards Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone. GRZ: 7.5 metres or as per Table B1, whichever is the lesser.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met Dwelling 1 and 2's front walls would have a minimum front setback of 7.55m.</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Table B1 Street setback		
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

Clause 55.03-2 Building height objective	
Title & Objective	Standard Met/Standard Not Met/NA
Standard B7	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9)</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p>
	<p>Standard met</p> <p>The proposed maximum height is 7.86m.</p> <p>N/A</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	Changes of building height between existing buildings and new buildings should be graduated.	<p>✓ Standard met</p> <p>The property to the south at 70 Cleeland Street contains three (3) single storey dwellings. The property to the north at 76 Cleeland Street contains a single storey dwelling. The property to the east at 45 Herbert Street contains six (6) double storey dwellings on a single block.</p>
Clause 55.03-3 Site coverage objective		
Title & Objective	Standard Met/Standard Not Met/NA	
Standard B8	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> • The maximum site coverage specified in a schedule to the zone, or • If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p>GRZI: 60% (none specified)</p>	<p>✓ Standard met</p> <p>The proposed site coverage would be 40.7%.</p>
Clause 55.03-4 Permeability objectives		
Title & Objective	Standard Met/Standard Not Met/NA	
Standard B9	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> • The minimum areas specified in a schedule to the zone, or • If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p>GRZI: 30%</p>	<p>✓ Standard met</p> <p>The proposed permeable area would be 37.7%.</p>
Clause 55.03-5 Energy efficiency objectives		
Title & Objective	Standard Met/Standard Not Met/NA	
Standard B10	<p>Buildings should be:</p> <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. 	<p>✓ Standard met</p> <p>The dwellings would be oriented to take advantage of solar energy from the east, north and west. They have been sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Living areas and private open space should be located on the north side of the development, if practicable.</p>	<p>✓ Standard met Dwelling 1, 6, 7 and 8's living areas would be located on the northern side of the dwellings, whilst Dwelling 2, 3, 4 and 5's living areas would be on the southern side of the dwellings. Dwelling 1's living area would have access to north and west facing windows, Dwelling 2's living area would have access to south and west facing windows, Dwelling 3 and 4's living areas would have access to south facing windows, Dwelling 5's living area would have access to south and east facing windows, Dwelling 6's living area would have access to north and east facing windows and Dwelling 7 and 8's living areas would have access to north-facing windows. Dwellings 1, 3 and 4 would include private open space to the north of the dwelling with a northern aspect. Dwelling 2 would have private open space to the south of the dwelling with eastern and western aspects. Dwellings 5 and 6 would have private open space to the east of the dwelling with a northern aspect, Dwelling 7 would have private open space to the south of the dwelling with a western aspect and Dwelling 8 would have private open space to the south of the dwelling with an eastern aspect.</p>
<p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p>✓ Standard met Dwellings 1, 3 and 4 would each have two (2) north-facing windows which have solar access at ground floor level and two (2) north-facing windows at first floor level. Dwelling 2 would have no north facing windows at ground floor level and one (1) north-facing window at first floor level. Dwelling 5 would have two (2) north facing windows at ground floor level and one (1) north-facing window at first floor level. Dwelling 6 would have one (1) north facing window at ground floor level and two (2) north-facing windows at first floor level. Dwellings 7 and 8 would each have two (2) north facing window at ground floor level and four (4) north-facing windows at first floor level.</p>	

Clause 55.03-6 Open space objective

Title & Objective

Standards

Standard Met/Standard Not Met/NA

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

<p>Standard B11</p>	<p>If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> • Be substantially fronted by dwellings, where appropriate. • Provide outlook for as many dwellings as practicable. • Be designed to protect any natural features on the site. • Be accessible and useable. 	<p>✓ Standard met No public or communal open space is proposed on site.</p>
<p>Clause 55.03-7 Safety objective</p>		
<p>Standards</p>		
<p>Standard B12</p>	<p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and accessways should be avoided.</p> <p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met The entry to each dwelling would be visible from Cleeland Street or the common accessway once entered.</p> <p>✓ Standard met The application does not propose any planting which would create unsafe spaces along Cleeland Street or the accessways.</p> <p>✓ Standard met Dwellings 1 and 2 would each have two (2) windows at first floor level which would face the common accessway. Dwellings 3 and 4 would each have two (2) windows at ground floor level which would face the common accessway and five (5) windows at first floor level. Dwellings 5 and 6 would each have two (2) windows at ground floor level which would face the common accessway and two (2) windows at first floor level. Dwellings 7 and 8 would each have two (2) windows at ground floor level which would face the common accessway and five (5) windows at first floor level.</p> <p>✓ Standard met Each dwelling's private open space would be protected from inappropriate use as a public thoroughfare.</p>

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2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Clause 55.03-8 Landscaping objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B13</p>	<p>The landscape layout and design should:</p> <ul style="list-style-type: none"> • Protect any predominant landscape features of the neighbourhood. • Take into account the soil type and drainage patterns of the site. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should meet any additional landscape requirements specified in a schedule to the zone.</p> <p>All schedules to all residential zones: "70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."</p>	<p>Standard met A Landscape Plan can be provided as a condition of permit, if granted.</p> <p>Standard met A Landscape Plan can be provided as a condition of permit, if granted.</p> <p>Standard met It does not appear as though any trees have been removed from the site in the 12 months prior to the application being made.</p> <p>Standard met A Landscape Plan can be provided as a condition of permit, if granted.</p> <p>Standard met More than 70% of the ground level western front setback would be capable of being planted with substantial landscaping and canopy trees. The northern and southern side setbacks and the eastern rear setback would also be capable of being planted with substantial landscaping and canopy trees.</p>

Clause 55.03-9 Access objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B14</p>	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	<p>Standard met Less than 33% of the Cleeland Street street frontage would be taken up by the accessways.</p>

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2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	<p>✓ Standard met Dwellings 1 and 2 which would front Cleeland Street would each have their own accessway. A common accessway would serve Dwellings 3 to 8 which would not have frontage to Cleeland Street.</p> <p>✓ Standard met The location of the proposed crossovers would maximise the retention of on-street car parking spaces.</p> <p>✓ Standard met Cleeland Street is not in a Road Zone.</p> <p>✓ Standard met The proposed development would provide appropriate access for service, emergency and delivery vehicles.</p>
<p>Clause 55.03-10 Parking location objectives</p>		
<p>Title & Objective Standard B15</p>	<p>Standards Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met Car parking facilities for each dwelling would be close and convenient for each dwelling. The garage of each dwelling would be secure and would be capable of being well ventilated.</p> <p>✓ Standard met There are no habitable room windows located within 1.5m of the common accessway.</p>
<p>Clause 55.04-1 Side and rear setbacks objective</p>		
<p>Title & Objective Standard B17</p>	<p>Standards A new building not on or within 200mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> • At least the distance specified in a schedule to the zone, or • If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met All dwellings within the proposed development would be setback more than 1m from all boundaries at ground floor level for all walls not built to the boundary. The proposed dwellings would be setback at least 1.8m from all boundaries at first floor level.</p>

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Diagram B1 Side and rear setbacks</p> <p>LOT BOUNDARY</p>	<p>✓ Standard met The proposed development would achieve a minimum 1m setback at ground floor level for all walls not built to the boundary and a minimum 1.8m setback at first floor level from all boundaries.</p> <p>✓ Standard met These are not proposed.</p>
<p>Clause 55.04-2 Walls on boundaries objective</p> <p>Title & Objective</p>	<p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>Standard Met/Standard Not Met/NA</p>

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Standard B18	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary.</p> <ul style="list-style-type: none"> • For a length of more than the distance specified in the schedule to the zone; or • if no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p>✓ Standard met Garage 1 is proposed on the southern boundary with a length of 6.5m which is less than 10m in length. Garage 2 is proposed to be within 200mm of the northern boundary with a length of 6.5m which is less than 10m in length.</p> <p>✓ Standard met The proposed walls on the northern and southern boundaries would not fully abut the boundaries.</p> <p>✓ Standard met Garage 1 is proposed on the southern boundary whilst Garage 2 would be setback 150mm from the northern boundary.</p> <p>✓ Standard met The maximum height of the walls on the boundaries is 3.2m.</p>
Clause 55.04-3 Daylight to existing windows objective		
Title & Objective	<p>Standards Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met The site to the north at 76 Cleeland Street contains a single storey dwelling which has south-facing habitable room windows which are setback 4.24m from the shared boundary with the subject site and would have at least 1m clear to the sky. The closest habitable room windows for dwellings to the site are at 4/45 and 5/45 Herbert Street which are setback 4.84m from the subject site and would have at least 1m clear to the sky. The existing dwellings to the south at 70 Cleeland Street north-facing habitable room windows which are at least 4.19m from the shared boundary with the subject site and would have at least 1m clear to the sky.</p> <p>✓ Standard met</p>

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2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Diagram B2 Daylight to existing windows</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	<p>With respect to the dwelling at 76 Cleeland Street, the closest north-facing wall of the proposed development on the subject site would be the garage wall of Dwelling 3 directly opposite the south-facing habitable room window of 76 Cleeland Street with a separation of 8.21m.</p> <p>With respect to the dwellings at 45 Herbert Street, the closest east-facing wall of the proposed development on the subject site would be Dwelling 6's eastern wall directly opposite the west-facing habitable room windows of 4/45 and 5/45 Herbert Street with a separation of 7.74m.</p> <p>With respect to the dwellings at 70 Cleeland Street, the closest south-facing wall of the proposed development on the subject site would be Dwelling 6's south-facing wall directly opposite the north-facing habitable room window of 3/70 Cleeland Street with a separation of 5.39m.</p>
<p>Clause 55.04-4 North-facing windows objective</p> <p>Title & Objective</p> <p>Standard B20</p>	<p>Standards</p> <p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met</p> <p>1/70, 2/70 and 3/70 Cleeland Street do not have any north-facing windows which are within 3m of the subject site.</p>

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Diagram B3 North-facing windows</p> <p>A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.</p> <p>Applies where existing HRW is between 20° west and 30° east from north</p>	
<p>Clause 55.04-5 Overshadowing open space objective</p> <p>Title & Objective</p>	<p>Standards</p>	<p>Standard Met/Standard Not Met/NA</p>

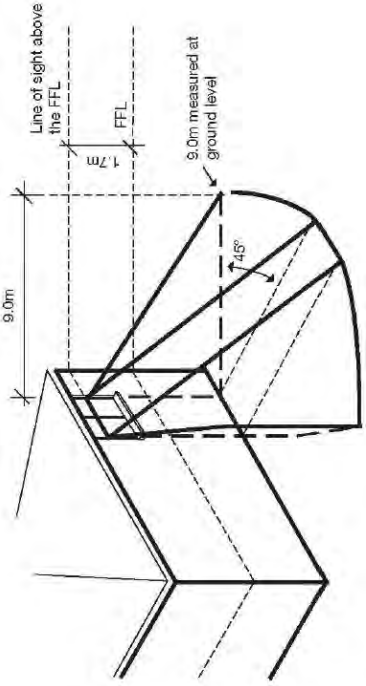
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2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

<p>Standard B21</p>	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.</p>	<p>✓ Standard met The site to the north at 76 Cleeland Street would have no overshadowing from the proposed development. The site to the east at 45 Hammond Road would have no overshadowing from the proposed development at 9.00am or 12.00pm, with only some overshadowing mainly affecting the common accessway at 3.00pm. The site to the south at 70 Cleeland Street would have some overshadowing from the proposed development at each time of day but it would not affect the private open space of these dwellings except a bit of 1/70 Cleeland Street at 12.00pm and some of 1/70 Cleeland Street and a bit of 3/70 Cleeland Street at 3.00pm. Overall, 75% of the secluded private open space areas of the adjoining properties would receive at least 5 hours of sunlight between 9am and 3pm on September 22.</p>
	<p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>✓ Standard met The existing sunlight to the secluded private open space of the existing adjoining properties is not currently less than the requirements of this standard.</p>
<p>Clause 55.04-6 Overlooking objective</p>		
<p>Standards</p>		
<p>Standard B22</p>	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met <i>North elevation</i> With respect to the property to the north at 76 Cleeland Street, Dwelling 1's north-facing upper level Bedroom 3 window and Dwelling 2 and 3's north-facing upper level Bedroom 2 and 3 windows would be provided with obscure glazing up to 1.7m above finished floor level. <i>East elevation</i> With respect to the dwellings at 45 Herbert Street to the east and the backyard of 2 Olive Street to the east, Dwelling 5's east-facing upper level study windows would be provided with obscure glazing up to 1.7m above finished floor level, whilst the east-facing upper level Bedroom 2 window would have a minimum sill height of 1.7m above finished floor level, as would Dwelling 6's east-facing upper level Master Bedroom window. <i>South elevation</i> With respect to the dwellings at 70 Cleeland Street to the</p>
<p>Diagram B4 Overlooking open space</p>		

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<p>south, Dwelling 1's south-facing upper level Bedroom 3 window, Dwelling 7 and 8's south-facing upper level Bedroom 2 and 3 windows and Dwelling 6's south-facing upper level Bedroom 3 and Stairwell windows would be provided with obscure glazing up to 1.7m above finished floor level.</p>		<p>Standard met</p> <p><i>North elevation</i></p> <p>With respect to the property to the north at 76 Cleeland Street, Dwelling 1's north-facing upper level Bedroom 3 window and Dwelling 2 and 3's north-facing upper level Bedroom 2 and 3 windows would be provided with obscure glazing up to 1.7m above finished floor level.</p> <p><i>East elevation</i></p> <p>With respect to the dwellings at 45 Herbert Street to the east and the backyard of 2 Olive Street to the east, Dwelling 5's east-facing upper level study windows would be provided with obscure glazing up to 1.7m above finished floor level, whilst the east-facing upper level Bedroom 2 window would have a minimum sill height of 1.7m above finished floor level, as would Dwelling 6's east-facing upper level Master Bedroom window.</p> <p><i>South elevation</i></p> <p>With respect to the dwellings at 70 Cleeland Street to the south, Dwelling 1's south-facing upper level Bedroom 3 window, Dwelling 7 and 8's south-facing upper level Bedroom 2 and 3 windows and Dwelling 6's south-facing upper level Bedroom 3 and Stairwell windows would be provided with obscure glazing up to 1.7m above finished floor level.</p> <p>Standard met</p> <p>All obscure glazing for habitable room windows below</p>
<p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. • Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. • Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. 	<p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p>	<p>Standard met</p>

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2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

	<p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the development. <p>The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	<p>1.7m above finished floor level would be fixed.</p> <p>✓ Standard met No external screens are proposed.</p> <p>✓ Standard met The 1.8m high on the northern, southern and eastern boundaries would prevent potential ground floor overlooking.</p>
<p>Clause 55.04-7 Internal views objective Title & Objective Standard B23</p>	<p>Standards Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>Standard Met/Standard Not Met/NA Dwelling 1 would not have any east-facing upper level windows which would overlook Dwelling 6's secluded private open space area. Dwelling 2 would not have any east-facing upper level windows which would overlook Dwelling 3's secluded private open space area. Dwelling 3 would have a west-facing upper level stairwell window which would potentially overlook Dwelling 2's secluded private open space area. However, it is considered unlikely that residents of this dwelling would be able to view out of this window as it would be located at the bottom of the stairs and there is a solid wall to the master bedroom. The removal of this window is unnecessary as it primarily serves as a façade treatment to the street. Dwelling 3 would have an east-facing upper level ensuite window which would not overlook Dwelling 4's secluded private open space area. Dwelling 4 would have a west-facing upper level stairwell window which would not overlook Dwelling 3's secluded private open space area. Dwelling 4 would have an east-facing upper level ensuite window which would not overlook Dwelling 5's secluded private open space area.</p>

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Clause 55.04-7 Internal views objective (contd)

Title & Objective	Standard Met/Standard Not Met/NA
<p>Standard B23</p> <p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>Standard met, subject to variation</p> <p>Dwelling 5 would not have any west-facing upper level windows which would overlook Dwelling 4's secluded private open space area.</p> <p>Dwelling 6 would not have any west-facing upper level windows which would overlook Dwelling 7's secluded private open space area.</p> <p>Dwelling 7 would have an east-facing upper level ensuite window which would not overlook Dwelling 6's secluded private open space area.</p> <p>Dwelling 7 would have a west-facing upper level stairwell window which would not overlook Dwelling 8's secluded private open space area.</p> <p>Dwelling 8 would have an east-facing upper level ensuite window which would not overlook Dwelling 7's secluded private open space area.</p> <p>Dwelling 8 would have a west-facing upper level stairwell window which would potentially overlook Dwelling 1's secluded private open space area. However, it is considered unlikely that residents of this dwelling would be able to view out of this window as it would be located at the bottom of the stairs and there is a solid wall to the master bedroom. The removal of this window is unnecessary as it primarily serves as a façade treatment to the street.</p>

Clause 55.04-8 Noise impacts objectives

Title & Objective	Standard Met/Standard Not Met/NA
<p>Standard B24</p> <p>Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account of noise sources on immediately adjacent properties.</p> <p>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p>	<p>Standard met</p> <p>No mechanical plant is proposed to be located near the bedrooms of any immediately adjacent existing dwellings.</p> <p>Standard met</p> <p>The proposed development has taken this into account.</p> <p>Standard met</p> <p>The subject site is not located near a busy road, railway line or industrial area.</p>

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Clause 55.05-1 Accessibility objective		
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B25	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	<p>✓ Standard met</p> <p>The dwelling entries of the ground floor of each dwelling would be accessible or able to be easily made accessible to people with limited mobility.</p>
Clause 55.05-2 Dwelling entry objective		
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B26	<p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> • Be visible and easily identifiable from streets and other public areas. • Provide shelter, a sense of personal address and a transitional space around the entry. 	<p>✓ Standard met</p> <p>The entry to each dwelling would be visible from the street and other public areas such as the common accessway.</p> <p>Each dwelling would have a porch adjoining each front entry which would provide shelter, a sense of personal address and a transitional space around the entry.</p>
Clause 55.05-3 Daylight to new windows objective		
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B27	<p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> • An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or • A verandah provided it is open for at least on third of its perimeter, or • A carport provided it has two or more open sides and is open for at least on third of its perimeter. 	<p>✓ Standard met</p> <p>All habitable room windows within the proposed development would face an outdoor space clear to the sky or a light court with a minimum area of 3 square metres and a minimum dimension of 1m clear to the sky.</p>

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Clause 55.05-4 Private open space objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B28</p>	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>GRZ1: <i>“An area of 50 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres and a minimum dimension of 5 metres and convenient access from a living room; or</i></p> <p><i>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area.”</i></p>	<p>Standard met</p> <p>Dwelling 1 would have a 91m² front yard and a 32.05m² backyard for a total private open space provision greater than the 50m² required for this dwelling. The secluded private open space area at the side of the dwelling would have an area of at least 30m², with a minimum dimension of 5m in an east-west direction.</p> <p>Dwelling 2 would have a 89.85m² front yard and a 30.95m² backyard for a total private open space provision greater than the 50m² required for this dwelling. The secluded private open space area at the side of the dwelling would have an area of at least 30m², with a minimum dimension of 5m in an east-west direction.</p> <p>Dwellings 3 and 4 would each have a 52.34m² backyard for a total private open space provision greater than the 50m² required for these dwellings. The secluded private open space area at the rear of each dwelling would have an area of at least 30m², with a minimum dimension of 5m in both directions.</p> <p>Dwelling 5 would have a 75.08m² backyard for a total private open space provision greater than the 50m² required for this dwelling. The secluded private open space area at the rear of the dwelling would have an area of at least 30m², with a minimum dimension of 5m in both directions.</p> <p>Dwelling 6 would have a 79.12m² backyard for a total private open space provision greater than the 50m² required for this dwelling. The secluded private open space area at the rear of the dwelling would have an area of at least 30m², with a minimum dimension of 5m in both directions.</p> <p>Dwellings 7 and 8 would each have a 52.34m² backyard for a total private open space provision greater than the 50m² required for these dwellings. The secluded private open space area at the rear of each dwelling would have an area of at least 30m², with a minimum dimension of 5m in both directions.</p>

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Clause 55.05-5 Solar access to open space objective

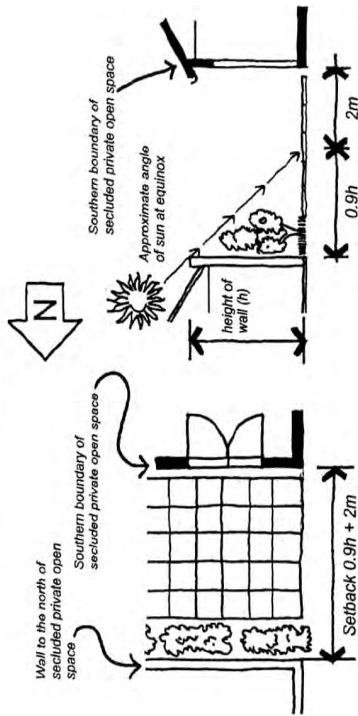
Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B29</p>	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p>	<p>Standard met Dwellings 1, 3 and 4 would include private open space to the north of the dwelling with a northern aspect. Dwelling 2 would have private open space to the south of the dwelling with eastern and western aspects. Dwellings 5 and 6 would have private open space to the east of the dwelling with a northern aspect. Dwelling 7 would have private open space to the south of the dwelling with a western aspect and Dwelling 8 would have private open space to the south of the dwelling with an eastern aspect.</p>

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2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.

Diagram B5 Solar access to open space



✓ Standard met, subject to variation

There would be no walls to the north of Dwelling 1's secluded private open space area.

The southern boundary of Dwelling 2's secluded private open space area would be setback 4.4m from the southern ground floor wall of Dwelling 2 to the north. The wall has a height of 3.6m. Therefore the setback required is 5.24m (i.e. $2m + 0.9 \times 3.6m$). However, it is considered reasonable to vary the requirement in this instance as the secluded private open space of this dwelling would receive the afternoon sun until sunset and would be bounded to the west by the large front yard associated with this dwelling.

There would be no walls to the north of Dwelling 3's secluded private open space area.

The southern boundary of Dwelling 4's secluded private open space area would be setback 5.8m from the southern wall of the garage of 76 Cleeland Street to the north. The wall has a height of 3m. Therefore the setback required is 4.7m (i.e. $2m + 0.9 \times 3m$). Therefore the setback complies.

The southern boundary of Dwelling 5's secluded private open space area would be setback 5.85m from the southern wall of Dwelling 5's Dining/Family Room to the north. The wall has a height of 2.95m. Therefore the setback required is 4.66m (i.e. $2m + 0.9 \times 2.95m$). Therefore the setback complies.

The southern boundary of Dwelling 6's secluded private open space area would be setback 5.98m from the southern wall of Dwelling 6's Family Room to the north. The wall has a height of 3.18m. Therefore the setback required is 4.86m (i.e. $2m + 0.9 \times 3.18m$). Therefore the setback complies.

The southern boundary of Dwelling 7 and 8's secluded private open space areas would be setback 5.8m from the southern wall of Dwelling 7 and 8's Kitchen/Dining Rooms to the north. The walls would have a height of 3.14m. Therefore the setback required is 4.83m (i.e. $2m + 0.9 \times 3.14m$). Therefore the setbacks comply.

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Clause 55.05-6 Storage objective		Standard Met/Standard Not Met/NA
Title & Objective	Standards	
Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	<p>✓ Standard met</p> <p>Each dwelling would have convenient access to at least 6m³ of externally accessible, secure storage space</p>
Clause 55.06-1 Design detail objective		Standard Met/Standard Not Met/NA
Title & Objective	Standards	
Standard B31	<p>The design of buildings, including:</p> <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, <p>should respect the existing or preferred neighbourhood character.</p> <p>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	<p>✓ Standard met</p> <p>The design of the proposed dwellings, including façade articulation and detailing, window and door proportions, roof form and verandahs, eaves and parapets, would respect the existing and preferred neighbourhood character.</p> <p>✓ Standard met</p> <p>The garages of each dwelling would be visually compatible with the development and the existing and preferred neighbourhood character.</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Clause 55.06-2 Front fences objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA						
Standard B32	<p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> The maximum height specified in a schedule to the zone, or <p>All schedules to all residential zones:</p> <p>“Maximum 1.5 metre height in streets in Road Zone Category 1 1.2 metre maximum height for other streets”</p> <ul style="list-style-type: none"> If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table border="1" data-bbox="539 891 659 1619"> <thead> <tr> <th data-bbox="539 891 579 1619">Street Context</th> <th data-bbox="539 891 579 1619">Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td data-bbox="579 891 619 1619">Streets in a Road Zone, Category 1</td> <td data-bbox="579 891 619 1619">2 metres</td> </tr> <tr> <td data-bbox="619 891 659 1619">Other streets</td> <td data-bbox="619 891 659 1619">1.5 metres</td> </tr> </tbody> </table>	Street Context	Maximum front fence height	Streets in a Road Zone, Category 1	2 metres	Other streets	1.5 metres	<p>Standard met A 0.9 metre high front fence is proposed.</p> <p>Standard met A 0.9 metre high front fence is proposed.</p>
Street Context	Maximum front fence height							
Streets in a Road Zone, Category 1	2 metres							
Other streets	1.5 metres							

Clause 55.06-3 Common property objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B33	<p>Developments should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	<p>Standard met The proposed development would clearly delineate public, communal and private areas.</p> <p>Standard met Common property is proposed and would be functional and capable of efficient management.</p>

2.3.1 Town Planning Application - No. 72-74 Cleeland Street, Dandenong (Planning Application No. PLN20/0224) (Cont.)

Clause 55.06-4 Site services objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B34</p>	<p>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</p> <p>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p> <p>Bin and recycling enclosures should be located for convenient access by residents.</p> <p>Mailboxes should be provided and located for convenient access as required by Australia Post.</p>	<p>Standard met/Standard Not Met/NA</p> <p>Standard met The design and layout of the proposed development would provide sufficient space and facilities for services to be installed and maintained efficiently and economically.</p> <p>Standard met Site facilities such as clotheslines, storage facilities, mailboxes, group meter box, bins and rainwater tanks for each dwelling have been shown on the plans.</p> <p>Standard met Bins for each dwelling have been shown on the plans.</p> <p>Standard met Mailboxes have been shown on the plans.</p>

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578)

File Id:	309705
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plans Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

Application Summary

Applicant:	Derek Farrington
Proposal:	Development of the land for three (3) dwellings comprising two (2) double storey dwellings to the front and one (1) single storey dwelling to the rear
Zone:	General Residential Zone – Schedule 1
Overlay:	No overlays apply
Ward:	Dandenong

The application proposes the development of the land for three (3) dwellings comprising two (2) double storey dwellings to the front and one (1) single storey dwelling to the rear.

A permit is required pursuant to Clause 32.08-6 of the Greater Dandenong Planning Scheme for the construction of two or more dwellings on a lot in a General Residential Zone.

This application has been brought to a Council meeting as it has received three (3) objections.

Objectors Summary

The application was originally advertised to the surrounding area through the display of a notice on-site; and the mailing of notices to adjoining and surrounding owners and occupiers. Three (3) objections were received to the proposal.

Issues raised generally relate to matters of:

- overshadowing;
- traffic and parking issues;
- construction/residential noise;

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

- overlooking/breach of privacy;
- property values;
- construction waste;
- neighbourhood character;
- removal of vegetation, increase in hard surfaces and flooding concerns;
- decrease of open space;
- cultural heritage significance; and
- communication with Council.

Assessment Summary

The subject site is well suited for medium density housing given the subject sites distance from Central Dandenong Activity Centre, public transport and other services.

The development is respectful of the neighbourhood character by providing a centralised double storey built form positioned to the front and centre of the site, and single storey dwelling at the rear. The proposal incorporates adequate setbacks from the front, side and rear boundaries for landscaping. It is considered that the development is site responsive and would contribute positively to the surrounding area.

The proposal would meet Council's expectations for medium density development which is guided by the policy expectations and design principles of Clause 22.09 *Residential Development and Neighbourhood Character* and the objectives of Clause 55 *Two or more dwellings on a lot*.

The proposed development of the land for three (3) dwellings has been assessed against the relevant decision guidelines and is considered appropriate, subject to permit conditions.

Recommendation Summary

As assessed, the proposal is consistent with and appropriately responds to the provisions of the Greater Dandenong Planning Scheme. The proposal appropriately responds to strategic policy for residential development in the area with this report recommending that the application be supported, 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.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)**Subject Site and Surrounds****Subject Site**

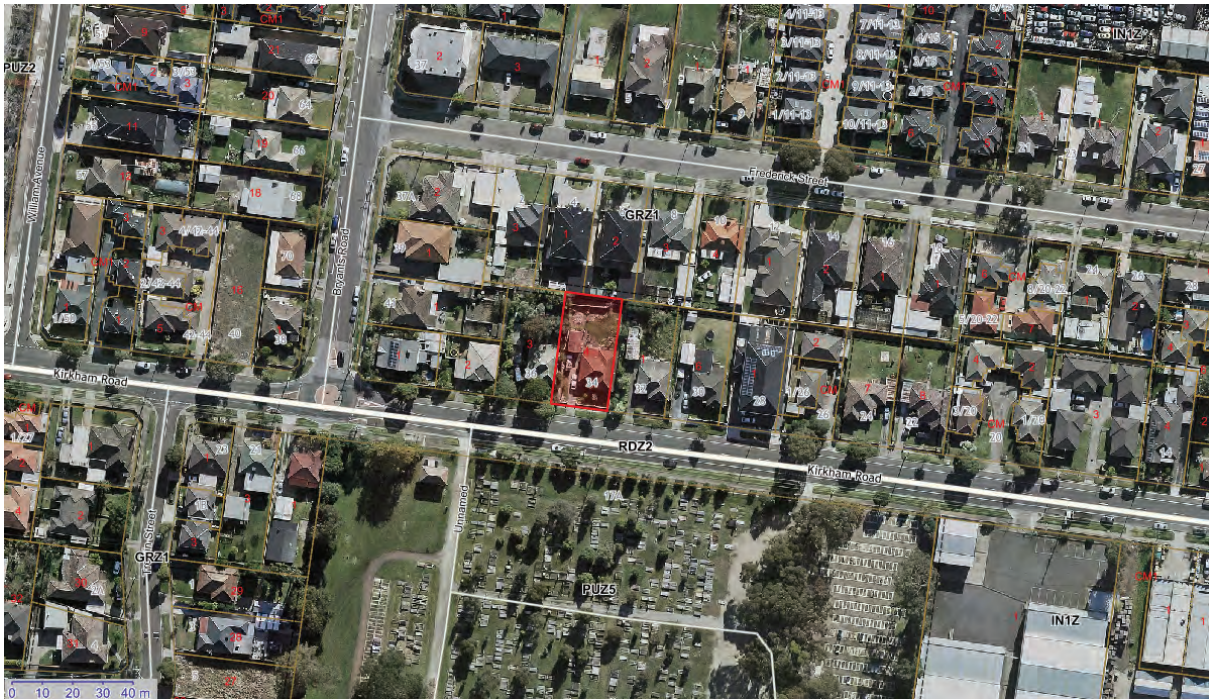
- The subject site is located on the northern side of Kirkham Road in Dandenong;
- The site is rectangular in shape and has a northern and southern side boundary of 18.7 metres, and an eastern and western boundary of 36.5 metres, giving it an area of 681.6 square metres;
- The land is currently occupied by a single storey brick dwelling and detached garage sited along the western boundary;
- A 1.52 metre wide drainage and sewerage easement spans the northern boundary of the lot;
- The site is currently accessed via a crossover on the south-west corner of the lot along the southern boundary;
- The site is devoid of any significant vegetation.

Surrounding Area

- The subject site is located within an established residential area of Dandenong which is bound by Hammond Road to the west, Frankston-Dandenong Road to the east, Webster and Lonsdale Streets to the north and Kirkham Road to the south;
- The site is surrounded by residential uses to the north, west, and east; and Dandenong Community Cemetery to the south;
- Existing dwellings in the area include single and double storey detached dwellings on a lot with predominantly low scale front fences;
- The area has experienced a moderate level of infill development, with newer development consisting typically of one double storey detached dwelling on a lot along Kirkham Road, and higher density unit developments located north of the site;
- The site is located approximately 700 metres (as the crow flies) south east from the periphery of the Central Dandenong Activity Centre, 1 kilometre south east from Dandenong Train Station, 200 metres east of Dandenong South Primary School; 120 metres west of the closest industrial zoned land; and 30 metres east from the nearest bus stop for route 901 which runs along Kirkham Road.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Locality Plan



Subject Site North

Previous Applications

A search of Council records revealed no previous planning applications have been considered for the subject site.

Proposal

The application proposes the development of the land for three (3) dwellings. The details of the proposal are as follows:

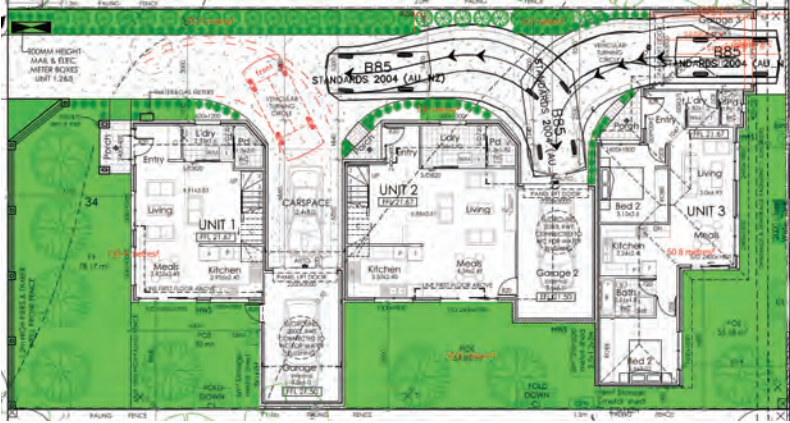
Type of proposal	Multi-dwelling development
Number of dwellings	Three (3) dwellings in total
Levels	Dwellings 1 and 2 propose double storey, dwelling 3 proposes single storey
Height	Maximum height of 7 metres
Orientated to	Dwelling 1 is orientated to the Kirkham Road and dwellings 2 and 3 are orientated to Kirkham Road via an internal accessway.

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

External materials	<p>Ground floor: Brickwork</p> <p>First floor: Render and shadow cladding</p> <p>Garage: Sectional panel lift door</p>
Minimum Setbacks	<p>North (rear): 1.5 metres</p> <p>West (side): dwelling 3 garage wall on boundary</p> <p>South (frontage to Kirkham Road): 5.75 metres</p> <p>East (side): dwelling 1 garage wall on boundary</p>
Private open space type	<p>Ground floor private open space</p> <p>Dwelling one (1)</p> <p>A total area of 105.1 square metres consisting of a minimum area of 30 square metres to the side of the dwelling with a minimum dimension of 5.0 metres and convenient access to the main living area.</p> <p>Dwelling two (2)</p> <p>A total area of 52.4 square metres consisting of a minimum area of 37 square metres to the side of the dwelling with a minimum dimension of 5 metres and convenient access to the main living area.</p> <p>Dwelling three (3)</p> <p>A total area of 57.3 square metres consisting of a minimum area of 31 square metres to the rear of the dwelling with a minimum dimension of 5 metres and convenient access to the main living area.</p>
Number of car parking spaces required	<p>Two car parking spaces are required for each three or more bedroom dwelling. Dwelling 1 proposes three bedrooms, therefore, two spaces are required.</p> <p>One car parking space required for each two bedroom dwelling. Dwellings 2 and 3 propose two bedrooms per dwelling, therefore, one space is required for each dwelling.</p> <p>A total of four (4) car parking spaces are required.</p>

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Number of car parking spaces provided	A total of four (4) car parking spaces are provided.
Type of car parking	Dwelling 1 affords a single garage and tandem car space. Dwellings 2 and 3 afford a single garage.
Access	The existing crossover is proposed to relocate 2.3m to the west and provide access along the southern boundary to Kirkham Road. A common accessway with a minimum width of 3 metres is proposed to serve each dwelling.
Front fence	A 1.2 metre high timber fence with brick columns is proposed.
Garden area required	239 square metres or 35%
Garden area provided	239 square metres or 35% 

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

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

No financial resources are impacted by this report.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Planning Scheme and Policy Frameworks

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

- Under Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in the General Residential Zone, as is the surrounding area.

The purpose of the General Residential Zone outlined at Clause 32.08 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.08-6 a permit is required to construct two or more dwellings on a lot. The development must also provide a minimum garden area of 35% pursuant to Clause 32.08-4 as the lot area is above 650 sqm square metres.

It is noted that within Schedule 1 to the zone, varied requirements of Clause 55 are set out as follows:

- Standard B6 (Minimum street setbacks) – As per B6 or 7.5 metres, whichever is the lesser;
- Standard B9 (Permeability) – Minimum of 30%;
- Standard B13 (Landscaping) – 70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees;
- Standard B28 (Private Open Space) – An area of 50 square metres of ground level, private open space, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres, and a minimum dimension of 5 metres and convenient access from a living room; or a balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; or a roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room;
- Standard B32 (Front Fence Height) – Maximum 1.5 metre height in streets in Road Zone Category 1, 1.2 metre maximum height for other streets.

Overlay Controls

No overlays affect the subject site or surrounding area.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

State Planning Policy Framework

The **Operation of the Planning Policy Framework** outlined at Clause 71.02 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.

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

Clause 11 Settlement

Clause 11 (Settlement) encourages planning to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services. It also encourages planning to contribute towards diversity of choice, energy efficiency, a high standard of urban design and amenity, and land use and transport integration.

Further guidance is provided by **Clause 11.01-1S (Settlement)**, which seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. It includes strategies to develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Clause 15 Built Environment and Heritage

Clause 15 (Built Environment and Heritage) states that planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

It adds that planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context. Planning should promote development that is environmentally sustainable and should minimise detrimental impacts on the built and natural environment.

According to the clause, planning should promote excellence in the built environment and create places that:

- *Are enjoyable, engaging and comfortable to be in.*
- *Accommodate people of abilities, ages and cultures.*
- *Contribute positively to local character and sense of place.*
- *Reflect the particular characteristics and cultural identity of the community.*
- *Enhance the function, amenity and safety of the public realm.*

These overall objectives are reinforced by a number of sub-clauses, including **Clause 15.01-1S (Urban design)** and **Clause 15.01-1R (Urban design – Metropolitan Melbourne)**, which seek to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 15.01-2S (Building design) aims to achieve building design outcomes that contribute positively to the local context and enhance the public realm, while **Clause 15.01-5S (Neighbourhood character)** has an objective to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.01-4S (Healthy neighbourhoods) has an objective to achieve neighbourhoods that foster healthy and active living and community wellbeing. **Clause 15.01-4R (Healthy neighbourhoods - Metropolitan Melbourne)** reinforces this, with a strategy to create a city of 20 minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

Sustainability is promoted by **Clause 15.02-1S (Energy and resource efficiency)**, which seeks to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 16 Housing

Clause 16 (Housing) contains two key objectives, which can be summarised as relating to housing diversity, sustainability of housing and the provision of land for affordable housing.

These objectives are reinforced by a number of sub-clauses, including **Clause 16.01-1S (Housing supply)**, which seeks to facilitate well-located, integrated and diverse housing that meets community needs, and **Clause 16.01-2S (Housing affordability)** which seeks to deliver more affordable housing closer to jobs, transport and services.

Clause 16.01-1R (Housing supply – Metropolitan Melbourne), includes several strategies to manage the supply of new housing including, increased housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs, public transport; as well as a strategy that allows for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

Clause 18 Transport

Clause 18.01-1S (Land use and transport planning) has a strategy to plan urban development to make jobs and community services more accessible by ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.

Local Planning Policy Framework

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

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

- *There is considerable diversity within Greater Dandenong's housing stock. Most housing stock is aged between 30 to 50 years old, though there are some areas with dwellings in excess of*

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

100 years old. Areas of newer housing are located in the north-east and central-southern areas, with in-fill development occurring across the municipality (Clause 21.02-3).

- *Higher density housing is generally located in proximity to railway stations and major shopping centres, in particular central Dandenong (Clause 21.02-3).*
- *Whilst there is a clear pre-dominance of single detached dwellings, there are a range of other types of dwellings including dual occupancies, villa-units, town houses and apartments. The highest concentration of older villa units and apartments and more recent multi-unit redevelopments have occurred around central Dandenong, Springvale and Noble Park activity centres (Clause 21.02-4).*
- *With diverse cultural groups that call Greater Dandenong home, there are certain distinct precincts that are emerging that have their own character. Their built form is characterised by buildings with flat unarticulated facades, prominent balconies, limited frontage/side setbacks, limited or no landscaping (Clause 21.02-4).*

A **Vision for Greater Dandenong** is outlined at **Clause 21.03**. The vision is that Greater Dandenong will be a municipality where housing diversity and choice is promoted in its various attractive neighbourhoods.

The objectives and strategies of the MSS are under four (4) main themes including: land use; built form; open space and natural environment; and, infrastructure and transportation (considered individually under Clauses 21.04 to 21.07). Of particular relevance to this application are Clauses 21.04 – Land Use and 21.05 – Built Form:

Clause 21.04-1 Housing and community

- *Greater Dandenong's population is expected to rise by 22 percent, from 147,000 to 179,000 in the decade to 2024, placing pressure on transport networks, infrastructure, services and public open space.*
- *Approximately 9,950 new households will need to be accommodated across the municipality by 2024 (Greater Dandenong Housing Strategy 2014-2024).*
- *Supporting urban consolidation and providing housing in existing areas close to activity centres means that people do not need to travel as far to work, shop or to take part in sports/leisure activities thus reducing the environmental impacts of transport.*
- *Increases in housing density must be balanced by adequate provision of open space, good urban design and improvements to the public realm.*
- *Encourage the provision of housing that is adaptable to support the needs of the changing needs of present and future residents.*
- *Encourage innovative redevelopment and renewal of deteriorating housing stock and older styled higher-density apartments and multi-unit developments.*
- *Encourage new residential development that incorporates adequate space for the planting and the long-term viability and safe retention of canopy trees.*

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

- *Respect the valued, existing neighbourhood character within incremental and minimal change areas.*
- *Requiring medium-density developments to be site and locality responsive and to respect existing and proposed neighbourhood character.*

Clause 21.05-1 – Urban design, character, streetscapes and landscapes – contains the following relevant objectives and strategies:

- *To facilitate high quality building design and architecture.*
 - *Ensure building design is consistent with the identified future character of an area and fully integrates with surrounding environment.*
 - *Encourage high standards of building design and architecture, which allows for flexibility and adaptation in use.*
 - *Encourage innovative architecture and building design.*
 - *Encourage development to incorporate sustainable design elements that enhance occupant comfort and environmental performance.*
- *To facilitate high quality development, which has regard for the surrounding environment and built form.*
 - *Promote views of high-quality landscapes and pleasing vistas from both the public and private realm.*
 - *Promote all aspects of character – physical, environmental, social and cultural.*
 - *Encourage planting and landscape themes, which complement and improve the environment.*
 - *Encourage developments to provide for canopy trees.*
 - *Recognising valued existing neighbourhood character and promoting identified future character as defined in the Residential Development and Neighbourhood Character Policy at Clause 22.09.*
- *To protect and improve streetscapes*
 - *Ensure that new developments improve streetscapes through generous landscape setbacks and canopy tree planting.*
 - *Ensure landscaping within private property that complements and improves the streetscapes and landscaping of public areas.*
- *To ensure landscaping that enhances the built environment*
 - *Encourage new developments to establish a landscape setting, which reflects the local and wider landscape character.*
 - *Encourage landscaping that integrates canopy trees and an appropriate mix of shrubs and ground covers and complements and integrates with existing or proposed landscaping in public areas.*

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 22.09 – Residential Development & Neighbourhood Character Policy – contains the following objectives at Clause 22.09-2:

- *To guide the location and design of different types of residential development within Greater Dandenong, having regard to State and local planning policies, while respecting the valued characteristics and identified future character of residential neighbourhoods.*
- *To ensure that new residential development is consistent with the identified future character and preferred built form envisaged for the three Future Change Areas.*
- *To provide certainty about which areas are identified for, or protected from, increased residential development consistent with the purpose of the applicable zone.*
- *To facilitate high quality, well designed residential development and on-site landscaping.*
- *To promote a range of housing types to accommodate the future needs of the municipality's changing population.*
- *To ensure that residential development uses innovative, responsive and functional siting and design solutions that:*
 - *Achieve high quality internal amenity and private open space outcomes for future residents;*
 - *Make a positive contribution to the streetscape through quality design, contextual responsiveness and visual interest;*
 - *Promote public realm safety by maximising passive surveillance.*
 - *Demonstrate responsiveness to the site, adjoining interfaces, streetscape and landscape context;*
 - *Respect the amenity of adjoining residents and the reasonable development potential of adjoining properties;*
 - *Achieve environmentally sustainable design outcomes;*
 - *Use quality, durable building materials that are integrated into the overall building form and façade; and*
 - *Minimise the visual dominance of vehicle accessways and storage facilities, such as garages, car ports and basement entrances.*

Clause 22.09-3.1 (Design Principles) provides design principles, which apply to all Future Change Areas.

Clause 22.09-3.3 (Incremental Change Areas) provides design principles, some of which also relate to the variances to the requirements of standards to Clause 55 under the schedule to the General Residential Zone. The guidelines are as follows:

- *Preferred housing type – The preferred housing type for the Incremental Change Area is medium density.*
- *Building Height – The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.*

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

- *Landscaping – Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties.*
- *Setbacks, front boundary and width – Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carport and garages in the street.*
- *Private Open Space – Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.*
- *Bulk – Residential development should:*
 - *Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;*
 - *Provide separation between dwellings at upper level;*
 - *Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;*
 - *Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.*
- *The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.*
- *Two storey dwellings to the rear of a lot may be considered where:*
 - *The visual impact of the building bulk does not adversely affect the identified future character of the area;*
 - *Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties;*
 - *The building bulk does not adversely affect the planting and future growth of canopy trees to maturity;*
 - *Sufficient side and rear boundary landscaping can be provided to screen adjoining properties;*
 - *Upper storey components are well recessed from adjoining sensitive interfaces.*
- *Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.*

An assessment against Clause 22.09 is included as Attachment 3 to this report.

Particular Provisions

Car Parking (Clause 52.06)

The purposes of this provision, Clause 52.06, are:

- *To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

- *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.*

Clause 52.06-2 notes that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

The required spaces are identified in the table to Clause 52.06-5. Clause 52.06-3 further notes that a permit may be granted to reduce or waive the number of car spaces required by the table.

The table at Clause 52.06-5 notes that a dwelling with 1 or 2 bedrooms requires 1 car space and a dwelling with 3 or more bedrooms requires 2 spaces to each dwelling. 1 visitor car space is required for visitors to every 5 dwellings for developments of 5 or more dwellings.

Car parking is to be designed and constructed in accordance with the requirements of Clause 52.06-9 and 52.06-11 of the Scheme.

An assessment against Clause 52.06 is included as Attachment 4 to this report.

Two or more dwellings on a lot and residential buildings (Clause 55)

Pursuant to Clause 55 of the Greater Dandenong Planning Scheme, the provisions of this Clause apply to an application:

- *To construct two or more dwellings on a lot.*

The purposes of this clause are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*

A development:

- *Must meet all of the objectives of this clause.*
- *Should meet all of the standards of this clause.*

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

An assessment against Clause 55 is included as Attachment 5 to this report.

General Provisions

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

Council Plan 2017-2021 – Strategic Objectives, Strategies and Plans

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

Diversity (Access & Equity)

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

Community Safety

It is considered that there would be no adverse community safety implications in permitting the proposal.

Safe Design Guidelines

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

Referrals

External

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

Internal

The application was internally referred to the following Council departments for their consideration. The comments provided will be considered in the assessment of the application.

Internal Referrals	
Civil Development	No objection, subject to conditions and notes on permit <i>(see Conditions 5, 6 and 7)</i>

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Transport Planning	No objection, subject to conditions (<i>see Conditions 1.3</i>)
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Advertising

The application was advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending notices to the owners and occupiers of adjoining and surrounding land.
- Placing a sign on site facing Kirkham Road.

The notification has been carried out correctly.

Council has received three (3) objections to the application.

The location of the objectors is shown in Attachment 2.

Consultation

A consultative meeting was not held for this application as the threshold of four (4) objections received was not met.

Summary of Grounds of Submissions/Objections

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

- **Overshadowing**

The development would cast some shadow to the site to the west at 36 Kirkham Road at 9am and 12pm. The area of private open space consumed by shadow at these times would be less than 9% of the total secluded private open space area of the adjoining dwelling.

Additionally, the development would cast some shadow to the site to the east at 32 Kirkham Road at 3pm. The area of private open space consumed by shadow at this time would be 11sqm or 4% of the total secluded private open space area of the adjoining dwelling.

The proposed development would not militate access to adequate sunlight to the secluded private open space areas of the adjoining properties throughout the day. The proposal meets Standard B21 and the objective of Clause 55.04-5.

- **Noise generated by traffic and car parking**

It is noted the car parking requirement for three or more bedrooms (dwelling 1 proposes three bedrooms) is two car spaces, and to each one or two bedroom (dwellings 2 and 3 propose two bedrooms each), one car space is required. The proposal provides a total of four car spaces which can be fully accommodated within the site boundaries.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Noise generated by additional vehicles on site would be minimal considering the existing dwelling has the capacity to accommodate several vehicles throughout the site along the accessway and within the garage. The proposed development would constrain the number of vehicles on site and traffic movements on site to four vehicles.

Council's Transport Planning Unit have reviewed the proposed development and they have no concerns with the proposed development including the provision of car parking on the subject site or the effect of traffic from the proposed development on the surrounding area.

Car movements are also considered to be a normal element of residential living, and the number vehicles proposed are not considered to adversely impact on the amenity of the area.

Additionally, traffic impacts caused by trucks using the surrounding area on Kirkham Road for parking is a compliance matter with Council's Regulatory Services Unit and is outside the scope of the Planning Scheme to consider.

- **Construction/ residential noise**

Noise generated by future residents of the dwellings is not anticipated to increase beyond normal expectations for residential areas. Noise associated with amenity impacts during the construction stage of the dwellings are subject to residential noise regulations outlined by the Environment Protection Authority (EPA).

- **Effect on property values**

As previously determined by VCAT, the effect on the value of properties in the surrounding area is a matter which is outside the scope of the Planning Scheme to consider.

- **Overlooking/ Breach in privacy**

Habitable room windows of the proposed development which have the opportunity of overlooking into habitable room windows and the secluded private open space areas of the adjoining properties, propose obscure glazing in the portion of window below 1.7 metres above floor level, or propose sill heights of at least 1.7 metres above floor level. This is in accordance with Standard B22 and the overlooking objective of Clause 55.04-6 in the Planning Scheme.

Where the proposal does not meet this standard and objective, including the west facing windows of bedroom 1 and 2 of dwelling 2, and the ground floor east facing habitable room windows of each dwelling, permit conditions are recommended which would resolve non-compliance.

- **Construction Waste**

Waste generated by the construction and demolition of dwellings is a matter which is outside the scope of the Planning Scheme to consider and is subject to the Environment Protection Act 1970.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

- **Neighbourhood Character**

The proposed dwellings are considered in keeping with the scale of the existing built form character in the surrounding area. Surrounding dwellings are of a similar scale and include a mix of single and double storey detached dwellings as well as single storey unit developments. Directly adjacent to the site comprises two double storey dwellings at the rear, single storey dwellings to the east and west, and the Dandenong Community Cemetery to the south.

The proposed three (3) dwellings comprising two (2) double storey dwellings to the front and one (1) single storey dwelling to the rear would respect the existing and preferred neighbourhood character and respond to the features of the site as assessed within the table to Clause 22.09 (Attachment 3 of this report).

- **Removal of vegetation, increase in hard surfaces and flooding concerns;**

With regard to hard surfacing, the proposal exceeds the minimum pervious surfaces requirement of 30%, pursuant to Clause 55.03-4 (Permeability objective), by providing 36% of the site with pervious surfaces. Additionally, 39% of the site area is occupied by buildings, where the requirement is a maximum 60% in Clause 55.03-3 (site coverage objective).

Council's Civil Development Unit have reviewed the proposed development and they have no concerns with the proposed development subject to permit conditions regarding drainage provisions and stormwater discharge.

Existing vegetation comprises of several small trees and shrubs at the site frontage and a small tree at the rear. The vegetation is not identified as being of significance due to the size and species of the trees, and appears to be planted in recent times. The proposal involves the removal of the existing vegetation and planting of substantial vegetation and advanced canopy trees throughout the development in accordance with a landscape plan to be imposed via permit condition.

- **Decrease of open space;**

Each dwelling exceeds the required provision for private open space pursuant to the varied requirements in Schedule 1 to the General Residential Zone and Standard B28 in Clause 55.05-4 (Private open space objective).

The overall layout allows space for acceptable landscaping treatments such as a significant canopy tree and shrubbery plantings within well-proportioned setback areas to allow growth to maturity, which contribute to the preferred landscape character of the surrounding area.

- **Cultural heritage significance;**

Concerns are raised in relation to the social significance of the existing dwelling and its construction by refugees from Europe.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

The dwelling is not identified or registered as being of state or local significance within Victoria. The building is not subject to a heritage overlay, nor is it listed as a heritage building within the Victorian Heritage Register. Therefore, the demolition of the existing dwelling does not trigger a planning permit and is not a matter for consideration as part of this application for the development of the land for three dwellings.

- **Communication with Council;**

Concerns raised regarding the COVID-19 global pandemic, and that the application should be placed on hold until Council offices re-open.

Communication with Council has been available during office closures via telephone, email and registered post. Notice of the application has been carried out correctly in accordance with Section 52 of the Planning and Environment Act 1987 by way of letters to adjoining properties and notices placed on the site frontages for no less than 14 days. The plans were also available to view on Council's website and a physical copy sent to residents upon request, in accordance with the amended legislation implemented by the State Government during the COVID-19 period.

Assessment

The subject site is located within an established residential area and is well suited for the development of medium density housing given that the site is located within easy walking distance of many community facilities and public transport. The proposal also seeks to reduce pressure on the urban fringe by providing three (3) dwellings where previously one (1) existed through the redevelopment of the site, thereby ensuring that the housing required for the growing population is facilitated.

As required by the relevant provisions of the Planning Scheme, the proposed development has been assessed against the following:

- Clause 55 (full assessment attached as attachment 5) as well as Schedule 1 to the General Residential Zone;
- Clause 52.06 (full assessment attached as attachment 4); and
- Clause 22.09 (full assessment attached as attachment 3).

The proposal complies with all requirements of these clauses except in the instances detailed below, where variations or conditions are required.

Use

As outlined in Clause 32.08-2 (General Residential Zone), a dwelling is listed as a Section 1 use, and a planning permit is not required for the use of the proposal. However, a planning permit is required for the buildings and works, which is discussed below.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Development and Landscaping

Planning Policy Framework / Local Planning Policy Framework

In considering the Planning Policy Framework and the Local Planning Policy Framework, Council can establish that an acceptable proposal will be guided by:

- Clause 55 *Two or more dwellings on a lot; and*
- Clause 22.09 *Residential Development and Neighbourhood Character.*

Each of these Clauses ensure that Council facilitates the orderly development of urban areas, which is a specific objective of Clause 11.02 Settlement.

The objectives of Clause 15.01-1S Urban Design, Clause 15.01-2S Building Design and Clause 21.05-1 Built Form outline the key considerations in which a development must respond to urban design, character, streetscapes and landscape issues.

It is considered that the proposed design response respects the preferred neighbourhood character of the incremental change area by providing a medium density housing typology.

The proposal is located within an area subject to incremental change, comprising of a moderate level of infill development, including recent double storey detached dwellings of a similar scale and massing. The proposal's compliance with Clause 22.09 and Clause 55 (subject to conditions) ensures that the development would achieve the objectives set out in Clause 15.01 and Clause 21.05-1.

As such, Council officers recommend that the application be approved subject to planning permit conditions as necessary.

Clause 22.09 Assessment

An assessment against the design principles of Clause 22.09 is included at Attachment 3 of this report. This proposal provides a design response which is consistent with the preferred character envisaged by Clause 22.09, except in the following instances:

Landscaping

Indicative landscaping demonstrates that the proposed development can provide an appropriate level of landscaping throughout the site to the front, side and rear boundaries and along the shared driveway with the provision of canopy trees to the front yard and the rear yards of each dwelling.

However, a detailed landscape plan is yet to be provided. A permit condition will require a landscape plan to include details of the proposed plant types, mature height and spread, and location.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Site Design and Bulk and Built Form

Existing multi-unit developments within the wider residential area comprise of separation at upper level between dwellings, and Clause 22.09 also seeks to achieve this to ensure visual bulk at the upper level is minimised. In order to respect the existing character of the area, permit conditions will require a minimum 1.0 metre of separation between the first-floor components of dwellings 1 and 2.

Overall, the built form of the development is an appropriate response to the context of the site with reasonable ground and first floor setbacks with the upper floor of dwellings 1 and 2 centralised. The dwelling at the rear of the site is proposed as single storey to maintain the low scale rear yard character of the immediate surrounding area.

A variation of materials including face brickwork at ground floor, and render and cladding first floor, provide a level of articulation and visual interest consistent with the character of the area.

Clause 55 Assessment

A Clause 55 Assessment is attached to this report at Attachment 5. Standards that warrant further consideration are discussed as follows:

Clause 55.03-8 Landscaping objective

Relevant objectives:

To encourage development that respect the landscape character of the neighbourhood.

To provide appropriate landscaping

Indicative landscaping as shown on the site plans demonstrate there is sufficient capacity for landscaping and canopy tree planting throughout the site. The proposal demonstrates compliance with the varied Standard B13 by providing an area of approximately 80% at the site frontage for landscaping, where the requirement is 70%. The proposal also provides areas along the side and rear boundaries for substantial planting.

As mentioned previously in the report, given a detailed landscape plan is yet to be provided, a permit condition will require this plan to meet the relevant objectives of this Clause.

Clause 55.04-6 Overlooking objective

Relevant objective:

To limit views into existing secluded private open space and habitable room windows.

The west facing windows of bedroom 1 and 2 of dwelling 2 have the opportunity of overlooking into the secluded private open space of the adjoining dwelling to the west. A permit condition will ensure these windows have fixed, obscured glazing or fixed external screens in accordance with Standard B22.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Additionally, a 1.5m high and 1.7m high fence is proposed to be retained along the east boundary which fails to meet Standard B22 regarding the east facing ground floor habitable room windows. Permit conditions will require the developer to provide a minimum 1.8m high fence along this boundary to ensure compliance.

Clause 55.05-5 Solar access to open space objective

Relevant objective:

To allow solar access into the secluded private open space of new dwellings and residential buildings.

The secluded private open space area for dwelling 1 does not meet the required setback requirements from walls north of the space in Standard B29. The first-floor component provides a setback of 6.0 metres which falls short of the requirement by 0.77 metres.

In this instance, the proposal is considered acceptable for the following reasons:

- The variation is a minor variation as described above;
- The open space area in question is situated adjacent to the private open space area within the front setback. No built form is present to the eastern or southern interfaces. Given these conditions, the secluded private open space area would still receive solar access as demonstrated by the shadow diagrams provided; and
- The dwelling substantially exceeds the provision of private open space stated in the varied requirement in Schedule 1 to the General Residential Zone.

For these reasons, it is considered that the proposal will allow solar access into the secluded private open space of the dwellings and would not cause any loss of amenity for future residents of the dwelling thereby meeting the objective to the Clause.

Car Parking

The proposal provides four (4) on site car parking spaces, and as such complies with the requirements of Clause 52.06 with respect to the number of car parking spaces required (Clause 52.06-5). A Clause 52.06 Assessment is attached to this report at Attachment 5. The standard that warrants further consideration is discussed as follows:

○ **Design Standard 1 – Accessways**

A reduction to the proposed 1.2m wide landscape bed spanning the west boundary is required via permit condition to ensure vehicles to comfortably exit the site as per the swept diagrams provided by the applicant. A reduction would also accommodate the correct dimensions required for car parking spaces further detailed below.

Additionally, permit conditions will require a corner splay area to be shown on the west edge of the accessway to provide a clear view of pedestrians on the footpath along Kirkham Road.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

o **Design Standard 2 – Car parking spaces**

The internal dimensions of the car spaces for each dwelling are incorrectly noted on the plans and can be resolved via permit condition.

Furthermore, in order to avoid structures on the easement at the rear, the garage of dwelling 3 measures 4.4m instead of the required 6 metres. Car Parking appears to be located partly external to the garage. Taking into account advice sought by the applicant from Council's building department regarding construction of a garage or carport along the easement spanning the rear boundary, it would be appropriate to incorporate a condition to replace the garage with a demountable carport that also meets the internal dimensions required by the standard to provide a completely covered car space. In order to secure the secluded private open space area of dwelling 3, permit conditions require a fence and gate along the western wall of dwelling 3.

Aboriginal Cultural Heritage Sensitivity

The subject site is not identified as an area of aboriginal cultural heritage sensitivity.

Environmentally Sustainable Development (ESD)

Clause 22.06 of the Greater Dandenong Planning Scheme sets out that development should be energy efficient and encourage sustainable development.

The application was lodged with Council on 04 October 2018, prior to the gazettal date of Planning Scheme Amendment GC110 on 18 October 2018 which introduced the new ESD local planning policy.

Therefore, the requirement for a Sustainable Design Assessment or Sustainable Management Plan is not required.

Conclusion

The proposal is consistent with the provisions of the Greater Dandenong Planning Scheme, including the zoning requirements, local policy direction, application of Clauses 22.09, 52.06 and 55, and the decision guidelines of Clause 65.

Recommendation

That Council resolves to issue a Notice of Decision to grant a planning permit in respect of the land known and described as 34 Kirkham Road DANDENONG VIC 3175, for the purpose of 'the development of the land for three (3) dwellings comprising two (2) double storey dwellings to the front and one (1) single storey at the rear' in accordance with the plans submitted with the application subject to the following conditions:

- 1. Prior to the endorsement of plans, amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plans have been approved and endorsed by the**

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Responsible Authority. The endorsed copy of the plans forms part of this permit. The plans must be in accordance with the plans submitted with the application, but modified to show:

- 1.1. The west facing windows of bedroom 1 and 2 of dwelling 2, to be obscured or screened to a height of 1.7 metres above finished floor level or have a window sill height of 1.7 metres above finished floor level in accordance with Standard B22 – Overlooking;
- 1.2. Dwelling 2's walk-in-robe of Bedroom 1 and sitting area reduced in size, staircase relocated, and the southern wall of the dwelling at first floor shifted 1.0m to the north, resulting in a minimum 1.0m separation between the first-floor components of dwelling 1 and 2. All changes are to be absorbed within the approved building envelope and must not exceed the approved setbacks;
- 1.3. Accessway design and car parking spaces shown in accordance with Design Standard 1 and 2 in Clause 52.06-9 as follows:
 - 1.3.1. The landscape strip along the west boundary of the accessway reduced to 300mm in width;
 - 1.3.2. The garage for dwelling 3 to be constructed and nominated as a demountable carport, and a 1.8 metre high fence and gate positioned in line with the western wall of dwelling 3 to secure the secluded private open space area;
 - 1.3.3. Car spaces in the garages for dwelling 1 and 2 and the carport for dwelling 3 to be at least 6 metres long and 3.5 metres wide in internal dimensions and in accordance with Design Standard 2 – Car Parking;
 - 1.3.4. The tandem car space of dwelling 1 to accord with the minimum dimensions of car parking spaces in Table 2 of Design Standard 2 – Car Parking Spaces; and
 - 1.3.5. Letterboxes and all other structures (including visually obstructive fencing and landscaping) should be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points.
- 1.4. East boundary fencing in accordance with Condition 11;
- 1.5. Bedrooms for each dwelling correctly notated; and
- 1.6. Landscape plans in accordance with Condition 2.

When approved, these plans will be endorsed and will form part of this permit.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

- 2. Before the approved development starts, and before any trees or vegetation are removed, a landscape plan drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. The landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority. The landscape plan must show:**
 - 2.1. plans to accord with Condition 1 of this permit;**
 - 2.2. the site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;**
 - 2.3. details of the proposed layout, type and height of fencing;**
 - 2.4. legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**
 - 2.5. a plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities;**
 - 2.6. at least one (1) advanced canopy tree with a minimum planting height of 1.5 metres within the secluded open space areas of dwelling 1 and 3;**
 - 2.7. at least two (2) advanced canopy trees with a minimum planting height of 1.5 metres within the secluded open space area of dwelling 2;**
 - 2.8. improved landscaping to the front of dwelling 1, including at least two (2) advanced canopy trees with a planting height of 1.5 metres;**
 - 2.9. improved shrubbery plantings capable of maturing along the front, side and rear boundaries of each dwelling;**
 - 2.10. substantial, high quality planting along each side of the accessway of each dwelling; and**
 - 2.11. any paving or deck areas within the secluded open space area of the proposed dwelling on a permeable base.**

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

When approved, the landscape plan will be endorsed and will form part of this permit.

The provisions, recommendations and requirements of the landscape plan must be implemented and complied with to the satisfaction of the Responsible Authority.

- 3. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.**
- 4. Except with the prior written consent of the Responsible Authority, the approved building must not be occupied until all buildings and works, and the conditions of this permit have been complied with.**
- 5. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 6. The connection of the internal drainage infrastructure to the Legal Point of Discharge (LPD) must be to the satisfaction of the Responsible Authority. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the LPD approval letter.**
- 7. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority.**
- 8. Before the approved building is occupied, all piping and ducting above the ground floor storey of the building, except downpipes, must be concealed to the satisfaction of the Responsible Authority.**
- 9. Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Council's standard specifications. Any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.**
- 10. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
- 11. Before the approved building is occupied, a timber paling fence (or other fence type approved by the Responsible Authority) of 1.8 metres in height must be erected along the east boundary at the cost of the permit holder to the satisfaction of the Responsible Authority.**
- 12. Before the approved building is occupied, the development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.**

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

13. Before the approved building is occupied, the obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass. Adhesive film or similar removable material must not be used.

All glazing must at all times be maintained to the satisfaction of the Responsible Authority.

14. Before the approved buildings are occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

15. Before the approved building is occupied, all boundary walls in the development must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.

16. This permit will expire if:

16.1. The development or any stage of it does not start within two (2) years of the date of this permit, or

16.2. The development or any stage of it is not completed within four (4) years of the date of this permit.

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.

The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:

(a) The request for the extension is made within twelve (12) months after the permit expires; and

(b) The development or stage started lawfully before the permit expired.

Permit Notes

- A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.
- Approval of any retention system within the property boundary is required by the relevant building surveyor.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

- **Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.**
- **As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise on site verification should be undertaken by the applicant.**
- **A flood dispensation is to be obtained prior to issue of Building Permit.**
- **A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings. You may be required to apply for a Asset Protection Permit from Council's engineering services. Queries regarding engineering requirements can be directed to Council's general phone number on 8571 1000.**
- **No buildings or works shall be constructed over any easement without the written consent of the relevant authorities.**

This permit has been granted on the basis that consent to build over any easement will be obtained from the relevant authority. If consent is not able to be obtained, the development plan will be required to be amended.

- **Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.**
- **Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.**

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 34 KIRKHAM ROAD, DANDENONG
(PLANNING APPLICATION NO. PLN18/0578)**

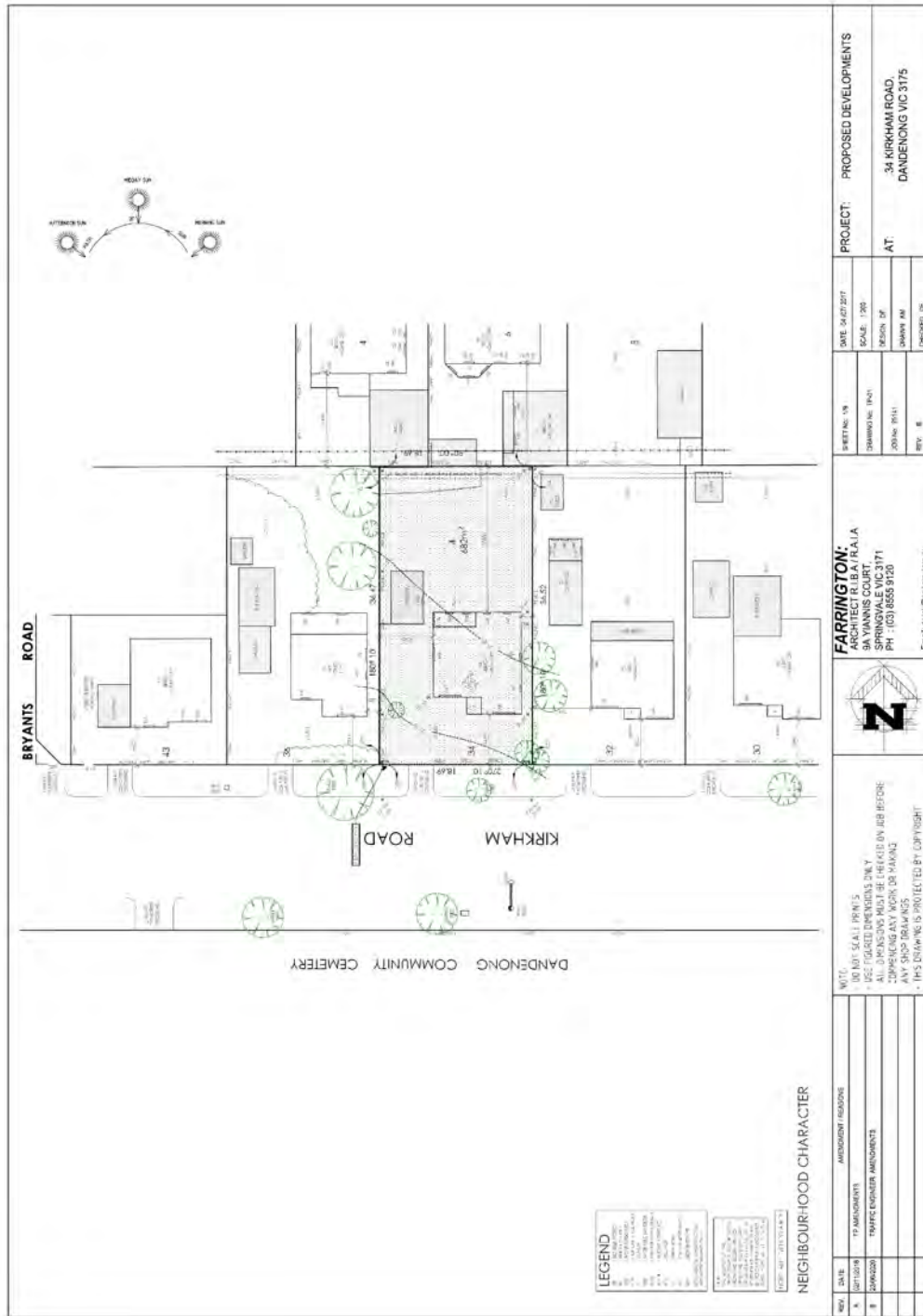
ATTACHMENT 1

SUBMITTED PLANS

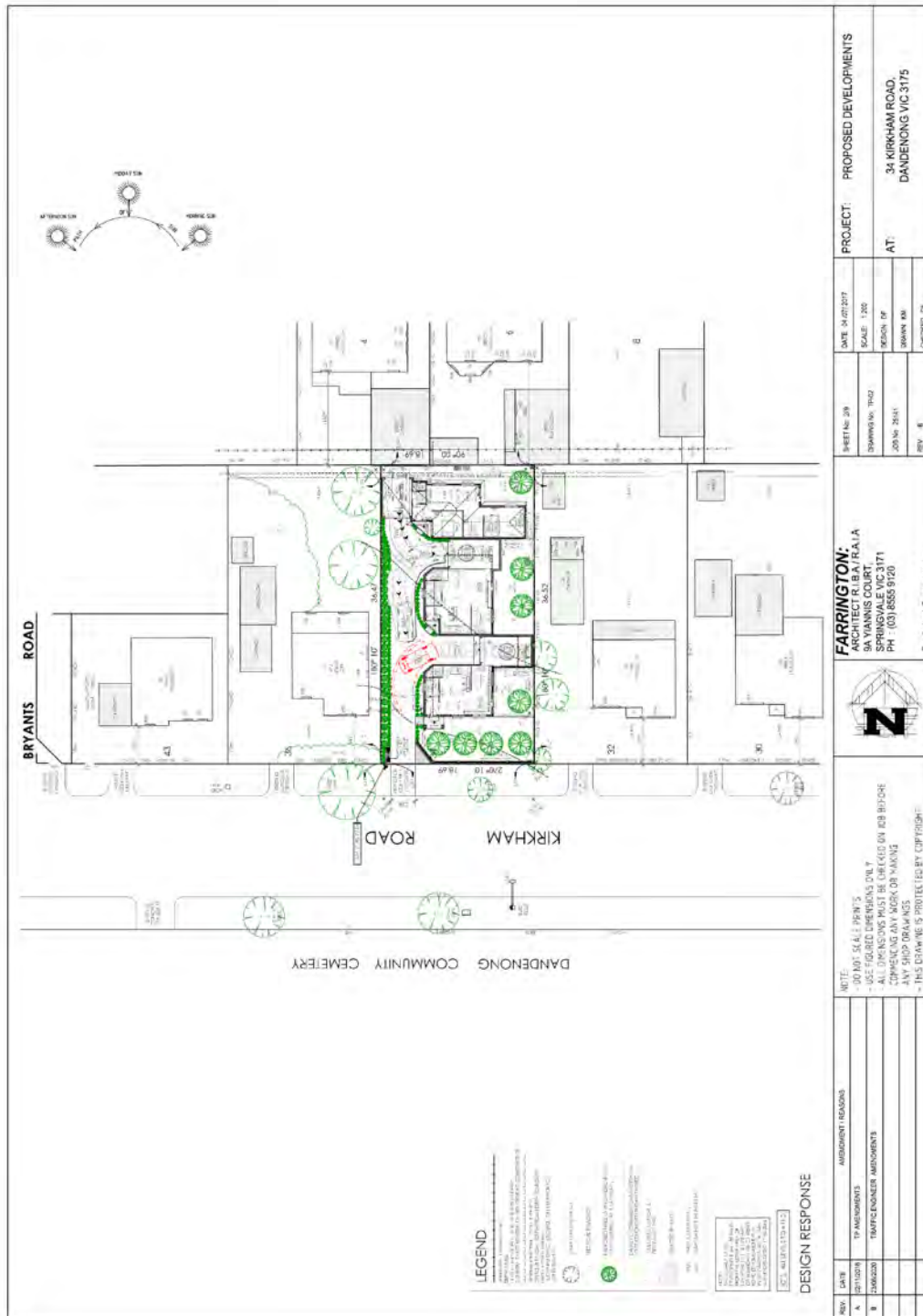
PAGES 10 (including cover)

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

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

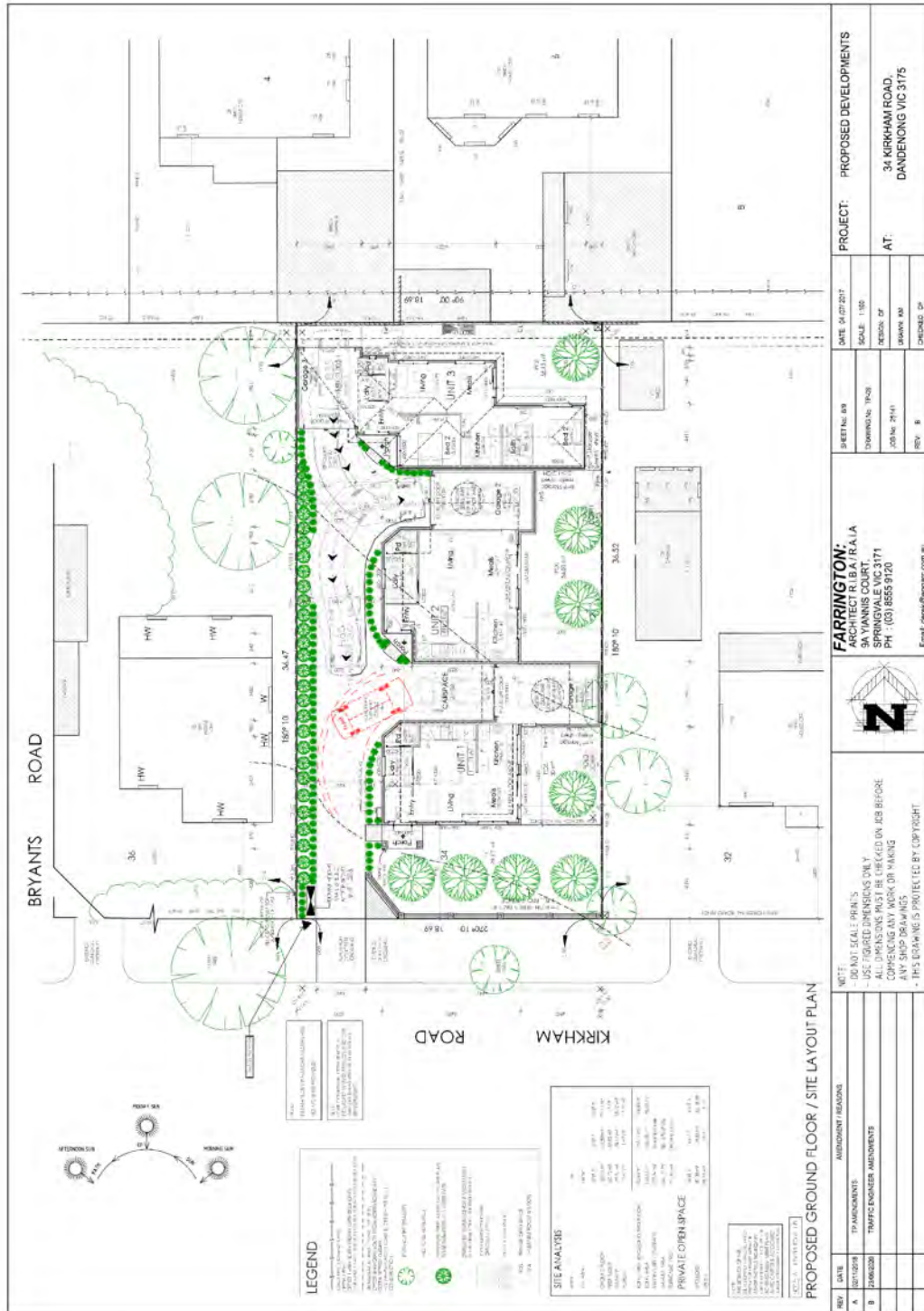


2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

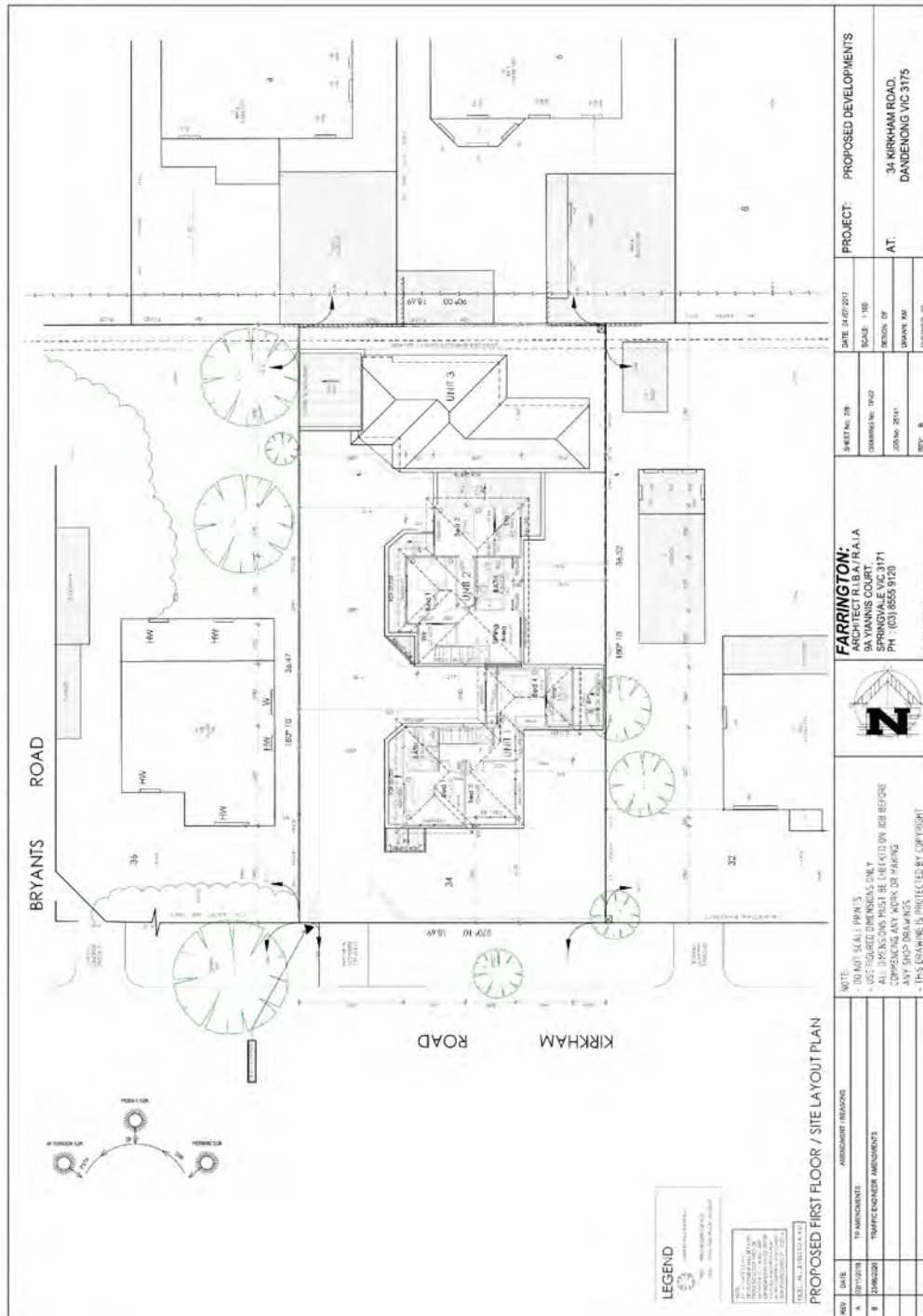


ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)



2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)



REV	DATE	REASON / COMMENTS
A	07/11/2018	TO AMENDMENTS
B	22/06/2020	TRAFFIC ENGINEER AMENDMENTS

NOTE:
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 - ALL DIMENSIONS MUST BE CHECKED ON JOB BEFORE COMMENCING WORK OR MAKING ANY SITE CHANGES
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FARRINGTON:
 ARCHITECT RIBA / RIAA
 SA YIANNIS COURT
 PROPOSED VIC 3171
 PH: (03) 9658 9760
 Email: dene@farrington.com.au

PROJECT: PROPOSED DEVELOPMENTS
AT: 34 KIRKHAM ROAD, DANDEONG VIC 3175

DATE: 04/07/2017	SCALE: 1:100
DRAWING NO: TR02	REVISION OF
JOB NO: 2017	DRAWN BY
REV: 0	DESIGNED BY

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

The drawing set includes the following elevations and views:

- UNIT 1 EAST ELEVATION**: Shows the front facade of Unit 1 with a gabled roof and multiple windows.
- UNIT 2 EAST ELEVATION**: Shows the front facade of Unit 2 with a gabled roof and a central entrance.
- UNIT 3 EAST ELEVATION**: Shows the front facade of Unit 3 with a gabled roof and a central entrance.
- UNIT 1 WEST ELEVATION**: Shows the side profile of Unit 1.
- UNIT 2 WEST ELEVATION**: Shows the side profile of Unit 2.
- UNIT 3 WEST ELEVATION**: Shows the side profile of Unit 3.
- UNIT 1 NORTH ELEVATION**: Shows the front facade of Unit 1 from the north.
- UNIT 2 NORTH ELEVATION**: Shows the front facade of Unit 2 from the north.
- UNIT 3 NORTH ELEVATION**: Shows the front facade of Unit 3 from the north.
- UNIT 1 SOUTH ELEVATION**: Shows the side profile of Unit 1 from the south.
- UNIT 2 SOUTH ELEVATION**: Shows the side profile of Unit 2 from the south.
- UNIT 3 SOUTH ELEVATION**: Shows the side profile of Unit 3 from the south.
- KIRKHAM STREETScape**: A perspective view of the street showing the building facades, trees, and a sky with clouds.
- MAIL & METER BOXES ELEVATION**: A detailed drawing of a mail and meter box.

TABLE A.1.1 (REVISED)

PROPOSED ELEVATIONS	
REV.	DATE
A	02/10/18
B	04/03/20

NOTE:

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- COMPLETE ANY WORK BEFORE ANY SHOT BRANISH
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LEGEND

SYMBOL	DESCRIPTION
[Symbol]	CONCRETE WALL
[Symbol]	BRICK
[Symbol]	GLASS
[Symbol]	IRON
[Symbol]	WOOD
[Symbol]	ROOF
[Symbol]	LANDSCAPE
[Symbol]	PAVING
[Symbol]	RAILING
[Symbol]	SCREENING
[Symbol]	SKYLIGHT
[Symbol]	WALL
[Symbol]	WINDSCREEN
[Symbol]	WINDSTOPPER

LEGEND OF CONSTRUCTION MATERIALS & COLOURS

SYMBOL	DESCRIPTION
[Symbol]	CONCRETE
[Symbol]	BRICK
[Symbol]	GLASS
[Symbol]	IRON
[Symbol]	WOOD
[Symbol]	ROOF
[Symbol]	LANDSCAPE
[Symbol]	PAVING
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[Symbol]	SCREENING
[Symbol]	SKYLIGHT
[Symbol]	WALL
[Symbol]	WINDSCREEN
[Symbol]	WINDSTOPPER

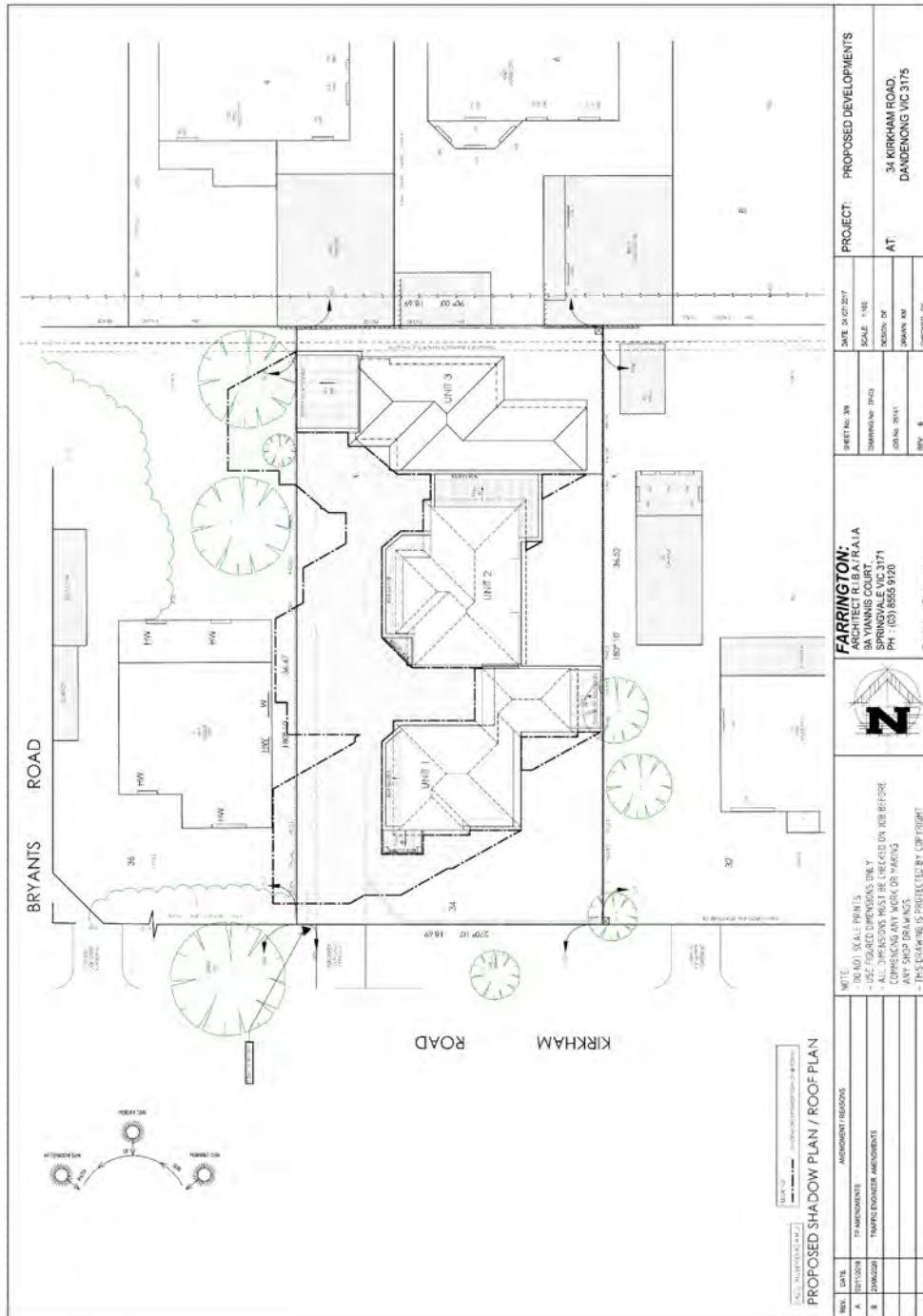
PROJECT: 34 KIRKHAM ROAD, DANDENONG VIC 3175

FARRINGTON:
 ARCHITECT R.I.B.A./R.A.I.A.
 59 YARRIS COURT,
 DANDENONG VIC 3175
 PH (03) 8555 8120
 Email: daniel@farrington.com.au

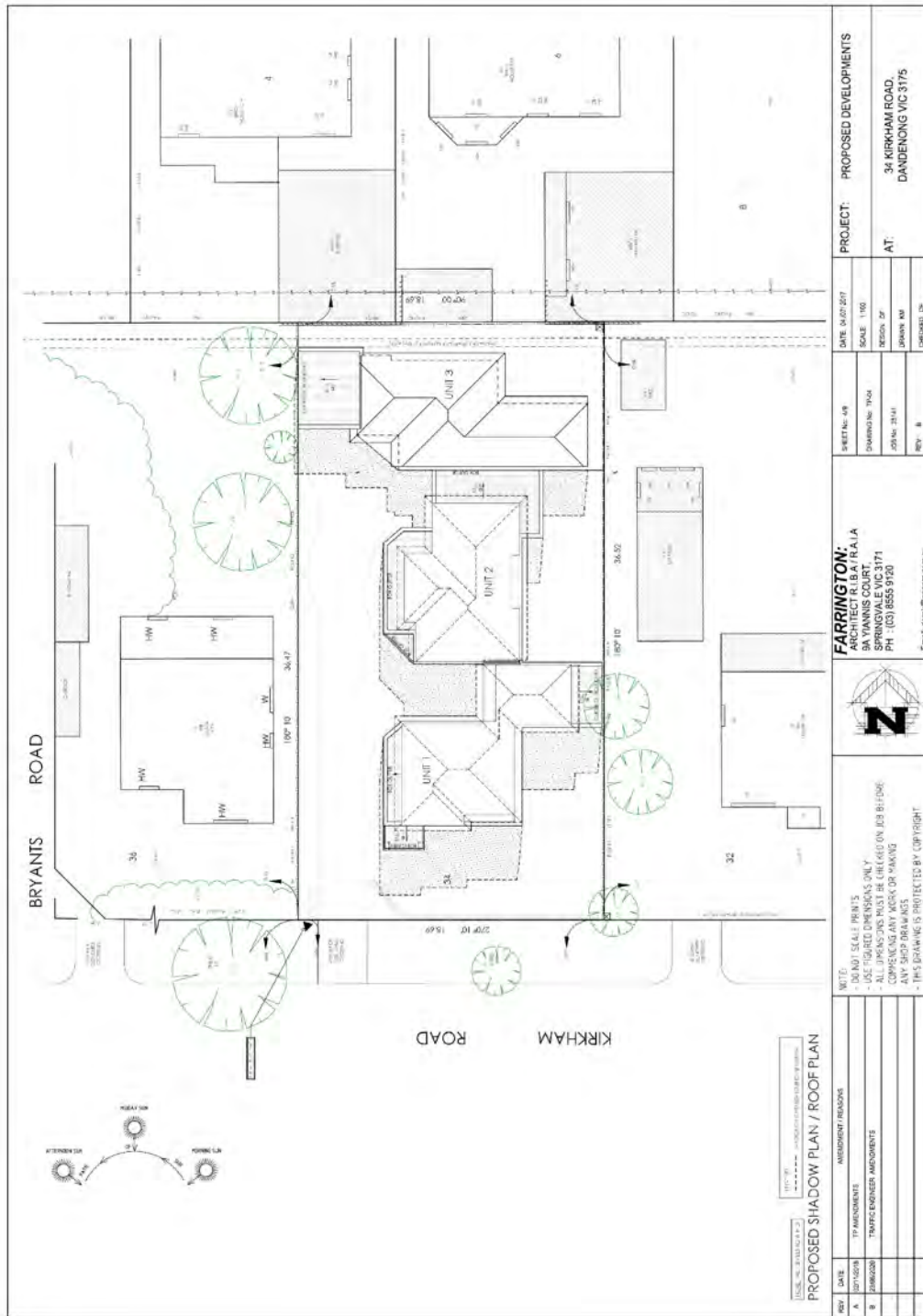
2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)



2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

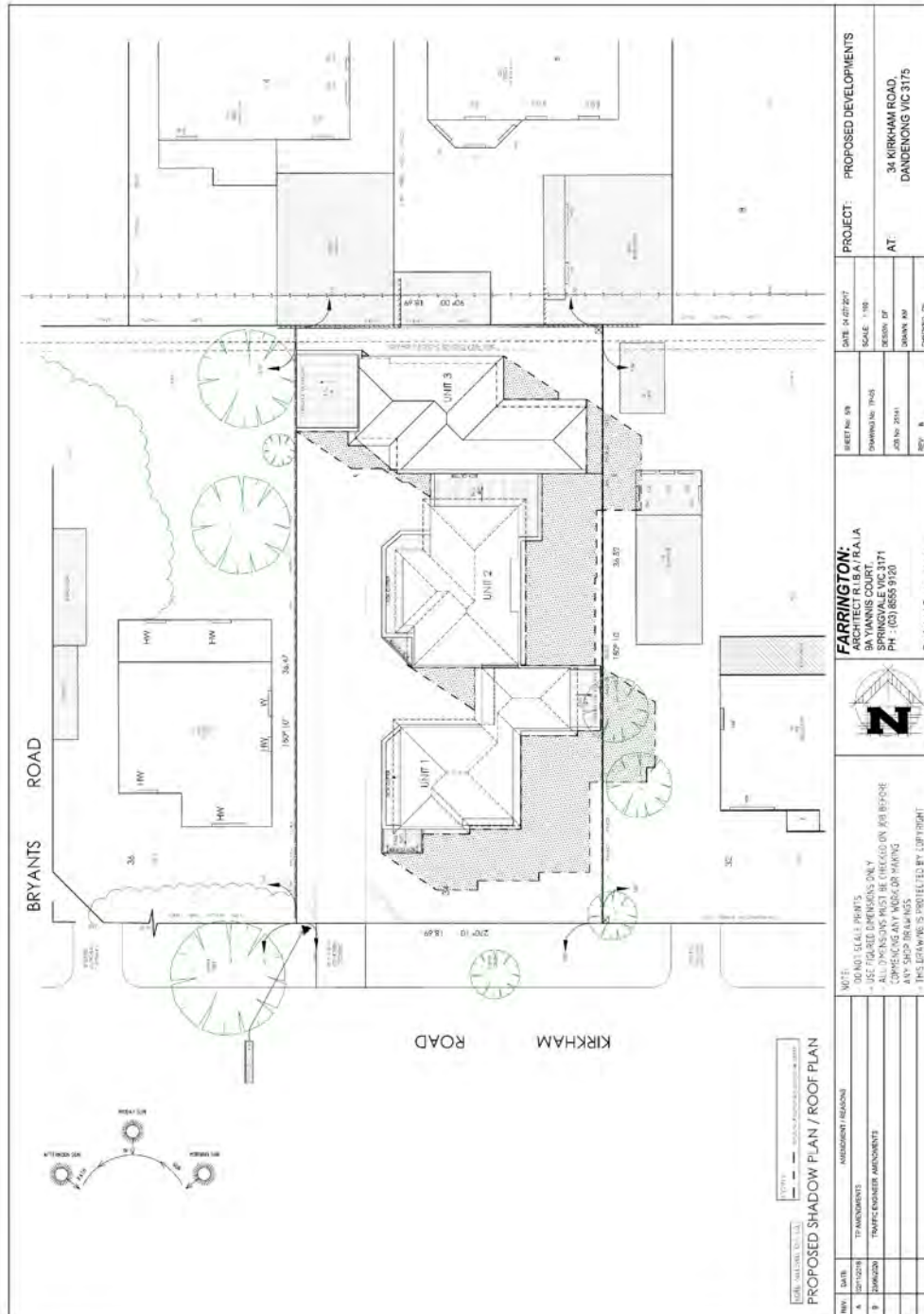


2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)



ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)



PROPOSED DEVELOPMENTS
 PROJECT: 34 KIRKHAM ROAD, DANDEONG VIC 3175

DATE: 12/07/20
 SCALE: 1:100
 SHEET NO: 09
 DRAWING NO: T143
 JOB NO: 2141
 SHEET NO
 CITY &
 CHECKED BY

FARRINGTON:
 ARCHITECT R. B.A. / R. A. I.A.
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 Email: cavan@farrington.com.au



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PROPOSED SHADOW PLAN / ROOF PLAN

REV	DATE	REVISION / REASON
1	12/07/20	TEMPORARY
2	12/07/20	TRAFFIC ENGINEER COMMENTS

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 34 KIRKHAM ROAD, DANDENONG
(PLANNING APPLICATION NO. PLN18/0578)**

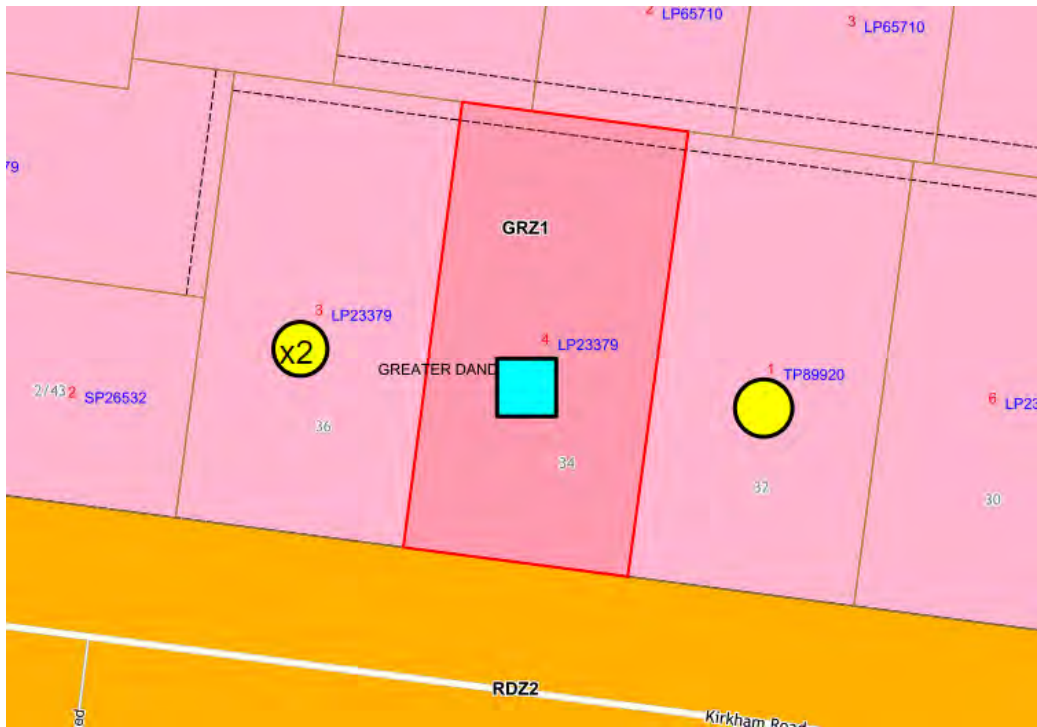
ATTACHMENT 2

LOCATION OF OBJECTORS



PAGES 2 (including cover)

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

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)



LEGEND

-  Subject Site
-  Location of Objector

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 34 KIRKHAM ROAD, DANDENONG
(PLANNING APPLICATION NO. PLN18/0578)**

ATTACHMENT 3

CLAUSE 22.09 ASSESSMENT

PAGES 10 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Assessment Table for Clause 22.09

Clause 22.09-3.1 Design Principles for all residential developments

Title /Objective	Principles	Principle met/Principle not met/NA
Safety	<p>To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:</p> <p>Incorporate active frontages including ground floor habitable room windows.</p>	<p>Principle met</p> <p>All three (3) dwellings would incorporate active frontages including ground floor habitable room windows.</p>
	<p>Maximise the number of habitable room windows on all levels of residential buildings that overlook the public realm, streets, laneways, internal access ways and car parking areas.</p>	<p>Principle met</p> <p>The proposed development maximises the number of habitable room windows on all levels which would overlook the public realm, street, internal accessways and car parking areas.</p>
	<p>Use semi-transparent fences to the street frontage.</p>	<p>Principle met</p> <p>A 1.2m high front fence is proposed.</p>
	<p>Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.</p>	<p>Principle met</p> <p>Sensor lighting provided at dwelling entrances and car parking areas.</p>
	<p>Ensure that all main entrances are visible and easily identifiable from the street.</p>	<p>Principle met</p> <p>Each dwelling's main entrance would be visible and easily identifiable from the street.</p>
	<p>Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.</p>	<p>Principle met</p> <p>Non-habitable rooms such as bathrooms are located away from entrances and street frontage.</p>
Landscaping	Residential development should:	

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

<p>Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.</p>	<p>* Principle not met, however permit conditions will resolve non-compliance. The indicative landscaping shown on the site plan demonstrates suitable landscaping and canopy tree planting throughout the site.</p> <p>Landscape plan will be provided as a condition of permit.</p>
<p>Provide substantial, high quality landscaping along vehicular accessways.</p>	<p>* Principle not met, however permit conditions will resolve non-compliance. The proposed development would be capable of providing substantial, high quality landscaping along the vehicular accessways.</p>
<p>Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.</p>	<p>* Principle not met, however permit conditions will resolve non-compliance. As above</p>
<p>Planting trees that are common to and perform well in the area.</p>	<p>* Principle not met, however permit conditions will resolve non-compliance. As above</p>
<p>Avoid the removal of existing mature trees by incorporating their retention into the site design.</p>	<p>✓ Principle met The proposed development would avoid the removal of existing mature trees wherever possible.</p>
<p>Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</p>	<p>✓ Principle met The proposed development would be capable of using landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</p>
<p>Ensure that landscaping also addresses the Safety Design Principles.</p>	<p>✓ Principle met</p>
<p>Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.</p>	<p>✓ Principle met</p>
<p>Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.</p>	<p>✓ Principle met</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	<p>Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.</p> <p>The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.</p> <p>On-site car parking should be:</p> <ul style="list-style-type: none"> Well integrated into the design of the building, Generally hidden from view or appropriately screened where necessary, Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. <p>Where car parking is located within the front setback it should be:</p> <ul style="list-style-type: none"> Fully located within the site boundary, and Capable of fully accommodating a vehicle between a garage or carport and the site boundary. <p>Developments with basement car parking should consider flooding concerns where applicable.</p>	<p>✓ Principle met</p> <p>✓ Principle met The site has a frontage of 18.69m and is proposed to relocate the existing crossover.</p> <p>✓ Principle met On-site car parking would be well integrated into the design of the dwellings, located to the side so as to not dominate the streetscape and maximise soft landscaping opportunities at ground level.</p> <p>✓ Principle met Car parking is fully located within the site boundary.</p> <p>N/A Basement car parking is not proposed.</p>
Car parking		
Setbacks, front boundary and width	<p>Residential developments should:</p> <p>Provide a front setback with fence design and height in keeping with the predominant street pattern.</p> <p>Maintain the apparent frontage width pattern.</p> <p>Provide appropriate side setbacks between buildings to enable screen planting where required, and at least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity.</p> <p>Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.</p>	<p>✓ Principle met The proposed development would provide a front setback which would be in keeping with the predominant street pattern.</p> <p>✓ Principle met The apparent frontage width pattern would be maintained.</p> <p>✓ Principle met Appropriate side setbacks provided where possible.</p> <p>✓ Principle met A 1.2m high front fence is proposed.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Private open space	<p>All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.</p> <p>Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.</p> <p>Private open space should be positioned to maximise solar access.</p> <p>Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to ensure the solar access, useability and amenity of the space is not adversely affected.</p> <p>Upper level dwellings should avoid encroaching the secluded private open space of a separate lower level dwelling so as to ensure good solar access and amenity for the lower level dwelling.</p>	<p>✓ Principle met Each dwelling would provide good quality, useable private open space for each dwelling which would be directly accessible from the main living areas.</p> <p>✓ Principle met Ground level private open space areas would be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.</p> <p>✓ Principle met Private open space would be positioned to maximise solar access, where practicable.</p> <p>✓ Principle met The upper floors of each dwelling would avoid encroaching over their respective secluded private open space areas.</p> <p>✓ Principle met There are no upper level dwellings proposed above a separate lower level dwelling</p>
Bulk & Built Form	<p>All residential developments should respect the dominant façade pattern of the streetscape by:</p> <ul style="list-style-type: none"> Using similarly proportioned roof forms, windows, doors and verandahs; and Maintaining the proportion of wall space to windows and door openings. <p>Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.</p> <p>The development of new dwellings to the rear of existing retained dwellings is discouraged where:</p> <ul style="list-style-type: none"> The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or The retention of the existing dwelling detracts from the identified future character. 	<p>✓ Principle met The proposed dwellings would respect the dominant façade pattern of the streetscape by using similarly proportioned roof forms, windows, doors and front porch and maintaining a similar proportion of wall space to windows and door openings.</p> <p>N/A No balconies are proposed.</p> <p>✓ Principle met The application does not propose to retain the existing dwelling.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	<p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <ul style="list-style-type: none"> • Not exceeding the height of the neighbouring significant building; • Minimising the visibility of higher sections of the new building; and • Setting higher sections back at least the depth of one room from the frontage. 	<p>N/A The site is not adjacent to any identified heritage buildings.</p>
<p>Site Design</p>	<p>Residential development should:</p> <p>Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.</p> <p>Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance</p> <p>Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.</p> <p>Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.</p> <p>Provide suitable storage provisions for the management of operational waste</p> <p>Appropriately located suitable facilities to encourage public transport use, cycling and walking.</p>	<p>✓ Principle met with conditions The proposed development generally meets the overshadowing and overlooking objectives (subject to permit conditions) in Clause 55.</p> <p>✓ Principle met North-facing windows and secluded private open space areas where practicable.</p> <p>✗ Principle not met, however permit conditions will resolve non-compliance. Notwithstanding the attached nature of the first floor between dwellings 1 and 2, the proposed building height and massing articulation are generally responsive to site circumstances, setbacks and the streetscape. Permit conditions will resolve non-compliance with the lack of separation at upper storey. This is further discussed in the bulk and built form design principles for Incremental Change Areas below.</p> <p>✓ Principle met The proposed development provides sufficient setbacks to accommodate the future growth of new trees.</p> <p>✓ Principle met The site has capacity to accommodate bin storage areas.</p> <p>✓ Principle met</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Materials & Finishes	Residential development should: Use quality, durable building materials and finishes that are designed for residential purposes.	<p>✓ Principle met The development proposes brick at ground floor and render and cladding at first floor.</p> <p>✓ Principle met The proposed development would not include any commercial or industrial style building materials or finishes.</p> <p>✓ Principle met The development proposes a variation of materials and articulated surfaces.</p> <p>✓ Principle met As above.</p> <p>✓ Principle met</p>
	Avoid the use of commercial or industrial style building materials and finishes.	
	Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials.	
	Use a consistent simple palette of materials, colours finishes and architectural detailing.	
	Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.	
	In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should:	
Domestic services normal to a dwelling and Building services	<p>Ensure that all domestic and building services are visually integrated into the design of the building and appropriately positioned or screened so as to not be seen from the street or adjoining properties.</p> <p>Be designed to avoid the location of domestic and building services:</p> <ul style="list-style-type: none"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	<p>✓ Principle met Domestic and building services could be visually integrated into the design of the development and appropriately positioned or screened so as not to be seen from the street or adjoining properties.</p> <p>✓ Principle met Dwellings 2 and 3 provide a service yard outside of the prime 30sqm of secluded private open space. It is considered appropriate that the site services are located in the prime secluded private open space of dwelling 1. The dwelling provides more than the required private open space requirement in Clause 55 and Schedule 1 to the GRZ.</p>
Internal Amenity	Residential development should:	

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	Ensure that dwelling layouts have connectivity between the main living area and private open space.	<p>✓ Principle met Each dwelling provides connectivity between the main living area and private open space.</p>
	Be designed to avoid reliance on borrowed light to habitable rooms.	<p>✓ Principle met No borrowed light relied upon</p>
	Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.	<p>✓ Principle met No balconies are proposed. Habitable room windows would be designed and located to reduce the need for excessive screening</p>
	Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 & 7, 55.05-3, 4 & 5.	<p>✓ Principle met Both dwellings provide private open space at ground level.</p>

Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ)

Principles		Principle met/Principle not met/NA
Titles & Objectives		
Preferred housing type	The preferred housing type for the Incremental Change Area is medium density.	<p>✓ Principle met The proposal is considered medium density.</p>
Building Height	The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.	<p>✓ Principle met Double storey proposed.</p>
Landscaping	Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties	<p>✓ Principle met It is considered that there is adequate opportunity for landscaping throughout the site, particularly in the front setbacks and rear SPOS areas for each dwelling.</p>
Setbacks, front boundary and width	Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.	<p>✓ Principle met Car access, parking and paving within the front setback is limited. Areas set aside for soft landscaping.</p>
Private open space	Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.	<p>✓ Principle met Secluded private open space is located at the rear and side of each dwelling.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

<p>Bulk & Built Form</p>	<p>Residential development should: Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;</p>	<p>✓ Principle met The dwellings are considered in keeping with the scale of existing built form character. Surrounding dwellings are a mix of single and double storey detached dwellings as well as single storey unit developments. Directly adjacent to the site, comprises two double storey dwellings at the rear, single storey dwellings to the east and west and Dandenong Community Cemetery to the south. Despite the attached ground and first floor components of dwelling 1 and 2, which is further discussed below, the development is considered to respond to the site circumstances and streetscape by the way of street setbacks, single storey form at the rear, and centralised upper storeys with some recession from the ground floor footprint.</p> <p>✗ Principle not met, however permit conditions will resolve non-compliance. The attached first floor of dwellings 1 and 2 fail to respect the amenity of the adjoining properties to the east and west, and is not in keeping with other multi-unit developments with separation at first floor present in the wider area. A minimum separation of 1.0m between the two dwellings at first floor by reducing the first floor footprint of dwelling 2 will be imposed as a permit condition.</p> <p>✓ Principle met The spine of open space is limited in the adjoining area due to the extent of built form to the rear of the sites of the adjoining properties.</p>
<p>Provide separation between dwellings at the upper level;</p>	<p>Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;</p>	

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	<p>Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.</p> <p>The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.</p> <p>Two storey dwellings to the rear of a lot may be considered where:</p> <ul style="list-style-type: none"> • The visual impact of the building bulk does not adversely affect the identified future character of the area; • Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties; • The building bulk does not adversely affect the planting and future growth of canopy trees to maturity; • Sufficient side and rear boundary landscaping can be provided to screen adjoining properties; • Upper storey components are well recessed from adjoining sensitive interfaces. <p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>	<p>✓ Principle met Double storey components are positioned towards the front and centre of the site.</p> <p>✓ Principle met The rearmost dwelling is proposed as single storey.</p> <p>✓ Principle met The development proposes a level of visual interest through the use of materials and fenestration.</p>
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Note: Other requirements also apply. These can be found at the schedule to the applicable zone.

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 34 KIRKHAM ROAD, DANDENONG
(PLANNING APPLICATION NO. PLN18/0578)**

ATTACHMENT 4

CLAUSE 52.06 ASSESSMENT

PAGES 7 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Assessment Table - Clause 52

Clause 52.06-9 Design standards for car parking


Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise. Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design Standards	Assessment	Requirement met/Requirement not met/N/A
<p>Design standard 1 - Accessways</p>	<p>Accessways must:</p> <ul style="list-style-type: none"> • Be at least 3 metres wide. • Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. • Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre. • Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheelbase of 2.8 metres. • If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed to that cars can exit the site in a forward direction. • Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in Road Zone. 	<p>✓ Standard met Provided – 3.0m</p> <p>✓ Standard met</p> <p>N/A The proposal does not comprise of a public car park.</p> <p>✓ Standard met No overhead obstructions less than 2.1m</p> <p>* Principle not met, however permit conditions may resolve non-compliance. The application including the swept path diagrams were referred to Council's Transport Planning department, whom have raised concerns regarding the turning space for dwelling 3. It is recommended that the landscape bed along the west boundary is to 300mm wide in order for vehicles to comfortably exit the site and to accommodate the correct dimensions required for car parking spaces further detailed below.</p> <p>N/A The proposed accessway serves four car parking spaces.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

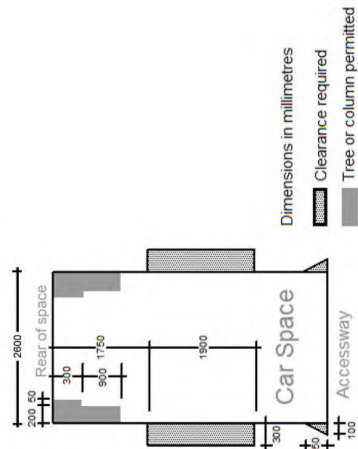
	<ul style="list-style-type: none"> Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height. <p>If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.</p> <p>If entry to the car space is from a road, the width of the accessway may include the road.</p>	<p>* Principle not met; however permit conditions may resolve non-compliance.</p> <p>A corner splay has been shown along the east edge of the accessway, with notations along the west, however the notations do not accurately reflect the standard.</p> <p>A corner splay to be noted on the west edge of the accessway via permit condition.</p> <p>✓ Standard met</p> <p>Access to the car spaces is more than 6 metres from the road carriageway.</p> <p>✓ Standard met</p>																																
<p>Design standard 2 – Car parking spaces</p>	<p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p>Table 2: Minimum dimensions of car parking spaces and accessways</p> <table border="1" data-bbox="598 862 885 1556"> <thead> <tr> <th>Angle of car parking spaces to access way</th> <th>Accessway width</th> <th>Car space width</th> <th>Car space length</th> </tr> </thead> <tbody> <tr> <td>Parallel</td> <td>3.6 m</td> <td>2.3 m</td> <td>6.7 m</td> </tr> <tr> <td>45°</td> <td>3.5 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>60°</td> <td>4.9 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>90°</td> <td>6.4 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.8 m</td> <td>2.8 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.2 m</td> <td>3.0 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>4.8 m</td> <td>3.2 m</td> <td>4.9 m</td> </tr> </tbody> </table> <p><i>Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).</i></p>	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length	Parallel	3.6 m	2.3 m	6.7 m	45°	3.5 m	2.6 m	4.9 m	60°	4.9 m	2.6 m	4.9 m	90°	6.4 m	2.6 m	4.9 m		5.8 m	2.8 m	4.9 m		5.2 m	3.0 m	4.9 m		4.8 m	3.2 m	4.9 m	<p>* Standard not met; however permit conditions may resolve non-compliance</p> <p>Dwelling 1 Tandem car space is 2.3 x 4.7m</p>  <p>A condition of permit will ensure the dimensions reflect the minimum requirements in the standard.</p>
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length																															
Parallel	3.6 m	2.3 m	6.7 m																															
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	4.8 m	3.2 m	4.9 m																															

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

✓ **Standard met**

- A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:
- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
 - A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	<p>Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.</p>	<p>* Standard not met, however permit conditions may resolve in non-compliance</p> <p>Dwelling 1 Single garage 3.4m x 5.9m Tandem car space 2.3 x 4.7m</p> <p>Dwelling 2 Single garage 3.4m x 5.9m</p> <p>Dwelling 3 Single garage 3.5 x 4.4m</p> <p>Car Parking appears to be located partly external to the garage. Taking into account advice sought by the applicant from Council's building department regarding construction of a garage or carport along the easement spanning the rear boundary, it would be appropriate to incorporate a condition to replace the garage with a demountable carport that also meets the internal dimensions required by the standard to provide a completely covered car space.</p>
	<p>Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.</p>	<p>✓ Standard met</p>
	<p>Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.</p>	<p>✓ Standard met</p>
	<p>Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.</p>	<p>N/A No disabled car parking spaces are proposed.</p>
<p>Design standard 3: Gradients</p>	<p>Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.</p>	<p>✓ Standard met Accessway grades are not steeper than 10%</p>

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	<p>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</p> <p>Table 3: Ramp gradients</p> <table border="1"> <thead> <tr> <th>Type of car park</th> <th>Length of ramp</th> <th>Maximum grade</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Public car parks</td> <td>20 metres or less</td> <td>1:5 (20%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:6 (16.7%)</td> </tr> <tr> <td rowspan="2">Private or residential car parks</td> <td>20 metres or less</td> <td>1:4 (25%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:5 (20%)</td> </tr> </tbody> </table> <p>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</p> <p>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</p>	Type of car park	Length of ramp	Maximum grade	Public car parks	20 metres or less	1:5 (20%)	longer than 20 metres	1:6 (16.7%)	Private or residential car parks	20 metres or less	1:4 (25%)	longer than 20 metres	1:5 (20%)	<p>N/A No ramps are proposed.</p> <p>N/A</p> <p>N/A</p> <p>N/A No mechanical parking is proposed.</p> <p>N/A</p> <p>N/A</p>
Type of car park	Length of ramp	Maximum grade													
Public car parks	20 metres or less	1:5 (20%)													
	longer than 20 metres	1:6 (16.7%)													
Private or residential car parks	20 metres or less	1:4 (25%)													
	longer than 20 metres	1:5 (20%)													
<p>Design standard 4: Mechanical parking</p>	<p>Mechanical parking may be used to meet the car parking requirement provided:</p> <ul style="list-style-type: none"> At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres. Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation. The design and operation is to the satisfaction of the responsible authority. 	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>✓ Standard met Ground level car parking, garage doors and the accessways would not visually dominate public space.</p> <p>✓ Standard met Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.</p> <p>✓ Standard met Design of car parks must take into account their use as entry points to the site.</p>													
<p>Design standard 5: Urban design</p>	<p>Ground level car parking, garage doors and accessways must not visually dominate public space.</p> <p>Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.</p> <p>Design of car parks must take into account their use as entry points to the site.</p>	<p>✓ Standard met Ground level car parking, garage doors and the accessways would not visually dominate public space.</p> <p>✓ Standard met The proposed development does not include car parking at the entry point of the site</p>													

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	Design of new internal streets in developments must maximise on street parking opportunities.	<p>✓ Standard met The provision of crossovers at either end of the Kirkham Road frontage of the site would maximise on street parking opportunities.</p>
Design standard 6: Safety	Car parking must be well lit and clearly signed.	<p>✓ Standard met The car parking areas would be capable of being well lit.</p>
	The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.	<p>✓ Standard met The design of the car parking area would maximise natural surveillance and pedestrian visibility from the adjacent dwellings.</p>
	Pedestrian access to car parking areas from the street must be convenient.	<p>✓ Standard met</p>
Design standard 7: Landscaping	Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.	<p>✓ Standard met</p>
	The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.	<p>✓ Standard met The layout of the car parking areas would provide for landscaping.</p>
	Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.	<p>✓ Standard met Landscaping and trees could be planted along the accessways to provide shade and shelter and soften the appearance of ground level car parking.</p>
	Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.	<p>✓ Standard met Trees planted with flush grilles are not required for residential developments such as the current proposal.</p>

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 34 KIRKHAM ROAD, DANDENONG
(PLANNING APPLICATION NO. PLN18/0578)**

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 27 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Assessment Table - Two or More Dwellings on a Lot and Residential Buildings (Clause 55)

Clause 55.02-1 Neighbourhood character objectives

Standard (Summarised)		Standard Met/Standard Not Met/NA
Title & Objective Standard B1	The design response must be appropriate to the neighbourhood and the site.	Standard met with conditions The proposal is considered to respect the existing and preferred neighbourhood character of the area by way of street setback, landscaping and bulk and built form subject to conditions. See Clause 22.09 Assessment for further details.
Decision Guidelines	The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site. Any relevant neighbourhood character objective, policy or statement set out in this scheme. The neighbourhood and site description. The design response.	Standard met with conditions As above.
Objectives	To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area.	

Clause 55.02-2 Residential policy objectives

Standards		Standard Met/Standard Not Met/NA
Title & Objective Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the PPF and the LPPF, including the MSS and local planning policies.	Standard met A written statement describing the proposals response to the neighbourhood character and site context was provided.
Decision Guidelines	The PPF and the LPPF including the MSS and local planning policies. The design response.	
Objectives	To ensure that residential development is provided in accordance with any policy for housing in the PPF and the LPPF, including the MSS and local planning policies. To support medium densities in areas where development can take advantage of public and community infrastructure and services.	

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.02-3 Dwelling diversity objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B3	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	N/A The proposed development is for three (3) dwellings.
Objective	To encourage a range of dwellings sizes and types in developments of ten or more dwellings.	

Clause 55.02-4 Infrastructure objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B4	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	Standard met The proposed development would be connected to reticulated services in this established residential area. Standard met The proposed development of the site for three (3) dwellings would not unreasonably exceed the capacity of utility services and infrastructure. Standard met There is no evidence to suggest that the subject site is located in an area where utility services or infrastructure have little or no spare capacity.
Decision Guidelines	The capacity of the existing infrastructure. In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the SEPP (Waters of Victoria) under the EPA 1970. If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.	
Objectives	To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.02-5 Integration with the street objective

Standards		Standard Met/Standard Not Met/NA
Title & Objective Standard B5	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. Developments should be oriented to front existing and proposed streets. High fencing in front of dwellings should be avoided if practicable. Development next to existing public open space should be laid out to complement the open space. Any relevant urban design objective, policy or statement set out in this scheme. The design response.	<p>✓ Standard met The dwellings have shared vehicular and pedestrian access via a common accessway.</p> <p>✓ Standard met Dwellings are orientated front Kirkham Road to the south.</p> <p>✓ Standard met A 1.2m high front fence is proposed.</p> <p>✓ Standard met The subject site does not adjoin any public open space.</p>
Decision Guidelines		
Objective	To integrate the layout of development with the street.	

Clause 55.03-1 Street setback objective

Standards		Standard Met/Standard Not Met/NA
Title & Objective Standard B6	Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone: RGZ: 5 metres or as per Table B1, whichever is the lesser. GRZ: 7.5 metres or as per Table B1, whichever is the lesser. NRZ: As per Table B1.	<p>✓ Standard met Dwelling 1 would have a front setback from Kirkham Road of 5.75m. The front setback of the adjoining dwelling to the east at 32 Kirkham Road is 5.6m. The front setback of the adjoining dwelling to the west at 36 Kirkham Road is 5.9m. The average of the two adjoining dwellings is 5.75m.</p>

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Table B1 Street setback		
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
	The design response.	
	Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.	
	The visual impact of the building when viewed from the street and from adjoining properties.	
Objective	The value of retaining vegetation within the front setback.	
	To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	

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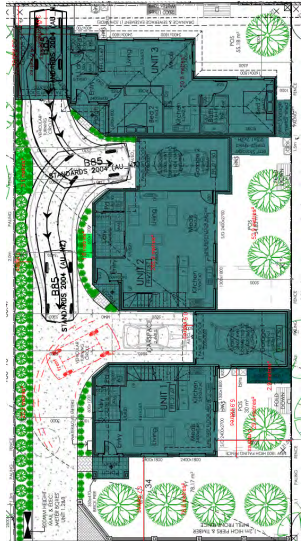
2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.03-2 Building height objective

Standards		Standard Met/Standard Not Met/NA
Title & Objective		
Standard B7	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9)</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>	<p>Standard met</p> <p>The proposed maximum height is 7m.</p> <p>N/A</p> <p>Standard met</p> <p>The adjoining properties to the east and west are single storey dwellings, the proposed maximum building height is two storeys for the development.</p>
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.</p> <p>The design response.</p> <p>The effect of the slope of the site on the height of the building.</p> <p>The relationship between the proposed building height and the height of existing adjacent buildings.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p> <p>To ensure that the height of buildings respects the existing or preferred neighbourhood character</p>	
Objective		

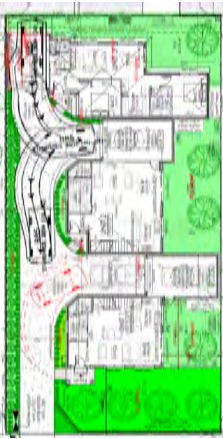
2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.03-3 Site coverage objective

<p>Title & Objective</p>	<p>Standards</p> <p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p>GRZ1: 60% (none specified)</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met</p> <p>Lot size 682sqm Requirement max. 409.2sqm (60%) Provided 268.8sqm (39%)</p>
<p>Standard B8</p>		
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development or the features of the site.</p> <p>The site coverage of adjacent properties</p> <p>The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</p>	
<p>Objective</p>	<p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.03-4 Permeability objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B9</p>	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> • The minimum areas specified in a schedule to the zone, or • If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p>GRZ1: 30%</p>	<p>✓ Standard met Lot size 682sqm Requirement min. 204.6sqm (30%) Provided 248.1sqm (36%)</p> 
<p>Decision Guidelines</p>	<p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development.</p> <p>The capacity of the drainage network to accommodate additional stormwater.</p> <p>The capacity of the site to absorb run-off.</p> <p>The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.</p>	
<p>Objectives</p>	<p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>	

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.03-5 Energy efficiency objectives		Standard Met/Standard Not Met/NA
Title & Objective	Standards	
Standard B10	<p>Buildings should be:</p> <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. <p>Living areas and private open space should be located on the north side of the development, if practicable.</p>	<p>✓ Standard met</p> <p>Where practicable, the proposed dwellings are oriented to take advantage of solar energy from the east, north and west. They have been sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</p>
	<p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p>✓ Standard met</p> <p>Dwelling 1's living area would have access to south facing windows. Dwelling 1's private open space area would be located to the east of the dwelling. Dwelling 2's living area would have access to east-facing windows. Dwelling 2's private open space area would be located to the east of the dwelling and would have a northern aspect. Dwelling 3's living area would have access to north-facing windows. Dwelling 3's private open space area would be located to the north of the dwelling.</p>
Decision Guidelines	<p>The design response.</p> <p>The size, orientation and slope of the lot.</p> <p>The existing amount of solar access to abutting properties.</p> <p>The availability of solar access to north-facing windows on the site.</p>	
Objectives	<p>To achieve and protect energy efficient dwellings and residential buildings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.03-6 Open space objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B11	If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> • Be substantially fronted by dwellings, where appropriate. • Provide outlook for as many dwellings as practicable. • Be designed to protect any natural features on the site. • Be accessible and useable. 	N/A No public or communal private open space proposed
Decision Guidelines	Any relevant plan or policy for open space in the SPPF and the LPPF, including the MSS and local planning policies. The design response.	
Objective	To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	

Clause 55.03-7 Safety objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B12	Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.	Standard met The entry to each dwelling would be visible from Kirkham Road to the south. Standard met The application does not propose any planting which would create unsafe spaces along Kirkham Road or the accessways. Standard met Each dwelling is provided with sensor lighting and would have surveillance of car parks and the internal accessway. Standard met Each dwelling's private open space would be protected from inappropriate use as a public thoroughfare.
Decision Guidelines	The design response.	
Objectives	To ensure the layout of development provides for the safety and security of residents and property.	

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.03-8 Landscaping objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B13</p> <p>The landscape layout and design should:</p> <ul style="list-style-type: none"> • Protect any predominant landscape features of the neighbourhood. • Take into account the soil type and drainage patterns of the site. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should meet any additional landscape requirements specified in a schedule to the zone.</p> <p>All schedules to all residential zones: "70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any relevant plan or policy for landscape design in the SPPF and the LPPF, including the MSS and local planning policies.</p> <p>The design response.</p> <p>The location and size of gardens and the predominant plant types in the neighbourhood.</p> <p>The health of any trees to be removed.</p> <p>Whether a tree was removed to gain a development advantage.</p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p>	<p>Standard not met however permit conditions will resolve non-compliance.</p> <p>The indicative landscaping shown on the site plan demonstrates suitable landscaping and canopy tree planting throughout the site.</p> <p>Landscape plan will be provided as a condition of permit.</p> <p>Standard met</p> <p>The site is devoid of any significant vegetation.</p> <p>Standard met</p> <p>As above.</p> <p>Standard not met however permit conditions will resolve non-compliance.</p> <p>Landscape plan will be provided as a condition of permit.</p> <p>Standard met</p> <p>Front setback 108sqm Capacity for landscaping 87sqm (80%) of the front setback</p> <p>The ground level front and side setbacks are capable of being planted with substantial landscaping and canopy trees.</p>
<p>Decision Guidelines</p>		
<p>Objectives</p>		

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	<p>To provide appropriate landscaping. To encourage the retention of mature vegetation on the site.</p>	
<p>Clause 55.03-9 Access objective</p>		
<p>Title & Objective</p>	<p>Standards</p>	<p>Standard Met/Standard Not Met/NA</p>
<p>Standard B14</p>	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	<p>Standard met Less than 40% of the Kirkham Road street frontages would be taken up by the accessways.</p> <p>Standard met One (1) single width accessway is proposed.</p> <p>Standard met The re-location of the existing crossover would maximise the retention of on-street car parking spaces.</p> <p>Standard met One (1) crossover is proposed.</p> <p>Standard met The proposed development would provide appropriate access for service, emergency and delivery vehicles.</p>
<p>Decision Guidelines</p>	<p>The design response. The impact on neighbourhood character. The reduction of on-street car parking spaces. The effect on any significant vegetation on the site and footpath.</p>	
<p>Objectives</p>	<p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	

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Clause 55.03-10 Parking location objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B15	Car parking facilities should: <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.	Standard met Dwelling 1 – single garage and tandem car space Dwelling 2 – single garage Dwelling 3 – single garage Car parking facilities are reasonably close and convenient to dwellings, are secure and well ventilated.
Decision Guidelines	The design response.	Standard met No habitable rooms facing car parking area or accessways within the development.
Objectives	To provide convenient parking for residents and visitors vehicles. To protect residents from vehicular noise within developments.	

Clause 55.04-1 Side and rear setbacks objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B17	A new building not on or within 200mm of a boundary should be setback from side or rear boundaries: <ul style="list-style-type: none"> • At least the distance specified in a schedule to the zone, or <i>NRZ1: "A building wall opposite an area of secluded private open space or a window to a living room of an existing dwelling should be setback a minimum of 2 metres."</i> • If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	Standard met Dwelling 1 – Garage wall on boundary Dwelling 2 - Eastern wall height at ground floor is 3.6m Required setback is 1.0m Provided is 4.9m Eastern wall height at first floor is 5.4m Required setback is 1.06m Provided is 5.0m Dwelling 3 – Eastern wall height at ground floor is 3m Required setback is 1.0m

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	<p>Diagram B1 Side and rear setbacks</p> <p>LOT BOUNDARY</p>	<p>Provided is 1.0m</p>
	<p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>✓ Standard met</p> <p>✓ Standard met</p>
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</p> <p>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</p> <p>Whether the wall abuts a side or rear lane.</p>	

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Objectives	To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	
Clause 55.04-2 Walls on boundaries objective		
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B18	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary.</p> <ul style="list-style-type: none"> For a length of more than the distance specified in the schedule to the zone; or If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p>Standard met The requirement is a maximum 16.6m. Dwelling 2's length of wall on boundary is 4m. Dwelling 3's length of wall on boundary is 5m.</p> <p>N/A</p> <p>Standard met</p> <p>Standard met Average height of wall on boundary is 3.5m, with a maximum height of 3.6m</p>
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The extent to which walls on boundaries are part of the neighbourhood character.</p> <p>The impact on the amenity of existing dwellings.</p> <p>The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.</p> <p>The orientation of the boundary that the wall is being built on.</p> <p>The width of the lot.</p> <p>The extent to which the slope and retaining walls or fences reduce the effective height of the wall.</p> <p>Whether the wall abuts a side or rear lane.</p>	

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

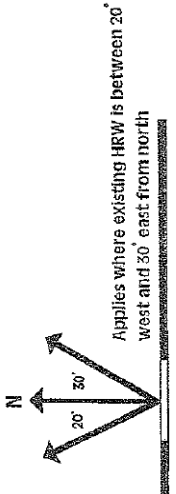
	<p>The need to increase the wall height to screen a box gutter.</p>	
<p>Objectives</p>	<p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	
<p>Clause 55.04-3 Daylight to existing windows objective</p>		
<p>Title & Objective</p>		
<p>Standard B19</p>	<p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met Dwellings are well setback from adjoining properties and habitable room windows of adjoining dwellings.</p> <p>✓ Standard met There are no carports or walls more than 3 metres in height opposite an existing habitable room window.</p>
<p>Diagram B2 Daylight to existing windows</p>		
<p>Decision Guidelines</p>	<p>The design response.</p> <p>The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.</p> <p>The impact on the amenity of existing dwellings.</p> <p>To allow adequate daylight into existing habitable room windows.</p>	
<p>Objective</p>		

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

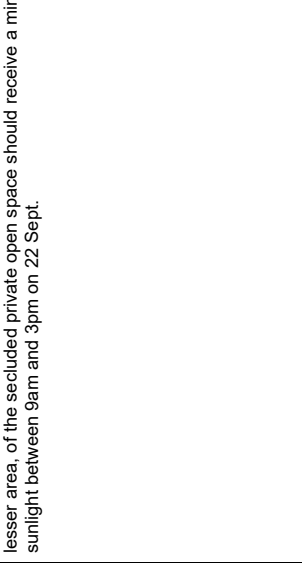
Clause 55.04-4 North-facing windows objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B20</p>	<p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.</p> <p>Diagram B3 North-facing windows</p>	<p>Standard met</p> <p>There are no north facing habitable room windows of existing dwellings on neighbouring allotments within 3 metres of the boundary.</p>
	<p>A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.</p>	


2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	 <p>Applies where existing HRW is between 20° west and 30° east from north</p>	
Decision Guidelines	<p>The design response.</p> <p>Existing sunlight to the north-facing habitable room window of the existing dwelling.</p> <p>The impact on the amenity of existing dwellings.</p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p>	
Objective		

Clause 55.04-5 Overshadowing open space objective

Title & Objective		<p>Standard Met/Standard Not Met/NA</p> <p>Standard met</p> <p>The prime secluded private open space for the neighbouring property to the west at 36 Kirkham Road, measures to approx. 303sqm. Overshadowing occurring throughout the day is minimal, see diagrams below:</p> <p>9am -26.8sqm shadow (8% of SPOS)</p>
Standard B21	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.</p>	 <p>12pm -1.4sqm shadow (0.4% of SPOS)</p>
		<p>The SPOS on the adjoining dwelling to the south of the</p>

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

		<p>subject site still has access to sunlight throughout the day.</p> <p>The prime secluded private open space for the neighbouring property to the east at 32 Kirkham Road, measures to approx. 302sqm. Overshadowing occurring throughout the day is minimal. At 3pm the development would cast an 11.1sqm shadow in the service area of the open space area. The remaining area would have direct access to daylight during this time and throughout the day.</p> 
	<p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>✓ Standard met</p> <p>The existing sunlight to the secluded private open space of the existing adjoining dwellings is not currently less than the requirements of this standard.</p>
<p>Decision Guidelines</p>	<p>The design response.</p> <p>The impact on the amenity of existing dwellings.</p> <p>Existing sunlight penetration to the secluded private open space of the existing dwelling.</p> <p>The time of day that sunlight will be available to the secluded private open space of the existing dwelling.</p> <p>The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</p> <p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	
<p>Objective</p>		

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.04-6 Overlooking objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B22</p>	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>Diagram B4 Overlooking open space</p>	<p>Standard Met/Standard Not Met/NA</p> <p>* Standard not met however permit conditions may resolve non-compliance.</p> <p>The west facing windows of bed 1 and 2 of dwelling 2 do not meet the standard. Permit conditions will ensure these windows are obscured up to 1.7m above finished floor level to comply.</p>
<p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. 	<p>Standard not met however permit conditions may resolve non-compliance.</p> <p>As above</p>	<p>Standard not met however permit conditions may resolve non-compliance.</p> <p>As above</p>

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

	<ul style="list-style-type: none"> • Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. • Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be operable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the development. <p>The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	<p>✓ Standard met with conditions</p> <p>✓ Standard met with conditions</p> <p>✗ Standard not met however permit conditions may resolve non-compliance. Existing 2.0m high timber fence along the west boundary, 1.8m fence along the north boundary, 1.5 and 1.7m high fence along the east boundary. A permit condition will be included to ensure fencing is 1.8m along the east boundary at a cost to the developer.</p>
<p>Decision Guidelines</p>	<p>The design response.</p> <p>The impact on the amenity of the secluded private open space or habitable room window.</p> <p>The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.</p> <p>The internal daylight to and amenity of the proposed dwelling or residential building.</p> <p>To limit views into existing secluded private open space and habitable room windows.</p>	
<p>Objective</p>		
<p>Clause 55.04-7 Internal views objective</p>		
<p>Title & Objective</p> <p>Standard B23</p>	<p>Standards</p> <p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>Standard Met/Standard Not Met/N/A</p> <p>✓ Standard met There are no windows and balconies which have internal views of the secluded private open space of a lower-level dwelling directly below and within the same development.</p>
<p>Decision Guidelines</p> <p>Objective</p>	<p>The design response.</p> <p>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>	

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.04-8 Noise impacts objectives

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B24		Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.	Standard met No mechanical plant is proposed to be located near the bedrooms of any immediately adjacent existing dwellings.
		Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account of noise sources on immediately adjacent properties.	Standard met No noise sources apparent.
		Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	Standard met The dwellings are not close to busy roads or railway lines or industry.
Decision Guidelines		The design response.	
Objectives		To contain noise sources within development that may affect existing dwellings.	
		To protect residents from external noise.	

Clause 55.05-1 Accessibility objective

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B25		The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	Standard met The proposed dwellings include a small step, easily accessible to people with limited mobility or made easily accessible if necessary.
Objective		To encourage the consideration of the needs of people with limited mobility in the design of developments.	

Clause 55.05-2 Dwelling entry objective

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B26		Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> • Be visible and easily identifiable from streets and other public areas. • Provide shelter, a sense of personal address and a transitional space around the entry. 	Standard met The entry to each dwelling is easily identifiable from the street and provides shelter and a sense of personal address.
Objective		To provide each dwelling or residential building with its own sense of identity.	

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Clause 55.05-3 Daylight to new windows objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B27	A window in a habitable room should be located to face: <ul style="list-style-type: none"> • An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or • A verandah provided it is open for at least on third of its perimeter, or • A carport provided it has two or more open sides and is open for at least on third of its perimeter. 	✓ Standard met Each window complies with this standard.
Decision Guidelines	The design response. Whether there are other windows in the habitable room which have access to daylight.	
Objective	To allow adequate daylight into new habitable room windows.	

Clause 55.05-4 Private open space objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B28	A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone. GRZ1: <i>“An area of 50 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres and a minimum dimension of 5 metres and convenient access from a living room; or</i> <i>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area.”</i>	✓ Standard met Dwelling 1: Total POS: 105.1sqm (ground level). SPOS: 30sqm with min dimension of 5.0m and convenient access to living area. Dwelling 2: Total POS: 52.4sqm. SPOS: 37sqm with min dimension of 5m and convenient access to living area. Dwelling 3: Total POS: 57.3sqm. SPOS: 31sqm with min dimension of 5m and convenient access to living area.
Decision	The design response.	RGZ1 only

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Guidelines	<p>The useability of the private open space, including its size and accessibility.</p> <p>The availability of and access to public or communal open space.</p> <p>The orientation of the lot to the street and the sun.</p>
Objective	<p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>

Clause 55.05-5 Solar access to open space objective

Title & Objective	<p>Standards</p> <p>Standard B29</p> <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Diagram B5 Solar access to open space</p>
Standard Met/Standard Not Met/NA	<p>Standard met</p> <p>Where possible, private open space is located on the north side of the dwellings.</p> <p>Standard not met</p> <p>Unit 1</p> <p>Wall height of unit 1 single storey component – 3.2m Requirement – 4.88m Provided – 5.9m</p> <p>Wall height of unit 1 double storey component – 5.3m Requirement – 6.77m Provided – 6.0m</p> <p>Unit 2</p> <p>Wall height of unit 1 single storey component – 3.7m Requirement – 5.33m Provided – 11.5m</p> <p>No walls north of the open space area for unit 3.</p>
Decision	<p>The design response.</p> <p>The secluded private open space area for dwelling 1 is</p>

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2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Guidelines	The useability and amenity of the secluded private open space based on the sunlight it will receive.	situated adjacent to the private open space area within the front setback. No built form is present to the east, or southern direct interfaces. Given these conditions, the secluded private open space area would still receive solar access from the east and south orientations as demonstrated by the shadow diagrams provided. The dwelling substantially exceeds the provision of private open space stated in the varied requirement in Schedule 1 to the General Residential Zone. Therefore, there would be adequate areas set aside for the recreational and leisure uses, as well as service areas for the dwelling without causing any loss of amenity for future residents of the dwelling.
Objective	To allow solar access into the secluded private open space of new dwellings and residential buildings.	✓ Objective met Given the reasons above, it is considered that the proposal meets the objective of Clause 55.05-5.

Clause 55.05-6 Storage objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	✓ Standard met Six cubic square metres of storage provided for each dwelling.
Objective	To provide adequate storage facilities for each dwelling.	

Clause 55.06-1 Design detail objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B31	The design of buildings, including: <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.	Standard met The dwellings incorporate an appropriate amount of articulation and detailing.
Decision	Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character. Any relevant neighbourhood character objective, policy or statement set out in this scheme.	✓ Standard met Garages are visually compatible with the development and neighbourhood character.

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Guidelines	<p>The design response.</p> <p>The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.</p> <p>Whether the design is innovative and of a high architectural standard.</p> <p>To encourage design detail that respects the existing or preferred neighbourhood character.</p>							
Objective								
Clause 55.06-2 Front fences objective								
Title & Objective	Standards	Standard Met/Standard Not Met/NA						
Standard B32	<p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> The maximum height specified in a schedule to the zone, or <p>All schedules to all residential zones:</p> <p>“Maximum 1.5 metre height in streets in Road Zone Category 1 1.2 metre maximum height for other streets”</p> <ul style="list-style-type: none"> If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table border="1" data-bbox="751 898 868 1615"> <thead> <tr> <th>Street Context</th> <th>Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td>Streets in a Road Zone, Category 1</td> <td>2 metres</td> </tr> <tr> <td>Other streets</td> <td>1.5 metres</td> </tr> </tbody> </table>	Street Context	Maximum front fence height	Streets in a Road Zone, Category 1	2 metres	Other streets	1.5 metres	<p>Standard met</p> <p>The proposal is considered to complement the design of the dwelling and front fences on adjoining properties</p> <p>Standard met</p> <p>1.2m high front fence proposed.</p>
Street Context	Maximum front fence height							
Streets in a Road Zone, Category 1	2 metres							
Other streets	1.5 metres							
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The setback, height and appearance of front fences on adjacent properties.</p> <p>The extent to which slope and retaining walls reduce the effective height of the front fence.</p> <p>Whether the fence is needed to minimise noise intrusion.</p> <p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p>							
Objective								

2.3.2 Town Planning Application - No. 34 Kirkham Road, Dandenong (Planning Application No. PLN18/0578) (Cont.)

Clause 55.06-3 Common property objectives

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B33		Developments should clearly delineate public, communal and private areas.	Standard met The proposed development would clearly delineate public, communal and private areas.
		Common property, where provided, should be functional and capable of efficient management.	Standard met Common property would be functional and capable of efficient management.
Objectives		To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.	
		To avoid future management difficulties in areas of common ownership.	

Clause 55.06-4 Site services objectives

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B34		The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.	Standard met The design and layout of the proposed development would provide sufficient space and facilities for services to be installed and maintained efficiently and economically.
		Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	Standard met
		Bin and recycling enclosures should be located for convenient access by residents.	Standard met Bins for each dwelling have been shown on the plans.
		Mailboxes should be provided and located for convenient access as required by Australia Post.	Standard met Mailboxes have been shown on the plans.
		The design response.	
Decision Guidelines			
Objectives		To ensure that site services can be installed and easily maintained.	
		To ensure that site facilities are accessible, adequate and attractive.	

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013)

File Id:	360831
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Section 173 Agreement. Chronology Document

Application Summary

Applicant:	Progress Earth Pty Ltd
Proposal:	Section 173 agreement – Seeking VCAT declaration regarding the interpretation of Clause 6
Zone:	Green Wedge Zone
Overlay:	Environmental Audit Overlay
Ward:	Lightwood

Council has received a planning application at the subject site for a renewable energy facility (solar farm) (PLN18/0688). As part of the assessment of this application, it was identified that some of the site is subject to a Section 173 Agreement. (Attachment 1) This Agreement primarily relates to the rehabilitation of the land after the cessation of the landfill activity, and contains a number of clauses, one of which was identified as potentially being contrary to the proposed use of the land for a solar farm. This clause (Clause 6) is as follows:

Upon cessation of the tipping operations on the land, the Owner at its own cost shall take appropriate steps to ensure the after use of the land for recreation purposes in accordance with the Heatherton-Dingley Chain of Parks Concept Plan – 1988. Such steps shall include:

- A. Control of an leachates; and*
- B. Control of methane of other gases; and*
- C. Landscape treatment; and*
- D. Removal of buildings or works are directed by the Council; and*
- E. Preparation of a "Master Plan" by a professional consultant mutually acceptable to the Owner and the Council who shall deal with the above issued.*

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

In response to this, the applicant for the solar farm submitted an application to Council to amend the Section 173 Agreement to delete this clause (OTH20/0013). The applicant's primary ground for deleting this clause is that the *Heatherton-Dingley Chain of Parks Concept Plan – 1988* is unable to be located, and as such the clause is void for uncertainty.

Council was assessing this application, and based on the information available at that time provided 'in principle' support for this application to amend the Section 173 agreement, given the above document was not able to be located. Given that the document has reference to land in the City of Kingston, attempts to locate the document included a request for a search of the Kingston City Council records, and they too have been unable to locate this document.

The applicant has now appealed both the planning permit application for the solar farm (on the basis of failure to determine the application within 60 statutory days), and the application to amend the Section 173 agreement to VCAT. Both of these matters are currently scheduled to be heard by VCAT at a seven (7) day hearing between 6th and 14th May 2021.

In addition to these appeals, the applicant has also lodged an application with VCAT to seek a 'declaration' from VCAT regarding the interpretation of the Section 173 agreement. It is this matter that this Council report relates to (the other VCAT matters above will be subject to a separate Council report at a later date). The declaration application is scheduled to be considered by VCAT on 21st January 2021.

The applicant is seeking a declaration from VCAT under Section 149A(1A) of the Planning and Environment Act 1987 that Clause 6 of the Section 173 Agreement:

- a) is not inconsistent with the proposed use of the Land for a Renewal Energy Facility (solar farm); alternatively
- b) is void for uncertainty.

Council now needs to establish a position for the upcoming VCAT hearing for the declaration, to determine if it agrees with the declaration or not. The outcome of the declaration hearing may have implications for the other appeals. In particular, if VCAT issues an Order that confirms the declaration sought, then there may be no need to further consider the application to amend the Section 173 agreement (as it will be declared that Clause 6 of the agreement is not inconsistent with the proposed use of the Land for the solar farm, and therefore, the proposed solar farm would not breach the agreement).

Assessment Summary

The application for the declaration to VCAT is based on two statements and respective grounds:

(a) That Clause 6 of the Agreement is not inconsistent with the proposed use of the Land for a Renewal Energy Facility (Solar Farm):

It is considered that Clause 6 imposes an obligation to ensure the land is used for recreational purposes following the cessation of the tipping operations.

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

However, it is recognised that the agreement does not place a specific timeframe on this to occur. In addition, the available supporting material contemplates the land being put to a use which complements or is compatible with the recreational purpose of adjacent public land.

If the solar farm was to be in place for a limited period, or complementary or compatible with a recreational purpose, it is considered that proposal would be consistent with the Agreement.

For example, it may be possible to construct the solar farm as well as a pedestrian path through the landscaped buffer areas or the provision of other recreational activities such as viewing platforms or educational recreation activities, which would result in the proposal complying with the Agreement.

It is therefore considered that Clause 6 imposes an obligation to ensure the land is used for recreational purposes following the cessation of the tipping operations, but that the land affected by the Section 173 Agreement could be utilised for (and still comply with the Agreement):

an appropriate interim land use, or used for recreation concurrently with an appropriate complementary and compatible interim land use being a solar farm.

(b) That Clause 6 of the Agreement is void for uncertainty:

Clause 6 of the Agreement makes reference to the *Heatherton-Dingley Chain of Parks Concept Plan – 1988*.

Despite extensive searches being conducted by Council officers, the applicant and other parties, the document entitled *Heatherton-Dingley Chain of Parks Concept Plan – 1988*, has not been able to be located.

Given the ambiguity of the wording of Clause 6 and in light of the absence of the *Heatherton-Dingley Chain of Parks Concept Plan – 1988*, it is appropriate to look behind the Agreement, at relevant historical material and permits, to seek to ascertain the meaning of Clause 6 and the intention of the parties at the time the document was prepared.

Having regard to all of the relevant material currently available, it cannot be said that Clause 6 is so uncertain to render it void.

Recommendation Summary

That Council resolves to adopt the following position at the upcoming VCAT declaration hearing:

- In respect of the first declaration being sought by the Applicant, Council supports the declaration with the following changes (changes in bold):

*That clause 6 of the Agreement is not inconsistent with the proposed use of the Land for a Renewal Energy Facility (solar farm) **on an interim basis or concurrently with a recreational use or if it is a use compatible with and complementary to the chain of parks concept and the recreational purpose of adjacent public lands, and provided that the future use of the Land is in accordance with Clause 6 of the Agreement.***

**2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South
(Planning Application No. OTH20/0013) (Cont.)**

- In respect of the second declaration, Council does not support the declaration that Clause 6 of the Agreement is void for uncertainty.

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)**Subject Site and Surrounds****Subject Site**

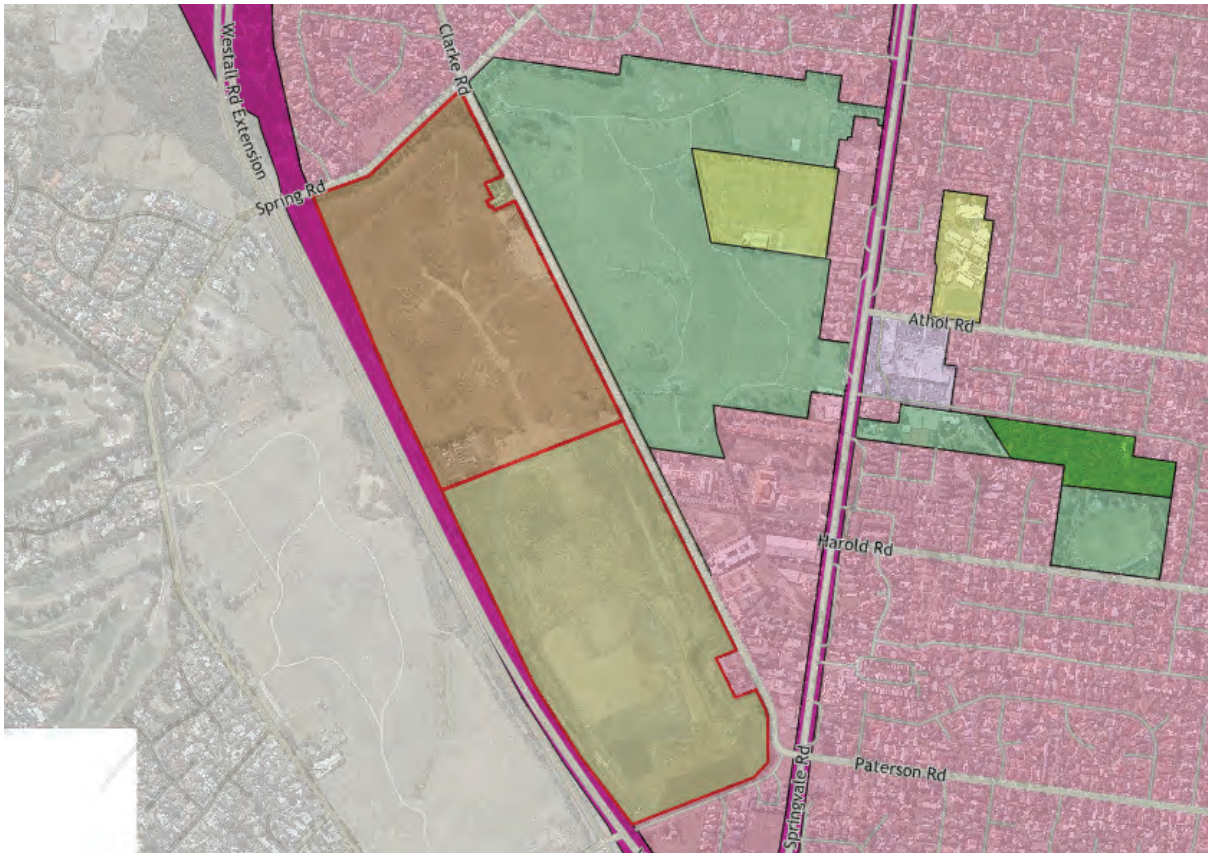
- The subject land is bound by Spring Road to the north, Clarke Road to the east, Rowan Road to the south and Westall Road to the west. The site takes up the entirety of the street block with the exception of four (4) residential properties situated on Clarke Road.
- The subject land comprises of 24 titles with the total land area being approximately 47 hectares.
- The subject land is generally vacant with the exception of minor outbuildings and infrastructure associated with the previous land use and ongoing rehabilitation works. The most notable feature on the site is the existing gas extraction facility in the central western part of the site.
- The subject land is generally devoid of vegetation due to the nature of the rehabilitation works but maintains periphery planting across Spring Road, Clarke Road and Rowan Road, inclusive of canopy trees and shrubbery.
- The subject land is currently accessed to the southern boundary along Rowan Road.
- The subject land maintains a significant grading from the site boundaries to the highest point of the cap with a rise of approximately 14.7 metres. The ground level peak is at 45.7 metres AHD.
- The subject land was previously used as a sand quarrying before being transformed into a putrescible and solid inert landfill which closed in 2003.
- The land is currently being rehabilitated in accordance with the requirements of the EPA and in response to a Pollution Abatement Notice 900003849.
- The rehabilitation works being undertaken primarily relate to the improvement of the landfill cap.

Surrounding Area

- The subject land is located within a network of existing and former landfills and extractive industries that span between Kingston City Council and Greater Dandenong City Council.
- The subject land forms the middle section of three (3) former landfills with one located to the west (opposite side of Westall Road) and one located to the east (opposite side of Clarke Road). Both are now used as public open space.
- The surrounding land is characterised primarily by residential and open space land uses, interspersed with other compatible uses (aged care, place of worship and the like).
- The surrounding residential land is zoned within the General Residential Zone and subject to incremental development changes over a period of time.
- The subject land has strong access connections to both Westall Road and Springvale Road, both nominated as primary arterials.

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

Locality Plan



Background

Current Applications

There are currently two (2) active applications in relation to the subject site as follows:

1. Planning Application PLN18/0688 for the use and development of the land for a renewable energy facility (solar energy facility).

The applicant has submitted an application for review to VCAT under Section 79 of the Planning and Environment Act 1987 against Council's failure to make a decision on the application within the prescribed timeframe (60 days).

No decision or recommendation has been made by Council in relation to this application to date.

2. Application OTH20/0013 to Amend Section 173 Agreement R325593X (Agreement) identified on land at 66-68 and 98-100 Clarke Road, Springvale South by way of removing Clause 6 of the Agreement under Section 178A of the Planning and Environment Act 1987.

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

Council has provided the applicant with 'in principle' support for the amendment of the Agreement, however no decision or recommendation has been made by Council in relation to this application to date.

This application has also been appealed to VCAT under Section 184(2)(a) of the Planning and Environment Act 1987.

Proposal

In addition to the above, the applicant has also sought a declaration from VCAT under Section 149A(1A) of the Planning and Environment Act 1987 that Clause 6 of the Section 173 Agreement (R325593X) is:

(a) not inconsistent with the proposed use of the Land for a Renewable Energy Facility (solar farm); alternatively.

(b) void for uncertainty.

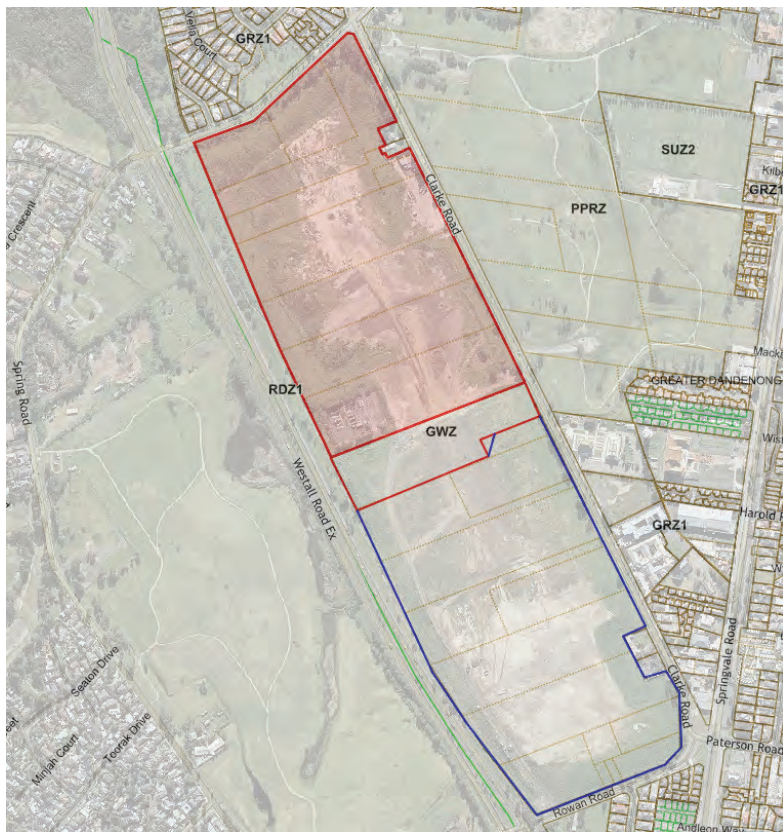
It is this declaration application under Section 149(1A) of the Planning and Environment Act 1987 that is the subject of this Council report.

This declaration matter is due to be heard at VCAT on 21 January 2021, with the other applications (PLN18/0688 and OTH20/0013) to be heard at VCAT on 6 to 14 May 2021.

This declaration matter is to be heard first as the outcome of this will may have implications for the other two applications, and in particular the appeal to amend the Section 173 agreement (OTH20/0013). If the declaration is issued as sought by the applicant, it is unlikely that the OTH20/0013 application will need to be pursued, as it will have been declared that Clause 6 of the agreement is not inconsistent with the proposed solar farm use and therefore, the proposal is in accordance with the Section 173 agreement in its current form, and does not need to be amended.

The Section 173 Agreement covers the land as outlined in red on the following plan.

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)



Redline = Area of overall site affected by Section 173 Agreement

Blueline = Area of overall site not affected by Section 173 Agreement

Previous Applications

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

- Permit No. 1545 was issued on 1 June 1956 by the then Melbourne and Metropolitan Board of Works to use part of the land for extractive industry.
- Permit No. 3879 was issued on 28 September 1956 by the then Melbourne and Metropolitan Board of Works to use part of the land for extractive industry.
- Permit No. 101073B was initially issued on 2 July 1982 and re-issued on 11 January 1984 and on 6 September 1984 by the then Melbourne and Metropolitan Board of Works to use part of the land for the purpose of a private rubbish tip.
- Permit No. 76/90 was issued on 2 October 1990 by the former City of Springvale for the purpose to use the land for a private rubbish tip.
- Permit No. 1999/762 was issued on 05/07/2000 to use and develop the premises bounded by Clarke Road, Rowan Road, Spring Road and the Westall Road Extension, Springvale South, for the purpose of a Golf Course and associated facilities (Including a Golf Club Clubhouse and Driving Range), all in accordance with the endorsed plans.

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

- Permit No. PLN08/0410 which sought the use and develop the land for the purpose of a landfill (earthworks), to construct an earthen dam and to use the land for the purpose of a refuse transfer station was refused on 03/08/2009.
- Permit No. PLN10/0042 which sought the use and develop the land for the purpose of a landfill (no other details on file) was refused on 25/03/2010.

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

No financial resources are impacted by this report.

Planning and Environment Act 1987 (the Act)

Section 149 of the act outlines that:

Pursuant to Section 149A(1A) of the Act, a [specified person](#) or a party to the agreement may apply to the [Tribunal](#) for the determination of a matter relating to the interpretation of an agreement under section 173.

Council Plan 2017-2021 – Strategic Objectives, Strategies and Plans

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

Diversity (Access & Equity)

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

Community Safety

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

Safe Design Guidelines

Consideration of the relevant requirements of these Guidelines has been undertaken within the assessment of this matter.

Referrals

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

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

Internal

The application was not required to be internally referred.

Advertising

As this matter relates to a request for a declaration on the interpretation of a Section 173 Agreement under Section 149(1A) of the Planning and Environment Act 1987, it is not subject to notification.

Dependent on the outcome of this matter, if the VCAT appeal for the amendment to the Section 173 agreement (OTH20/0013) proceeds, a public notification process will be undertaken prior that VCAT hearing.

It is also noted that a public notification process has been undertaken in relation to the planning application for the proposed renewable energy facility (solar farm) (PLN18/0688), and the 162 submissions received as part of that process will be considered when Council determines its position on the planning application.

Assessment

Pursuant to Section 149A(1A) of the Planning and Environment Act, a person that is a party to an agreement may apply to VCAT for the determination of a matter relating to the interpretation of an agreement under Section 173.

The Applicant seeks a declaration under s149A(1A) of the Planning and Environment Act 1987 concerning Clause 6 of the registered Section 173 Agreement relating to the land.

Clause 6 of the Agreement is set out below (a full copy of the agreement can be found at Attachment 1):

Upon cessation of the tipping operations on the land, the Owner at its own cost shall take appropriate steps to ensure the after use of the land for recreation purposes in accordance with the Heatherton-Dingley Chain of Parks Concept Plan – 1988. Such steps shall include:

A. Control of an leachates; and

B. Control of methane of other gases; and

C. Landscape treatment; and

D. Removal of buildings or works are directed by the Council; and

E. Preparation of a "Master Plan" by a professional consultant mutually acceptable to the Owner and the Council who shall deal with the above issued.

Council officers have considered the declarations being sought by the applicant in the declaration proceeding, and in particular, the interpretation of Clause 6 of the Agreement.

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

For ease of reference, the declarations being sought by the applicant are set out below:

That clause 6 of the Agreement is:

(a) not inconsistent with the proposed use of the Land for a Renewal Energy Facility (solar farm); alternatively

(b) void for uncertainty.

In respect of the above declarations, the applicant relies on the following two (2) respective grounds. A Council officer assessment is provided below for each ground.

That clause 6 of the Agreement is:

(a) not inconsistent with the proposed use of the Land for a Renewal Energy Facility (solar farm); alternatively

Ground 1:

The phrase "take appropriate steps to ensure the after use of the land for recreational purposes" does not mean that the Subject Land can only be used for recreational purposes. Rather, it imposes an obligation to ensure that the Subject Land is able to be used (i.e. is suitable) for recreational purposes. The clause is able to be satisfied by the preparation of a "Master Plan" (by a professional consultant mutually acceptable to the Owner and the Council) that deals with at least the following issues (and any other issues required to ensure the suitability of the land for recreational purposes):

(a) Control of an leachates;

(b) Control of methane of other gases;

(c) Landscape treatment; and

(d) Removal of buildings or works are directed by the Council.

Council Officer Response:

The applicant is effectively seeking a declaration to say that the land does not ever have to be used solely for recreational purposes, and rather only needs to be 'suitable' for this purpose.

Council officers disagree with this interpretation, as the wording proposed by the applicant, '*is able to be used (i.e. is suitable) for recreational purposes*' does not expressly appear in Clause 6.

However, officers acknowledge that there is a level of ambiguity in the clause, and in particular what is meant by the words '*ensure the after use of the land*', as it doesn't expressly say '*ensure the land will be used for...*' (i.e. actually used) or '*ensure the land must be used for...*'. However, it also does not say '*ensure the land is able to be used or '*is suitable for*', as put forward by the applicant. Where ambiguity exists, Council is entitled to look behind the Agreement to ascertain the meaning of those words within the Agreement and the intention of the parties at the time the Agreement was prepared.*

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

After a detailed review of historic files, the compilation of a chronology of events and having regard to Clause 22.01 – Chain of Parks of the Greater Dandenong Planning Scheme, the policy reference document - *Sandbelt Open Space Project Development Plan (Melbourne Parks and Waterways 1994)*, as well as the *Heatherton-Dingley Sand Extraction Area Chain of Parks – 1988 (Sand Extraction Area Report)* it is considered that:

- The Agreement contemplates that the land will be utilised in the future for recreation purposes, although it does not place a specific timeframe for this to occur. While the supporting materials recognise the use of the land for recreation will not occur in the short term, it is clear it is intended to be occur over the longer term.
- The use of the land for recreation purposes does not necessarily mean public recreation (as the land is in private ownership), and the supporting materials contemplate that the land could be put to uses which complement or are compatible with the recreational purpose of adjacent public lands.
- The entirety of the site is not required to be used for recreational purposes, and rather could be used in part for recreational purposes, and in part for other uses that complement or are compatible with a recreational use.

Based on these three points, it is considered by officers that the proposed solar farm could be consistent with the Section 173 agreement, for the following reasons:

- The use could be assessed as an interim use, and to that extent a condition or other legal mechanism could be imposed on any planning permit issued to limit the timeframe that the site can be used for this purpose;
- A proposal could contain areas of recreation such as linear parks, pathways, viewing platforms, landscaping or educational facilities, with the proposal designed in a such a way that the solar farm does complement or is compatible with this recreational use; and
- The proposal could provide links and connections from other adjacent parks or recreational areas.

While Council officers do not agree with the applicants statement that the Section 173 Agreement only requires to the land to be 'suitable' for recreational purposes (and not actually used for recreational purposes), officers consider that the Agreement does allow interim uses, or uses that complement or are compatible with a recreational use. Therefore, it is considered that a solar farm use (subject to conditions) could operate on the site in accordance with the existing Section 173 agreement.

That clause 6 of the Agreement is:***(a) void for uncertainty.*****Ground 2:**

Alternatively, Clause 6 is void for uncertainty because the Heatherton-Dingley Chain of Parks Concept Plan – 1988 cannot be identified. Neither of the 'concept plans' referred to in the 1988 HDTC Report have this title, and neither can sensibly serve as a plan to inform the requirement in the Agreement to "take appropriate steps to ensure the after use of the land for recreation purposes".

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)**Council Officer Response:**

The applicant puts forward the view that Clause 6 is 'void for uncertainty' because the *Heatherton-Dingley Chain of Parks Concept Plan – 1988* cannot be identified or found.

Despite extensive searches, Council officers, the applicant and other parties have not been able to locate the document entitled *Heatherton-Dingley Chain of Parks Concept Plan – 1988*.

Given the ambiguity of the wording of Clause 6 and in light of the absence of the *Heatherton-Dingley Chain of Parks Concept Plan – 1988*, it is appropriate to look behind the Agreement at relevant historic documents and permits to seek to understand the meaning of Clause 6 and the intention of the parties at the time the document was prepared.

Having reviewed the relevant historic background documents (see Attachment 2), Council officers do not consider that Clause 6 is so uncertain so as to be void for the following reasons:

- While the *Heatherton-Dingley Sand Extraction Area Chain of Parks – 1988* (Sand Extraction Area Report) does not contain a plan entitled *Heatherton-Dingley Chain of Parks Concept Plan – 1988*, a review of this document identifies that this report is clearly a relevant document in relation to the chain of parks concept.
- Supporting this view is a letter in 1990 from the Department responding to Council's referral of Permit Application 76/90, which states: 'Finally, this land is affected by the Chain of Parks Concept Plan 1988, the extract from the Chain of Plans Report is considered helpful when Council considers the after use of the land. The letter proceeds to include a extract from page 75 the Sand Extraction Area Report.
- It is most likely that the *Heatherton-Dingley Chain of Parks Concept Plan – 1988* was prepared following the preparation of the Sand Extraction Area Report, or is one of the plans contained within the Sand Extraction Area Report but the Agreement has not described the name of the document with precision.
- In February 1992, a plan entitled *Heatherton Dingley Chain of Parks Concept Plan* was prepared by Deloitte Ross Thomatsu for Melbourne Water and the Cities of Moorabbin, Oakleigh and Springvale. While the name of the plan is the same as that referred to in Clause 6 of the Agreement, the date is incorrect. Officers understand the *Heatherton Dingley Chain of Parks Concept Plan – 1992* forms an appendix to the Implementation Strategy for the Chain of Parks prepared by Deloitte in 1992. That document ultimately lead to the preparation of Sandbelt Open Space Project Development Plan (Melbourne Parks and Waterways 1994) (which remains a 'policy reference' in Clause 22.01 of the Scheme today).
- Officers believe that the *Heatherton Dingley Chain of Parks Concept Plan - 1992* and subsequent strategic work may have updated, supplemented or superseded the 1988 work.
- Contrary to the Applicant's ground number two (2), officers are of the view that the Sand Extraction Area Report (including the concept plans contained within it) and the subsequent strategic work could sensibly serve as plans to inform the requirement in the Agreement to 'take appropriate steps to ensure the after use of the land for recreation purposes'.

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

Having regard to this relevant historic material, it cannot be said that Clause 6 is so uncertain so as to be considered void. Rather, the Sand Extraction Area Report (including the concept plans contained within it), and the subsequent chain of parks strategic work, could sensibly serve as plans to inform the requirement in the Agreement. It is clear from the content of these other documents which are linked to the *Heatherton-Dingley Chain of Parks Concept Plan – 1988* that there is sufficient understanding of the intent of that document. Thus, it cannot be supported that Clause 6 of the Section 173 Agreement is void for uncertainty.

Recommendation

That Council resolves to adopt the following position at the upcoming VCAT declaration hearing:

- (a) In respect of the first declaration being sought by the applicant, Council supports the declaration with the following changes (changes in italics):

“That Clause 6 of the Agreement is not inconsistent with the proposed use of the Land for a Renewable Energy Facility (solar farm), on an interim basis or concurrently with a recreational use or if it is a use compatible with and complementary to the chain of parks concept and the recreational purpose of adjacent public lands, and provided that the future use of the Land is in accordance with Clause 6 of the Agreement.”

- (b) In respect of the second declaration being sought by the applicant, Council does not support the declaration that Clause 6 of the Agreement is void for uncertainty.

**2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South
(Planning Application No. OTH20/0013) (Cont.)**

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NOS. 66-88, 98-100 AND 168-222
CLARKE ROAD, SPRINGVALE SOUTH (PLANNING APPLICATION NO.
OTH20/0013)**

ATTACHMENT 1

SECTION 173 AGREEMENT

PAGES 7 (including cover)

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

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

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Artist's Practice of 2014
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MACPHERSON & KELLEY
VICTORIA

APPLICATION BY A RESPONSIBLE AUTHORITY UNDER SECTION 181
PLANNING AND ENVIRONMENT ACT 1987
FOR ENTRY OF A MEMORANDUM OF AGREEMENT UNDER SECTION 173
OF THE ACT

The Responsible Authority under the Planning Scheme having entered into an Agreement with the parties named for the land described requires that a Memorandum of the Agreement be entered on the Certificate of Title to the land referred to:

- LAND:
- LOT 77 ON PLAN OF SUBDIVISION NO. 4681 AND BEING THE LAND REMAINING IN CERTIFICATE OF TITLE VOLUME 6432 FOLIO 305,
 - PART OF LOT 77 ON PLAN OF SUBDIVISION NO. 4681 AND BEING THE WHOLE OF THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 6432 FOLIO 306,
 - PART OF LOT 75 ON PLAN OF SUBDIVISION NO. 4681 AND BEING THE WHOLE OF THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 9325 FOLIO 162,
 - LOT 2 ON PLAN OF SUBDIVISION NO. 27949 AND BEING THE LAND REMAINING IN CERTIFICATE OF TITLE VOLUME 8046 FOLIO 098,
 - LOT 73 ON PLAN OF SUBDIVISION NO. 4681 AND BEING THE WHOLE OF THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 4057 FOLIO 235,
 - LOT 74 ON PLAN OF SUBDIVISION NO. 4681 AND BEING THE WHOLE OF THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 4240 FOLIO 957,
 - LOT 1 ON PLAN OF SUBDIVISION NO. 27949 AND BEING THE WHOLE OF THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 8817 FOLIO 957,
 - LOT 2 ON PLAN OF SUBDIVISION NO. 96617 AND BEING THE LAND REMAINING IN CERTIFICATE OF TITLE VOLUME 8965 FOLIO 826.

A memorandum of the within instrument has been entered in the Register Book.



2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

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J. N. MARTIN & PARTNERS
AGREEMENT PURSUANT TO SECTION 173
PLANNING & ENVIRONMENT ACT 1987

AMENDED
16/01/2021
No. 1 of 2021
Sub. No. 100/2021

THIS AGREEMENT is made the 19th day of February One thousand nine hundred and ninety^{eight}.

BETWEEN: WALTOP PTY. LTD. of 47 Robinson Street, Dandenong in the State of Victoria ("the Owner") of the one first part

AND

THE MAYOR COUNCILLORS AND -RATEPAYERS OF THE CITY OF SPRINGVALE of Municipal Offices, 397-405 Springvale Road, Springvale in the said State ("the Council") of the other part

RECITALS

WHEREAS

- A. The Owner is entitled to be registered as the proprietor of all that piece of land being part of Lot 77 on Plan of Subdivision No: 4681 and being the land remaining in Certificate of Title Volume 6432 Folio 305, and part of Lot 77 on Plan of Subdivision No: 4681 and being the whole of the land described in Certificate of Title 6432 Folio 306, and part of Lot 75 on Plan of Subdivision No: 4681 and being the whole of the land described in Certificate of Title Volume 9325 Folio 162, and Lot 2 on Plan of Subdivision No: 27949 and being the land remaining in Certificate of Title Volume 8046 Folio 098, and Lot 73 on Plan of Subdivision No: 4681 and being the whole of the land described in Certificate of Title Volume 4057 Folio 235, and Lot 74 on Plan of Subdivision No: 4681 and being the whole of the land described in Certificate of Title Volume 4240 Folio 957, and Lot 1 on Plan of Subdivision No: 27949 and being the whole of the land described in Certificate of Title Volume 8817 Folio 957, and Lot 2 on Plan of Subdivision No: 96617 and being the land remaining in Certificate of Title Volume 8965 Folio 826, and Lot 72 on

**2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South
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Plan of Subdivision No: 4681 and being the whole of the land described in Certificate of Title Volume 4597 Folio 206 and being the land situate at 94-96 and 116-156 Clarke Road, Springvale ("the land").

- B. The Owner is the successor in title to the land from PIROTTA INDUSTRIES PTY. LTD. which company has obtained a Town Planning Permit issued by the Council numbered 76/90 issued on 2nd October 1990 ("the Permit") for to use the land for the purpose of a private rubbish tip in accordance with the plans to be submitted and subject to conditions contained in the Permit, inter alia, requiring the Owner to enter into this Agreement and such Permit is of no force or effect until the Owner has entered into this Agreement.

NOW IT IS THEREFORE EXPRESSLY AGREED by and between the parties hereto as follows:-

1. The parties hereto acknowledge that this Agreement is made pursuant to the provisions of Section 173 of the Planning and Environment Act and the conditions of the Permit and that the provisions of this Agreement are intended by them to run with the land and the registered proprietor HEREBY CONSENTS to any application the Council may make for the entry of a memorandum of this Agreement on the Certificates of Title referred to in Recital A hereto or any other Certificate or Certificates of Title which may subsequently issue from the Land Titles Office in respect of the land and shall take all steps and sign all documents reasonably required of them to enable such entry to take place.
2. The expression "the Owner" shall be deemed to include the registered proprietor, its successors, transferee and assigns, the registered proprietor for the time being of the land or any relevant part thereof and the obligations imposed on and assumed by the registered proprietor shall also be binding on his successors, transferees, purchasers, mortgagees, assigns and any person obtaining possession of the whole or part of the land (hereinafter called "the Successors") as if each of those successors had separately executed this Agreement.

**2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South
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3. The Owner agrees that tipping on the land shall cease no later than 30th day of September 1996 ("the expiry date") PROVIDED THAT where upon the application of the Owner for an extension of the expiry date the Council reasonably considers that all space available for tipping shall be exhausted within eighteen months or less of the expiry date then Council may extend the expiry date to a date not more than eighteen months after the expiry date.
4. Notwithstanding the provisions of clause 3 herein, should at the expiry date of 30th day of September 1996 space remains available for tipping on the land and the South Eastern Regional Refuse Disposal Groups tipping facility in Clarke Road, Springvale is filled or not in use the Owner agrees to take refuse from the Region at an agreed commercial rate so as to ensure early completion of the tip. It is further acknowledged by the Owner that in circumstances where this clause shall become operative the Region may be required to manage and control the tip.
5. The Owner at its own cost shall backfill the area of land within the Proposed Dingley Freeway Reserve in accordance with the requirements of Vic. Roads and to the satisfaction of the Council.
6. Upon cessation of tipping operations on the land, the Owner at its own cost shall take appropriate steps to ensure the after use of the land for recreation purposes in accordance with the Heatherton-Dingley Chain of Parks Concept Plan - 1988. Such steps shall include:-
 - A. control of any leachates; and
 - B. control of methane or other gases; and
 - C. landscape treatment; and
 - D. removal of buildings or works as directed by the Council; and
 - E. preparation of a "Master Plan" by a professional consultant mutually acceptable to the Owner and the Council who shall deal with the above issued.
7. This Agreement shall be of no force or effect until the Owner has paid the legal costs of Council and Vic. Roads of and incidental to the preparation of this

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

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Agreement and all attendances and correspondence relating thereto and all stamp duty, any Land Titles Office fees and other disbursements thereon.

- 8. (a) This Agreement shall begin on the execution thereof.
- (b) This Agreement shall end upon the completion by the Owner of its obligations pursuant to clauses 5, 6 and 7 hereof.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

THE COMMON SEAL of WALTOP)
PTY, LTD. was hereunto)
affixed in accordance with its)
Articles of Association in the)
presence of:-)



[Signature] Director

[Signature] Secretary

THE COMMON SEAL of THE MAYOR)
COUNCILLORS AND RATEPAYERS OF)
THE CITY OF SPRINGVALE was)
hereunto affixed in the presence)
of:-)

[Signature] Mayor

[Signature] Councillor

[Signature] Town Clerk

**2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South
(Planning Application No. OTH20/0013) (Cont.)**

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LOT 72 ON PLAN OF SUBDIVISION NO. 4681 AND
BEING THE WHOLE OF THE LAND DESCRIBED IN
CERTIFICATE OF TITLE VOLUME 4597 FOLIO 206

ADRESS OF THE LAND: 94-96 and 116-156 CLARKE ROAD,
SPRINGVALE

RESPONSIBLE AUTHORITY: THE MAYOR COUNCILLORS AND CITIZENS
OF THE CITY OF SPRINGVALE

PLANNING SCHEME: SPRINGVALE PLANNING SCHEME

AGREEMENT DATE: DECEMBER 10, 1990

AGREEMENT WITH: WALTOP PTY. LTD.

A copy of the Agreement is attached to this Application.

DATED this 15th day of April 1991.

SIGNATURE FOR THE RESPONSIBLE AUTHORITY -

NAME OF OFFICER - *Jan Tattersall*

DATE - 15/4/91


TOWN CLERK/CHIEF EXECUTIVE OFFICER

1720a/50

**2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South
(Planning Application No. OTH20/0013) (Cont.)**

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NOS. 66-88, 98-100 AND 168-222
CLARKE ROAD, SPRINGVALE SOUTH (PLANNING APPLICATION NO.
OTH20/0013)**

ATTACHMENT 2

CHRONOLOGY DOCUMENT

PAGES 5 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

CHRONOLOGY OF EVENTS – 66-88, 98-100,168-222 Clarke Road, Springvale South

Year	Event
1956	Planning Permit Nos. 1545 & 3879 issued by the Board of Works for use of part of the land for extractive industry.
1982	Application for Review No. X81/1081B lodged by permit applicant against the Board of Works' refusal to grant a planning permit for a private rubbish tip. The Planning Appeals Board directs that a permit be issued for a private rubbish tip, subject to conditions. Planning Permit No. TP101073B issued on 2 July for use of part of the land for the purpose of a rubbish tip.
1988	<i>Heatherton Dingley Sand Extraction Area Chain of Parks</i> report prepared, which includes the 'Heatherton Dingley Regional Park Concept Plan'. The Subject Land is shown as land required for the park concept and a detailed plan of the proposed future use and layout of the Subject Land is included in the report.
February 1990	Planning permit application no. 76/90 lodged by permit applicant for a private rubbish tip.
April 1990	Permit applicant submits response to Council's RFI, noting the proposed end use of the site is for 'passive recreation'.
(date unknown)	Permit applicant sends a cover letter to residents enclosing notice of planning permit application in relation to the property 'on the corner of Clarke and Spring Roads, for use as a landfill site'. The cover letter states 'we have kept abreast with the chain of parks concept since its inception and acknowledge the proposed end use of the site for passive recreation'.
June 1990	The Department of Urban Growth (DPUG) responds to Council's referral of planning permit application 76/90, noting that the Subject Land is affected by the 'Chain of Parks Concept Plan 1988'. This letter contains an extract from what the Department refers to as the 'Chain of Parks Report' which refers to interim uses of the land 'if park use is not to be established immediately'. This extract is from page 75 of the <i>Heatherton Dingley Sand Extraction Area Chain of Parks</i> report (1988).
July 1990	Council considers planning permit application no. 76/90 at a Council meeting. Officer reports MPS/281 and MPS/287 set out the officer's assessment of the application and recommendation to grant a permit subject to conditions, including that 'final levels must have regard to the suitability of the land for a recreation after use' and the owner must enter into a Section 173 Agreement that provides (amongst other things), 'upon cessation of the use, appropriate steps shall be taken to ensure the after use of the site for recreation purposes in accordance with the Heatherton-Dingley Chain of Parks Concept Plan – 1988'. In officer report MPS/281, the officer notes that the 'proposed end use of the site is for passive recreation' and that the land is 'ear marked in the Heatherton/ Dingley Chain of Parks Study for acquisition for public open space'. The officer also summarises DPUG's referral response (and includes the extract described above in relation to 'interim land uses') and notes 'the above requirements and conditions may be addressed or included as conditions of permit'. On 19 July 1990, Council issues a notice of decision to grant Planning Permit No.76/90.
1990	Application for Review 1990/30779 lodged by an objector in respect of planning permit application no. 76/90.

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

September 1990	The Administrative Appeals Tribunal of Victoria directs that a permit be issued in respect of planning permit application no. 76/90, subject to conditions.
5 October 1990	Planning Permit No.76/90 is issued by Council (1990 Permit).
December 1990	Council considers and signs the Section 173 Agreement required pursuant to a condition of the 1990 Permit.
1991	Permit holder submits plans to Council for endorsement under the 1990 Permit. In the covering letter, it states that the landscape treatment of the Subject Land will be 'subject to the owners final decision regarding the end use of the site in line with the overall development of the area and conformity with the general provisions of the Heatherston Dingley Chain of Parks Concept Plan 1988.'
26 March 1991	1990 Permit amended.
1992	1990 Permit amended 3 times (28 January, 15 April and 17 December). <i>Implementation Strategy for the Chain of Parks</i> report prepared by Deloitte Ross Tohmatsu, Perrot Lyon Mathieson and Corrs Chambers Westgarth for Melbourne Water and the Cities of Moorabbin, Oakleigh and Springvale (<i>Implementation Strategy</i>). The report notes that the 'concept of developing a park after completion of sand extraction and landfill in the Heatherston Dingley area has been supported since the early 1970's.' The Heatherston-Dingley Chain of Parks Concept Plan – dated February 1992 is included as an attachment to this report.
19 April 1993	1990 Permit amended.
28 March 1994	Council considers a request for an amendment to the 1990 Permit at a Council meeting. Attachment D to the officer report (Item No.DDS/91) is a 'Locality Plan' which shows the southern portion of the Subject Land as 'Proposed Public Open Space'.
30 March 1994	1990 Permit amended.
April 1994	1990 Permit amended 2 times (12 April and 28 April).
May 1994	<i>Sandbelt Open Space Project Development Plan</i> prepared by Melbourne Parks and Waterways, following the preparation of the Implementation Strategy. The report notes that 'Golf is recommended as a key theme for the Sandbelt Open Space Project'. Figure 7 of this report identifies the Subject Land and the area surrounding it as 'Parkland Activity'. Figure 9 of this report identifies the Subject Land as predominantly 'Other proposed public and private compatible activities' with a small portion of 'proposed core parkland' in the south eastern corner of the land. This document is presently a 'policy reference' in clause 22.01 of the Scheme.
1997	Permit holder writes to Council to request an extension of time to the Permit until 26 September 1999.
29 July 1998	Planning permit application no. 98/145 refused by Council, seeking to use the land for the purpose of a waste recycling and transfer station.

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

October 1998	A consultant associated with the Subject Land writes to Council regarding altering the 1990 Permit to change the final contour levels to allow it to be used as a golf course after the cessation of tipping. Council writes to consultant requesting further information regarding the proposed use of the Subject Land for a golf course, including the layout of the golf course.
December 1998	A consultant associated with the Subject Land writes to Council, noting they are required to rehabilitate the Subject Land and that it will be used as a golf course.
18 January 1999	A consultant associated with the Subject Land writes to Council regarding modifications to the contours so it can be used for a golf course.
March 1999	Application for Review No. 1998/63623 lodged in respect of Council's refusal to grant planning permit application no. 98/145 for use of the land for a transfer station.
16 May 1999	The Tribunal determines Application for Review No. 1998/63623, directing that no permit issue. The Tribunal ultimately found that the proposal for a transfer station 'will have a significant impact on the future of the linear park that is set up together with surrounding land to operate as a regional metropolitan park'.
28 July 1999	A consultant associated with the Subject Land writes to Council, noting the Subject Land is proposed to be developed as part of a golf course.
January 2000	Application for Review No. 1999/92968 lodged by Council for an enforcement order against the private operators and owners of the Subject Land to cease the unauthorised use of the land for a transfer station.
31 May 2000	The occupier writes to Council and undertakes to cease the use of the Subject Land 4 years from April 2000.
July 2000	Planning Permit No. 99/762 issued for the Subject Land to use and develop the land for an Outdoor Recreation Facility (Golf Course and Driving Range) with associated facilities (Golf Course Permit). (Since the Golf Course Permit was issued, five separate requests for an extension of time have been submitted to and granted by Council.)
7 March 2001	Enforcement Order made by the Tribunal in Application for Review No. 1999/92968, by consent of the parties, including (amongst other things) that the use of the land for the propose of a refuse transfer station must cease and reclamation and rehabilitation works must be completed by 19 February 2003.
2002	Council writes to the owner and occupier regarding rehabilitation of the Subject Land. The letter to the owner advises that the reclamation and rehabilitation works are to be carried out and completed by 19 February 2003.
2003	Application lodged by Council for an enforcement order against the owner and operator of the Subject Land for contravention of the requirements of the Golf Course Permit and for failure to comply with VCAT Order 1999/92968 which required that the land cease being used as a rubbish tip and waste transfer station after 19 November 2002.
May 2005	A 'Preliminary' Masterplan for the Westall Links Golf Course is provided to Council under the Golf Course Permit.
August 2005	Enforcement order issued by Tribunal requiring respondent to cease contravention of condition 8 of the Golf Course Permit requiring that remedial

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - Nos. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. OTH20/0013) (Cont.)

	works be performed on the Subject Land and that all deposited waste be removed and disposed of at appropriately licensed facilities.
2008	Council writes to the Golf Course Permit holder consenting to its request for an extension of time to allow a further 2 years in which to commence and complete the development.
2009	Council considers planning permit application no PLN08/0410 seeking to 'use and develop the land for the purpose of a landfill (earthworks), to construct an earthen dam and to use the land for the purpose of a refuse transfer station' at a Council meeting. On 3 August, Council issues a Notice of Refusal to Grant Planning Permit PLN08/0410.
2010	Planning permit application no. PLN10/0042 is submitted to Council to 'use and develop the land for the purpose of landfill (earthworks)'. Council's internal Strategic Planning Officer in a referral response notes that the fill heights for PLN10/0042 'should be at a level where the current zoning can be used for public parks and recreational based uses.' The Department of Sustainability and Environment provides a referral response in respect of planning permit application no. PLN10/0042 and refers to the <i>Sandbelt Open Space Development Plan</i> that shows part of the Subject Land as proposed 'core parkland'. Council considers planning permit application no. PLN10/0042. Council issues a Notice of Refusal to Grant Planning Permit PLN10/0042.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623)

File Id:	201095
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plans Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

Application Summary

Applicant:	QC Phung
Proposal:	Development of the land for three (3) dwellings (two (2) double storey dwellings and one (1) single storey dwelling) to the side of an existing double storey dwelling
Zone:	General Residential Zone Schedule 1
Overlay:	Nil
Ward:	Springvale South

The application proposes the development of the land for three (3) dwellings (two (2) double storey dwellings and one (1) single storey dwelling) to the side of an existing double storey dwelling.

A permit is required pursuant to Clause 32.08-6 of the Greater Dandenong Planning Scheme for the construction of two or more dwellings on a lot in a General Residential Zone.

This application has been brought to a Council meeting as it has received six (6) objections.

Objectors Summary

The application was advertised to the surrounding area through the erection of a notice on-site and the mailing of notices to adjoining and surrounding owners and occupiers. Six (6) objections were received to the application.

Issues raised generally relate to matters of:

- Lack of Parking
- Overdevelopment
- Lack of space for the bins

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- Increased noise
- Increased traffic
- No footpaths creating unsafe environment for pedestrians
- Loss of privacy
- Overshadowing

Assessment Summary

The subject site is located within an established residential area and is well suited to medium density housing given it is zoned for incremental change and located within the Principal Public Transport Network (PPTN).

The development is respectful of the neighbourhood character by providing three (3) dwellings (two double storey dwelling and one (1) single storey dwelling) to the side of an existing double storey dwelling, with separation between those dwellings at the upper floors, and through the incorporation of setbacks from the side and rear boundaries for landscaping. It is considered that the development is site responsive and would contribute positively to the surrounding area.

The proposal would meet Council's expectations for medium density development which is guided by the policy expectations and design principles of Clause 22.09 *Residential Development and Neighbourhood Character* and the objectives of Clause 55 *Two or more dwellings on a lot*.

The proposed development of the land for three (3) dwellings (two (2) double storey dwellings and one (1) single storey dwelling) to the side of an existing double storey dwelling has been assessed against the relevant decision guidelines and is considered appropriate, subject to permit conditions.

Recommendation Summary

As assessed, the proposal is consistent with and appropriately responds to the provisions of the Greater Dandenong Planning Scheme. The proposal appropriately responds to strategic policy for residential development in the area with this report recommending that the application be supported, 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.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Subject Site and Surrounds

Subject Site

- The subject site is on the west side of Wirilda Court and located within a court bowl.
- The site is an irregular (triangular) in shape, with a curved frontage to Wirilda Court.
- The site is slightly sloping, rising by 760mm from the front (southeast) to the rear (north) of the site.
- The site has a frontage (east boundary) of 25.60 metres (radius), the south boundary is 43.16 metres, the rear boundary (west) is 60.84 metres, and the north-east boundary is 58.72 metres.
- The overall site area is 1,579.63sqm.
- The land is currently occupied by a double storey brick dwelling with an associated garage, located to the south of the site, which is to be retained.
- Easement E-1 is a 1.84m wide easement which runs along the west (rear) boundary for drainage and sewerage purposes, in favour of Council and South East Water. There are no assets within this easement. There is a storage shed and paving located on the easement.
- There are two crossovers on the east side of the subject site that are to be retained for the development. One crossover provides access for the existing dwelling and one will provide access to the three (3) proposed dwellings. The crossovers provide access to Wirilda Court.
- The portion of the site that is being developed has two palm trees along the west (rear) boundary, which are proposed to be removed. There is one palm tree in front of Dwelling 1, which is proposed to be removed. There are no street trees in front of the development.

Surrounding Area

- The subject site is located within an established residential area of Springvale South, on the west side of Wirilda Court and is located 201 metres east from Springvale Road.
- The existing neighbour character is mostly single or double storey brick dwellings with pitched tiled roofs. There area is predominantly developed with one dwelling on a lot, with an emerging character of multi dwelling developments (with examples of multi-dwelling developments at No. 11 Wirilda Court, No. 13 Harold Road and No. 1A Wirilda Court).
- Existing residential dwellings are developed on the lots which have a common boundary with the subject site, except for the northern-most corner of the site that abuts Springvale South Reserve.
- A Commercial 1 Zone is located 85 metres from the site (located to the north-west).
- The closest bus stop is located 464 metres walking distance to the south-west of the site which is for the Route 902 Chelsea – Airport West.
- The closest train station is Sandown Park Station located 2.21km to the north-east of the site, and
- The Springvale Activity Centre is the closest activity centre and is located 1.8km to the north of the subject site.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Locality Plan



Background

Previous Applications

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

- Planning Permit PLN13/0499 was granted on the 15th April 2015 for the construction of four (4) dwellings (two (2) x double, and two (2) x single storey).
 - This application was originally refused by Council on 5 November 2014 and at that time the application was for five (5) dwellings.
 - The applicant appealed this decision to the Tribunal and provided amended plans prior to the hearing (keeping the proposal at five dwellings). The Tribunal set Council's decision aside and granted a planning permit for the development which reduced the number of dwellings via a Condition 1 requirement to four (4) dwellings.

Proposal

The application proposes the development of the land for three (3) dwellings (two (2) double storey dwellings and one (1) single storey dwelling) to the side of an existing double storey dwelling.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Dwelling 1 is existing and will be retained and provides open plan living/kitchen/dining area, rumpus room, powder room, laundry, lounge room, a lift, and one (1) bedroom with walk in robe and ensuite at ground floor level, with lounge room, study (with bar), four (4) bedrooms and two (2) bathrooms at first floor level. The dwelling also provides rear secluded private open space with an alfresco and a double garage. There are no alterations or additions proposed to Dwelling 1. Dwelling 1 is a brick dwelling with a hipped tiled roof.

There are three (3) new dwellings proposed to the side of Dwelling 1.

Dwelling 2 is double storey and is located to the north-west and provides an open plan kitchen/living/meals area, living room, laundry, powder room, and one (1) bedroom with walk in robe and ensuite at ground floor level with a gallery, three (3) bedrooms and two (2) bathrooms at first floor level.

Dwelling 3 is double storey and is located to the west and provides an open plan kitchen/living/meals area, living room, laundry, powder room, and one (1) bedroom with an ensuite at ground floor level with a gallery, three (3) bedrooms and two (2) bathrooms at first floor level.

Dwelling 4 is single storey and is located to the north-west behind Dwelling 2 and provides an open plan kitchen/living/meals area, laundry, powder room, three (3) bedrooms and two (2) bathrooms at ground floor level.

All the proposed dwellings provide secluded private open space to the rear and a double car garage.

The dwellings are provided with hipped tiled roofs and external wall materials consisting of face brick and render finish.

The details of the proposal are as follows:

Overall building height	7.55 metres (proposed dwellings maximum) 8.23 metres (existing Dwelling 1)
Front setback	8.2 metres (proposed Dwelling 2) 6.9 metres (existing Dwelling 1)
Minimum setbacks	<u>Ground Floors</u> North-east (side): 1m-5m South (side): wall on boundary - 1.95m (existing) West (rear): 1.83m-3.01m (proposed), 6.87m (existing) <u>First Floors</u>

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>North-east (side): 2m-5.15m</p> <p>South (side): 1.95m (existing)</p> <p>West (rear): 4.01m-5.33m (proposed), 9.93m (existing)</p>
Number of bedrooms	<p>Dwelling 1, 2 and 3 provide four (4) bedrooms.</p> <p>Dwelling 4 provides three (3) bedrooms.</p>
Private open space	<p>Dwelling 1 (existing):</p> <p>Total ground level private open space: 112.76sqm, including 57.78sqm of secluded private open space (minimum dimension of 5 metres).</p> <p>Dwelling 2:</p> <p>Total ground level private open space: 103.01sqm, including 30sqm of secluded private open space (minimum dimension of 5 metres).</p> <p>Dwelling 3:</p> <p>Total ground level secluded private open space: 96sqm, including 35.5sqm of secluded private open space (minimum dimension of 5.17 metres).</p> <p>Dwelling 4:</p> <p>Total ground level secluded private open space: 109.03sqm, including 25.08sqm of secluded private open space (minimum dimension of 5 metres).</p>
Number of car parking spaces required	<p>Two (2) car parking spaces are required for each three or more-bedroom dwelling.</p> <p>A total of eight (8) car parking spaces are required for the development.</p>
Number of car parking spaces provided	<p>A total of eight (8) car parking spaces are provided for the development.</p>
Front fence	<p>A 1.45m metre high front fence is to be retained in front of Dwelling 1. No other front fencing is proposed</p>
Garden area required	<p>552.65 square metres and 35%</p>

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Garden area provided	562.7 square metres and 35.5%
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A copy of the submitted plans is included as Attachment 1.

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

No financial resources are impacted by this report.

Planning Scheme and Policy Frameworks

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

- Under Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in the General Residential Zone, as is the majority of the surrounding area.

The purpose of the General Residential Zone outlined at Clause 32.08 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Pursuant to Clause 32.08-6, a permit is required to construct two or more dwellings on a lot.

The development must also provide a minimum garden area of 35% pursuant to Clause 32.08-4 as the lot area is over 650sqm.

It is noted that within Schedule 1 to the General Residential Zone, varied requirements of Clause 55 are set out as follows:

- Standard B6 (Minimum Street Setback) – As per B6 or 7.5 metres, whichever is the lesser;
- Standard B9 (Permeability) – Minimum of 30%;
- Standard B13 (Landscaping) – 70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees;

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- Standard B28 (Private Open Space) – An area of 50 square metres of ground level, private open space, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres, a minimum dimension of 5 metres and convenient access from a living room; or A balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; and
- Standard B32 (Front Fence Height) – Maximum 1.5 metre height in streets in Road Zone Category 1, 1.2 metre maximum height for other streets.

Overlay Controls

No overlays affect the subject site or surrounding area.

Planning Policy Framework

The **Operation of the Planning Policy Framework** outlined at Clause 71.02 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.

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

State Planning Policy Framework**Clause 11 Settlement**

Clause 11 (Settlement) encourages planning to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services. It also encourages planning to contribute towards diversity of choice, energy efficiency, a high standard of urban design and amenity, and land use and transport integration.

Further guidance is provided by **Clause 11.01-1S (Settlement)**, which seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. It includes strategies to develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

Clause 15 Built Environment and Heritage

Clause 15 (Built Environment and Heritage) states that planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

It adds that planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context. Planning should promote development that is environmentally sustainable and should minimise detrimental impacts on the built and natural environment.

According to the clause, planning should promote excellence in the built environment and create places that:

- *Are enjoyable, engaging and comfortable to be in.*
- *Accommodate people of abilities, ages and cultures.*
- *Contribute positively to local character and sense of place.*
- *Reflect the particular characteristics and cultural identity of the community.*
- *Enhance the function, amenity and safety of the public realm.*

These overall objectives are reinforced by a number of sub-clauses, including **Clause 15.01-1S (Urban design)** and **Clause 15.01-1R (Urban design – Metropolitan Melbourne)**, which seek to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.01-2S (Building design) aims to achieve building design outcomes that contribute positively to the local context and enhance the public realm, while **Clause 15.01-5S (Neighbourhood character)** has an objective to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.01-4S (Healthy neighbourhoods) has an objective to achieve neighbourhoods that foster healthy and active living and community wellbeing. **Clause 15.01-4R (Healthy neighbourhoods - Metropolitan Melbourne)** reinforces this, with a strategy to create a city of 20 minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

Sustainability is promoted by **Clause 15.02-1S (Energy and resource efficiency)**, which seeks to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 16 Housing

Clause 16 (Housing) contains three key objectives, which can be summarised as relating to housing diversity, sustainability of housing and the provision of land for affordable housing.

These objectives are reinforced by a number of sub-clauses, including **Clause 16.01-1S (Housing Supply)**, which seeks to facilitate well-located, integrated and diverse housing that meets community needs. and **Clause 16.01-1R (Housing Suppl - Metropolitan Melbourne)**, which has a strategy to allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 16.01-2S (Location of residential development) promotes new housing in designated locations that offer good access to jobs, services and transport, while **Clause 16.01-2R (Housing opportunity areas - Metropolitan Melbourne)** seeks to facilitate increased housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs, public transport and with appropriate infrastructure.

Clause 18 Transport

Clause 18.01-1S (Land use and transport planning) has a strategy to plan urban development to make jobs and community services more accessible by ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.

Local Planning Policy Framework

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

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

- *There is considerable diversity within Greater Dandenong's housing stock. Most housing stock is aged between 30 to 50 years old, though there are some areas with dwellings in excess of 100 years old. Areas of newer housing are located in the north-east and central-southern areas, with in-fill development occurring across the municipality (Clause 21.02-3).*
- *Higher density housing is generally located in proximity to railway stations and major shopping centres, in particular in central Dandenong (Clause 21.02-3).*
- *Whilst there is a clear pre-dominance of single detached dwellings, there are a range of other types of dwellings including dual occupancies, villa-units, town houses and apartments. The highest concentration of older villa units and apartments and more recent multi-unit redevelopments have occurred around central Dandenong, Springvale and Noble Park activity centres (Clause 21.02-4).*
- *With diverse cultural groups that call Greater Dandenong home, there are certain distinct precincts that are emerging that have their own character. Their built form is characterised by buildings with flat unarticulated facades, prominent balconies, limited frontage/side setbacks, limited or no landscaping (Clause 21.02-4).*

A **Vision for Greater Dandenong** is outlined at **Clause 21.03**. The vision is that Greater Dandenong will be a municipality where housing diversity and choice is promoted in its various attractive neighbourhoods.

The objectives and strategies of the MSS are under four (4) main themes including: land use; built form; open space and natural environment; and, infrastructure and transportation (considered individually under Clauses 21.04 to 21.07). Of particular relevance to this application are Clauses 21.04 – Land Use and 21.05 – Built Form.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 21.04-1 Housing and community

- *Greater Dandenong's population is expected to rise by 22 percent, from 147,000 to 179,000 in the decade to 2024, placing pressure on transport networks, infrastructure, services and public open space.*
- *Approximately 9,950 new households will need to be accommodated across the municipality by 2024 (Greater Dandenong Housing Strategy 2014-2024).*
- *Supporting urban consolidation and providing housing in existing areas close to activity centres means that people do not need to travel as far to work, shop or to take part in sports/leisure activities thus reducing the environmental impacts of transport.*
- *Increases in housing density must be balanced by adequate provision of open space, good urban design and improvements to the public realm.*
- *Encourage the provision of housing that is adaptable to support the needs of the changing needs of present and future residents.*
- *Encourage innovative redevelopment and renewal of deteriorating housing stock and older styled higher-density apartments and multi-unit developments.*
- *Encourage new residential development that incorporates adequate space for the planting and the long term viability and safe retention of canopy trees.*
- *Respect the valued, existing neighbourhood character within incremental and minimal change areas.*
- *Requiring medium-density developments to be site and locality responsive and to respect existing and proposed neighbourhood character.*

Clause 21.05-1 – Urban design, character, streetscapes and landscapes – contains the following relevant objectives and strategies:

- *To facilitate high quality building design and architecture.*
 - *Ensure building design is consistent with the identified future character of an area and fully integrates with surrounding environment.*
 - *Encourage high standards of building design and architecture, which allows for flexibility and adaptation in use.*
 - *Encourage innovative architecture and building design.*
 - *Encourage development to incorporate sustainable design elements that enhance occupant comfort and environmental performance.*
- *To facilitate high quality development, which has regard for the surrounding environment and built form.*
 - *Promote views of high quality landscapes and pleasing vistas from both the public and private realm.*
 - *Promote all aspects of character – physical, environmental, social and cultural.*
 - *Encourage planting and landscape themes, which complement and improve the environment.*

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- *Encourage developments to provide for canopy trees.*
- *Recognising valued existing neighbourhood character and promoting identified future character as defined in the Residential Development and Neighbourhood Character Policy at Clause 22.09.*
- *To protect and improve streetscapes*
 - *Ensure that new developments improve streetscapes through generous landscape setbacks and canopy tree planting.*
 - *Ensure landscaping within private property that complements and improves the streetscapes and landscaping of public areas.*
- *To ensure landscaping that enhances the built environment*
 - *Encourage new developments to establish a landscape setting, which reflects the local and wider landscape character.*
 - *Encourage landscaping that integrates canopy trees and an appropriate mix of shrubs and ground covers and complements and integrates with existing or proposed landscaping in public areas.*

Clause 22.09 – Residential Development & Neighbourhood Character Policy – contains the following objectives at Clause 22.09-2:

- *To guide the location and design of different types of residential development within Greater Dandenong, having regard to State and local planning policies, while respecting the valued characteristics and identified future character of residential neighbourhoods.*
- *To ensure that new residential development is consistent with the identified future character and preferred built form envisaged for the three Future Change Areas.*
- *To provide certainty about which areas are identified for, or protected from, increased residential development consistent with the purpose of the applicable zone.*
- *To facilitate high quality, well designed residential development and on-site landscaping.*
- *To promote a range of housing types to accommodate the future needs of the municipality's changing population.*
- *To ensure that residential development uses innovative, responsive and functional siting and design solutions that:*
 - *Achieve high quality internal amenity and private open space outcomes for future residents;*
 - *Make a positive contribution to the streetscape through quality design, contextual responsiveness and visual interest;*
 - *Promote public realm safety by maximising passive surveillance.*
 - *Demonstrate responsiveness to the site, adjoining interfaces, streetscape and landscape context;*

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- *Respect the amenity of adjoining residents and the reasonable development potential of adjoining properties;*
- *Achieve environmentally sustainable design outcomes;*
- *Use quality, durable building materials that are integrated into the overall building form and façade; and*
- *Minimise the visual dominance of vehicle accessways and storage facilities, such as garages, car ports and basement entrances.*

Clause 22.09-3.1 (Design Principles) provides design principles, which apply to all Future Change Areas.

Clause 22.09-3.3 (Incremental Change Areas) provides design principles, some of which also relate to the variances to the requirements of standards to Clause 55 under the schedule to the General Residential Zone. The guidelines consider matters such as: housing form; height; bulk & built form; and site design.

An assessment against Clause 22.09 is included as Attachment 3 to this report.

Particular Provisions

Car Parking (Clause 52.06)

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

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

The table at Clause 52.06-5 notes that a dwelling with 1 or 2 bedrooms requires 1 car space and a dwelling with 3 or more bedrooms requires 2 spaces to each dwelling. 1 visitor car space is required for visitors to every 5 dwellings for developments of 5 or more dwellings.

A total of eight (8) car parking spaces are required for the development. A total of eight (8) car parking spaces are provided for the development. This meets the car parking requirement; no reduction is required.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Car parking is to be designed and constructed in accordance with the requirements of Clause 52.06-9 and 52.06-11 of the Scheme.

An assessment against Clause 52.06 is included as Attachment 4 to this report.

Two or more dwellings on a lot and residential buildings (Clause 55)

Pursuant to Clause 55 of the Greater Dandenong Planning Scheme, the provisions of this Clause apply to an application:

- *To construct two or more dwellings on a lot.*

The purposes of this clause are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*

A development:

- *Must meet all of the objectives of this clause; and*
- *Should meet all of the standards of this clause.*

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

An assessment against Clause 55 is included as Attachment 5 to this report.

General Provisions

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

Council Plan 2017-2021 – Strategic Objectives, Strategies and Plans

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

Diversity (Access & Equity)

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

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Community Safety

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

Safe Design Guidelines

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

Referrals

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

Pursuant to Section 52 of the Planning and Environment Act 1987, the application was externally referred to:

- Melbourne Water - no objection to the proposal subject conditions. The conditions propose changes to the finished floor levels. This will result in the proposed dwellings finished floor level being 200mm higher than what is currently provided (this has been included as a Condition 1 requirement of any permit to issue).
- EPA - no objection to the proposal and had no conditions.

Internal

The application was internally referred to the following Council Departments for their consideration:

Internal Referrals	
Civil Development	No objection, subject to conditions
Transport Planning	No objection, subject to conditions
Waste Services	No objection
Asset Planning	No objection, subject to conditions
Sustainability	No objection, subject to conditions

The comments provided have been considered in the assessment of the application.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Advertising

The original proposal was 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 a sign on site facing Wirilda Court.

The application was then amended by the applicant via a Section 57A Amendment. The amended application was then re-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 a sign on site facing Wirilda Court.

The notification has been carried out correctly.

Council has received six (6) objections to date.

The location of the objectors / submitters is shown in Attachment 2.

Consultation

The application received six (6) objections which meets the threshold to conduct a consultation meeting. However due to the current COVID-19 pandemic, consultation meetings were not held to ensure compliance with State and Federal Government health requirements

Summary of Grounds of Submissions/Objections

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

- **Lack of Parking**

The development meets the car parking requirements under Clause 52.06. Each dwelling (all dwellings have more than three bedrooms) is provided with at least two car spaces via a double car garage. The car parking provided on site is compliant with the Planning Scheme requirements of Clause 52.06.

Furthermore, the application was referred to Council's Transport Department who held no objection to the proposal.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- **Overdevelopment**

The area is characterised mostly by one dwelling on the lot, that is either a single or double storey, with some infill developments in the area, such as at No. 11 Wirilda Court.

Under Clause 22.09, the subject site is within the Incremental Change Area. The 'Identified Future Character' of this area statement provides:

'The future character of Incremental Change Areas will evolve over time to contain a greater proportion of well designed and site responsive medium density infill development that respects the existing neighbourhood character.'

The development is for two double storey dwellings and one single storey dwelling next to an existing double storey dwelling, with separation provided between the dwellings at first floor level.

Main living areas and private open space are located at ground floor level. There are appropriate setbacks to provide for landscaping opportunities to contribute to the future character of the area. A detailed assessment of the design response is provided in the Clause 22.09 assessment.

Furthermore, an assessment of the proposal against the requirements of Clause 55 has also been undertaken, which demonstrates a high level of compliance with the Standards and Objectives of Clause 55. It is therefore considered that the development provides an appropriate design response to the neighbourhood character and the site, and the additional three dwellings does not result in an overdevelopment of the site.

- **Lack of space for the bins**

The development would require two bins per dwelling each bin day (rubbish and either garden waste or recycling). This is 6 extra bins in total to be accommodated on bin collection days across the frontage of the site.

This increase is considered to be appropriate and able to be accommodated on the existing nature strip, and waste services will still be provided to all the dwellings in Wirilda Court. The application was referred to Council's Waste Services Department who held no objection.

- **Increased noise**

The additional three dwellings are not considered to cause a level of noise that would be unreasonable for an existing residential area. Residents living at any new development would be required to follow any local laws or EPA regulations when it comes to noise pollution. There are no significant noise generating aspects to the proposal.

- **Increased traffic**

The development would increase the number of dwellings in Wirilda Court by three. This increase is expected in the incremental change area and the road infrastructure is considered sufficient to accommodate this increase. The application was referred to Council's Transport Department who held no objection to the proposal.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- **No footpaths creating unsafe environment for pedestrians**

Concern was raised regarding the increase in traffic exiting and entering the street impacting the safety of residents, due the street not having any footpaths. The development is provided with sight line triangles as required under Clause 52.06-9 and cars utilising the shared accessway are able to exit the site in a forward direction. The application was referred to Council's Transport Department who held no objection to the proposal and stated: 'Increased parking demand and traffic volumes are not sufficient to warrant mitigation from a safety / traffic flow perspective.'

- **Loss of privacy (Objector located at 14 Wirilda)**

The first-floor of Dwelling 2 has only three (3) windows facing No. 14 Wirilda Court.

Dwelling 2's two (2) bathroom windows are obscured and the sill height to the northeast facing window of Bedroom 1 is shown at 1.85m above the finished floor level. Therefore, the windows to Dwelling 2 will not result in overlooking to No. 14 Wirilda Court.

There is no requirement to screen the ground floor windows of Dwellings 2 and 4 as the finished floor level (FFL) is not above 800mm from ground level at the boundary. The proposal meets the requirements of Standard B22 – Overlooking and there would be no adverse overlooking into No. 14 Wirilda Court.

In addition, Dwellings 2 and 3's other habitable room windows on the first floor that have sill heights less than 1.7m from the FFL that would look into another properties secluded private open space are labelled as having obscured glazing as per the requirement of Standard B22 – Overlooking.

- **Overshadowing (Objector located at 14 Wirilda)**

Due to the orientation of the lot (the subject site is located to the southwest of the objector), the shadow diagrams show no overshadowing onto No. 14 Wirilda as a result of the proposal. The proposal also meets Standard B21 – Overshadowing. The proposal is considered to comply in terms of overshadowing.

Assessment

Development

The proposed development of the land for three (3) dwellings (two (2) double storey dwellings and one (1) single storey dwelling) to the side of an existing double storey dwelling

is considered appropriate for the subject site, and as such is recommended for approval (by issuing a notice of decision to grant a planning permit) by Council officers.

The subject site is located within an established residential area and is well suited for the development of medium density housing given that the site is located within easy walking distance of many community facilities and public transport. The proposal also seeks to reduce pressure on the urban fringe by providing four (4) dwellings where previously one (1) existed through the redevelopment of the site, thereby ensuring that the housing required for the growing population is facilitated.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

As required by the relevant provisions of the Planning Scheme, the proposed development has been assessed against the following:

- Clause 22.09 – Residential Development and Neighbourhood Character Policy (full assessment attached as Attachment 3);
- Clause 52.06 – Car Parking (full assessment attached as Attachment 4); and
- Clause 55 – Two or more dwellings on a lot and Residential Buildings (full assessment attached as Attachment 5) including Schedule 1 to the General Residential Zone.

Clause 22.09 – Residential Development & Neighbourhood Character Policy

Clause 22.09 Residential Development & Neighbourhood Character Policy sets out Council policy for future residential development within the municipality, identifying which areas are suitable to undergo varied levels of change.

The subject site is located with the Incremental Change Area, and specifically within the General Residential Zone. Clause 22.09-3.3 seeks to provide residential development that will comprise well designed houses, townhouses, units and dual occupancies of up to two (2) storeys with main living areas generally on the ground level.

Residential development should also give particular consideration to providing appropriate setbacks, private open space areas and high quality landscaping, including the planting of canopy trees, to protect the amenity of adjoining dwellings and to contribute to the landscape character.

The proposal provides sufficient setbacks to the northeast and west boundaries, including sufficient secluded private open space areas to provide high quality landscaping that is expected for the future character of the Incremental Change Area to protect the amenity of the adjoining dwellings.

The dwellings are sufficiently setback to protect the amenity of the adjoining dwellings, including using first floor articulation and a mixture of materials to lessen the impact of visual bulk. In addition, Dwelling 4 is a single storey dwelling to the rear of the lot, which will further protect the amenity of surrounding properties.

The proposal is considered to satisfy all of the design principles, and the assessment is provided at Attachment 3

Clause 52.06 Car Parking

Car parking for the proposal has been provided in the form of a double garage for each dwelling.

Dwelling 1 is provided with its own accessway via Wirilda Court and Dwellings 2, 3 and 4 will have a shared accessway via Wirilda Court.

The proposal provides eight (8) car spaces, meeting the requirements of Clause 52.06 for the development.

The application has been assessed against the design standards of Clause 52.06-8 as provided within Attachment 4 and is considered to comply with all of the design standards.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55

An assessment of the application has been undertaken against the requirements of Clause 55 of the Planning Scheme and is attached to this report (Attachment 5). The proposal is considered to satisfy all of the Objectives, and where a variation to a Standard is required this is discussed as follows:

- **Clause 55.03-7 Safety objective (Standard B12)**

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

No bollard lighting has been provided along the accessway. This can easily be addressed via conditions on any permit granted, and has been included as a condition of the Recommendation.

- **Clause 55.03- Landscaping objective (Standard B13)**

No landscaping plan has been provided, however this has been included as a condition of the Recommendation. The development allows for significant landscaping opportunities throughout the site.

Under Schedule 1 of the General Residential Zone, 70% of the ground level front setback is to be planted with substantial landscaping and canopy trees.

This requirement is not met due to the narrow frontage of the lot (the subject site is unusual in shape, where the longest boundary is the rear boundary and the site is predominantly triangular).

The area available for landscaping within the front setback is 66.57%.

The proposal therefore falls short of the required 70% by only 3.43%.

The front setback provides ample space for canopy trees and substantial landscaping, which would improve and respect the current neighbourhood landscape character.

Furthermore, the landscape plan to be provided will require at least two (2) canopy trees to be provided within the front setback of the development. It is therefore considered that appropriate levels of landscaping can be provided to soften the appearance of the development.

- **Clause 55.04-6 Overlooking objective (Standard B22)**

Dwelling 3 has no sill heights labelled on its first floor western elevation (it is also incorrectly labelled as Dwelling 2). A condition has been included in the Recommendation to show the sill heights at first floor level from finished floor level to demonstrate compliance with Standard B22, should a permit issue.

- **Clause 55.05-4 Private open space objective**

Dwelling 4 has not met the Schedule 1 to the General Residential Zone requirement of 30 square metres of secluded private open space (SPOS) that provides a minimum dimension of 5 metres.

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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Dwelling 4 is provided with 25.08sqm with a minimum dimension of 5 metres, due to the unusual lot shape. A total of 50sqm has been provided for the main SPOS but it tapers off into a triangular point, therefore not meeting the minimum dimension. Residents of Dwelling 4 will have a total of 109.03sqm SPOS, including the service yard.

The SPOS provided is considered to be an appropriate size for a three (3) bedroom dwelling. The SPOS is also easily accessible from the main living area. As such it is considered that adequate private open space has been provided for Dwelling 4 for the reasonable recreation and service needs of residents.

Environmentally Sustainable Development

The proposal complies with the requirements of Clause 22.06 by providing a Sustainable Design Assessment (SDA) including a Built Environment Sustainability Scorecard (BESS) assessment, completed by qualified professionals.

The provided BESS score complies with a score of 51% complying with best practice, encompassing the full life of the build and identifying the methods used for the best environmental performance outcomes. Having regard to the site's opportunities and constraints, the proposal has included the necessary water tanks, roof catchment areas, sufficient energy star ratings for fixtures, heating and cooling systems and the addition of double-glazed habitable room windows.

The referral response from Council's ESD department identified that the submitted plans and the SDA had some inconsistencies due to the plans being amended. Conditions have been included to require the submitted SDA, BESS assessment and STORM assessment to be updated, as well as relevant notations to be updated as required. A preliminary energy rating is also required to be submitted to demonstrate the design achieved the energy efficiency and indoor environmental quality objectives of Clause 22.06.

BESS Information Summary	Project Overall Score: 51%
Dwelling Type: Residential (detached)	Fail Best Practice Design Excellence Best Practice Design Excellence Design Excellence (<49%) (50-69%) (>70%)

BESS Category	Score	Initiatives
Management	0%	
		No measures
Water	50%	
		<ul style="list-style-type: none"> ■ Rainwater tank capacity of 3,000L per dwelling connected to

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

		<ul style="list-style-type: none"> ■ Landscape irrigation, Toilet flushing
		<ul style="list-style-type: none"> ■ High WELS star rated water fittings, fixtures and appliances
		<ul style="list-style-type: none"> ■ Potable water consumption reduced by 26% compared to same building following minimum standard.
		<ul style="list-style-type: none"> ■ Water-smart landscape design
Energy	50%	
		<ul style="list-style-type: none"> ■ High efficiency reverse cycle air conditioning specified with 4 star energy rating. ■ High efficiency gas instantaneous (6 star) hot water system specified.
		<ul style="list-style-type: none"> ■ Average NatHERS rating of 6 stars (to be validated via condition of permit)
		<ul style="list-style-type: none"> ■ Estimated greenhouse gas emissions reduced by 66% compared to compared to same building following minimum standards
Stormwater	100%	
		<ul style="list-style-type: none"> ■ Stormwater design meets industry best practice requirements though incorporation of Rainwater collection and re-use and on-site water filtration systems.
Indoor Environment Quality	60%	
		<ul style="list-style-type: none"> ■ Design achieves natural cross-flow ventilation
		<ul style="list-style-type: none"> ■ Double glazing specified to all main windows
Transport	50%	
		<ul style="list-style-type: none"> ■ Design incorporates space for bicycle storage
		<ul style="list-style-type: none"> ■ Design incorporates space for visitor bicycle parking
Waste	50%	
		<ul style="list-style-type: none"> ■ Dwellings include space for food and garden waste disposal

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Urban Ecology	50%	
		■ 30% of the site that is permeable, providing scope for existing or future vegetation.
		■ Balcony/courtyard design encourages gardening
Innovation	0%	
		No measures

Conclusion

The proposal is consistent with the provisions of the Greater Dandenong Planning Scheme, including the zoning requirements, local policy direction, application of Clauses 22.09, 52.06 and 55, and the decision guidelines of Clause 65.

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 Wirilda Court SPRINGVALE SOUTH VIC 3172 (Lot 8 LP 19022 Vol 8505 Fol 427), for the purpose of development of the land for three (3) dwellings (two (2) double storey dwellings and one (1) single storey dwelling) to the side of an existing double storey dwelling in accordance with the plans submitted with the application subject to the following conditions:

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:**
 - 1.1. All accessway corner splay areas to be notated to comply with Clause 52.06-9;**
 - 1.2. The shared accessway to be provided with bollard lighting;**
 - 1.3. Dwelling 3's western elevation to be labelled correctly as Dwelling 3 (currently labelled as Dwelling 2);**
 - 1.4. Dwelling 3's window sill heights to be nominated from finished floor level to demonstrate compliance with Standard B22;**
 - 1.5. Dwelling 3's north elevation;**

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- 1.6. **Compliance with Conditions 18, 19 and 20 as requested by Melbourne Water; and**
 - 1.7. **An amended Sustainable Design Assessment (SDA) and BESS as per Condition 7 which must also reflect any changes to the development as detailed within the Condition 1 requirements.**
- 2. Before the approved development starts, and before any trees or vegetation are removed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions to show:**
- 2.1. **plans to accord with Condition 1 of this permit;**
 - 2.2. **the site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;**
 - 2.3. **details of the proposed layout, type and height of fencing;**
 - 2.4. **legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**
 - 2.5. **a plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities;**
 - 2.6. **at least two (2) advanced canopy trees with a minimum planting height of 1.5 metres within the front yard;**
 - 2.7. **at least one (1) advanced canopy tree with a minimum planting height of 1.5 metres within Dwelling 2 and 4's rear yard;**
 - 2.8. **at least two (2) advanced canopy trees with a minimum planting height of 1.5 metres within Dwelling 3's rear yard; and**
 - 2.9. **any paving or deck areas within the secluded open space area of the proposed dwellings to be on a permeable base.**
- When approved, the landscape plan will be endorsed and will form part of this permit.**
- 3. The provisions, recommendations and requirements of the landscape plan must be implemented and complied with to the satisfaction of the Responsible Authority.**

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- 4. Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.**
- 5. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.**
- 6. Except with the prior written consent of the Responsible Authority, the approved building must not be occupied until all buildings and works, and the conditions of this permit have been complied with.**
- 7. Prior to construction of the development, the applicant is to submit a revised Sustainable Design Assessment (SDA) to the satisfaction of the responsible authority. The development must be constructed in accordance with the initiative's pertained in the revised SDA and BESS assessment (SDA prepared by Frater Consulting Services, dated 26 February 2020, and BESS Project Reference no. C60948CB, prepared by Frater Consulting Services, dated 26 Feb 2020) but modified to include:
 - 7.1. Amendments made via the Section 57A amendment submitted to Council on the 5 August 2020 (to the SDA, BESS assessment and STORM assessment); and**
 - 7.2. Submission of a completed energy rating model included in the Appendix of the SDA and revised BESS energy section with energy rating inputs. The energy rating must demonstrate the design achieves an energy greater than 6 stars.****
- 8. The provisions, recommendations and requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority. The endorsed SDA and supporting documentation must not be altered without the prior written consent of the Responsible Authority.**
- 9. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 10. The connection of the internal drainage infrastructure to the legal point of discharge must be to the satisfaction of the Responsible Authority.**

Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the legal point of discharge approval letter. Approval of drainage plan including any retention system within the property boundary is required.

Prior to the drainage plans being approved, a drainage approval fee will need to be paid.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

11. Before the approved buildings are occupied, all piping and ducting above the ground floor storey of the buildings, except downpipes, must be concealed to the satisfaction of the Responsible Authority.
12. Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Council's standard specifications. Any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.
13. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.
14. Before the approved building is occupied, the development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.
15. Letterboxes and all other structures (including visually obstructive fencing and landscaping) should be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points in accordance with Dandenong Planning Scheme Clause 52.06-9.
16. Before the approved building is occupied, the obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass. Adhesive film or similar removable material must not be used.
17. All glazing must at all times be maintained to the satisfaction of the Responsible Authority.

Melbourne Water Conditions

18. Prior to the endorsement of plans, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and must be modified to show:
 - 18.1. Finished floor levels of the dwellings set no lower than 300mm above the applicable graded flood level.
 - 18.2. Finished floor levels of the garages set no lower than the applicable graded flood level.
19. The dwellings must be constructed with finished floor levels set no lower than 300mm above the applicable graded flood level:
 - (a) Dwelling 2: 28.60 metres to AHD (applicable graded flood level 28.30 metres to AHD);

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- (b) Dwelling 3: 28.60 metres to AHD (applicable graded flood level 28.30 metres to AHD);
 - (c) Dwelling 4: 28.82 metres to AHD (applicable graded flood level 28.52 metres to AHD).
20. The garages must be constructed with finished floor levels set no lower than the applicable graded flood level:
- (a) Garage 2: 28.30 metres to AHD;
 - (b) Garage 3: 28.30 metres to AHD;
 - (c) Garage 4: 28.52 metres to AHD.
21. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels of the dwellings and garages (as constructed) reduced to the AHD, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
22. Imported fill within the flood extent must be kept to a minimum on the property and only be used for the sub floor areas of the dwellings, garages and driveway ramps.
23. Any new fence within the flood extent must be of an open style of construction (minimum 50% open) or timber paling unless with the written consent of Melbourne Water, to allow for the passage of overland flows.
24. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for the approval of any new or modified stormwater connection to Melbourne Water's drains or watercourses.

End of Melbourne Water Conditions:

25. This permit will expire if:
- 25.1. The development or any stage of it does not start within two (2) years of the date of this permit, or
 - 25.2. The development or any stage of it is not completed within four (4) years of the date of this permit.

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.

The owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date to complete the development or a stage of the development if:

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

- (a) the request for the extension is made within twelve (12) months after the permit expires; and
- (b) the development or stage started lawfully before the permit expired.

Permit Notes:

A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.

Approval of any retention system within the property boundary is required by the relevant building surveyor.

Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.

As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise onsite verification should be undertaken by the applicant.

A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings. You may be required to apply for a Asset Protection Permit from Council's engineering services. Queries regarding engineering requirements can be directed to Council's general phone number on 8571 1000.

No buildings or works shall be constructed over any easement without the written consent of the relevant authorities.

This permit has been granted on the basis that consent to build over any easement will be obtained from the relevant authority. If consent is not able to be obtained, the development plan will be required to be amended.

Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.

Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.

The property is subject to uncontrolled overland flow through the property.

A flood dispensation is to be obtained prior to issue of Building Permit.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 12 WIRILDA COURT, SPRINGVALE
SOUTH (PLANNING APPLICATION NO. PLN19/0623)**

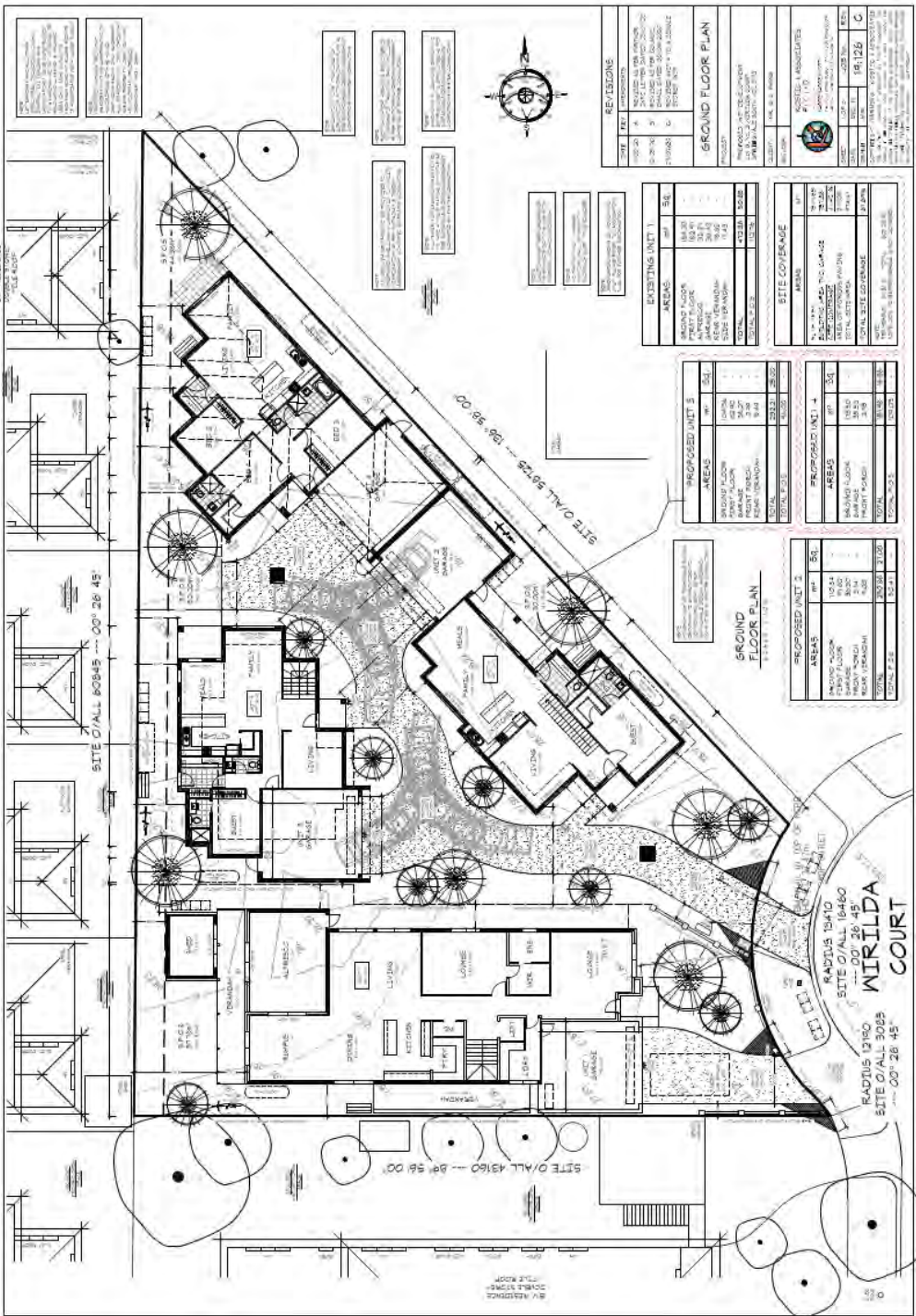
ATTACHMENT 1

SUBMITTED PLANS

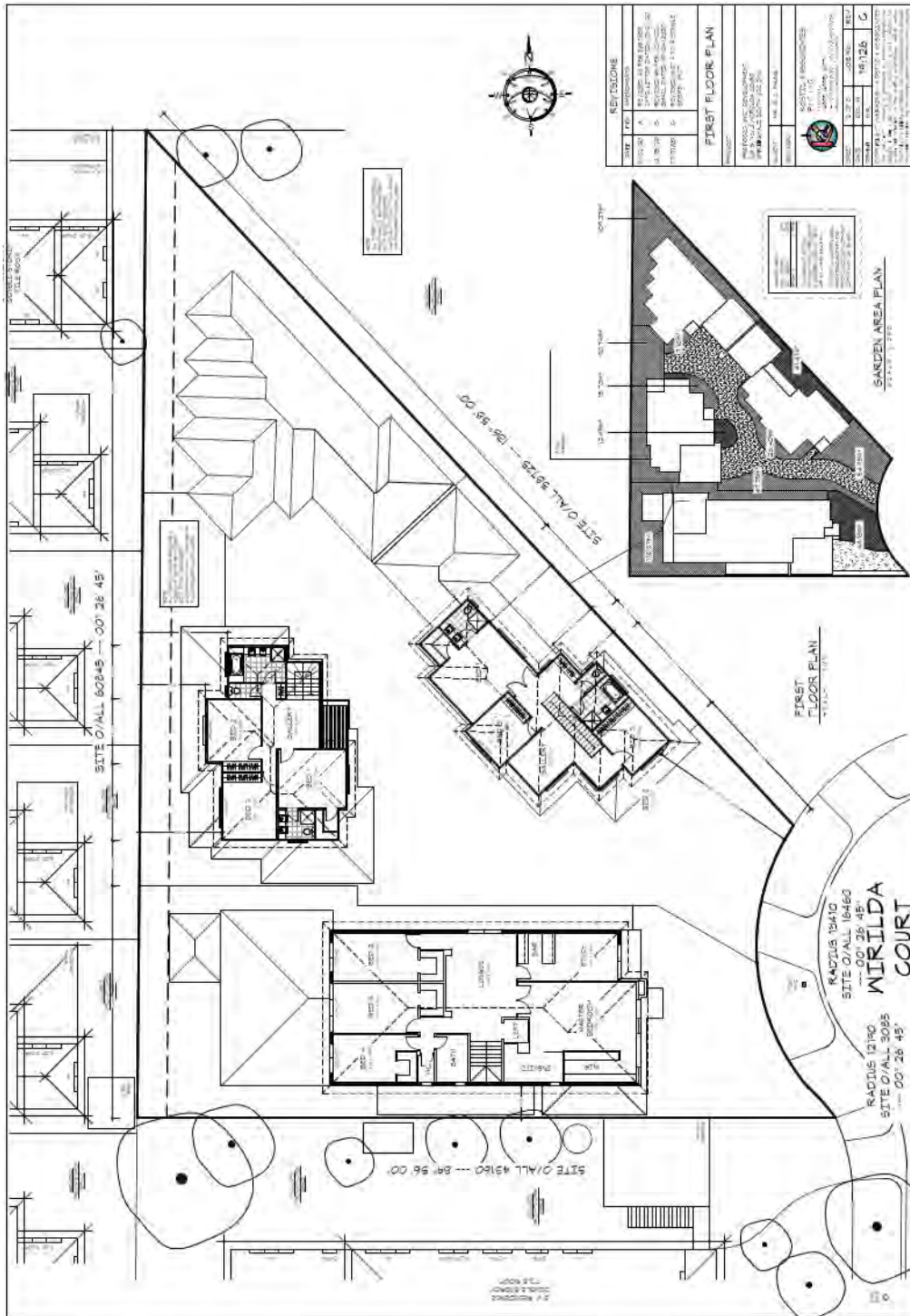
PAGES 5 (including cover)

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

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)



2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)



ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

COLOUR & MATERIAL SCHEDULE	
	BRICK PAVING WALLS PAINTED BRICKWORK
	CLAY TILES CONCRETE - ACTING GROUND COVER
	PAINTED METAL ROOF CHARCOAL COLOR
	SPONGE SOLIDIFIED POLYURETHANE POLYURETHANE PAINTING - WHITE GROUND COVER
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UNIT 1 & 3 - WESTERN ELEVATION
SCALE: 1:100

UNIT 2 - SOUTHERN ELEVATION
SCALE: 1:100

UNIT 1 & 3 - NORTHERN ELEVATION
SCALE: 1:100

UNIT 2 - SOUTHEASTERN ELEVATION
SCALE: 1:100

UNIT 1 & 3 - WESTERN ELEVATION
SCALE: 1:100

UNIT 1 & 3 - WESTERN ELEVATION
SCALE: 1:100

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 12 WIRILDA COURT, SPRINGVALE
SOUTH (PLANNING APPLICATION NO. PLN19/0623)**

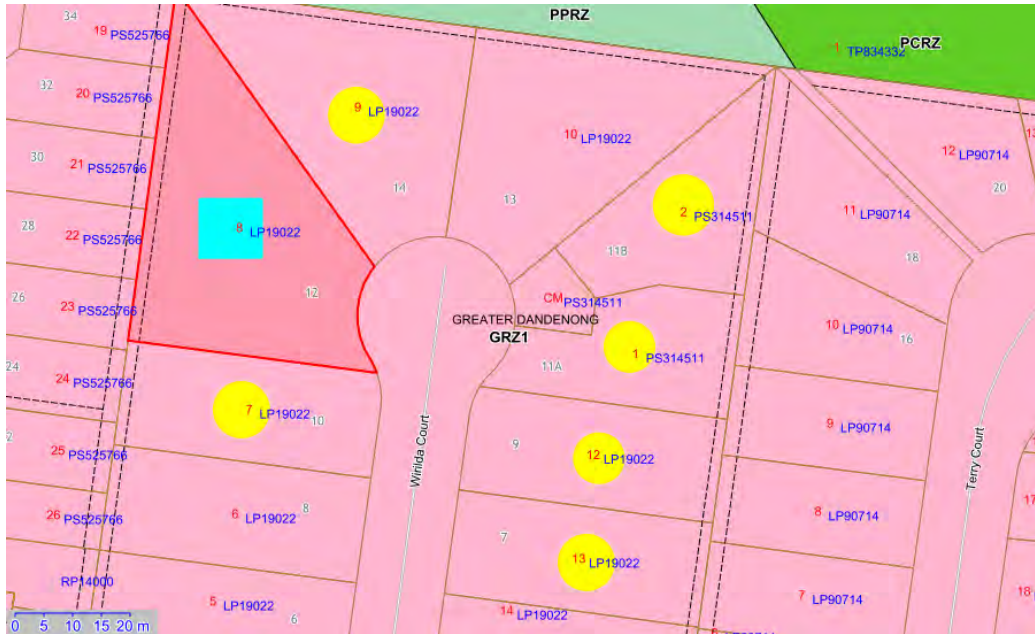
ATTACHMENT 2

LOCATION OF OBJECTORS



PAGES 2 (including cover)

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

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)



LEGEND

-  Subject Site
-  Location of Objector

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

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STATUTORY PLANNING APPLICATIONS

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**TOWN PLANNING APPLICATION - NO. 12 WIRILDA COURT, SPRINGVALE
SOUTH (PLANNING APPLICATION NO. PLN19/0623)**

ATTACHMENT 3

CLAUSE 22.09 ASSESSMENT

PAGES 18 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Assessment Table for Clause 22

Clause 22.09-3.1 Design Principles for all residential developments

Title / Objective	Principles	Principle met/Principle not met/NA
Safety	<p>To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:</p> <p>Incorporate active frontages including ground floor habitable room windows.</p>	<p>✓ Principle met</p> <p>There are sufficient ground floor habitable room windows in the development:</p> <ul style="list-style-type: none"> • Dwelling 2 has guest and living windows facing the street, and a family room and kitchen window facing the accessway. • Dwelling 3 has the living and family room window facing the accessway. • Dwelling 4 has a bedroom windows facing the accessway. <p>There are sufficient active frontages in the development.</p>
	<p>Maximise the number of habitable room windows on all levels of residential buildings that overlook the public realm, streets, laneways, internal access ways and car parking areas.</p>	<p>✓ Principle met</p> <p>In addition to the windows above:</p> <ul style="list-style-type: none"> • Dwelling 2 has a bedroom and a large gallery window facing the street, and a bedroom window facing the accessway. • Dwelling 3 has a bedroom window facing the accessway and a large gallery. <p>Dwelling 4 is a single storey dwelling. The number of habitable room windows has been maximised.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Use semi-transparent fences to the street frontage.</p> <p>Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.</p> <p>Ensure that all main entrances are visible and easily identifiable from the street.</p> <p>Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.</p> <p>Residential development should:</p>	<p>✓ Principle met There are no front fences proposed to the street frontage. The existing fence in front of Dwelling 1 is to be retained</p> <p>✓ Principle met (Via Conditions) There are high mounted sensor lights in the car parking and entry ways. There is no security lighting provided within the common accessway; this has been included as a condition of permit, should one issue.</p> <p>✓ Principle met The entrances for Dwellings 1 and 2 are visible and easily identifiable from the street. Dwellings 3 and 4's entrances are further to the rear of the lot and partly obscured by the built form, but are in a logical location and easily identifiable once you go down the shared accessway. All dwellings are provided with porches.</p> <p>✓ Principle met Non-habitable room windows are located away from the entrances and street frontage.</p>
Landscaping		

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.</p>	<p>✓ Principle met</p> <p>While no landscaping plan has been provided, there are opportunities for canopy trees, and screen planting to protect the outlook of adjoining dwellings.</p> <p>Dwelling 4 is single storey and has a 2m ground floor setback to the northeast boundary, with a storage shed within a portion of that setback (the garage is setback 1m) and has a minimum 1.83m ground floor setback on the west boundary. Dwelling 4's setbacks do allow for screen planting along the northeast boundary. There is a 1.83m wide easement along the west boundary, which limits the opportunities for screen planting. However, Dwelling 4 is a single storey dwelling and therefore does not require screen planting to help minimise the visual bulk of a first floor.</p> <p>Dwelling 3 has a minimum 2.44m ground floor setback to the west boundary, the 1.83m wide easement along this boundary does limit the opportunities for landscaping and domestic services are located within the setback, however the west facing first floor is well articulated and provides a mixture of materials to lessen the impact of the visual bulk.</p> <p>Dwelling 3 provides a setback of 3m on the ground floor from the ensuite, which could allow for some screening opportunities and there are opportunities to either side of Dwelling 3 outside the easement for canopy trees to further improve the outlook for the dwelling's to the west.</p> <p>Dwelling 2 has a ground floor setback range of 1m-5m to the northeast setback (the garage is setback 1m), and 2m-5.1m on the first floor.</p>
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If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

<p>The majority of the dwelling is opposite the front setback of No. 14 Wirilda Court (not a sensitive interface), however there are opportunities for screening planting and canopy trees within the 5m secluded private open space setback.</p>	<p>✓ Principle met No landscaping plan is provided but has been included as a condition of permit should one be granted, to provide substantial, high quality landscaping along vehicular accessways. There is sufficient land provided within the accessway for substantial, high quality landscaping to be provided.</p>
<p>Provide substantial, high quality landscaping along vehicular accessways.</p>	<p>✓ Principle met (Via Condition) No landscaping plan is provided but has been included as a condition of permit should one be granted to provide at least two substantial canopy trees within the front setback and ground level secluded private open space area</p>
<p>Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.</p>	<p>✓ Principle met (Via Condition) No landscaping plan is provided but has been included as a condition of permit should one be granted to plant trees that are common to and perform well in the area.</p>
<p>Planting trees that are common to and perform well in the area.</p>	<p>✓ Principle met There are no mature trees on the site to be removed, all trees being removed, are palm trees and are of no significance.</p>
<p>Avoid the removal of existing mature trees by incorporating their retention into the site design.</p>	

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</p>	<p>✓ Principle met Whilst no landscaping plan is provided, there are sufficient setbacks to provide for substantial landscaping opportunities to screen the bulk of the built form of Dwelling 3 to the rear (west) boundary, in the form of canopy trees and screening landscaping outside the easement and to either side of the dwelling. The majority of Dwelling 2 is opposite the front setback of No. 14 Wirilda Court (not a sensitive interface), however there are opportunities for screen planting and canopy trees within the 5m secluded private open space setback. Any landscaping proposed (species dependant when the landscape plan is provided) would have the opportunity to grow to maturity to soften the presentation of the built form to the adjoining properties.</p>
	<p>Ensure that landscaping also addresses the Safety Design Principles.</p>	<p>✓ Principle met (Via Condition) No landscaping plan is provided but has been included as a condition of permit should one be granted to ensure that landscaping also addresses the Safety Design Principles.</p>
	<p>Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.</p>	<p>✓ Principle met Canopy trees planted in the SPOS would be able to grow to maturity.</p>
	<p>Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.</p>	<p>✓ Principle met The proposal would meet the permeability requirements of Standard B8 under Clause 55.</p>
	<p>Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.</p>	<p>✓ Principle met Min. 3000L rainwater tanks have been supplied to all dwellings.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Car parking	<p>The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.</p> <p>On-site car parking should be:</p> <ul style="list-style-type: none"> Well integrated into the design of the building, Generally hidden from view or appropriately screened where necessary, Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. <p>Where car parking is located within the front setback it should be:</p> <ul style="list-style-type: none"> Fully located within the site boundary; and Capable of fully accommodating a vehicle between a garage or carport and the site boundary. <p>Developments with basement car parking should consider flooding concerns where applicable.</p>	<p>✓ Principle met The existing level of on-street car parking would be retained with the two existing crossovers being utilised for the development</p> <p>✓ Principle met The on-site car parking would be located in double garages hidden from view.</p> <p>✓ Principle met Car parking is fully accommodated within the site boundary.</p> <p>N/A – No basement car parking is proposed</p>
Setbacks, front boundary and width	<p>Residential developments should: Provide a front setback with fence design and height in keeping with the predominant street pattern.</p> <p>Maintain the apparent frontage width pattern.</p>	<p>✓ Principle met No front fence is proposed; this is in keeping with the predominant street pattern of being no fencing. Dwelling 1 is retaining its existing 1.45m front fence.</p> <p>✓ Principle met The frontage pattern is maintained, as only one additional dwelling faces the street, and the two other dwellings are located to the rear. No additional crossovers are proposed</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Provide appropriate side setbacks between buildings to enable screen planting where required, and at least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity.</p>	<p>✓ Principle met Dwelling 4's setback to the northeast side boundary is 1-2m, however there is a storage shed within this setback. Dwelling 4 is a single storey dwelling and doesn't require planting to obscure a first floor. Dwelling 4 does also have SPOS along this boundary and landscaping will be able to be accommodated in this location. Dwelling 2 has their 30Sqm SPOS along the same boundary and has further side setbacks of 1 metre. Dwelling 2 is also opposite the front of No. 14 Wirilda Court and requires less boundary screening, as this is not a sensitive interface. The side setbacks are considered to be generous enough to facilitate the growth of a tree to maturity within the secluded private open space of Dwelling 2 and 4.</p>
	<p>Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.</p>	<p>✓ Principle met No front fence is proposed which allows for a visual connection between landscaping in the front gardens and street tree planting. There is an existing 1.45m high front in front of Dwelling 1, that will be retained.</p>
<p>Private open space</p>	<p>All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.</p> <p>Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.</p>	<p>✓ Principle met All dwellings are provided with quality useable private open space to the rear/side of each dwelling, directly accessible from the main living area.</p> <p>✓ Principle met The site plan provided shows that POS is a usable space and able to accommodate domestic services and outdoor furniture. There is sufficient space for landscaping within the SPOS for all dwellings, and opportunities for other landscaping as discussed above in this assessment.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Private open space should be positioned to maximise solar access.</p> <p>Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to ensure the solar access, useability and amenity of the space is not adversely affected.</p> <p>Upper level dwellings should avoid encroaching the secluded private open space of a separate lower level dwelling so as to ensure good solar access and amenity for the lower level dwelling.</p>	<p>✓ Principle met Dwellings 2 and 4 POS is located to the northeast boundary and Dwelling 1 and 3 POS is located along the west boundary but has access to northern sun. This is considered to be appropriate.</p> <p>✓ Principle met The upper level of the dwellings do not encroach over the SPOS.</p> <p>NA – No separate lower level dwellings</p>
<p>Bulk & Built Form</p>	<p>All residential developments should respect the dominant façade pattern of the streetscape by:</p> <ul style="list-style-type: none"> Using similarly proportioned roof forms, windows, doors and verandahs; and Maintaining the proportion of wall space to windows and door openings. <p>Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.</p> <p>The development of new dwellings to the rear of existing retained dwellings is discouraged where:</p> <ul style="list-style-type: none"> The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or The retention of the existing dwelling detracts from the identified future character. <p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <ul style="list-style-type: none"> Not exceeding the height of the neighbouring significant building; Minimising the visibility of higher sections of the new building; and Setting higher sections back at least the depth of one room from the frontage. 	<p>✓ Principle met Incremental Change Area allows for in-fill new development on the site. Roof forms are appropriate. The amount of fenestration is appropriate.</p> <p>NA - No balconies are proposed for the development</p> <p>✓ Principle met The existing dwelling is being retained, it is to the side of the proposed dwellings and does not impact the ability to have a functional layout on the site.</p> <p>NA – The site is not adjacent to an identified heritage building.</p>
<p>Site Design</p>	<p>Residential development should:</p>	

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.</p> <p>Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance</p> <p>Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.</p> <p>Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.</p> <p>Provide suitable storage provisions for the management of operational waste</p>	<p>✓ Principle met The development has considered the privacy of the adjoining dwellings and does not greatly impact their solar access. Dwelling 4 is a single storey to the rear, which does not present an unreasonable bulk and built form to the adjoining properties. Dwelling 3 has a ground floor setback to the west boundary of 2.44m-3.01m on the ground floor and 4.01m-5.33m at first floor level to the west which are suitable setbacks to protect the outlook of the adjoining properties to the west.</p> <p>✓ Principle met All the dwellings have sufficient north facing windows and POS with access to northern sun.</p> <p>✓ Principle met Dwellings 3 and 4 has provided sufficient setbacks to existing residential interfaces to the north and west. The building massing and articulation does respond sensitively to the abutting lots.</p> <p>✓ Principle met There is sufficient space to accommodate the growth of future trees in the northeast and west side boundary setbacks, as each dwelling will be able to plant a canopy tree within their SPOS.</p> <p>✓ Principle met The waste storage is located in each dwelling's POS.</p>
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ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Materials & Finishes	<p>Appropriately located suitable facilities to encourage public transport use, cycling and walking.</p> <p>Residential development should: Use quality, durable building materials and finishes that are designed for residential purposes.</p> <p>Avoid the use of commercial or industrial style building materials and finishes.</p> <p>Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials.</p> <p>Use a consistent simple palette of materials, colours finishes and architectural detailing.</p> <p>Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.</p> <p>In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should:</p>	<p>✓ Principle met The subject site is conveniently located close to bus routes (44.1m from the subject site) and walking paths (the reserve abuts the site, however, is located 391m walking distance from the subject site). Each dwelling is also provided with bicycle storage.</p> <p>✓ Principle met The materials proposed are brickwork, render and cladding. Finish. Brickwork and render are considered to be durable and while not the same as the existing dwelling, they are considered appropriate modern dwelling materials and are complementary to the existing dwelling by using colours such as cream and brown which are complementary to the existing charcoal and white brick dwelling.</p> <p>✓ Principle met Materials are suited to residential developments</p> <p>✓ Principle met A mix of materials, finishes and articulation is proposed</p> <p>✓ Principle met The proposed colour schedule is suitable for the development as render, brick and cladding is considered to be appropriate for the area. The colours of cream, brown, and charcoal roof, is considered to be a simple palette.</p> <p>✓ Principle met Materials are affordable and sustainable.</p>
Domestic services normal		

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ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

<p>To a dwelling and Building services</p>	<p>Ensure that all domestic and building services are visually integrated into the design of the building and appropriately positioned or screened so as to not be seen from the street or adjoining properties.</p> <p>Be designed to avoid the location of domestic and building services:</p> <ul style="list-style-type: none"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	<p>✓ Principle met All domestic and building services are visually integrated into the design, they cannot be seen from the street such as water tanks, bins, and storage sheds, as they are located in the rear/side POS.</p> <p>✓ Principle met (justified) Dwelling 2 has proposed to locate their bins within the SPOS. However, this is suitably located along the garage wall giving residents easy bin access through the garage to the accessway/street and allowing enough space for residents to enjoy their SPOS.</p> <p>All other dwellings have located their services outside the SPOS</p>
<p>Internal Amenity</p>	<p>Residential development should:</p> <p>Ensure that dwelling layouts have connectivity between the main living area and private open space.</p> <p>Be designed to avoid reliance on borrowed light to habitable rooms.</p> <p>Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.</p> <p>Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 & 7, 55.05-3, 4 & 5.</p>	<p>✓ Principle met Living room and POS are connected for all dwellings</p> <p>✓ Principle met Windows provided to all habitable rooms have direct access to external light and do not rely on borrowed light.</p> <p>✓ Principle met There are no balconies, but there is no excessive screening of the habitable room windows for the proposed dwellings.</p> <p>✓ Principle met Ground level main living areas are provided so this principle is not required.</p>

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ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ)	
Titles & Objectives	Principle met/Principle not met/NA
Preferred housing type The preferred housing type for the Incremental Change Area is medium density.	<p>✓ Principle met</p> <p>The Incremental Change Area states that: <i>Residential development will give particular consideration to providing appropriate setbacks and private open space areas and high quality landscaping, including the planting of canopy trees, to protect the amenity of adjoining dwellings and to contribute to the landscape character.</i></p> <p>The proposal provides sufficient setbacks to the northeast and west boundaries, including sufficient secluded private open space areas to provide high quality landscaping that is expected for the future character of the Incremental Change Area to protect the amenity of the adjoining dwellings.</p> <p>The dwellings are sufficiently setback to protect the amenity of the adjoining dwellings, including using first floor articulation and a mixture of materials to lessen the impact of visual bulk, and Dwelling 4 is a single storey dwelling to the rear of the lot.</p>
Building Height The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.	<p>✓ Principle met</p> <p>A maximum of double storey housing is proposed.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

<p>Landscaping</p>	<p>Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties</p>	<p>✓ Principle met</p> <p>While no landscaping plan has been provided, there are opportunities for canopy trees, and screen planting to protect the outlook of adjoining dwellings.</p> <p>Dwelling 4 is single storey and has a 2m ground floor setback to the northeast boundary, with a storage shed within a portion of that setback (the garage is setback 1m) and has a minimum 1.83m ground floor setback on the west boundary. Dwelling 4's setbacks allow for screen planting along the northeast boundary. There is a 1.83m wide easement along the west boundary, which limits the opportunities for screen planting. However, Dwelling 4 is a single storey dwelling.</p> <p>Dwelling 3 has a minimum 2.44m ground floor setback to the west boundary, the 1.83m easement along this boundary does limit the opportunities for landscaping and domestic services are located within the setback. However the west facing first floor is well articulated and provides a mixture of materials to lessen the impact of the visual bulk. Dwelling 3 does have a setback of 3m on the ground floor from the ensuite, which could allow for some screening opportunities and there are opportunities to either side of Dwelling 3 outside the easement for canopy trees to further improve the outlook for the dwelling's the west.</p> <p>Dwelling 2 has a ground floor setback range of 1-5m to the northeast setback, and 2m-5.1m on the first floor. The majority of the dwelling is opposite the front setback of No. 14 Wirilda Court (not a sensitive interface), however there are opportunities for screening planting and canopy trees within the 5m secluded private open space setback.</p>
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ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Setbacks, front boundary and width	<p>Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.</p> <p>Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.</p>	<p>✓ Principle met The car parking area is generally hidden from view and is located to the rear and side of the dwellings.</p> <p>✓ Principle met There is no parking in the front setback, paving and car access within the front boundary setback is limited. Plenty of opportunities for soft landscaping within the front setback is provided.</p>
Private open space		
Bulk & Built Form	<p>Residential development should:</p> <p>Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;</p> <p>Provide separation between dwellings at the upper level;</p>	<p>✓ Principle met The surrounding area is mostly intact with one dwelling on the lot, and secluded private open space to the rear. Multi-dwelling developments are slowly emerging in the area, including:</p> <ul style="list-style-type: none"> • No. 11 Wirilda – Two dwellings • No. 3-7 Harold Road – Eighteen dwellings • No. 11 Harold Road – Two dwellings • No. 13 Harold Road – Two dwellings • No. 12 and 18 Harold Road – Twenty-three dwellings • No. 20 Harold Road – Two dwellings • No. 26 Harold Road – Two dwellings <p>The development has appropriately responded to the site circumstances by providing appropriate setbacks overall and opportunities for high quality landscaping, including providing canopy trees within SPOS and in the front setback.</p> <p>✓ Principle met There is separation between the upper levels</p>

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ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space.</p>	<p>✓ Principle met There is a spine of private open space to the rear (west boundary) of the property, with Dwellings 1, 3 and 4 secluded private open space being along the west boundary. There is an 1.83m wide easement along the west boundary (rear) which limits landscaping opportunities but there are sufficient opportunities for landscaping in between the dwellings which protects the secluded private open space of the adjoining properties, including No. 26-34 Wisteria Place.</p>
<p>Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.</p>	<p>✓ Principle met (justified) Dwelling 3 is a rear double storey dwelling, setbacks are as follows:</p> <ul style="list-style-type: none"> • Dwelling 3: The rear (west) setback is 2.44-3.01m to the ground floor, and 4.01m-5.33m to the first floor. <p>These setbacks are considered to be appropriate, and the other dwelling to the rear, Dwelling 4, is a single storey dwelling lessening the visual bulk and massing to the rear. The double storey to the rear is further discussed below.</p>	

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.</p> <p>Two storey dwellings to the rear of a lot may be considered where:</p> <ul style="list-style-type: none"> • The visual impact of the building bulk does not adversely affect the identified future character of the area; • Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties; • The building bulk does not adversely affect the planting and future growth of canopy trees to maturity; • Sufficient side and rear boundary landscaping can be provided to screen adjoining properties; • Upper storey components are well recessed from adjoining sensitive interfaces. 	<p>✓ Principle met (justified)</p> <p>The subject site is an unusual triangular shape, presenting the longest boundary to the rear of the site, therefore both Dwellings 3 and 4 are the rearmost dwellings. Dwelling 3 is a double storey dwelling and Dwelling 4 is single storey. The assessment below will discuss the appropriateness of Dwelling 3's double storey form at the rear.</p> <p>Dwelling 3 respects the identified future character of the area and the amenity of adjoining properties, due to appropriate landscaping opportunities, well articulated first floor and protecting adjoining private secluded open space to the west.</p> <p>The proposal meets the principle due to meeting the criteria where a double storey dwelling to the rear may be considered:</p> <ul style="list-style-type: none"> • There is no overlooking or overshadowing that adversely impacts the amenity of neighbouring properties; • The visual impact of the building bulk does not adversely affect the identified future character of the area by having sufficient setbacks and well-articulated upper floors with a range of materials to lessen the visual impact; • The building bulk does not adversely affect the planting and future growth of canopy trees to maturity, as canopy trees are able to be planted within the SPOS areas and outside the easement. There is an easement along the rear (west) boundary which does limit the opportunities for landscaping. However, there is sufficient for landscaping within the 3.01m GF setback for Dwelling 3 and to either side of Dwelling 3 for canopy tree planting. Dwelling 3's upper floor is well articulated and uses a range of materials to lessen the visual impact to the adjoining properties;
<p><i>If the details of the attachment are unclear please contact Governance on 8571 5309.</i></p>		

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>	<ul style="list-style-type: none"> There are sufficient side (north) setbacks to allow for landscaping that can be provided to screen the built form from adjoining properties <p>The sensitive interfaces of SPOS to the west, No. 28 and 30 Wisteria Place, have been protected with sufficient boundary setbacks and minimal overshadowing.</p> <p>The proposal is considered to meet the design principles for dwellings within the incremental change area and is in line with the neighbourhood character in the surrounding area.</p> <p>✓ Principle met</p> <p>The development provides an appropriate level of articulation and provides a range of materials and textures to improve visual interest, such as render and brick.</p>
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Note: Other requirements also apply. These can be found at the schedule to the applicable

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 12 WIRILDA COURT, SPRINGVALE
SOUTH (PLANNING APPLICATION NO. PLN19/0623)**

ATTACHMENT 4

CLAUSE 52.06 ASSESSMENT

PAGES 6 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 52.06-9 Design standards for car parking

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise. Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design Standards	Assessment	Requirement met/Requirement not met/NA
Design standard 1 - Accessways	Accessways must:	✓ Standard met
	• Be at least 3 metres wide.	Accessways are a minimum of 3m in width
	• Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.	✓ Standard met Direction changes are met
	• Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.	NA No public car parks proposed
	• Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.	✓ Standard met No overhead obstructions beneath 2.1 metres
	• If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed to that cars can exit the site in a forward direction.	✓ Standard met The shared accessway services six car spaces, and all cars can exit the site in a forward direction.
	• Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in Road Zone.	NA The accessway does not connect to a Road Zone or serve ten or more car spaces
	• Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.	✓ Standard met – Via Condition Both accessways have corner splays shown, however there is no notation provided to indicate they will meet the standard. A condition has been included should a permit be granted for a notation to be provided ensuring compliance with the Standard.
	If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.	NA – The accessway does not connect to a Road Zone
	If entry to the car space is from a road, the width of the accessway may include the road.	NA – There are no car spaces that are entered from a road.

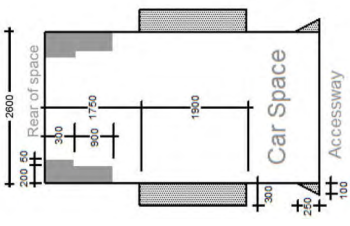
If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

<p>Design standard 2 – Car parking spaces</p>	<p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p>Table 2: Minimum dimensions of car parking spaces and accessways</p> <table border="1"> <thead> <tr> <th>Angle of car parking spaces to access way</th> <th>Accessway width</th> <th>Car space width</th> <th>Car space length</th> </tr> </thead> <tbody> <tr> <td>Parallel</td> <td>3.6 m</td> <td>2.3 m</td> <td>6.7 m</td> </tr> <tr> <td>45°</td> <td>3.5 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>60°</td> <td>4.9 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>90°</td> <td>6.4 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.8 m</td> <td>2.8 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.2 m</td> <td>3.0 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>4.8 m</td> <td>3.2 m</td> <td>4.9 m</td> </tr> </tbody> </table> <p><i>Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).</i></p>	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length	Parallel	3.6 m	2.3 m	6.7 m	45°	3.5 m	2.6 m	4.9 m	60°	4.9 m	2.6 m	4.9 m	90°	6.4 m	2.6 m	4.9 m		5.8 m	2.8 m	4.9 m		5.2 m	3.0 m	4.9 m		4.8 m	3.2 m	4.9 m	<p>✓ Standard met</p>
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length																															
Parallel	3.6 m	2.3 m	6.7 m																															
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ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

<p>✓ Standard met As above</p>	<p>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:</p> <ul style="list-style-type: none"> • A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1. • A structure, which may project into the space if it is at least 2.1 metres above the space. <p>Diagram 1 Clearance to car parking spaces</p> 
<p>✓ Standard met All garages are 6 metres long and 5.5 metres wide, meeting the standard for a double garage.</p>	<p>Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.</p>
<p>NA</p>	<p>Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.</p>
<p>✓ Standard met All dwellings provide undercover car parking spaces in the form of a double car garage.</p>	<p>Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.</p>
<p>NA No disabled car parking is proposed</p>	<p>Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

<p>Design standard 3: Gradients</p>	<p>Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.</p>	<p>✓ Standard met Accessway gradients are not steeper than 1:10 within 5 metres of the frontage.</p>													
	<p>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</p>	<p>NA No ramps are proposed</p>													
	<p>Table 3: Ramp gradients</p>														
	<table border="1"> <thead> <tr> <th>Type of car park</th> <th>Length of ramp</th> <th>Maximum grade</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Public car parks</td> <td>20 metres or less</td> <td>1:5 (20%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:6 (16.7%)</td> </tr> <tr> <td rowspan="2">Private or residential car parks</td> <td>20 metres or less</td> <td>1:4 (25%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:5 (20%)</td> </tr> </tbody> </table>	Type of car park	Length of ramp	Maximum grade	Public car parks	20 metres or less	1:5 (20%)	longer than 20 metres	1:6 (16.7%)	Private or residential car parks	20 metres or less	1:4 (25%)	longer than 20 metres	1:5 (20%)	
Type of car park	Length of ramp	Maximum grade													
Public car parks	20 metres or less	1:5 (20%)													
	longer than 20 metres	1:6 (16.7%)													
Private or residential car parks	20 metres or less	1:4 (25%)													
	longer than 20 metres	1:5 (20%)													
	<p>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</p>	<p>NA No ramps are proposed</p>													
	<p>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</p>	<p>NA No ramps are proposed</p>													
<p>Design standard 4: Mechanical parking</p>	<p>Mechanical parking may be used to meet the car parking requirement provided:</p> <ul style="list-style-type: none"> At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres. Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation. The design and operation is to the satisfaction of the responsible authority. 	<p>NA No Mechanical Parking is proposed</p>													
		<p>NA No Mechanical Parking is proposed</p>													
		<p>NA No Mechanical Parking is proposed</p>													
<p>Design standard 5: Urban design</p>	<p>Ground level car parking, garage doors and accessways must not visually dominate public space.</p>	<p>✓ Standard met Car parking is not visually dominating and located to the side and rear of the dwellings</p>													

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.</p> <p>Design of car parks must take into account their use as entry points to the site.</p> <p>Design of new internal streets in developments must maximise on street parking opportunities.</p>	<p>NA</p> <p>✓ Standard met Design of the car park spaces take into account the entry point of the site</p> <p>NA No internal streets are proposed</p>
<p>Design standard 6: Safety</p>	<p>Car parking must be well lit and clearly signed.</p> <p>The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.</p> <p>Pedestrian access to car parking areas from the street must be convenient.</p> <p>Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.</p>	<p>✓ Standard met Car parks are well lit with bollard and high sensor lighting</p> <p>✓ Standard met The designs of the car parks have allowed for natural surveillance</p> <p>✓ Standard met Access to the car parking areas are conveniently located next to the dwellings</p> <p>NA No pedestrian routes through car parking areas, private car parking is proposed.</p>
<p>Design standard 7: Landscaping</p>	<p>The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.</p> <p>Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.</p> <p>Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.</p>	<p>✓ Standard met Permeability is met to standard and a SDA has been provided to take water sensitive urban design into account</p> <p>NA</p> <p>NA</p>

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 12 WIRILDA COURT, SPRINGVALE
SOUTH (PLANNING APPLICATION NO. PLN19/0623)**

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 28 (including cover)

If the details of the attachment are unclear please contact Governance on 8571 5309.

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Assessment Table - Two or More Dwellings on a Lot and Residential Buildings (Clause 55)

Clause 55.02-1 Neighbourhood character objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B1	<p>The design response must be appropriate to the neighbourhood and the site.</p> <p>The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p>Standard met</p> <p>The area is characterised mostly by one dwelling on the lot, that is either a single or double storey brick dwelling, with some infill developments in the area, such as that at No. 11 Wirilda Court.</p> <p>Under Clause 22.09: <i>'The future character of incremental Change Areas will evolve over time to contain a greater proportion of well designed and site responsive medium density infill development that respects the existing neighbourhood character'</i></p> <p>The development is for two double storey dwellings and one single storey dwelling next to an existing double storey dwelling, with separation between the dwellings at the upper levels. Main living areas and private open space are located at ground floor level. There are appropriate setbacks to provide for landscaping opportunities to contribute to the future character of the area.</p> <p>A detailed assessment of the design response is provided in the Clause 22.09 assessment. It is considered that the development provides an appropriate design response to the neighbourhood character and the site.</p> <p>Standard met</p> <p>The proposal fits in with the immediate surrounding dwellings and respects the existing and preferred neighbourhood character.</p> <p>Elements of preferred character met include setbacks, provision of rear yards, availability for landscaping, and the dwellings themselves have a typical residential design.</p> <p>A detailed assessment of the design response is provided in the Clause 22.09 assessment.</p>

If the details of the attachment are unclear please contact Governance on 8571 5309.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme. The neighbourhood and site description. The design response.
Objectives	To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area.

Clause 55.02-2 Residential policy objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the PPF and the LPPF, including the MSS and local planning policies.	Standard met The proposal is generally consistent with relevant policies including Clause 22.09 as detailed within the Clause 22.09 assessment. The application was accompanied by a written assessment of the proposal against the relevant State and Local policies.
Decision Guidelines	The PPF and the LPPF including the MSS and local planning policies. The design response.	
Objectives	To ensure that residential development is provided in accordance with any policy for housing in the PPF and the LPPF, including the MSS and local planning policies. To support medium densities in areas where development can take advantage of public and community infrastructure and services.	Objectives met

Clause 55.02-3 Dwelling diversity objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B3	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> Dwellings with a different number of bedrooms. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	NA This objective is not relevant to the application as less than 10 dwellings are proposed.
Objective	To encourage a range of dwellings sizes and types in developments of ten or more dwellings.	NA

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.02-4 Infrastructure objectives

Standards		Standard Met/Standard Not Met/NA
Title & Objective Standard B4	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	Standard met The site is located in an established residential area and the development will be able to be connect to reticulated services. Standard met The development proposes three (3) additional dwellings, where one (1) existing dwelling is currently on the site. It is unlikely that there would be a capacity issue with existing infrastructure. Standard met It is unlikely that the four (4) dwelling development would overload the utility services. This type of development in the incremental change area is expected.
Decision Guidelines	The capacity of the existing infrastructure. In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the SEPP (Waters of Victoria) under the EPA 1970. If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.	
Objectives	To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	Objectives met

Clause 55.02-5 Integration with the street objective

Standards		Standard Met/Standard Not Met/NA
Title & Objective Standard B5	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	Standard met Dwelling 1 is accessed via an existing crossover, to Wirilda Crt on the east boundary along the south boundary. Dwellings 2-4 are accessed via an existing crossover (to be realigned), to Wirilda Crt located on the east boundary, for vehicular and pedestrian access.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	Developments should be oriented to front existing and proposed streets.	<p>✓ Standard met Dwellings 1 and 2 are oriented towards Wirilda Crt, and Dwellings 3 and 4 are orientated towards the shared accessway.</p> <p>✓ Standard met No front fence is proposed in front of Dwelling 2. An existing 1.45m high brick pier fence is in front of Dwelling 1 an is to be retained.</p> <p>✓ Standard met To the north of the site is public open space, Springvale South Reserve. Dwelling 4 (the abutting dwelling) is single storey and therefore have little impact upon the open space.</p>
	High fencing in front of dwellings should be avoided if practicable.	
	Development next to existing public open space should be laid out to complement the open space.	
Decision Guidelines	Any relevant urban design objective, policy or statement set out in this scheme. The design response.	
Objective	To integrate the layout of development with the street.	<p>✓ Objective met</p>
Clause 55.03-1 Street setback objective		
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B6	Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone: GRZ: 7.5 metres or as per Table B1, whichever is the lesser.	<p>✓ Standard met and schedule met Dwelling 1 is setback 6.9m and is existing and therefore not considered under this standard.</p> <p>Dwelling 2 is setback 8.2m from the Wirilda Court, meeting the schedule of a minimum setback of 7.5m, and therefore meeting the standard.</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Table B1 Street setback		
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response.	
Objective	Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots. The visual impact of the building when viewed from the street and from adjoining properties. The value of retaining vegetation within the front setback. To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	
		✓ Objectives met

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.03-2 Building height objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B7	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9)</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>	<p>Standard met and Schedule met</p> <p>The maximum proposed height is 7.55 metres and 2 storeys, meeting the schedule of 11metres/3 storeys and therefore meeting the standard.</p> <p>N/A</p>
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.</p> <p>The design response.</p> <p>The effect of the slope of the site on the height of the building.</p> <p>The relationship between the proposed building height and the height of existing adjacent buildings.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p>	<p>Standard met</p> <p>The development is a maximum two (2) storeys in height, which is a reasonable and gradual height change between the surrounding single and double storey dwellings.</p>
Objective	<p>To ensure that the height of buildings respects the existing or preferred neighbourhood character</p>	<p>Objective met</p>

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.03-3 Site coverage objective

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B8	The site area covered by buildings should not exceed: <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. GRZ1: 60% (none specified)	The site area covered by buildings should not exceed: <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. GRZ1: 60% (none specified)	✓ Standard met Site Area = 1579.63sqm Site Coverage = 757.36sqm = 47.95% The standard requirement of 60% maximum site coverage is met.
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. The existing site coverage and any constraints imposed by existing development or the features of the site. The site coverage of adjacent properties The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.		
Objective	To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.		✓ Objectives met

Clause 55.03-4 Permeability objectives

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B9	The site area covered by the pervious surfaces should be at least: <ul style="list-style-type: none"> The minimum areas specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 per cent of the site. GRZ1: 30%	The site area covered by the pervious surfaces should be at least: <ul style="list-style-type: none"> The minimum areas specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 per cent of the site. GRZ1: 30%	✓ Standard met and Schedule met Site Area = 1579.63sqm Site Coverage = 605.22sqm = 38.31% The Schedule requirement of 30% minimum permeability is met.
Decision Guidelines	The design response. The existing site coverage and any constraints imposed by existing development. The capacity of the drainage network to accommodate additional stormwater. The capacity of the site to absorb run-off. The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.		
Objectives	To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration.		✓ Objectives met

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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.03-5 Energy efficiency objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B10</p> <p>Buildings should be:</p> <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. 	<p>Living areas and private open space should be located on the north side of the development, if practicable.</p>	<p>Standard met</p> <p>The proposed dwellings have north facing windows:</p> <ul style="list-style-type: none"> • Dwelling 2 would have the living room and Bed 1 (north-west) windows • Dwelling 3 would have meals and family windows • Dwelling 4 would have the living, family, kitchen and bed 3 (north-west) windows <p>The development has been orientated to make appropriate use of solar energy.</p> <p>The existing dwelling does not have its energy efficiency unreasonably reduced by the proposed dwellings, with sunlight access still available from all windows.</p>
<p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p>Living areas and private open space should be located on the north side of the development, if practicable.</p>	<p>Standard met</p> <p>The private open space is located to the north for Dwellings 2 and 4, and due to the orientation of Dwelling 3, the POS for Dwelling 3 is on the west boundary.</p> <p>All proposed dwellings having living room windows facing north or north-west.</p> <p>Dwelling 1's POS is located to the west boundary, and its position has not changed.</p>
<p>Decision Guidelines</p> <p>The design response.</p> <p>The size, orientation and slope of the lot.</p> <p>The existing amount of solar access to abutting properties.</p> <p>The availability of solar access to north-facing windows on the site.</p>	<p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p>Standard met</p> <p>There are north facing windows for the proposed dwellings.</p>
<p>Objectives</p> <p>To achieve and protect energy efficient dwellings and residential buildings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p>Living areas and private open space should be located on the north side of the development, if practicable.</p>	<p>Objectives met</p>

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.03-6 Open space objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B11	If any public or communal open space is provided on site, it should: <ul style="list-style-type: none"> • Be substantially fronted by dwellings, where appropriate. • Provide outlook for as many dwellings as practicable. • Be designed to protect any natural features on the site. • Be accessible and useable. 	NA – There is no public or communal open space provided on site.
Decision Guidelines	Any relevant plan or policy for open space in the SPPF and the LPPF, including the MSS and local planning policies. The design response.	
Objective	To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	NA

Clause 55.03-7 Safety objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B12	Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.	Standard met Dwellings 1 and 2 entrances are visible from the street and Dwellings 3 and 4 are visible from the shared accessway. Standard met Indicative landscaping demonstrates there is space for low level planting along the accessway. Standard met via Conditions All the car parking is provided with sensor lights. There is no bollard lighting along the accessways. Standard met The lot boundary for each dwelling is clearly defined and protected from inappropriate use as public thoroughfares.
Decision Guidelines	The design response.	The design response is not met, if a permit is granted bollard lighting can be conditioned to be placed along the accessway.

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

<p>Objectives</p>	<p>To ensure the layout of development provides for the safety and security of residents and property.</p>	<p>✔ Objective met Bollard lighting has been included as a condition of any permit to issue, to be provided along the accessway to meet the standard.</p>
<p>Clause 55.03-8 Landscaping objectives</p>		
<p>Title & Objective</p>	<p>Standards</p>	<p>Standard Met/Standard Not Met/NA</p>
<p>Standard B13</p>	<p>The landscape layout and design should:</p> <ul style="list-style-type: none"> • Protect any predominant landscape features of the neighbourhood. • Take into account the soil type and drainage patterns of the site. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p>	<p>✔ Standard met via Conditions A landscape plan has not been provided, however has been included as a condition of permit, should one issue. There is sufficient space on the site to provide landscaping that would contribute positively to the neighbourhood, including canopy trees within the front and rear yards.</p>
	<p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</p>	<p>✔ Standard met via Conditions A landscape plan has not been provided, however has been included as a condition of permit, should one issue. Three (3) palm trees are being removed to facilitate the development, none of the trees are of significance.</p>
	<p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p>	<p>✔ Standard met No significant trees have been removed from the site within the past 12 months.</p>
	<p>Development should meet any additional landscape requirements specified in a schedule to the zone. All schedules to all residential zones: "70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."</p>	<p>✔ Standard met via Conditions A landscape plan has not been provided, however has been included as a condition of permit, should one issue.</p>
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme. Any relevant plan or policy for landscape design in the SPPF and the LPPF, including the MSS and local planning policies.</p>	<p>✘ Standard not met and Schedule not met Front setback = 184.9sqm Available space for landscaping = 123.1sqm = 66.57% The front setback does not meet the 70% of ground level front setback available for landscaping. Under Schedule 1 of the General Residential Zone, 70% of the ground level front setback is to be planted with substantial landscaping and canopy trees.</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>The design response.</p> <p>The location and size of gardens and the predominant plant types in the neighbourhood.</p> <p>The health of any trees to be removed.</p> <p>Whether a tree was removed to gain a development advantage.</p>	<p>This requirement is not met due to the narrow frontage of the lot (the subject site is unusual shape, where the longest boundary is the rear boundary). The difference is only 3.43% from the schedule, the front setback has space for canopy trees and substantial landscaping, which would improve and respect the current neighbourhood landscape character. The variation is therefore considered to be appropriate.</p> <p>A landscape plan has not been provided, however has been included as a condition of permit, should one issue.</p>
Objectives	<p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p>✓ Objectives met via conditions</p> <p>As discussed above the objective will be met to provide appropriate landscaping via conditions.</p> <p>A landscape plan has not been provided, however has been included as a condition of permit, should one issue.</p>

Clause 55.03-9 Access objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B14	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	<p>Standard Met</p> <p>36.45% of the frontage is dedicated to the accessway.</p> <p>Standard met</p> <p>Dwelling 1 is provided with one single width crossover, and one shared crossover for Dwellings 2-4</p> <p>Standard met</p> <p>No loss of on-street car parking, as the existing crossovers are being retained.</p> <p>NA</p> <p>The site is not accessed via a Road Zone.</p> <p>Standard met</p> <p>Both driveways are a min. 3m in width and are accessible to service, emergency and delivery vehicles</p>
Decision Guidelines	<p>The design response.</p> <p>The impact on neighbourhood character.</p> <p>The reduction of on-street car parking spaces.</p>	

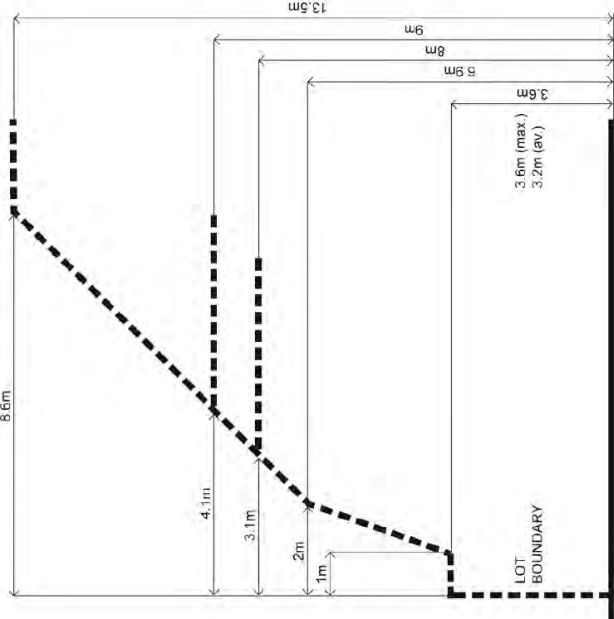
ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>The effect on any significant vegetation on the site and footpath.</p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	<p>✓ Objective met</p>
<p>Clause 55.03-10 Parking location objectives</p>		
<p>Title & Objective</p>	<p>Standard Met/Standard Not Met/NA</p>	
<p>Standard B15</p>	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p>✓ Standard met</p> <p>Garages and parking spaces are located adjacent to the dwelling entries. The garages provided are secure.</p> <p>✓ Standard met</p> <p>No habitable windows less than 1.4m high are located within 1.4 metres of the accessway of other dwellings. The following windows are 1m setback with windowsills that are least 1.4m high:</p> <ul style="list-style-type: none"> ○ Dwelling 3 north facing family window; and ○ Dwelling 4 south-west facing family window and south-east facing living window.
<p>Decision Guidelines</p>	<p>The design response.</p> <p>To provide convenient parking for residents and visitors vehicles.</p> <p>To protect residents from vehicular noise within developments.</p>	
<p>Objectives</p>	<p>✓ Objectives met</p>	

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.04-1 Side and rear setbacks objective

Title & Objective Standard B17	Standards	Standard Met/Standard Not Met/NA																								
<p>A new building not on or within 200mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or <p>NRZ1: "A building wall opposite an area of secluded private open space or a window to a living room of an existing dwelling should be setback a minimum of 2 metres."</p> <ul style="list-style-type: none"> If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. <p>Diagram B1 Side and rear setbacks</p> 	<p>Standard met Dwelling 1 is existing and not applicable to this standard.</p> <table border="1" data-bbox="359 324 766 896"> <thead> <tr> <th>Setback Provided</th> <th>Height of Wall</th> <th>Setback required</th> <th>Complies?</th> </tr> </thead> <tbody> <tr> <td>Dwelling 2 Ground Floor North-East: 1m</td> <td>2.82m</td> <td>1m</td> <td>✓</td> </tr> <tr> <td>Dwelling 2 First Floor North-East: 2m</td> <td>5.91m</td> <td>1.69m</td> <td>✓</td> </tr> <tr> <td>Dwelling 3 Ground Floor West: 2.44m</td> <td>2.93m</td> <td>1m</td> <td>✓</td> </tr> <tr> <td>Dwelling 3 First Floor West: 4.01m</td> <td>5.86m</td> <td>1.67m</td> <td>✓</td> </tr> <tr> <td>Dwelling 4 Ground Floor West: 1.83m North-East: 1m</td> <td>West: 2.98m North: 2.89m</td> <td>West: 1m North: 1m</td> <td>✓</td> </tr> </tbody> </table>	Setback Provided	Height of Wall	Setback required	Complies?	Dwelling 2 Ground Floor North-East: 1m	2.82m	1m	✓	Dwelling 2 First Floor North-East: 2m	5.91m	1.69m	✓	Dwelling 3 Ground Floor West: 2.44m	2.93m	1m	✓	Dwelling 3 First Floor West: 4.01m	5.86m	1.67m	✓	Dwelling 4 Ground Floor West: 1.83m North-East: 1m	West: 2.98m North: 2.89m	West: 1m North: 1m	✓	
Setback Provided	Height of Wall	Setback required	Complies?																							
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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>✓ Standard met There are no encroachments more than 0.5m into the setbacks.</p> <p>✓ Standard met There are no landings that encroach into the setback standard more than 2sqm and 1m high.</p>
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</p> <p>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</p> <p>Whether the wall abuts a side or rear lane.</p>	
<p>Objectives</p>	<p>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>✓ Objective met</p>

Clause 55.04-2 Walls on boundaries objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B18</p>	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> • For a length of more than the distance specified in the schedule to the zone; or • If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p>	<p>NA – No new walls on boundary</p> <p>NA – No new walls on boundary</p> <p>NA – No new walls on boundary</p>

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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>The height of a new wall constructed on or within 200 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The extent to which walls on boundaries are part of the neighbourhood character.</p> <p>The impact on the amenity of existing dwellings.</p> <p>The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot or an adjoining property.</p> <p>The orientation of the boundary that the wall is being built on.</p> <p>The width of the lot.</p> <p>The extent to which the slope and retaining walls or fences reduce the effective height of the wall.</p> <p>Whether the wall abuts a side or rear lane.</p> <p>The need to increase the wall height to screen a box gutter.</p> <p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>NA – No new walls on boundary</p>
<p>Decision Guidelines</p>		
<p>Objectives</p>		<p>NA</p>

Clause 55.04-3 Daylight to existing windows objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B19</p> <p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p>		<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met The development would not reduce the light court to any existing habitable room windows. Existing windows have a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky.</p> <p>✓ Standard met As above</p>

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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Diagram B2 Daylight to existing windows</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	
<p>Decision Guidelines</p>	<p>The design response.</p> <p>The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.</p> <p>The impact on the amenity of existing dwellings.</p> <p>To allow adequate daylight into existing habitable room windows.</p>	
<p>Objective</p>		<p>✓ Objective met</p>
<p>Clause 55.04-4 North-facing windows objective</p>		
<p>Title & Objective</p> <p>Standard B20</p>	<p>Standards</p> <p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.</p>	<p>Standard Met/Standard Not Met/NA</p> <p>NA – There are no north-facing habitable room windows within 3 metres of a common boundary on an abutting lot.</p>

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<p>Diagram B3 North-facing windows</p> <p>A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.</p> <p>Applies where existing HRW is between 20° west and 30° east from north</p>		
<p>Decision Guidelines</p>	<p>The design response. Existing sunlight to the north-facing habitable room window of the existing dwelling. The impact on the amenity of existing dwellings.</p>		

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Objective	To allow adequate solar access to existing north-facing habitable room windows.	NA
Clause 55.04-5 Overshadowing open space objective		
Title & Objective	Standard Met/Standard Not Met/NA	
Standard B21	Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.	<p>Standard met The setbacks provided for the development ensure that any reduction in sunlight to adjoining properties are well within the requirements of the Standard to secluded open space. Compliance has been demonstrated on the shadow diagrams.</p>
Decision Guidelines	<p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p> <p>The design response.</p> <p>The impact on the amenity of existing dwellings.</p> <p>Existing sunlight penetration to the secluded private open space of the existing dwelling.</p> <p>The time of day that sunlight will be available to the secluded private open space of the existing dwelling.</p> <p>The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</p>	<p>Standard met As above.</p>
Objective	To ensure buildings do not significantly overshadow existing secluded private open space.	Objective met

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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.04-6 Overlooking objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
<p>Standard B22</p>	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>Diagram B4 Overlooking open space</p> <p>Diagram B4 Overlooking open space</p> <p>existing dwelling</p> <p>new dwelling</p> <p>existing private open space</p> <p>secluded private open space</p> <p>area to be screened or obscured</p> <p>area to be screened or obscured</p> <p>9.0m</p> <p>9.0m radius</p> <p>9.0m radius</p> <p>45°</p> <p>45°</p> <p>1.7m</p> <p>Line of sight above the FFL</p> <p>FFL</p> <p>9.0m measured at ground level</p> <p>45°</p>	<p>Standard met via conditions</p> <p>Dwellings 2 and 3's habitable room windows on the first floor that have sill heights less than 1.7m from the FFL that would look into another properties SPOS, are labelled on the first-floor plan and elevations as obscured glazing.</p> <p>Dwelling 2's first floor habitable windows are provided with obscured glazing up to at least 1.7 metres from FFL on the north-eastern and south-eastern elevation</p> <p>Dwelling 3's first floor habitable windows are provided with obscured glazing but has no sill heights labelled on its western elevation. This has been addressed as a permit condition to ensure compliance with Standard B22, should a permit be issued.</p>
	<p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. 	<p>Standard met</p> <p>As above</p>

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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

	<ul style="list-style-type: none"> • Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. • Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. 	
	Obscure glazing in any part of the window below 1.7 metres above floor level may be operable provided that there are no direct views as specified in this standard.	<p>✓ Standard met As above</p>
	<p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed and durable. • Designed and coloured to blend in with the development. 	<p>✓ Standard met As above</p>
	The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.	<p>✓ Standard met As above</p>
Decision Guidelines	<p>The design response.</p> <p>The impact on the amenity of the secluded private open space or habitable room window.</p> <p>The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.</p> <p>The internal daylight to and amenity of the proposed dwelling or residential building.</p> <p>To limit views into existing secluded private open space and habitable room windows.</p>	
Objective		<p>✓ Objective met via condition Dwelling 3 is provided with obscure glazing but has no sill heights labelled on its western elevation. A condition of permit, should one issue, requires the sill heights to be nominated and ensures compliance with Standard B22.</p>

Clause 55.04-7 Internal views objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B23	Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.	<p>✓ Standard met There are no internal views into the SPOS of one dwelling from another dwelling in the same development</p>
Decision Guidelines	The design response.	
Objective	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	<p>✓ Objective met</p>

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.04-8 Noise impacts objectives

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B24		Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.	Standard met No noise generating sources (such as mechanical plant equipment) are located near bedrooms of adjoining existing dwellings.
		Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account of noise sources on immediately adjacent properties.	Standard met There are no relevant noise sources on the adjoining properties. Adjoining properties are used for residential purposes.
		Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	Standard met The site is not located close to busy roads or industry.
Decision Guidelines		The design response.	
Objectives		To contain noise sources within development that may affect existing dwellings. To protect residents from external noise.	Objectives met

Clause 55.05-1 Accessibility objective

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B25		The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	Standard met Dwellings 2 and 3 have amenities such as living area, bathroom and kitchen located on the ground floor, including at least one bedroom and therefore are suitable for guests with limited mobility. Dwelling 4 is a single storey dwelling and suitable for people with limited mobility.
Objective		To encourage the consideration of the needs of people with limited mobility in the design of developments.	Objective met

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.05-2 Dwelling entry objective

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B26		<p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> • Be visible and easily identifiable from streets and other public areas. • Provide shelter, a sense of personal address and a transitional space around the entry. 	<p>Standard met</p> <p>Dwellings 1 and 2 entrances are directly visible from the street and Dwellings 3 and 4 are visible from the accessway and in logical locations. Dwelling entries would be directly accessible from the accessway which are connected to the street. The porches provide shelter, a sense of personal address and a transitional space around the entry.</p>
Objective		To provide each dwelling or residential building with its own sense of identity.	Objective met

Clause 55.05-3 Daylight to new windows objective

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B27		<p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> • An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or • A verandah provided it is open for at least on third of its perimeter, or • A carport provided it has two or more open sides and is open for at least on third of its perimeter. 	<p>Standard met</p> <p>The proposal has considered the location of windows to front an open space which would have a minimum clearance of 1.0m and minimum area of 3sqm at ground floor for the new dwelling.</p>
Decision Guidelines		<p>The design response.</p> <p>Whether there are other windows in the habitable room which have access to daylight.</p>	
Objective		To allow adequate daylight into new habitable room windows.	Objective met

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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.05-4 Private open space objective	
Title & Objective	Standards
<p>Standard B28</p>	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>GRZ1: <i>“An area of 50 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres and a minimum dimension of 5 metres and convenient access from a living room; or</i></p> <p><i>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area.”</i></p>
<p>Decision Guidelines</p>	<p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> • An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or • A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or • A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p> <p>The design response.</p> <p>The useability of the private open space, including its size and accessibility.</p> <p>The availability of and access to public or communal open space.</p> <p>The orientation of the lot to the street and the sun.</p>
	<p>Standard Met/Standard Not Met/NA</p> <p>* Standard not met and Schedule not met</p> <p>Dwelling 1: Total ground level private open space: 112.76sqm, including 57.78sqm of secluded private open space (minimum dimension of 5 metres)</p> <p>Dwelling 2: Total ground level private open space: 103.01sqm, including 30sqm of secluded private open space (minimum dimension of 5 metres)</p> <p>Dwelling 3: Total ground level secluded private open space: 96sqm, including 35.5sqm of secluded private open space (minimum dimension of 5,17 metres)</p> <p>Dwelling 4: Total ground level secluded private open space: 109.03sqm, including 25.08sqm of secluded private open space (minimum dimension of 5 metres)</p>
	<p>Dwelling 4 has only 25.08sqm with a minimum dimension of 5 metres, due to the unusual lot shape 50sqm has been provided for the main SPOS but it tapers off into a triangle point not meeting the minimum dimension. Residents of Dwelling 4 will have a total of 109.03sqm secluded private open, including the service yard to use and that is considered to be an appropriate size for a three bedroom dwelling. The SPOS is also easily accessible from the main living area.</p>

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

<p>Objective</p>	<p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p>✓ Objective met As discussed above, adequate private open space has been provided for Dwelling 4 for the reasonable recreation and service needs of residents.</p>
<p>Clause 55.05-5 Solar access to open space objective</p>		
<p>Title & Objective</p>	<p>Standard Met/Standard Not Met/NA</p>	
<p>Standard B29</p>	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p>	<p>✓ Standard met Dwellings 2 and 4 have their POS located on the north side of the development. Dwellings 1 and 3 have their POS located on the western boundary, with access to northern sun.</p>
<p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Diagram B5 Solar access to open space</p>		<p>NA There is no SPOS located to the south of the development.</p>
<p>Decision Guidelines</p>	<p>The design response. The useability and amenity of the secluded private open space based on the sunlight it will receive.</p>	
<p>Objective</p>	<p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<p>✓ Objective met</p>

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.05-6 Storage objective

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.		Standard met All dwellings are provided with 6 cubic metres of externally accessible storage space. All Dwellings have a storage shed located within their POS areas.
Objective	To provide adequate storage facilities for each dwelling.		Objective met

Clause 55.06-1 Design detail objective

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B31	The design of buildings, including: <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.		Standard met The development provides face brick and render finish, and provides pitched tiled roof, which is suitable to the neighbourhood character where the majority of the dwellings have brick facades and pitched tiled roofs. All window and door proportions are considered to be appropriate and are in line with the predominant character of the area, as they are regular domestic window and door sizes, which is the same as the existing dwelling. There are front porches and habitable room windows facing the street, which is a predominant design for façades in the area. The façade articulation and design are considered to be respectful to the existing neighbourhood character, as dwellings, with a front door and several front facing windows are common the area.
Decision Guidelines	Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character. Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting. Whether the design is innovative and of a high architectural standard.		Standard met All dwellings propose double garages that are setback within the development and would be visually compatible with the development and the preferred neighbourhood character.
Objective	To encourage design detail that respects the existing or preferred neighbourhood character.		Objective met

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2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.06-2 Front fences objective		Standard Met/Standard Not Met/NA						
Title & Objective	Standards							
Standard B32	<p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> The maximum height specified in a schedule to the zone, or <p>All schedules to all residential zones:</p> <p>"Maximum 1.5 metre height in streets in Road Zone Category 1 1.2 metre maximum height for other streets"</p> <ul style="list-style-type: none"> If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table border="1"> <thead> <tr> <th>Street Context</th> <th>Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td>Streets in a Road Zone, Category 1</td> <td>2 metres</td> </tr> <tr> <td>Other streets</td> <td>1.5 metres</td> </tr> </tbody> </table>	Street Context	Maximum front fence height	Streets in a Road Zone, Category 1	2 metres	Other streets	1.5 metres	<p>NA</p> <p>No front fence is proposed. There is an existing 1.45m high brick pier fence in front of the Dwelling 1, that will be retained.</p> <p>NA</p> <p>No front fence is proposed</p>
Street Context	Maximum front fence height							
Streets in a Road Zone, Category 1	2 metres							
Other streets	1.5 metres							
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The setback, height and appearance of front fences on adjacent properties.</p> <p>The extent to which slope and retaining walls reduce the effective height of the front fence.</p> <p>Whether the fence is needed to minimise noise intrusion.</p>							
Objective	To encourage front fence design that respects the existing or preferred neighbourhood character.	NA						

2.3.4 Town Planning Application - No. 12 Wirilda Court, Springvale South (Planning Application No. PLN19/0623) (Cont.)

Clause 55.06-3 Common property objectives

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B33		Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.	Standard met Public and private areas are clearly delineated.
Objectives		To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	Standard met The accessway will be common property and is functional and capable of efficient management. Objectives met

Clause 55.06-4 Site services objectives

Title & Objective		Standards	Standard Met/Standard Not Met/NA
Standard B34		The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	Standard met Each dwelling would have suitable facilities for site services for the development.
		Bin and recycling enclosures should be located for convenient access by residents.	Standard met Each dwelling would have suitable facilities for site services for the development. Storage sheds and bins are located in the POS. Mailboxes are located along the accessway near the frontage.
		Mailboxes should be provided and located for convenient access as required by Australia Post.	Standard met Bins are located in the POS for each dwelling and would have access to the street via the common accessway to transfer bins for collection.
Decision Guidelines		The design response.	Standard met Mailboxes are provided and located along the frontage for convenient access as required by Australia Post.
Objectives		To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive.	Objectives met

3 QUESTION TIME - PUBLIC

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.

b) 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.

c) 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.

d) 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).

e) 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.

3 QUESTION TIME - PUBLIC (Cont.)

- f) The Chairperson shall call on members of the gallery who have submitted an accepted question to ask their question verbally if they wish.
- g) The Chairperson, Chief Executive Officer or delegate may then direct that question to be answered by a nominated Councillor or member of Council staff.
- h) No debate on, or discussion of, a question or an answer will be permitted other than for the purposes of clarification.
- i) 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).
- j) 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.
- k) The text of each question asked and the response will be recorded in the minutes of the Meeting.

4 OFFICERS' REPORTS - PART TWO

4.1 CONTRACTS

4.1.1 Contract No. 2021-06 Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services

File Id:	qA 424861
Responsible Officer:	Director Business, Engineering & Major Projects
Attachments	Tender Evaluation Comments (Confidential)

Report Summary

This report details the public tender process undertaken by Council to select a suitably qualified and experienced contractor for the **Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services** for the City of Greater Dandenong.

This is a Lump Sum based Contract.

Recommendation Summary

This report recommends that Council awards Contract 2021-06 to **Waverley Industries Ltd** trading as **Waverley Social Enterprise** for a fixed lump sum price of Four Hundred and Seventy Five Thousand, Seven Hundred and Thirty Dollars and Thirty One Cents (\$475,730.31) including GST of \$43,248.21 per year for Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services, plus a schedule of rates for reactionary works.

The initial term of this contract is three (3) years from the date of commencement with an option to extend the contract by two (2) twelve month periods at the sole and absolute discretion of Council.

4.1.1 Contract No. 2021-06 Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services (Cont.)

Introduction

The purpose of this Contract is the provision of a programmed service for **Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services** at various locations within the City of Greater Dandenong.

The services will comprise the supply of plant and operator(s). The number and type of facilities to be cleaned and maintained are as follows:

<u>Service Category</u>	<u>Number</u>
1) Litter Collection	286 Locations
2) Hand Weeding (Playgrounds)	113 Locations
3) Cleaning of Public Litter & Recycling Bin Holders – (Bin Wash Program)	851 Bins
4) Street Furniture Cleaning	577 Furniture Items

Tenderers were advised that the work in all areas is labour intensive requiring sites to be “walked” over in order to ensure cleanliness.

Tender Process

The tender was advertised in The Age Newspaper on Saturday 15 August 2020 and closed at 2:00pm on Tuesday 15 September 2020.

Tenderers were required to complete and submit all of Council’s standard tender schedules, providing all relevant details to enable the complete evaluation of their tender submission.

Additionally, tenderers were requested to submit their annual rate/price per site for each of the four service categories (using the supplied appendix) taking into account the service frequency to create a total annual cost per category. The total price for each service category was then combined to create an annual lump sum price per tender.

At the close of the tender advertising period submissions were received from 11 contractors as indicated below:

1. **Blue Sky Services (Vic) Pty Ltd**
2. **Herbert Group Holdings Pty Ltd** trading as **Herbert Group**
3. **K C Facility Services Pty Ltd**
4. **The Trustee for WAK Services Unit Trust** trading as **Melbourne Grounds Care**
5. **Geelong Ethnic Communities Council Inc** trading as **My Maintenance Crew**
6. **The Trustee for Oita Facility Management Unit Trust** trading as **Oita Facility Management Pty Ltd**

4.1.1 Contract No. 2021-06 Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services (Cont.)

7. **Prime Facility Management Pty Ltd trading as Prime Group Cleaning**
8. **The Trustee for Proclean Service Trust trading as Proclean Services Group**
9. **Jason Trevor Klep trading as Top Facility Solutions Property**
10. **Waverley Industries Ltd trading as Waverley Social Enterprise**
11. **The Trustee for Wayne Cleaning Service Unit Trust Wayne Cleaning Systems trading as Wayne Cleaning Systems Pty Ltd**

Tender Evaluation

The evaluation panel consisted of Council's Service Unit Leader – Works, Fleet & Cleansing, Team Leader Cleansing, Acting Cleansing Foreperson, Service Coordinator Playgrounds and Parks Assets and the Contracts Officer, with Occupational Health & Safety and Environmental Management consultants providing specialist advice.

The Tenders were evaluated using Council's Weighted Attributed Value Selection Method. The advertised evaluation criteria and the allocated weightings for evaluation are as follows:

	Evaluation Criteria	Weighting
1	Price	45%
2	Relevant Experience (Technical/Business/Similar)	20%
3	Capability & Resources	20%
4	Local Industry / Content	7.5%
5	Social Procurement	7.5%
6	OH&S Management Systems (OH&S)	Pass / Fail
7	Environmental Management Systems (EMS)	Pass / Fail

Evaluation Criteria 1 – 5 are given a point score between 0 and 5 as detailed in the table below. The Evaluation Criteria 6 & 7 are given a Pass or Fail.

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

4.1.1 Contract No. 2021-06 Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services (Cont.)

0	Not Acceptable
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The tender submission from Herbert Group was considered non conforming as they did not submit any of Council's compulsory tender schedules.

The tender submissions received from Melbourne Grounds, My Maintenance Crew and Prime Facilities Management offered an annual lump sum price greater than 50% above the median price of all tender submissions received and automatically received a price points score of zero and were therefore not evaluated for the non price evaluation criteria.

The remaining seven (7) tender submissions were each assessed against the non price evaluation criteria (listed above).

Each criterion is ranked on a point score between 0 (Not Acceptable) and 5 (Excellent). These rankings are then multiplied by the pre-determined weighting to give a weighted attribute ranking for each criterion and totalled to give an overall evaluation score for all criteria as detailed on the flowing table:

Note 1: The higher the price score – lower the tendered price.

Note 2: The higher the non-price score – represents better capability and capacity to undertake the service.

4.1.1 Contract No. 2021-06 Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services (Cont.)

Tenderer	Price Points	Non-Price Points	OH&S	EMS	Total Score
Waverley Industries	1.68	2.34	PASS	PASS	4.02
Blue Sky Services	1.61	1.53	PASS	PASS	3.14
K C Facility Services	2.18	0.91	Not Assessed	Not Assessed	3.09
Oita Facility Management	1.13	1.78	Not Assessed	Not Assessed	2.91
Proclean Services	1.91	0.92	Not Assessed	Not Assessed	2.83
Wayne Cleaning	1.42	1.17	Not Assessed	Not Assessed	2.59
Top Facility Solutions	0.82	1.11	Not Assessed	Not Assessed	1.93
Herbert Group	0.47	Not Scored	Not Assessed	Not Assessed	0.00
Melbourne Grounds	0.00	Not Scored	Not Assessed	Not Assessed	0.00
My Maintenance Crew	0.00	Not Scored	Not Assessed	Not Assessed	0.00
Prime Facilities Management	0.00	Not Scored	Not Assessed	Not Assessed	0.00

In accordance with the advertised tender conditions the highest rated tender submissions were then assessed against the Pass/Fail evaluation criteria of OH&S Management Systems and Environmental Management Systems.

At the completion of the tender evaluation process described above, the evaluation panel agreed that the tender submission from Waverley Industries Ltd trading as Waverley Social Enterprise would provide the Best Value outcome for Council.

Although, the lump sum annual price received from Waverley Industries Ltd trading as Waverley Social Enterprise was higher than that offered by Blue Sky Services Pty Ltd and KC Facility Service their overall ranking for the non price evaluation criteria resulted in Waverley Industries receiving a higher total score for the following reasons;

- their similar, current and previous contracts;

4.1.1 Contract No. 2021-06 Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services (Cont.)

- their resources and equipment - four full time & one part time plus 14 full time (supported employees) personnel for this Contract and
- their relevant experience working with four Victorian Local Governments; and
- they are currently performing all services associated with this contract for Council.

Waverley Industries Ltd trading as Waverley Social Enterprise is the current contractor for these services and would require no lead time for the commencement of their services which ensures service continuity.

The evaluation matrix and other supporting documents have been placed in the relevant Contract Procurement file and further information regarding the evaluation process is detailed in Attachment 1.

Note 1: The higher the price score – lower the tendered price.

Note 2: The higher the non-price score – represents better capability and capacity to undertake the service.

Financial Implications

This is a Lump Sum Contract.

The expenditure for this Contract will be split between the Cleansing and Parks Units. Adequate funding for this service has been included in the current 2020/21 financial year as part of Council's operational Cleansing and Parks budget provisions.

Note:

Lump Sum – A lump sum contract or a stipulated sum contract will require that the supplier agree to provide specified services for a stipulated or fixed price.

Schedule of Rates – The schedule of rates for this contract is provided for Reactionary cleaning works initiated by the Contract Superintendent for urgent cleaning works.

Social Procurement

Social procurement was considered when assessing the tender responses.

Waverley Industries is a not for profit Supported Employment Organisation that exists to provide meaningful employment to people with special needs (mainly intellectually disabled adults). Waverley Industries is Victoria's largest Supported Employment Social Enterprise (the only tenderer who is a dedicated Social Enterprise) currently providing quality employment to 330 people with Special needs over their two sites. Their Strategic Goal is to continue to grow to be able to provide employment opportunities for disadvantaged ethnic cultural group adults to work alongside our employees.

Waverley Industries state that they will employ 14 full time employees for this Contract and they have 15 employees who live within the City of Greater Dandenong municipal boundary.

4.1.1 Contract No. 2021-06 Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services (Cont.)

Local Industry

Local industry was considered when assessing the tender responses.

Waverley Industries has two branch locations in Hallam and Notting Hill (that are just outside Council's municipal boundary) and approximately 12% of their employees live within the Council boundary. Waverley Industries estimate that they will spend \$23,000 per annum with nominated businesses that are located within the City of Greater Dandenong municipal boundary.

Consultation

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 all consulted.

Conclusion

At the conclusion of the tender evaluation process described above the evaluation panel agreed that the tender submission from **Waverley Industries Ltd** trading as **Waverley Social Enterprise** would provide the Best Value outcome for Council and they are the recommended tenderer for the following reasons:

1. Their conforming tender submission and overall well priced Lump Sum price.
2. Their very good level of experience, staff resources and equipment.
3. Their 18 years industry and 36 years business experience.
4. Receiving a Pass for their Occupational Health and Safety (OH&S) and Environmental (EMS) management systems.
5. Being ranked the highest for the non price evaluation criteria of Relevant Experience and Capability.
6. Waverley Industries is Victoria's largest Supported Employment Social Enterprise and a Not for Profit organisation.
7. Waverley Industries have been carrying out these services for Council since May 2018, when they took over this Contract from Gateway Industries.

The Company

Waverley Industries Ltd is a not-for-profit organisation that commenced operations in November 1984 with the aim of providing Supported Employment Opportunities for people with special needs, in particular intellectually disabled adults.

Waverley Industries currently employ 330+ adults with special needs, 60+ full time and casual staff across 2 sites located in Notting Hill and Hallam.

Waverley Industries currently provides similar services to three Melbourne Local Governments including the Cities of Monash, Kingston and Greater Dandenong.

4.1.1 Contract No. 2021-06 Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services (Cont.)

Waverley Industries is an Australian Standards Quality (JasAnz) Accredited Company (ISO 9001:2015) (Quality Management Systems).

Recommendation

That Council:

1. **awards Contract to Waverley Industries Ltd ntract to Waverley Industries Ltd trading as Waverley Social Enterprise for a fixed lump sum price of Four Hundred and Forty Five Thousand, Seven Hundred and Forty Four Dollars and Two Cents (\$445,744.02) including GST of \$40,522.18 per year for Programmed Cleaning Works in the first year of the contract, plus a Schedule of Rates for Reactionary Cleaning Works as required for an initial period of three (3) years from the date of commencement;**
2. **reserves the option to extend the initial contract term by two (2), 12 month extensions at the sole and absolute discretion of Council; and**
3. **signs and seals the contract documents when prepared.**

4.1.1 Contract No. 2021-06 Litter Collection, Hand Weeding, Park & Street Furniture Cleaning Services (Cont.)

CONTRACTS

**CONTRACT NO 2021-06 - LITTER COLLECTION, HAND WEEDING,
PARK & STREET FURNITURE CLEANING SERVICES**

ATTACHMENT 1

**TENDER EVALUATION COMMENTS
(CONFIDENTIAL)**

PAGES 4 (including cover)

This attachment has been deemed confidential by the Chief Executive Officer under section 77(2)(c) of the *Local Government Act 1989* and section 3(1) of the *Local Government Act 2020* and has not been provided within the Public Agenda.

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

4.2 FINANCE AND BUDGET

4.2.1 Mid Year Budget Review 2020-21

File Id:

Responsible Officer:

Director Corporate Services

Attachments:

A – Income Statement
B – Mid Year Budget Adjustments
C – Mid Year Budget Review Notes
D – Capital Improvement Program deferrals and savings

Report Summary

The 2020-21 Mid-Year Budget Review process provides Council with the opportunity to review its operations since the adoption of the 2020-21 Budget and subsequently the Amended Budget (incorporating carry overs from 2019-20). It allows Council to make the necessary adjustments to reflect the latest forecast financial position.

The financial impacts of COVID-19 on Council's financial position is such that there will be no new projects added to Council's budget through this Mid-Year Budget process. Instead Council is having to deal with an estimated forecast deficit of \$3.96 million. This report proposes savings and deferrals in Council's City Improvement Program of \$4.40 million to recover this amount leaving an unallocated \$434,000 COVID contingency for the remainder of the financial year.

The financial impacts of COVID-19 on Council's financial position and other non COVID budget adjustments arising from the first five months of 2020-21 have been put forward in this report.

Recommendation Summary

This report recommends that Council adopt the 2020-21 Mid-Year Budget which includes:

1. The proposed amendments to capital and operating budgets that have occurred since the adoption of the Annual Budget and subsequently the Amended Budget (incorporating carry overs from the previous financial year), (Attachment B).
2. The project deferrals and savings of the 2020-21 capital improvement program totalling \$4.4 million (**Attachment D**).
3. Unallocated COVID contingency of \$434,000 for the remainder of the 2020-21 financial year.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Background

The financial management of City of Greater Dandenong is a complex task with Council managing operational inflows and outflows of over \$213 million, with the addition of a capital works program of \$81.8 million in 2020-21 (including carry overs), across hundreds of different services that are provided to the community.

The purpose of this Mid-Year Budget Review is to assess financial trends that have occurred during the first five months of the 2020-21 financial year and to determine a forecast outcome for 30 June 2021. The Mid-Year Budget Review further allows Council to take account of the final outcomes arising from the previous financial year given that the Original Budget is developed in May, some two months prior to the end of the financial year and many of Council's services and capital projects span across the financial years.

Council undertook a half yearly review of the 2019-20 Annual Budget, to identify areas where the forecast result to 30 June 2021 may need amendment due to changed circumstances. All proposed variations to the Amended Budget for both capital and operating are fully described in **Attachment B**.

Since 30 June 2020, the declaration of COVID stage 4 restrictions has had a significant adverse impact on Council. These items combined with other known adjustments since adoption of the 2020-21 Annual Budget are listed in **Attachment B** and are summarised in Table 1 below. This totals an unfavourable net result of \$3.96 million. The main contributor to this unfavourable result is \$5.57 million of known COVID financial losses (after reallocation of the remaining \$596K contingency already included in the 2020-21 Annual Budget).

The effect of the COVID-19 pandemic has driven the City of Greater Dandenong into cash deficit for the first time of \$3.96 million largely contributed by the significant impacts on the loss of revenue from COVID-19. From a prudent financial management perspective, it is recommended that Council take steps now to balance the budget for the 2020-21 financial result. This can only be achieved by both reducing/deferring current capital projects (refer **Attachment D**), leaving an unallocated COVID contingency amount of \$434,000 for the remainder of the financial year.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Table 1

Component	Ref	\$'000
Residual surplus available		\$871
<i>Less</i>		
Capital variations (net of reserves)	Attachment B	(\$105)
Operating variations - non-COVID (net of reserves)	Attachment B	(\$1,186)
Operating variations - COVID related	Attachment B	(\$5,574)
Leases - net impact	Attachment B	\$29
Loans - net impact	Attachment B	(\$2)
Reversal of budget transfer to Major Projects Reserve	Attachment B	\$2,000
Residual deficit		(\$3,967)
<i>Proposed savings/deferral of capital projects</i>	Attachment D	\$4,401
COVID remaining contingent funding for 2020-21	Attachment B	(\$434)
Surplus / (deficit)		\$0

In terms of the 2020-21 Annual Budget, Council adopted the Budget for the purposes of public display in April 2020 at the very early stages of the COVID pandemic. At that point all operational budgets (which were compiled in February/March) were based on pre-COVID normal operations.

Even at that early point it was obvious that Council's finances would be significantly impacted upon and Council set aside contingent funding of \$5.2 million by reducing its spending on capital projects.

Prior to the final adoption of the 2020-21 Annual Budget in June 2020, Council allocated \$4.6 million of this \$5.2 million across the various areas in its Budget where the impact was known leaving a residual contingency of approximately \$600,000.

Further to this, the 2020-21 Annual Budget included an amount of \$2 million to be repaid to its Major Projects Reserve fund on the basis that this funding would be required to fund pandemic community relief through until 30 June 2020. Given as noted above the \$2 million was not required in 2019-20 this reserve transfer was added to contingent funding in 2020-21 making this \$7.2 million.

Further Financial impacts of COVID-19 on the City of Greater Dandenong

Table 2 provides a snapshot of the estimated financial impact of COVID-19 restrictions on the City of Greater Dandenong over 2019-20 and 2020-21 years. It is estimated at more than \$16.4 million. The 2019-20 year is an estimate only on known material variations and is anticipated to be higher than reported. The impact is both discretionary and non-discretionary in nature and are a combination of financial impacts beyond Council control and relief provided by Council.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Table 2

	COVID Adjustments 2020-21 Adopted Budget (unfav) fav	COVID Adjustments 2020-21 Mid Year Budget (unfav) fav	COVID Estimated Impact 2020-21 Annual Budget (unfav) fav (1)	COVID 2019-20 Actual result (unfav) fav (2)	COVID Estimated Total Impact 2019-20 to 2020-21 (unfav) fav (1) + (2)
Total COVID before contingency funding	(4,643,909)	(6,129,867)	(10,773,776)	(5,652,738)	(16,426,514)
Contingency fund COVID allocated / utilised	4,643,909	558,091	5,200,000		
COVID losses referred to Mid Year Budget after contingency allocated	0	(5,573,776)	(5,573,776)		
Major project reserve reversal		2,000,000	2,000,000		
Net impact of COVID losses referred to Mid Year Budget	0	(3,573,776)	(3,573,776)		

Since March 2020 the City of Greater Dandenong has implemented several immediate measures to respond to the pandemic while supporting the community, individuals and businesses through the impacts of COVID-19 restrictions.

The proposed Mid Year operating and capital budget adjustments are a result of a detailed review of projected forecasts to 30 June 2021. The introduction of stage four restrictions has severely impacted Council with most major impacts occurring in the loss of revenues. Forecast outcomes are detailed in this report.

To assist Council in considering the proposed revisions, three Attachments are contained in this report, viz.

- **Attachment A – Income Statement** comparing the Amended 2020-21 Budget (Annual Budget plus carry overs from the previous year) against the proposed Mid-Year Budget.
- **Attachment B** - is the full listing of adjustments (both capital and operating) that have been referred for Council consideration and have been proposed to be included in the Mid-Year Budget.
- **Attachment C** - contains more detailed notes in respect of each proposed change in Attachment B.
- **Attachment D** – Capital Improvement Program deferrals and savings 2020-21.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Key Outcomes of the 2020-21 Mid-Year Budget Review

The table below details the movements in operating, capital and other non-operating cash items resulting from the review.

Description	Original Budget 2020-21 \$'00	Amended Budget 2020-21 \$'000	Mid Year Budget 2020-21 \$'000	Mid Year vs Amended Variance Fav/(unfav) \$'000
Income Statement				
Income	226,225	228,964	236,013	7,049
Expenditure	196,467	204,161	213,023	(8,862)
Surplus (deficit) - operations	29,758	24,803	22,990	(1,813)
Management accounting reconciliation				
<i>Add back non-cash items:</i>				
Depreciation and amortisation	31,433	31,433	32,949	(1,516)
Contributions non monetary assets	(15,000)	(15,000)	(15,000)	-
Written down value of assets sold/scrapped	309	309	309	-
Sub total	16,742	16,742	18,258	(1,516)
Less non operating cash items				
Capital expenditure	43,705	74,956	81,831	6,875
Transfers to (from) reserves	(331)	(6,239)	(13,240)	(7,001)
Loan repayments	3,126	3,126	3,255	129
Repayment of lease liabilities	-	-	571	571
Sub total	46,500	71,843	72,417	574
Cash surplus (deficit) for year	-	(30,298)	(31,169)	(871)
Accumulated surplus bought forward	-	31,169	31,169	-
Forecast position surplus (deficit)	-	871	-	(871)

Notes to the Management Accounting summary

Original Budget – Annual Budget adopted by Council 22 June 2020.

Amended Budget – Incorporating operating and capital carry overs from 2019-20.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Income and Expenditure (Income Statement result)

The Income Statement is Council's formal accounting result in accordance with Accounting Standards and as such contains several non-cash items (depreciation, written down value of assets sold and gifted assets from developers) and excludes cash items such as capital expenditure and loan repayments.

Description	Original Budget 2020-21 \$'00	Amended Budget 2020-21 \$'000	Mid Year Budget 2020-21 \$'000	Mid Year vs Amended Variance Fav/(unfav) \$'000
Income Statement				
Income	226,225	228,964	236,013	7,049
Expenditure	196,467	204,161	213,023	(8,862)
Surplus - ongoing operations	29,758	24,803	22,990	(1,813)

The forecast operating surplus for the year as projected following the Mid-Year Budget review is \$22.99 million, a decrease from the Amended Budget (Attachment A). The significant items of revenue and expenses that contribute to this variation are as follows.

Whilst the movement in income and expenditure has increased, this is attributed to additional grant funding received that has matching expenditure primarily due to successful capital grant funding (\$5.29 million) and operating grant funding (\$7.27 million). This has been partly offset by revenue losses due to COVID restrictions. Further details are provided below under the heading "New capital and operating funding (with matching expenditure)".

The significant items of revenue and expenses that also contribute to this variation are as follows.

Unfavourable - (non-COVID items are highlighted)

- Parking Management - lower ticket machine/meter fee income and parking infringements, partly offset by savings in maintenance and statutory lodgement fees with Fines Victoria (\$1.84 million).
- Car Parks (lower car park ticket machine fee income and staff salary sacrifice deductions for Walker Street parking permits (\$294,000).
- Leisure centre impact (\$591,000) due to COVID restrictions.
- Additional allocation to the business grants program (\$290,000)
- Interest on investments (\$700,000) – lower returns due to record low interest rates in the current COVID environment.
- The Drum Theatre income and recovery package (\$104,000).
- Higher insurance premiums (\$174,000) – non-COVID.
- Financial Assistance Grants funding to be received via the Victoria Grants Commission (\$189,000). Outcome lower due to COVID-19 impact on investment returns affecting the available pool fund.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

- Supplementary rates income (\$200,000) due to slowing trend.
- Deferral of penalty rate interest payable on outstanding rates (\$225,000).
- Continuation of Council's COVID-19 rate waiver package (\$150,000).
- Civic Facilities - rental income loss partly offset by operating cost savings (\$240,000).
- Property Management - loss in commercial property rental income (\$237,000).
- Cleansing – increased costs (\$807,126) – due to public amenities cleaning contract issues which has resulted in unbudgeted temporary staff costs and legal expenses partly offset by savings in salaries, overtime, training and materials and consumables. Not COVID-19 related.

Favourable

- Asset Management - savings in street lighting and software maintenance (\$182,000).
- Workcover premium saving (\$298,000).

New capital and operating funding (with matching expenditure) – by exception

Operating

Working for Victoria – new grant funding (\$4.48 million) – Council will receive \$4.48 million in grant funding from the Department of Jobs, Precincts and Regions to assist the Department with the Working for Victoria Fund project.

Local Partnership initiative – new grant funding (\$350,000) – Council will receive \$350,000 in grant funding from the Department of Premier and Cabinet to fund key partner service agency activities in directly supporting the local community impacted by the COVID-19 pandemic.

Outdoor Eating and Entertainment Package – new grant funding (\$500,000) – State Government grant funding (Department of Jobs, Precincts and Regions) for the Local Councils Outdoor Eating and Entertainment Package (LGA Stream).

Capital

Noble Park Aquatic Centre (NPAC) redevelopment (\$3 million income and expenditure) - State Government grant funding via the Community Sports Infrastructure Stimulus Program for the Stage 1 redevelopment of NPAC – Health and Wellbeing Gymnasium.

Noble Park Revitalisation (Stage 1B - Ross Reserve All Abilities Playground Infrastructure Upgrade) - new grant funding (\$190,000)

Tirhatuan Park – Dog Off Leash Park - new grant funding (\$153,500).

Net capital adjustments total an unfavourable \$105,000 and is primarily due to the 3-way land swap with Development Victoria (\$125,000).

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Variation in movement of transfers to (from) reserves – (\$1.26 million)

The following table highlights the expected variations to the movements in reserve funds arising from the Mid-Year Budget Review.

Reserve	Original Budget 2020-21 \$'000s	Amended Budget 2020-21 \$'000s	Mid Year Budget 2020-21 \$'000s	Mid Year vs Amended Variance \$'000s
Transfer to reserves				
Major projects reserve	3,108	3,108	1,108	(2,000)
Open space - planning, development and improvements	2,000	2,000	2,000	-
Open space - acquisitions	-	-	5,098	5,098
Development Contribution Plan - Council funded	700	700	700	-
Keysborough maintenance levy	1,575	1,575	1,575	-
Self insurance reserve	-	-	-	-
Springvale landfill rehabilitation reserve	-	-	-	-
Springvale Activity Precinct parking and development	-	-	-	-
Dandenong Activity Precinct parking and development	1,000	1,000	1,000	-
General reserve (aged care)	-	-	-	-
Future maintenance reserve (LXRA)	-	-	-	-
Native vegetation reserves	-	-	-	-
Total transfer to reserves	8,383	8,383	11,481	3,098
Transfer from reserves				
Major projects reserve	2,000	5,384	5,361	(23)
Open space - planning, development and improvements	400	1,291	6,389	5,098
Open space - acquisitions	-	74	5,098	5,024
Development Contribution Plan - Council funded	3,323	3,323	3,323	-
Keysborough maintenance levy	1,564	1,564	1,564	-
Self insurance reserve	88	88	88	-
Springvale landfill rehabilitation reserve	64	703	703	-
Springvale Activity Precinct parking and development	-	-	-	-
Dandenong Activity Precinct parking and development	1,200	2,120	2,120	-
General reserve - Aged Care	-	-	-	-
Native vegetation reserves	75	75	75	-
Total transfer from reserves	8,714	14,622	24,721	10,099
Net movement in reserves	(331)	(6,239)	(13,240)	(7,001)

Transfers to reserves (increase of \$3.09 million)

The increase in transfers to reserves primarily relates to:

- Reserve transfer of \$5.09 million into or “re-supplied” to the Open Space Acquisitions reserve from the Open Space – Planning, Developments and Improvements Reserve. This is due to several property purchases funded from this reserve in 2020-21.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Partly offset by

- A reduction in the transfer to the Major Project Reserve of \$2 million. This related to the 2020-21 Annual Budget including an amount of \$2 million to be repaid to the Major Projects Reserve fund on the basis that this funding would be required to fund pandemic community relief through until 30 June 2020. As noted above, the \$2 million was not required in 2019-20 so this reserve transfer was added to COVID contingent funding in 2020-21.

Transfers from reserves (increase of \$10.09 million)

The increase in transfers from reserves primarily relates to:

- Reserve transfers of \$5.02 million from the Open Space – Acquisitions Reserve to fund the purchase of the following properties for increasing open space in the municipality:
 - *Purchase of 2A Frank Street, Noble Park (\$1.40 million).*
 - *Purchase of 86-88 Clow Street, Dandenong (\$2.67 million)*
 - *Purchase of 218 Railway Parade, Noble Park (\$950,000)*
- Transfer from the Open Space planning, development and improvement reserve of the same amount above to replenish the Open Space Acquisition reserve for property purchases noted in this Mid Year Budget.

Partly offset by

- Minor adjustment of \$23,000 from the major project reserve due to an amount that was spent in the prior year on the Keysborough South Community Hub Access Road - it was funded from reserves in 2019-20.

Financial Implications

The 2020-21 Mid-Year Budget review will ensure that Council has accommodated all known variations to the Budget that have occurred during the first six months of the financial year and results in only a minor movement in the budgetary targets established in the 2020-21 Annual Budget.

Consultation

The 2020-21 Mid-Year Budget Review has been prepared on the basis of budget reviews conducted by all Council staff with budgetary responsibilities and following discussion and consideration by Council. As changes to the Original Budget are not material, Council is not required to formally advertise the Mid-Year Budget.

It is important to note that Attachment D which outlines the proposed changes to capital works to reduce expenditure in 2020-21 is made up of two components being a) direct CIP approved budgets attached to projects and b) asset renewal programs. In respect of part a) Council has endorsed the deferral of these projects on the basis that they receive priority funding in the 2021-22 Annual budget.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Recommendation

That Council adopt the 2020-21 Mid-Year Budget noting the following:

- 1. The proposed amendments to capital and operating budgets (COVID and Non-COVID related) that have occurred since the adoption of the Annual Budget and subsequently the Amended Budget (incorporating carry overs from the previous financial year), (Attachment B).**
- 2. The project deferrals and savings in the 2020-21 capital improvement program totalling \$4.4 million (Attachment D) to recover the Mid Year Budget deficit result of \$3.96 million contributed by COVID related impacts leaving an unallocated COVID contingency amount of \$434,000 through to 30 June 2021.**
- 3. For those projects in Attachment D (other than Asset Renewal Programs), Council endorses the position that these deferred projects will be considered a priority in the consideration of the 2021-22 Annual Budget.**

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

FINANCE AND BUDGET

MID YEAR BUDGET REVIEW 2020-21

ATTACHMENT A

INCOME STATEMENT

PAGES 2 (including cover)

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

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Attachment A

Income Statement

	Original Budget 2020-21 \$'000	Amended Budget 2020-21 \$'000	Mid Year Budget 2020-21 \$'000	Mid Year vs Amended Variance Fav/(unfav) \$'000
Income				
Rates and charges	152,325	152,325	151,750	(575)
Statutory fees and fines	8,426	8,426	7,140	(1,286)
User fees	8,068	8,068	6,502	(1,566)
Grants - operating	29,875	23,792	29,662	5,870
Grants - capital	3,244	8,650	13,879	5,229
Contributions - monetary	2,910	4,058	4,058	-
Contributions - non-monetary	15,000	15,000	15,000	-
Net gain on disposal property, infrastructure, plant and equipment	377	377	1,377	1,000
Other income	6,000	8,268	6,645	(1,623)
Total income	226,225	228,964	236,013	7,049
Expenses				
Employee costs	84,402	87,296	90,541	(3,245)
Materials and services	70,493	74,908	77,914	(3,006)
Bad and doubtful debts	1,363	1,363	1,363	-
Depreciation	31,433	31,433	32,308	(875)
Amortisation - intangible assets	-	-	60	(60)
Amortisation - right of use assets	-	-	581	(581)
Borrowing costs	3,051	3,051	2,924	127
Finance costs - leases	-	-	21	(21)
Other expenses	5,725	6,110	7,311	(1,201)
Total expenses	196,467	204,161	213,023	(8,862)
Surplus for the year	29,758	24,803	22,990	(1,813)
Other comprehensive income				
Items that will not be reclassified to surplus or deficit:				
Other	-	-	-	-
Total comprehensive result	29,758	24,803	22,990	(1,813)

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

FINANCE AND BUDGET

MID YEAR BUDGET REVIEW 2020-21

ATTACHMENT B

2020-21 MID-YEAR BUDGET ADJUSTMENTS

PAGES 7 (including cover)

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

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Attachment B

City of Greater Dandenong
2020-21 MID YEAR BUDGET ADJUSTMENTS

DESCRIPTION	NOTE	TERM	INCOME / RESERVE \$	EXPENSE \$	NET TOTAL \$	COVID ITEMS
ADJUSTMENTS - CAPITAL (CASH)						
Open space and other property acquisitions						
Purchase of 2A Frank Street, Noble Park (<i>reserve funded - Open Space Acquisitions Reserve</i>)	1	1 year	1,404,457	1,404,457	0	
Purchase of 86-88 Clow Street, Dandenong (<i>reserve funded - Open Space Acquisitions Reserve</i>)	2	1 year	2,669,526	2,669,526	0	
Purchase of 218 Railway Parade, Noble Park (<i>reserve funded - Open Space Acquisitions Reserve</i>)	3	1 year	950,000	950,000	0	
3-way land swap with Development Victoria - land acquisitions x 2, land sale x 1	4	1 year	1,000,000	1,125,000	(125,000)	
			6,023,983	6,148,983	(125,000)	
Transfers between capital and operating (nil impact)						
Library resources - transfer from capital budget due to increased demand for eBooks during COVID-19	5	1 year	0	(10,000)	10,000	
			0	(10,000)	10,000	
New, additional or unsuccessful funding (nil impact)						
Federal Black Spot Program - Various projects	6	1 year	2,471,000	2,471,000	0	
Noble Park Aquatic Centre Stage 1 Redevelopment - Health and Wellbeing Gymnasium	7	1 year	3,000,000	3,000,000	0	
Hemmings Street Dandenong - Neighbourhood Activity Centre project funding	8	1 year	60,000	60,000	0	
Noble Park Revitalisation (Stage 1B - Ross Reserve All Abilities Playground Infrastructure Upgrade) - new grant funding	9	1 year	190,000	190,000	0	
Tirhatuan Park - Dog Off Leash Park - new grant funding	10	1 year	153,500	153,500	0	
Norman Luth Reserve cricket wicket - unsuccessful grant funding	11	1 year	(30,000)	(30,000)	0	
Warner Reserve Recreation space - unsuccessful grant funding	11	1 year	(175,450)	(175,450)	0	
Police Paddocks Changerooms - unsuccessful grant funding	11	1 year	(100,000)	(100,000)	0	
Parkfield Reserve Master Plan implementation - unsuccessful grant funding	11	1 year	(350,000)	(350,000)	0	
Springvale Reserve - cricket net replacement (final grant funding instalment for prior year project)	12	1 year	10,000	0	10,000	
			5,229,050	5,219,050	10,000	
Project deferrals to fund COVID impacts						
Capital expenditure budget deferrals (details per Attachment D)	13	1 year	0	(4,400,823)	4,400,823	
			0	(4,400,823)	4,400,823	
TOTAL ADJUSTMENTS - CAPITAL (CASH)			11,253,033	6,957,210	4,295,823	

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Attachment B

City of Greater Dandenong
2020-21 MID YEAR BUDGET ADJUSTMENTS

DESCRIPTION	NOTE	TERM	INCOME / RESERVE \$	EXPENSE \$	NET TOTAL \$	COVID ITEMS
ADJUSTMENTS - OPERATING (CASH)						
NON DIRECTORATE						
Financial Assistance Grant allocation - reduction in funding	14	1 year	(189,703)	0	(189,703)	COVID
Supplementary rates income - reduction	15	1 year	(200,000)	0	(200,000)	
MAV Workcare premium saving	16	1 year	0	(298,627)	298,627	
Deferral of penalty rate interest payable on outstanding rates	17	1 year	(225,000)	0	(225,000)	COVID
Continuation of Council's COVID-19 Material Aid	18	1 year	0	160,000	(160,000)	COVID
COVID-19 Business Grants program	18	1 year	0	590,000	(590,000)	COVID
Reallocation of Council's COVID-19 contingent funding pool (for Material Aid and Business Grants Round 1 programs)	18	1 year	0	(460,000)	460,000	COVID
Transfer balance of capital project deferrals to Council's COVID-19 contingent funding pool	19	1 year	0	434,495	(434,495)	COVID
Interest return on investments - unfavourable adjustment	20	1 year	(700,000)	0	(700,000)	COVID
Increase in loan repayments - new \$10 million loan drawn down in June 2020	21	Ongoing	0	129,057	(129,057)	
Savings in interest expense due to lower interest rate on new \$10 million loan drawn down in June 2020	21	Ongoing	0	(127,096)	127,096	
Continuation of Council's COVID-19 Rate Waiver package for pensioners and JobSeekers	22	1 year	(150,000)	0	(150,000)	COVID
Pandemic costs - specialised cleaning and sanitising services, sportsclub utility waivers, protective/safety equipment and uniforms, etc	23	1 year	0	82,909	(82,909)	COVID
New Accounting Standard AASB 16 Leases - net impact	24	Ongoing	0	(29,201)	29,201	
Working for Victoria - new grant funding	25	2 years	4,482,050	4,482,050	0	
Local Partnership initiative - new grant funding	26	1 year	350,000	350,000	0	
Sub-total Non Directorate			3,367,347	5,313,586	(1,946,239)	
CORPORATE SERVICES DIRECTORATE						
People and Procurement Services						
Emergency Management program - grant funding	27	3 years	40,000	40,000	0	
Insurance premium - increase	28	Ongoing	0	174,062	(174,062)	
Savings in staff incentive	29	1 year	0	(44,659)	44,659	COVID
			40,000	169,403	(129,403)	
Communications and Customer Service						
Call and Service Centres - savings in salaries	30	1 year	0	(71,500)	71,500	
Call and Service Centres - savings in cash collections	31	1 year	0	(6,000)	6,000	COVID
Civic Facilities - rental income loss partly offset by operating cost savings	32	1 year	(361,990)	(121,500)	(240,490)	COVID
			(361,990)	(199,000)	(162,990)	
Governance						
Governance and Members of Council - savings in catering of meetings	33	1 year	0	(40,808)	40,808	COVID
Records Management - savings in postage	34	1 year	0	(20,000)	20,000	COVID
Property Management - loss in commercial property rental income	35	1 year	(237,496)	0	(237,496)	COVID
			(237,496)	(60,808)	(176,688)	
Sub-total Corporate Services			(559,486)	(90,405)	(469,081)	

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Attachment B

City of Greater Dandenong
2020-21 MID YEAR BUDGET ADJUSTMENTS

DESCRIPTION	NOTE	TERM	INCOME / RESERVE \$	EXPENSE \$	NET TOTAL \$	COVID ITEMS
ADJUSTMENTS - OPERATING (CASH) (continued)						
BUSINESS, ENGINEERING AND MAJOR PROJECTS DIRECTORATE						
Infrastructure Services and Planning						
Peri-urban Weed Management Project - additional grant funding	36	1 year	31,000	31,000	0	
Dandenong Creek Arts Trail - grant funding	36	1 year	75,000	75,000	0	
Waste Transition Plan - grant funding	36	1 year	10,000	10,000	0	
Asset Management - savings in street lighting and software maintenance	37	1 year	0	(182,502)	182,502	
Cleansing - increased costs	38	1 year	0	732,126	(732,126)	
Fleet Management - increased costs	39	1 year	0	30,762	(30,762)	
Fleet Management - savings	40	1 year	0	(140,320)	140,320	COVID
Roads and Drains - increased costs	41	1 year	0	10,000	(10,000)	
Waste Management - increased garden waste partly offset by recycling grant funding	42	1 year	144,133	370,110	(225,977)	
Waste Management - savings in deferral of landfill levy increase partly offset by higher tonnes to landfill	43	1 year	0	(127,777)	127,777	COVID
			260,133	808,399	(548,266)	
City Improvement						
Building Maintenance - savings in electricity and water	44	1 year	0	(62,000)	62,000	COVID
Building Maintenance - higher Dandenong Oasis maintenance costs	45	1 year	0	54,271	(54,271)	
			0	(7,729)	7,729	
Transport and Civil Development						
Strategic Transport Planning - grant funding final instalment for prior year project	46	1 year	15,000	0	15,000	
Asset Protection - minor net cost increase	47	1 year	125,495	120,132	5,363	
Civil Development and Design - lower income	48	1 year	(198,254)	0	(198,254)	COVID
			(57,759)	120,132	(177,891)	
Activity Centres Revitalisation						
Outdoor Eating and Entertainment Package - new grant funding	49	1 year	500,000	500,000	0	COVID
			500,000	500,000	0	
Business Networks						
Community Revitalisation project - additional grant funding (savings of \$50,000 to offset 2020-21 operating initiative salaries)	50	1 year	180,000	130,000	50,000	
Business Networks (loss in workshop event income)	51	1 year	(24,923)	0	(24,923)	COVID
			155,077	130,000	25,077	
Sub-total Business, Engineering and Major Projects			857,451	1,550,802	(693,351)	

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Attachment B

City of Greater Dandenong
2020-21 MID YEAR BUDGET ADJUSTMENTS

DESCRIPTION	NOTE	TERM	INCOME / RESERVE \$	EXPENSE \$	NET TOTAL \$	COVID ITEMS
ADJUSTMENTS - OPERATING (CASH) (continued)						
CITY PLANNING, DESIGN AND AMENITY DIRECTORATE						
Building and Compliance Services						
Planning Compliance - lower fine income	52	1 year	(18,943)	0	(18,943)	COVID
Planning Compliance - salary savings	53	1 year	0	(15,600)	15,600	
Building Services - lower income	54	1 year	(40,332)	0	(40,332)	COVID
Building Services - contract Municipal Building Surveyor	55	1 year	0	95,600	(95,600)	
Health - lower income	56	1 year	(167,867)	0	(167,867)	COVID
Health - legal and audit costs	57	1 year	0	150,000	(150,000)	
			(227,142)	230,000	(457,142)	
Planning and Design						
Statutory Planning - higher legal expenses	58	1 year	0	153,500	(153,500)	
			0	153,500	(153,500)	
Regulatory Services						
Animal Management - lower income	59	1 year	(10,322)	0	(10,322)	COVID
Car Parks - lower income	60	1 year	(297,091)	0	(297,091)	COVID
General Law Enforcement - lower income	61	1 year	(51,052)	0	(51,052)	COVID
General Law Enforcement - salary savings	62	1 year	0	(40,532)	40,532	
Parking Management - lower income partly offset by lower costs	63	1 year	(1,924,420)	(82,096)	(1,842,324)	COVID
			(2,282,885)	(122,628)	(2,160,257)	
Sub-total City Planning, Design and Amenity			(2,510,027)	260,872	(2,770,899)	
COMMUNITY SERVICES DIRECTORATE						
Community Care						
MAV Work Experience project - new grant funding	64	1 year	20,000	20,000	0	
Commonwealth Home Support Programme (CHSP) Emergency Support - new grant funding	64	1 year	68,191	68,191	0	COVID
COVID-19 Meals - grant funding	65	1 year	150,103	37,130	112,973	COVID
Community Care Executive - salary savings	66	1 year	0	(24,500)	24,500	
Planned Activity Group - lower income partly offset by cost savings	67	1 year	(238,827)	(21,500)	(217,327)	COVID
Community Transport - cost savings partly offset by lower income	68	1 year	(8,300)	(99,500)	91,200	COVID
Senior Citizens Centres - lower income partly offset by cost savings	69	1 year	(18,150)	(6,996)	(11,154)	COVID
Home and Community Care (HACC) - lower income partly offset by cost savings	70	1 year	(719,386)	(281,437)	(437,949)	COVID
Home Maintenance - lower income partly offset by cost savings	71	1 year	(164,343)	(103,000)	(61,343)	COVID
HACC Assessments and Team Leader - lower income partly offset by cost savings	72	1 year	(153,737)	(120,000)	(33,737)	COVID
Food Services - higher income and cost savings	73	1 year	49,129	(22,500)	71,629	COVID
			(1,015,320)	(554,112)	(461,208)	

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Attachment B

City of Greater Dandenong
2020-21 MID YEAR BUDGET ADJUSTMENTS

DESCRIPTION	NOTE	TERM	INCOME / RESERVE \$	EXPENSE \$	NET TOTAL \$	COVID ITEMS
ADJUSTMENTS - OPERATING (CASH) (continued)						
COMMUNITY SERVICES DIRECTORATE						
Community Wellbeing						
Drug Strategy - new grant funding	64	1 year	132,127	132,127	0	
Sleep and Settling - additional grant funding	64	1 year	35,531	35,531	0	
New Directions - Mothers and Babies - extension of grant funding	64	1 year	334,582	334,582	0	
Child First - additional grant funding	64	1 year	266,966	266,966	0	
Family Flexible Program - new grant funding	64	1 year	41,903	41,903	0	
Noble Park English Language School (NPELS) Immunisation program - extension of grant funding	64	1 year	85,000	85,000	0	
Australia Day 2021 COVID Safe Grants Program - new Federal Government grant funding (National Australia Day Council)	64	1 year	20,000	20,000	0	
Childrens Support Services - lower rental income	74	1 year	(5,569)	0	(5,569)	COVID
Childrens Support Services - savings in salaries	74	1 year	0	(24,000)	24,000	
Maternal and Child Health - higher costs	75	1 year	0	37,725	(37,725)	
Immunisation - higher costs	76	1 year	0	47,305	(47,305)	COVID
Festivals and Events - cost savings partly offset by lower income	77	1 year	(19,000)	(119,562)	100,562	COVID
39A Clow Street - lower income partly offset by cost savings	78	1 year	(25,805)	(3,000)	(22,805)	COVID
			865,735	854,577	11,158	
Community Development, Sport and Recreation						
Health Promotion Innovation grant	64	2 years	25,000	25,000	0	
Community Activation and Social Isolation (CASI) initiative - grant funding	64	1 year	25,000	25,000	0	
Stronger Communities Program - grant funding	64	1 year	13,500	13,500	0	
Increase in Building Capacity Grants (for Springvale Benevolent Society) and Strategic Project Grants (for Keysborough Learning Centre)	79	1 year	0	20,000	(20,000)	
Savings in Community Sponsorships program	80	1 year	0	(20,000)	20,000	
Leisure Centres - higher costs and lower income	81	1 year	(4,285)	591,505	(595,790)	COVID
Dandenong Indoor Sports Stadium and Mills Reserve - lower income	82	1 year	(26,842)	0	(26,842)	COVID
Sports Planning - lower income and higher costs	83	1 year	(61,000)	0	(61,000)	COVID
Volunteer Program - grant income	84	1 year	18,146	0	18,146	
Volunteer Program - cost savings	84	1 year	0	(12,034)	12,034	COVID
Community Development - higher costs	85	1 year	0	6,050	(6,050)	
Community Property - lower income	86	1 year	(17,035)	0	(17,035)	COVID
			(27,516)	649,021	(676,537)	

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Attachment B

City of Greater Dandenong
2020-21 MID YEAR BUDGET ADJUSTMENTS

DESCRIPTION	NOTE	TERM	INCOME / RESERVE \$	EXPENSE \$	NET TOTAL \$	COVID ITEMS
ADJUSTMENTS - OPERATING (CASH) (continued)						
COMMUNITY SERVICES DIRECTORATE						
Community Arts, Cultural and Library						
Libraries - Innovation Grant - new grant funding	64	1 year	37,932	37,932	0	
Libraries - Let's Read - additional grant funding	64	1 year	170,450	170,450	0	
Cultural Development - lower income partly offset by cost savings	87	1 year	(13,087)	(6,422)	(6,665)	COVID
Cultural Venues - cost savings offset by lower income	88	1 year	(16,101)	(19,962)	3,861	COVID
Library and Information Services - cost savings mostly offset by lower income	89	1 year	(68,437)	(76,014)	7,577	COVID
Library and Information Services - finalisation of 25th Anniversary publication	90	1 year	0	11,000	(11,000)	
Drum Theatre - lower income partly offset by cost	91	1 year	(169,719)	(108,834)	(60,885)	COVID
Drum Theatre - COVID-19 recovery package - reduction in staff recovery income	92	2 years	(21,564)	0	(21,564)	COVID
Drum Theatre - COVID-19 recovery package - school subsidy	92	2 years	(21,500)	0	(21,500)	COVID
Libraries - transfer from capital budget due to increased demand for eBooks during COVID-19	5	1 year	0	10,000	(10,000)	
Springvale Community Hub - Community Development Officer position	93	2 years	0	40,490	(40,490)	
			(310,408)	(149,742)	(160,666)	
Sub-total Community Services			(279,127)	1,008,126	(1,287,253)	
TOTAL ADJUSTMENTS - OPERATING (CASH)			876,158	8,042,981	(7,166,823)	
GRAND TOTAL OF ALL ADJUSTMENTS			12,129,191	15,000,191	(2,871,000)	

INCOME DECREASE (-) / INCREASE (+)

EXPENDITURE DECREASE (-) / INCREASE (+)

Summary			
Residual surplus available at 30 June 2020			871,000
Capital - net outcome		6,229,050	6,957,210 (728,160)
(Increase)/decrease in transfers to reserves - capital		0	0 0
Increase/(decrease) in transfers from reserves - capital		5,023,983	0 5,023,983
Subtotal - Capital variations (net of reserve transfers)		11,253,033	6,957,210 4,295,823
Operating - net outcome		876,158	8,070,222 (7,194,064)
(Increase)/decrease in transfers to reserves - operating		0	0 0
Increase/(decrease) in transfers from reserves - operating		0	0 0
Subtotal - Operating variations (net of reserve transfers)		876,158	8,070,222 (7,194,064)
Subtotal - Leases		0	(29,201) 29,201
Subtotal - Loans and borrowings		0	1,961 (1,961)
Reversal of transfer to Major Projects Reserve for 2019-20 COVID-19 impacts	94	0	(2,000,000) 2,000,000
Subtotal - Reserve transfers		0	(2,000,000) 2,000,000
Residual surplus/(deficit) available			(0)
Total COVID-19 related impacts		(5,602,657)	405,614 (6,008,271) COVID

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

FINANCE AND BUDGET

MID YEAR BUDGET REVIEW 2020-21

ATTACHMENT C

2020-21 MID-YEAR BUDGET REVIEW NOTES

PAGES 14 (including cover)

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

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Attachment C

City of Greater Dandenong
2020-21 MID YEAR BUDGET REVIEW - NOTES

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NOTES TO ATTACHMENT B – ADJUSTMENTS

These notes explain the additional income and expenditure line items identified after the approval of the 2020-21 Original and Amended Budget.

Adjustments – Capital (cash)

Open space and other property acquisitions

1. **Purchase of 2A Frank Street, Noble Park (\$1.40 million expenditure – reserve funded)** – Council approved this property purchase for the purposes of increasing open space in the municipality. To be funded from the Open Space – Acquisitions Reserve.
2. **Purchase of 86-88 Clow Street, Dandenong (\$2.67 million expenditure – reserve funded)** – Council approved this property purchase for the purposes of increasing open space in the municipality. To be funded from the Open Space – Acquisitions Reserve.
3. **Purchase of 218 Railway Parade, Noble Park (\$950,000 expenditure – reserve funded)** – Council approved this property purchase for the purposes of increasing open space in the municipality. To be funded from the Open Space – Acquisitions Reserve.
4. **3-way land swap with Development Victoria (\$1.13 million expenditure and \$1 million income – net cost of \$125,000)** – Council has entered into an agreement with Development Victoria to acquire two land sites for \$1.13 million (Harmony Square and Precinct Energy Plant) in exchange for the sale of one land site for \$1 million (car park at 2 Mason Street, Dandenong), resulting in a net cost to Council of \$125,000. This agreement is due to settle in December 2020.

Transfers between capital and operating (nil impact)

5. **Library resources - transfer from capital budget due to increased demand for eBooks during COVID-19 (\$10,000 transfer from capital – nil impact)** – A transfer from the capital library resources renewal budget to the operating library resources budget to fund extra demand for eBooks during COVID-19. These purchases are not capital in nature.

New, additional funding or unsuccessful funding (nil impact)

6. **Federal Black Spot Program – Various projects (\$2.47 million income and expenditure)** – Funding awarded by the Federal Government in relation to the National Black Spot program to fund works at:
 - Clarke Road, Springvale South
 - Worsley Road, Bangholme
 - Cleeland Street and David Street, Dandenong
 - Liege Avenue from Heatherton Road to Railway Parade, Noble Park
 - Whitworth Avenue and Lewis Street, Springvale
 - Harold Road and Corrigan Road, Noble Park.

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7. **Noble Park Aquatic Centre (NPAC) redevelopment (\$3 million income and expenditure)** - State Government grant funding via the Community Sports Infrastructure Stimulus Program for the Stage 1 redevelopment of NPAC – Health and Wellbeing Gymnasium.
8. **Hemmings Street Dandenong – Neighbourhood Activity Centre project funding (\$60,000 income and expenditure – nil impact)** - State Government grant funding for completion of the final revitalisation works for the Hemmings Street neighbourhood shopping strip - stage 4. The project scope includes construction of a landscaped parklet which is a new public open space that is greatly needed in this area, which has a lack of open space, infrastructure for a new public toilet and landscaping of the shopping centre's carpark which has no trees. The project aim is to significantly improve the public realm, increase canopy coverage, encourage the locals to stay and shop and create a safe public realm through urban design improvements. \$60,000 funding to be received in 2020-21 and \$40,000 in 2021-22.
9. **Noble Park Revitalisation (Stage 1B - Ross Reserve All Abilities Playground Infrastructure Upgrade) - new grant funding (\$190,000)** – Council has been awarded a grant of \$500,000 from the Department of Jobs, Precincts and Regions for a Suburban Revitalisation Program in Noble Park. The first tranche of this grant (\$190,000) will be received in 2020-21 and will fund Stage 1B works at the Ross Reserve All Abilities Playground. This project (Stage 1B) will deliver additional outdoor play equipment, seating, paving and other supporting infrastructure.
10. **Tirhatuan Park – Dog Off Leash Park - new grant funding (\$153,500)** – Council has been awarded a grant of \$153,500 from the Department of Environment, Land, Water and Planning for the delivery and construction of an off-leash dog park at Tirhatuan Park, Dandenong North. The project includes a new fenced small dog only area, which is an expansion of the existing all dog off leash area. It includes one new shelter, seating and signage. Also, within the all dogs fenced area the project will deliver dog play space, agility equipment and nature play with timber logs and rocks, as well as a new active zone for dogs. This includes the provision of a new shelter, tables and seats, a gravel circuit path to connect the zones, a quieter landscaped zone and additional regulatory signage.
11. **Unsuccessful capital project grant funding (equal reduction in income and expenditure – nil impact)** – Council was unsuccessful in these grant funding applications. Reduction in income is offset by reduction in capital expenditure – the grant funded project expenditure will no longer be expended. If the project had any rates funded capital expenditure, this part of the project will proceed at a reduced scope and within the rates funded capital expenditure budget. Unsuccessful grant funding relates to the following projects:
 - Norman Luth Reserve cricket wicket (\$30,000)
 - Warner Reserve Recreation space (\$175,450)
 - Police Paddocks Changerooms (\$100,000)
 - Parkfield Reserve Master Plan implementation (\$350,000)
12. **Springvale Reserve - cricket net replacement (final grant funding instalment for prior year project) (\$10,000)** – Project completed in 2019-20. Acquittal delayed until current year, so final grant instalment received late. No further project expenditure to be incurred.

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Deferrals/savings to fund COVID impacts

13. **Capital expenditure budget deferrals/savings (\$4.40 million)** – A number of capital expenditure projects can be deferred to 2021-22 to fund the COVID impacts Council has experienced in 2020-21. Please refer to Attachment D for a list of the projects and the budget reductions that will occur as part of the Mid Year Budget process.

Adjustments – operating (cash)

Non-Directorate

14. **Financial Assistance Grant allocation – reduction in funding (\$189,703)** – Decrease in the final Financial Assistance Grant funding allocation to be received via the Victoria Grants Commission for 2020-21 mainly due in part to COVID-19 and the impact on the overall increase in the pool of grant funding available and to an overpayment of the grant funding allocation for 2019-20.
15. **Supplementary rates income – reduction (\$200,000)** – Based on declining trends in supplementary rates income in recent years, the full budget of \$1 million is not anticipated to be received in 2020-21.
16. **MAV Workcare premium saving (\$298,627)** – Lower than anticipated MAV Workcare premium for 2020-21.
17. **Deferral of penalty rate interest payable on outstanding rates (\$225,000)** – As approved by Council at the Council meeting on 14 September 2020, the deferral of any penalty rate interest payable on outstanding rates was extended to 31 December 2020 for General Residential rated properties and to 30 September 2020 (with no interest to be raised until 31 October 2020) for all remaining rating categories.
18. **Continuation of Council's COVID-19 Material Aid Program (\$160,000) and expansion of Council's COVID-19 Business Grants Program Round 1 (\$300,000) and Round 2 (\$290,000) – the first two items to be funded by a reduction in Council's COVID-19 contingent funding pool in the 2020-21 Budget (\$460,000)** – Material Aid Program: Council endorsed the provisional allocation of a further \$160,000 for Council's Material Aid program through until 31 March 2021 with funds to be drawn from Council's COVID-19 contingent funding pool (as per Council meeting minutes from 14 September 2020). Business Grants Program: \$300,000 to be allocated for Round 1 and \$290,000 for Round 2 due to demand for this support from local businesses.
19. **Transfer balance of capital project deferrals to Council's COVID-19 contingent funding pool (\$434,495)** – Balance of capital project deferrals to be transferred to Council's COVID-19 contingent funding pool and will fund Council's Business Grants Program (Round 2) of \$290,000 (item 18 above).
20. **Interest return on investments – unfavourable adjustment (\$700,000)** – Based on lower than anticipated interest returns experienced in the first quarter due to record low interest rate returns in the current COVID environment. The return on Council's investments is expected to be significantly unfavourable against the current budget.

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21. **Adjustments to 2020-21 budgeted loan repayments and interest expense for new \$10 million borrowings drawn down in June 2020** – Based on the actual interest rate and loan repayment schedule achieved for the new \$10 million in borrowings drawn down in June 2020, the loan repayments budget for 2020-21 for this loan needs to increase by \$129,057 which is mostly offset by a reduction in the interest expense budget of \$127,097. Overall, impact is minor.
22. **Continuation of Council's COVID-19 Rate Waiver package for pensioners and JobSeekers (\$150,000)** – The COVID-19 Rate Waiver package of \$1.75 million was not fully consumed in 2019-20, so the remaining balance estimated for 2020-21 is proposed to be adjusted in the 2020-21 Mid-Year Budget as rate waivers continue until 30 November 2020.
23. **Pandemic costs - specialised cleaning and sanitising services, sportsclub utility waivers, protective/safety equipment and uniforms, etc (\$82,909)** – Council's remaining COVID-19 contingent funding pool in the 2020-21 Budget was \$656,000 which has been reduced by \$460,000 in item 16 above, leaving a remaining balance of \$196,000. It is estimated that Council will spend approximately \$279,000 in 2020-21 on protective clothing and equipment (\$160,000), professional services for sanitation and specialised cleaning (\$100,000), sportsground utility costs and other expenditure (\$19,000). Therefore, an additional \$83,000 is required in the Mid-Year Budget review.
24. **New Accounting Standard AASB 16 Leases** – This new Australian Accounting Standard changes the accounting treatment of leases. The majority of leases are now recorded on the Balance Sheet as an asset (right-of-use asset) and a liability (lease repayment obligation). This requires the removal of the lease repayment expenses for these leases from Council's expense budget, but instead Council will record an interest expense on leases and an amortisation expense on right-of-use assets (non-cash accounting entry). Lease repayments will reduce the lease liability in Council's balance sheet as they are paid and will be recorded as a cash outflow in Council's Statement of Cash Flows.
25. **Working for Victoria – new grant funding (\$4.48 million)** – Council will receive \$4.98 million in grant funding from the Department of Jobs, Precincts and Regions to assist the Department with the Working for Victoria Fund project which aims to match displaced workers with casual and short-term employment opportunities. \$4.48 million will be received in 2020-21 and \$498,000 in 2021-22.
26. **Local Partnership initiative – new grant funding (\$350,000)** – Council will receive \$350,000 in grant funding from the Department of Premier and Cabinet to fund key partner service agency activities in directly supporting the local community impacted by the COVID-19 pandemic, to provide further material aid and food relief initiatives particularly for those who are self-isolating and provision of isolation kits and personal protective equipment (PPE) to households self-isolating.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

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Corporate Services Directorate

People and Procurement Services

27. **Emergency Management program – grant funding (\$40,000)** – Municipal Emergency Resourcing Program (MERP) grant funding from the Department of Environment, Land, Water and Planning for a four-year period (2020-21 represents year two). The MERP provides funding to councils to support their strategic emergency management work. MERP enables councils to plan, prepare and deliver activities that will assist their communities in an emergency. The funding can be used by councils to deliver better practice solutions to the areas for improvement identified in their capability and capacity evaluation undertaken during Phase Two of the Councils and Emergencies Project. The grant funding is offset by associated project expenditure.
28. **Insurance premium – increase (\$174,062)** – Higher than budgeted insurance premiums mainly due to higher premiums for 'Industrial special risks', 'MAV Local Government liability' and 'Directors' and Officers'.
29. **Savings in staff incentive (\$44,659)** – Due to COVID-19, the Dandenong Market vouchers will not be issued to Council staff in 2020, thus representing a permanent saving in 2020-21.

Communications and Customer Service

30. **Call and Service Centres – savings in salaries (\$71,500)** – Permanent salary savings due to vacant positions and lower than anticipated use of casual staff.
31. **Call and Service Centres – savings in cash collections (\$6,000)** – Savings in cash collection costs due to required closure of Customer Service centres during Victoria's stage four restrictions.
32. **Civic Facilities – rental income loss partly offset by operating cost savings (\$240,490)** – Loss in venue hire income due to closures as required by Victoria's stage four restrictions, partly offset by savings in salaries, casual salaries, temporary staff, electricity and materials and consumables.

Governance

33. **Governance and Members of Council – savings in catering of meetings (\$40,808)** – Savings in catering of meetings due to increased use of virtual meetings to comply with Victoria's COVID social distancing requirements.
34. **Records Management – savings in postage (\$20,000)** – Savings in postage due to staff working from home as per Victoria's stage four restrictions and the consequent reduction in mail out requirements.
35. **Property Management – loss in commercial property rental income (\$237,496)** – Rents on commercial leased facilities continue to be fully suspended where business have closed or discounted.

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City of Greater Dandenong
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Business, Engineering and Major Projects Directorate

Infrastructure Services and Planning

36. **Grant funding and associated expenditure** – Council has been successful in securing grant funding for the following projects in 2020-21 which will be offset by associated project expenditure:
- Peri-urban Weed Management Project (\$31,000)
 - Dandenong Creek Arts Trail (\$75,000)
 - Waste Transition Plan (\$10,000)
37. **Asset Management – savings in street lighting and software maintenance (\$182,502)** – Savings in street lighting costs based on a review of prior year actuals and software maintenance budget for the Conquest asset management system which is currently being replaced.
38. **Cleansing – increased costs (\$732,126)** – Increased costs due to public amenities cleaning contract issues which has resulted in unbudgeted temporary staff costs and legal expenses partly offset by savings in salaries, overtime, training and materials and consumables. Not COVID-19 related.
39. **Fleet Management – increased costs (\$30,762)** - Higher temporary staff costs due to backfill of mechanic position transitioning back to full-time position, partly offset by savings in salaries and traineeship which hasn't yet been recruited. Not COVID-19 related.
40. **Fleet Management – savings (\$140,320)** – Savings in fleet running costs (maintenance, fuel, e-TAG, etc) due to staff working from home, combined with lower fuel prices.
41. **Roads and Drains – increased costs (\$10,000)** - Higher than anticipated costs for an employee matter.
42. **Waste Management – increased garden waste partly offset by recycling grant funding (\$225,977)** – Increased garden waste costs due to higher tonnes from above-average rainfall combined with higher recycling costs, partly offset by additional recycling grant funding received from the State Government. Part of the garden waste tonnes increase is likely to be attributable to residents working from home, but given the main contributor is the higher than average rainfall, this item has not been classified as a COVID-19 impact.
43. **Waste Management – savings in deferral of landfill levy increase partly offset by higher tonnes to landfill (\$127,777)** – Due to the COVID-19 pandemic, the increase in the State Landfill Levy from \$65.90 to \$85.90 has been deferred a further six months to 1 July 2021. This will result in savings for Council in the second half of the year. This saving is partly offset by higher residential waste and hard waste tonnes due to residents working from home as a result of Victoria's stage four restrictions.

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City Improvement

44. **Building Maintenance – savings in electricity and water (\$62,000)** – Savings in electricity and water costs in Council's buildings due to closure of some buildings and the majority of staff working from home.
45. **Building Maintenance – higher Dandenong Oasis maintenance costs (\$54,271)** – The opportunity was taken during Victoria's COVID-19 shutdown to accelerate maintenance works at Dandenong Oasis before the centre is open again.

Transport and Civil Development

46. **Strategic Transport Planning – grant funding (\$15,000)** – Represents the final grant instalment for an operating initiative project (Feasibility Study – Yarraman Railway Station) completed in the prior financial year (2019-20). No further offsetting expenditure anticipated.
47. **Asset Protection – minor net cost increase (\$5,363)** – Due mainly to higher asset protection reinstatement expenditure as a result of a delay in receiving a prior year invoice, combined with an unbudgeted initiative with Victoria Police to discourage hooning. These higher costs are mostly offset by higher associated asset protection reinstatement recovery income and savings in salaries as a result of a vacant position (currently being recruited).
48. **Civil Development and Design – lower income (\$198,254)** – Lower than anticipated subdivision, plan checking and stormwater information fee income due mainly to the COVID-19 pandemic and lower development activity levels.

Activity Centres Revitalisation

49. **Outdoor Eating and Entertainment Package – new grant funding (\$500,000)** – State Government grant funding (Department of Jobs, Precincts and Regions) for the Local Councils Outdoor Eating and Entertainment Package (LGA Stream). This funding is intended to assist Council to implement swift and streamlined permit, enforcement and monitoring processes to support expanded outdoor dining and entertainment in the third step of Victoria's roadmap to reopening. The funding will also assist Council to establish infrastructure to support outdoor dining and entertainment.

Business Networks

50. **Community Revitalisation project – additional grant funding (\$180,000 income, \$130,000 expenditure)** – An additional year of grant funding has been secured for the Community Revitalisation project. This will most be offset by associated project expenditure, but also provides a \$50,000 contribution which part funds an existing salary budget.
51. **Business Networks – loss in workshop event income (\$24,923)** – Due to COVID-19 restrictions, the first half year of Business Networks events/activities income will not be received.

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City Planning, Design and Amenity Directorate

Building and Compliance Services

- 52. **Planning Compliance – lower fine income (\$18,943)** – Lower fine income due to COVID-19 restrictions during the first quarter of 2020-21.
- 53. **Planning Compliance – salary savings (\$15,600)** – Lower salaries to date due to vacant position.
- 54. **Building Services – lower income (\$40,332)** – Lower building permit application and property information fee income, combined with lower statutory fine income due to COVID-19 restrictions during the first quarter of 2020-21.
- 55. **Building Services – contract Municipal Building Surveyor (\$95,600)** – Part year unbudgeted costs for Municipal Building Surveyor contractor until a new permanent position in Emergency Management team is recruited.
- 56. **Health – lower income (\$167,867)** – Lower Streatrader and statutory fines income due to COVID-19 restrictions during the first quarter of 2020-21.
- 57. **Health – legal and audit costs (\$150,000)** – Higher than anticipated future health/food audit requirements and legal costs.

Planning and Design

- 58. **Statutory Planning – higher legal expenses (\$250,000)** – Council has made a decision to pursue VCAT appeals relating to the proposed waste to energy facility in Ordish Road, Dandenong South. These appeals will result in legal costs of between \$250,000 and \$750,000 (depending on whether Council has the applicant's costs awarded against it), which has not been budgeted for. It is requested that the statutory planning legal budget be increased by \$250,000 to cover the minimum additional legal cost for this VCAT appeal.

Regulatory Services

- 59. **Animal Management – lower income (\$10,322)** – Due to the COVID-19 pandemic, less animals are being impounded, which is resulting in a reduction of release fee income.
- 60. **Car Parks – lower income (\$297,091)** – Due to COVID-19 restrictions and staff/residents remaining at home where possible, the economic activity in Council's activity centres has significantly reduced resulting in lower car park permit and ticket machine income. This item is also impacted by ceasing the salary sacrifice of car park permits for Council staff until 31 December 2020.
- 61. **General Law Enforcement – lower income (\$51,052)** - As per Council's COVID-19 pandemic response, outdoor dining permits and associated permits will not be charged, thereby reducing local law permit fee income.
- 62. **General Law Enforcement – salary savings (\$40,532)** – A salary saving as a result of a vacant position is anticipated to be permanent. This team now has a full complement of staff and with restrictions set to ease, operations are expected to return to the normal level of activity.

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63. **Parking Management – lower income partly offset by lower costs (\$1.84 million)** – Lower on-street parking meter fee income based on data showing only approximately 50% of normal revenue through COVID-19 Stage three restrictions, as well as Council's COVID-19 Recovery package where on-street parking in central Dandenong will not be charged for the months of November and December 2020 resulting in an additional \$78,000 loss in income. Also, contributing to this item is lower parking fine income due to COVID-19 restrictions and based on the assumption of a gradual easing of restrictions. Partly offsetting these unfavourable income variances are savings in statutory lodgement fee costs with Fines Victoria and parking equipment maintenance costs.

Community Services

64. **Additional or new grant funding in 2020-21 with offsetting expenditure (nil cash effect). Confirmation received after development of the 2020-21 Adopted Budget for the following programs:**

- New Directions – Mothers and Babies (\$334,582)
- Child First (\$266,966)
- Libraries – Let's Read (\$170,450)
- Drug Strategy (\$132,127)
- Noble Park English Language School Immunisation Program (\$85,000)
- Commonwealth Home Support Program (CHSP) Emergency Support (\$68,191)
- Family Flexible Program – COVID-19 support (\$41,903)
- Libraries Innovation Grant (\$37,932)
- Sleep and Settling Program (\$35,531)
- Health Promotion Innovation (\$25,000)
- Community Activation and Social Isolation initiative (\$25,000)
- MAV Work Experience project (\$20,000)
- Australia Day 2021 COVID Safet Grants Program (\$20,000)
- Stronger Communities Program (\$13,500)

Community Care

65. **COVID-19 Meals – grant funding (\$150,103 income and \$37,130 expenditure)** – Federal Government grant funding for COVID-19 Aged Care Emergency Food Service program to provide additional meals to Commonwealth Home Support Programme (CHSP) clients during the pandemic. Most of this grant funding was expended in the prior year, but the details were not known until after the 2019-20 year end cut off, so the income was recorded as unearned income in the Balance Sheet. This income can now be recognised in 2020-21. In addition, approximately \$37,000 of current year expenditure relates to redeployed staff to distribute the meals, so this funding will offset existing salary budgets.
66. **Community Care Executive – salary savings (\$24,500)** – Salary savings due to one position at the start of the band and actual hours worked being less than budget. Permanent savings for 2020-21.

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67. **Planned Activity Group – lower income partly offset by cost savings (\$217,327 net loss)** – The target achievement to September 2020 is lower than estimated in the Budget, combined with lower fee income due to COVID. There is limited opportunity to offset this with expenditure savings, however, some savings in direct service delivery expenditure have been recognised. Permanent staff in this area mean that salary savings are not available, however, these staff have been redeployed to areas like Food Services.
68. **Community Transport – cost savings partly offset by lower income (\$91,200 net savings)** – Savings in salaries due to delay in recruitment and suspension of Community Transport activities during COVID-19 has led to less use of casual bus drivers. Drivers have currently been working on minimum hours and some staff are on extended leave. These savings are partly offset by lower fee income due to COVID.
69. **Senior Citizens Centres – lower income partly offset by cost savings (\$11,154 net loss)** – Lower grant funding based on grant funding agreement and other income from the cancellation of the annual Seniors' dance event, partly offset by associated savings in event costs, although it is anticipated some smaller activities will still be held in 2020-21.
70. **Home and Community Care (HACC) – lower income partly offset by cost savings (\$437,949 loss)** – Revised grant income projections based on target achievement for the first quarter of 2020-21 combined with estimated target achievement for the remainder of the financial year. This is partly offset by savings in salaries, temporary agency staff and service delivery health professional costs.
71. **Home Maintenance – lower income partly offset by cost savings (\$61,343 loss)** - Revised grant income projections based on target achievement for the first quarter of 2020-21 combined with estimated target achievement for the remainder of the financial year. This is partly offset by savings in salaries net of higher temporary agency staff costs.
72. **HACC Assessments and Team Leader – lower income partly offset by cost savings (\$33,737)** - Revised grant income projections based on target achievement for the first quarter of 2020-21 combined with estimated target achievement for the remainder of the financial year. This is partly offset by savings in salaries and temporary agency staff costs.
73. **Food Services – higher income and cost savings (\$71,629 net savings)** - Revised grant income projections based on target achievement for the first quarter of 2020-21 combined with estimated target achievement for the remainder of the financial year. Also contributing to the favourable variance is savings in volunteer expenses (unable to be engaged due to COVID).

Community Wellbeing

74. **Childrens Support Services – salary savings partly offset by lower rental income (\$18,431 net savings)** – Lower rental income due to COVID and savings in salaries due to vacant position (non-COVID).
75. **Maternal and Child Health – higher costs (\$37,725)** – Mainly due to unbudgeted professional services costs associated with Maternal and Child Health supervision requirements in accordance with Council's Enterprise Agreement, combined with higher asset purchases, software maintenance, maintenance and repairs and advertising costs.
76. **Immunisation – higher costs (\$47,305)** – Higher than anticipated salary costs due to COVID social distancing requirements combined with the final consultants payment to finalise the Immunisation Strategy development.

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77. **Festivals and Events – cost savings partly offset by lower income (\$100,562 savings)** – Savings in salaries due to vacant position, event costs including security, partly offset by lower event and sponsorship income.
78. **39A Clow Street – lower income partly offset by cost savings (\$22,805 net loss)** – Due to lower rental income as a result of COVID, partly offset by savings in electricity.

Community Development, Sport and Recreation

79. **Increase in Building Capacity Grants (for Springvale Benevolent Society) and Strategic Project Grants (for Keysborough Learning Centre) (\$20,000)** – On 14 September 2020, Council approved an additional \$10,000 to Springvale Benevolent Society (Building Capacity Grants program) and an additional \$10,000 for Keysborough Learning Centre (Strategic Project Grant program).
80. **Savings in Community Sponsorship program (\$20,000)** – Savings due to September Latin Festival being cancelled due to COVID.
81. **Leisure Centres – higher costs and lower income (\$595,790 net loss)** – Mainly due to higher contract management costs due to COVID social distancing requirements when the leisure and aquatic centres re-open in November 2020 with limits on patrons.
82. **Dandenong Indoor Sports Stadium and Mills Reserve – lower income (\$26,842 net loss)** – Loss of rental income at these facilities due to COVID.
83. **Sports Planning – lower income and higher costs (\$61,000 net loss)** – Mainly due to loss of seasonal sporting club ground charges and turf income. Assumptions - no charge for all Summer clubs (October to November), then 50% subsidy for December and 100% from January to June 2021.
84. **Volunteer Program – grant income (\$18,146) and cost savings (\$12,034)** – Relates to a change in the grant income recognition in this area, rather than via a salary recovery from Community Care (offset by a reduction in that area). Cost savings relate to training/conferences, service delivery materials, catering of meetings and volunteer events.
85. **Community Development – higher costs (\$6,050)** – Higher than anticipated temporary agency costs, consultants and professional services, mostly offset by savings in salaries due to vacant position.
86. **Community Property – lower income (\$17,035)** – Lower rental income due to COVID.

Community Arts, Cultural and Library

87. **Cultural Development – lower income partly offset by cost savings (\$6,665 net loss)** – Loss in program income, partly offset by savings in exhibitions, catering and the public arts program due to COVID.
88. **Cultural Venues – cost savings mostly offset by lower income (\$3,861 net savings)** – Savings across various accounts including electricity, water, catering, maintenance/repairs, asset purchases and gas, mostly offset by lower rental income due to COVID.
89. **Library and Information Services – cost savings mostly offset by lower income (\$7,577 net savings)** – Mainly due loss in fee, recovery and other library income due to closure of library facilities as per COVID restrictions, mostly offset by savings in overtime.

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- 90. Library and Information Services – finalisation of 25th Anniversary publication (\$11,000)** – Mainly due loss in fee, recovery and other income due to closure of library facilities as per COVID restrictions, mostly offset by savings in overtime.
- 91. Drum Theatre – lower income partly offset by cost savings (\$60,885 net loss)** – Loss in theatre income streams based on the assumption that theatre operations will not resume until February 2021, partly offset by savings in overtime, casual salaries, electricity, gas and promotions.
- 92. Drum Theatre – COVID-19 recovery package (\$21,564) and school subsidy (\$21,500)** – At its meeting on 14 September 2020, Council endorsed the Drum COVID-19 recovery package for implementation from November 2020 (subject to COVID-19 restrictions) which will reduce staff cost recovery income by \$21,564 as well as Theatre income because of a \$500 school subsidy estimated at \$21,500 per annum.
- 93. Springvale Community Hub – Community Development Officer position (\$40,490)** – Pro-rata salary and on-costs associated with new position (Band 6, 0.6EFT, 2 years) approved by Council at its meeting on 14 September 2020.

OTHER ADJUSTMENTS

Reserve transfer

- 94. Reversal of budgeted transfer to Major Projects Reserve for COVID-19 impacts in 2019-20 (\$2 million)** – Council's actual financial result for the year ended 30 June 2020 was able to weather the unfavourable COVID-19 impacts in the 2019-20 financial year without requiring an anticipated transfer from the Major Projects Reserve. Therefore, this budgeted transfer to the Major Projects Reserve to replenish that expected transfer out in 2019-20 is no longer required in 2020-21.

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

FINANCE AND BUDGET

MID YEAR BUDGET REVIEW 2020-21

ATTACHMENT D

**CAPITAL EXPENDITURE
DEFERRALS/SAVINGS 2020-21**

PAGES 2 (including cover)

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

4.2.1 Mid Year Budget Review 2020-21 (Cont.)

Attachment D

CAPITAL EXPENDITURE DEFERRALS/SAVINGS 2020-21

Project No.	Project Name	CIP deferrals / savings 2020-21
1796	Wal Turner Reserve - Upgrade of Pavilion Kitchen/Canteen	150,000
1796	Silverleaf Ward Fund - Barry Powell Reserve	465,000
3814	Dandenong North Senior Citizens Centre Latham	475,576
3953	Balmoral Ave Car Park	342,793
3831 & 3962	Bakers Road, Dandenong North - Service Road and Crossing	206,200
3966	Tirhatuan Park - Basketball Court	170,300
3936	Glendale Reserve Landscaping	150,000
3971	Dandenong and Dandenong North - Sensory Nature Trail	100,000
3192	Douglas Street, Streetscape Improvements	1,177,543
3969	Thomas Carroll - Cricket, Playground, Lighting	250,000
Sub-total		3,487,412

RENEWAL/UPGRADE PROGRAMS

Project No.	Project Name	Proposed CIP Savings 2020-21
3355	Municipal Wide - Footpath Renewal	400,000
3373	Municipal wide - Kerb and Channel	150,000
3880	Building Renewal Program - Roof	150,000
3931	Guardrail Upgrade Program	113,411
3185	Municipal Wide - Bridges	100,000
Sub-total		913,411

Total deferral/saving opportunities		4,400,823
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4.3 OTHER

4.3.1 Naming of Thomas Carroll Reserve Pavilion

File Id:

Responsible Officer:

Director Community Services

Report Summary

Construction of the redeveloped sporting pavilion at Thomas Carroll Reserve is due to commence in April 2021 with completion anticipated in early 2022. The naming of the pavilion will be important to ensure visitors to the site can easily navigate booking and usage.

Recommendation Summary

This report recommends that the pavilion be named the 'WJ Crowe Pavilion' and that Council submit an application for the name to be gazetted by the Victorian Government's Office of Geographic Names (OoGN).

4.3.1 Naming of Thomas Carroll Reserve Pavilion (Cont.)

Background

The Thomas Carroll Reserve sports grounds are currently utilised for Australian Rules football, cricket and soccer. The redeveloped pavilion will include:

- Four (4) unisex change rooms – including operable walls to increase size
- Dedicated storerooms
- Commercial kitchen and kiosks
- Male female and accessible toilets
- Meeting space
- Multi-purpose room to seat 200 people
- An undercover area.

The existing pavilion, currently named the WJ (Bill) Crowe Pavilion, will be demolished. The current title of the pavilion has not been gazetted by the OoGN.

Proposal

It is proposed that the pavilion be named the 'WJ Crowe Pavilion'. Once approved, Council officers will submit an application with OoGN for consideration.

Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

People

- *Outdoor Activity and Sports* – Recreation for everyone

Place

- *Appearance of Places* – Places and buildings

Opportunity

- *Tourism and visitors* – Diverse and interesting experiences

4.3.1 Naming of Thomas Carroll Reserve Pavilion (Cont.)

Council Plan 2017-21

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

People

- A vibrant, connected and safe community

Place

- A healthy, liveable and sustainable city

The strategies and plans that contribute to these outcomes are as follows:

- Nil

Related Council Policies

Nil

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

There are no financial implications associated with this report.

Consultation

An open community consultation process was conducted to name the pavilion the 'WJ Crowe Pavilion' in accordance with the Victorian Statutory Requirements for Naming Roads, Features and Localities – 2016, including the required minimum 30-day consultation period.

A public exhibition calling for name options was conducted from 17 August to 17 September 2020 (31 days). Consultation included an advertisement being placed in the Dandenong Journal Newspaper, emails sent to the tenant clubs and a notice placed on Council's website.

One response was received from the St Mary's Cricket Club (tenant club) for the pavilion to be named 'WJ Crowe Pavilion'.

The current pavilion was dedicated as the WJ (Bill) Crowe Pavilion at the end of the 1980's by the City of Dandenong in recognition of Bill Crowe's contribution to sport within the Dandenong community. This was fitting following his many years of service to St Mary's Cricket Club, which had made its home at Thomas Carroll Reserve in 1980 under his guidance.

4.3.1 Naming of Thomas Carroll Reserve Pavilion (Cont.)

On his arrival in the early 1960's Bill Crowe accepted the role of President with St Mary's Cricket Club. He offered excellent guidance to the club in developing senior and junior teams which provided opportunities for many Dandenong residents to become involved in sport. He instilled a sense of inclusion, fair-play and respect. In 1976, Bill was elected Life Member of the Club and in 1978 was made a Life Member of the Dandenong District Cricket Association (DDCA), where he was St Mary's delegate before being elected to the DDCA Board of Management. Bill passed away on 20 September 1987.

At the Councillor Briefing Session held on 3 August 2020, Councillors agreed that the name 'WJ Crowe Pavilion' would be confirmed by public exhibition in accordance with the Victorian Statutory Requirements for Naming Roads, Features and Localities – 2016, including the required minimum 30-day consultation period.

A public exhibition calling for feedback on the proposed name of 'WJ Crowe Pavilion' was conducted from 8 October to 5 November 2020. Consultation included an advertisement being placed in the Dandenong Journal Newspaper, emails sent to the tenant clubs at the reserve and a notice placed on Council's website.

Two responses were received. One supported the proposed name and the other suggested a new name 'The Dynamic Centre for Sport, Education and Recreation (SER)'. Consultation also occurred with the Dandenong Agricultural & Pastoral Society Inc.

Given the name initially proposed by St Mary's Cricket Club reflects the history of the use of the reserve and the previous pavilion, it is recommended that 'WJ Crowe Pavilion' name be endorsed.

Conclusion

It is proposed the pavilion be named the 'WJ Crowe Pavilion'. Once approved Council officers will submit an application with OoGN for consideration.

Recommendation

That the pavilion be named the 'WJ Crowe Pavilion' and Council submits an application for the name to be gazetted by the Victorian Government's Office of Geographic Names.

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020

File Id:	A7003735
Responsible Officer:	Director Community Services
Attachments:	Draft Minutes of the Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020. Employment and Education Working Group Terms of Reference.

Report Summary

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 was in relation to allowing interested Councillors (and those that attend these Committees and Reference Groups) to speak to the meeting about items discussed at these meetings.

Recommendation Summary

This report recommends that the Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 provided in Attachment 1 and the Employment and Education Working Group Terms of Reference provided in Attachment 2 to this report be noted by Council.

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)

Background

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 Statutory Meeting and is available via Council's website.

The resolution of Council made on 23 April 2018 provides for Minutes of meetings held by Advisory Committees and Reference Groups to be submitted to Council for noting and endorsing.

As such, the draft Minutes are provided as Attachment 1 to this report.

Proposal

Community Plan 'Imagine 2030' and Council Plan 2017-2021 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

People

- *Pride* – Best place best people
- *Cultural Diversity* – Model multicultural community
- *Lifecycle and Social Support* – The generations supported

Opportunity

- *Education, Learning and Information* – Knowledge
- *Leadership by the Council* – The leading Council

Council Plan 2017-2021

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

People

- A creative city that respects and embraces diversity

Opportunity

- An open and effective Council

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

There are no financial implications associated with this report.

Consultation

Advisory Committees and Reference Groups have been advised of the need to submit minutes of meetings to Council for noting and endorsement.

Recommendation

That Council notes the Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee – 6 October 2020 as provided in Attachment 1 and the Employment and Education Working Group Terms of Reference as provided in Attachment 2 to this report.

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)

OTHER

**DRAFT MINUTES OF MULTICULTURAL AND PEOPLE SEEKING
ASYLUM ADVISORY COMMITTEE MEETING -
6 OCTOBER 2020**

ATTACHMENT 1

**DRAFT MINUTES OF MEETING ON
6 OCTOBER 2020**

PAGES 5 (including cover)

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

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)

Advisory Committee or Reference Group Name: Multicultural and People Seeking Asylum Advisory Committee (MAPSAAC)
Date of Meeting: 6 October 2020
Time of Meeting: 3pm
Meeting Location: Online via Microsoft Teams Meeting

Attendees:

Kylie Reid (Chisholm Institute) – Chairperson, Cr Matthew Kirwan (CGD), Sarita Kulkarni (Community Member), Jacquie McBride (Monash Health), Sean Quigley (WAYSS), Community Development Coordinator (City of Greater Dandenong [CGD]), Binita Maskey (Women’s Association South East Melbourne Australia [WASEMA]), Siv Yoganathan (Life Without Barriers [LWB]), Sri Samy (Friends of Refugees [FOR]).

Apologies:

Kudzayi Nhatarikwa (Red Cross), Chris Pierson (South East Community Links [SECL]), Mayor, Cr Jim Memeti (CGD), Nabila Marzouk (Multicultural Muslim Women’s Network), Minwen Wu (Community Member), Nagamuthu R. Wickiramasingham (Community Member), Chaw Po (Burmese Women’s Alliance [BWA]), Kadira Pethiyagoda (Community Member), Jane Lazzari (Red Cross).

Minutes:

Community Advocacy Officer (CGD)

Item No.	Item	Action	Action By
1.	Welcome and Apologies Chair welcomed committee members and acknowledged traditional owners.		
2.	Previous meeting minutes and actions Minutes endorsed by MAPSAAC prior to meeting. No outstanding actions arising.		
3.	Midpoint review of Part A actions of the Greater Dandenong People Seeking Asylum and Refugees Action Plan 2018-2021. Based on the six identified primary action areas. 1. Social Inclusion – Council has hosted a number of events to promote social inclusion, including the <i>Home</i> exhibition which showcased the lives and stories of people seeking asylum and of refugee background. An area in which further work can be done is to provide leadership opportunities for people seeking asylum in the Greater Dandenong region. The formation of the Multicultural Communities Network will aim to provide a platform for marginalised community members to engage further with Council activities. 2. Housing –		

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

ORDINARY COUNCIL MEETING - AGENDA

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)

	<p>Council has engaged in ongoing advocacy efforts to promote social housing for people seeking asylum.</p> <p>3. Planning & Collaboration – Feedback on progress was sought from the Advisory Committee. Any feedback will be documented in the Part A and Part B Progress Report.</p> <p>4. Employment & Education – A large proportion of Part B Actions have commenced, contributing to the completion of Part A. Terms of Reference are also being developed for a new Employment & Education Working Group which will undertake further work in completing Part A Actions.</p> <p>5. Health – Part A Health Actions have been prioritised since the COVID-19 pandemic. More tailored actions may be developed to address newly arising challenges associated to the pandemic. A suggestion was made for feedback to be received from Advisory Committee members.</p> <p>6. Advocacy – Council and a raft of other organisations have been undertaking ongoing advocacy to achieve greater resources and support for people seeking asylum. Continued work is necessary to secure greater support from state and federal governments.</p> <p>Summary – Advisory Committee was satisfied both with the midpoint review and continuation of Part B actions. No changes to Part B actions were found to be necessary.</p>		
4.	<p>Employment & Education Working Group – Terms of Reference (ToR)</p> <p>ToR workshopped by MAPSAAC members. See attached.</p>	Develop EOI for Employment & Education Working Group	Community Advocacy Officer
5.	<p>Maurice Blackburn Class Action Discussion</p> <p>Maurice Blackburn Lawyers has initiated a class action on behalf of people detained in Australian immigration detention.</p> <p>https://www.mauriceblackburn.com.au/class-actions/current-class-actions/unlawful-detention-of-people-seeking-asylum-class-action/</p> <p>Some concerns among the community so far have been:</p> <ul style="list-style-type: none"> - Is this a scam? - Why did some people receive text messages in relation to the class action whereas people with similar experiences did not? - Does this involve deportation? - Is this Temporary Protection visa (TPV) or Safe Haven Enterprise visa (SHEV) related? <p>The Asylum Seeker Resource Centre will share feedback from people seeking asylum about the class action to Maurice Blackburn Lawyers.</p>		

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

ORDINARY COUNCIL MEETING - AGENDA

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)

6.	<p>Information Sharing</p> <p>Monash Health Volunteer program remains on hold.</p> <p>People reengaging with Monash Health services who have lost work during the pandemic. Many have lost work in the agriculture and food sector.</p> <p>Monash Health monitoring health and wellbeing of patients outside of scheduled appointments via telephone.</p> <p>Monash Health working with communities affected by COVID-19 outbreaks within the southeast region. Mental health and paediatric presentations have increased.</p> <p>Greater Dandenong Council On behalf of the Mayoral Taskforce Supporting People Seeking Asylum meetings were had with the State Government advisors for the Minister for Local Government and the Minister for Health.</p> <p>CGD advocated for an extension of additional funding provided by the State Government in the 2019-20 for people seeking asylum. A request was made for a further \$12 million to be made available over two years.</p> <p>Two new Council Members have joined the Local Government Mayoral Taskforce Supporting People Seeking Asylum – City of Hobart and Blue Mountains City Council.</p> <p>Working for Victoria – 102 jobs coming up in the City of Greater Dandenong. Brotherhood of St Laurence and SECL assisting people seeking asylum to register with the Sidekicker platform that candidates apply through.</p> <p>WAYSS Dandenong office remains open for clients. 50-60 people per night being housed in motel rooms. June – August 2019 – Approximately 400 motel rooms were being booked by WAYSS to house clients.</p> <p>June – August 2020 – 4000 motels rooms have been booked.</p> <p>Additional funding has been provided to WAYSS until January. \$8,000 - \$10,000 being spent a day on motels.</p> <p>LWB New Program Manager commenced with LWB in the southeast region, with expertise with youth work and services.</p> <p>Department of Home Affairs granting Final Departure Bridging Visas to people seeking asylum on Band 3 Status Resolution Support Services (SRSS) who are currently in community detention.</p> <p>Proactively working with clients to understand how clients will adapt to the new visa requirements.</p>		
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If the details of the attachment are unclear please contact Governance on 8571 5235.

ORDINARY COUNCIL MEETING - AGENDA

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)

	<p>LWB understand that the clients' needs will encompass accommodation, employment pathways, healthcare, and access to education for children.</p> <p>LWB also working with sector partners in relation to providing suitable support for people granted with Final Departure Bridging Visa.</p> <p>LWB assisting clients with furniture and removal costs. Fundraising is being conducted to provide further support.</p> <p>WASEMA Fourth term has commenced, and programs still being delivered via zoom. Monday, Tuesday, Wednesday and Thursday programs offered for community members to socialise and participate in a variety of activities.</p> <p>CHISHOLM TAFE Chisholm has commenced fourth term. Adult Migrant English Program (AMEP) cap will be lifted from 500 hours to unlimited hours for people to access English classes in 2021.</p> <p>TPV and SHEV holders are all eligible for AMEP, however not Bridging Visa holders. Chisholm is also delivering a cross sector infection control course, pitched at those working customer facing roles in accommodation, retail, hospitality.</p>		
	<p>Meeting closed at 4:40PM.</p>		

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

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)

OTHER

**DRAFT MINUTES OF MULTICULTURAL AND PEOPLE SEEKING ASYLUM
ADVISORY COMMITTEE MEETING
6 OCTOBER 2020**

ATTACHMENT 2

**EMPLOYMENT AND EDUCATION
WORKING GROUP
TERMS OF REFERENCE**

PAGES 3 (including cover)

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

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)**Employment and Education Working Group****Terms of Reference****PURPOSE**

The Employment and Education Working Group is a working group of the Multicultural and People Seeking Asylum Advisory Committee which has been tasked to progress with Part A and Part B Action Area 4 – Employment and Education of the Greater Dandenong People Seeking Asylum and Refugees Action Plan 2018-2021.

Including representatives from Greater Dandenong Council, the Multicultural and People Seeking Asylum Advisory Committee (MAPSAAC) and from a range of local service providers, the Employment and Education Working Group works to maximise accessibility to the formal employment sector for people seeking asylum and of refugee background.

BROAD OBJECTIVES

The objectives of the Employment and Education Working Group are to:

1. Work on Part A and Part B Action Area 4 – Employment and Education of the Greater Dandenong People Seeking Asylum and Refugee Action Plan 2018-2021.
2. Build linkages to foster access to education and other pathways for people seeking asylum and refugees.
3. Build connections between communities, business, local organisations and government to enhance skills and increase employment opportunities.
4. Provide opportunities to increase English language skills and improve literacy.
5. Link organisations supporting people seeking asylum and refugees (with work rights) to the Social Enterprise network.
6. Encourage and support local agencies and groups to provide volunteering opportunities for people seeking asylum.
7. Ensure that cultural competency training which is provided to local service agency staff is tailored and available for volunteers.

REPORTING REQUIREMENT

A nominated representative from the Employment and Education Working Group will provide bimonthly updates to the Multicultural and People Seeking Asylum Advisory Committee. These updates will be recorded within the MAPSAAC minutes which are then provided to Council at a public Council meeting.

FREQUENCY

Meetings will be held at least on a bi-monthly frequency, in between MAPSAAC scheduled meetings. This will ensure that the Employment and Education Working Group will be able to report back to MAPSAAC within a timely manner.

ORDINARY COUNCIL MEETING - AGENDA

4.3.2 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 6 October 2020 (Cont.)**TERM OF APPOINTMENT**

The Employment and Education Working Group will be appointed for a period of two years which will align with the appointment of MAPSAAC, with the option for representatives to continue their membership beyond a two-year term. A re-appointment process will be undertaken for all members in accordance with the selection process outlined in these Terms of Reference.

MEMBERSHIP

MAPSAAC Member to Chair the Employment and Education Working Group.

Membership will be open to non-Advisory Committee members, primarily service organisations and service providers working with the local employment and education sector. Council staff will provide administrative support and service expertise to the Employment and Education Working Group. At all times Council officers and staff will act in accordance with the Staff Code of Conduct.

Membership of the Employment and Education Working Group is voluntary, and all members must be over 18 years of age. Members may resign at any time.

SELECTION PROCESS

Membership of the Employment and Education Working Group will be achieved by calling for nominations. An advertisement will be placed in the local media and on Council's website. Specific representatives and organisations may also be invited to nominate. A nomination form must be completed by interested representatives and all nominations will be assessed against the Criteria for Membership.

CRITERIA FOR MEMBERSHIP

Nominees for membership must be able to demonstrate:

A familiarity and commitment to the People Seeking Asylum and Refugee Action Plan 2018-2021.

Continued work with the local education and employment sector.

Commitment to work in partnership with organisations and service providers to achieve Part A and Part B Actions of the People Seeking Asylum and refugee Action Plan 2018-2021.

4.3.3 Response to Notice of Motion No. 90 - Changing Local Law to allow the lighting of chimineas and other controlled fire pits on your property.

File Id:

Responsible Officer:

Director City Planning Design & Amenity

Report Summary

This report responds to the requirements of and notes the comments and the intent of Council's Notice of Motion No. 90, - Changing Local Law to allow the lighting of chimineas and other controlled fire pits on your property.

Recommendation Summary

This report recommends that any changes to the Local Law concerning the use of chimineas and fire pits on private property, be considered during the upcoming review of the City of Greater Dandenong's Local Laws 2, 3 and 4 as per the requirements of the *Local Government Act 2020*.

4.3.3 Response to Notice of Motion No. 90 - Changing Local Law to allow the lighting of chimineas and other controlled fire pits on your property. (Cont.)

Background

At its meeting on 14 September 2020, Council carried Notice of Motion No. 90 (NoM), which was moved by former Councillor Sampey and seconded by former Councillor Kirwan. In terms of the Notice of Motion, council resolved that:

1. *Council notes the public concern regarding the objectives, requirements, operation and provisions of the Local Law as it applies to ‘open air burning’ and the desire by many in the community to use and enjoy for social and entertainment purposes, outdoor fireplaces including firepits, ‘chiminea’, open steel bowls and other firepits, ‘chiminea’, open steel bowls and other commercially available vessels; and*
2. *In addressing this concern, that officers present a report to the next appropriate Council Meeting – no later than the end of December 2020 – outlining the objectives, requirements, function, and performances around the operation of the current Local Law and potential options available for Council to make changes to the Local Law to address residents’ concerns.*

The Local Law that is applicable to this NoM is Clause 11 of *Greater Dandenong City Council Local Law No. 2 – Municipal Amenity* (the Local Law), with Clauses 12 and 13 of the Local Law also being relevant.

Clause 11 of Local Law states:

11.1 A person must not light a fire in an incinerator at any time.

11.2 A person who owns or occupies land must not without a permit, on that land –

a) light; or

b) allow or permit to be lit or remain alight –

a fire in the open air.

It is this section (11.2) that prohibits the use of “*firepits, ‘chiminea’, open steel bowls and other commercially available vessels*” without a permit.

Clause 12 of the Local Law explains what cannot be burned in the open air, even if a permit is granted.

4.3.3 Response to Notice of Motion No. 90 - Changing Local Law to allow the lighting of chimineas and other controlled fire pits on your property. (Cont.)

Clause 13 of the Local Law then goes on to talk about the use of BBQs. However the key to the use of BBQs revolves around the definition of what a BBQ is defined as being in the Local Law. That definition being:

"barbecue" means a structure or device constructed solely for cooking food in the open air for human consumption.

Often people will state that they have their fire pit alight because they intend to use it as a BBQ. Unfortunately in these circumstance as the "fire pit" has an ulterior use, i.e. it is not a device constructed **solely** for cooking food in the open air for human consumption, it does not fit the definition of a BBQ and therefore, without a permit it cannot be lit as per the restrictions imposed under Clause 11 above.

So in summing up currently the only time a fire maybe lit in the open air in City of Greater Dandenong (CGD) without a permit, is if a person is using an appliance (such as the Webber Kettle type BBQs) or a purpose built structure (ie a backyard pizza oven) that is solely constructed for cooking food in the open air.

Many municipalities have a very similar clause in their Local Laws to Clause 11 referred to above, though some have more recently created an exemption in their local laws, to permit the use of *"firepits, 'chiminea', open steel bowls and other commercially available vessels"* .

In the case of CGD this is not the case. However, the use of fire in the outdoors in cultural or religious ceremonies, can be permitted as a delegated officer of Council is able to exempt any person from the requirements of this local law.

As with the creation of any local law, the purpose of why a local law is required needs to be identified. In other words the mischief the local law is aiming to prevent should be identified, and it should further be demonstrated that the creation of a local law is the only way the mischief can be prevented.

As quoted above *"Council notes the desire by many in the community to use and enjoy for social and entertainment purposes, outdoor fireplaces including firepits, 'chiminea', open steel bowls and other commercially available vessels"*. This is not considered unreasonable and it is important to balance reasonable residential enjoyment expectations with adverse amenity impact that could result from unregulated burning of solid fuels.

In this case the reasons why the local law was created are varied.

Firstly at the time of the creation of the applicable local law in 2010, the CGD had a considerable amount of land which had not been developed. Additionally the memory of the 2009 Black Saturday fires were still fresh in the communities psyche, so in part this local law aimed to ensure the safety of those areas that were still undeveloped, by preventing the haphazard lighting of fires in those areas, where an uncontrolled fire could result in catastrophic loss.

Additionally, the need to protect the amenity and environment of an area, by preventing smoke drifting across neighbourhoods, and causing potential health and nuisance issues was also a driver for the introduction of this local law. This was, and is still very much aligned to the EPA's advice that the

4.3.3 Response to Notice of Motion No. 90 - Changing Local Law to allow the lighting of chimineas and other controlled fire pits on your property. (Cont.)

burning of wood, and the subsequent release of very small particles and gases into the air, does in fact add to the air pollution of an area, especially in the colder months, when the use of such appliances that are banned by the Local Law, is more prevalent.

This second reason is a continued source of complaints from members of the community to both the Environmental Health and Local Laws teams of Council.

Proposal

Three (3) of Council's four (4) Local Laws being:

- Local Law No. 2 (of 4) Municipal Amenity
- Local Law No. 3 (of 4) Road Management and Asset Protection
- Local Law No. 4 (of 4) Municipal Places

all sunset on the 25 July 2021, so prior to that date Council will need to have approved the introduction of new local laws.

Council's Meeting Procedure Local Law No. 1 was replaced by Governance Rules (a requirement of the *Local Government Act 2020*) on 24 August 2020. The superseded Meeting Procedure Local Law No. 1 which will remain in existence until it is replaced with a new Governance Local Law early in 2021.

The introduction of the Governance Local Law will be a separate process to the reviews and updates of Council's Local Laws 2, 3 and 4.

As part of the process of updating the local laws, and in accordance the provisions of the *Local Government Act 2020*, a full and comprehensive review of Council's Local Laws 2, 3 and 4 will need to be carried out, and, it is proposed that options in regards to Clause 11 of Local Law No. 2 - Municipal Amenity as per the requirements of the NoM be looked at as part of that review. This will ensure the issue is subject to a detailed community consultation and considered as part of a comprehensive Community Impact Statement.

Officers are reviewing Council's current Local Laws 2, 3 and 4, and will begin the process of drafting a new Local Law during December 2020 and January 2021. Council's input via a briefing session will be sort once a draft Local Law has been prepared. It is envisaged that this will occur early in 2021.

Once finalised the Council will again be able to provide input prior to approving the release of the draft local law for exhibition and community consultation. It is envisaged that this exhibition and community consultation phase will occur during March and April of 2021, with a Council report detailing the outcomes of that consultation forming part of a further report to Council, along with the proposed Local Law when Council adoption of a new Local Law will be sought. This is expected to occur during June of 2021.

4.3.3 Response to Notice of Motion No. 90 - Changing Local Law to allow the lighting of chimineas and other controlled fire pits on your property. (Cont.)

Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

Place

- *Sense of Place* – One city many neighbourhoods
- *Safety in Streets and Places* – Feeling and being safe
- *Appearance of Places* – Places and buildings

Council Plan 2017-21

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

Place

- A healthy, liveable and sustainable city.

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

There are no financial implications associated with this report.

Conclusion

With the legislatively required review and update of Council's Local Laws 2, 3 and 4 commencing early in 2021, it is expedient to include the issues raised in Notice of Motion No. 90, as part of that review as this will ensure the issue is subject to detailed community consultation and considered as part of a comprehensive Community Impact Statement, which is a requirement of the *Local Government Act 2020*.

Recommendation

That Council notes the contents of this report in response to Notice of Motion No.90; and agrees to the issues raised in the Notice of Motion being considered as part of the review and update of Council's Local Laws Nos, 2, 3 and 4.

4.3.4 Dandenong Market Pty Ltd - Director Roles

File Id:

Responsible Officer:

Director Corporate Services

Report Summary

Dandenong Market Pty Ltd (DMPL) is a wholly owned subsidiary company of Greater Dandenong City Council established for the purposes of operating Dandenong Market.

The constitution governing Dandenong Market provides that the Board of Management controlling the company is to be comprised of between three and five Directors. At present due to recent resignations, the Board is operating with three Directors, one of whom is currently in an Interim role until Council makes further Director appointments.

Council recently undertook a recruitment exercise and this report makes a recommendation in respect of the appointment of one Director with a further recruitment process to be undertaken to fulfil the remaining roles.

Recommendation Summary

This report recommends that Council appoint Mr Jerome Gauder as a Director of Dandenong Market Pty Ltd for a term of three years commencing 14 December 2020 and further extends the term of the Interim Chair, Mr Tim Cockayne until the end of March 2021. It is intended that a minimum of one further Director will be appointed by this time.

4.3.4 Dandenong Market Pty Ltd - Director Roles (Cont.)

Background

Dandenong Market Pty Ltd (DMPL) was established in September 2012 as a means of Council establishing a skills-based Board to drive the strategic direction and operations of the Dandenong Market. Since this point, the Board has provided an extremely valuable service to Council and the Market has continued to evolve and develop including initiatives such as the introduction of Sunday trading and trialling in early 2020 of the night market.

The Market is an extremely valuable asset, not only to the City of Greater Dandenong, but also to the region, and acts as an important community networking vehicle that brings together people from all different backgrounds in the one location.

DMPL originally consisted of five Directors which were appointed by Council under the terms of the DMPL Constitution (which requires Director appointments to be made by the Shareholder (Council)). The number of Directors remained constant until December 2019, where following a resignation it was determined that the Board would trial a period of operations with four Directors.

DMPL has experienced two resignations from this position during 2020, with Mrs Julie Busch resigning from the Board Chair role in May 2020 and Mr Franz Madlener resigning in November 2020. Council appointed Mr Tim Cockayne in June 2020 to be the Interim Chair for a period ending 22 December 2020.

DMPL is therefore currently operating with the minimum of three Directors, one of which has a term that is due to shortly expire.

A recruitment process was commenced in October 2020, closing on 18 November 2020 with advertisements placed on-line via the Australian Institute of Company Directors (AICD) and Women on Boards. At the close of the advertisement period, Council received ten applications and in partnership with DMPL, conducted three interviews on Friday 27 November 2020.

Following the completion of the interview process, it is recommended to Council that it appoints Mr Jerome Gauder as a Director of DMPL for a period of three years commencing 14 December 2014.

Mr Gauder previously served on the inaugural Board of DMPL between 2012 and 2014. During this period, he was a valued Board member who contributed significantly to the many challenges the Board faced in its early inception stages.

Between 2014-2018, Mr Gauder was the State General Manager (Liquor) in both NSW/ACT and then later for Victoria/Tasmania for Dan Murphy's (Woolworths). Since 2018, Mr Gauder has been operating his own consultancy Hanger 18, a business aimed at providing mentoring, coaching and growth to small business enterprises.

It should also be notable that Mr Gauder has retained an active interest in the Greater Dandenong Community as the Secretary of Keysborough Cricket Club since 1995.

Mr Gauder is recommended as a strong candidate for the DMPL Board.

4.3.4 Dandenong Market Pty Ltd - Director Roles (Cont.)

Whilst this report recommends the appointment of Mr Gauder, Council needs to be mindful that the Interim Chair appointment of Mr Cockayne expires 22 December 2020 as per Council's earlier resolution. Mr Cockayne has been instrumental in guiding DMPL through a very difficult period both from a governance perspective but equally in providing strategic direction for the Market through the pandemic.

Mr Cockayne has agreed to remain as the Interim Chair until such point as Council reaches a conclusion on the remaining Board vacancies which is likely to occur by the end of March 2021.

Finally, there needs to be consideration given at this early stage to succession planning for the role of Board Chair. At this point it is considered that an incoming Director with no background to the recent journey experienced by DMPL would not be advantageous to assume the role of Board Chairperson.

For an appropriate handover to occur in a managed fashion, this report recommends that Ms Donna McMaster be appointed as Chair-elect by Council so that a period of transition and handover can be managed prior to the conclusion of Mr Cockayne's term as Interim Chair.

Following this report to Council a secondary process to recruit the remaining Board members for the DMPL will be commenced. This will be done in partnership with DMPL and is likely to include the appointment of a Board selection company in order to source a wider field of applicants. A report following this process is likely to come before Council in March 2021.

Proposal

This report recommends that Council appoint Mr Jerome Gauder as a Director of Dandenong Market Pty Ltd for a term of three years commencing 14 December 2020 and further extends the term of the Interim Chair, Mr Tim Cockayne until such point as the remaining Director vacancies are filled.

Community Plan 'Imagine 2030'

Opportunity

- *Tourism and visitors* – Diverse and interesting experiences
- *Leadership by the Council* – The leading Council

Council Plan 2017-21

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

Opportunity

- A diverse and growing economy
- An open and effective Council

4.3.4 Dandenong Market Pty Ltd - Director Roles (Cont.)

Financial Implications

All Director fees are included within the budgets for DMPL and have no impact on Council's financial position. Where a Board recruitment agency is appointed this will be borne by Council but the cost for this is not expected to be significant and can be covered within existing budgets.

Consultation

The recruitment process undertaken to this point has been done in partnership with DMPL.

Conclusion

There is little doubt that during 2020 the Board of DMPL has undergone significant change. The importance of consistency in management and strategic direction of the Dandenong Market remains however of paramount consideration for Council. This report recommends the retention in the short-term of the current Interim Chair and the appointment of a Director who both understands the Dandenong Market environment and brings considerable retail experience from what would be described as 'big' retail and 'small' retail.

The recommendation presented further notes that it is important for Council to now consider the appropriate succession planning for the role of Board Chair which has been ably fulfilled by Mr Cockayne. It is recommended that during the next three-four month period, a transition process be put in place and Mrs Donna McMaster be appointed by Council as the Chair-elect.

Recommendation

That Council:

- 1. extends the appointment of Mr Cockayne as the interim Chair of Dandenong Market Pty Ltd until such point as Council appoints the remaining two vacant Director roles;**
- 2. notes that during this period Ms Donna McMaster be appointed as Chair-elect to allow for appropriate succession planning to occur for the role of Board Chair following the conclusion of Mr Cockayne's term; and**
- 3. appoints Mr Jerome Gauder as a Director of Dandenong Market Pty Ltd for a period of three years commencing 14 December 2020.**

4.3.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 23, 30 November & 7 December 2020

File Id: fA25545
Responsible Officer: Director Corporate Services

Report Summary

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

The matters listed in this report were presented to Councillor Briefing Sessions & Pre-Council Meetings in November and December 2020.

Recommendation Summary

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

4.3.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 23, 30 November & 7 December 2020 (Cont.)
Matters Presented for Discussion

Item		Councillor Briefing Session/Pre-Council Meeting
1	<i>Major Leisure Facilities Management Model - Confidential</i>	<i>23 November 2020</i>
2	<i>Mid-Year Budget Review</i> Councillors and officers discussed proposed adjustments to the 2020-21 amended budget, the deferral of capital projects and the funding of the forecast cash deficit to form a Mid-Year Budget for management reporting purposes.	<i>23 November 2020</i>
3	<i>General Discussion</i> Councillors and Council officers briefly discussed the following topics: a) Current status of COVID-19 and impacts on reopening of facilities across the municipality. b) Upcoming capital works program meetings. c) Recent grant applications successes. c) Agenda items for the Council Meeting of 30 November 2020.	<i>23 November 2020</i>
4	<i>General Discussion</i> Councillors and Council officers briefly discussed the following topics: a) Current status of COVID-19 and impacts on the municipality. b) Information technology security training and awareness. c) Council's Business Grants Program (Round 2). d) Update on trees affected by the Hanna Street development in Noble Park. e) Agenda items for the Council Meeting of 30 November 2020.	<i>30 November 2020</i>

ORDINARY COUNCIL MEETING - AGENDA

4.3.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 23, 30 November & 7 December 2020 (Cont.)

5	<p><i>Springvale Community Hub Committee – Proposed Membership</i></p> <p>Councillors and officers discussed the Springvale Community Hub Committee community representative nominations prior to a report being presented at the Council Meeting on 14 December 2020.</p>	<i>7 December 2020</i>
6	<p><i>Progress Update for Greater Dandenong’s New Arts and Cultural Facilities</i></p> <p>Councillors were provided with an update on the status of delivery of new cultural facilities, including those under construction and currently undergoing community consultation.</p>	<i>7 December 2020</i>
7	<p><i>Library Services Feasibility Study and Facilities Plan</i></p> <p>Councillors were provided with a report on the outcomes of an evidence-based and comprehensive feasibility study to assess library service and facility needs for the municipality over the medium to long-term. This included an assessment of the current and future needs of people who live in Keysborough, Noble Park and in the northern most aspect of the municipality.</p>	<i>7 December 2020</i>
8	<p><i>Dandenong Aquatic and Wellbeing Centre (new Oasis) Architectural EOI Update</i></p> <p>Council were provided with an overview of the expression of interest process for consultancy services for the design and documentation of the proposed Dandenong Aquatic and Wellbeing Centre.</p>	<i>7 December 2020</i>
9	<p><i>Urban Forest Strategy Consultation</i></p> <p>Councillors and officers discussed the draft Urban Forest Strategy and Greening our Neighbourhoods Strategy which will proceed to public consultation in February 2021.</p>	<i>7 December 2020</i>
10	<p><i>Interfaith Network Options</i></p> <p>Councillors were briefed on a review of the Interfaith Network’s activities and recommendations for funding will be presented to the Council meeting of 14 December 2020.</p>	<i>7 December 2020</i>

4.3.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 23, 30 November & 7 December 2020 (Cont.)

11	General Discussion Councillors and Council officers briefly discussed the following topics: a) Current status of COVID-19 and impacts on the municipality. b) Strategic property purchase in Greater Dandenong and longer term options for the property. (Cr Tim Dark disclosed a Conflict of Interest in this item and left the room while it was discussed.) c) Discussions recently held with Monash University regarding tertiary education options supporting younger people in Greater Dandenong. d) Civic Centre basement car parking. d) Agenda items for the Council Meeting of 14 December 2020.	7 December 2020
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Apologies

- Cr Sophie Tan submitted an apology for the Pre-Council Meeting on 30 November 2020.
- Cr Jim Memeti submitted an apology for the Councillor Briefing Session on 7 December 2020.

Recommendation

That:

1. **the information contained in this report be received and noted; and**
2. **the information discussed at the above listed Councillor Briefing Sessions/Pre-Council Meetings that was declared confidential in item 1 under section 3(1) of the re-Council Meetings that was declared confidential in item 1 under section 3(1) of the *Local Government Act 2020* remains confidential until further advisement unless that information forms the subject of a subsequent Council report. The information was deemed confidential because it is Council business information that would prejudice Council's position in commercial negotiations if it was prematurely released.**

4.3.6 List of Registered Correspondence to Mayor and Councillors

File Id:	qA283304
Responsible Officer:	Director Corporate Services
Attachments:	Correspondence Received 23 November – 4 December 2020

Report Summary

Subsequent to resolutions made by Council on 11 November 2013 and 25 February 2014 in relation to a listing of incoming correspondence addressed to the Mayor and Councillors, Attachment 1 provides a list of this correspondence for the period 23 November – 4 December 2020.

Recommendation

That the listed items provided in Attachment 1 for the period 23 November – 4 December 2020 be received and noted.

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

OTHER

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

ATTACHMENT 1

**CORRESPONDENCE RECEIVED
23 NOVEMBER – 4 DECEMBER 2020**

PAGES 3 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

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



Correspondences addressed to the Mayor and Councillors received between 23/11/20 & 04/12/20 - for officer action - total = 4

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Assigned
A request to the Mayor from Boobobutt for permission to use copyrighted material from Council's Website in relation to community facilities.	20-Nov-20	23-Nov-20	FA204006	Mayor & Councillors EA
A request to Council from the Greater Dandenong Environment Group to do whatever is necessary to protect native trees from proposed development in Hanna Street, Noble Park.	21-Nov-20	23-Nov-20	FA204048	Mayor & Councillors EA
A request from a local Committee seeking assistance from Council to save the historic Keysborough Uniting Church building.	23-Nov-20	24-Nov-20	FA204150	Mayor & Councillors EA
A complaint from a local developer in relation to outstanding Council requirements needed to obtain a Certificate of Occupancy for a four ...	26-Nov-20	26-Nov-20	FA204385	Mayor & Councillors EA

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

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



Correspondences addressed to the Mayor and Councillors received between 23/11/20 & 04/12/20 - for information only - total = 4

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Assigned
Letter to Mayor regarding Victorian Municipal Building Surveyors Group (VMBSG) Updated Charter.	01-Dec-20	02-Dec-20	A7083523	Mayor & Councillors EA
Letter from the Australian Local Government Association (ALGA) regarding its 2021 National General Assembly and calling for Notices of Motions.	27-Nov-20	03-Dec-20	A7085809	Governance
A number of letters regarding election of Mayors from different shires and councils across Victoria.		23/11-04/12	Various	Mayor & Councillors EA
Letters of congratulations to elected Greater Dandenong Councillors.		23/11-04/12	Various	Mayor & Councillors EA

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

4.3.7 Interfaith Network Options

File Id: A7043081
Responsible Officer: Director Community Services

Report Summary

Council at its meeting held on 14 September 2020 considered a report on the Community Partnership and Sponsorship Grants program to endorse new funding agreements. The report directed officers to investigate options for funding the Interfaith Network of the City of Greater Dandenong (IFN) to be decided at a later Council Meeting.

This report recommends the option of extending the current funding of the IFN until 28 February 2021 and then entering into a contract agreement from 1 March 2020 to 30 June 2024 to support strengthening the organisation and contribute to achieving Council's strategic priorities.

Recommendation Summary

This report recommends that the current funding of the IFN extend until 28 February 2021 at a cost of \$23,729 and then enter into a contract agreement from 1 March 2021 to 30 June 2024 at a rate of:

- 1 March 2021 – 30 June 2021 at \$30,000 amortised payment equivalent to \$90,000 per annum
- \$90,000 per annum to 30 June 2022
- \$80,000 per annum to 30 June 2023
- \$70,000 per annum to 30 June 2024.

Funding is recommended to be conditional upon the IFN achieving contract deliverables that support:

1. Organisational development and strengthening
2. Strategic community engagement and dialogue
3. Community education.

4.3.7 Interfaith Network Options (Cont.)

Background

The IFN was established in 1989, the first of its kind in Australia. The Network is a group of 55 diverse cultural and religious faiths operating with the City of Greater Dandenong to bring peace, harmony and understanding to the community.

The IFN is based from 39 Clow Street Dandenong and delivers a number of activities, including coordinating a multi-faith prayer roster for Council meetings, coordinating tours of places of worship, education activities, and multi-faith events and dialogue.

Council entered into a Community Partnership Funding Agreement with the IFN in 2014-15. This funding has been extended to 30 November 2020.

Council officers have engaged with the IFN to identify and review key documentation and discuss options to fund the Network. This process identified the preferred option of entering into a contract arrangement to strengthen organisational development and provided greater alignment of Network activities to achieve Council's strategic priorities.

Proposal

It is proposed that Council enter into a contract agreement with the IFN from 1 March 2021 to 30 June 2024.

This agreement will include:

- Deliverables that support future financial diversification and sustainability, improved volunteer capacity and governance, and organisation communication and publicity.
- Facilitation of dialogue on issues strategically aligned with Council's priorities.
- Community education including tours for local stakeholders.

The contract will be staggered in line with financial diversification and sustainability deliverables at the following amounts:

- \$90,000 per annum to 30 June 2022
- \$80,000 per annum to 30 June 2023
- \$70,000 per annum to 30 June 2024.

The contract will include key performance indicators for the Network to achieve these outcomes, with contract oversight support by Council. Officers will assist the IFN to identify additional grant opportunities to diversify organisation funding.

It is further proposed that Council extend current funding for the IFN to 28 February 2021 until the new contract can be entered into.

4.3.7 Interfaith Network Options (Cont.)

Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

People

- *Pride* – Best place best people
- *Cultural Diversity* – Model multicultural community
- *Lifecycle and Social Support* – The generations supported

Place

- *Sense of Place* – One city many neighbourhoods
- *Safety in Streets and Places* – Feeling and being safe
- *Appearance of Places* – Places and buildings
- *Travel and Transport* – Easy to get around

Opportunity

- *Education, Learning and Information* – Knowledge
- *Tourism and visitors* – Diverse and interesting experiences
- *Leadership by the Council* – The leading Council

Council Plan 2017-21

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

People

- A vibrant, connected and safe community
- A creative city that respects and embraces diversity

Place

- A healthy, liveable and sustainable city
- A city planned for the future

Opportunity

- A diverse and growing economy
- An open and effective Council

4.3.7 Interfaith Network Options (Cont.)

The strategies and plans that contribute to these outcomes are as follows:

- Council Plan 2017-21
- Community Wellbeing Plan
- Imagine 2030 Community Plan
- Greater Dandenong People Seeking
- Community Development Framework.

Related Council Policies

- Diversity Access and Equity
- Community Facilities Management Policy.

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

Savings will be identified from the existing Community Funding budget for financial years 2020-21 and 2021-22.

Consideration for funding for financial years 2022-24 will be referred to Council's Long-Term Financial Planning Process.

Consultation

Consultation for this report has been conducted with relevant Council business units, the IFN and Council. A letter dated 23 November 2020 was also received from the Chairman of the IFN indicating the IFN Executive's commitment to strengthening the organisation governance and emphasising that ongoing support from Council was imperative for it to continue to deliver on its strategic approach.

The letter also sought clarity for why Council would not fund tours of places of worship within the community for schools and groups outside of the municipality to showcase Council's cultural and faith diversity. This is not recommended for funding as analysis of key documents indicated that these accounted for significant staff coordination time and costs with no clear benefit for the City of Greater Dandenong community.

Conclusion

This report concludes that:

- Council enter into a contract arrangement with the Interfaith Network of the City of Greater Dandenong from 1 March 2021 to 30 June 2024 to deliver activities that strengthen the Network into the future and achieve Council strategic priorities. Contract rates:

4.3.7 Interfaith Network Options (Cont.)

- 1 March 2021 – 30 June 2021 at \$30,000 amortised payment equivalent to \$90,000 per annum
 - 1 July 2021 – 30 Jun 2022 at \$90,000 per annum
 - 1 July 2022 – 30 June 2023 at \$80,000 per annum
 - 1 July 2023 – 30 June 2024 at \$70,000 per annum.
- Extend the current funding of the Interfaith Network of the City of Greater Dandenong to 28 February 2021 at a cost of \$23,729

Recommendation

That Council:

1. **Contracts the Interfaith Network of the City of Greater Dandenong from 1 March 2021 to 30 June 2024 to deliver activities that strengthen the Network into the future and contribute to achieving Council's strategic priorities.**

Contract rates:

- **1 March 2021 – 30 June 2021 at \$30,000 amortised payment equivalent to \$90,000 per annum**
- **1 July 2021 – 30 Jun 2022 at \$90,000 per annum**
- **1 July 2022 – 30 June 2023 at \$80,000 per annum**
- **1 July 2023 – 30 June 2024 at \$70,000 per annum.**

- 1.1. **Contract includes key performance indicators in the contract.**

2. **Extends the current funding of the Interfaith Network of the City of Greater Dandenong to 28 February 2021 at a cost of \$23,729.**

4.3.8 Springvale Community Hub Committee (Membership Endorsement)

File Id:	A6895415
Responsible Officer:	Director Community Services
Attachments:	Springvale Community Hub Committee – Terms of Reference (endorsed CM 200914)

Report Summary

The formation of the Springvale Community Hub Committee was endorsed by Council on 14 September 2020. The endorsed Terms of Reference (Attachment 1) articulate the purpose and objectives of the Committee, and provide for appropriate and relevant membership, advice and collaboration.

This report identifies the process of seeking community representative nominations and recommends eight community representatives accordingly.

A total of eight community representatives were received for nine vacant positions, each applicant was assessed against the key selection criteria, along with short phone interviews and referee checks.

Recommendation Summary

This report recommends that Council endorse the eight community representatives nominated, in accordance with the Terms of Reference and recommendation of the selection panel.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

Background

On 14 September 2020 Council endorsed the formation of the Springvale Community Hub Committee and the Springvale Community Hub Committee Terms of Reference.

The Terms of Reference stipulate that the Committee will consist of representatives from the following:

- Up to 2 Councillor Representative - appointed at the annual Council Meeting to elect the Mayor
- Springvale District Historical Societies (SDHS) Representative – nominated by the SDHS
- Council Officer from the Community Services Directorate
- Up to 9 Community Representatives, including at least 3 local residents – appointed by Council. Community members will be representative of Council's diverse and multicultural community including local groups, agencies, schools and local residents. Members may have broad community networks; a proven interest, expertise and experience in community development, engagement in the area, and / or involvement with community groups or organisations where the advancement of the Springvale Community Hub is of mutual interest with Council.

Proposal

Call for Nominations

A call for nominations for Community Representatives was open to the public from Monday 21 September until Monday 19 October 2020.

Eight community applications were received via direct email or an online nomination form, with nine community representative vacancies available.

Selection Panel

In accordance with the endorsed Terms of Reference, a selection panel was convened to assess nominations and make a recommendation to Council for consideration and endorsement.

The selection panel consisted of:

- Martin Fidler, Director Community Services
- Tilla Buden, Manager Community Arts, Culture and Library Services
- Kylie Sprague, Manager Communications and Customer Service
- Sarah Hill, Springvale Community Precinct Coordinator
- Peter Johnstone, Coordinator Community Development

Selection Criteria

The applicants were assessed against the following criteria, in accordance with the endorsed Terms of Reference, to determine if they were suitable:

- An interest in community development and engagement in Greater Dandenong.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

- Be aware of the activities, interest and concerns relevant to the community hub such as arts, sustainability, or health and wellbeing.
- Ability to provide high-quality input to the Committee through demonstrated skills, competency, interest and experience.
- An ability to cooperate with others and work as a team.
- A demonstrated capacity to embrace diversity.
- Broad community connections.
- An understanding of the local community and its social, cultural, linguistic, environmental and economic influences.
- A willingness to provide advice and guidance to Council regarding trends and opportunities in community engagement, community development or programs and services within the municipality.
- An understanding of the priorities as identified in the Springvale Community Hub – Strategic Plan 2020-2025 and associated Action Plan.
- Prepare for and actively participate in scheduled meetings.
- A capacity to commit to the Committee for the required duration.

Each applicant also had a short phone interview and referee checks completed.

Each applicant is currently undergoing Police Checks and providing Working with Children Checks.

Community Representative Nominations

The following Community Representative nominations are proposed for membership endorsement:

Lisette Brearley

Lisette is an active member of the Maya Dance Group, based at the Springvale Neighbourhood House. Lisette also participates in the Neighbourhood House and Community Centre Networks and has previously sat on a variety of event committees in the City of Knox and the Noble Park Community Centre interim committee. Lisette is very passionate about community development and engagement.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

Anna Leticia Demuth

Anna is a migrant who relocated from overseas in 2015 and now lives in Springvale. Anna is involved in the local community, in particular with the German Lutheran Parish, where she assists in organising local community events, fetes, family events and playgroups. Anna is particularly interested in education and employment, and how this relates to health and wellbeing and family violence.

Heather Duggan

Heather is an active community member, with current involvement in the Spirit of Enterprise, Community Connections Working Group a subsidiary of the Greater Dandenong Arts Advisory Board, and Springvale Neighbourhood House. Heather has previously been involved with the Neighbourhood Houses Victoria Governance Committee, Noble Park Community Centre Governance Committee and Hopetoun Education Centre. Heather is particularly interested in the role of arts, community development and sustainability in the local community.

Vivienne Fernandes

Vivienne is currently the President of U3A Dandenong and also brings significant volunteer experience including involvement with Neighbourhood Watch and Women's Association South East Melbourne. Vivienne is particularly interested in ensuring individuals are connected, as this helps with self-confidence, community connection and health and wellbeing.

Dani Holl

Dani is a local resident and business owner of a legal practice in Springvale. Dani has been on several committees and boards in the local area including the Springvale Service for Children, along with relevant experience of local business networks and state government authorities. Dani is particularly interested in how the hub can support and provide opportunities for the Springvale Community, be a leader in the space of innovation, and deliver upon the Strategic and Action Plans.

Sarita Kulkarni

Sarita brings a professional background in Agriculture and Horticulture, having relocated to Australia many years ago. Sarita is actively engaged in the local community, including as a volunteer on a number of Committees and Groups. Sarita is particularly interested in how the hub can assist in engaging with residents who have recently relocated to Australia, connecting them to education programs and health and wellbeing programs.

Mmaskepe Sejo

Mmaskepe currently works for Wellsprings for Women in Dandenong and brings experience in human rights and community development, working with grass root vulnerable communities here in Australia and overseas. Mmaskepe has previously worked or interacted as a consultant engaging with Victoria Police, Department of Health and Human Services and sits as a representative in the CALD services network. Mmaskepe is interested in identifying issues of inequality, how to influence change, raising awareness of human rights and how to exercise them in daily lives.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

Melanie Virtue

Melanie is currently employed as the Manager of the Springvale Neighbourhood House, which has an active involvement in the local community and connects with a range of local CALD groups. Melanie has significant experience in community development, community engagement and social planning. Melanie is particularly interested in building organisations, services and programs that are inclusive of community members.

Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

People

- *Pride* – Best place best people
- *Cultural Diversity* – Model multicultural community
- *Outdoor Activity and Sports* – Recreation for everyone

Place

- *Sense of Place* – One city many neighbourhoods
- *Safety in Streets and Places* – Feeling and being safe
- *Appearance of Places* – Places and buildings

Opportunity

- *Education, Learning and Information* – Knowledge

Council Plan 2017-21

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

People

- A vibrant, connected and safe community
- A creative city that respects and embraces diversity

Place

- A healthy, liveable and sustainable city
- A city planned for the future

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

The strategies and plans that contribute to these outcomes are as follows:

- Springvale Community Hub – Strategic Plan 2020-2025
 - Create and Connect – Arts and Cultural Heritage Strategy 2016 and Action Plan 2016-2028
- Library Strategy 2018-2023

Related Council Policies

- Community Wellbeing Plan 2017 - 21
- Activity Centre's Placemaking Framework 2016
- Greater Dandenong People Seeking Asylum and Refugees Plan 2018-21
- Multi-purpose Use of Community Facilities Policy 2018
- Community Facilities Management Policy
- Community Hub Framework 2016
- Community Development Framework 2016
- Community Engagement Policy and Framework 2018
- Youth Strategy Action Plan 2016-19
- Open Space Strategy 2009
- Sustainability Strategy 2016-2030
- Waste & Litter Strategy 2015-2020

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

Membership of the Springvale Community Hub is voluntary.

Budget provision within Operational budget has been allocated to assist with catering or miscellaneous costs.

Consultation

Promotion of the call for nominations was undertaken through Council website, Dandenong Journal, Springvale Community Hub stakeholder e-newsletter, and across Council Social Media Platforms.

Call for nominations was open to the public from Monday 21 September until Monday 18 October 2020.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

Conclusion

The Springvale Community Hub Committee will provide Council with an effective and collaborative forum to assist Council in meeting key priorities and actions at the hub.

The endorsed Terms of Reference articulated the process of calling of nominations, which occurred for a four-week period and received a total of eight community representative nominations for nine vacant positions.

It is recommended to endorse the eight nominations received.

Recommendation

That Council endorses the eight community representatives listed for the Springvale Community Hub Committee:

- **Lisette Brearley**
- **Anna Leticia Demuth**
- **Heather Duggan**
- **Vivienne Fernandes**
- **Dani Holl**
- **Sarita Kulkarni**
- **Mmaskepe Sejoe**
- **Melanie Virtue**

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

OTHER

**SPRINGVALE COMMUNITY HUB COMMITTEE
(MEMBERSHIP ENDORSEMENT)**

ATTACHMENT 1

**SPRINGVALE COMMUNITY HUB COMMITTEE
– TERMS OF REFERENCE (ENDORSED CM
200914)**

PAGES 11 (including cover)

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

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)



Springvale Community Hub Committee Terms of Reference (endorsed 14/9/20)

Purpose

The City of Greater Dandenong manages the Springvale Community Hub, which is located on the eastern side of Springvale Road. The hub has been developed to build on the strengths of the Springvale community and surrounds and aims to create a Community and civic heart in Springvale.

The Establishment of the Springvale Community Hub Committee aligns with the Greater Dandenong Council Plan 2017-21 and the objectives of Council's Community Engagement Policy and Framework ensuring the committee is within the levels of Involve and Collaborate on the public participation spectrum and to contributes to Council's strong commitment to engaging the community in a genuine and meaningful way.

The purpose of the Springvale Community Hub Committee is to provide strategic advice to the Council of the City of Greater Dandenong regarding strategic matters related to community development and engagement, sense of place, promotion, development and evaluation of actions aimed at delivering on the vision of the hub.

Objectives

The objectives of Springvale Community Hub Committee are to:

- Keep Council informed and advise them on opportunities to increase community connection or access to the hub
- Identify opportunities to promote community engagement, programs and activities to the community
- Ensure positive communication between community representatives and Council
- Identify opportunities for community partnerships, improvement initiatives, programs and activities at the hub
- Contribute to the achievement of the Springvale Community Hub vision and place-based community development.
- Contribute to the periodic review of the Springvale Community Hub Strategic Plan, associated Action Plan, policies, programs and services that relate to the hub
- Advise Council on emerging issues that have a potential impact on the hub.
- Promote a positive profile for the Springvale Community Hub

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

Term of appointment

The Springvale Community Hub Committee will be appointed for a two (2) year period from the date endorsed by Council, unless otherwise resolved by Council.

Requirements for re-appointment of the Committee will follow the same selection process as set out in the Terms of Reference.

Community members may be re-appointed for a maximum of three consecutive terms.

Role of Committee

The role of the Springvale Community Hub Committee is an advisory role. It will provide advice to Council on the needs of the community as they relate to the implementation of relevant Council strategies and policies and community needs.

Recommendations made by the Committee require consideration and endorsement at an Ordinary Meeting of Council before being acted on.

Role of the Councillor Representative

The nominated Councillor Representatives to the Springvale Community Hub Committee will

- Be appointed by Council in accordance with the annual statutory Council appointments.
- Act as a link between the Council and the Springvale Community Hub Committee.
- At all times act in accordance with the Code of Conduct – Councillors, 13th Edition.

Responsibilities of Committee Members

Specific responsibilities

Specific responsibilities of the Springvale Community Hub Committee are to:

- Advise Council on the development and implementation of the Strategic Plan 2020-2025 and any emerging trends.
- Inform Council on any issues that may have the potential to impact on the development and delivery of the programs and services at the hub, including providing feedback on barriers to participation including cost, operating hours and other relevant matters.
- Seek opportunities to promote the hub and other matters as they arise to residents and community groups.
- Support place-based community development, new improvement initiatives, programs, activities and opportunities for external partnerships that enhance programs and services for the community delivered from the Hub.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

Conflicts of Interest

Any matter deemed by a member to represent a Conflict of Interest shall be reported to the Chairperson either prior to a meeting or before the specific item is discussed.

A member who has a direct or indirect conflict of interest (i.e. Interest by close association, financial interest, conflicting duty, personal gain or loss) regarding an item to be considered or discussed by the Committee, must leave the meeting and remain absent until the conclusion of the discussion.

The conflict of interest will be recorded in the meeting minutes including the time the member left the meeting and the time they re-joined the meeting.

If a community member nominates for Local, State or Federal Elections they must stand down from their position from the time declaring they have nominated until the results of the election are announced. If a member is Elected to Council; they will be required to resign from their current position on the Committee.

Media Protocol

All committee members must act in accordance with Councils Media Policy and refer all media enquiries to Council's Media and Communication Department for a response.

The Mayor of the day remains the spokesperson for all Council activities, Committee members are not to represent the Committee or Council to the media or on social media, unless approved by the Manager Media and Communications.

Terms and Conditions

All members of the Springvale Community Hub Committee will be required to accept and sign the agreed Terms and Conditions as part of the Springvale Community Hub Committee.

Code of conduct

All members of the Springvale Community Hub Committee will be required to abide by Councils Code of Conduct -Staff (which includes volunteers)

Authority Constraints

The Springvale Community Hub Committee has no authority to:

- Expend money on behalf of Council
- Commit Council to any arrangements
- Consider any matter outside its area of reference
- Direct Council Officer in the performance of their duties.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)**Membership and Term of Appointment****Membership**

The Membership will comprise of:

- Up to 2 Councillor Representative - appointed at Council's Annual Statutory Meeting
- 1 Springvale District Historical Societies (SDHS) Representative – nominated by the SDHS
- 1 Council Officer from the Community Services Directorate
- Up to 9 Community Representatives, including at least 3 local residents – appointed by Council. Community members will be representative of Council's diverse and multicultural community including local groups, agencies, schools and local residents. Members may have broad community networks; a proven interest, expertise and experience in community development, engagement in the area, and / or involvement with community groups or organisations where the advancement of the Springvale Community Hub is of mutual interest with Council.

Appointment of Committee

Committee members will be appointed by resolution of Council, following recommendation by the Selection Panel.

Resignation and Vacancies

Members of the Springvale Community Hub Committee are free to resign at any time. A resignation must be made in writing to the Chairperson.

Should vacancies arise due to resignation or inability to attend the minimum number of meetings during the life of this Committee, these shall be addressed through the formation of the Selection Panel and the Selection Process (for independent and expert positions) and through direct nomination by the relevant organisation (for all other positions).

If a vacancy arises less than six months before the scheduled review of the committee, the committee may resolve to leave the vacancy unfilled for the interim.

The term for any member appointed part way through the life of the Springvale Community Hub Committee shall expire in line with the other members of the Committee.

If Council receives a request for membership in addition to the appointed members, such a request will only be considered if a vacancy exists.

Additional Members may only be appointed by resolution of Council.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)**Induction**

New members will be required to undergo an induction process as soon as possible after their appointment to the Committee to ensure they are familiar with Council documents, process and operating requirements, including but not limited to:

- Overview of Council
- Council Plan 2017-2021
- Community Plan 2030
- Budget Process
- Reporting Requirements
- Community Engagement Policy and Framework
- Transparency Policy
- Conflicts of Interest
- Privacy and Personal Data Policy
- Victoria Charter of Human Rights and Responsibilities
- Media Policy
- Appropriate Workplace Behaviours Policy
- Diversity, Access and Equity Policy
- Code of Conduct – Staff
- Governance Rules

Co-opted Members and Non-Member attendance

The Group may invite suitably skilled persons (either professional or community based) to join the Group in capacity for a specified purpose and period.

The Springvale Community Hub Community Development Officer will attend meetings, alongside any relevant senior officers from across Council Departments that will be invited to attend the Springvale Community Hub Committee to provide advice and input as needed to assist the Committee in their deliberations. Council staff will provide administrative support to the Committee.

Co-opted members invited community members and invited council officers do not have any voting rights.

Selection Criteria for Community Members of the Springvale Community Hub Group

Community representatives of the Springvale Community Hub Committee must be able to demonstrate:

- An interest in community development and engagement in Greater Dandenong.
- Be aware of the activities, interest and concerns relevant to the community hub such as arts, sustainability, or health and wellbeing.
- Ability to provide high-quality input to the Committee through demonstrated skills, competency, interest and experience.
- An ability to cooperate with others and work as a team.
- A demonstrated capacity to embrace diversity.
- Broad community connections.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

- An understanding of the local community and its social, cultural, linguistic, environmental and economic influences.
- A willingness to provide advice and guidance to Council regarding trends and opportunities in community engagement, community development or programs and services within the municipality.
- An understanding of the priorities as identified in the Springvale Community Hub – Strategic Plan 2020-2025 and associated Action Plan.
- Prepare for and actively participate in scheduled meetings.
- A capacity to commit to the Committee for the required duration.

Member Selection Process

Springvale District Historical Societies Representative

The SDHS representative will be appointed by the Society and Council will be advised in writing by the President of the Society.

Councillor Representatives

Councillor Representatives will be appointed at Council's Annual Statutory Meeting.

Community Representatives

Community representatives will be called for by advertising in the local media and on Council's website and other appropriate forums.

Suitably qualified, connected and experienced community representatives may also be invited to nominate.

A nomination form must be completed by interested representatives and all nominations will be assessed against the Criteria for Community Members and recommended to Council for appointment.

Officers may seek further information from nominees or their referees as part of the selection process.

Membership of the Springvale Community Hub Committee is a voluntary position and all members must be over 18 years of age.

A recommendation regarding preferred candidates for the Springvale Community Hub Committee will be prepared for the consideration and endorsement at an Ordinary Meeting of Council.

Successful Nominations will be formally notified by Council in writing as soon as practical after Councils endorsement.

Community Member Selection Panel

The selection panel will comprise:

- A senior member of Council (CEO or Director – or delegated Manager)
- Manager Community Arts Culture and Library Services

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

- Manager Communications and Customer Service
- Springvale Community Precinct Coordinator
- Coordinator Community Development

Once the Springvale Community Hub Committee has been appointed, the selection panel will be disbanded.

Voting Rights and Decision Making

It is preferable that recommendations of the Springvale Community Hub Committee are made by consensus however there may be circumstances where a matter is decided by a vote.

Quorum

The quorum for the Committee must be half plus one, which is the majority of the number of Committee Members with voting rights, in accordance with Council Meeting Procedures Local Law No. 1, 2019. If a quorum is not present within 30 mins of the schedule start of the meeting the meeting must reconvene at a suitable time.

A quorum must be maintained for voting purposes. Refer to Council's Meeting Procedure Local Law No 1.

Voting

Each member is entitled to one vote. The Chairperson may exercise a casting vote should this be necessary.

Votes shall be taken by a show of hands and recorded in the minutes of the meeting.

Councillors, Council Officers and guest who are not members of the committee are not entitled to vote.

The Springvale Community Hub Committee provides advice to Council through its recommendations and its annual summary.

Chairperson

The Chairperson shall be an external non-council member elected by the Committee. All meetings will be conducted in accordance with Council's Local Law Meeting Procedure No.1.

In the absence of the Chairperson from a meeting, the meeting will appoint an acting Chairperson, who shall be a non-council member.

The term of the chair is aligned with the term of the Committee.

The appointed Chairperson is responsible for the conduct of meetings and will:

- be familiar with Council's Meeting Procedure Local Law
- ensure fair and equitable opportunities for views to be discussed by the Committee.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

Scheduled Meetings

The Springvale Community Hub Committee will meet four to six times annually as agreed by the Committee.

Under special circumstances a meeting may be cancelled, re-scheduled or extended.

All meetings shall be held at the Springvale Community Hub or in a virtual environment as required.

It is expected that each member of the Committee will attend a minimum of three meetings each year.

Administration and Reporting of Minutes and Recommendations to Council

Administration Support and Distribution of Agendas and Minutes

The management of the Committee will be overseen by the Springvale Community Precinct Coordinator.

Administration support will be provided by Councils Community Services Directorate by a Council Officer appointed by the relevant department manager.

All committee members are able to submit an Agenda item in accordance with the Terms of Reference.

Agenda items must be submitted to the Chairperson no less than 10 days prior to the finalisation and distribution of the agenda.

The Chairperson in consultation with Council Officers and the appointed administrative support officer will be responsible preparation and distribution of Agendas

Agendas will be made available to committee members no less than 5 working days prior to a scheduled committee meeting.

A Council Officer will be available at all scheduled meetings of the committee for administrative support and minute taking.

A copy of the Minutes will be distributed in a timely manner and will be presented to the next available Ordinary Meeting of Council for noting.

Attendance and Record of Meetings

All attendance, apologies, conflicts of interests, recommendations and outcomes will be recorded in the Minutes of all meetings held where a quorum is present.

In the event that a member cannot attend, an apology must be received. Future participation of a member may be reviewed for non-attendance of two consecutive meetings without an apology.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

Committee members will be expected to demonstrate their commitment and due diligence by the preparation for, attendance at, and active participation in, Committee meetings. It is expected that each member of the Springvale Community Hub Committee will attend a minimum of four meetings each year.

Working groups

Working Groups of the Committee may be established at the discretion of the Springvale Community Hub Committee.

Working Groups may be developed to implement particular actions or roles of the Committee. The establishment of working groups will be conducted under specific objectives and/or expected outcomes and timelines, which will be determined by the Committee.

The Committee will determine the role, responsibility and resourcing of working groups. It will retain the ability to conclude a working group or the group's formal relationship with the Committee at its discretion and/or at the achievement of its objectives

Reporting Requirement

A Committee with one or more Councillors present (whether members of the Committee or not) becomes an Assembly of Councillors in accordance with the Local Government Act 1989. The minutes or the notes of the meeting must be reported to the next meeting of Council.

Periodic reports will also be submitted to Council where the Councillor Representative / will have the opportunity to speak to the report on behalf of the Committee.

Committee advice may also be provided to Council through Infosum or a scheduled Councillor Briefing Session.

Breaches and Dismissal of Members

The City of Greater Dandenong by resolution of Council may terminate a Committee member's appointment for breaching the Terms of Reference set out in this document and/or Council's Code of Conduct – Staff (which includes volunteers)

Council reserves the right to dismiss members from their Committee positions when there is a demonstrated failure to meet the obligations outlined in the TOR.

All members of the Springvale Community Hub Committee will be required to accept and sign the agreed Code of Conduct form.

4.3.8 Springvale Community Hub Committee (Membership Endorsement) (Cont.)

Terms and Conditions for members of Springvale Community Hub Committee

I agree to:

- ✓ Attend the Springvale Community Hub Committee meetings and provide apologies in advance where attendance is not possible.
- ✓ Act in an advisory capacity by disseminating authorised information within the community and to provide insight and advice to inform the Strategic Plan.
- ✓ Respect the ideas and beliefs of all members and provide an atmosphere where all members feel comfortable to participate.
- ✓ Contribute in a positive way to finding solutions to issues or concerns.
- ✓ At all times act in good faith, with honesty and integrity and apply the skills and expertise I possess with diligence and care.
- ✓ Represent the views of my organisation, interest group or community and not individual views at odds with my organisation or group.
- ✓ Notify Council of any potential conflict of interest that may arise with respect to my participation on the Springvale Community Hub Committee.
- ✓ Allow my comments from the meetings to be noted in the written and recorded minutes.
- ✓ Allow Council to promote my participation in the Springvale Community Hub Committee in order to facilitate community feedback and participation.
- ✓ Not disseminate confidential information that is discussed at the Springvale Community Hub Committee meetings as advised by the Springvale Community Hub Committee chair.
- ✓ Not make any media comment on behalf of Council or the Springvale Community Hub Committee unless in the capacity as the Springvale Community Hub Committee chair and with prior approval of the Media and Communications Department of Council.
- ✓ No members will disseminate, disclose or share confidential or personal information that is discussed by the Springvale Community Hub Committee.
- ✓ No members should make public comments on behalf of the Committee regarding what is discussed by the Springvale Community Hub Committee. As per Council's Media Policy, only the Mayor and the CEO are official spokespersons of the Committee. Any other personal public comments should show appropriate respect to the Committee, Mayor and Council.
- ✓ Adhere to the relevant Council Policies and Guidelines.

Signed: _____

Name: _____ Date: _____

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 him or her 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 Meeting Procedure Local Law.

6 REPORTS FROM COUNCILLORS/DELEGATES AND COUNCILLORS' QUESTIONS

At each Ordinary Meeting of Council all Councillors will have the opportunity to speak for exactly four (4) minutes on any meetings, conferences or events they have recently attended.

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 Member of Governance by 9am the day following the meeting.

Question time is provided to enable Councillors to address questions to the Administration. The guidelines for asking questions at a Council meeting are included in the current Meeting Procedure Local Law.

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.
- 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.