



**GREATER  
DANDENONG**  
*City of Opportunity*

# **AGENDA**

## **MONDAY 22 MARCH 2021**

**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 22 March 2021 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 will be offered by Mrs Ursula Aruma from the Sri Sathya Sai Organisation, a member of the Greater Dandenong Interfaith Network.

#### **1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Ordinary Meeting of Council held 9 March 2021.

##### **Recommendation**

**That the minutes of the Ordinary Meeting of Council held 9 March 2021 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](http://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 TABLING**

#### **2.1.1 Documents for Tabling**

File Id: qA228025  
Responsible Officer: Director Corporate Services

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#### **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.

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**2.1.1 Documents for Tabling (Cont.)**

**List of Reports**

| Author                       | Title              |
|------------------------------|--------------------|
| Alliance for Gambling Reform | Annual Report 2020 |

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.**

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### 2.1.2 Petitions and Joint Letters

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

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#### 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.**

## **2.1.2 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 22 March 2021.

***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 listed items detailed in Attachment 1 and the current status of each, be received and noted.**

**2.1.2 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.*

ORDINARY COUNCIL MEETING - AGENDA

**2.1.2 Petitions and Joint Letters (Cont.)**

| Date Received | Petition Text (Prayer)  | No. of Petitioners | Status      | Responsible Officer Response   |
|---------------|---|--------------------|-------------|--|
| 2/03/21       | <p>• <b>Petition Text (Prayer)</b></p> <p><b>Petition regarding progressing concept design and location survey for the Dandenong Community Hub in 2020/21.</b></p> <p>To the Greater Dandenong Council.</p> <p>That the petitioner below request Council progress immediately the resolution of the Council Meeting of the 14th September 2020; namely that:</p> <p>(1) in the 2020/21 financial year, concept designs for an integrated, intergenerational Dandenong Community Hub with capacity for children services and formal and informal meeting and activity spaces be drawn up and exhibited; and</p> <p>(2) in tandem there be community consultation on the location which will include a range of options including the Clow Street (ie Market) precinct.</p> | 406                | In progress | <p>Tabled at Council Meeting 9 March 2021</p> <p>2/03/2021<br/>Responsible Officer – Director Community Services</p> <p>2/03/2021<br/>Acknowledgement Email sent to the head petitioner by Governance.</p> <p>16/03/21<br/>Petitioners have been acknowledged. The Dandenong Community Hub and the concept designs were part of the discussions with Councillors at the recent Strategic Planning weekend. The recruitment process for a consultant has commenced and timelines have been developed. Further updates will be provided in due course.</p> |

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

**2.1.2 Petitions and Joint Letters (Cont.)**

| Date Received | • Petition Text (Prayer)                    | No. of Petitioners | Status | Responsible Officer Response |
|---------------|---|--------------------|--------|------------------------------|
|               | THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK |                    |        |                              |

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

**2.1.2 Petitions and Joint Letters (Cont.)**

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



## **2.2 STATUTORY PLANNING APPLICATIONS**

### **2.2.1 Planning Decisions Issued by Planning Minister's Delegate - February 2021**

|                      |  |
|----------------------|--|
| File Id:             | qA280444   |
| Responsible Officer: | Director City Planning Design & Amenity                    |
| Attachments:         | Planning Declared Area Delegated Decisions – February 2021 |

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#### **Report Summary**

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

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in February 2021.

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

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

#### **Recommendation**

**That the items be received and noted.**

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**2.2.1 Planning Decisions Issued by Planning Minister's Delegate - February 2021 (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**PLANNING DECISIONS ISSUED BY PLANNING MINISTER'S DELEGATE –  
FEBRUARY 2021**

**ATTACHMENT 1**

**PDA DELEGATED DECISIONS ISSUED  
FEBRUARY 2021**

**PAGES 2 (including cover)**

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

**2.2.1 Planning Decisions Issued by Planning Minister's Delegate - February 2021 (Cont.)**

City of Greater Dandenong

PDA Delegated Decisions Issued 01/02/2021 to 28/02/2021

| Application ID | PropertyAddress                         | Applicant            | Description  | Notes  | Authority | Decision  | Decision Notified | Ward      |
|----------------|---|----------------------|--|--|-----------|-----------|-------------------|-----------|
| PDA19/0005.02  | 153 Foster Street<br>DANDENONG VIC 3175 | SJB Planning Pty Ltd | AMENDMENT TO: Mixed Use Development (5 storey) containing a children's court and office, with an associated reduction in car parking requirement | Amend Condition 1m relating to water diversion structure and Condition 25 relating to stormwater | Delegate  | AmendPerm | 11/02/2021        | Dandenong |
| <b>Total :</b> |   |                      |  |  |           |           |                   | <b>1</b>  |

LNICHO

1

01/03/2021

### **2.2.2 Planning Delegated Decisions Issued - February 2021**

|                      |   |
|----------------------|---|
| File Id:             | qA280   |
| Responsible Officer: | Director City Planning Design & Amenity             |
| Attachments:         | Planning Delegated Decisions Issued – February 2021 |

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#### **Report Summary**

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

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in February 2021.

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

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

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

#### **Recommendation**

**That the items be received and noted.**

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**2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**PLANNING DELEGATED DECISIONS ISSUED – FEBRUARY 2021**

**ATTACHMENT 1**

**PLANNING DELEGATED DECISIONS ISSUED  
FEBRUARY 2021**

**PAGES 10 (including cover)**

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

2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)

City of Greater Dandenong

Planning Delegated Decisions Issued from 01/02/2021 to 28/02/2021

| Application ID | Category  | VicSmart | Property Address                               | Applicant              | Description   | Notes  | Authority | Decision  | Decision Date | Ward              |
|----------------|-----------|----------|--|------------------------|---|--|-----------|-----------|---------------|-------------------|
| PLA20/0286     | PlnAppAmd | No       | 2-4 Lucian Avenue<br>SPRINGVALE VIC 3171       | Buckerfield Architects | AMENDMENT TO: Planning Permit PLN14/0586 that allows the construction of nine (9) three storey dwellings in two detached buildings and associated endorsed plans to:<br><br>-Parapet heights increased to a maximum of 4.00m; and<br>-Reduction of dwelling 1, 2, 3 and 4 garage finished floor levels.   | Amend endorsed plans to change roof framing and pitch and garage levels                          | Delegate  | AmendPerm | 01/02/2021    | Springvale North  |
| PLA20/0295     | PlnAppAmd | No       | 1/5 Fox Court<br>DANDENONG VIC 3175            | Mladen Kovacic         | AMENDMENT TO: The development of the site for (2) dwellings, comprising the alteration and extension to the existing dwelling and construction of one single storey dwelling (By way of removing the existing dwelling for the construction of a new double storey dwelling)  | Amend permit to allow construction of double storey dwelling at front of property                | Delegate  | AmendPerm | 24/02/2021    | Dandenong         |
| PLA20/0302     | PlnAppAmd | No       | 41 Princes Highway<br>DANDENONG SOUTH VIC 3175 | Alencia Pty Ltd        | AMENDMENT TO: Amendment to planning permit (issued for use of the land for indoor recreation facility, business identification signage and an internally illuminated sign) to allow for use of the land for a restricted recreation facility, business identification signage, an internally illuminated sign and a flood lit sign, to amend condition 5 (to allow 24 hour use) and to amend the plans (PLN15/0744) | Amend permit condition 7 to reduce the number of people permitted on site, maximum of 10 patrons | Delegate  | AmendPerm | 25/02/2021    | Dandenong         |
| PLA20/0303     | PlnAppAmd | No       | 7/2-22 Breamie Place<br>KEYSBOROUGH VIC 3173   | Install A Veranda      | AMENDMENT TO: Multi Unit Development x.40 (PLN06/0356)  | Amend permit to allow veranda  | Delegate  | AmendPerm | 25/02/2021    | Keysborough South |
| EANTOS         |           |          |  |                        |   |  |           |           | 01/03/2021    |                   |

1

2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)

| Application ID | Category  | VicSmart | Property Address                                    | Applicant                               | Description   | Notes   | Authority | Decision  | Decision Date | Ward             |
|----------------|-----------|----------|---|---|---|---|-----------|-----------|---------------|------------------|
| PLA20/0306     | PinAppAmd | No       | 108-166 Bayliss Road<br>DANDENONG SOUTH<br>VIC 3175 | Salta Properties<br>(Lyndhurst) Pty Ltd | AMENDMENT TO: The development of the land for a warehouse and a reduction in car parking (PLN19/0195)   | Amend permit preamble and delete Condition 1.1                                      | Delegate  | AmendPerm | 24/02/2021    | Dandenong        |
| PLA21/0001     | PinAppAmd | No       | 48 Stephenson Street<br>SPRINGVALE VIC 3171         | Achala Indika Kumara<br>Abeekoon        | AMENDMENT TO: Planning Permit No. 7/90  | Amend permit to allow construction of single dwelling instead of dual occupancy     | Applicant | Withdrawn | 18/02/2021    | Springvale North |
| PLA21/0007     | PinAppAmd | No       | 7 Romsey Street NOBLE<br>PARK VIC 3174              | John Richard                            | AMENDMENT TO: Development of the land for four (4) double storey dwellings (PLN19/0426)   | Amend endorsed plans to allow changes to internal and external layout               | Applicant | Withdrawn | 24/02/2021    | Noble Park       |
| PLA21/0011     | PinAppAmd | No       | 1/109 Ann Street<br>DANDENONG VIC 3175              | Mudher Architects Pty Ltd               | AMENDMENT TO: The construction of four (4) double storey dwellings (PLN15/0218)   | Amend permit Condition 1.4 to allow garden shed access                              | Delegate  | AmendPerm | 25/02/2021    | Cleeland         |
| PLN11/0867.01  | PinAppAmd | No       | 389 Princes Highway<br>NOBLE PARK VIC 3174          | Nenad Putnikovic                        | To amend Planning Permit No. PLN11/0867 which allowed for "The use of the land for two convenience restaurants; Buildings and works; Waiver of loading bay requirements; and Creation of access to a road in a Road Zone Category 1" by way of the following:<br><br>- The addition of decking to the north-east and western sides of the proposed building.<br>- The provision of an open pergola above the decking.<br>- The provision of a retractable roof over the decking.<br>- Revisions to the landscape plan including the removal of some proposed landscaping near the Princes Highway and Chandler Road frontages due to the location of electrical and gas meters. | Amend endorsed plans to reflect added decking, open pergola and revised landscaping | Delegate  | AmendPerm | 24/02/2021    | Dandenong        |
| PLN18/0587     | PinApp    | No       | 2-106 Bayliss Road<br>DANDENONG SOUTH<br>VIC 3175   | Salta Properties<br>(Lyndhurst) Pty Ltd | Subdivision x 4 SPEAR   | No response to further information request  | Delegate  | Lapsed    | 25/02/2021    | Dandenong        |
| EANTOS         |           |          |   |   | 2   |   |           |           | 01/03/2021    |                  |

2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)

| Application ID | Category | VicSmart | Property Address                                     | Applicant  | Description  | Notes   | Authority | Decision   | Decision Date | Ward              |
|----------------|----------|----------|--|--|--|---|-----------|------------|---------------|-------------------|
| PLN20/0166     | PinApp   | No       | 63 Hemmings Street<br>DANDENONG VIC 3175             | Hartland Group Pty Ltd                               | Development of the land for four (4) double-storey dwellings   | Residential Growth 1 Zone, 688sqm   | Delegate  | PlanPermit | 04/02/2021    | Yarraman          |
| PLN20/0199     | PinApp   | No       | 142 Keys Road<br>KEYSBOROUGH VIC 3173                | Richard Baring Sims                                  | Development of the land for one (1) single storey dwelling and two (2) outbuildings  | Green Wedge A Zone, 20020 sqm   | Delegate  | PlanPermit | 19/02/2021    | Keysborough South |
| PLN20/0294     | PinApp   | No       | 2 Pamela Street<br>NOBLE PARK VIC 3174               | Anne-Marie Mahony<br>C/- Residential Building Design | Development of the land for one (1) single storey dwelling to the rear of an existing single storey dwelling as well as additions to the existing dwelling, and the subdivision of the land into two (2) lots  | General Residential 1 Zone, 603sqm  | Delegate  | NOD        | 04/02/2021    | Yarraman          |
| PLN20/0297     | PinApp   | No       | 2/34 Cahill Street<br>DANDENONG SOUTH VIC 3175       | All Australian Building Permits                      | The development of buildings and works (mezzanine)   | No response to further information request  | Delegate  | Lapsed     | 04/02/2021    | Dandenong         |
| PLN20/0308     | PinApp   | No       | 29 Princes Highway<br>DANDENONG SOUTH VIC 3175       | David's Timber<br>c/- KLM Spatial                    | Buildings and works (Timber Drying Kiln & Changes to Car Parking Area)   | Commercial 2 Zone, 60sqm, timber drying kiln  | Delegate  | PlanPermit | 01/02/2021    | Dandenong         |
| PLN20/0343     | PinApp   | No       | 17-19 Longford Court<br>SPRINGVALE VIC 3171          | Clean Science Pty Ltd                                | Buildings and Works (warehouse extension), removal of carriageway easement and reduction in car parking requirements   | Industrial 1 Zone, building alterations to remedy development with approved use of the land (manufacture of skin care products) | Delegate  | PlanPermit | 23/02/2021    | Springvale North  |
| PLN20/0384     | PinApp   | No       | 504-520 Princes Highway<br>NOBLE PARK NORTH VIC 3174 | Stephen D'Andrea Pty Ltd                             | The development of the land to allow the partial demolition to an existing building in Heritage Overlay HO52, the construction of thirteen (13) warehouses (with ancillary offices), the reduction of the car parking requirements of Clause 52.06 and the alteration of access to a Road in a Road Zone, Category 1 | Commercial 2 Zone, 6251sqm, construction of 13 warehouses with ancillary office spaces  | Delegate  | PlanPermit | 26/02/2021    | Noble Park North  |
| PLN20/0398     | PinApp   | No       | 12 Nockolds Crescent<br>NOBLE PARK VIC 3174          | KMT Design Pty Ltd                                   | Development of the land for four (4) dwellings, comprising three (3) double-storey dwellings and one (1) single-storey dwelling to the rear.   | General Residential 1 Zone, 958sqm  | Delegate  | PlanPermit | 12/02/2021    | Springvale North  |
| EANTOS         |          |          |  |  |  |   |           |            | 01/03/2021    |                   |

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**2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)**

| Application ID | Category | VicSmart | Property Address  | Applicant                               | Description  | Notes   | Authority | Decision   | Decision Date | Ward               |
|----------------|----------|----------|---|---|--|---|-----------|------------|---------------|--------------------|
| PLN20/0406     | PinApp   | No       | 62 Railway Parade<br>DANDENONG VIC 3175                 | Railway Parade Project Pty<br>Ltd       | Development of the land for<br>nine (9) dwellings  | General Residential 3 Zone,<br>663sqm   | Delegate  | PlanPermit | 02/02/2021    | Yarraman           |
| PLN20/0410     | PinApp   | No       | 6 Egan Road DANDENONG<br>VIC 3175                       | Ratio Consultants Pty Ltd               | Buildings & Works (Cool<br>Room) and Reduction in Car<br>Parking Requirements  | Industrial 1 Zone, cool room,<br>23sqm & reduction in car<br>parking                                      | Delegate  | PlanPermit | 10/02/2021    | Dandenong          |
| PLN20/0414     | PinApp   | No       | 102 Assembly Drive<br>DANDENONG SOUTH<br>VIC 3175       | Garubba & Associates Pty<br>Ltd         | Development of the land for<br>warehouses  | Commercial 2 Zone,<br>2295.2sqm, construction of 6<br>warehouses  | Delegate  | PlanPermit | 01/02/2021    | Dandenong          |
| PLN20/0415     | PinApp   | No       | 9 James Street<br>DANDENONG VIC 3175                    | Convergence Investment<br>Group Pty Ltd | Use and development of the<br>land for a childcare centre  | General Residential 1 Zone,<br>45 children, construction of<br>play area, car parking area<br>and signage | Delegate  | NOD        | 03/02/2021    | Cleeland           |
| PLN20/0419     | PinApp   | No       | 24A Heather Grove<br>SPRINGVALE VIC 3171                | Cuba3Group<br>Cr-Francis Gaia           | Development of the land for<br>one (1) double storey dwelling  | General Residential 1 Zone,<br>240sqm, construction of<br>double storey dwelling                          | Delegate  | PlanPermit | 11/02/2021    | Springvale Central |
| PLN20/0423     | PinApp   | No       | 17 Fifth Avenue<br>DANDENONG VIC 3175                   | Burdenjuk Dmitry                        | Development of the land for<br>three (3) dwellings (two<br>double-storey dwellings and<br>one single-storey dwelling to<br>the rear)             | General Residential 1 Zone,<br>650sqm   | Delegate  | PlanPermit | 02/02/2021    | Yarraman           |
| PLN20/0428     | PinApp   | No       | 37 Hillside Avenue<br>DANDENONG NORTH<br>VIC 3175       | Plans2Construct                         | Development of the land for<br>one (1) double storey dwelling<br>to the rear of an existing single<br>storey dwelling                            | General Residential 1 Zone,<br>694sqm   | Delegate  | PlanPermit | 03/02/2021    | Dandenong North    |
| PLN20/0429     | PinApp   | No       | 87 Princes Highway<br>DANDENONG SOUTH<br>VIC 3175       | Lushida Investments Pty<br>Ltd          | Display of one (1) internally<br>illuminated business<br>identification pylon sign   | Commercial 2 Zone,<br>externally illuminated<br>business identification pylon<br>and three flag poles     | Delegate  | PlanPermit | 03/02/2021    | Dandenong          |
| PLN20/0441     | PinApp   | No       | 468-472 Princes Highway<br>NOBLE PARK NORTH<br>VIC 3174 | X. Defelice Corporation Pty<br>Ltd      | To remove the covenant<br>created in Instrument<br>L897782T from that part of the<br>property shown hatched on<br>Sheet 2 on PS739355CQ<br>SPEAR | Commercial  | Delegate  | PlanPermit | 18/02/2021    | Noble Park North   |
| PLN20/0445     | PinApp   | No       | 73-77 Leggo Court<br>DANDENONG SOUTH<br>VIC 3175        | Quality First Designs Pty<br>Ltd        | Change of Use (Storage) &<br>Buildings and Works<br>(Warehouse)  | Commercial 2 Zone, storage,<br>494sqm   | Delegate  | PlanPermit | 17/02/2021    | Dandenong          |

01/03/2021

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EANTOS

2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)

| Application ID | Category | VicSmart | Property Address   | Applicant   | Description   | Notes   | Authority | Decision   | Decision Date | Ward             |
|----------------|----------|----------|--|---|---|---|-----------|------------|---------------|------------------|
| PLN20/0450     | PlnApp   | No       | 64 Dumbiane Road NOBLE PARK VIC 3174                                 | Unfold Architecture Pty Ltd                           | Development of the land for two (2) double storey dwellings and construction of a front fence exceeding 1.2 metres in height            | General Residential 1 Zone, 674sqm  | Delegate  | PlanPermit | 26/02/2021    | Yarraman         |
| PLN20/0452     | PlnApp   | No       | International Peace Park 714,716 Pirrass Highway SPRINGVALE VIC 3171 | Sporting Shooters Association of Australia (Victoria) | To construct a shed associated with a Restricted Recreation Facility  | Public Park and Recreation Zone   | Delegate  | PlanPermit | 11/02/2021    | Noble Park North |
| PLN20/0457     | PlnApp   | No       | 2A/60 Outlook Drive DANDENONG NORTH VIC 3175                         | Haseeb Kakar  | Use the land for a Place of Assembly (Shisha Lounge) and a reduction in the car parking requirement associated with a Place of Assembly | Mixed Used Zone, Shisha Lounge, 30 patrons  | Delegate  | NOD        | 19/02/2021    | Dandenong North  |
| PLN20/0467     | PlnApp   | No       | 10 Paterson Road SPRINGVALE SOUTH VIC 3172                           | MBDG  | Subdivision x 11  | Residential   | Delegate  | PlanPermit | 24/02/2021    | Keysborough      |
| PLN20/0481     | PlnApp   | No       | 33 James Street DANDENONG VIC 3175                                   | Archispace Design Group                               | Development of two (2) double storey dwellings  | General Residential 1 Zone, 636sqm  | Delegate  | PlanPermit | 26/02/2021    | Cleeland         |
| PLN20/0483     | PlnApp   | No       | 81 Colemans Road DANDENONG SOUTH VIC 3175                            | Dale Grant Building Design & Documentation Pty Ltd    | Development of the land for a warehouse building  | Industrial 1 Zone, 3500sqm, warehouse and ancillary office                                | Delegate  | PlanPermit | 05/02/2021    | Dandenong        |
| PLN20/0486     | PlnApp   | No       | 1/41 Dingley Avenue DANDENONG VIC 3175                               | Auto Repair Wizard                                    | The use of the land for Motor Vehicle Sales with a reduction of the car parking requirement   | General Residential 1 Zone, motor vehicle sales and reduction in car parking requirements | Delegate  | PlanPermit | 17/02/2021    | Noble Park       |
| PLN20/0487     | PlnApp   | No       | 2-12 Carson Avenue KEYSBOROUGH VIC 3173                              | TTRV Pty Ltd  | The use of part of the land for Car Sales (Caravan Sales) with a reduction of the car parking requirement for Industry                  | Commercial 2 Zone, caravan sales  | Delegate  | PlanPermit | 18/02/2021    | Keysborough      |
| PLN20/0492     | PlnApp   | No       | 36 Namur Street NOBLE PARK VIC 3174                                  | Beico Design Planning & Building Pty Ltd              | Development of the land for three (3) double storey dwellings   | General Residential 1 Zone, 571sqm  | Applicant | Withdrawn  | 24/02/2021    | Yarraman         |
| PLN20/0501     | PlnApp   | No       | 59 Bowmore Road NOBLE PARK VIC 3174                                  | Arie Cafe and Associates                              | Subdivision of the land into four (4) lots SPEAR  | Residential   | Delegate  | PlanPermit | 08/02/2021    | Yarraman         |
| EANTOS         |          |          |  |   | 5   |   |           |            | 01/03/2021    |                  |

2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)

| Application ID | Category  | VicSmart | Property Address                                  | Applicant                             | Description   | Notes   | Authority | Decision   | Decision Date | Ward              |
|----------------|-----------|----------|---|---------------------------------------|---|---|-----------|------------|---------------|-------------------|
| PLN20/0515     | PlnApp    | No       | 26 Erickson Street<br>SPRINGVALE VIC 3171         | 3D Design Group                       | Development of the land for two (2) dwellings (one double storey dwelling and one single storey dwelling to the rear)                             | General Residential 1 Zone, 664sqm  | Delegate  | PlanPermit | 16/02/2021    | Springvale North  |
| PLN20/0519     | PlnApp    | No       | 55 Lonsdale Street<br>DANDENONG VIC 3175          | Harding Architects Pty Ltd            | Development of the land for alterations and additions to an existing car showroom and the erection and display of business identification signage | Commercial 2 Zone, Commercial 2 Zone, extension and alterations to existing car sales showroom  | Delegate  | PlanPermit | 24/02/2021    | Dandenong         |
| PLN20/0521     | PlnApp    | No       | 23-29 James Street<br>DANDENONG VIC 3175          | Comerstone Contact Centre             | Development of the land for a gazebo, garden beds and a reduction in the car parking requirements associated with a place of worship              | General Residential 1 Zone, construction of gazebo associated with community garden and reduction in car parking requirements   | Delegate  | PlanPermit | 17/02/2021    | Cleeland          |
| PLN20/0525     | PlnApp    | No       | 220 Chapel Road<br>KEYSBOROUGH VIC 3173           | 220 Chapel Rd<br>Keysborough Pty Ltd  | To display temporary promotional signage  | No response to further information request  | Delegate  | Lapsed     | 25/02/2021    | Keysborough South |
| PLN20/0537     | PlnApp    | No       | 289-291 Lonsdale Street<br>DANDENONG VIC 3175     | Local Properties Pty Ltd              | Use of the land as an education centre and a reduction in the car parking requirements DECLARED AREA  | Comprehensive Development 2 Zone, registered training organisation  | Delegate  | PlanPermit | 08/02/2021    | Dandenong         |
| PLN20/0538     | PlnApp    | No       | 841 Princes Highway<br>SPRINGVALE VIC 3171        | Adam Whitford                         | The display of an electronic major promotion sky sign   | Proposal fails to comply with Clause 52.05-8 (Decision Guidelines), Clause 15.01 (Urban Design and Neighbourhood Character), Clause 22.05 (Heritage) and Clause 22.11 (Advertising Signs) and is generally distracting and unsafe for drivers | Delegate  | Refusal    | 05/02/2021    | Springvale North  |
| PLN20/0545     | PlnApp    | No       | 19/134-142 Springvale Road<br>SPRINGVALE VIC 3171 | Pillar Building Design Consultants PL | Use the land for the purpose of an Indoor Recreation Facility (snooker and pool hall)   | Commercial 2 Zone, Indoor snooker and pool hall   | Delegate  | PlanPermit | 25/02/2021    | Springvale North  |
| PLN20/0546     | PlnApp    | No       | 3/24 Langthorne Street<br>DANDENONG VIC 3175      | AnC Planning Consultants              | Use of the land for the sale and consumption of liquor DECLARED AREA  | Commercial Development 2 Zone, 30 Patrons   | Applicant | Withdrawn  | 12/02/2021    | Dandenong         |
| PLN20/0553     | PlnAppVic | Yes      | 4/3 Cubitt Way<br>DANDENONG SOUTH VIC 3175        | Select My Finance Pty Ltd             | Building and Works (Mezzanine) VICSMART   | Industrial 3 Zone, 100.7sqm   | Delegate  | PlanPermit | 23/02/2021    | Dandenong         |

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## ORDINARY COUNCIL MEETING - AGENDA

## 2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)

| Application ID | Category | VicSmart | Property Address                             | Applicant  | Description  | Notes  | Authority | Decision   | Decision Date | Ward              |
|----------------|----------|----------|--|--|--|--|-----------|------------|---------------|-------------------|
| PLN20/0554     | PlnApp   | No       | 59 Jellicoe Street NOBLE PARK VIC 3174       | Architekton Ltd                                    | Development of the land for three (3) double storey dwellings on Lot 1 TP 199654           | General Residential 1 Zone, 595sqm   | Delegate  | PlanPermit | 12/02/2021    | Yarraman          |
| PLN20/0555     | PlnApp   | No       | 60 Robinson Street DANDENONG VIC 3175        | StuDomint C/- Platinum Planning Solutions          | Construct a building or construct or carry out works to an existing building DECLARED AREA | Comprehensive Development 2 Zone, 15sqm, extend building to replace existing balcony space | Delegate  | PlanPermit | 17/02/2021    | Dandenong         |
| PLN20/0565     | PlnApp   | No       | 20 Aspen Circuit SPRINGVALE VIC 3171         | JKBD Building Design Consultants                   | Construction of a mezzanine floor  | Industrial 1 Zone, Urban Floodway Zone, 633sqm, warehouse                                  | Delegate  | PlanPermit | 02/02/2021    | Springvale North  |
| PLN20/0570     | PlnApp   | No       | 150-180 Greens Road DANDENONG SOUTH VIC 3175 | Apa Gasnet Australia Operations Pty Ltd            | To display business identification signage   | Industrial 1 Zone, 3 x freestanding business signs and 2 x information signs               | Delegate  | PlanPermit | 12/02/2021    | Dandenong         |
| PLN20/0571     | PlnApp   | No       | 91 Colemans Road DANDENONG SOUTH VIC 3175    | Dale Grant Building Design & Documentation Pty Ltd | Buildings and Works (Warehouse)  | Industrial 1 Zone, 2921sqm   | Delegate  | PlanPermit | 25/02/2021    | Dandenong         |
| PLN20/0576     | PlnApp   | No       | 10 Paterson Road SPRINGVALE SOUTH VIC 3172   | Nilsson Noel & Holmes (Surveyors) Pty Ltd          | Subdivision x 11 SPEAR   | Residential  | Applicant | Withdrawn  | 11/02/2021    | Keysborough       |
| PLN20/0586     | PlnApp   | No       | 241 Perry Road KEYSBOROUGH VIC 3173          | Auslander Developments Pty Ltd                     | For the creation of Easement E-1 SPEAR   | Industrial   | Delegate  | PlanPermit | 25/02/2021    | Keysborough South |
| PLN20/0587     | PlnApp   | No       | 241 Perry Road KEYSBOROUGH VIC 3173          | Auslander Developments Pty Ltd                     | Creation of an Easements E-1 and E-2 SPEAR   | Industrial   | Delegate  | PlanPermit | 25/02/2021    | Keysborough South |
| PLN20/0588     | PlnApp   | No       | 241 Perry Road KEYSBOROUGH VIC 3173          | Auslander Developments Pty Ltd                     | Creation of an Easement SPEAR  | Industrial   | Delegate  | PlanPermit | 24/02/2021    | Keysborough South |

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2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)

| Application ID | Category  | VicSmart | Property Address  | Applicant                      | Description  | Notes   | Authority | Decision   | Decision Date | Ward              |
|----------------|-----------|----------|---|--------------------------------|--|---|-----------|------------|---------------|-------------------|
| PLN21/0006     | PinApp    | No       | 26 Joffie Street NOBLE PARK VIC 3174                              | Low Cost Draftsman             | Development of the land for five (5) double storey dwellings on a lot                                | Proposal fails to comply with Clause 15.01-2S (Building Design), 15.01-5S (Neighbourhood Character), Clause 18.024S (Car Parking), Clause 21.05 (Built Form), Clause 55.02-1 (Neighbourhood Character Objectives), Clause 22.09-3.1 (Design Principles) | Delegate  | Refusal    | 10/02/2021    | Yarraman          |
| PLN21/0017     | PinApp    | No       | 6 Springfield Court NOBLE PARK NORTH VIC 3174                     | B. R. Smith Surveyors          | AMENDMENT RECEIVED: Subdivision of the land into two (2) lots SPEAR SEE PLA21/0015                   | Residential   | Delegate  | PlanPermit | 05/02/2021    | Noble Park North  |
| PLN21/0035     | PinApp    | No       | 31 Waterfront Way KEYSBOROUGH VIC 3173                            | Elvir Creative House Plans     | To build outside the building envelope   | General Residential 2 Zone, 326sqm  | Applicant | Withdrawn  | 18/02/2021    | Keysborough South |
| PLN21/0039     | PinAppVic | Yes      | 3/30 Chandler Road NOBLE PARK VIC 3174                            | KM Town Planning               | Development of the land for a verandah associated with a dwelling on a lot less than 300sqm VICSMART | General Residential 1 Zone  | Delegate  | PlanPermit | 12/02/2021    | Yarraman          |
| PLN21/0041     | PinApp    | No       | Level Ground - Level 3 311-319 Lonsdale Street DANDENONG VIC 3175 | Family Safety Victoria         | To display business identification signage DECLARED AREA   | Comprehensive Development 2 Zone, Business Identification   | Delegate  | PlanPermit | 24/02/2021    | Dandenong         |
| PLN21/0051     | PinApp    | No       | 2 Bass Court KEYSBOROUGH VIC 3173                                 | Auslander Developments Pty Ltd | Creation of an Easement E-1 SPEAR  | Industrial  | Delegate  | PlanPermit | 25/02/2021    | Keysborough South |
| PLN21/0052     | PinApp    | No       | 4 Bass Court KEYSBOROUGH VIC 3173                                 | Auslander Developments Pty Ltd | Creation of Easement E-1 and E-2 SPEAR   | Industrial  | Delegate  | PlanPermit | 25/02/2021    | Keysborough South |
| PLN21/0053     | PinApp    | No       | 6 Bass Court KEYSBOROUGH VIC 3173                                 | Auslander Developments Pty Ltd | Creation of Easement E-1 and E-2 SPEAR   | Industrial  | Delegate  | PlanPermit | 25/02/2021    | Keysborough South |
| PLN21/0054     | PinApp    | No       | 8 Bass Court KEYSBOROUGH VIC 3173                                 | Auslander Developments Pty Ltd | Creation of Easement E-1 and E-2 SPEAR   | Industrial  | Delegate  | PlanPermit | 25/02/2021    | Keysborough South |

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**2.2.2 Planning Delegated Decisions Issued - February 2021 (Cont.)**

| Application ID | Category  | VicSmart | Property Address                              | Applicant                         | Description   | Notes       | Authority | Decision   | Decision Date | Ward               |
|----------------|-----------|----------|---|-----------------------------------|---|-------------|-----------|------------|---------------|--------------------|
| PLN21/0055     | PlnApp    | No       | 10 Bass Court<br>KEYSBOROUGH VIC<br>3173      | Auslander Developments<br>Pty Ltd | Creation of an Easement<br>SPEAR                        | Industrial  | Delegate  | PlanPermit | 25/02/2021    | Keysborough South  |
| PLN21/0056     | PlnApp    | No       | 12 Bass Court<br>KEYSBOROUGH VIC<br>3173      | Auslander Developments<br>Pty Ltd | Creation of an Easement<br>SPEAR                        | Industrial  | Delegate  | PlanPermit | 25/02/2021    | Keysborough South  |
| PLN21/0057     | PlnApp    | No       | 14 Bass Court<br>KEYSBOROUGH VIC<br>3173      | Ausgreen Properties Pty<br>Ltd    | Creation of an Easement<br>SPEAR                        | Industrial  | Delegate  | PlanPermit | 25/02/2021    | Keysborough South  |
| PLN21/0075     | PlnAppVic | Yes      | 1 Lebert Court<br>SPRINGVALE VIC 3171         | Vinh Ky Tat                       | Subdivision of the land into<br>two (2) lots (VICSMART) | Residential | Delegate  | PlanPermit | 23/02/2021    | Springvale Central |
| PLN21/0081     | PlnApp    | No       | 15 Irving Road<br>DANDENONG NORTH<br>VIC 3175 | Shabeer Ahmed                     | Subdivision of the land into<br>two (2) lots SPEAR      | Residential | Delegate  | PlanPermit | 24/02/2021    | Noble Park North   |

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### 2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03)

|                      |   |
|----------------------|---|
| File Id:             | 509245                                  |
| Responsible Officer: | Director City Planning Design & Amenity |
| Attachments:         | Assessment Plans                        |

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#### Application Summary

|            |   |
|------------|---|
| Applicant: | Brick Lane Brewing Co Pty Ltd, C/- Priority Planning Pty Ltd  |
| Proposal:  | Amendment to Planning Permit PLN17/0424 which allows: Use and development of the land for Industry (brewery) and to use land to sell and consume liquor. The amendment seeks to: <ul style="list-style-type: none"><li>• Extend the existing building;</li><li>• Extend the Red Line area; and</li><li>• Display of internally-illuminated business identification signs.</li></ul> |
| Zone:      | Commercial 1 Zone   |
| Overlay:   | Development Contributions Plan Overlay (Schedule 3)<br>Development Plan Overlay (Schedule 6)  |
| Ward:      | Dandenong   |

The application proposes to amend an existing planning permit under Section 72 of the Planning & Environment Act 1987.

Planning permit PLN17/0424.02 allows for the use and development of the land for Industry (brewery) and to use land to sell and consume liquor.

The amendment seeks to:

- Extend the existing building;
- Extend the Red Line area; and
- Display of internally-illuminated business identification signs.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

A permit is required pursuant to:

- Clause 34.01-4 (Commercial 1 Zone): A planning permit is required for buildings and works.
- Clause 52.05-11 (Advertising Signs): A planning permit is required to display an internally-illuminate sign which exceed 1.5sqm
- Clause 52.27 (License premises): A planning permit is required to use land to sell or consume liquor.

This application is brought before Council as all applications in association with a liquor licence (where not associated with a food and drink premises) must be determined at a Council meeting.

### **Advertising Summary**

The application was advertised to the surrounding area through the erection of two (2) on-site notices and the mailing of notices to adjoining and surrounding owners and occupiers.

No objections were received.

### **Assessment Summary**

The proposed amendments are not considered to result in adverse amenity impacts on the surrounding area, subject to conditions to ensure that the buildings and works, use and signage are appropriately controlled and maintained.

### **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 commercial land uses, buildings and works and signage, with this report recommending that the application be supported, and that an **Amended Permit** be granted subject to conditions as set out in the recommendation.



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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

**Subject Site and Surrounds**

**Subject Site**

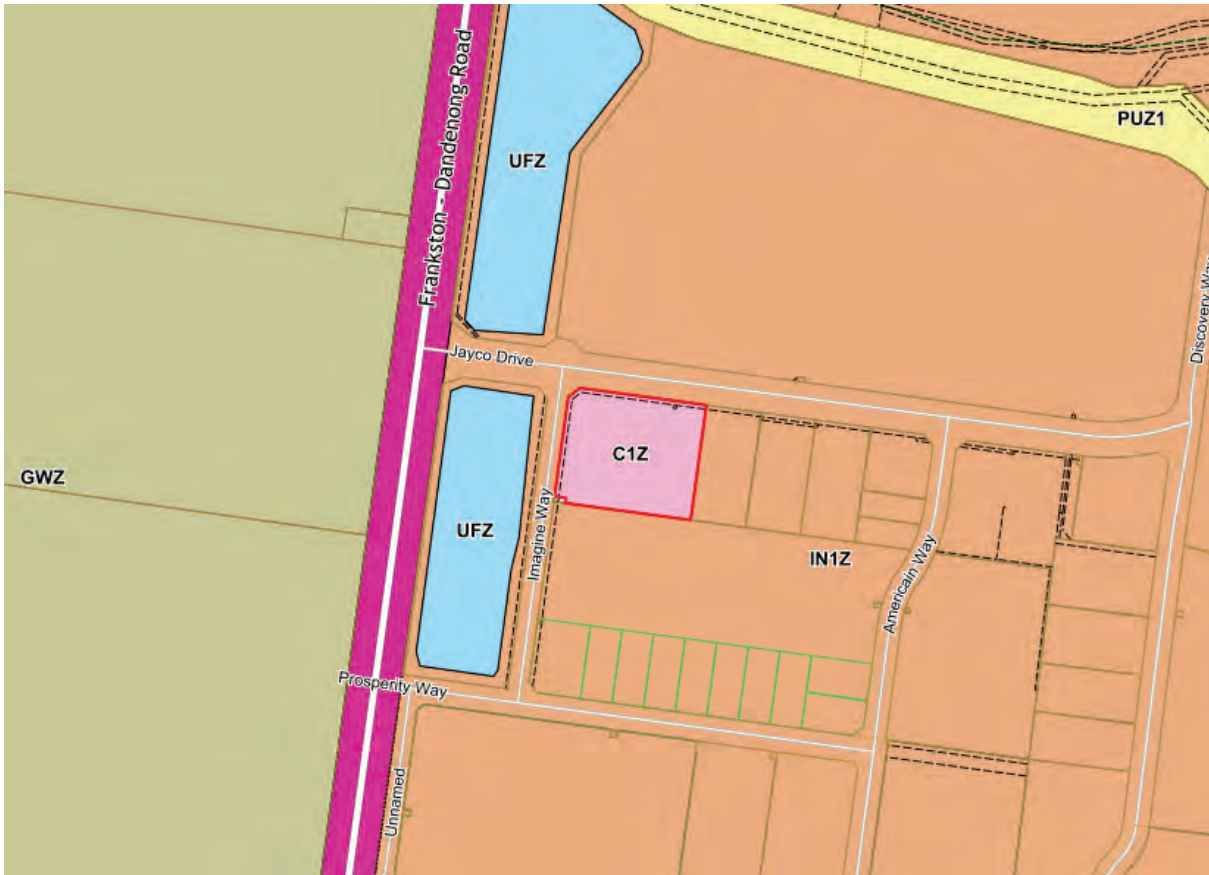
- The subject site is located on the corner of Jayco Drive and Imagine Way in Dandenong South, at the entrance to a developed Industrial estate.
- The site is generally rectangular in shape, with an overall area of 1.42 hectares.
- The site has a frontage to Imagine Way of 95 metres and a frontage to Jayco Drive of 120 metres.
- The site is generally flat.
- The site contains an existing food and drink premises in the north western corner, which was previously approved under planning permit PLN14/0308.
- The site also contains an existing building near the southern boundary approved under planning permit PLN17/0424, which includes Brick Lane Brewery and associated car parking (subject of this planning permit amendment application).
- There is a 4 metre wide sewerage easement along the northern and western boundaries.

**Surrounding Area**

- To the west is Imagine Way. Further west is a drainage reserve and Frankston Dandenong Road, which is a major arterial road.
- To the north is Jayco Drive. Further north is a large industrial building in the Industrial 1 Zone.
- To the south and east are large Industrial buildings in the Industrial 1 Zone.

**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

Locality Plan

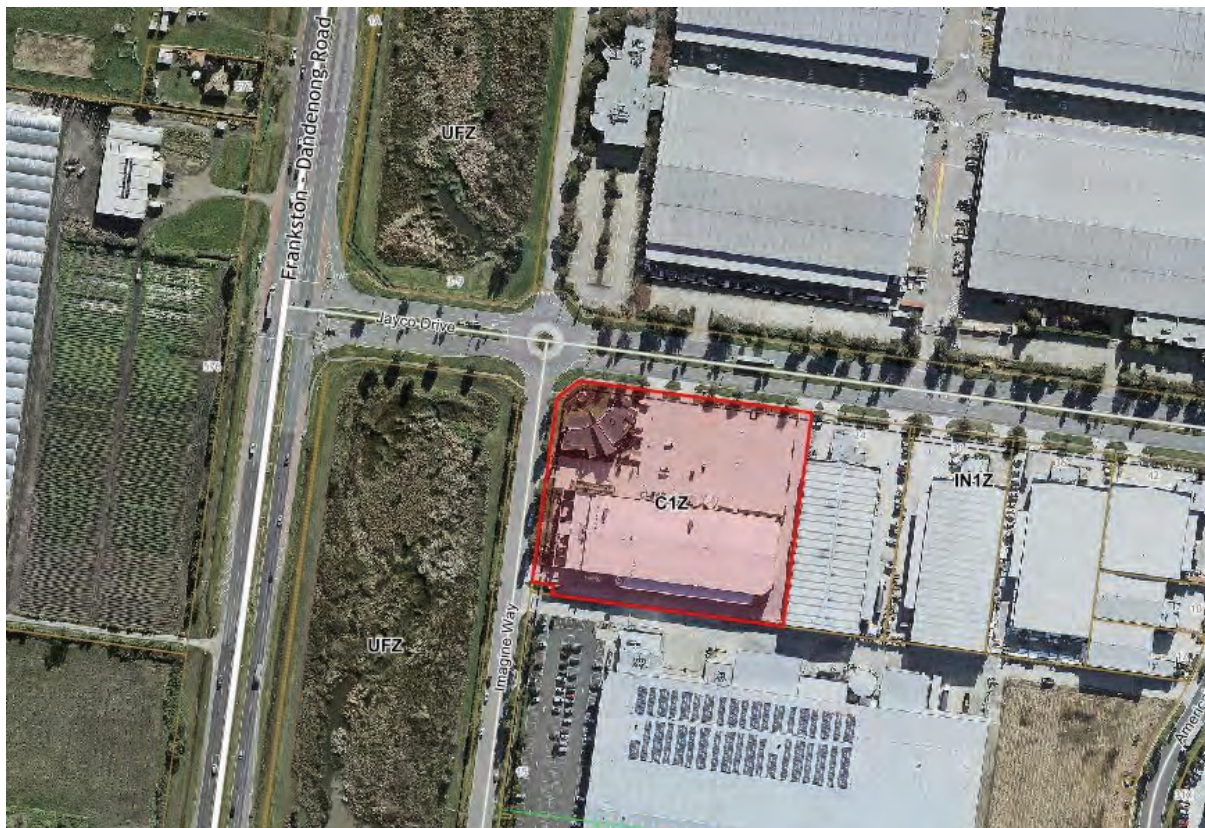


p Subject Site Melways Map 95C12 North é

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

An aerial map of the site and surrounding properties is provided below (November 2020):



## **Background**

### **Previous Applications**

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

- Planning Permit No. PLN09/0606 was issued on 07 May 2010 for the subdivision of the land at No. 1-61 Jayco Drive, Dandenong South into nine (9) lots. The subject site was created from this permit.
- Planning Permit PLN14/0308 issued 5 June 2014 for development of the land for food and drink premises. This permit was issued to the building at the northwest corner.
- Planning Permit PLN14/0308 was amended on 2 February 2016 and renumbered to PLN14/0308.01. The permit was issued for 'buildings and works in association with the development of the land for a food and drink premises, use of the land as a Place of Assembly (function centre), and the sale and consumption of liquor (including packaged liquor) associated with the use of the land.'
- Planning permit PLN17/0424 was issued on 11/10/2017 for the use and development of the land for Industry (brewery), and to use land to sell and consume liquor.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

The permit was amended on 6/6/2018 and renumbered to PLN17/0424.01 with the preamble amended to Use and development of the land for Industry (brewery), reduction in the car parking requirements and to use land to sell and consume liquor

The permit was further amended on 27/11/2019 and renumbered to PLN17/0424.02. At the time of this amendment, the proposal only required 130 car spaces, with the site providing 183 car spaces. This was due to the introduction of Amendment VC148 (31/7/2018) which amended Clause 52.06 (Car Parking) to change the number of car parking spaces to be provided within the Principal Public Transport Network Area maps areas. The subject site is within the Principal Public Transport Network Area maps and requires fewer car parking spaces than at the time the original permit was granted. Thus, a reduction in the car parking was no longer required and 'the reduction in car parking' was deleted from the preamble of the permit. The preamble of the permit was amended to read: Use and development of the land for Industry (brewery) and to use land to sell and consume liquor.

The permit was amended under Section 71 on 29/11/2019 to correct Conditions 2.1 and 11.

The latest plans were endorsed to the permit is dated 3/12/2019.

It is this planning permit that is subject to this amendment application.

### **Proposal**

The application proposes to amend an existing planning permit under Section 72 of the Planning & Environment Act 1987.

Planning permit PLN17/0424.02 allows for the use and development of the land for Industry (brewery) and to use land to sell and consume liquor.

The amendment seeks to:

- Extend the existing building;
- Extend the Red Line area; and
- Display of internally-illuminated business identification signs.

Details of the propose amendments are as follow:

- The internal areas of the Bar at both levels would be renovated and rearranged.
- The existing patron area will be increased in two locations, including a ground level area and a new first floor terrace extension (above the existing entry from Imagine Way).
- A new low-level wall will be constructed around the new ground level area over an area which comprise of two existing accessible car spaces (north side of existing building).



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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

- In turn, the two (2) accessible car spaces will be relocated to an area now occupied by three (3) standard car spaces (which will not be replaced). Therefore, the site will lose three (3) car spaces. The total number of car spaces on the site will be reduced from 183 to 180.
- The site's existing frontage to Imagine Way will be further improved by the creation of a new opening in the west elevation of the existing building at ground level.
- New landscaping, including trees, will be provided in the open areas at the front of the site. A pergola structure will be built in the same area.
- The northern entry path to the building from the carpark will be enlarged and improved.
- Including both new patron areas, the proposal will result in an additional 58sqm of building floor area to the Bar.
- The Red Line Area plan (Area where alcohol is to be consumed) on the ground floor and first floor would be amended as a result of the proposed amendments to the Bar. The Red Line Area plan is also proposed to incorporate the existing industrial building.
- Three (3) new internally-illuminated business identification signs are proposed. The signs would be located on the side of the subject building - facing, or perpendicular to, Imagine Way. The total area of the proposed signage is 13sqm.

The proposal would not alter the hours of operation or number of patrons permitted by the current permit.

The subject site was known as 16 Jayco Drive, Dandenong South. The address of the land has since been amended to 41 Imagine Way, Dandenong South. The address of the land on the permit would require to be updated accordingly to reflect the new address.

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

### **Victorian Charter of Human Rights and Responsibilities**

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

### **Financial Implications**

No financial resources are impacted by this report.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

### **Planning Scheme and Policy Frameworks**

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

- Clause 34.01-4 (Commercial 1 Zone): A planning permit is required for buildings and works.
- Clause 52.05-11 (Advertising Signs): A planning permit is required to display internally-illuminate sign which exceed 1.5sqm
- Clause 52.27 (License premises): A planning permit is required to use land to sell or consume liquor.

The relevant controls and policies are as follows:

#### **Zoning Controls**

The subject site is located in a Commercial 1 Zone. The site is surrounded by Industrial 1 Zone to the north, south and east. Land to the west is within an Urban Flood Zone and beyond that to the other side of Frankston-Dandenong Road is a Green Wedge Zone.

The purpose of the Commercial 1 Zone outlined at Clause 34.01 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

Pursuant to Clause 34.01-4 (C1Z), a planning permit is required to construct buildings and works.

#### **Overlay Controls**

The following overlays apply to the subject site:

- Development Plan Overlay - Schedule 6 (DPO6)
- Development Contributions Plan Overlay - Schedule 3 (DCPO3)

#### **Development Plan Overlay - Schedule 6 (DPO6)**

Pursuant to Clause 43.04-1 (Development Plan Overlay) of the Greater Dandenong Planning Scheme:

- *A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared.*
- *A permit granted must be generally in accordance with the Development Plan.*

The approved development plan is the Dandenong South Industrial Site Development Plan (No. 1 Version 2) 45-85 & 125 Glasscocks Road, Lyndhurst Park Development Plan'.

The proposal was assessed against the development plan when the original permit was issued. The proposed amendments to the plans are minor and are consistent with the development plan.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

Development Contributions Plan Overlay - Schedule 3 (DCPO3)

Pursuant to Clause 45.06-1 (Development Contributions Plan Overlay) of the Greater Dandenong Planning Scheme, a permit granted must:

- *Be consistent with the provisions of the relevant development contributions plan.*
- *Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.*

Pursuant to Schedule 3 to the Development Contributions Overlay, the subject site is located within the 'Dandenong South Industrial Area Development Contributions Plan – Lyndhurst'. Contributions in accordance with the levy amounts specified at Schedule 3 must be paid as required.

A development contribution was paid under Planning Permit PLN09/0606 for the subdivision of the parent land which resulted in the creation of the subject site.

**Planning Policy Framework**

There are a number of specific objectives contained within the Planning Policy Framework that need to be considered under this application, which follow.

*Economic Development (Clause 17)*

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

Clause 17.02-1S (Business) has the objective to encourage development which meets the community's needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

**Local Planning Policy Framework**

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies. The MSS is contained at Clause 21 of the Scheme. At Clause 21.03-2, the MSS identifies a number of key focus areas and strategic directions, including:

- Economic Well-being – Strategies that facilitate employment and investment in the key economic areas of the municipality and stimulate its economic growth and wellbeing.
- Healthy Communities– Strategies that create health promoting environments that are welcoming, inclusive and make a positive contribution to the health and wellbeing of Greater Dandenong's diverse communities.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (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 21.04-2 (Retail, commerce and entertainment) and 21.05-1 (Urban design, character, streetscapes and landscapes).

**Clause 21.04 Land Use**

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

**Clause 21.05 Built form**

Clause 21.05-1 urban design, character, streetscapes and landscapes is of relevance to the application which incorporates the following objectives:

- *To facilitate high quality building design and architecture.*
- *To facilitate high quality development which has regard for the surrounding environment and built form.*
- *To protect and improve streetscapes.*
- *To ensure landscaping that enhances the built environment.*

**Clause 22.03 Urban Design in Commercial and Industrial Areas**

Clause 23.03 Urban design in commercial and industrial areas is of relevance to the application which incorporates the following objectives:

*To improve the appearance of all commercial and industrial areas, and particularly development along main roads and at identified gateway sites.*

The policy sets out a number of matters to be taken into account when considering an application for use and development. The proposal was assessed against these requirements when the original permit was issued. The proposed amendments to the plans are minor and do not impact on these requirements.

**Clause 22.11 Advertising Signs Policy**

This policy applies to outdoor signs on all land within the City of Greater Dandenong.



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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

The objectives of Clause 22.11 are:

- To ensure that signs are designed, positioned and displayed in an appropriate and attractive manner.
- To encourage signs that make a positive contribution to both the day and night time character of activity centres.
- To improve the appearance of identified gateway locations across the municipality through the effective, sensitive display of signs and the avoidance of a proliferation of signs and visual clutter.

**Particular Provisions**

**Clause 52.05 Signs**

This clause applies to the development of land for signs.

The purposes of this Clause are:

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

**Clause 52.06 Car Parking**

The purposes of this provision are:

- *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.*

Clause 52.06-2 notes that before a new use commence, the number of car parking spaces required under Clause 52.06-5 must be provided on the land.

The required spaces are identified in the table to Clause 52.06-5.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

Clause 52.06-5 states 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 subject land is within the Principal Public Transport Network Area and Column B of Clause 52.06-5 is applicable.

**Clause 52.27 Licensed Premises**

The purposes of this provision are:

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

A planning permit is required to use land to sell or consume liquor.

**Clause 52.34 – Bicycle Facilities**

The purposes of this provision are:

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

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

**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 Policy**

**Alcohol Management Policy**

Council's Alcohol Management Policy has been developed to support the City's economic vitality, while enhancing safety, amenity, health and wellbeing in the City of Greater Dandenong through the effective assessment and enforcement of matters relevant to alcohol supply and use within the municipality.

The Policy is intended to apply to all new liquor licences, including those for events and activities in Council venues. The Policy creates a consistent and integrated approach across planning, regulation, enforcement and community safety activities of Council.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

The Policy ensures that applicants for planning permits where a liquor licence is required, prepare an Alcohol Management Plan as part of their application. An Alcohol Management Plan must be completed in order to manage and mitigate potential risks with the provision of alcohol.

Information Guidelines have been developed to assist applicants with the preparation of Alcohol Management Plans. The draft Guidelines also provide a checklist to explain to applicants how Council planners will assess liquor licence applications and to seek to improve applicant's understanding of the responsibilities and potential risks associated with the sale of alcohol.

This policy was adopted on 9 December 2013 and re-adopted on 9 April 2018.

The subject site has an approved Alcohol Management Plan approved under Planning Permit PLN17/0424.02. This application seeks to extend the Red Line Area and an updated Alcohol Management Plan has been provided.

**Restrictive Covenants**

The subject site is subject to two restrictive covenants and one Section 173 Agreement registered on title.

Covenant AB707553L

This covenant provides that the land shall not be used or developed for the purpose of mineral, stone or soil extraction or a corrective institution or for industry as defined in the Greater Dandenong Planning Scheme if such industry has a threshold distance of 300 metres or more.

Covenant PS621649E

Restriction 1: Identifies land uses that are not permitted on the site without the prior written permission of the Gervale Nominees Pty Ltd, as well as ground material which is not to be removed from the site. The applicant is not proposing any of the listed uses and in addition, has submitted stamped plans from the Gervale Nominees Pty Ltd indicating acceptance of the proposal.

Restriction 2: Discusses rubbish, storage, building materials and positioning of utilities. The restriction requires no erection or placement of machinery or plant or to permanently store goods or materials on the lot unless they are fully screened from adjoining streets or road by a wall constructed of specific materials or any other material approved by Gervale nominees Pty Ltd. The applicant is proposing a perforated metal screen to screen the silos on the southern side of the building.

Restriction 3: Creates a restriction on the buildings finished floor levels, not below RL 8.80. The finished floor levels are RL8.90.

Restriction 4: Identifies land on the site where development cannot occur. The area is shown hatched. The proposal does not include works within the hatched area.

Section 173 Agreement AE565866Y

Agreement AE565866Y relates to the development contribution payment. The payment has been made and the proposal is not contrary to this restriction.

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### 2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)

It is considered that the proposal will not breach the covenants or agreements registered 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 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**

##### **External**

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

| <b>Referral Authority</b>                                | <b>Comments</b> |
|--|-----------------|
| Victorian Commission for Gambling and Liquor Regulation. | No objection.   |
| Victoria Police - Dandenong                              | No objection.   |
| Melbourne Water  | No objection.   |

##### **Internal**

The application was internally referred to:

| <b>Department</b>  | <b>Comments</b>                      |
|--------------------|--------------------------------------|
| Community Services | No objection, subject to conditions. |
| Health Department  | No objection.                        |

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

|                    |                                      |
|--------------------|--------------------------------------|
| Transport Planning | No objection.                        |
| Civil Development  | No objection, subject to conditions. |

### **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 land.
- Placing two (2) signs on the subject site, one (1) facing Jayco Drive and the other facing Imagine Way.

The notification has been carried out correctly.

No objections have been received to date.

### **Assessment**

The proposal has been assessed against the relevant provisions of the Planning Policy Framework and Local Planning Policy Framework, the zoning of the land and the relevant particular provisions of car parking, licenced premises and the decision guidelines of Clause 65.

### **Use**

The subject site has two main buildings comprising a building at the northwest corner and a building near the southern boundary.

The building at the northwest corner was granted a permit for a food and drink premises under PLN14/0308 issued 5 June 2014. The proposed amendments would not impact on the food and drink premises at the northwest corner.

The building near the southern boundary is used for Industry (brewery), Manufacturing Sales, Bar and to sell and consume liquor.

Bar and Manufacturing Sales are as-of-right (permit not required) uses pursuant to Clause 34.01-1 (Commercial 1 Zone).

The use of land for Industry is a permit required use pursuant to Clause 34.01-1 (Commercial 1 Zone). The sale and consumption of liquor also requires a permit pursuant to Clause 52.27 (Licensed Premises).

Planning Permit PLN17/0424.02 was issued for the use and development of the land for Industry (brewery) and to use land to sell and consume liquor.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

This application seeks to extend the Red Line area (area for the sale and consumption of liquor), construct buildings and works and display internally illuminated business identification signage.

Liquor Licence

The Red Line Area plan (area where alcohol is to be consumed) on the ground floor and first floor would be amended as a result of the proposed amendments to the Bar area. The Red Line Area plan is also proposed to incorporate the existing industrial building.

The applicant submitted that the incorporation of the Red Line Area plan over the existing industrial building is to:

- Conduct tours of the Brewery and be able to provide samples along the way;
- Utilise the space for events and functions;
- Conduct training and educational tours of the brewing process including beer tastings; and
- Host 'Between the Tanks' events which in the past have been undertaken with Limited Licences from VCGLR which extended the red line area to the perimeter of the premises for each event.

The applicant also submitted that operator has a booking system in place for all visitors to the brewery and limited numbers are strictly enforced with a very strict Site Access Policy in place where only authorised staff have access to the Brewery manufacturing area.

The applicant has also supplied an Alcohol Management Plan (AMP) that details the house policy for the responsible service of alcohol. This seeks to minimise any anti-social behaviour that can be caused through intoxication.

The application including the AMP documentation have been reviewed by Council's Community Services department who supported the application subject to the following amendments being provided:

- A Site Access Policy and related floorplan map for the manufacturing area in the new Redline extension, outlining at a minimum:
  - Occupational health and safety strategies, eg, the location of safety barriers;
  - Staff safety procedures for preparing the area and hosting tours/events;
  - A summary of accredited or other safety training undertaken by staff;
  - The booking procedure for all attendees on a tour/event;
  - Where only Authorised Staff are allowed access;
  - Designated access zones for tour/event attendees;
  - The minimum and maximum number of attendees on a tour/event; and
  - The number of staff that will supervise attendees on a tour/event.

The above recommendations from Council's Community Services Department could be included as a condition of any permit to be granted (Condition 31).

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

Council's Community Services Department also suggested that House Policy signage be displayed prominently in the patrons' toilets stating that alcohol must not be brought into or consumed in these bathroom facilities. This could be conditioned (Condition 32).

It is considered that the proposal would improve services on the site and provide a net benefit to the community by way of employment opportunities, industrial diversity and entertainment, without compromising the local amenity of the surrounding land uses. The proposal meets the objectives of Clause 17 (Economic Development) and Clause 17.02-1S (Business) of the Planning Policy Framework in that it is considered to meet the community's needs for accessible entertainment facilities located within the municipality.

It is considered that the proposal would not result in adverse detriment to the surrounding uses which are general industries and warehousing. The nearest residential zone is located 2.9km to the east. Whilst a residential use (Willow Lodge Mobile Home Village) located within a Green Wedge Zone is located 500m to the northwest, it is considered that the proposed use is of sufficient setback from the residential use and would not result in car parking, noise or any other detriment to that residential use. In particular, the proposed amendments would not alter the hours of operation or number of patrons permitted by the current permit.

In accordance with DPCP Practice Note 61 "Licensed Premises: Assessing Cumulative Impact", a cumulative impact assessment is required if both the clustering and hours of operation tests are met, specifically, if the premises trades *after* 11pm; and in an area where there is a 'cluster' of licensed premises. The site is not within an area which form a cluster of licensed premises as there are no licensed premises within 500m of the site other than the food and drink premises / place of assembly (function centre) within the building at the northwest corner of the site. The hours of operation of the subject premises do not exceed 11pm, except for private function which may operate up to 12am the following day. These hours were approved by the previous permit and the proposed amendments would not alter the approved hours of operation permitted by the current permit. It is considered that the proposed amendments would not result in a cluster of licensed premises.

Based on the above, it is considered that the proposal is appropriately located and would be managed to avoid any impact on the amenity of the surrounding area.

**Buildings and works**

The proposed buildings and works comprise of renovation to the Bar area at the ground and first floor resulting in an increased area of 58sqm, a new pergola facing Imagine Way, modification to some car parking area, new landscaping including trees and an outdoor dining area.

The outdoor dining area which comprises of portable tables and chairs, would be over a 4m wide sewerage easement located along the western boundary of the site. No part of the proposed pergola or bar would be over the easement. The applicant has obtained written consent from Council's Building Department for the works over the easement.

The proposal would maintain landscaping along Imagine Way which will still provide a suitable buffer between the proposed development and the public realm as required by Clause 15.01-2 (Urban Design Principles) in the Greater Dandenong Planning Scheme with particular regard also to Council's



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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

local policy at Clause 22.03 (Urban Design in Commercial and Industrial Areas). This landscape strip is also consistent with the requirements of the approved Development Plan Overlay for the area ('45-85 & 125 Glasscocks Road, Lyndhurst Park Development Plan').

The overall built form changes are minor, and are considered to positively impact on the site and surrounding area.

**Signage**

The proposed signage comprises of three (3) new internally-illuminated business identification signs are proposed. The signs would be located on the side of the subject building - facing, or perpendicular to, Imagine Way. The total area of the proposed signage is 13sqm.

Details of the signs are as follows:

- Sign 1: wall-mounted sign – 3m diameter x 0.15m depth;
- Sign 2 – protruding double sided – 1.8m diameter x 0.15m deep; and
- Sign 3 – protruding double sided sign – 0.8m diameter x 0.15m deep.

The proposed internally-illuminated business identification signs are considered reasonable in both size and design as they provide business identification to the premises that is commensurate to the building, and would not result in adverse detriment to the surrounding properties. The proposed signs are considered to be consistent with the existing character of the area and are consistent with decision guidelines of Clauses 22.11 (Advertising Signs Policy) and Clause 52.05-8 (Signs – Decision guidelines) of the Greater Dandenong Planning Scheme.

As a result of the proposed signs, additional conditions should be included on the permit to control the proposed signage including limiting the intensity of illumination (Conditions 33 to 38).

**Car Parking**

The table to Clause 52.06-5 (Car parking – Number of car parking spaces required under Table 1) contains car parking for different uses. The subject site is within the Principle Public Transport Network area, therefore, column B applies.

Column B in the table at Clause 52.06-5 specifies that the following car parking rate is required for the use of the land for Bar:

- 3.5 spaces to each 100 square metres of leasable floor area.

The proposal would result in an increase of 58sqm and require the following number of car spaces:

- $58\text{sqm} \times 3.5 / 100 = 2.03$  (rounded down to 2).

The subject site has 183 car spaces. The proposed amendments would result in the loss of three (3) existing car spaces, reducing the number of on-site car parking to 180. In addition to the two (2) car spaces required as a result of the increase in floor area, the amendments would require five (5) car spaces.



**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

However, a car parking assessment of all the buildings on the site found that the site has a surplus of car parking.

The assessment is provided below:

|   | <b>Clause 52.06-5 at today's rate</b>  | <b>Calculation of current proposal at today's rate</b> |
|---|--|--|
| <b>Industry</b>   | 1 to each 100sqm net floor area        | $3899/100= 38$ spaces required                         |
| <b>Manufacturing sales</b>  | 3.5 to each 100sqm leasable floor area | $143.7$ square metres /100 x 3.5 = 5 spaces required   |
| <b>Bar</b>  | 3.5 to each 100sqm leadable floor area | $994.6/100 \times 3.5= 34$ spaces required             |
| <b>Total car spaces required for Industry, Manufacturing Sales &amp; Bar</b>  |  | 77 spaces required                                     |
| <b>Total spaces required for the existing food and drink premises/function centre (existing development to the north of the Bar within the same title).</b> |  | 60 spaces  |
| <b>Total spaces required</b>  |  | 137 spaces   |
| <b>Spaces provided</b>  |  | 180 spaces   |
| <b>Reduction</b>  |  | No reduction.  |

The site would require 137 car spaces based on today's rate. Whilst the proposal would reduce the number of car spaces on the site from 183 to 180, the site would still have a surplus of 43 car spaces above the requirements of Clause 52.06-5 (Car parking – Number of car parking spaces required under Table 1).

Council's Transport team have reviewed the proposal and are satisfied that the number of car spaces provided, the layout of the car parking areas, and access ways result in a functional layout for the site.

**Bicycle Facilities**

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

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

Industry requires 1 bicycle space to each 1000sqm. Manufacturing Sales and Bar are not listed under this Clause.

The existing industrial building has an area of 3899qm and requires four (4) bicycle spaces. No bicycle space is shown on the submitted plans.

It is noted that Condition 1.1 of the permit requires four (4) bicycle spaces to be provided. The condition should be retained to require four (4) bicycle spaces to be provided prior to the endorsement of the plans.

**Amendment to Preamble**

The preamble would require to be amended to read as follows (changes in italics):

- Use and development of the land for Industry (brewery) and to use land to sell and consume liquor *and display of internally-illuminated business identification signs.*

**Amendments to Conditions**

The following Conditions would require to be amended or included as a result of the proposal:

**Amendment to Condition 1.3**

The current condition 3 requires the following amendment:

*Existing condition*

- 1.3 The red line plan updated to reflect the car parking arrangement shown on the plan labelled 'site development plan' TP3 issue D dated 1/9/2017.

*Proposed condition*

The site development plan TP3 issued D dated 1/9/2017 relates to the previous planning permit and is no longer relevant to the site. Condition 1.3 should be amended to read:

- 1.3 The red line plan updated to reflect the new car parking arrangement for the site.

**New Conditions 31 to 38**

The recommended conditions from Council's Community Services Department will be included as Condition 31 and 32.

The additional conditions to control the proposed signage will be included as Conditions 33 to 38.

**New Condition 39 (expiry date of the permit)**

The current Condition 31 (expiry date of the permit) should be renumbered to Condition 39 as a result of the additional conditions 31 to 38.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

**Amendments to Plans**

The submitted plans are not to be endorsed at this stage as the submitted plans will require to be amended to reflect Conditions 1.1 and 1.3. In addition, a Site Access Policy and related floorplan map as requested by Council's Community Services must be provided prior to the endorsement of the plans.

**Amendment to Address of the land**

The subject site was known as 16 Jayco Drive, Dandenong South. The address of the land has since been amended to 41 Imagine Way, Dandenong South. The address of the land on the permit should be updated accordingly to reflect the new address.

**Conclusion**

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

Overall it is considered that the proposed amendments are appropriate having regard to the site's location within a newly established industrial estate within a Commercial 1 Zone.

**The table below is to be inserted in the amended permit:**

| <b>Date amended:</b>      | <b>Brief description of amendments</b>   |
|---------------------------|--|
| [insert date of approval] | Amendments to Permit pursuant to Section 72 of the Act as follow: <ul style="list-style-type: none"><li>• The address of the land updated from 16 Jayco Drive, Dandenong South to 41 Imagine Way, Dandenong South.</li><li>• The preamble amended to include 'display of internally-illuminated business identification signage'.</li><li>• Condition 1.3: amended.</li><li>• New Conditions 31 to 38 included to the permit.</li><li>• The current Conditions 31 (Expiry of permit) renumbered to Condition 39.</li></ul> |

**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)****Recommendation**

That Council resolves to Grant a planning permit in respect of the land known and described as 41 Imagine Way, Dandenong South, for the use and development of the land for Industry (brewery) and to use land to sell and consume liquor and display of internally-illuminated business identification signs in accordance with the endorsed plans.

For ease of reference, this permit is to be renumbered to PLN17/0424.03. The plans are not to be endorsed at this stage. The initial permit is to be superseded pursuant to Section 74 of the *Planning and Environment Act 1987*.

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 and 3 copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - 1.1. 4 bicycle spaces provided either in a bicycle locker or at bicycle rail in a lockable compound to meet the requirements of Clause 52.34-3 of the Greater Dandenong Planning Scheme.
  - 1.2. The word 'warehouse' removed from the site plan and landscape plan and replaced with the words 'storage area'.
  - 1.3. The red line plan updated to reflect the new car parking arrangement for the site.

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

2. Prior to the occupation of the building, an amended Alcohol Management Plan must be submitted to, and approved by the satisfaction of the Responsible Authority. When approved, the plan will be endorsed and form part of this permit. The plan must be generally in accordance with the plans submitted, but modified to show:
  - 2.1. The maximum number of proposed patrons to be seated at tables, on bar stools, and standing in the internal and external Redline floor spaces. As specified by condition 11, numbers must not exceed 250, except for when a private function is booked. For private functions, numbers must not exceed 450. Private functions may only occur maximum 6 times per year.
  - 2.2. Confirmation that, at all times during the operation of the use, there must be present on the premises a person over the age of 18 years who is responsible for ensuring the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the responsible authority (referred to in this permit as 'the manager'). The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any officer of the responsible

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

authority and of the Victoria Police and/or of Liquor Licensing Victoria authorised under section 129 of the Liquor Control Reform Act 1998; and/or to take action on his/her behalf in accordance with a direction by such officer.

**2.3. Demonstrate the aim clearly to mitigate compliance, behaviour and amenity risks that includes details of policies and procedures that will be implemented in the venue on the following:**

**2.3.1. The differing roles of managers and staff.**

**2.3.2. Patron to staff ratios for the proposed patron numbers and expected peak times.**

**2.3.3. Procedures for educating staff on changing liquor licensing laws and practices.**

**2.3.4. Amenity, safety and security mechanisms for patrons and staff entering and exiting the venue to the car park and surrounding area, eg, adequate lighting.**

**2.3.5. Training for the licensee and staff, and required documentation for responsible service of alcohol and preventing underage drinking and dealing with emergencies, incidents and complaints.**

**2.3.6. 'House Policies' that will be included in signage placed at key points for patrons, eg, entries, exits, outdoors, as to how the premises is managed, including:**

**2.3.6.1. A diagram of the Redline area.**

**2.3.6.2. That no alcohol is to be consumed beyond the Redline area, eg, the car park, gardens and footpaths.**

**2.3.6.3. That the safety, amenity and convenience of passing pedestrians and traders in surrounding areas is to be respected.**

**2.3.6.4. Mandatory statutory posters.**

**3. Except with the prior written consent of the Responsible Authority, the layout of the use, buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.**

**4. Once the approved development has started, it must be continued and completed in accordance with the endorsed plan/s, to the satisfaction of the Responsible Authority.**

**5. Except with the prior written consent of the Responsible Authority, the approved use must not commence and the land must not be occupied until all buildings and works and conditions of this permit have been complied with.**

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

- 6. Prior to commencement of the development, a revised Built Environment Sustainability Scorecard (BESS) to the satisfaction of the responsible authority must be submitted and approved by the Responsible Authority. The revised BESS assessment is to include the updated energy usage estimates as per the energy model (when completed).**
- 7. The development must be constructed in accordance with the sustainable design initiatives as per the BESS Assessment report (identified as project no. 8633, prepared by Sustainability House P/L) dated 26 June 2017. Any changes to the BESS assessment or other supporting documentation must not occur without written consent from the Responsible Authority.**
- 8. Malt must not be manufactured on site at any time to the satisfaction of the Responsible Authority.**
- 9. Deleted.**
- 10. Except with the prior written consent of the Responsible Authority, the sale of liquor may only occur between the following hours:**
  - 10.1. 11am – 11pm: 7 days a week, except Anzac Day and except when a private function is booked.**
  - 10.2. 11am- 12am\* except Anzac Day, when a private function is booked (maximum 6 per year).**
  - 10.3. Anzac Day 1pm - 9pm.**

**\*the following day**
- 11. No more than 250 patrons may be present within the brewery at any one time, except when a private function is booked. For private functions, no more than 450 patrons may be present within the brewery at any one time. Private functions may only occur maximum 6 times per year.**
- 12. The use must comply with the endorsed Alcohol Management Plan at all times.**
- 13. Bins or other receptacles for any form of rubbish or refuse must not be placed or allowed to remain in view of the public and smell must not be emitted from any such receptacle.**
- 14. All wastes must be disposed of to the satisfaction of the Responsible Authority and no liquid waste or polluted waters shall be discharged into a sewer or stormwater drainage system.**
- 15. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.**
- 16. No gaming machines shall be installed on the premises at any time.**

**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

- 17. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.**
- 18. The licensed area shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority and VCGLR (Victorian Commission for Gambling and Liquor Regulation).**
- 19. The amenity of the area must not be detrimentally affected by the use of land , including through the:**
  - 19.1. Transportation of materials, goods or commodities to or from the land;**
  - 19.2. Appearance of any building, works or materials;**
  - 19.3. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, girt or oil;**
  - 19.4. presence of vermin;**
  - 19.5. adverse behaviour of patrons to or from the land; or**
  - 19.6. in any other way.**
- 20. The Cup and Saucer Water Tank, shown on the plans as ‘existing well’ must not be modified in any way without the consent of the Responsible Authority.**
- 21. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.**
- 22. The connection of the internal drainage infrastructure to the 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. Approval of drainage plan including any retention system within the property boundary is required.**
- 23. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.**
- 24. Before the use commences, all parking areas and accessways must be:**
  - 24.1. Constructed and available for use in accordance with the plan approved by the responsible authority;**
  - 24.2. formed to such levels and drained so that they can be used in accordance with the plan; and**



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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

- 24.3. line-marked or provided with some other adequate means of showing the car parking spaces.**
- 25. Car spaces, access lanes, loading bays and driveways must be maintained (including line marking) and kept available for these purposes at all times.**
- 26. The car parking area must be lit if in use during the hours of darkness and all lights must be designed and fitted with suitable baffles. The lighting must be positioned to prevent any adverse effect on adjoining land and must not be considered excessive for the area, all to the satisfaction of the Responsible Authority.**
- 27. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.**
- 28. The site operator must endeavour to prevent site bound commercial vehicles queuing on arrival along the public access road. Accordingly, access driveways/roadways/aisles providing access to loading areas on-site must not be gated during operating hours or feature control points (i.e. boom gates, guardhouse or similar) without suitable queuing space on site, all to the satisfaction of the Responsible Authority.**
- 29. Loading and unloading on the site must be in accordance with the endorsed Traffic and Parking Management Plan.**
- 30. Before the use commences, all landscaping as shown on the endorsed plans, including trees, shrubs and lawn, must be planted to the satisfaction of the Responsible Authority.**

**At all times, the landscaping must be maintained to the satisfaction of the Responsible Authority.**

- 31. Prior to the endorsement of the plans, a Site Access Policy and related floorplan map for the manufacturing area in the new Redline extension must be provided to, and approved by the satisfaction of the Responsible Authority, outlining at a minimum:**
- 31.1. Occupational health and safety strategies, eg, the location of safety barriers;**
- 31.2. Staff safety procedures for preparing the area and hosting tours/events;**
- 31.3. A summary of accredited or other safety training undertaken by staff;**
- 31.4. The booking procedure for all attendees on a tour/event;**
- 31.5. Where only Authorised Staff are allowed access;**
- 31.6. Designated access zones for tour/event attendees;**
- 31.7. The minimum and maximum number of attendees on a tour/event; and**
- 31.8. The number of staff that will supervise attendees on a tour/event.**



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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

32. Prior to the occupation of the building approved by this amendment (PLN17/0424.03), House Policy signage must be displayed prominently in the patrons' toilets, prefaced by the following heading:
  - *'Alcohol Is Not To Be Brought Into or Consumed In These Bathroom Facilities.'*
33. The location, details, type and dimensions of the signage including those of the supporting structure, as shown on the endorsed plan/s must not be altered unless with the consent of the Responsible Authority.
34. The signage must not be animated and no flashing or intermittent light/s shall be displayed.
35. The intensity of the light in the signage must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.
36. No bunting, streamers and festooning shall be displayed.
37. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.
38. This permit in relation to signage will expire fifteen (15) years after the date of the permit for the signage hereby permitted.
39. This permit will expire if one of the following circumstances applies:
  - 39.1. the development or any stage of it does not start within two (2) years of the date of this permit, or
  - 39.2. the development or any stage of it is not completed within four (4) years of the date of this permit, or
  - 39.3. the use does not start within one (1) year of the completion of the development, or
  - 39.8. the use is discontinued for a period of two (2) years.

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

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.

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**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 41 IMAGINE WAY, DANDENONG  
SOUTH (PLANNING APPLICATION PLN17/0424.03)**

**ATTACHMENT 1**

**SUBMITTED PLANS**

**PAGES 11 (including cover)**

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

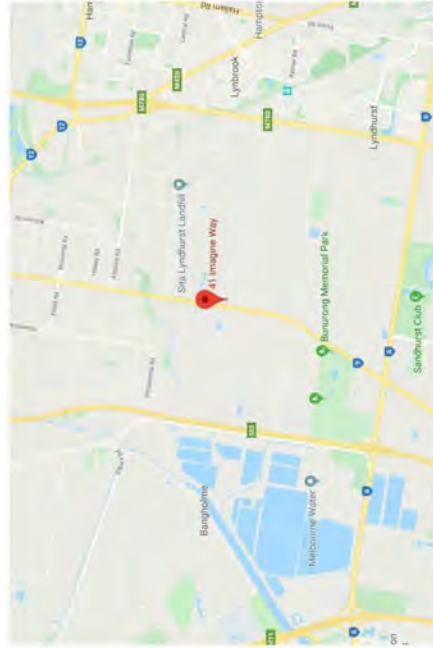
**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

**BRICK LANE BREWERY**  
 41 IMAGINE WAY DANDENONG SOUTH VIC 3175  
 TOWN PLANNING APPLICATION

| REVISIONS |                                      |
|-----------|--------------------------------------|
| NO.       | DESCRIPTION                          |
| 1         | ISSUED FOR TOWN PLANNING APPLICATION |
| 2         | ISSUED FOR TOWN PLANNING APPLICATION |
| 3         | ISSUED FOR TOWN PLANNING APPLICATION |
| 4         | ISSUED FOR TOWN PLANNING APPLICATION |
| 5         | ISSUED FOR TOWN PLANNING APPLICATION |
| 6         | ISSUED FOR TOWN PLANNING APPLICATION |
| 7         | ISSUED FOR TOWN PLANNING APPLICATION |
| 8         | ISSUED FOR TOWN PLANNING APPLICATION |
| 9         | ISSUED FOR TOWN PLANNING APPLICATION |
| 10        | ISSUED FOR TOWN PLANNING APPLICATION |



SITE AERIAL - NTS



SITE MAP - NTS

**COVER PAGE & LOCATION PLAN**

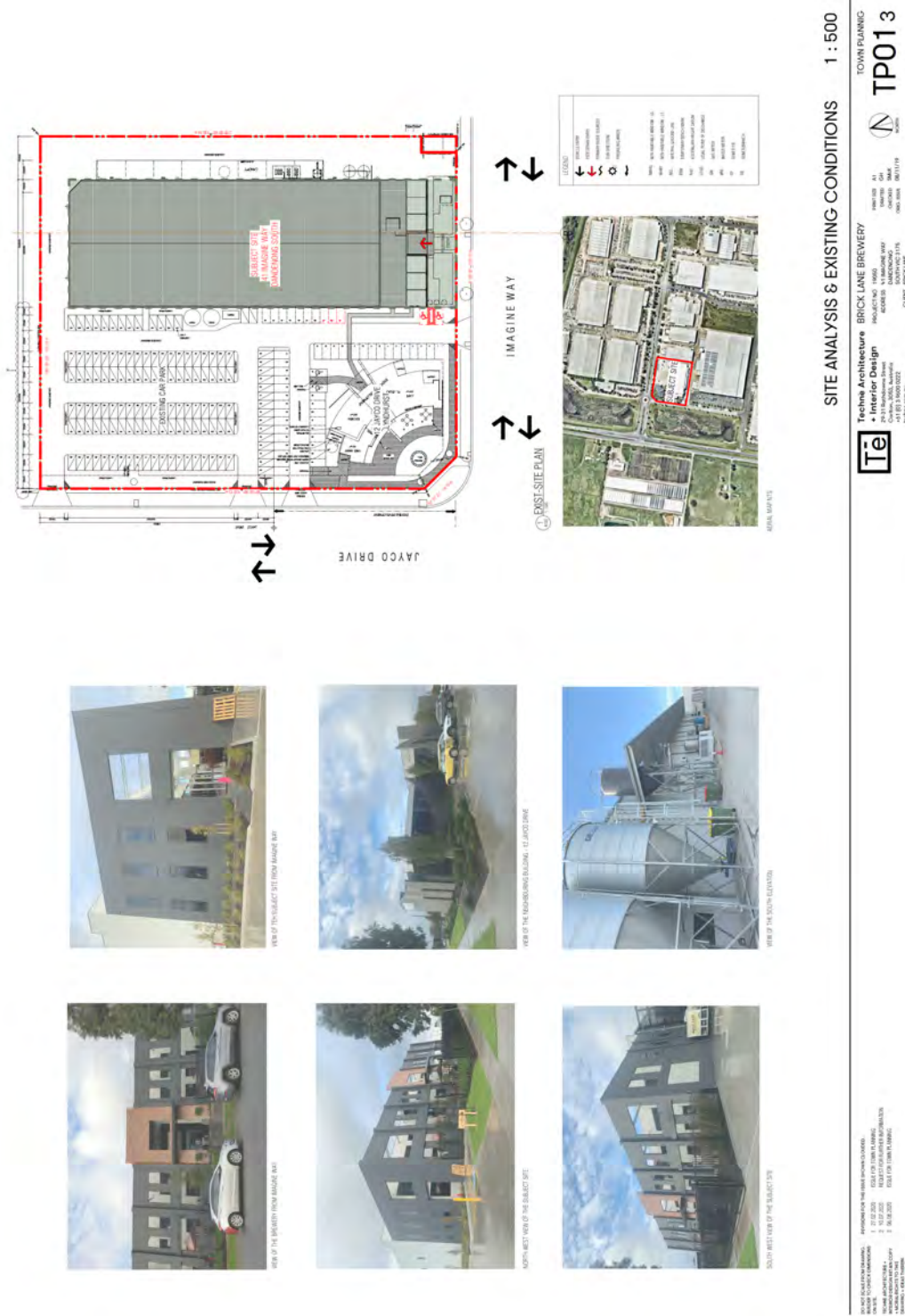
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 PROJECT NO: 17006  
 ADDRESS: 41 IMAGINE WAY, DANDENONG SOUTH VIC 3175  
 CLIENT: BRICK LANE BREWERY  
 DRAWN: 08/11/19  
 CHECKED: 08/11/19  
 DATE: 08/11/19

**TOWN PLANNING**  
**TP003**

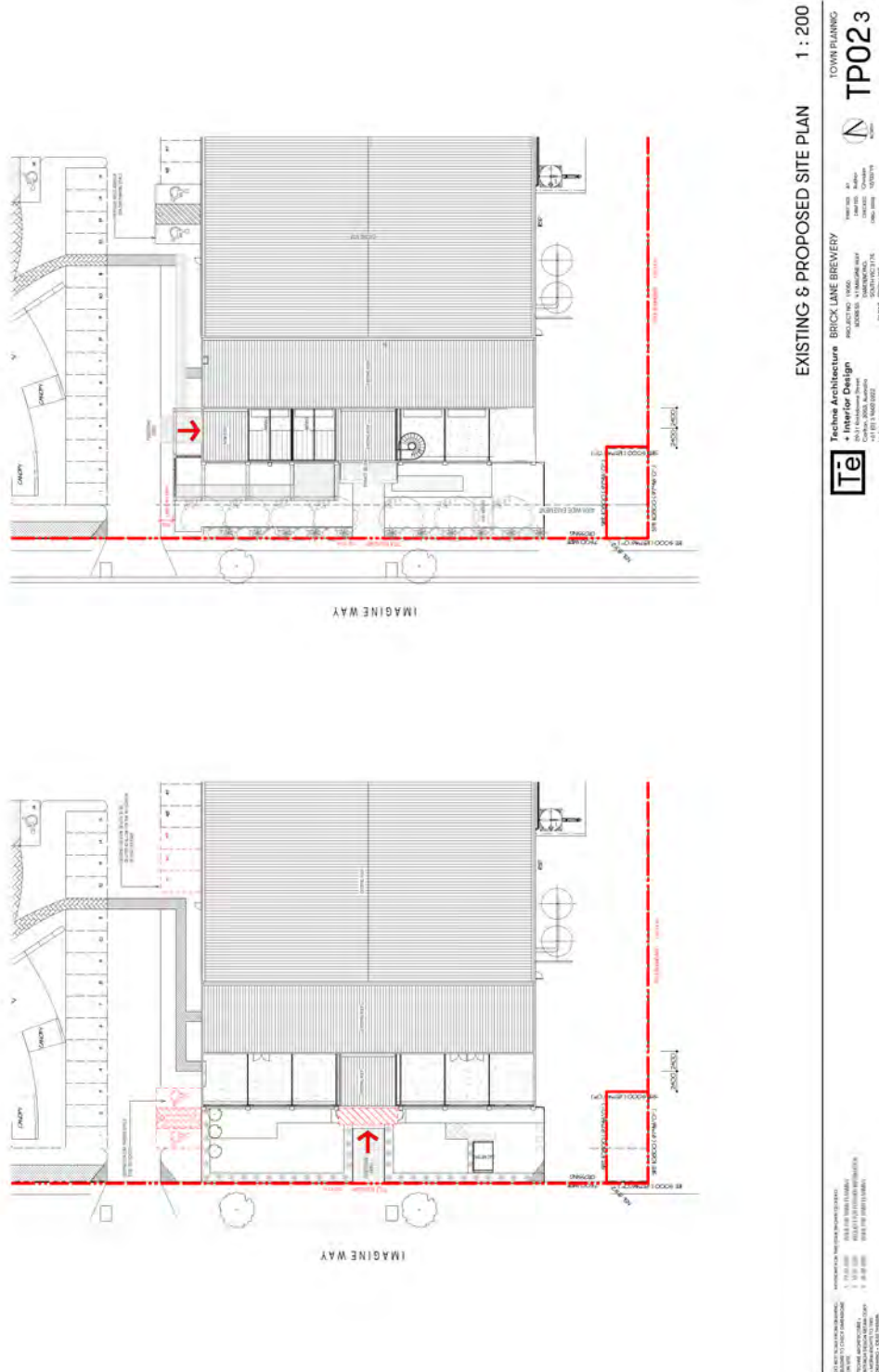
**Interior Design**  
 2/11 BUNNINGS DRIVE  
 DANDENONG SOUTH VIC 3175  
 PH: 03 9400 0222  
 WWW.TECNE.COM.AU

PROJECT NO: 17006  
 ADDRESS: 41 IMAGINE WAY, DANDENONG SOUTH VIC 3175  
 CLIENT: BRICK LANE BREWERY  
 DRAWN: 08/11/19  
 CHECKED: 08/11/19  
 DATE: 08/11/19

2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)



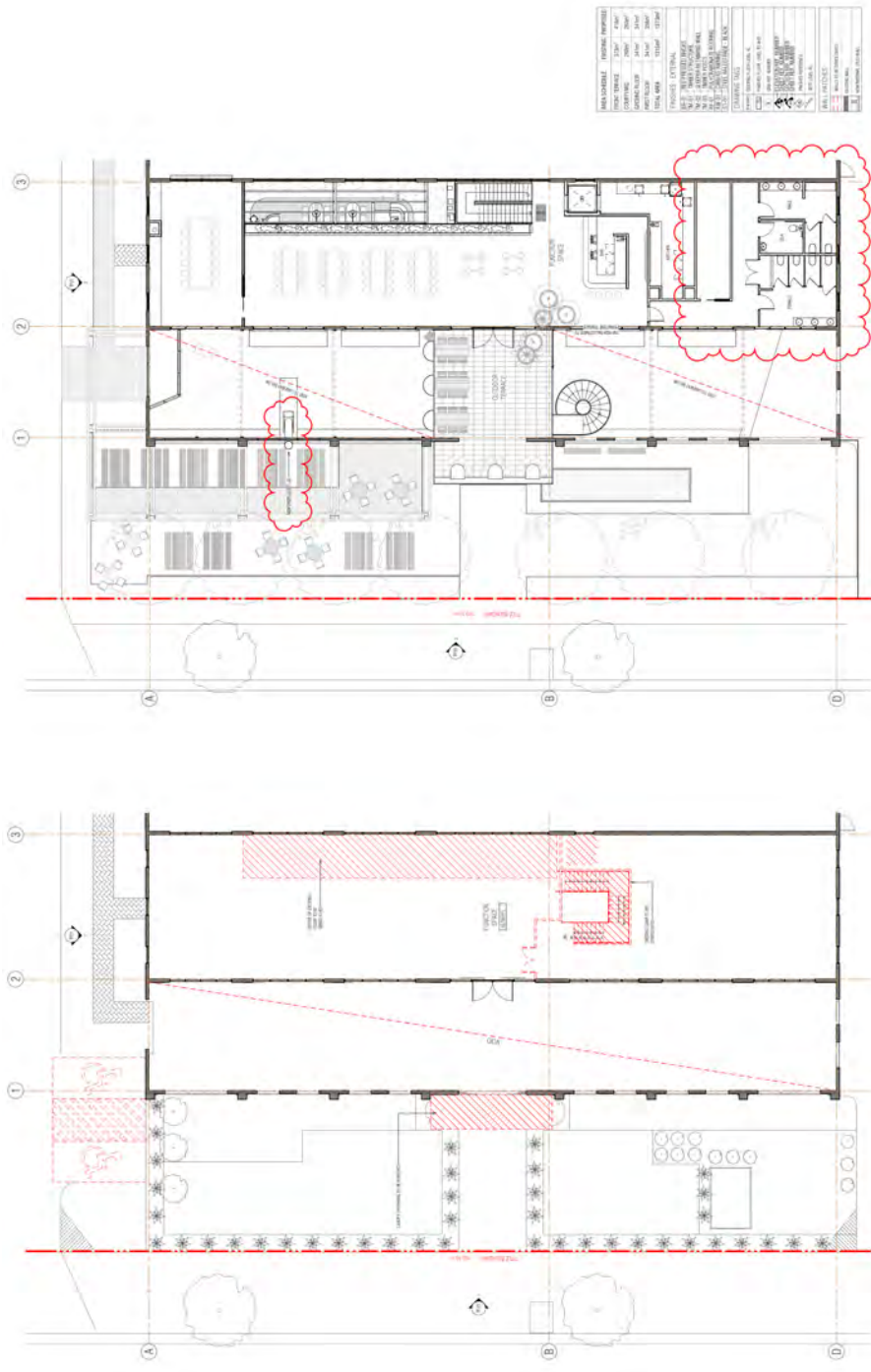
**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**







**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**



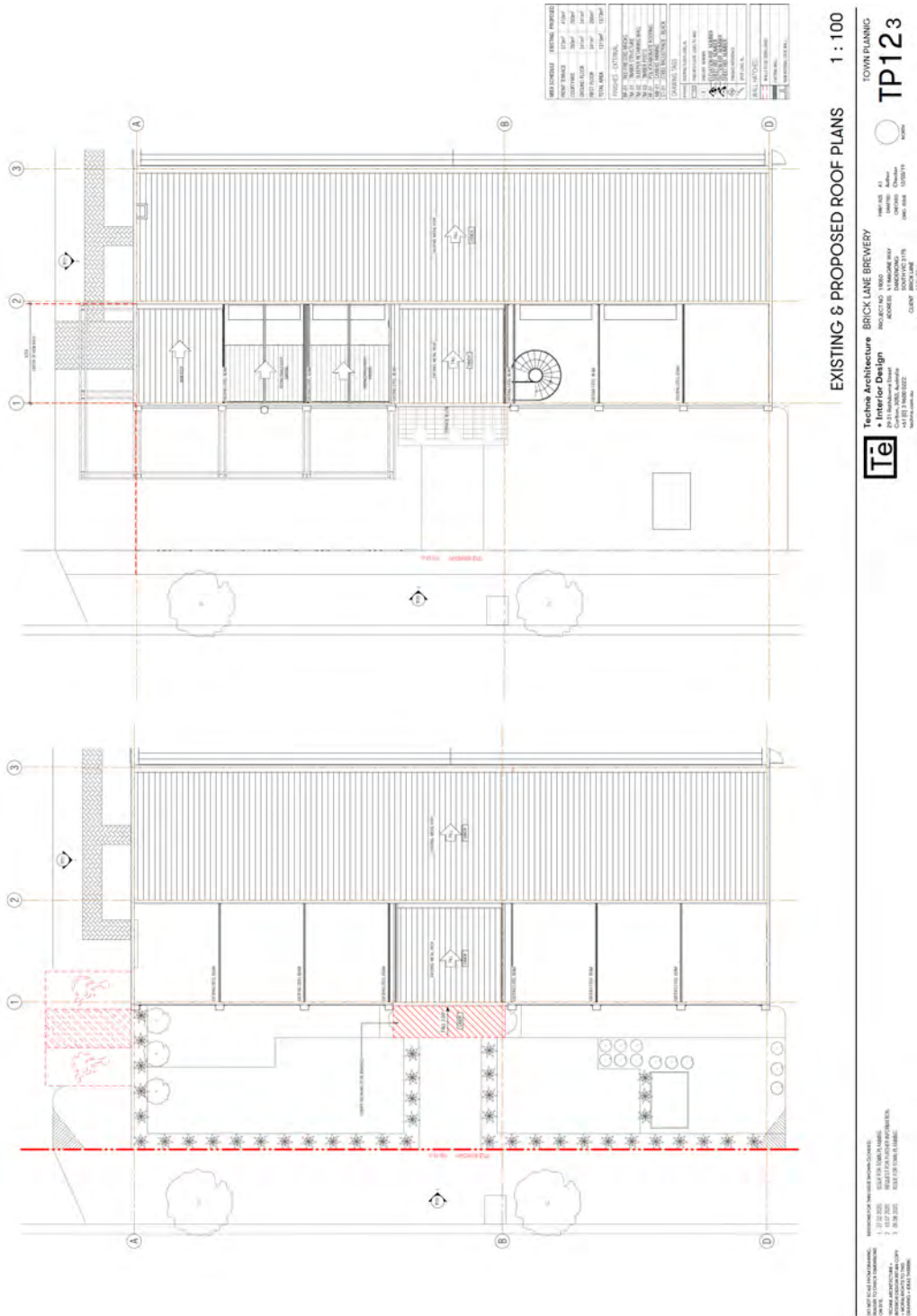
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| CONCRETE       | 20MP     | CONCRETE           | 20MP     |
| BRICK          | CLAY     | BRICK              | CLAY     |
| ROOF           | ASBESTOS | ROOF               | ASBESTOS |
| GLASS          | 5MM      | GLASS              | 5MM      |
| STEEL          | 300MM    | STEEL              | 300MM    |
| WOOD           | 12MM     | WOOD               | 12MM     |
| PAINT          | EMULSION | PAINT              | EMULSION |
| PLASTER        | 12MM     | PLASTER            | 12MM     |
| CEILING        | 12MM     | CEILING            | 12MM     |
| FLOORING       | 12MM     | FLOORING           | 12MM     |
| WALLS          | 12MM     | WALLS              | 12MM     |
| DOORS          | 12MM     | DOORS              | 12MM     |
| WINDOWS        | 12MM     | WINDOWS            | 12MM     |
| ROOFING        | 12MM     | ROOFING            | 12MM     |
| GLAZING        | 12MM     | GLAZING            | 12MM     |
| SCREENING      | 12MM     | SCREENING          | 12MM     |
| CONCRETE       | 20MP     | CONCRETE           | 20MP     |
| BRICK          | CLAY     | BRICK              | CLAY     |
| ROOF           | ASBESTOS | ROOF               | ASBESTOS |
| GLASS          | 5MM      | GLASS              | 5MM      |
| STEEL          | 300MM    | STEEL              | 300MM    |
| WOOD           | 12MM     | WOOD               | 12MM     |
| PAINT          | EMULSION | PAINT              | EMULSION |
| PLASTER        | 12MM     | PLASTER            | 12MM     |
| CEILING        | 12MM     | CEILING            | 12MM     |
| FLOORING       | 12MM     | FLOORING           | 12MM     |
| WALLS          | 12MM     | WALLS              | 12MM     |
| DOORS          | 12MM     | DOORS              | 12MM     |
| WINDOWS        | 12MM     | WINDOWS            | 12MM     |
| ROOFING        | 12MM     | ROOFING            | 12MM     |
| GLAZING        | 12MM     | GLAZING            | 12MM     |
| SCREENING      | 12MM     | SCREENING          | 12MM     |

EXISTING & PROPOSED FIRST FLOOR PLANS 1 : 100


**Techne Architecture** BRICK LANE BREWERY  
 Interior Design  
 PROJECT NO: 17/0424.03  
 CLIENT: BRICK LANE BREWERY  
 DRAWING NO: TP113  
 DATE: 17/03/2021  
 SCALE: 1:100  
 SHEET NO: 1 OF 1

INFORMATION FOR THE CLIENT  
 THIS DRAWING IS THE PROPERTY OF TECHNE ARCHITECTURE  
 IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED  
 IN THE TITLE BLOCK. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF TECHNE ARCHITECTURE.

**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**





**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**

**EXISTING WEST ELEVATION**

**PROPOSED WEST ELEVATION**

**EXISTING & PROPOSED WEST ELEVATIONS 1 : 100**

**Techos Architecture + Interior Design**  
 2/11 Sandstone Street  
 Dandenong VIC 3175  
 Tel: (03) 9592 3027  
 www.techos.com.au

**TP203**

**TOWN PLANNING**

**BRICK LANE BREWERY**  
 2/11 Sandstone Street  
 Dandenong VIC 3175  
 Client: Brick Lane

| NO. | REVISION           | DATE       | BY     | CHKD.  |
|-----|--------------------|------------|--------|--------|
| 1   | ISSUED FOR TENDERS | 10/03/2021 | TECHOS | TECHOS |
| 2   | FOR COUNCIL REVIEW | 10/03/2021 | TECHOS | TECHOS |
| 3   | FOR COUNCIL REVIEW | 10/03/2021 | TECHOS | TECHOS |
| 4   | FOR COUNCIL REVIEW | 10/03/2021 | TECHOS | TECHOS |
| 5   | FOR COUNCIL REVIEW | 10/03/2021 | TECHOS | TECHOS |
| 6   | FOR COUNCIL REVIEW | 10/03/2021 | TECHOS | TECHOS |
| 7   | FOR COUNCIL REVIEW | 10/03/2021 | TECHOS | TECHOS |
| 8   | FOR COUNCIL REVIEW | 10/03/2021 | TECHOS | TECHOS |
| 9   | FOR COUNCIL REVIEW | 10/03/2021 | TECHOS | TECHOS |
| 10  | FOR COUNCIL REVIEW | 10/03/2021 | TECHOS | TECHOS |

**PROPOSED MATERIALS**

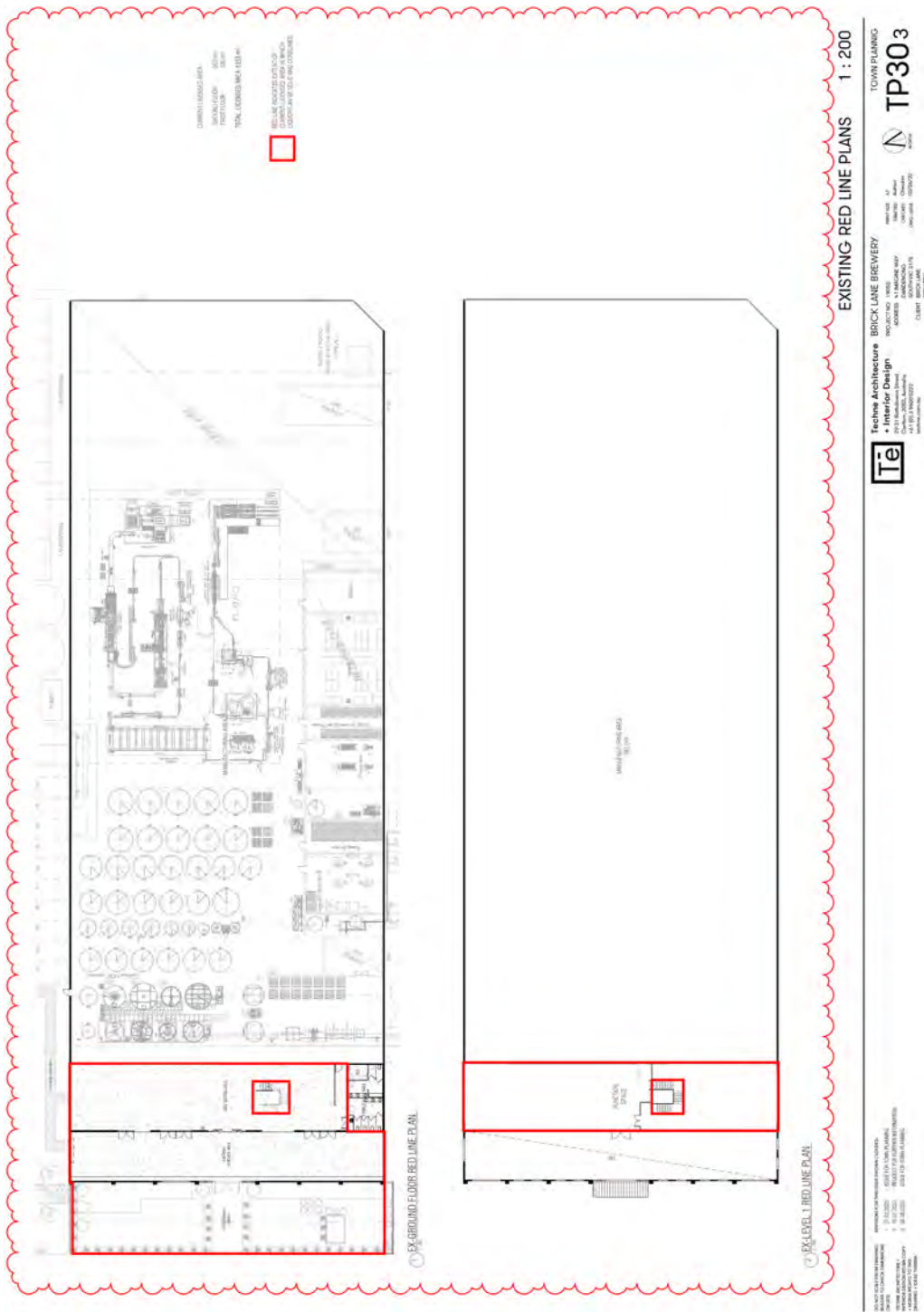
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|-----|-------------|----------|----------------|-------|--------|
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| 2   | CONCRETE    | 100      | M <sup>3</sup> | 100   | 10000  |
| 3   | GLASS       | 100      | M <sup>2</sup> | 100   | 10000  |
| 4   | STEEL       | 100      | M              | 100   | 10000  |
| 5   | PAINT       | 100      | L              | 100   | 10000  |
| 6   | ROOFING     | 100      | M <sup>2</sup> | 100   | 10000  |
| 7   | LANDSCAPING | 100      | M <sup>2</sup> | 100   | 10000  |
| 8   | UTILITIES   | 100      | M              | 100   | 10000  |
| 9   | MECHANICAL  | 100      | M              | 100   | 10000  |
| 10  | ELECTRICAL  | 100      | M              | 100   | 10000  |

**PROPOSED COSTS**

| NO. | DESCRIPTION       | QUANTITY | UNIT | PRICE | TOTAL |
|-----|-------------------|----------|------|-------|-------|
| 1   | CONSTRUCTION      | 100      | M    | 100   | 10000 |
| 2   | LABOUR            | 100      | M    | 100   | 10000 |
| 3   | MATERIALS         | 100      | M    | 100   | 10000 |
| 4   | PERMITS           | 100      | M    | 100   | 10000 |
| 5   | INSURANCE         | 100      | M    | 100   | 10000 |
| 6   | PROFESSIONAL FEES | 100      | M    | 100   | 10000 |
| 7   | MARKETING         | 100      | M    | 100   | 10000 |
| 8   | CONTINGENCY       | 100      | M    | 100   | 10000 |
| 9   | TOTAL             | 100      | M    | 100   | 10000 |



**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**



**2.2.3 Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03) (Cont.)**



**PERSPECTIVES**

**Te** Techno Architecture  
- Interior Design  
20/14 Richardson Street  
MELBOURNE VIC 3048  
PH: 03 9402 2222  
WWW.TEARCHITECTURE.COM.AU

**BRICK LANE BREWERY**  
INDUSTRIAL ZONE  
ADDRESS: 41 IMAGINE WAY  
DANDENONG SOUTH VIC 3175  
CLIENT: BUNNINGS  
BREWERY

DATE: 12/03/2021  
SCALE: 1:100  
DRAWN BY: J. SMITH  
CHECKED BY: J. SMITH  
TOWN PLANNING  
**TP403**

BRICK LANE BREWERY  
1. 27/02/2020 - 02/03/2020 TOWN PLANNING  
2. 03/03/2020 - 02/04/2020 TOWN PLANNING  
3. 03/04/2020 - 02/05/2020 TOWN PLANNING



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## 2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275)

|                      |   |
|----------------------|---|
| File Id:             | 310885  |
| Responsible Officer: | Director City Planning Design & Amenity   |
| Attachments:         | Assessed Plans<br>Location of Objectors<br>Clause 22.09 Assessment<br>Clause 52.06 Assessment<br>Clause 55 Assessment |

---

### Application Summary

|            |  |
|------------|--|
| Applicant: | Associated Town Planning Consultants   |
| Proposal:  | Use and development of the land for rooming houses (two (2) new rooming houses to the rear of an existing rooming house) |
| Zone:      | General Residential Zone Schedule 1  |
| Overlay:   | Nil  |
| Ward:      | Dandenong  |

This application has been brought before the Council because it has received six (6) objections.

The application proposes the use and development of the land for rooming houses consisting of two (2) new rooming houses to the rear of the existing rooming house, bringing the total on site to 24 bedrooms.

A planning permit is required;

- pursuant to Clause 32.08-2 (GRZ) of the Greater Dandenong Planning Scheme for the use of land for a rooming house, and
- pursuant to Clause 32.08-6 (GRZ) of the Greater Dandenong Planning Scheme for construction or extension of a residential building.

### 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:

- Safety for surrounding residents
- Management of tenants/ Management of the site

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

- Waste management
- Landscaping
- Visual bulk
- Noise
- Access and parking
- Fire exits
- Overdevelopment
- Over-use of the building
- Overlooking
- Overshadowing
- Regular inspections for Council or Department of Health
- Asbestos removal
- Inadequacies of Cultural Heritage Management Plan
- Inadequate size of kitchen/meal areas, secluded private open space areas and laundries.
- Potential hazards created by internal layout of bedroom and bathroom doors.

**Assessment Summary**

The proposed use is considered reasonable given that this proposal will provide much needed additional low-cost housing options for the community and is appropriately located within a General Residential Zone, on the periphery of the Dandenong Activity Centre close to public transport and services. In addition, the site will operate under a management plan, endorsed and enforceable under the planning permit, to manage daily operations of the rooming house. The development is considered to be respectful of the neighbourhood character by providing sufficient setbacks from the side and rear boundaries to allow for a reasonable level of landscaping to occur. The use of varying building materials and finishes to the external walls and staggered setbacks provides a level of articulation breaking up the visual appearance of built form when viewed from the streetscape and adjoining residential properties.

**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 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.

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Subject Site and Surrounds**

**Subject Site**

The subject site is a rectangular shaped allotment located on the south/western side of Langhorne Street within the residential area of Dandenong.

- The lot has a frontage of 20.11 metres to Langhorne Street and depth of 50.29 metres, yielding an overall site area of 1011.67 square metres;
- The site is currently developed with a double storey residential building sited on the front (north/east) portion of the land;
- The existing building is currently used as a rooming house containing nine (9) bedrooms. It is noted that the use and development of the existing building as a rooming house did not require a planning permit as it meets the exemptions listed in Clause 52.23-2;
- Car parking areas are provided to the front and rear of the site on gravel;
- Access to the site is via two (2) crossovers from Langhorne Street;
- The site is devoid of any vegetation.

**Surrounding Area**

The surrounding area is zoned General Residential Zone Schedule 1:

- Existing residential buildings within the area consist of a mixture of single and double storey in height with multi dwelling developments being a prominent fixture of the streetscape.
- Dandenong Activity Centre is located approximately 600 metres to the north/west of the subject site.
- The site directly adjoining the subject site to the south/east is also the subject of a current Planning Application and Council Report (PLN20/0276 – 96 Langhorne Street) by the same applicant for the use and development of the land for rooming houses (one (1) new rooming house to the rear of an existing rooming house).

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

Locality Plan



**Background**

**Previous Applications**

A search of Council records revealed the following planning applications have been considered for the subject site.

- Application PLN18/0189 for use and development of the land for four (4) rooming houses (at 94-96 Langhorne Street, Dandenong) was submitted on 9 April 2019 and withdrawn on 30 May 2019.

**Proposal**

The application proposes the use and development of the land for rooming houses (two (2) new rooming houses to the rear of an existing rooming house).

The existing double storey (9 room) rooming house at the front of the site is to be retained and two (2) new double storey rooming houses are proposed to the rear of the site, adding 15 new bedrooms within the proposed development. The buildings are located side by side and attached at both the ground and first floor levels.



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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

The proposed buildings will contain:

- Rooming house 2: will have a separate entry; 3 bedrooms each with ensuite and refrigerators; a laundry; kitchen and living area to the ground floor. The first floor will contain 5 additional bedrooms again each with ensuite and refrigerators. A secluded private open space (SPOS) area of 93.1sqm is provided at ground level accessed via the living area. 39.08sqm of the SPOS has a minimum dimension of 3m.
- Rooming house 3: will have a separate entry; 3 bedrooms each with ensuite and refrigerators; a laundry; kitchen and living area to the ground floor. The first floor will contain 4 additional bedrooms again each with ensuite and refrigerators. An SPOS area of 67.8sqm is provided at ground level, accessed via the living area. 30.90sqm of the SPOS has a minimum dimension of 5 metres.

Access to the site will be via two (2) crossovers; the existing crossover to the north/west frontage is to be widened and will provide access to a disabled parking space; a second proposed crossover is provided to the north/east of the frontage providing access to five (5) car spaces centrally located on the site.

The proposed buildings will have a maximum overall building height of 7.47 metres and constructed from a mix of weatherboard, render and brick with pitched tiled roofs.

The following boundary setbacks are proposed:

| Setbacks              | North/west (side) | North/East (Front) | South/east (side) | South/West (rear) |
|-----------------------|-------------------|--------------------|-------------------|-------------------|
| Ground Floor setbacks | 1.5m              | N/A                | 1.5m              | 2.97m             |
| First Floor setbacks  | 2m                | N/A                | 1.8m              | 3.12m             |

Maximum of one (1) person per bedroom is proposed to be accommodated on site.

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

### **Victorian Charter of Human Rights and Responsibilities**

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

### **Financial Implications**

No financial resources are impacted by this report.

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Planning Scheme and Policy Frameworks**

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

- Pursuant to Clause 32.08-2 for the use of a rooming house; and
- Pursuant to Clause 32.08-6 for the construction or extension of a residential building.

The relevant controls and policies are as follows:

**Zoning Controls**

The subject site is located in a General Residential Zone Schedule 1, 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 32.08-2 a permit is required for the use of a rooming house as the proposal fails to meet the list of exemptions specified under Clause 52.23-2, specifically the total floor area of all buildings on the land which exceeds 300 square metres.

A permit is also required pursuant to clause 32.08-6 for buildings and works as the proposal fails to meet the list of exemptions specified under Clause 52.23-2, specifically the number of bedrooms on the land exceeds 9 and the total floor area of all buildings on the land exceeds 300 square metres.

**Overlay Controls**

No overlays affect the subject site or surrounding area.

**State Planning Policy Framework**

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

*(a) To provide for the fair, orderly, economic and sustainable use, and development of land.*

*(b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

*(c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

*(d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

*(e) To protect public utilities and other facilities for the benefit of the community.*

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

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

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

**Clause 11 Settlement** 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** 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, functional and provide good quality environments with a sense of place and cultural identity.
- To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.
- To encourage land use and development that is consistent with the efficient use of energy and the minimisation of 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.

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### 2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)

**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.

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 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:

*“Greater Dandenong’s neighbours are the Cities of Casey to the east, Frankston to the south, Kingston to the west, and Monash and Knox to the north. Greater Dandenong is bounded by the Dandenong Creek, Princes Highway, South Gippsland Freeway, Westernport Highway to the east, Thompsons Road to the south, Mornington Peninsula Freeway, Springvale Road, Tootal Road, Heatherton Road and Westall Road to the west and Police Road to the north.*

*It is a city that has at its doorstep the magnificent Dandenong Ranges and large areas of flora and fauna. Greater Dandenong has extensive areas of open space and includes several areas of significant ecological value, wetlands and remnant woodlands and grassland communities. The creeks and waterways that traverse the city, together with its many areas of historical, aboriginal and vegetative significance, afford the city a composition of diverse environments.”*

A **Vision for Greater Dandenong** is outlined at **Clause 21.03**. Of which the following is of relevance to the proposed development; *“A city renowned for its inclusiveness and admired for its cosmopolitan and multicultural lifestyle; a city where a range of arts activities are promoted and different cultures are celebrated as much as tradition and history are celebrated”.*

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 Clause 21.04 Land use; Clause 21.05 Built Form and Clause 21.07 Infrastructure and Transportation:

- **Clause 21.04 Land Use** is relevant particularly **Clause 21.04-1 Housing and Community** which states *“Social Issues – Appropriate and affordable housing that suits diverse needs is critical to maintaining a healthy and balanced socio-economic society”.* The following objective

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

*is also of relevance: "To encourage and facilitate a wide range of housing types and styles which increase diversity and cater for the changing needs of households."*

- **Clause 21.05 Built Form** is relevant to the proposal, in particular **Clause 21.05-1 Urban design, character, streetscapes and landscapes** of which the following objectives are relevant; 1 *"To facilitate high quality building design and architecture;* 2. *To facilitate high quality development, which has regard for the surrounding environment and built form;* 6. *To ensure that design of the public and private environment supports accessibility and healthy living;* 7. *To protect and improve streetscapes;* and 8. *To ensure landscaping that enhances the built environment."*
- **Clause 21.07 Infrastructure and Transportation, Clause 21.07-1 Physical, Community and Cultural Infrastructure** is of relevance to the proposal in particular Objective 2. Which seeks *"To manage the impact of discharge of stormwater to minimise pollution and flooding"*. Clause 21.07-2 Public transport is of relevance with objective 1 seeking *"To increase the use of public transport"* along with Clause 21.07-3 Walking and cycling, the objective of which is *"To promote and facilitate walking and cycling"*. Clause 21.07-4 Cars and Parking needs to be considered with objectives 1 *"To promote significant modal shift away from the car"* and 2 *"To protect residential and other sensitive uses from adverse impacts of vehicular traffic"* of relevance to the proposal.

**Clause 22.09 – Residential Development and Neighbourhood character** is relevant to the proposal which *"provides guidance to manage the evolution of residential neighbourhood character throughout Greater Dandenong into the future. It responds to state and metropolitan planning policy regarding urban form and housing, while respecting valued characteristics of residential neighbourhoods. Based on the City of Greater Dandenong Neighbourhood Character Study (September 2007), the Municipal Strategic Statement divides the residential areas of Greater Dandenong into three 'Future Change Areas': Substantial, Incremental and Limited. This policy identifies the rationale, existing character, identified future character and design principles for each of these areas. The design principles in this policy provide guidance to achieve high quality design and amenity outcomes for all new residential development"*.

**Particular Provisions**

**Clause 52.06 Car Parking** needs to be considered under the current application. The purposes of this provision are:

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

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

The table at Clause 52.06-5 sets out the car parking requirement that applies to the use of land as follows:

| Use           | Rate                              |
|---------------|-----------------------------------|
| Rooming House | One (1) to each four (4) bedrooms |

The proposal meets the required car parking rate with no wavier sought.

An application must meet the Design standards for car parking included at Clause 52.06-8.

*An assessment against this clause is included as Attachment 4.*

**Clause 52.23 Rooming House** is relevant to the proposal. The purpose of which is “*To facilitate the establishment of domestic-scale rooming houses*”.

As mention previously under the General Residential Zone; Pursuant to Clause 32.08-2 a permit is required for the use of a rooming house as the proposal fails to meet the list of exemptions specified under Clause 52.23-2, specifically the total floor area of all buildings on the land which exceeds 300 square metres.

A permit is also required pursuant to clause 32.08-6 for buildings and works as the proposal fails to meet the list of exemptions specified under Clause 52.23-2, specifically the number of bedrooms on the land exceeds 9 and the total floor area of all buildings on the land exceeds 300 square metres.

**Clause 55 Two or more dwellings on a lot and residential buildings** also needs to be considered under the current application. The purposes of this provision 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*

*An assessment against Clause 55 is included as Attachment 5.*

**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.

**Proposed Planning Scheme Amendments**

Nil.



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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Restrictive Covenants**

The subject site is not affected by any restrictive covenants.

**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 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.

**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.

| <b>Department</b>   | <b>Response</b>  |
|---------------------|--|
| Asset Planning      | No objection   |
| Civil Planning      | No objection subject to standard conditions relating to drainage.  |
| Transport           | No objection subject to conditions relating to site lines at the vehicular access points.                                      |
| Health              | No objection, subject to conditions that the operator make appropriate applications under the Public Health and Wellbeing Act. |
| Planning Compliance | No objection.  |

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                    |   |
|--------------------|---|
| Waste              | No objection, subject to conditions requiring the Waste Management Plan to be amended. See condition 5  |
| Community Services | No objection. <ul style="list-style-type: none"><li>• <i>There is a large need in the municipality for quality affordable single room accommodation and a <b>compliant well-managed rooming</b> house addresses the shortage of affordable accommodation options for those with limited income.</i></li></ul> |

### **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 land.
- Placing a sign on site facing Langhorne Street.

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**

A consultative meeting was not held due to the restrictions associated with the COVID-19 pandemic.

### **Summary of Grounds of Submissions/Objections**

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

- **Safety for surrounding residents**

*The proposed use is a residential use and is located within a residential area. The development proposes an acceptable level of passive surveillance to the street and to the common accessway and car parking area. Entrances to the buildings are clearly visible from the street and common accessway. Antisocial behaviour and drug and alcohol use in public streets is a matter for the Victoria Police and cannot be controlled by the Planning and Environment Act 1987.*

*It cannot be presumed that the residents of rooming houses will be criminal, anti-social or undesirable any more than such a presumption can be made in the proposed development of any other dwelling, in any other part of the municipality.*

*A recent review of Council's records has revealed that there have been no recent complaints in relation to behaviour/safety issues since the construction of the existing 9 bedroom room house on site.*



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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

- **Management of tenants/ Management of the site**

*The applicant has submitted a management plan outlining house rules relating to keeping the site clean and tidy, rubbish disposal, use of clothes wash facilities, dedicated manager and maximum occupant numbers. Permit conditions can require the use to operate in accordance with the endorsed management plan.*

*It is also recommended that a full-time manager must be present on site at all times. This will ensure neighbours and residents on site always have a physical contact point. This person can either manage 94 and 96 separately or both addresses combined. A Section 173 Agreement between Council and the owner of the site will clarify all relevant operational details in relation to the manager onsite (condition 8). Condition 1.1.4 will require amended plans to physically show the location of the managers lodgements on the floor plans.*

- **Waste management**

*The application was referred internally to Councils Waste Management Team who have advised that the Waste Management Plan is acceptable, subject to conditions requiring amendments (see conditions 5). The waste bin storage areas are shown to be located within the rear secluded private open space of each rooming house. Permit conditions can require the Management Plan to be updated to include detail of who is responsible for taking the bins to the kerb on collection day and returning them to their storage area after collection (see condition 1.1.5). have advised that the Waste Management Plan is acceptable, subject to conditions requiring amendments (see conditions 5). The waste bin storage areas are shown to be located within the rear secluded private open space of each rooming house. Permit conditions can require the Management Plan to be updated to include detail of who is responsible for taking the bins to the kerb on collection day and returning them to their storage area after collection (see condition 1.1.5).*

- **Landscaping**

*The applicant has provided a landscape plan which suitably provides an appropriate level of landscaping throughout the site consistent with the neighbourhood character.*

- **Noise**

*Residential noise is regulated by The Environment Protection (Residential Noise) Regulations 2018.*

- **Access and parking**

*The proposal complies with Clause 52.06 (Car parking) of the Greater Dandenong Planning Scheme. Clause 52.06 requires 6 car parking spaces. 6 have been provided. Access to the site is considered reasonable, providing 2 crossovers with visibility lines for safe entry and exit of the site.*

- **Fire exits**

*There are two entry/ exit points to the buildings at ground level. Fire safety requirements form part of the Building Act and will be considered as part of the Building Permit Stage.*

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

- **Visual bulk, Overdevelopment**

*The size and scale of the development is consistent with the preferred neighbourhood character set out in Clause 22.09 and complies with objectives of Clause 55 (two or more dwellings and residential buildings) of the Greater Dandenong Planning Scheme (see Clause 22.09 and Clause 55 assessments below).*

- **Over- use of building**

*The applicant has proposed a maximum of 24 occupants on the site. This is considered reasonable given the number of bedrooms provided (24). Permit conditions can ensure that there are no more than 24 occupants on site at any one time (see condition 9). The proposal complies with the car parking requirements in Clause 52.06 of the Greater Dandenong Planning Scheme. The applicant has proposed a management plan to outline the operation and management of the use.*

- **Overlooking**

*All first floor habitable (bedroom) windows are provided with fixed obscure screening to prevent overlooking into neighbouring properties in compliance with Clause 55.*

- **Overshadowing**

*The extent of shadowing to the neighbouring properties as a result of the development is reasonable and complies with the objectives and standards of Clause 55 in relation to overshadowing, daylight to existing windows and solar access to north facing windows. The proposal will not cast shadow on existing solar panels on neighbouring lots.*

- **Regular inspections for Council or Department of Health**

*Council's normal processes and procedures will apply for enforcement of the Greater Dandenong Planning Scheme and the Public Health and Wellbeing Act.*

- **Asbestos removal**

*Asbestos removal and disposal is governed by the Occupational Health and Safety Regulations 2017.*

- **Inadequacies of Cultural Heritage Management Plan**

*The submitted Cultural Heritage Management Plan has been approved under the Aboriginal Heritage Act 2006.*

- **Inadequate size of kitchen/meal areas; secluded private open space areas and laundries.**

*A significant amount of Secluded Private Open Space has been provided for each rooming house to provide for outdoor living. Residential buildings, including rooming houses, are required to meet the objectives in Clause 55.05-4 (Private Open Space) of the Greater Dandenong Planning Scheme. The proposal provides three private open space areas on site, each in excess of the minimum standard set by Standard B28 in Clause 55.05-4 (Private open space). In addition, the site is located within 200 metres of the newly upgraded and well-appointed Dandenong Park. It is considered that the*

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#### **2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

*proposal provides for the adequate service and recreation needs of residents given that the proposal meets the standard set by the Greater Dandenong Planning Scheme and is located in close proximity to a large area of public open space.*

*Laundry rooms have been provided within each rooming house. Each area is considered adequate to provide clothes washing facilities. Only one clothes line has been provided per rooming house, which is considered inadequate given the number of occupants of each rooming house. Permit conditions can require an additional clothesline per rooming house (see condition 1.4).*

*The Greater Dandenong Planning Scheme does not require a minimum size for the shared kitchen, living and dining areas, however, it is considered that these spaces are adequate in size given the number of occupants within each rooming house. In addition, each bedroom is provided with a sink and refrigerator, providing additional food preparation areas within each room. See further commentary in the paragraph titled "Other matters" in the Assessment section of this report. See further commentary in the paragraph titled "Other matters" in the Assessment section of this report.*

- **Potential hazards created by internal layout of bedroom and bathroom doors.**

*Internal placement of doors is not considered to cause hazard given the limited number of occupants within each rooming house.*

#### **Assessment**

##### **Use**

State planning policies at Clause 16.01 (Residential Development) of the Greater Dandenong Planning Scheme seeks to achieve a range of housing types, including rooming houses, to meet diverse needs of the community, in well-serviced locations. In addition, Clause 16.01-2S seeks to improve housing affordability by increasing choice in housing type, tenure and cost and Clause 15.01-4R seeks 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.

The proposal directly responds to these policies by providing additional low-cost housing options on the periphery of the Dandenong Activity Centre, within a 20 minute walk of the Dandenong Activity Centre and Dandenong Train Station.

The purpose of the General Residential Zone is (among other things) *to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

The proposed use is residential in nature and is consistent with the residential zoning of the land. As mentioned, the site is on the periphery of the Dandenong Activity Centre, providing good access to transport and services. Therefore, it is considered that the proposed use is appropriate for the site.

The scale and intensity of the use is considered appropriate for the following reasons:

- The site has historically been used for rooming/boarding house accommodation for many years. Prior to the existing rooming house, the site was developed with an older style boarding house, which was demolished in 2019.

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### 2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)

- Approximately 290 square metres of private open space is provided for recreation and service needs of residents.
- A maximum of 24 occupants is proposed for the site. This is consistent with the number of bedrooms provided (one occupant per bedroom). Permit conditions can ensure that there are no more than 24 occupants on site at any one time (see condition 9).
- A management plan has been provided to outline operation of the rooming house, including rules for clothes washing facilities, tidiness of the common areas, emergency contact procedures and management of waste. Permit conditions can require implementation and compliance with the management plan (see condition 7).
- The proposal meets the car parking requirements of Clause 52.06 of the Greater Dandenong Planning Scheme.

#### **Development**

##### State and Local Planning Policy Framework

The design of the rooming houses is considered appropriate as it supports an increase in diverse low-cost accommodation, located close to services, jobs and public transport. This is supported by **Clause 16.01-2S (Housing affordability)** and **Clause 16.01-1S (Housing Supply)**. This style of accommodation offers housing choice, to support the diverse needs of the community.

Clause 22.09 (Residential Development & Neighbourhood Character Policy) identifies existing character, preferred future character and provides design principles across three 'future change areas': Substantial, Incremental and Limited.

The subject site forms part of the 'incremental change area'. The 'identified future character' outlined under Clause 22.09-3.3 states the following:

*'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. Future density will be at a lower intensity than in Substantial Change Areas, but a higher intensity than in Limited Change Areas.'*

*'Residential development 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 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.'*

Design principles for the incremental change area are set out at Clause 22.09-3.3. The proposal meets the design principles set out at Clause 22.09-3.3; Maximum of two storeys is proposed, ground level living is provided and a significant amount of space is provided for boundary landscaping and canopy trees. The double storey form to the rear of the site is acceptable for the following reasons:

- The built form on the neighbouring site to the north west occupies the entirety of the boundary (there is no adjoining sensitive secluded private open space along this boundary);

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

- The built form on the neighbouring site to the south west occupies the entirety of the boundary, except for a car parking area and a small area of secluded private open space in the westernmost corner. The proposed double storey form is well setback from this secluded private open space and is in line with the double storey form on the neighbouring site to the south west;
- The neighbouring site to the south east is currently a rooming house, which is proposed to be developed for rooming houses, under application PLN20/0276 concurrently being assessed by Council;
- There are no overlooking or overshadowing impacts from the proposed buildings; and
- Sufficient space is provided for substantial landscaping and canopy trees along the boundaries.

With regard to the above preferred character, it is considered the proposal delivers on the objectives of clauses **15.01 (Urban Environment)** and **21.05-1 (Built Form)**, which require development to respond to urban design, character, streetscape and landscape issues. The development includes adequate side and rear setbacks for landscaping opportunities, a strong design theme that reinforces the residential nature of the area and the incorporation of other measures to minimise visual impacts and amenity concerns.

The proposal's consistency with the identified future character and preferred built form also means that it is in accordance with **Clause 21.05-1 (Urban design, character, streetscapes and landscapes)** and **Clause (21.04-1 Housing and community)**, which reinforce the expectation for development to achieve high quality outcomes that has regard for the surrounding environment and built form.

Clause 32.08 General Residential Zone (Schedule 1)

Pursuant to Clause 32.08-4, the proposal must provide at least 35% of the lot set aside for garden area. The proposal provides 35.19% of the site as garden area.

Pursuant to Clause 32.08-10, the proposal must not exceed 11 metres and 3 storeys. The proposal is a maximum height of 7.47metres and 2 storeys.

Pursuant to Clause 32.08-6, the development must meet the requirements of Clause 55. The proposal meets all of the objectives and standards in Clause 55, except for the following, which can be met via permit conditions;

- Clause 55.06-4 (Site services) Standard B34.  
Objective:
- *To ensure that site services can be installed and easily maintained.*
- *To ensure that site facilities are accessible, adequate and attractive.*

The standard requires the design and layout to provide sufficient space and facilities for services to be installed and maintained efficiently and economically. It is considered that the provision of one clothesline per rooming house is inadequate for the number of occupants proposed. Therefore, a permit condition can be included to require two clothes lines per rooming house (see condition 1.3).



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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

*An assessment against Clause 55 is included as Attachment 5.*

Clause 52.06 Car Parking

Car parking for the proposal has been provided on site with a total of six (6) car spaces; consisting of one (1) disabled car space located at the northern front corner of the site separately accessed via an individual single crossover and five (5) car spaces internally located centrally on the site accessed via a shared crossover from Langhorne Street.

The number of car spaces provided on the site complies with the requirement under Clause 52.06-5 for a rooming house which specifies the requirement of one (1) space to each four (4) bedrooms.

The parking spaces are located adjacent to the entries of the proposed buildings and are well screened from the street.

The application has been assessed against the design standards of Clause 52.06-8 as per the table attached to this report and is considered to comply with all of the design standards.

*An assessment against Clause 52.06 is included as Attachment 4.*

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

The appropriateness of the proposal is further demonstrated by its compliance with **Clause 55 (Two or more dwellings on a lot and Residential buildings)**, which seeks to ensure residential development respects the existing or preferred neighbourhood character while also providing reasonable standards of amenity for new and existing residents.

The dwellings are required to meet the objectives of all of Clause 55 except Clause 55.07-1 to 55.07-15 (inclusive).

The proposal complies with all relevant objectives and standards of Clause 55, except for the following, which can be met via permit conditions;

- Clause 55.06-4 (Site services) Standard B34.  
Objective:
- *To ensure that site services can be installed and easily maintained.*
- *To ensure that site facilities are accessible, adequate and attractive.*

The standard requires the design and layout to provide sufficient space and facilities for services to be installed and maintained efficiently and economically. It is considered that the provision of one clothesline per rooming house is inadequate for the number of occupants proposed. Therefore, a permit condition can be included to require two clothes lines per rooming house (see condition 1.4).

*An assessment against Clause 55 is included as Attachment 5.*

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

Waste Management

The applicant has submitted a Waste Management Plan stipulating a private waste collection arrangement. Council's Waste Department has provided a response stating no objection, subject to amendments requiring the plan to nominate collection through Council kerbside waste collection and nominate a larger recycling bin size. The Waste Management Plan includes diagrams to show the location of bin storage and collection. These locations should also be notated on the site plan. Permit condition can require bin storage and collection areas to be noted on the site plan, and for bin storage locations to be externally accessible (see condition 1.3). Permit conditions can also be included to ensure that there is a nominated person responsible for taking bins out on collection day and returning them to their storage location after collection (see condition 1.1.5).

Environmentally Sustainable Design

Clause 22.06 of the Greater Dandenong Planning Scheme sets out environmentally sustainable design standards and requires certain development to be accompanied by information which demonstrates how the policy objective will be achieved. This does not apply to accommodation (other than dwellings) with a gross floor area less than 1000 square metres. In this case, the development has a gross floor area less than 1000 square metres and therefore, this policy does not apply. However, it is considered that the proposal meets the objectives and standards of Clause 55 in relation to energy efficiency by providing north facing living areas where possible, maximising solar access to north facing windows and ensuring that energy efficiency of dwellings on adjoining lots is not unreasonably reduced.

Other matters

**COMMON AREAS:**

Each building is provided with shared kitchen/living/dining areas:

- Rooming house 1 (occupied by a maximum of 9 residents) has a shared kitchen/living/dining area of 28.8 square metres (8 metres x 3.6 metres).
- Rooming house 2 (occupied by a maximum of 8 residents) has a shared kitchen/living/dining area of 13.8 square metres (3.2 metres x 4.2 metres).
- Rooming house 3 (occupied by a maximum of 7 residents) has a shared kitchen/living/dining area of 21.4 square metres (3.4 metres x 6.2 metres).

While the planning scheme does not require a minimum size for the shared kitchen, living and dining areas, it is considered that these spaces are adequate in size given the number of occupants within each rooming house. In addition, each bedroom is provided with a sink and refrigerator, providing additional food preparation areas within each room. Furthermore, a significant amount of Secluded Private Open Space has been provided for each rooming house (well in excess of the minimum standard) to provide for outdoor living.

Residential buildings, including rooming houses, are required to meet the objectives in Clause 55.05-4 (Private Open Space) of the Greater Dandenong Planning Scheme. The proposal provides three private open space areas on site, each exceeding the minimum standard set by Standard B28 in

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

Clause 55.05-4 (Private open space). In addition, the site is located within 200 metres of the newly upgraded and well-appointed Dandenong Park. It is considered that the proposal provides for the adequate service and recreation needs of residents given that the proposal meets the standard set by the Greater Dandenong Planning Scheme and is located in close proximity to a large area of public open space.

**INTENSITY OF USE:**

- Rooming house 1 will have no more than 9 residents accommodated;
- Rooming house 2 will have no more than 8 residents accommodated; and
- Rooming house 3 will have no more than 7 residents accommodated.

The above conditions will see an intensity of land use not inconsistent with those of multi-unit developments adjacent to and nearby the application site.

**Conclusion**

The proposed use is considered reasonable given that this proposal will provide much needed additional low-cost housing options for the community and is appropriately located within a General Residential Zone, on the periphery of the Dandenong Activity Centre close to public transport and services. In addition, the site will operate under a management plan, endorsed and enforceable under the planning permit, to manage daily operations of the rooming house. The development is considered an appropriate design response in terms of visual bulk, height, setbacks, private open space, car parking and landscaping with minimum amenity impacts on the adjoining residential properties and surrounding area. The site provides adequate car parking on site, well setback from property boundaries and screened from the adjoining site at 87 Pultney Street by extensive landscaping.

The application has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the Planning Policy Framework, Local Policies, and Municipal Strategic Statement as set out in this assessment. It is considered that the application complies with these policies and it is therefore recommended that the proposal is approved.

While it is acknowledged the topic of rooming houses can be a very emotive one and that debate on this topic will invariably make reference to badly run (or even illegal) rooming houses, that emotional content cannot be universally applied or used to justify the refusal of such an application. This particular proposal has been carefully and thoroughly assessed and found to be highly compliant with and in the areas of both policy and the technical expectations/ requirements of the Greater Dandenong Planning Scheme.



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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Recommendation**

**That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 94 Langhorne Street, Dandenong, for the purpose of use and development of the land for rooming houses (two (2) new rooming houses to the rear of an existing rooming house) 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 generally in accordance with the plans submitted and assessed with the application but modified to show:**

- 1.1. The house rules/management plan amended to show the following:**

- 1.1.1. To restrict maximum occupant numbers on the site to 1 person per bedroom.**
- 1.1.2. To include procedures for lodgement of complaint or any other matter arising from the use of the site.**
- 1.1.3. To require the telephone number of a site manager to be circulated to residents, neighbours and displayed on the front entry door.**
- 1.1.4. To require the site manager to be located onsite and contactable full time. Plans must also reflect a physical location onsite in which the onsite manager will reside.**
- 1.1.5. To specify who will be responsible for taking bins to the kerb on collection day and returning them to their storage area after collection.**

- 1.2. The location within the building that the site manager will reside. This must not be within any communal area.**

- 1.3. The location of the waste bin storage areas and collection points to be shown on the site plan. Each storage area must be externally accessible.**

- 1.4. Two clothes lines to each rooming house.**

**To the satisfaction of the Responsible Authority.**

- 2. 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.**

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

3. **Except with the prior written consent of the Responsible Authority, the approved use must not commence and the land must not be occupied until all buildings and works and conditions of this permit have been complied with.**
4. **Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.  
The provisions, recommendations and requirements of the landscape plan must be implemented and complied with to the satisfaction of the Responsible Authority.  
The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.**
5. **Prior to the commencement of use, an amended Waste Management Plan must be submitted to and approved by the Responsible Authority. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan submitted with the application, but modified to show:**
  - 5.1. **Waste generation rates in line with the Sustainability Victoria- Better Practice Guide for Multi Unit Developments.**
  - 5.2. **Recycle bins nominated as 360 Litre.**
  - 5.3. **Council kerbside collection.****To the satisfaction of the Responsible Authority.**
6. **Waste Management must be in accordance with the endorsed Waste Management Plan.**
7. **The use must operate in accordance with the endorsed house rules/management plan, except with the further written consent of the Responsible Authority.**
8. **Prior to the endorsement of plans, the owner must enter into an agreement under section 173 of the Planning and Environment Act 1987 with the Responsible Authority to provide for the following:**
  1. **The telephone number/s with 24 hour access to the operator/manager of the rooming houses must be displayed on the front entry door and circulated to residents and neighbours. The phone number/s displayed and circulated must be kept updated.**
  2. **A full time onsite manager must be physically present on site and contactable at all times. This person can either manage the boarding houses at 94 and 96 Langhorne St, Dandenong separately or both addresses combined. There must at all times be an on site manager for both properties.****The owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).**

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

9. **Except with the prior written consent of the Responsible Authority, there must be no more than one (1) occupant per bedroom.**
10. **Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
11. **Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority.**
12. **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.**
13. **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.**
14. **Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
15. **Before the approved building is occupied, the development must be provided with external lighting capable of illuminating access to each 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.**
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. All glazing must at all times be maintained to the satisfaction of the Responsible Authority.**
17. **Before the approved building is 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.**
18. **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.**
19. **This permit will expire if one of the following circumstances applies:**
  - 19.1. **the development or any stage of it does not start within two (2) years of the date of this permit, or**

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

- 19.2. the development or any stage of it is not completed within four (4) years of the date of this permit.**
- 19.3. The use does not start within one (1) year of the completion of the development, or**
- 19.4. The use is discontinued for a period of two (2) years.**

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

**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.**
- **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.**
- **Application for Approval of Plans must be lodged with Council's Public Health Department.**
- **Application for Registration under the Public Health & Wellbeing Act must be lodged with Council's Public Health Unit.**
- **Approval of registration under Public Health & Wellbeing Act is subject to final inspection.**
- **Rooming House Operator Licence must be obtained through CAV – Public Register – rooming house operator**

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 94 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0275)**

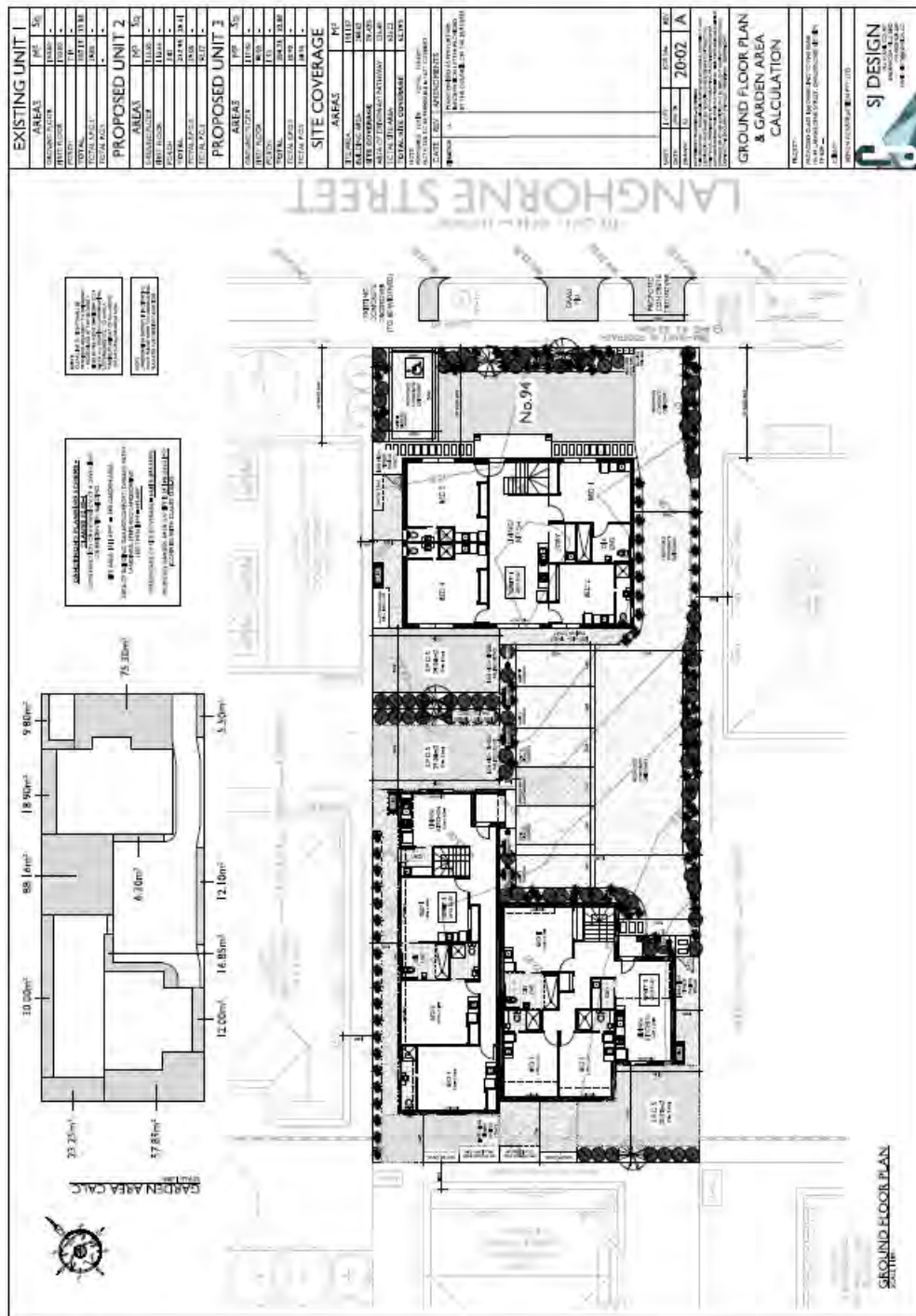
**ATTACHMENT 1**

**ASSESSED PLANS**

**PAGES 9 (including cover)**

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

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**







ORDINARY COUNCIL MEETING - AGENDA

2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)

| BUILDING MATERIAL & FINISHES SCHEDULE   |  |  |   |  |   |   |   |   |   |  |   |   |   |   |   |   |  |   |  |   |   |   |   |   |  |   |   |   |   |
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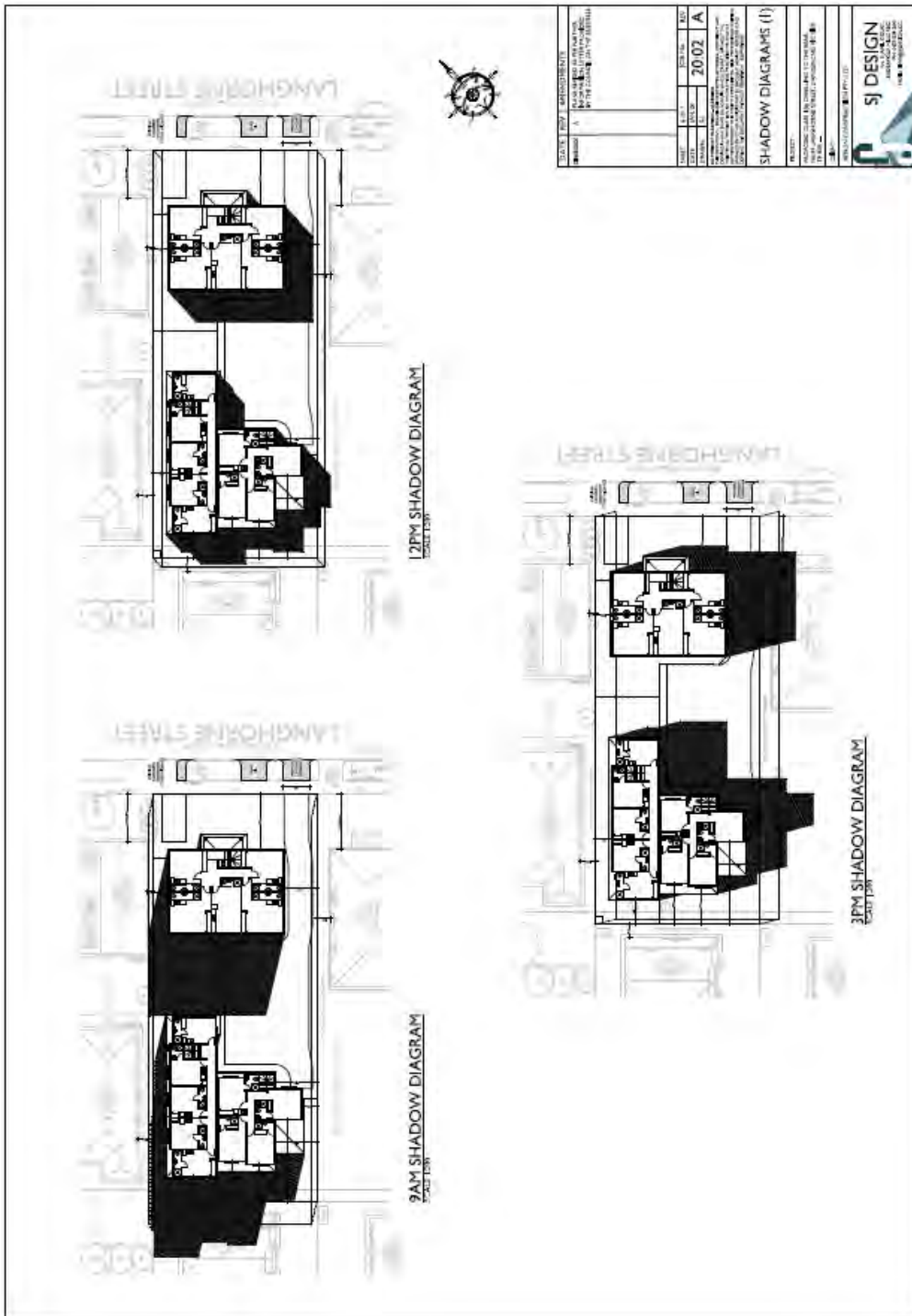
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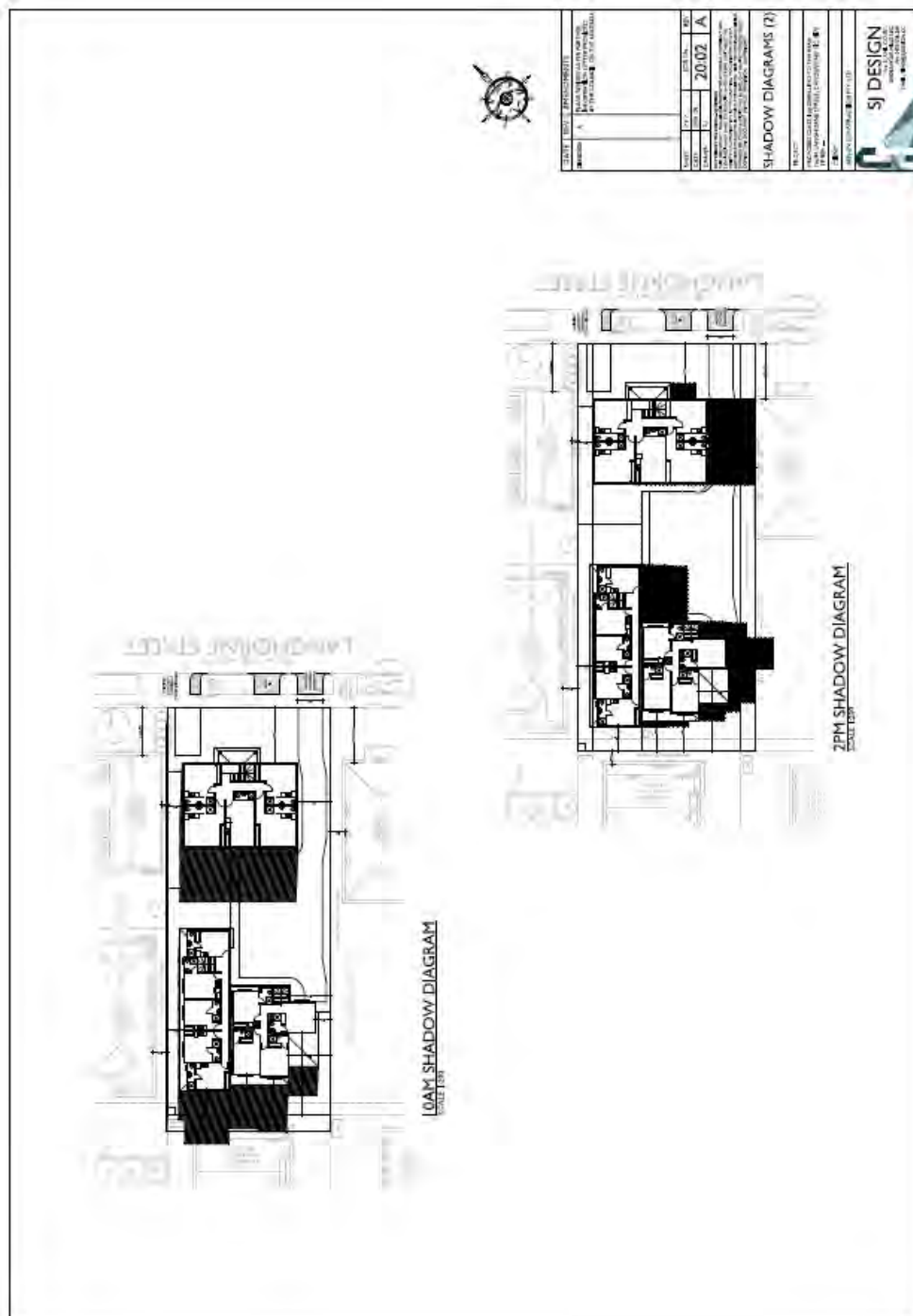
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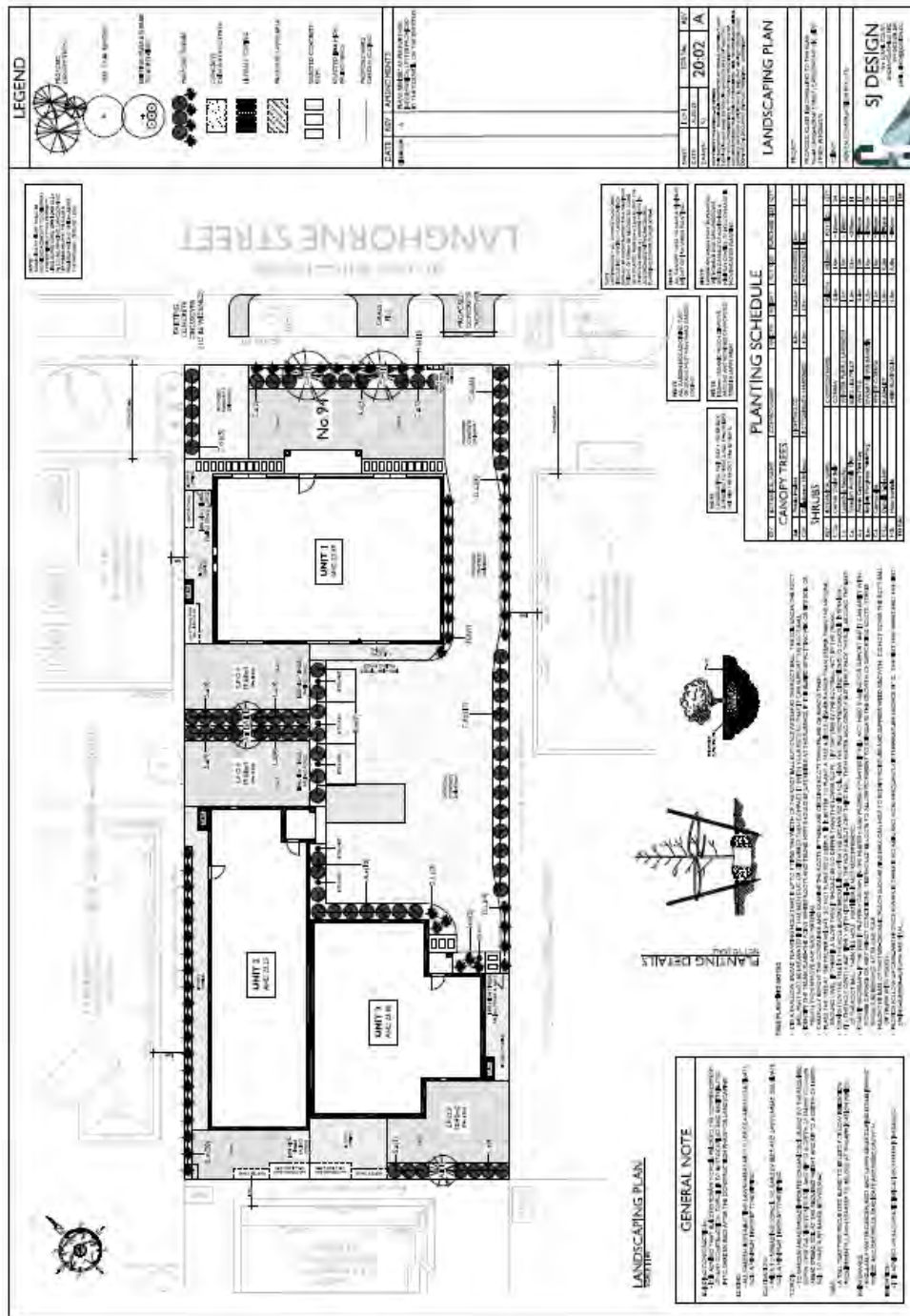
2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)



**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**



2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)



**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)****House Rules applied for a rooming house**

- Keep common areas clean & clear at all times.
- Any spills to be cleaned up immediately/ or contact management to arrange any cleaning requirements.
- All rubbish to be disposed of as soon as possible, or management will dispose.
- Any faults/ damage to be reported to the site manager as soon as possible.
- Keep common room windows closed if the area is being unoccupied
- Keep kitchen area clean at all times to avoid any potential future hazards.
- Turn off all ovens/ stoves to avoid any potential hazards as soon as operation has been completed.
- Wipe all dirty/ muddy feet/ shoes at the door matt to keep the common area as clean as possible.
- NO Smoking in any of the buildings.
- Clothes are to be immediately taken out of the washing machine/ laundry area as soon as washing is complete to avoid any issues with occupants of the building.
- Clothes are to be immediately taken off the clothes lines as soon as the clothing is dry to avoid any issues with occupants of the building.
- Fridge is to be maintained at a reasonable level, any old/ smelly items will be removed by management.
- Front Entry door is to be locked at all times unless occupants are entering and existing the building.
- Anything left in the common area by occupants will be removed by management to avoid any hazard in the future.

**Nominated use of outdoor areas**

The outdoor areas for each unit will be used as a common area for all occupants of the building where there is potential to take advantage of the areas and enjoy the daylight which is provided.

**Procedure for emergency calls to owner's/ site managers to adjoining neighbours**

We will provide all adjoining neighbours with a card which will have the contact details of the site manager detailed, which they can call at any time for any issues which may arise in the future. It is also possible a sign to be placed to the front of Unit 1 to detail any emergency contact details which may be required in case of an emergency.

**Contact Person of the person responsible for the management of the site.**

At the stage, the owner of the site Stefan Dimitrovici of 12 Frangipani Close, Endeavour Hills will be responsible for any on site management. His mobile number is 0412 878 999.

Stefan will be organised a real estate agent company to be responsible for the management of the site once the construction is complete.

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Management of the premises, internal & external common areas of the houses, waste management arrangements, the management of on-site car-parking and the building & landscaping maintenance.**

The issues which have been raised for the above will all be managed by a real estate company, who do this on a regular basis. Any on site issues, and management will be thoroughly controlled by the firm and the owner Stefan will be overlooking the site in case the standard of the maintenance is not appropriate.

**Proposed maximum numbers of residents**

A total of 9 occupants will be occupying each rooming house.

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 94 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0275)**

**ATTACHMENT 2**

**LOCATION OF OBJECTORS**



**PAGES 2 (including cover)**

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



**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**



-  = Subject site
-  = Location of objectors

Note: One objector location is not shown as it is more than 2km from the subject site.

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 94 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0275)**

**ATTACHMENT 3**

**CLAUSE 22.09 ASSESSMENT**

**PAGES 8 (including cover)**

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



**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Assessment Table for Clause 22**

**Clause 22.09-3.1 Design Principles for all residential developments**

|                    |   |  |
|--------------------|---|--|
| <b>Safety</b>      | 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.   | <p>✓ <b>Principle met</b><br/>Each building is provided with active frontages.</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>✓ <b>Principle met</b><br/>The proposed buildings front the street and shared driveway.</p> |
|                    | Use semi-transparent fences to the street frontage.   | <p>✓ <b>Principle met</b><br/>No front fence is proposed.</p>                                  |
|                    | Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.   | <p>✓ <b>Principle met</b><br/>Security lighting is provided</p>                                |
|                    | Ensure that all main entrances are visible and easily identifiable from the street.   | <p>✓ <b>Principle met</b><br/>Entrances face the street/ driveway.</p>                         |
|                    | Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.  | <p>✓ <b>Principle met</b></p>  |
| <b>Landscaping</b> | Residential development should:   |  |
|                    | Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.                            | <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p>                           |
|                    | Provide substantial, high quality landscaping along vehicular accessways.   | <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p>                           |

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

ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                           |   |   |
|---------------------------|---|---|
|                           | <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>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>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>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>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>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>No significant vegetation on site.</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> |
| <p><b>Car parking</b></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"> <li>• Well integrated into the design of the building,</li> <li>• Generally hidden from view or appropriately screened where necessary,</li> <li>• 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.</li> </ul> <p>Where car parking is located within the front setback it should be:</p> <ul style="list-style-type: none"> <li>• Fully located within the site boundary; and</li> <li>• Capable of fully accommodating a vehicle between a garage or carport and the site boundary.</li> </ul>  | <p>✓ <b>Principle met</b><br/>No increase to the number of existing crossovers/ change to on street parking</p> <p>✓ <b>Principle met</b><br/>Parking is well integrated into the design of the buildings</p> <p>✓ <b>Principle met</b></p>   |

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

ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                                    |   |   |
|------------------------------------|---|---|
|                                    | Developments with basement car parking should consider flooding concerns where applicable.  | N/A<br>No basement car parking proposed.  |
| Setbacks, front boundary and width | Residential developments should:<br>Provide a front setback with fence design and height in keeping with the predominant street pattern.<br>Maintain the apparent frontage width pattern.   | <p>✓ <b>Principle met</b><br/>No change to existing</p> <p>✓ <b>Principle met</b></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>✓ <b>Principle met</b><br/>Setbacks would allow for tree planning.</p>   |
|                                    | Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.  | <p>✓ <b>Principle met</b><br/>No front fence is proposed.</p>   |
|                                    | All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.   | <p>✓ <b>Principle met</b><br/>Quality useable private open space is provided</p>  |
| Private open space                 | 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>✓ <b>Principle met</b><br/>Garden areas shown show that SPOS is a usable space for domestic services and outdoor furniture</p> |
|                                    | Private open space should be positioned to maximise solar access.   | <p>✓ <b>Principle met</b><br/>Secluded private open spaces would be orientated to achieve ample solar access.</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>✓ <b>Principle met</b><br/>Upper levels would not encroach over ground floor open spaces</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>✓ <b>Principle met</b><br/>Upper levels would not encroach over ground floor open spaces.</p>                                  |
| Bulk & Built Form                  | All residential developments should respect the dominant façade pattern of the streetscape by:  | <p>✓ <b>Principle met</b><br/>The buildings are similar to the streetscape in terms of proportion of the dominant façade.</p>     |
|                                    | <ul style="list-style-type: none"> <li>Using similarly proportioned roof forms, windows, doors and verandahs; and</li> <li>Maintaining the proportion of wall space to windows and door openings.</li> </ul>                      |   |

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ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                           |  |   |
|---------------------------|--|---|
|                           | <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"> <li>The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or</li> <li>The retention of the existing dwelling detracts from the identified future character.</li> </ul> <p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <ul style="list-style-type: none"> <li>Not exceeding the height of the neighbouring significant building;</li> <li>Minimising the visibility of higher sections of the new building; and</li> <li>Setting higher sections back at least the depth of one room from the frontage.</li> </ul> | <p>✓ <b>Principle met</b><br/>No balconies</p> <p><b>N/A</b></p> <p><b>N/A</b><br/>No heritage building on the site or on adjoining land.</p>   |
| <p><b>Site Design</b></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>✓ <b>Principle met</b><br/>Design is responsive to abutting lots.</p> <p>✓ <b>Principle met</b><br/>Large windows are proposed to enable thermal performance and lessen reliance on artificial heating and cooling</p> <p>✓ <b>Principle met</b></p> <p>✓ <b>Principle met</b></p> <p>✓ <b>Principle met</b><br/>Storage areas are provided.</p> |

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ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|  |  |   |
|--|--|---|
|  | Appropriately located suitable facilities to encourage public transport use, cycling and walking.  | <p>✓ <b>Principle met</b><br/>The site is well placed within proximity to public transport.</p>   |
| Materials & Finishes   | <p>Residential development should:</p> <p>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>✓ <b>Principle met</b><br/>The materials proposed are brick, weatherboard cladding, and render with tiled roofing, which are durable and complementary to existing dwellings in the vicinity.</p> <p>✓ <b>Principle met</b><br/>Materials are suited to residential developments.</p> <p>✓ <b>Principle met</b><br/>A mix of materials, finishes and articulates are proposed</p> <p>✓ <b>Principle met</b><br/>The colour palette is of a consistent simple nature</p> <p>✓ <b>Principle met</b><br/>The materials chosen are durable</p> |
| Domestic services normal to a dwelling and Building services | <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"> <li>• Within secluded private open space areas, including balconies; and</li> <li>• Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas.</li> </ul> | <p>✓ <b>Principle met</b></p> <p>✓ <b>Principle met</b></p>   |
| Internal Amenity   | <p>Residential development should:</p> <p>Ensure that dwelling layouts have connectivity between the main living area and private open space.</p>  | <p>✓ <b>Principle met</b></p>   |

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|  |   |   |
|--|---|---|
|  | Be designed to avoid reliance on borrowed light to habitable rooms.   | ✓ <b>Principle met</b><br>Windows are provided to all habitable rooms and would not rely on borrow light. |
|  | Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.               | ✓ <b>Principle met</b>  |
|  | 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. | ✓ <b>Principle met</b>  |

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

|   |  |   |
|---|--|---|
| <b>Preferred housing type</b>             | The preferred housing type for the Incremental Change Area is medium density.  | ✓ <b>Principle met</b><br>The proposal is for rooming houses.   |
| <b>Building Height</b>                    | The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.  | ✓ <b>Principle met</b><br>The proposed development is 2 storey.   |
| <b>Landscaping</b>                        | 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                           | ✓ <b>Principle met</b><br>A landscaping plan can be endorsed. Sufficient areas for landscaping provided on site.  |
| <b>Setbacks, front boundary and width</b> | 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. | ✓ <b>Principle met</b>  |
| <b>Private open space</b>                 | 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.   | ✓ <b>Principle met</b><br>Each building is provided with SPOS areas.  |
| <b>Bulk &amp; Built Form</b>              | Residential development should:<br>Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;                                   | ✓ <b>Principle met</b><br>The design of the development is well articulated and landscaping can include canopy trees at the front, side and rear of the site. |

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ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|  |  |  |
|--|--|--|
|  | <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>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"> <li>• The visual impact of the building bulk does not adversely affect the identified future character of the area;</li> <li>• Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties;</li> <li>• The building bulk does not adversely affect the planting and future growth of canopy trees to maturity;</li> <li>• Sufficient side and rear boundary landscaping can be provided to screen adjoining properties;</li> <li>• Upper storey components are well recessed from adjoining sensitive interfaces.</li> </ul> <p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p> | <p>✓ <b>Principle met</b><br/>Upper levels separation is provided between the existing building and the rear two buildings. No separation is provided between building 2 and 3, however, it is considered acceptable in this instance as the rear two buildings read as one.</p> <p>Upper levels would be tiered where the upper levels would be near the boundaries.</p> <p>✓ <b>Principle met</b><br/>The amenity of the surrounding properties would not be impacted by the proposal. There is no discernible 'spine' of open space at the rear of properties in the area.</p> <p>✓ <b>Principle met</b><br/>Private open spaces of the adjoining properties would not be impacted by the proposal.</p> <p>✓ <b>Principle met</b><br/>The double storey form to the rear of the site is acceptable in this instance given the location of the neighbouring built forms, that there are no overlooking or overshadowing impacts of the proposed buildings and sufficient space is provided for substantial landscaping and canopy trees along the boundaries.</p> <p>✓ <b>Principle met</b><br/>The development would be provided with a mixed of materials and colours and is a high standard</p> |
|--|--|--|

*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.*

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 94 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0275)**

**ATTACHMENT 4**

**CLAUSE 52.06 ASSESSMENT**

**PAGES 6 (including cover)**

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



**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (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.

|                                       |  |  |
|---------------------------------------|--|--|
| <b>Design standard 1 - Accessways</b> | Accessways must: <ul style="list-style-type: none"> <li>• Be at least 3 metres wide.</li> </ul>  | ✓ <b>Standard met</b><br>2 crossovers  |
|                                       | <ul style="list-style-type: none"> <li>• Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.</li> </ul>   | ✓ <b>Standard met</b>  |
|                                       | <ul style="list-style-type: none"> <li>• 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.</li> </ul>   | N/A  |
|                                       | <ul style="list-style-type: none"> <li>• Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.</li> </ul>  | N/A  |
|                                       | <ul style="list-style-type: none"> <li>• 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.</li> </ul>  | ✓ <b>Standard met</b>  |
|                                       | <ul style="list-style-type: none"> <li>• 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.</li> </ul>  | N/A  |
|                                       | <ul style="list-style-type: none"> <li>• 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.</li> </ul> | ✓ <b>Standard met</b><br>A notation has been included on the ground floor plan that all structures within the splay area would be no higher than 0.9m. |
|                                       | 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.  | N/A  |
|                                       | If entry to the car space is from a road, the width of the accessway may include the road.   | N/A  |

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

| <p><b>Design standard 2 – Car parking spaces</b></p> | <p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p><b>Table 2: Minimum dimensions of car parking spaces and accessways</b></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>2.6 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> <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"> <li>• 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.</li> <li>• A structure, which may project into the space if it is at least 2.1 metres above the space.</li> </ul> <p><b>Diagram 1</b> Clearance to car parking spaces</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 | 2.6 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            |                 |                  |          |       |       |       |     |       |       |       |     |       |       |       |     |       |       |       |  |       |       |       |  |       |       |       |  |       |       |       |                       |
| 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   | 2.6 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>                     |                  |                 |                  |          |       |       |       |     |       |       |       |     |       |       |       |     |       |       |       |  |       |       |       |  |       |       |       |  |       |       |       |                       |

ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|  |  |                |
|--|--|----------------|
|  | 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.  | ✓ Standard met |
|  | Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.  | ✓ Standard met |
|  | Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.  | ✓ Standard met |
|  | 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. | ✓ Standard met |

| <b>Design standard 3: Gradients</b> | <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>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>  | ✓ Standard met   |                |               |                  |                   |           |                       |             |                                  |                   |           |                       |           |
|-------------------------------------|---|------------------|----------------|---------------|------------------|-------------------|-----------|-----------------------|-------------|----------------------------------|-------------------|-----------|-----------------------|-----------|
|                                     | <p><b>Table 3: Ramp gradients</b></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%) |
| 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%)        |                |               |                  |                   |           |                       |             |                                  |                   |           |                       |           |

ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|  |   |     |
|--|---|-----|
| <b>Design standard 4: Mechanical parking</b> | Mechanical parking may be used to meet the car parking requirement provided:  | N/A |
|  | <ul style="list-style-type: none"> <li>At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.</li> </ul>  | N/A |
|  | <ul style="list-style-type: none"> <li>Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation.</li> <li>The design and operation is to the satisfaction of the responsible authority.</li> </ul> | N/A |

|  |   |  |
|--|---|--|
| <b>Design standard 5: Urban design</b> | Ground level car parking, garage doors and accessways must not visually dominate public space.  | <p>✓ <b>Standard met</b></p> <p>The car parking would not dominate the street.</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>✓ <b>Standard met</b></p> <p>Car parking is integrated with the design of the buildings and would not be visually dominating.</p> |
|  | Design of car parks must take into account their use as entry points to the site.   | <p>✓ <b>Standard met</b></p> <p>Proposed car parks are appropriate.</p>  |
|  | Design of new internal streets in developments must maximise on street parking opportunities.   | <p>✓ <b>Standard met</b></p>   |

|                                  |   |   |
|----------------------------------|---|---|
| <b>Design standard 6: Safety</b> | Car parking must be well lit and clearly signed.  | <p>✓ <b>Standard met</b></p> <p>Security lighting provided</p>  |
|                                  | The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.   | <p>✓ <b>Standard met</b></p> <p>The car spaces have natural surveillance from habitable room windows from the ground floors as well as from the first floor habitable room windows.</p> |
|                                  | Pedestrian access to car parking areas from the street must be convenient.  | <p>✓ <b>Standard met</b></p> <p>Access to the car parking areas would be convenient from the street.</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>✓ <b>Standard met</b></p> <p>Entries are clearly visible and separated from the driveway.</p>  |

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                                       |  |  |
|---------------------------------------|--|--|
| <b>Design standard 7: Landscaping</b> | The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.   | <p>✓ <b>Standard met</b><br/>Landscaping plan provided</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>✓ <b>Standard met</b></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>✓ <b>Standard met</b></p>                               |

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 94 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0275)**

**ATTACHMENT 5**

**CLAUSE 55 ASSESSMENT**

**PAGES 25 (including cover)**

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

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

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

**Clause 55.02-1 Neighbourhood character objectives**

|                            |  |   |
|----------------------------|--|---|
| <b>Standard B1</b>         | The design response must be appropriate to the neighbourhood and the site.   | <p>✓ <b>Standard met</b></p> <p>The proposed double storey form is considered appropriate for the site considering the followings:</p> <ul style="list-style-type: none"> <li>• The land is within a General Residential Zone.</li> <li>• Existing buildings on the site and neighbouring lots are double storey</li> </ul> |
| <b>Decision Guidelines</b> | The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.   | <p>✓ <b>Standard met</b></p> <p>The proposal is considered appropriate to the existing and preferred neighbourhood character of the area as mentioned above.</p>  |
| <b>Objectives</b>          | <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The neighbourhood and site description.</p> <p>The design response.</p> <p>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p> | <p>✓ <b>Objective met</b></p>   |

**Clause 55.02-2 Residential policy objectives**

|                            |   |  |
|----------------------------|---|--|
| <b>Standard B2</b>         | 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 SPPF and the LPPF, including the MSS and local planning policies. | <p>✓ <b>Standard met</b></p> <p>Proposal is consistent with relevant policies – 22.09 assessment below</p> <p>The application was accompanied by a written assessment of the proposal against the relevant PPF and Local Policies.</p> |
| <b>Decision Guidelines</b> | <p>The SPPF and the LPPF including the MSS and local planning policies.</p> <p>The design response.</p>   |  |
| <b>Objectives</b>          | To ensure that residential development is provided in accordance with any policy for housing in the SFFP and the LPPF, including the MSS and local planning policies.   | <p>✓ <b>Objective met</b></p>  |
|                            | 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.*



**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Clause 55.02-3 Dwelling diversity objective**

|                    |  |                              |
|--------------------|--|------------------------------|
| <b>Standard B3</b> | Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> <li>• Dwellings with a different number of bedrooms.</li> <li>• At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul> | ✓ <b>Standard met</b><br>N/A |
| <b>Objective</b>   | To encourage a range of dwellings sizes and types in developments of ten or more dwellings.  | ✓ <b>Objective met</b>       |

**Clause 55.02-4 Infrastructure objectives**

|                            |   |  |
|----------------------------|---|--|
| <b>Standard B4</b>         | Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.<br><br>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.<br><br>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. | ✓ <b>Standard met</b><br>Site is located in an established residential area<br><br>✓ <b>Standard met</b><br>The proposal would provide landscaping to assist with water runoff as to not overload the existing infrastructure.<br><br>✓ <b>Standard met</b><br>No upgrading to services required |
| <b>Decision Guidelines</b> | The capacity of the existing infrastructure.<br><br>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.<br><br>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.   |  |
| <b>Objectives</b>          | To ensure development is provided with appropriate utility services and infrastructure.<br><br>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.  | ✓ <b>Objective met</b>   |

**Clause 55.02-5 Integration with the street objective**

|                    |   |   |
|--------------------|---|---|
| <b>Standard B5</b> | Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. | ✓ <b>Standard met</b><br>The development would have adequate link between the car spaces and buildings. |
|--------------------|---|---|

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                            |  |   |
|----------------------------|--|---|
|                            | Developments should be oriented to front existing and proposed streets.                                  | ✓ <b>Standard met</b><br>The buildings are orientated to the street/ front of the site and are easily identifiable from the street. |
|                            | High fencing in front of dwellings should be avoided if practicable.                                     | ✓ <b>Standard met</b><br>No front fence   |
|                            | Development next to existing public open space should be laid out to complement the open space.          | N/A   |
| <b>Decision Guidelines</b> | Any relevant urban design objective, policy or statement set out in this scheme.<br>The design response. |   |
| <b>Objective</b>           | To integrate the layout of development with the street.  | ✓ <b>Objective met</b>  |

**Clause 55.03-1 Street setback objective**

| <b>Standard B6</b>   | <p>Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone:</p> <p><b>RGZ:</b> 5 metres or as per Table B1, whichever is the lesser.</p> <p><b>URZ:</b> 7.5 metres or as per Table B1, whichever is the lesser.</p> <p><b>NRZ:</b> As per Table B1.</p> <p>Table B1 Street setback</p> <table border="1"> <thead> <tr> <th>Development context</th> <th>Minimum setback from front street (metres)</th> <th>Minimum setback from a side street (metres)</th> </tr> </thead> <tbody> <tr> <td>There is an existing building on one abutting allotment facing the street, and the site is not on a corner.</td> <td>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.</td> <td>Not applicable</td> </tr> <tr> <td>There is an existing building on one abutting allotment facing the street and no existing building on the adjoining allotment facing the same street, and the site is not on a corner.</td> <td>The same distance as the setback of the front wall of the existing building on the adjoining allotment facing the front street or 9 metres, whichever is the lesser.</td> <td>Not applicable</td> </tr> <tr> <td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td> <td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td> <td>Not applicable</td> </tr> </tbody> </table> | Development context                         | Minimum setback from front street (metres) | Minimum setback from a side street (metres) | There is an existing building on one abutting allotment facing the 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 street and no existing building on the adjoining 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 adjoining 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 | <p>✓ <b>Standard met</b><br/>N/A no change</p> |
|--|---|---|--|---|---|--|----------------|--|--|----------------|---|--|----------------|--|
| Development context  | Minimum setback from front street (metres)  | Minimum setback from a side street (metres) |  |   |   |  |                |  |  |                |   |  |                |  |
| There is an existing building on one abutting allotment facing the 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 street and no existing building on the adjoining 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 adjoining 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                              |  |   |   |  |                |  |  |                |   |  |                |  |

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|  |  |  |  |
|--|--|--|--|
|  | <p>The site is on a corner.</p>  | <p>If there is a building on the front wall of a new development, facing the side street of a corner site should be setback at least the same distance as the front wall of the existing building on the abutting street or 9 metres, whichever is the lesser.</p> <p>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.</p> <p>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.</p> |  |
| <p><b>Decision Guidelines</b></p>                      | <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p> <p>The value of retaining vegetation within the front setback.</p> |  |  |
| <p><b>Objective</b></p>                                | <p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>  |  | <p>✓ <b>Objective met</b></p>                            |
| <p><b>Clause 55.03-2 Building height objective</b></p> |  |  |  |
| <p><b>Standard B7</b></p>                              | <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><b>RGZ: 13.5 metres <u>discretionary</u> maximum (refer Clause 32.07-8 for details)</b></p> <p><b>GRZ: 11 metres / 3 storeys <u>mandatory</u> maximum (refer Clause 32.08-9)</b></p> <p><b>NRZ: 9 metres / 2 storeys <u>mandatory</u> maximum (refer Clause 32.09-9)</b></p>          |  | <p>✓ <b>Standard met</b></p> <p>Maximum height 7.47m</p> |

ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                                   |  |  |
|-----------------------------------|--|--|
|                                   | <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>N/A</p>   |
| <p><b>Decision Guidelines</b></p> | <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> | <p>✓ <b>Standard met</b></p> <p>The proposed first floors would be generally recessed from the ground floors to provide a transition of single storey element to the surrounding developments.</p> |
| <p><b>Objective</b></p>           |  | <p>✓ <b>Objective met</b></p>  |

**Clause 55.03-3 Site coverage objective**

|                                   |  |  |
|-----------------------------------|--|--|
| <p><b>Standard B8</b></p>         | <p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> <li>The maximum site coverage specified in a schedule to the zone, or</li> <li>If no maximum site coverage is specified in a schedule to the zone, 60 per cent.</li> </ul> <p><b>RGZ1: 70%</b><br/> <b>RGZ2: 70%</b><br/> <b>RGZ3: 70%</b><br/> <b>GRZ1: 60% (none specified)</b><br/> <b>GRZ2: 60% (none specified)</b><br/> <b>NRZ1: 50%</b></p> | <p>✓ <b>Standard met</b></p> <p>Proposed site coverage is 39.34%</p> |
| <p><b>Decision Guidelines</b></p> | <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p>   |  |

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|  |  |   |
|--|--|---|
|  | <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>   |   |
| <b>Objective</b>                                     | <p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>   | <p>✓ <b>Objective met</b></p>   |
| <p><b>Clause 55.03-4 Permeability objectives</b></p> |  |   |
| <b>Standard B9</b>                                   | <p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> <li>The minimum areas specified in a schedule to the zone, or</li> <li>If no minimum is specified in a schedule to the zone, 20 per cent of the site.</li> </ul> <p><b>RGZ1: 20%</b><br/> <b>RGZ2: 20% (none specified)</b><br/> <b>RGZ3: 20% (none specified)</b><br/> <b>GRZ1: 30%</b><br/> <b>GRZ2: 20% (none specified)</b><br/> <b>NRZ1: 40%</b></p> | <p>✓ <b>Standard met</b><br/>                 Proposed permeability is 37.29%</p> |
| <b>Decision Guidelines</b>                           | <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>  |   |
| <b>Objectives</b>                                    | <p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>  | <p>✓ <b>Objective met</b></p>   |

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Clause 55.03-5 Energy efficiency objectives**

|                                   |   |   |
|-----------------------------------|---|---|
| <p><b>Standard B10</b></p>        | <p>Buildings should be:</p> <ul style="list-style-type: none"> <li>• Oriented to make appropriate use of solar energy.</li> <li>• Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> <li>• Sited and designed to ensure that the performance of existing rooftop solar energy systems on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.</li> </ul> | <p>✓ <b>Standard met</b><br/>The proposed secluded private open spaces and living areas are on the northern sides.</p> <p>The energy efficiency of existing dwellings on adjoining properties would not be unreasonably reduced.</p> <p>Shadow diagrams show that shadow will not be cast on neighbouring solar panels.</p> |
|                                   | <p>Living areas and private open space should be located on the north side of the development, if practicable.</p>  | <p>✓ <b>Standard met</b><br/>The proposed secluded private open spaces and living areas would have appropriate solar access.</p>  |
|                                   | <p>Developments should be designed so that solar access to north-facing windows is maximised.</p>   | <p>✓ <b>Standard met</b></p>  |
| <p><b>Decision Guidelines</b></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>The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.</p> <p>Whether the existing rooftop solar energy system on an adjoining lot is appropriately located. The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.</p>              |   |
| <p><b>Objectives</b></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>✓ <b>Objective met</b></p>   |

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Clause 55.03-6 Open space objective**

|                            |  |   |
|----------------------------|--|---|
| <b>Standard B11</b>        | <p>If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> <li>• Be substantially fronted by dwellings, where appropriate.</li> <li>• Provide outlook for as many dwellings as practicable.</li> <li>• Be designed to protect any natural features on the site.</li> <li>• Be accessible and useable.</li> </ul> | <p>N/A</p> <p>The site does not adjoin a public open space.</p> |
| <b>Decision Guidelines</b> | <p>Any relevant plan or policy for open space in the SPPF and the LPPF, including the MSS and local planning policies.</p> <p>The design response.</p>   |   |
| <b>Objective</b>           | To integrate the layout of development with any public and communal open space provided in or adjacent to the development.   | ✓ <b>Objective met</b>  |

**Clause 55.03-7 Safety objective**

|                            |  |  |
|----------------------------|--|--|
| <b>Standard B12</b>        | <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>✓ <b>Standard met</b></p> <p>Entrances are visible from the street/ shared driveway.</p> <p>✓ <b>Standard met</b></p> <p>Planting along accessways would not reduce visibility.</p> <p>✓ <b>Standard met</b></p> <p>Security lighting provided</p> <p>✓ <b>Standard met</b></p> |
| <b>Decision Guidelines</b> | The design response.   |  |
| <b>Objectives</b>          | To ensure the layout of development provides for the safety and security of residents and property.  | ✓ <b>Objective met</b>   |



**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Clause 55.03-8 Landscaping objectives**

|                                   |  |  |
|-----------------------------------|--|--|
| <p><b>Standard B13</b></p>        | <p>The landscape layout and design should:</p> <ul style="list-style-type: none"> <li>• Protect any predominant landscape features of the neighbourhood.</li> <li>• Take into account the soil type and drainage patterns of the site.</li> <li>• Allow for intended vegetation growth and structural protection of buildings.</li> <li>• In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>• Provide a safe, attractive and functional environment for residents.</li> </ul> | <p>✓ <b>Standard met</b><br/>Landscape plan provided – no vegetation on site</p> |
|                                   | <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p>  | <p>✓ <b>Standard met</b><br/>Landscape plan provided – no vegetation on site</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>✓ <b>Standard met</b><br/>No significant trees removed in last 12mths</p>     |
|                                   | <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p>   | <p>✓ <b>Standard met</b><br/>Landscape plan provided – no vegetation on site</p> |
|                                   | <p>Development should meet any additional landscape requirements specified in a schedule to the zone.<br/><b>All schedules to all residential zones:</b><br/><b>“70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees.”</b></p>  | <p>✓ <b>Standard met</b><br/>Landscape plan provided – no vegetation on site</p> |
| <p><b>Decision Guidelines</b></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>  |  |

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|   |  |  |
|---|--|--|
| <p><b>Objectives</b></p>                      | <p>Whether a tree was removed to gain a development advantage.<br/>                 To encourage development that respects the landscape character of the neighbourhood.<br/>                 To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.<br/>                 To provide appropriate landscaping.<br/>                 To encourage the retention of mature vegetation on the site.</p>   | <p>✓ <b>Objective met</b></p>  |
| <p><b>Clause 55.03-9 Access objective</b></p> |  |  |
| <p><b>Standard B14</b></p>                    | <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> <li>• 33 per cent of the street frontage, or</li> <li>• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> </ul> <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>✓ <b>Standard met</b><br/>                 No change to the existing number of crossovers provided to the site proposed.</p> <p>✓ <b>Standard met</b></p> <p>✓ <b>Standard met</b><br/>                 On street parking is not impacted.</p> <p><b>N/A</b></p> <p>✓ <b>Standard met</b><br/>                 The proposed accessway is adequate in size for service, emergency and delivery vehicles.</p> |
| <p><b>Decision Guidelines</b></p>             | <p>The design response.<br/>                 The impact on neighbourhood character.<br/>                 The reduction of on-street car parking spaces.<br/>                 The effect on any significant vegetation on the site and footpath.</p>  |  |
| <p><b>Objectives</b></p>                      | <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>   | <p>✓ <b>Objective met</b></p>  |

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

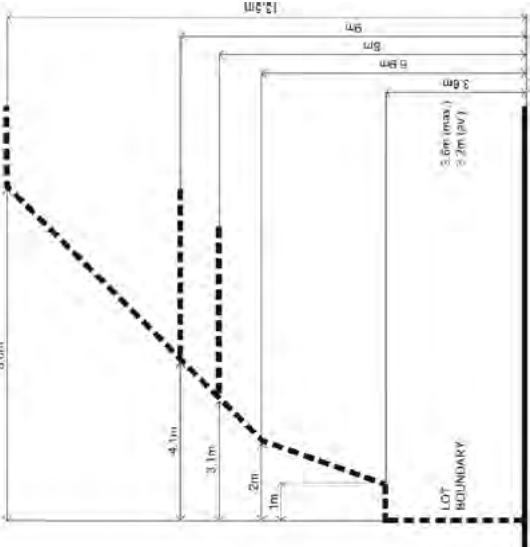
**Clause 55.03-10 Parking location objectives**

|                                   |   |   |
|-----------------------------------|---|---|
| <p><b>Standard B15</b></p>        | <p>Car parking facilities should:</p> <ul style="list-style-type: none"> <li>• Be reasonably close and convenient to dwellings and residential buildings.</li> <li>• Be secure.</li> <li>• Be well ventilated if enclosed.</li> </ul> <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>✓ <b>Standard met</b></p> <p>Parking spaces are located adjacent to the entries.</p> |
| <p><b>Decision Guidelines</b></p> | <p>The design response.</p>   | <p>✓ <b>Standard met</b></p>  |
| <p><b>Objectives</b></p>          | <p>To provide convenient parking for residents and visitors vehicles.<br/>To protect residents from vehicular noise within developments.</p>  | <p>✓ <b>Objective met</b></p>   |

**Clause 55.04-1 Side and rear setbacks objective**

|                            |  |   |
|----------------------------|--|---|
| <p><b>Standard B17</b></p> | <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"> <li>• At least the distance specified in a schedule to the zone, or<br/><b>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."</b></li> <li>• 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.</li> </ul> | <p>✓ <b>Standard met</b></p> <p>All side and rear setbacks comply with the standards.</p> |
|----------------------------|--|---|

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                                   |   |  |
|-----------------------------------|---|--|
|                                   | <p><b>Diagram B1 Side and rear setbacks</b></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>✓ <b>Standard met</b><br/>                 There are no encroachments more than 0.5m into the setback area.</p> <p>✓ <b>Standard met</b><br/>                 There are no landings that encroach into the setback standard more than 2sqm and 1m high.</p> |
| <p><b>Decision Guidelines</b></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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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

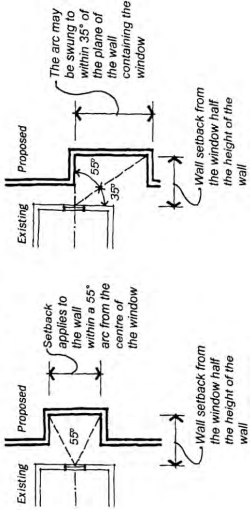
|   |   |                        |
|---|---|------------------------|
| <b>Objectives</b>                                   | To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.  | ✓ <b>Objective met</b> |
| <b>Clause 55.04-2 Walls on boundaries objective</b> |   |                        |
| <b>Standard B18</b>                                 | <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"> <li>• For a length of more than the distance specified in the schedule to the zone; or</li> <li>• If no distance is specified in a schedule to the zone, for a length of more than:                             <ul style="list-style-type: none"> <li>- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>- 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.</li> </ul> </li> </ul> <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> | N/A                    |
|   | A building on a boundary includes a building set back up to 200mm from a boundary.  | N/A                    |
|   | 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.   | N/A                    |
| <b>Decision Guidelines</b>                          | <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>   |                        |

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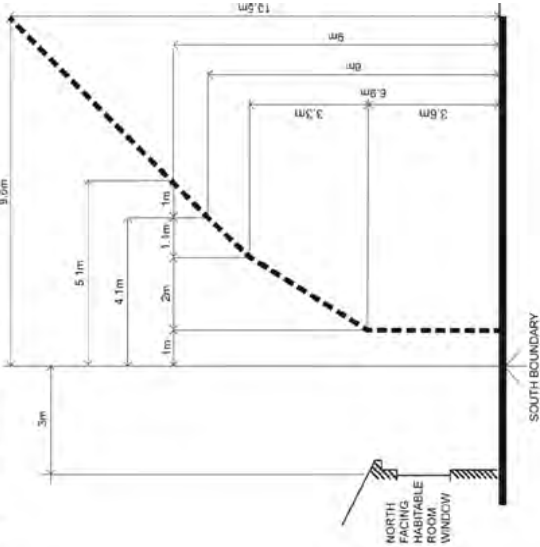
**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                   |   |
|-------------------|---|
|                   | <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> |
| <b>Objectives</b> | <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>✓ <b>Objective met</b></p>   |

**Clause 55.04-3 Daylight to existing windows objective**

|                            |   |
|----------------------------|---|
| <p><b>Standard B19</b></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>Diagram B2 Daylight to existing windows</p>  |
|                            | <p>✓ <b>Standard met</b><br/>Light courts of habitable room windows on the adjoining properties would not be impacted by the proposal.</p> <p>✓ <b>Standard met</b><br/>Existing habitable room windows on adjoining properties would not be impacted by the proposal.</p>  |
| <b>Decision</b>            | <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>The design response.</p>   |

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|   |  |   |
|---|--|---|
| <p><b>Guidelines</b></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.<br/>The impact on the amenity of existing dwellings.</p>   |   |
| <p><b>Objective</b></p>                                     | <p>To allow adequate daylight into existing habitable room windows.</p>  | <p>✓ <b>Objective met</b></p>   |
| <p><b>Clause 55.04-4 North-facing windows objective</b></p> |  |   |
| <p><b>Standard B20</b></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>✓ <b>Standard met</b><br/>The proposal provides adequate setbacks from the southern boundary to ensure there is no significant increased overshadowing on any northern facing adjoining habitable room windows..</p> |
|   | <p><b>Diagram B3 North-facing windows</b></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>  |   |



**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                            |   |                      |
|----------------------------|---|----------------------|
|                            |   |                      |
| <b>Decision Guidelines</b> | <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> | <b>Objective met</b> |

**Clause 55.04-5 Overshadowing open space objective**

|                            |   |  |
|----------------------------|---|--|
| <b>Standard B21</b>        | <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>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><b>Standard met</b></p> <p>The proposed development has provided reasonable setbacks from neighbouring dwellings to the sides and rear. No significant overshadowing of neighbouring secluded private open space will occur. The applicant has provided overshadowing diagrams to indicate compliance.</p> <p><b>Standard met</b></p> |
| <b>Decision Guidelines</b> | <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>      | <b>Objective met</b>   |

**Clause 55.04-6 Overlooking objective**

|                     |  |  |
|---------------------|--|--|
| <b>Standard B22</b> | <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,</p> | <p><b>Standard met</b></p> <p>Privacy screens provided to the first floor bedroom windows.</p> |
|---------------------|--|--|

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|   |  |   |
|---|--|---|
|   | <p>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><b>Diagram B4 Overlooking open space</b></p> | <p>No other overlooking<br/>Boundary fences are sufficient in height.</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"> <li>• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</li> <li>• Have sill heights of at least 1.7 metres above floor level.</li> <li>• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</li> </ul> <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>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> <li>• Perforated panels or trellis with a maximum of 25 per cent</li> </ul> | <p>✓ <b>Standard met</b></p> <p>✓ <b>Standard met</b></p> <p><b>N/A</b></p>  |   |

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                            |  |                               |
|----------------------------|--|-------------------------------|
|                            | <p>openings or solid translucent panels.</p> <ul style="list-style-type: none"> <li>• Permanent, fixed and durable.</li> <li>• Designed and coloured to blend in with the development.</li> </ul> <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>✓ <b>Standard met</b></p>  |
| <b>Decision Guidelines</b> | <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>✓ <b>Objective met</b></p> |

**Clause 55.04-7 Internal views objective**

|                            |  |                               |
|----------------------------|--|-------------------------------|
| <b>Standard B23</b>        | <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>The design response.</p> | <p>✓ <b>Standard met</b></p>  |
| <b>Decision Guidelines</b> |  |                               |
| <b>Objective</b>           | <p>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>   | <p>✓ <b>Objective met</b></p> |

**Clause 55.04-8 Noise impacts objectives**

|                     |  |   |
|---------------------|--|---|
| <b>Standard B24</b> | <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>✓ <b>Standard met</b><br/>No noise sources apparent.</p> <p>✓ <b>Standard met</b><br/>No noise sources apparent.</p> |
|---------------------|--|---|

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|                            |   |                        |
|----------------------------|---|------------------------|
|                            | Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms. | N/A                    |
| <b>Decision Guidelines</b> | The design response.  |                        |
| <b>Objectives</b>          | To contain noise sources within development that may affect existing dwellings.<br>To protect residents from external noise.                    | ✓ <b>Objective met</b> |

**Clause 55.05-1 Accessibility objective**

|                     |  |  |
|---------------------|--|--|
| <b>Standard B25</b> | 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. | ✓ <b>Standard met</b><br>The floor levels proposed are not excessive high and could be accessible to people with limited mobility. |
| <b>Objective</b>    | To encourage the consideration of the needs of people with limited mobility in the design of developments.   | ✓ <b>Objective met</b>   |

**Clause 55.05-2 Dwelling entry objective**

|                     |   |   |
|---------------------|---|---|
| <b>Standard B26</b> | Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> <li>• Be visible and easily identifiable from streets and other public areas.</li> <li>• Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul> | ✓ <b>Standard met</b><br>Entries would be visible from the street/ shared driveway. |
| <b>Objective</b>    | To provide each dwelling or residential building with its own sense of identity.  | ✓ <b>Objective met</b>  |

**Clause 55.05-3 Daylight to new windows objective**

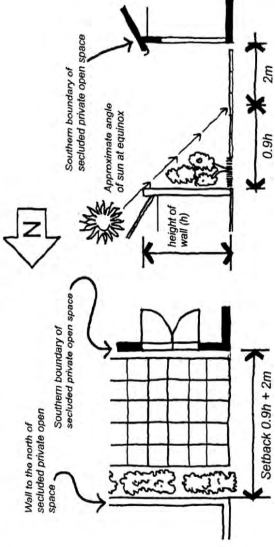
|                     |   |  |
|---------------------|---|--|
| <b>Standard B27</b> | A window in a habitable room should be located to face: <ul style="list-style-type: none"> <li>• An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</li> <li>• A verandah provided it is open for at least on third of its perimeter, or</li> <li>• A carport provided it has two or more open sides and is open for at least on third of its perimeter.</li> </ul> | ✓ <b>Standard met</b><br>Each habitable room window would face an outdoor space. |
| <b>Decision</b>     | The design response.  |  |

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**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|  |  |   |
|--|--|---|
| <b>Guidelines</b>                                  | Whether there are other windows in the habitable room which have access to daylight.   |   |
| <b>Objective</b>                                   | To allow adequate daylight into new habitable room windows.  | ✓ <b>Objective met</b>  |
| <b>Clause 55.05-4 Private open space objective</b> |  |   |
| <b>Standard B28</b>                                | <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><b>GRZ1: "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</b></p> <p><b>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."</b></p>   | <p>✓ <b>Standard met</b></p> <p>The buildings are provided with ground level areas of SPOS Rooming house 1: Total approx. 56.1sqm SPOS with 39.08sqm having a min dimension of 5m.<br/>                 Rooming house 2: Total approx. 93sqm SPOS with 39.07sqm having a min dimension of 5m.<br/>                 Rooming house 3: Total approx. 67.8sqm SPOS with 30.9sqm having a min dimension of 5m.</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"> <li>• 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</li> <li>• A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>• A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul> <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p> | N/A   |
| <b>Decision Guidelines</b>                         | <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>  |   |

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|  |   |  |
|--|---|--|
| <p><b>Objective</b></p>  | <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>                         | <p><b>✓ Objective met</b><br/>The proposal provides three private open space areas on site, each exceeding the minimum standard set by Standard B28 in Clause 55.05-4 (Private open space). In addition, the site is located within 200 metres of the newly upgraded and well-appointed Dandenong Park. It is considered that the proposal provides for the adequate service and recreation needs of residents given that the proposal meets the standard set by the Greater Dandenong Planning Scheme and is located in close proximity to a large area of public open space.</p> |
| <p><b>Clause 55.05-5 Solar access to open space objective</b></p>  |   |  |
| <p><b>Standard B29</b></p>   | <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p>          | <p><b>✓ Standard met</b><br/>The SPOS areas for building 1 and 2 are on the north. The SPOS area for building 3 is in the south west corner, however, the space has direct access to north for more than half of the area.</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 <math>(2 + 0.9h)</math> metres, where 'h' is the height of the wall.<br/>Diagram B5 Solar access to open space</p> |   | <p><b>✓ Standard met</b></p>   |
| <p><b>Decision Guidelines</b></p>  | <p>The design response.<br/>The usability and amenity of the secluded private open space based on the sunlight it will receive.</p> |  |

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|   |  |  |
|---|--|--|
| <b>Objective</b>                              | To allow solar access into the secluded private open space of new dwellings and residential buildings.   | ✓ <b>Objective met</b>   |
| <b>Clause 55.05-6 Storage objective</b>       |  |  |
| <b>Standard B30</b>                           | Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.   | ✓ <b>Standard met</b><br>Storage areas provided.   |
| <b>Objective</b>                              | To provide adequate storage facilities for each dwelling.  | ✓ <b>Objective met</b>   |
| <b>Clause 55.06-1 Design detail objective</b> |  |  |
| <b>Standard B31</b>                           | <p>The design of buildings, including:</p> <ul style="list-style-type: none"> <li>• Façade articulation and detailing,</li> <li>• Window and door proportions,</li> <li>• Roof form, and</li> <li>• Verandahs, eaves and parapets,</li> </ul> <p>should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <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>✓ <b>Standard met</b></p> <p>The proposal offers a respectful design that is in the preferred neighbourhood character. The materials, finishes, and colours of the dwellings are muted earthy tones.</p> <p>✓ <b>Standard met</b></p> |
| <b>Decision Guidelines</b>                    |  |  |
| <b>Objective</b>                              | To encourage design detail that respects the existing or preferred neighbourhood character.  | ✓ <b>Objective met</b>   |
| <b>Clause 55.06-2 Front fences objective</b>  |  |  |
| <b>Standard B32</b>                           | The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.  | N/A no front fence   |

ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

|   | <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> <li>The maximum height specified in a schedule to the zone, or</li> </ul> <p><b>All schedules to all residential zones:</b></p> <p><b>“Maximum 1.5 metre height in streets in Road Zone Category 1</b></p> <p><b>1.2 metre maximum height for other streets”</b></p> <ul style="list-style-type: none"> <li>If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.</li> </ul> <p>Table B3 Maximum front fence height</p> <table border="1" data-bbox="422 1057 518 1624"> <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>N/A</p> |
|---|---|--|----------------------------|------------------------------------|----------|---------------|------------|------------|
| Street Context  | Maximum front fence height  |  |                            |                                    |          |               |            |            |
| Streets in a Road Zone, Category 1                      | 2 metres  |  |                            |                                    |          |               |            |            |
| Other streets   | 1.5 metres  |  |                            |                                    |          |               |            |            |
| <p><b>Decision Guidelines</b></p>                       | <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>   |  |                            |                                    |          |               |            |            |
| <p><b>Objective</b></p>                                 |   | <p>✓ <b>Objective met</b></p>  |                            |                                    |          |               |            |            |
| <p><b>Clause 55.06-3 Common property objectives</b></p> |   |  |                            |                                    |          |               |            |            |
| <p><b>Standard B33</b></p>                              | <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>✓ <b>Standard met</b><br/>Appropriate fencing has been including to delineate private areas.</p> <p>✓ <b>Standard met</b></p> |                            |                                    |          |               |            |            |
| <p><b>Objectives</b></p>                                | <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>  | <p>✓ <b>Objective met</b></p>  |                            |                                    |          |               |            |            |



ORDINARY COUNCIL MEETING - AGENDA

**2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)**

**Clause 55.06-4 Site services objectives**

|                            |  |   |
|----------------------------|--|---|
| <b>Standard B34</b>        | 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>✓ <b>Standard met with conditions</b><br/>It is considered that the provision of one clothesline per rooming house is inadequate for the number of occupants proposed. Therefore, a permit condition can be included to require two clothes lines per rooming house.</p> |
|                            | Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.   | <p>✓ <b>Standard met</b><br/>Mailboxes have been annotated.</p>   |
|                            | Bin and recycling enclosures should be located for convenient access by residents.   | <p>✓ <b>Standard met</b><br/>The buildings have access to the street from the bin storage area.</p>   |
|                            | Mailboxes should be provided and located for convenient access as required by Australia Post.  | <p>✓ <b>Standard met</b><br/>Mailboxes have been annotated along the front boundary and would be easily accessible by Australia Post.</p>   |
| <b>Decision Guidelines</b> | The design response.   |   |
| <b>Objectives</b>          | To ensure that site services can be installed and easily maintained.<br>To ensure that site facilities are accessible, adequate and attractive.  | <p>✓ <b>Objective met</b></p>   |

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## 2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276)

|                      |   |
|----------------------|---|
| File Id:             | 310890  |
| Responsible Officer: | Director City Planning Design & Amenity   |
| Attachments:         | Assessed Plans<br>Location of objectors<br>Clause 22.09 Assessment<br>Clause 52.06 Assessment<br>Clause 55 Assessment |

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### Application Summary

|            |  |
|------------|--|
| Applicant: | Associated Town Planning Consultants   |
| Proposal:  | Use and development of the land for a rooming house (one (1) new rooming house to the rear of an existing rooming house) |
| Zone:      | General Residential Zone Schedule 1  |
| Overlay:   | Nil  |
| Ward:      | Dandenong  |

This application has been brought before the Council because it has received six (6) objections.

The application proposes the use and development of the land for a rooming house consisting of one (1) new rooming house to the rear of the existing rooming house.

A planning permit is required;

- pursuant to Clause 32.08-2 (GRZ) of the Greater Dandenong Planning Scheme for the use of land for a rooming house, and
- pursuant to Clause 32.08-6 (GRZ) of the Greater Dandenong Planning Scheme for construction or extension of a residential building.

### 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:

- Safety for surrounding residents
- Management of tenants/ Management of the site

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

- Waste management
- Landscaping
- Visual bulk
- Noise
- Access and parking
- Fire exits
- Overdevelopment
- Over-use of the building
- Overlooking
- Overshadowing
- Regular inspections for Council or Department of Health
- Asbestos removal
- Inadequacies of Cultural Heritage Management Plan
- Inadequate size of kitchen/meal areas; secluded private open space areas and laundries.
- Potential hazards created by internal layout of bedroom and bathroom doors.

**Assessment Summary**

The proposed use is considered reasonable given that this proposal will provide much needed additional low-cost housing options for the community and is appropriately located within a General Residential Zone, on the periphery of the Dandenong Activity Centre close to public transport and services. In addition, the site will operate under a management plan, endorsed and enforceable under the planning permit, to manage daily operations of the rooming house. The development is considered to be respectful of the neighbourhood character by providing sufficient setbacks from the side and rear boundaries to allow for a reasonable level of landscaping to occur. The use of varying building materials and finishes to the external walls and staggered setbacks provides a level of articulation breaking up the visual appearance of built form when viewed from the streetscape and adjoining residential properties.

**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 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.

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**Subject Site and Surrounds**

**Subject Site**

The subject site is a rectangular shaped allotment located on the south/western side of Langhorne Street within the residential area of Dandenong.

- The lot has a frontage of 14.63 metres to Langhorne Street and depth of 50.29 metres, yielding an overall site area of 735.74 square metres;
- The site is currently developed with a double storey residential building sited on the front (north/east) portion of the land;
- The building is currently used as a rooming house containing nine (9) bedrooms;
- Car parking areas are provided to the front and rear of the site on unformalized gravel areas;
- Access to the site is via two (2) crossovers from Langhorne Street;
- The site is devoid of any vegetation.

**Surrounding Area**

The surrounding area is zoned General Residential Zone Schedule 1:

- Existing residential buildings within the area consist of a mixture of single and double storey in height with multi dwelling developments being a prominent fixture of the streetscape.
- Dandenong Activity Centre is located approximately 600 metres to the north/west of the subject site.
- The site directly adjoining the subject site to the north/west is also the subject of a current Planning Application and Council Report (PLN20/0275 – 94 Langhorne Street) by the same applicant for the use and development of the land for rooming houses (two (2) new rooming houses to the rear of an existing rooming house).



**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

Locality Plan



**Background**

**Previous Applications**

A search of Council records revealed the following planning applications have been considered for the subject site.

- Application PLN18/0189 for use and development of the land for four (4) rooming houses (at 94-96 Langhorne Street, Dandenong) was submitted on 9 April 2019 and withdrawn on 30 May 2019.

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**Proposal**

The application proposes the use and development of the land for a rooming house (one (1) new rooming house to the rear of an existing rooming house).

The existing double storey (9 room) rooming house at the front of the site is to be retained and one (1) new double storey rooming house is proposed to the rear of the site.

The proposed building will contain:

- An entry: 3 bedrooms each with ensuite and refrigerators; a laundry; kitchen and living area to the ground floor. The first floor will contain 4 additional bedrooms again each with ensuite and refrigerators. A secluded private open space (SPOS) area is provided at ground level accessed via the living area with an area of 30sqm.

Access to the site is via the two (2) existing crossovers; one providing access to a disabled parking space; and the second providing access to three (3) car spaces centrally located on the site.

The proposed building will have a maximum overall building height of 7.61 metres and constructed from a mixture of weatherboard, render and brick with pitched tiled roofs.

The following boundary setbacks are proposed:

| Setbacks              | North/west (side) | North/East (Front) | South/east (side) | South/West (rear) |
|-----------------------|-------------------|--------------------|-------------------|-------------------|
| Ground Floor setbacks | 1.2m              | N/A                | 1.5m              | 1.825m            |
| First Floor setbacks  | 1.8m              | N/A                | 2.5m              | 3m                |

Maximum of one (1) person per bedroom is proposed to be accommodated on site.

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

**Victorian Charter of Human Rights and Responsibilities**

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

**Financial Implications**

No financial resources are impacted by this report.

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

### **Planning Scheme and Policy Frameworks**

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

- Pursuant to Clause 32.08-2 for the use of a rooming house; and
- Pursuant to Clause 32.08-6 for the construction or extension of a residential building

The relevant controls and policies are as follows:

#### **Zoning Controls**

The subject site is located in a General Residential Zone Schedule 1, 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 32.08-2 a permit is required for the use of a rooming house as the proposal fails to meet the list of exemptions specified under Clause 52.23-2, specifically the total floor area of all buildings on the land which exceeds 300 square metres.

A permit is also required pursuant to clause 32.08-6 for buildings and works as the proposal fails to meet the list of exemptions specified under Clause 52.23-2, specifically the number of bedrooms on the land exceeds 9 and the total floor area of all buildings on the land exceeds 300 square metres.

#### **Overlay Controls**

No overlays affect the subject site or surrounding area.

#### **State Planning Policy Framework**

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

*(a) To provide for the fair, orderly, economic and sustainable use, and development of land.*

*(b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*



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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

*(c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

*(d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

*(e) To protect public utilities and other facilities for the benefit of the community.*

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

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

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

**Clause 11 Settlement** 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** 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, functional and provide good quality environments with a sense of place and cultural identity.
- To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.
- To encourage land use and development that is consistent with the efficient use of energy and the minimisation of 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.



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### 2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)

**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.

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 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:

*“Greater Dandenong’s neighbours are the Cities of Casey to the east, Frankston to the south, Kingston to the west, and Monash and Knox to the north. Greater Dandenong is bounded by the Dandenong Creek, Princes Highway, South Gippsland Freeway, Westernport Highway to the east, Thompsons Road to the south, Mornington Peninsula Freeway, Springvale Road, Tootal Road, Heatherton Road and Westall Road to the west and Police Road to the north.*

*It is a city that has at its doorstep the magnificent Dandenong Ranges and large areas of flora and fauna. Greater Dandenong has extensive areas of open space and includes several areas of significant ecological value, wetlands and remnant woodlands and grassland communities. The creeks and waterways that traverse the city, together with its many areas of historical, aboriginal and vegetative significance, afford the city a composition of diverse environments.”*

A **Vision for Greater Dandenong** is outlined at **Clause 21.03**. Of which the following is of relevance to the proposed development; *“A city renowned for its inclusiveness and admired for its cosmopolitan and multicultural lifestyle; a city where a range of arts activities are promoted and different cultures are celebrated as much as tradition and history are celebrated”*.

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 Clause 21.04 Land use; Clause 21.05 Built Form and Clause 21.07 Infrastructure and Transportation

- **Clause 21.04 Land Use** is relevant particularly **Clause 21.04-1 Housing and Community** which states *“Social Issues – Appropriate and affordable housing that suits diverse needs is critical to maintaining a healthy and balanced socio-economic society”*. The following objective

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

*is also of relevance: "To encourage and facilitate a wide range of housing types and styles which increase diversity and cater for the changing needs of households."*

- **Clause 21.05 Built Form** is relevant to the proposal, in particular **Clause 21.05-1 Urban design, character, streetscapes and landscapes** of which the following objectives are relevant; 1 *"To facilitate high quality building design and architecture;* 2. *To facilitate high quality development, which has regard for the surrounding environment and built form;* 6. *To ensure that design of the public and private environment supports accessibility and healthy living;* 7. *To protect and improve streetscapes;* and 8. *To ensure landscaping that enhances the built environment"*
- **Clause 21.07 Infrastructure and Transportation, Clause 21.07-1 Physical, Community and Cultural Infrastructure** is of relevance to the proposal in particular Objective 2. Which seeks *"To manage the impact of discharge of stormwater to minimise pollution and flooding"*. Clause 21.07-2 Public transport is of relevance with objective 1 seeking *"To increase the use of public transport"* along with Clause 21.07-3 Walking and cycling, the objective of which is *"To promote and facilitate walking and cycling"*. Clause 21.07-4 Cars and Parking needs to be considered with objectives 1 *"To promote significant modal shift away from the car"* and 2 *"To protect residential and other sensitive uses from adverse impacts of vehicular traffic"* of relevance to the proposal.

**Clause 22.09 – Residential Development and Neighbourhood character** is relevant to the proposal which *"provides guidance to manage the evolution of residential neighbourhood character throughout Greater Dandenong into the future. It responds to state and metropolitan planning policy regarding urban form and housing, while respecting valued characteristics of residential neighbourhoods. Based on the City of Greater Dandenong Neighbourhood Character Study (September 2007), the Municipal Strategic Statement divides the residential areas of Greater Dandenong into three 'Future Change Areas': Substantial, Incremental and Limited. This policy identifies the rationale, existing character, identified future character and design principles for each of these areas. The design principles in this policy provide guidance to achieve high quality design and amenity outcomes for all new residential development"*.

**Particular Provisions**

**Clause 52.06 Car Parking** needs to be considered under the current application. The purposes of this provision are:

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

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

The table at Clause 52.06-5 sets out the car parking requirement that applies to the use of land as follows:

| Use           | Rate                              |
|---------------|-----------------------------------|
| Rooming House | One (1) to each four (4) bedrooms |

The proposal meets the required car parking rate with no wavier sought.

An application must meet the Design standards for car parking included at Clause 52.06-8.

*An assessment against this clause is included as Attachment 4.*

**Clause 52.23 Rooming House** is relevant to the proposal. The purpose of which is “*To facilitate the establishment of domestic-scale rooming houses*”.

As mention previously under the General Residential Zone; Pursuant to Clause 32.08-2 a permit is required for the use of a rooming house as the proposal fails to meet the list of exemptions specified under Clause 52.23-2, specifically the total floor area of all buildings on the land which exceeds 300 square metres;

A permit is also required pursuant to clause 32.08-6 for buildings and works as the proposal fails to meet the list of exemptions specified under Clause 52.23-2, specifically the number of bedrooms on the land exceeds 9 and the total floor area of all buildings on the land exceeds 300 square metres.

**Clause 55 Two or more dwellings on a lot and residential buildings** also needs to be considered under the current application. The purposes of this provision 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*

*An assessment against Clause 55 is included as Attachment 5.*

**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.

**Proposed Planning Scheme Amendments**

Nil

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**Restrictive Covenants**

The subject site is not affected by any restrictive covenants.

**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 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.

**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.

| <b>Department</b>   | <b>Response</b>  |
|---------------------|--|
| Asset Planning      | No objection   |
| Civil Planning      | No objection subject to standard conditions relating to drainage.  |
| Transport           | No objection subject to conditions relating to site lines at the vehicular access points.                                      |
| Health              | No objection, subject to conditions that the operator make appropriate applications under the Public Health and Wellbeing Act. |
| Planning Compliance | No objection.  |

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|                    |   |
|--------------------|---|
| Waste              | No objection, subject to conditions requiring the Waste Management Plan to be amended. See condition 5.   |
| Community Services | No objection. <ul style="list-style-type: none"><li>• <i>There is a large need in the municipality for quality affordable single room accommodation and a <b>compliant well-managed rooming</b> house addresses the shortage of affordable accommodation options for those with limited income.</i></li></ul> |

### **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 land.
- Placing a sign on site facing Langhorne Street.

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**

A consultative meeting was not held due to the restrictions associated with the COVID-19 pandemic.

### **Summary of Grounds of Submissions/Objections**

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

#### **Safety for surrounding residents**

*The proposed use is a residential use and is located within a residential area. The development proposes an acceptable level of passive surveillance to the street and to the common accessway and car parking area. Entrances to the buildings are clearly visible from the street and common accessway. Antisocial behaviour and drug and alcohol use in public streets is a matter for the Victoria Police and cannot be controlled by the Planning and Environment Act 1987.*

*It cannot be presumed that the residents of rooming houses will be criminal, anti-social or undesirable any more than such a presumption can be made in the proposed development of any other dwelling, in any other part of the municipality.*

*A recent review of Council's records has revealed that there have been no recent complaints in relation to behaviour/safety issues since the construction of the existing 9 bedroom room house on site.*

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**Management of tenants/ Management of the site**

*The applicant has submitted a management plan outlining house rules relating to keeping the site clean and tidy, rubbish disposal, use of clothes wash facilities, dedicated manager and maximum occupant numbers. Permit conditions can require the use to operate in accordance with the endorsed management plan.*

*It is also recommended that a full-time manager must be present on site at all times. This will ensure neighbours and residents on site always have a physical contact point. This person can either manage 94 and 96 Langhorne Street separately or both addresses combined. A Section 173 Agreement between Council and the owner of the site will clarify all relevant operational details in relation to the manager onsite (condition 8). Conditions 1.1.4 and 1.2 will require amended plans to physically show the location of the managers lodgements on the floor plans.*

**Waste management**

*The application was referred internally to Councils Waste Management Team who have advised that the Waste Management Plan is acceptable, subject to conditions requiring amendments (see condition 5). The waste bin storage areas are shown to be located within the rear secluded private open space of each rooming house. Permit conditions can require the Management Plan to be updated to include detail of who is responsible for taking the bins to the kerb on collection day and returning them to their storage area after collection (see condition 1.1.5).*

**Landscaping**

*The applicant has provided a landscape plan which suitably provides an appropriate level of landscaping throughout the site consistent with the neighbourhood character.*

**Noise**

*Residential noise is regulated by the Environment Protection (Residential Noise) Regulations 2018.*

**Access and parking**

*The proposal complies with Clause 52.06 (Car parking) of the Greater Dandenong Planning Scheme. Clause 52.06 requires 4 car parking spaces. 4 have been provided. Access to the site is considered reasonable, providing 2 crossovers with visibility lines for safe entry and exit of the site.*

**Fire exits**

*There are two entry/ exit points to the buildings at ground level. Fire safety requirements form part of the Building Act and will be considered as part of the Building Permit Stage.*

**Visual bulk, Overdevelopment**

*The size and scale of the development is consistent with the preferred neighbourhood character set out in Clause 22.09 and complies with objectives of Clause 55 (two or more dwellings and residential buildings) of the Greater Dandenong Planning Scheme (see Clause 22.09 and Clause 55 assessments below).*



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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**Over- use of building**

*The applicant has proposed a maximum of 16 occupants on the site. This is considered reasonable given the number of bedrooms provided (16). Permit conditions can ensure that there are no more than 16 occupants on site at any one time (see condition 9). The proposal complies with the car parking requirements in Clause 52.06 of the Greater Dandenong Planning Scheme. The applicant has proposed a management plan to outline the operation and management of the use.*

**Overlooking**

*All first floor habitable (bedroom) windows are provided with fixed obscure screening to prevent overlooking into neighbouring properties in compliance with Clause 55.*

**Overshadowing**

*The extent of shadowing to the neighbouring properties as a result of the development is reasonable and complies with the objectives and standards of Clause 55 in relation to overshadowing, daylight to existing windows and solar access to north facing windows. The proposal will not cast shadow on existing solar panels on neighbouring lots.*

**Regular inspections for Council or Department of Health**

*Council's normal processes and procedures will apply for enforcement of the Greater Dandenong Planning Scheme and the Public Health and Wellbeing Act.*

**Asbestos removal**

*Asbestos removal and disposal is governed by the Occupational Health and Safety Regulations 2017.*

**Inadequacies of Cultural Heritage Management Plan**

*The submitted Cultural Heritage Management Plan has been approved under the Aboriginal Heritage Act 2006.*

**Inadequate size of kitchen/meals areas, secluded private open space areas and laundries.**

*An appropriate amount of Secluded Private Open Space has been provided for each rooming house to provide for outdoor living. Residential buildings, including rooming houses, are required to meet the objectives in Clause 55.05-4 (Private Open Space) of the Greater Dandenong Planning Scheme. The proposal provides two private open space areas on site, each which meet or exceed the minimum standard set by Standard B28 in Clause 55.05-4 (Private open space). In addition, the site is located within 200 metres of the newly upgraded and well-appointed Dandenong Park. It is considered that the proposal provides for the adequate service and recreation needs of residents given that the proposal meets the standard set by the Greater Dandenong Planning Scheme and is located in close proximity to a large area of public open space.*



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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

*Laundry rooms have been provided within each rooming house. Each area is considered adequate to provide clothes washing facilities. Only one clothes line has been provided per rooming house, which is considered inadequate given the number of occupants of each rooming house. Permit conditions can require an additional clothesline per rooming house (see condition 1.4).*

*The Greater Dandenong Planning Scheme does not require a minimum size for the shared kitchen, living and dining areas, however, it is considered that these spaces are adequate in size given the number of occupants within each rooming house. In addition, each bedroom is provided with a sink and refrigerator, providing additional food preparation areas within each room. See further commentary in the paragraph titled "Other matters" in the Assessment section of this report.*

**Potential hazards created by internal layout of bedroom and bathroom doors.**

*Internal placement of doors is not considered to cause hazard given the small number of occupants within each rooming house.*

**Assessment**

**Use**

State planning policies at Clause 16.01 (Residential Development) of the Greater Dandenong Planning Scheme seeks to achieve a range of housing types, including rooming houses, to meet diverse needs of the community, in well-serviced locations. In addition, Clause 16.01-2S seeks to improve housing affordability by increasing choice in housing type, tenure and cost and Clause 15.01-4R seeks 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.

The proposal directly responds to these policies by providing additional low-cost housing options on the periphery of the Dandenong Activity Centre, within a 20 minute walk of the Dandenong Activity Centre and Dandenong Train Station.

The purpose of the General Residential Zone is (among other things) *to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

The proposed use is residential in nature and is consistent with the residential zoning of the land. As mentioned, the site is on the periphery of the Dandenong Activity Centre, providing good access to transport and services. Therefore, it is considered that the proposed use is appropriate for the site.

The scale and intensity of the use is considered appropriate for the following reasons:

- Approximately 195 square metres of private open space is provided for recreation and service needs of residents.
- A maximum of 16 occupants is proposed for the site. This is consistent with the number of bedrooms provided (one occupant per bedroom). Permit conditions can ensure that there are no more than 16 occupants on site at any one time (see condition 9).
- A management plan has been provided to outline operation of the rooming house, including rules for clothes washing facilities, tidiness of the common areas, emergency contact procedures

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### 2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)

and management of waste. Permit conditions can require implementation and compliance with the management plan (see condition 7).

- The proposal meets the car parking requirements of Clause 52.06 of the Greater Dandenong Planning Scheme.

#### **Development**

##### State and Local Planning Policy Framework

The design of the rooming houses is considered appropriate as it supports an increase in diverse low-cost accommodation, located close to services, jobs and public transport. This is supported by **Clause 16.01-2S (Housing affordability)** and **Clause 16.01-1S (Housing Supply)**. This style of accommodation offers housing choice, to support the diverse needs of the community.

Clause 22.09 (Residential Development & Neighbourhood Character Policy) identifies existing character, preferred future character and provides design principles across three 'future change areas': Substantial, Incremental and Limited.

The subject site forms part of the 'incremental change area'. The 'identified future character' outlined under Clause 22.09-3.3 states the following:

*'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. Future density will be at a lower intensity than in Substantial Change Areas, but a higher intensity than in Limited Change Areas.'*

*'Residential development 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 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.'*

Design principles for the incremental change area are set out at Clause 22.09-3.3. The proposal meets the design principles set out at Clause 22.09-3.3; Maximum of two storeys is proposed, ground level living is provided and a significant amount of space is provided for boundary landscaping and canopy trees. The double storey form to the rear of the site is acceptable for the following reasons;

- The neighbouring site to the south east has private open space areas on the boundary. However, the proposed upper storey built form is well setback from this boundary (2.5- 3 metres), is well articulated through the use of varied forms and materials and has adequate space for landscaping to soften the appearance of the built form;
- The built form on the neighbouring site to the south west occupies the entirety of the boundary, except for a small area of secluded private open space in the westernmost corner. The proposed double storey form is well setback from this secluded private open space;
- The neighbouring site to the north west is currently a rooming house, which is proposed to be developed for rooming houses, under application PLN20/0275 concurrently being assessed by Council;

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

- There are no overlooking or overshadowing impacts of the proposed buildings; and
- Sufficient space is provided for substantial landscaping and canopy trees along the boundaries.

With regard to the above preferred character, it is considered the proposal delivers on the objectives of clauses **15.01 (Urban Environment)** and **21.05-1 (Built Form)**, which require development to respond to urban design, character, streetscape and landscape issues. The development includes adequate side and rear setbacks for landscaping opportunities, a strong design theme that reinforces the residential nature of the area and the incorporation of other measures to minimise visual impacts and amenity concerns.

The proposal's consistency with the identified future character and preferred built form also means that it is in accordance with **Clause 21.05-1 (Urban design, character, streetscapes and landscapes)** and **Clause (21.04-1 Housing and community)**, which reinforce the expectation for development to achieve high quality outcomes that has regard for the surrounding environment and built form.

Clause 32.08 General Residential Zone (Schedule 1)

Pursuant to Clause 32.08-4, the proposal must provide at least 35% of the lot set aside for garden area. The proposal provides 35.3% of the site as garden area.

Pursuant to Clause 32.08-10, the proposal must not exceed 11 metres and 3 storeys. The proposal is a maximum height of 7.6metres and 2 storeys.

Pursuant to Clause 32.08-6, the development must meet the requirements of Clause 55. The proposal meets all of the objectives and standards in Clause 55, except for the following, which can be met via permit conditions;

- Clause 55.06-4 (Site services) Standard B34.

Objective:

- *To ensure that site services can be installed and easily maintained.*
- *To ensure that site facilities are accessible, adequate and attractive.*

The standard requires the design and layout to provide sufficient space and facilities for services to be installed and maintained efficiently and economically. It is considered that the provision of one clothesline per rooming house is inadequate for the number of occupants proposed. Therefore, a permit condition can be included to require two clothes lines per rooming house (see condition 1.3).

*An assessment against Clause 55 is included as Attachment 5.*

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

Clause 52.06 Car Parking

Car parking for the proposal has been provided on site with a total of four (4) car spaces; consisting of one (1) car space located at the northern front corner of the site separately accessed via an individual single crossover and three (3) car spaces internally located centrally on the site accessed via a shared crossover from Langhorne Street.

The number of car spaces provided on the site complies with the requirement under Clause 52.06-5 for a rooming house which specifies the requirement of one (1) space to each four (4) bedrooms.

The parking spaces are located adjacent to the entries of the proposed buildings and are well screened from the street.

The application has been assessed against the design standards of Clause 52.06-8 as per the table attached to this report and is considered to comply with all of the design standards.

*An assessment against Clause 52.06 is included as Attachment 4.*

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

The appropriateness of the proposal is further demonstrated by its compliance with **Clause 55 (Two or more dwellings on a lot and Residential buildings)**, which seeks to ensure residential development respects the existing or preferred neighbourhood character while also providing reasonable standards of amenity for new and existing residents.

The dwellings are required to meet the objectives of all of Clause 55 except Clause 55.07-1 to 55.07-15 (inclusive).

The proposal complies with all relevant objectives and standards of Clause 55 except for the following, which can be met via permit conditions;

- Clause 55.06-4 (Site services) Standard B34.

Objective:

- *To ensure that site services can be installed and easily maintained.*
- *To ensure that site facilities are accessible, adequate and attractive.*

The standard requires the design and layout to provide sufficient space and facilities for services to be installed and maintained efficiently and economically. It is considered that the provision of one clothesline per rooming house is inadequate for the number of occupants proposed. Therefore, a permit condition can be included to require two clothes lines per rooming house (see condition 1.4).

*An assessment against Clause 55 is included as Attachment 5.*

Waste Management

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

The applicant has submitted a Waste Management Plan stipulating a private waste collection arrangement. Council's Waste Department has provided a response stating no objection, subject to amendments requiring the plan to nominate collection through Council kerbside waste collection, and nominate a larger recycling bin size. The Waste Management Plan includes diagrams to show the location of bin storage and collection. These locations should also be notated on the site plan. Permit condition can require bin storage and collection areas to be noted on the site plan, and for bin storage locations to be externally accessible (see condition 1.3). Permit conditions can also be included to ensure that there is a nominated person responsible for taking bins out on collection day and returning them to their storage location after collection (see condition 1.1.5).

Environmentally Sustainable Design

Clause 22.06 of the Greater Dandenong Planning Scheme sets out environmentally sustainable design standards and requires certain development to be accompanied by information which demonstrates how the policy objective will be achieved. This does not apply to accommodation (other than dwellings) with a gross floor area less than 1000 square metres. In this case, the development has a gross floor area less than 1000 square metres and therefore, this policy does not apply. However, it is considered that the proposal meets the objectives and standards of Clause 55 in relation to energy efficiency by providing north facing living areas where possible, maximising solar access to north facing windows and ensuring that energy efficiency of dwellings on adjoining lots is not unreasonably reduced.

Other matters**COMMON AREAS:**

Each building is provided with shared kitchen/living/dining areas;

- Rooming house 1 (occupied by a maximum of 9 residents) has a shared kitchen/living/dining area of 24 square metres (6 metres x 4 metres).
- Rooming house 2 (occupied by a maximum of 7 residents) has a shared kitchen/living/dining area of 15.3 square metres (4.3 metres x 3.5 metres)

While the planning scheme does not require a minimum size for the shared kitchen, living and dining areas, it is considered that these spaces are adequate in size given the number of occupants within each rooming house. In addition, each bedroom is provided with a sink and refrigerator, providing additional food preparation areas within each room. Furthermore, an appropriate amount of Secluded Private Open Space has been provided for each rooming house to provide for outdoor living.

Residential buildings, including rooming houses, are required to meet the objectives in Clause 55.05-4 (Private Open Space) of the Greater Dandenong Planning Scheme. The proposal provides two private open space areas on site, each meeting or exceeding the minimum standard set by Standard B28 in Clause 55.05-4 (Private open space). In addition, the site is located within 200 metres of the newly upgraded and well-appointed Dandenong Park. It is considered that the proposal provides for the adequate service and recreation needs of residents given that the proposal meets the standard set by the Greater Dandenong Planning Scheme and is located in close proximity to a large area of public open space.

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**INTENSITY OF USE:**

- Rooming house 1 will have no more than 9 residents accommodated; and
- Rooming house 2 will have no more than 7 residents accommodated;

The above conditions will see an intensity of land use not inconsistent with those of multi-unit developments adjacent to and nearby the application site.

**Conclusion**

The proposed use is considered reasonable given that this proposal will provide much needed additional low-cost housing options for the community and is appropriately located within a General Residential Zone, on the periphery of the Dandenong Activity Centre close to public transport and services. In addition, the site will operate under a management plan, endorsed and enforceable under the planning permit, to manage daily operations of the rooming house. The development is considered an appropriate design response in terms of visual bulk, height, setbacks, private open space, car parking and landscaping with minimum amenity impacts on the adjoining residential properties and surrounding area. The site provides adequate car parking on site, well setback from property boundaries and screened from the adjoining sites a 7A, 9, and 9A Wedge Street by extensive landscaping.

The application has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the Planning Policy Framework, Local Policies, and Municipal Strategic Statement as set out in this assessment. It is considered that the application complies with these policies and it is therefore recommended that the proposal is approved. While it is acknowledged the topic of rooming houses can be a very emotive one and that debate on this topic will invariably make reference to badly run (or even illegal) rooming houses, that emotional content cannot be universally applied or used to justify the refusal of such an application. This particular proposal has been carefully and thoroughly assessed and found to be highly compliant with and in the areas of both policy and the technical expectations/ requirements of the Greater Dandenong Planning Scheme.

**Recommendation**

**That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 96 Langhorne Street, Dandenong, for the purpose of use and development of the land for a rooming house (one (1) new rooming house to the rear of an existing rooming house) 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 generally in accordance with the plans submitted and assessed with the application but modified to show:**
  - 1.1. **The house rules/management plan amended to show the following:**



**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

- 1.1.1. To restrict maximum occupant numbers on the site to 1 person per bedroom.
  - 1.1.2. To include procedures for lodgement of complaint or any other matter arising from the use of the site.
  - 1.1.3. To require the telephone number of a site manager to be circulated to residents, neighbours and displayed on the front entry door.
  - 1.1.4. To require the site manager to be located onsite and contactable full time. Plans must also reflect a physical location onsite in which the onsite manager will reside.
  - 1.1.5. To specify who will be responsible for taking bins to the kerb on collection day and returning them to their storage area after collection.
- 1.2. The location within the building that the site manager will reside. This must not be within any communal area.
  - 1.3. The location of the waste bin storage areas and collection points to be shown on the site plan. Each storage area must be externally accessible.
  - 1.4. Two clothes lines to each rooming house.

To the satisfaction of the Responsible Authority.

- 2. 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.
- 3. Except with the prior written consent of the Responsible Authority, the approved use must not commence; and the land must not be occupied until all buildings, works and conditions of this permit have been complied with.
- 4. Landscaping in accordance with the endorsed landscaping plan and schedule must be completed before the building is occupied.  
The provisions, recommendations and requirements of the landscape plan must be implemented and complied with to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
- 5. Prior to the commencement of use, an amended Waste Management Plan must be submitted to and approved by the Responsible Authority. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan submitted with the application, but modified to show:



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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

- 5.1. Waste generation rates in line with the Sustainability Victoria- Better Practice Guide for Multi-Unit Developments;**
- 5.2. Recycle bins nominated as 360 Litre; and**
- 5.3. Council kerbside collection.**

**To the satisfaction of the Responsible Authority.**

- 6. Waste Management must be in accordance with the endorsed Waste Management Plan.**
- 7. The use must operate in accordance with the endorsed house rules/management plan, except with the further written consent of the Responsible Authority.**
- 8. Prior to the endorsement of plans, the owner must enter into an agreement under section 173 of the Planning and Environment Act 1987 with the Responsible Authority to provide for the following:**
  - (1) The telephone number/s with 24hour access to the operator/manager of the rooming houses must be displayed on the front entry door and circulated to residents and neighbours. The phone number/s displayed and circulated must be kept updated.**
  - (2) A fulltime onsite manager must be physically present on site and contactable at all times. This person can either manage the boarding houses at 94 and 96 Langhorne Street, Dandenong separately or both addresses combined. There must at all times be an onsite manager for both properties.**

**The owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).**
- 9. Except with the prior written consent of the Responsible Authority, there must be no more than one (1) occupant per bedroom.**
- 10. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 11. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority.**
- 12. 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.**
- 13. 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.**

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

14. **Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
15. **Before the approved building is occupied, the development must be provided with external lighting capable of illuminating access to each 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.**
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. All glazing must at all times be maintained to the satisfaction of the Responsible Authority.**
17. **Before the approved building is 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.**
18. **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.**
19. **This permit will expire if one of the following circumstances applies:**
  - 19.1. **the development or any stage of it does not start within two (2) years of the date of this permit, or**
  - 19.2. **The development or any stage of it is not completed within four (4) years of the date of this permit.**
  - 19.3. **The use does not start within one (1) year of the completion of the development, or**
  - 19.4. **The use is discontinued for a period of two (2) years.**

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

**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.**

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)****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 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.**
- **Application for Approval of Plans must be lodged with Council's Public Health Department.**
- **Application for Registration under the Public Health & Wellbeing Act must be lodged with Council's Public Health Unit.**
- **Approval of registration under Public Health & Wellbeing Act is subject to final inspection.**
- **Rooming House Operator Licence must be obtained through CAV – Public Register – rooming house operator**

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 96 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0276)**

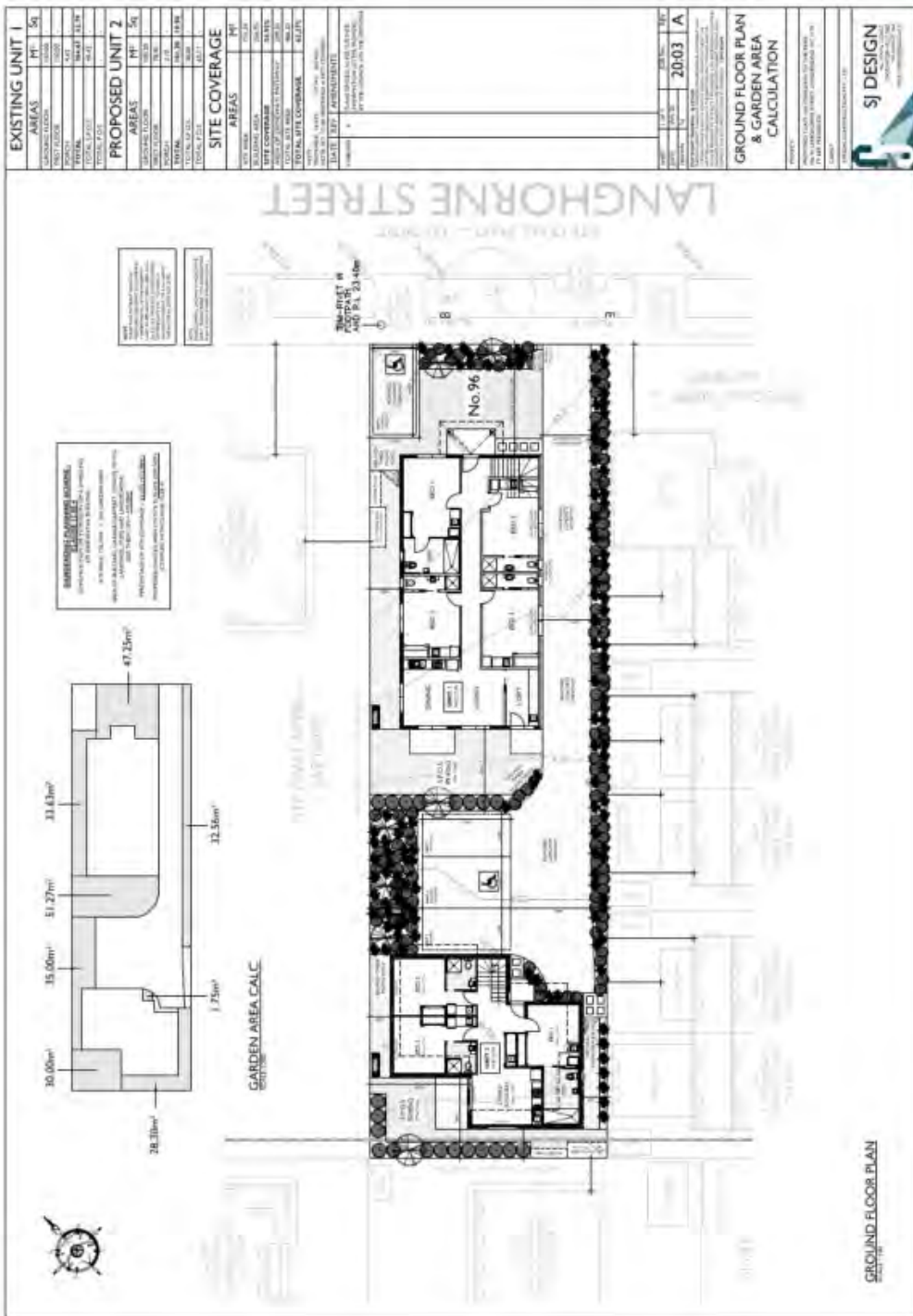
**ATTACHMENT 1**

**ASSESSED PLANS**

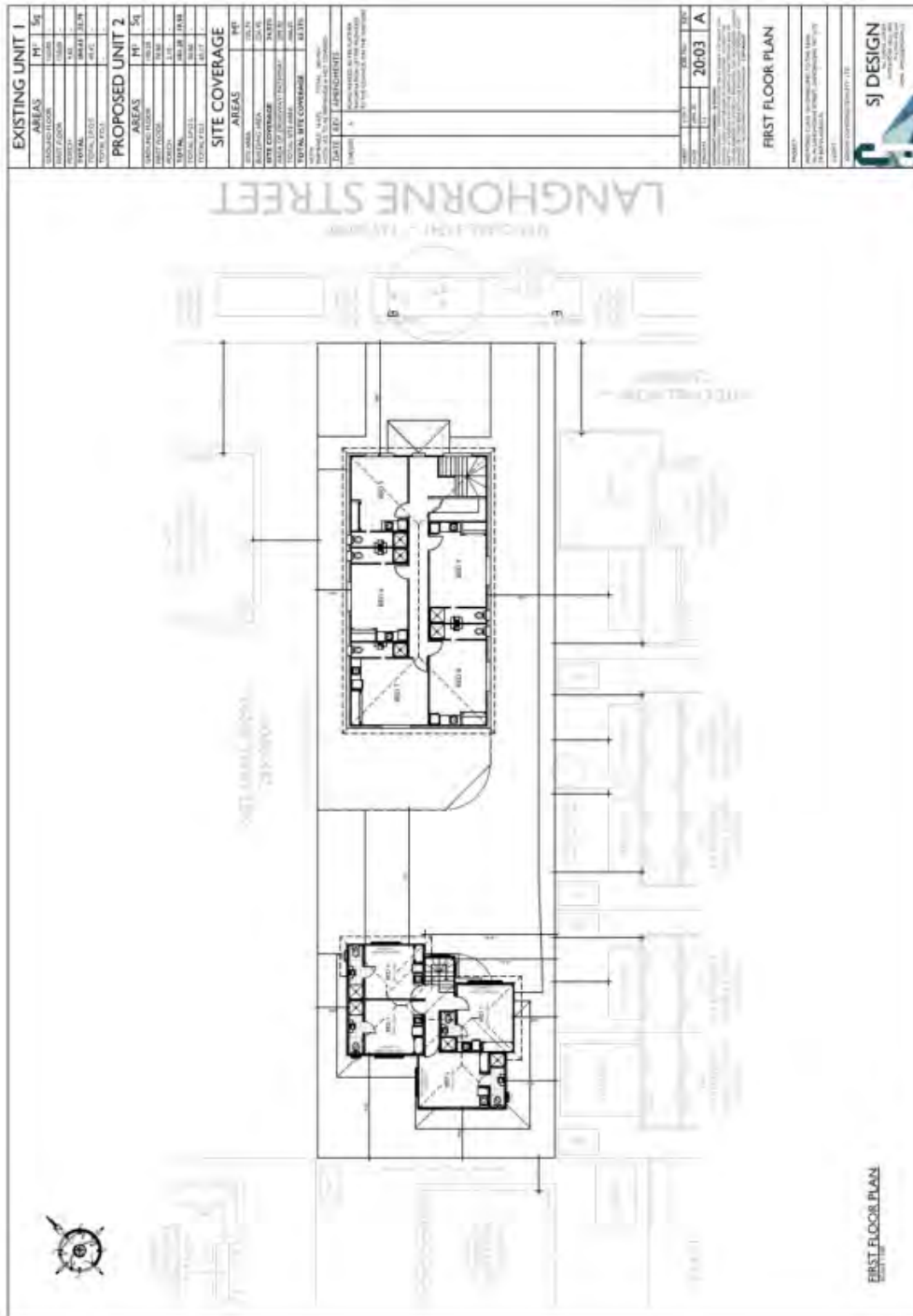
**PAGES 9 (including cover)**

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

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**



**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**



| EXISTING UNIT 1   |                | PROPOSED UNIT 2   |                |
|-------------------|----------------|-------------------|----------------|
| AREAS             | M <sup>2</sup> | AREAS             | M <sup>2</sup> |
| RESIDENTIAL FLOOR | 1500           | RESIDENTIAL FLOOR | 1500           |
| ROOF FLOOR        | 1500           | ROOF FLOOR        | 1500           |
| STAIRS            | 1500           | STAIRS            | 1500           |
| TOTAL             | 4500           | TOTAL             | 4500           |
| TOTAL FLOOR       | 4500           | TOTAL FLOOR       | 4500           |
| TOTAL ROOF        | 4500           | TOTAL ROOF        | 4500           |
| TOTAL AREA        | 9000           | TOTAL AREA        | 9000           |

| SITE COVERAGE     |                |
|-------------------|----------------|
| AREAS             | M <sup>2</sup> |
| RESIDENTIAL FLOOR | 1500           |
| ROOF FLOOR        | 1500           |
| STAIRS            | 1500           |
| TOTAL             | 4500           |
| TOTAL FLOOR       | 4500           |
| TOTAL ROOF        | 4500           |
| TOTAL AREA        | 9000           |

| DATE / ETC / EMPLOYMENT |          |
|-------------------------|----------|
| DATE                    | 20-03-20 |
| ETC                     | A        |
| EMPLOYMENT              |          |

FIRST FLOOR PLAN

**SJ DESIGN**  
 ARCHITECTS  
 1/111 Dandenong Road  
 Dandenong VIC 3175  
 PH: 03 9594 1111  
 WWW.SJDESIGN.COM.AU

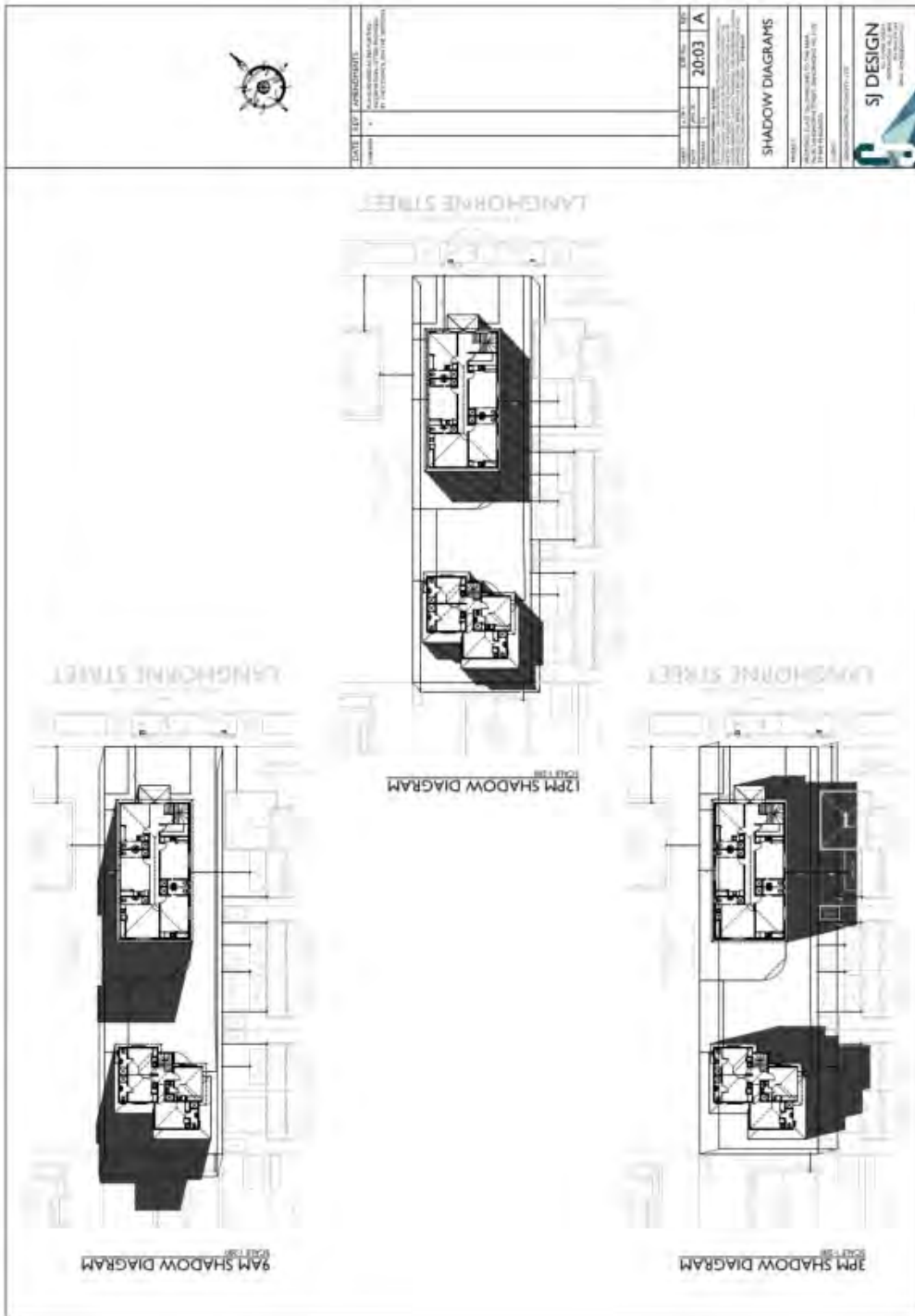
ORDINARY COUNCIL MEETING - AGENDA

2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)

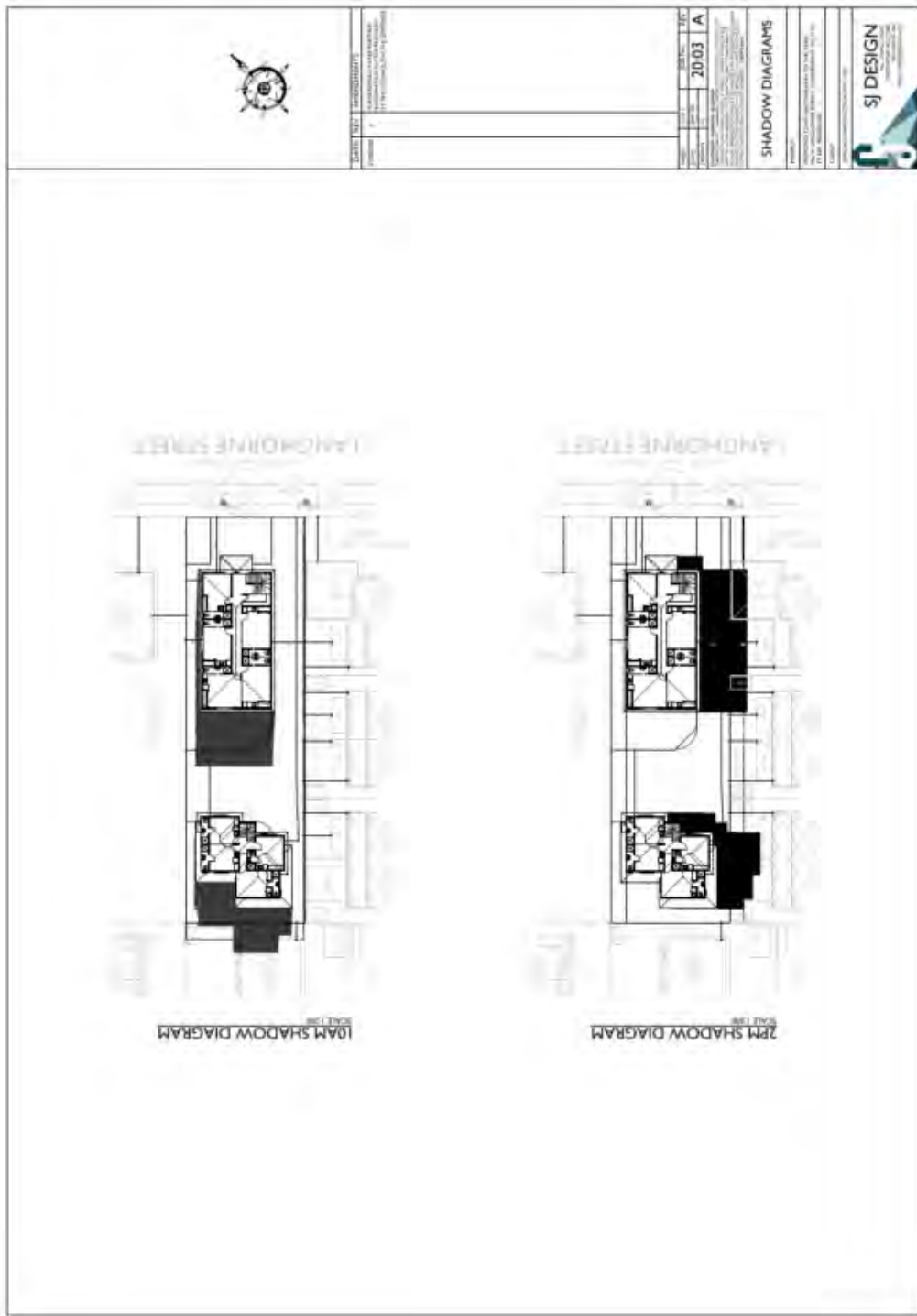
| BUILDING MATERIAL & FINISHES SCHEDULE  |
|--|
| <ul style="list-style-type: none"> <li>■ GROUND FLOOR WALLS</li> <li>■ FIRST FLOOR WALLS</li> <li>■ ROOF</li> <li>■ FLOORING</li> <li>■ PAINT</li> <li>■ GLASS</li> <li>■ METALS</li> <li>■ FINISHES</li> <li>■ FENCES</li> <li>■ SIGNAGE</li> <li>■ LIGHTING</li> <li>■ LANDSCAPE</li> <li>■ PLANTING</li> <li>■ FURNITURE</li> <li>■ APPLIANCES</li> <li>■ BATHS</li> <li>■ TOILETS</li> <li>■ KITCHENS</li> <li>■ STAIRS</li> <li>■ BALCONIES</li> <li>■ DECKING</li> <li>■ PATIOS</li> <li>■ DRIVEWAYS</li> <li>■ GARAGES</li> <li>■ PORCHES</li> <li>■ TERRACES</li> <li>■ STAIRS</li> <li>■ BALCONIES</li> <li>■ DECKING</li> <li>■ PATIOS</li> <li>■ DRIVEWAYS</li> <li>■ GARAGES</li> <li>■ PORCHES</li> <li>■ TERRACES</li> </ul> |
| <p>PROJECT NO. 20/03 A</p> <p>DATE: 20/03/2021</p> <p>SCALE: 1:100</p> <p>PROJECT: 96 LANGHORNE STREET, DANDENONG</p> <p>CLIENT: [REDACTED]</p> <p>DESIGNER: SJ DESIGN</p>   |



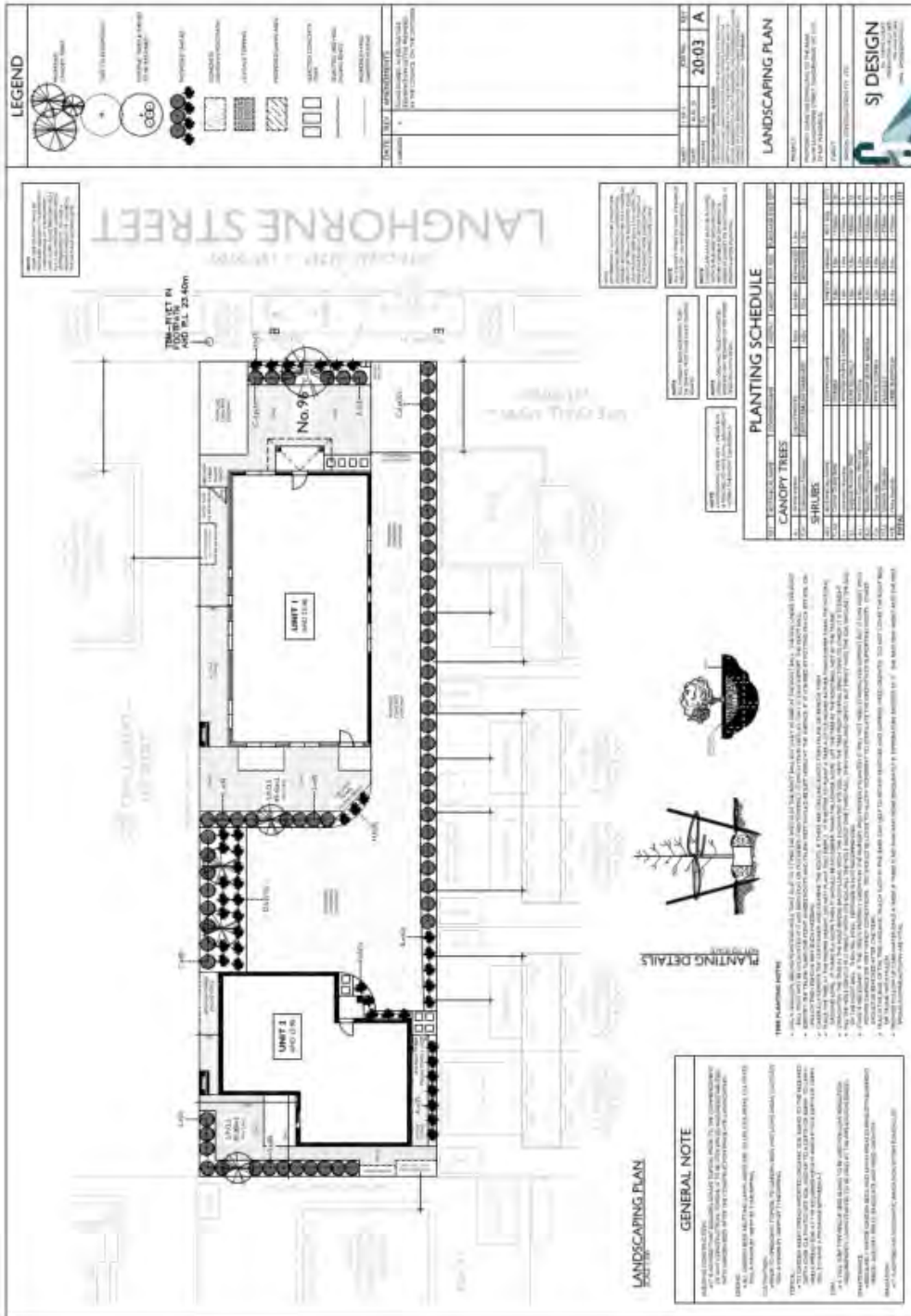
**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**



**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**



**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**



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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**House Rules applied for a rooming house**

- Keep common areas clean & clear at all times.
- Any spills to be cleaned up immediately/ or contact management to arrange any cleaning requirements.
- All rubbish to be disposed of as soon as possible, or management will dispose.
- Any faults/ damage to be reported to the site manager as soon as possible.
- Keep common room windows closed if the area is being unoccupied
- Keep kitchen area clean at all times to avoid any potential future hazards.
- Turn off all ovens/ stoves to avoid any potential hazards as soon as operation has been completed.
- Wipe all dirty/ muddy feet/ shoes at the door matt to keep the common area as clean as possible.
- NO Smoking in any of the buildings.
- Clothes are to be immediately taken out of the washing machine/ laundry area as soon as washing is complete to avoid any issues with occupants of the building.
- Clothes are to be immediately taken off the clothes lines as soon as the clothing is dry to avoid any issues with occupants of the building.
- Fridge is to be maintained at a reasonable level, any old/ smelly items will be removed by management.
- Front Entry door is to be locked at all times unless occupants are entering and existing the building.
- Anything left in the common area by occupants will be removed by management to avoid any hazard in the future.

**Nominated use of outdoor areas**

The outdoor areas for each unit will be used as a common area for all occupants of the building where there is potential to take advantage of the areas and enjoy the daylight which is provided.

**Procedure for emergency calls to owner's/ site managers to adjoining neighbours**

We will provide all adjoining neighbours with a card which will have the contact details of the site manager detailed, which they can call at any time for any issues which may arise in the future. It is also possible a sign to be placed to the front of Unit 1 to detail any emergency contact details which may be required in case of an emergency.

**Contact Person of the person responsible for the management of the site.**

At the stage, the owner of the site Stefan Dimitrovici of 12 Frangipani Close, Endeavour Hills will be responsible for any on site management. His mobile number is 0412 878 999.

Stefan will be organised a real estate agent company to be responsible for the management of the site once the construction is complete.

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**Management of the premises, internal & external common areas of the houses, waste management arrangements, the management of on-site car-parking and the building & landscaping maintenance.**

The issues which have been raised for the above will all be managed by a real estate company, who do this on a regular basis. Any on site issues, and management will be thoroughly controlled by the firm and the owner Stefan will be overlooking the site in case the standard of the maintenance is not appropriate.

**Proposed maximum numbers of residents**

A total of 9 occupants will be occupying each rooming house.

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 96 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0276)**

**ATTACHMENT 2**

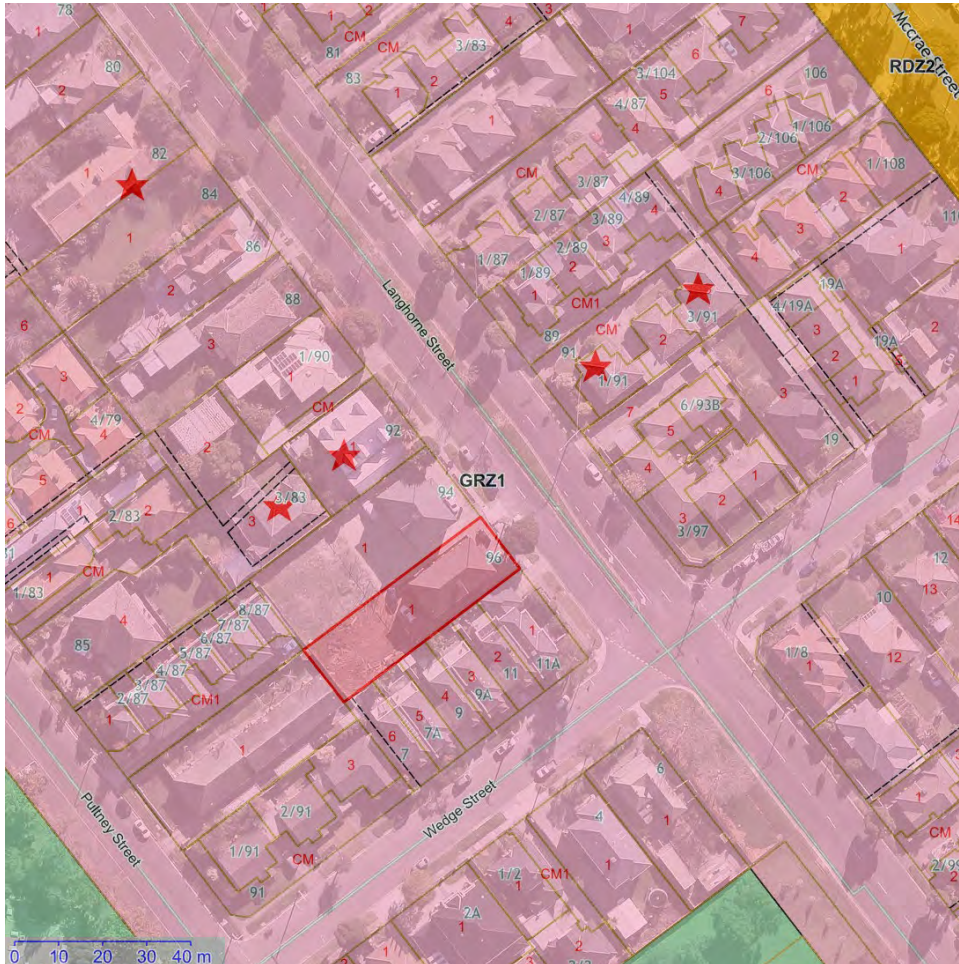
**LOCATION OF OBJECTORS**



**PAGES 2 (including cover)**

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



**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**



-  = Subject site
-  = Location of objectors

Note: One objector location is not shown as it is more than 2km from the subject site.



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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 96 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0276)**

**ATTACHMENT 3**

**CLAUSE 22.09 ASSESSMENT**

**PAGES 9 (including cover)**

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

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**Assessment Table for Clause 22**

**Clause 22.09-3.1 Design Principles for all residential developments**

|                    |   |   |  |
|--------------------|---|---|--|
| <b>Safety</b>      | 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.   | <b>✓ Principle met</b><br>Each building is provided with active frontages.                          |  |
|                    | 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. | <b>✓ Principle met</b><br>The proposed buildings front the street and shared driveway.              |  |
|                    | Use semi-transparent fences to the street frontage.   | <b>✓ Principle met</b><br>No front fence is proposed.   |  |
|                    | Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.   | <b>✓ Principle met with condition</b><br>Permit conditions can ensure security lighting is provided |  |
|                    | Ensure that all main entrances are visible and easily identifiable from the street.   | <b>✓ Principle met</b><br>Entrances face the street/ driveway.                                      |  |
|                    | Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.  | <b>✓ Principle met</b>  |  |
| <b>Landscaping</b> | Residential development should:   |   |  |
|                    | Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.                            | <b>✓ Principle met</b><br>The landscape plan can be endorsed  |  |
|                    | Provide substantial, high quality landscaping along vehicular accessways.   | <b>✓ Principle met</b><br>The landscape plan can be endorsed  |  |

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

ORDINARY COUNCIL MEETING - AGENDA

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|             |   |  |
|-------------|---|--|
|             | <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>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>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>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>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>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>No significant vegetation on site.</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> <p>✓ <b>Principle met</b><br/>The landscape plan can be endorsed</p> |
| 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"> <li>Well integrated into the design of the building,</li> <li>Generally hidden from view or appropriately screened where necessary,</li> <li>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.</li> </ul>  | <p>✓ <b>Principle met</b><br/>No increase to the number of existing crossovers/ change to on street parking</p> <p>✓ <b>Principle met</b><br/>Parking is well integrated into the design of the buildings</p>  |

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

ORDINARY COUNCIL MEETING - AGENDA

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|   |   |   |
|---|---|---|
|   | <p>Where car parking is located within the front setback it should be:</p> <ul style="list-style-type: none"> <li>Fully located within the site boundary; and</li> <li>Capable of fully accommodating a vehicle between a garage or carport and the site boundary.</li> </ul> <p>Developments with basement car parking should consider flooding concerns where applicable.</p>   | <p>✓ <b>Principle met</b></p> <p>N/A</p> <p>No basement car parking proposed.</p>   |
| <p>Setbacks, front boundary and width</p> | <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>✓ <b>Principle met</b><br/>No change to existing</p> <p>✓ <b>Principle met</b></p> <p>✓ <b>Principle met</b><br/>Setbacks would allow for tree planning.</p> <p>✓ <b>Principle met</b><br/>No front fence is proposed.</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>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>✓ <b>Principle met</b><br/>Quality useable private open space is provided</p> <p>✓ <b>Principle met</b><br/>Garden areas shown show that SPOS is a usable space for domestic services and outdoor furniture</p> <p>✓ <b>Principle met</b><br/>Secluded private open spaces would be orientated to achieve ample solar access.</p> <p>✓ <b>Principle met</b><br/>Upper levels would not encroach over ground floor open spaces</p> <p>✓ <b>Principle met</b><br/>Upper levels would not encroach over ground floor open spaces.</p> |

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

ORDINARY COUNCIL MEETING - AGENDA

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|                   |   |   |
|-------------------|---|---|
| Bulk & Built Form | <p>All residential developments should respect the dominant façade pattern of the streetscape by:</p> <ul style="list-style-type: none"> <li>Using similarly proportioned roof forms , windows, doors and verandans; and</li> <li>Maintaining the proportion of wall space to windows and door openings.</li> </ul>   | <p>✓ <b>Principle met</b><br/>The buildings are similar to the streetscape in terms of proportion of the dominant façade.</p>   |
|                   | <p>Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.</p>   | <p>✓ <b>Principle met</b><br/>No balconies</p>  |
|                   | <p>The development of new dwellings to the rear of existing retained dwellings is discouraged where:</p> <ul style="list-style-type: none"> <li>The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or</li> <li>The retention of the existing dwelling detracts from the identified future character.</li> </ul>                      | <p><b>N/A</b></p>   |
|                   | <p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <ul style="list-style-type: none"> <li>Not exceeding the height of the neighbouring significant building;</li> <li>Minimising the visibility of higher sections of the new building; and</li> <li>Setting higher sections back at least the depth of one room from the frontage.</li> </ul> | <p><b>N/A</b><br/>No heritage building on the site or on adjoining land.</p>  |
| Site Design       | <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>✓ <b>Principle met</b><br/>Design is responsive to abutting lots.</p> <p>✓ <b>Principle met</b><br/>Large windows are proposed to enable thermal performance and lessen reliance on artificial heating and cooling</p> |

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ORDINARY COUNCIL MEETING - AGENDA

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|  |  |   |
|--|--|---|
|  | <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>Residential development should:</p> <p>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>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>✓ <b>Principle met</b></p> <p>✓ <b>Principle met</b></p> <p>✓ <b>Principle met</b><br/>Storage areas are provided.</p> <p>✓ <b>Principle met</b><br/>The site is well placed within proximity to public transport.</p> <p>✓ <b>Principle met</b><br/>The materials proposed are brick, weatherboard cladding, and render with tiled roofing, which are durable and complementary to existing dwellings in the vicinity.</p> <p>✓ <b>Principle met</b><br/>Materials are suited to residential developments.</p> <p>✓ <b>Principle met</b><br/>A mix of materials, finishes and articulates are proposed</p> <p>✓ <b>Principle met</b><br/>The colour palette is of a consistent simple nature</p> <p>✓ <b>Principle met</b><br/>The materials chosen are durable</p> <p>✓ <b>Principle met</b></p> |
| Materials & Finishes   |  |   |
| Domestic services normal to a dwelling and Building services |  |   |

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

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|                  |   |   |
|------------------|---|---|
|                  | <p>Be designed to avoid the location of domestic and building services:</p> <ul style="list-style-type: none"> <li>• Within secluded private open space areas, including balconies; and</li> <li>• Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas.</li> </ul> | <p>✓ <b>Principle met</b></p>   |
| Internal Amenity | Residential development should:   |   |
|                  | Ensure that dwelling layouts have connectivity between the main living area and private open space.   | <p>✓ <b>Principle met</b></p>   |
|                  | Be designed to avoid reliance on borrowed light to habitable rooms.   | <p>✓ <b>Principle met</b><br/>Windows are provided to all habitable rooms and would not rely on borrow light.</p> |
|                  | Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.   | <p>✓ <b>Principle met</b></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>✓ <b>Principle met</b></p>   |

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

|   |  |  |
|---|--|--|
| <b>Preferred housing type</b>             | The preferred housing type for the Incremental Change Area is medium density.  | <p>✓ <b>Principle met</b><br/>The proposal is for rooming houses.</p>  |
| <b>Building Height</b>                    | The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.  | <p>✓ <b>Principle met</b><br/>The proposed development is 2 storey.</p>  |
| <b>Landscaping</b>                        | 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>✓ <b>Principle met</b><br/>A landscaping plan can be endorsed. Sufficient areas for landscaping provided on site.</p> |
| <b>Setbacks, front boundary and width</b> | 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>✓ <b>Principle met</b></p>  |

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



ORDINARY COUNCIL MEETING - AGENDA

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|                              |  |   |
|------------------------------|--|---|
| <b>Private open space</b>    | 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>✓ <b>Principle met</b><br/>Each building is provided with SPOS areas.</p>  |
| <b>Bulk &amp; Built Form</b> | <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>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>✓ <b>Principle met</b><br/>The design of the development is well articulated and landscaping can include canopy trees at the front, side and rear of the site.</p> <p>✓ <b>Principle met</b><br/>Upper levels separation is provided.</p> <p>✓ <b>Principle met</b><br/>The amenity of the surrounding properties would not be impacted by the proposal. There is no discernible 'spine' of open space at the rear of properties in the area.</p> <p>✓ <b>Principle met</b><br/>Private open spaces of the adjoining properties would not be impacted by the proposal.</p> |

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

ORDINARY COUNCIL MEETING - AGENDA

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (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"> <li>• The visual impact of the building bulk does not adversely affect the identified future character of the area;</li> <li>• Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties;</li> <li>• The building bulk does not adversely affect the planting and future growth of canopy trees to maturity;</li> <li>• Sufficient side and rear boundary landscaping can be provided to screen adjoining properties;</li> <li>• Upper storey components are well recessed from adjoining sensitive interfaces.</li> </ul> <p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p> | <p><b>✓ Principle met</b></p> <p>The double storey form to the rear of the site is acceptable in this instance given the location of the neighbouring built forms, that there are no overlooking or overshadowing impacts of the proposed buildings and sufficient space is provided for substantial landscaping and canopy trees along the boundaries.</p> |
|  |   | <p><b>✓ Principle met</b></p> <p>The development would be provided with a mixed of materials and colours and is a high standard</p>   |

*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.*

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 96 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0276)**

**ATTACHMENT 4**

**CLAUSE 52.06 ASSESSMENT**

**PAGES 6 (including cover)**

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

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (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.

|  |  |   |
|--|--|---|
| <p><b>Design standard 1 - Accessways</b></p> | <p>Accessways must:</p> <ul style="list-style-type: none"> <li>• Be at least 3 metres wide.</li> </ul>   | <p>✓ <b>Standard met</b><br/>                     Both accessways are 3m wide.</p>  |
|  | <ul style="list-style-type: none"> <li>• Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.</li> </ul>   | <p>✓ <b>Standard met</b></p>  |
|  | <ul style="list-style-type: none"> <li>• 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.</li> </ul>   | <p>N/A</p>  |
|  | <ul style="list-style-type: none"> <li>• Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.</li> </ul>  | <p>N/A</p>  |
|  | <ul style="list-style-type: none"> <li>• 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.</li> </ul>  | <p>✓ <b>Standard met</b></p>  |
|  | <ul style="list-style-type: none"> <li>• 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.</li> </ul>  | <p>N/A</p>  |
|  | <ul style="list-style-type: none"> <li>• 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.</li> </ul> | <p>✓ <b>Standard met</b><br/>                     A notation has been included on the ground floor plan that all structures within the splay area would be no higher than 0.9m.</p> |

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

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|   | <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>N/A</p>                                |                  |                 |                  |          |       |       |       |     |       |       |       |     |       |       |       |     |       |       |       |  |       |       |       |  |       |       |       |  |       |       |       |                       |
|---|---|---|------------------|-----------------|------------------|----------|-------|-------|-------|-----|-------|-------|-------|-----|-------|-------|-------|-----|-------|-------|-------|--|-------|-------|-------|--|-------|-------|-------|--|-------|-------|-------|-----------------------|
| <p>If entry to the car space is from a road, the width of the accessway may include the road.</p> | <p>N/A</p>  |   |                  |                 |                  |          |       |       |       |     |       |       |       |     |       |       |       |     |       |       |       |  |       |       |       |  |       |       |       |  |       |       |       |                       |
| <p><b>Design standard 2 – Car parking spaces</b></p>  | <p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p><b>Table 2: Minimum dimensions of car parking spaces and accessways</b></p> <table border="1" data-bbox="459 1061 699 1615"> <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><small>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).</small></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            |                 |                  |          |       |       |       |     |       |       |       |     |       |       |       |     |       |       |       |  |       |       |       |  |       |       |       |  |       |       |       |                       |
| 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            |                 |                  |          |       |       |       |     |       |       |       |     |       |       |       |     |       |       |       |  |       |       |       |  |       |       |       |  |       |       |       |                       |

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|  |   |                       |
|--|---|-----------------------|
|  | <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"> <li>• 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.</li> <li>• A structure, which may project into the space if it is at least 2.1 metres above the space.</li> </ul> <p>Diagram 1 Clearance to car parking spaces</p> <p>Dimensions in millimetres<br/>         ■ Clearance required<br/>         ■ Tree or column permitted</p> | <p>✓ Standard met</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</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>✓ Standard met</p> |

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

| <p><b>Design standard 3: Gradients</b></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>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:<br/>Ramp gradients</p> <table border="1" data-bbox="443 1059 608 1630"> <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</p> | <p>✓ Standard met</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><b>Design standard 4: Mechanical parking</b></p> | <p>Mechanical parking may be used to meet the car parking requirement provided:</p> <ul style="list-style-type: none"> <li>At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.</li> <li>Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation.</li> <li>The design and operation is to the satisfaction of the responsible authority.</li> </ul>   | <p>N/A</p>       | <p>N/A</p>     |               |                  |                   |           |                       |             |                                  |                   |           |                       |           |            |                       |



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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|  |   |   |
|--|---|---|
| <b>Design standard 5: Urban design</b> | Ground level car parking, garage doors and accessways must not visually dominate public space.  | <p>✓ <b>Standard met</b><br/>The car parking would not dominate the street.</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>✓ <b>Standard met</b><br/>Car parking is integrated with the design of the buildings and would not be visually dominating.</p> |
|  | Design of car parks must take into account their use as entry points to the site.   | <p>✓ <b>Standard met</b><br/>Proposed car parks are appropriate.</p>  |
|  | Design of new internal streets in developments must maximise on street parking opportunities.   | <p>✓ <b>Standard met</b></p>  |

|                                  |   |  |
|----------------------------------|---|--|
| <b>Design standard 6: Safety</b> | Car parking must be well lit and clearly signed.  | <p>✓ <b>Standard met</b><br/>Security lighting provided</p>  |
|                                  | The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.   | <p>✓ <b>Standard met</b><br/>The car spaces have natural surveillance from habitable room windows from the ground floors as well as from the first floor habitable room windows.</p> |
|                                  | Pedestrian access to car parking areas from the street must be convenient.  | <p>✓ <b>Standard met</b><br/>Access to the car parking areas would be convenient from the street.</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>✓ <b>Standard met</b><br/>Entries are clearly visible and separated from the driveway.</p>  |

|                                       |  |  |
|---------------------------------------|--|--|
| <b>Design standard 7: Landscaping</b> | The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.   | <p>✓ <b>Standard met</b><br/>Landscaping plan provided</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>✓ <b>Standard met</b></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>✓ <b>Standard met</b></p>                               |

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 96 LANGHORNE STREET,  
DANDENONG (PLANNING APPLICATION PLN20/0276)**

**ATTACHMENT 5**

**CLAUSE 55 ASSESSMENT**

**PAGES 24 (including cover)**

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

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

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

**Clause 55.02-1 Neighbourhood character objectives**

|                            |  |  |
|----------------------------|--|--|
| <b>Standard B1</b>         | The design response must be appropriate to the neighbourhood and the site.   | <p>✓ Standard met</p> <p>The proposed double storey form is considered appropriate for the site considering the followings:</p> <ul style="list-style-type: none"> <li>• The land is within a General Residential Zone.</li> <li>• Existing buildings on the site and neighbouring lots are double storey</li> </ul> |
|                            | The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site. | <p>✓ Standard met</p> <p>The proposal is considered appropriate to the existing and preferred neighbourhood character of the area as mentioned above.</p>  |
| <b>Decision Guidelines</b> | Any relevant neighbourhood character objective, policy or statement set out in this scheme.  |  |
|                            | The neighbourhood and site description.  |  |
|                            | The design response.   |  |
| <b>Objectives</b>          | To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.       | <p>✓ Objective met</p>   |
|                            | To ensure that development responds to the features of the site and the surrounding area.  |  |

**Clause 55.02-2 Residential policy objectives**

|                            |   |   |
|----------------------------|---|---|
| <b>Standard B2</b>         | 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 SPPF and the LPPF, including the MSS and local planning policies. | <p>✓ Standard met</p> <p>Proposal is consistent with relevant policies – 22.09 assessment below</p> <p>The application was accompanied by a written assessment of the proposal against the relevant PPF and Local Policies.</p> |
| <b>Decision Guidelines</b> | The SPPF and the LPPF including the MSS and local planning policies.  |   |
|                            | The design response.  |   |
| <b>Objectives</b>          | To ensure that residential development is provided in accordance with any policy for housing in the SFFP and the LPPF, including the MSS and local planning policies.   | <p>✓ Objective met</p>  |
|                            | To support medium densities in areas where development can take advantage of public and community infrastructure and services.  |   |

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**Clause 55.02-3 Dwelling diversity objective**

|                    |  |                       |
|--------------------|--|-----------------------|
| <b>Standard B3</b> | Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> <li>Dwellings with a different number of bedrooms.</li> <li>At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul> | ✓ Standard met<br>N/A |
| <b>Objective</b>   | To encourage a range of dwellings sizes and types in developments of ten or more dwellings.  | ✓ Objective met       |

**Clause 55.02-4 Infrastructure objectives**

|                            |   |   |
|----------------------------|---|---|
| <b>Standard B4</b>         | Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.<br><br>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.<br><br>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<br>Site is located in an established residential area<br><br>✓ Standard met<br>The proposal would provide landscaping to assist with water runoff as to not overload the existing infrastructure.<br><br>✓ Standard met<br>No upgrading to services required |
| <b>Decision Guidelines</b> | The capacity of the existing infrastructure.<br><br>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.<br><br>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.   |   |
| <b>Objectives</b>          | To ensure development is provided with appropriate utility services and infrastructure.<br><br>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.  | ✓ Objective met   |

**Clause 55.02-5 Integration with the street objective**

|                    |   |  |
|--------------------|---|--|
| <b>Standard B5</b> | Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. | ✓ Standard met<br>The development would have adequate link between the car spaces and buildings. |
|--------------------|---|--|

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|                            |  |  |
|----------------------------|--|--|
|                            | Developments should be oriented to front existing and proposed streets.                                  | ✓ Standard met<br>The buildings are orientated to the street/ front of the site and are easily identifiable from the street. |
|                            | High fencing in front of dwellings should be avoided if practicable.                                     | ✓ Standard met<br>No front fence   |
|                            | Development next to existing public open space should be laid out to complement the open space.          | N/A  |
| <b>Decision Guidelines</b> | Any relevant urban design objective, policy or statement set out in this scheme.<br>The design response. |  |
| <b>Objective</b>           | To integrate the layout of development with the street.  | ✓ Objective met  |

**Clause 55.03-1 Street setback objective**

| <b>Standard B6</b>   | <p>Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone:</p> <p>RGZ: 5 metres or as per Table B1, whichever is the lesser.</p> <p>GRZ: 7.5 metres or as per Table B1, whichever is the lesser.</p> <p>NRZ: As per Table B1.</p> <p>Table B1 Street setback</p> <table border="1"> <thead> <tr> <th>Development context</th> <th>Minimum setback from front street (metres)</th> <th>Minimum setback from a side street (metres)</th> </tr> </thead> <tbody> <tr> <td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td> <td>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.</td> <td>Not applicable</td> </tr> <tr> <td>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.</td> <td>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.</td> <td>Not applicable</td> </tr> <tr> <td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td> <td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td> <td>Not applicable</td> </tr> </tbody> </table> | 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 | <p>✓ Standard met</p> <p>N/A no change</p> |
|--|--|---|--|---|--|--|----------------|--|---|----------------|---|--|----------------|--|
| 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                              |  |   |  |  |                |  |   |                |   |  |                |  |

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|  |  |   |   |
|--|--|---|---|
|  | <p>The site is on a corner.</p>  | <p>If there is a building on the front walls of new development facing the side street of a corner site should be setback at least the same distance as the setback of the front wall of the existing building on the abutting street or 9 metres, whichever is the lesser.</p> <p>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.</p> <p>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.</p> |   |
| <p><b>Decision Guidelines</b></p>                      | <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p> <p>The value of retaining vegetation within the front setback.</p> |   |   |
| <p><b>Objective</b></p>                                | <p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>  |   | <p>✓ Objective met</p>  |
| <p><b>Clause 55.03-2 Building height objective</b></p> |  |   |   |
| <p><b>Standard B7</b></p>                              | <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>RGZ: 13.5 metres discretionary maximum (refer Clause 32.07-8 for details)<br/>                 GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9)<br/>                 NRZ: 9 metres / 2 storeys mandatory maximum (refer Clause 32.09-9)</p>                        |   | <p>✓ Standard met<br/>                 Maximum height 7.61m</p> |

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|                                   |  |  |
|-----------------------------------|--|--|
|                                   | <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>N/A</p>   |
| <p><b>Decision Guidelines</b></p> | <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> | <p>✓ Standard met<br/>The proposed first floors would be generally recessed from the ground floors to provide a transition of single storey element to the surrounding developments.</p> |
| <p><b>Objective</b></p>           |  | <p>✓ Objective met</p>   |

|  |  |  |
|--|--|--|
| <p><b>Clause 55.03-3 Site coverage objective</b></p> <p><b>Standard B8</b></p> | <p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> <li>• The maximum site coverage specified in a schedule to the zone, or</li> <li>• If no maximum site coverage is specified in a schedule to the zone, 60 per cent.</li> </ul> <p>GRZ1: 60% (none specified)</p> | <p>✓ Standard met<br/>Proposed site coverage is 34.92%</p> |
| <p><b>Decision Guidelines</b></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>                |  |



**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|  |  |   |
|--|--|---|
|  | The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.   |   |
| <b>Objective</b>                                   | To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.  | ✓ Objective met   |
| <b>Clause 55.03-4 Permeability objectives</b>      |  |   |
| <b>Standard B9</b>                                 | <p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> <li>The minimum areas specified in a schedule to the zone, or</li> <li>If no minimum is specified in a schedule to the zone, 20 per cent of the site.</li> </ul> <p>GRZ1: 30%</p> <p>The design response.</p>   | <p>✓ Standard met</p> <p>Proposed permeability is 36.63%</p>  |
| <b>Decision Guidelines</b>                         | <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>                    |   |
| <b>Objectives</b>                                  | <p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>  | ✓ Objective met   |
| <b>Clause 55.03-5 Energy efficiency objectives</b> |  |   |
| <b>Standard B10</b>                                | <p>Buildings should be:</p> <ul style="list-style-type: none"> <li>Oriented to make appropriate use of solar energy.</li> <li>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> </ul> <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 secluded private open spaces and living areas are on the northern sides.</p> <p>The energy efficiency of existing dwellings on adjoining properties would not be unreasonably reduced.</p> <p>✓ Standard met</p> <p>The proposed secluded private open spaces and living areas would have appropriate solar access.</p> |

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|                            |  |                 |
|----------------------------|--|-----------------|
|                            | Developments should be designed so that solar access to north-facing windows is maximised.   | ✓ Standard met  |
| <b>Decision Guidelines</b> | The design response.   |                 |
|                            | The size, orientation and slope of the lot.  |                 |
|                            | The existing amount of solar access to abutting properties.  |                 |
|                            | The availability of solar access to north-facing windows on the site.  |                 |
| <b>Objectives</b>          | To achieve and protect energy efficient dwellings and residential buildings.   | ✓ Objective met |
|                            | To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. |                 |

**Clause 55.03-6 Open space objective**

|                            |  |  |
|----------------------------|--|--|
| <b>Standard B11</b>        | <p>If any public or communal open space is provided on site, it should:</p> <ul style="list-style-type: none"> <li>• Be substantially fronted by dwellings, where appropriate.</li> <li>• Provide outlook for as many dwellings as practicable.</li> <li>• Be designed to protect any natural features on the site.</li> <li>• Be accessible and useable.</li> </ul> | N/A<br>The site does not adjoin a public open space. |
| <b>Decision Guidelines</b> | Any relevant plan or policy for open space in the SPPF and the LPPF, including the MSS and local planning policies.  |  |
|                            | The design response.   |  |
| <b>Objective</b>           | To integrate the layout of development with any public and communal open space provided in or adjacent to the development.   | ✓ Objective met                                      |

**Clause 55.03-7 Safety objective**

|                     |  |  |
|---------------------|--|--|
| <b>Standard B12</b> | Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. | ✓ Standard met<br>Entrances are visible from the street/ shared driveway.                  |
|                     | Planting which creates unsafe spaces along streets and accessways should be avoided.   | ✓ Standard met<br>Planting along accessways would not reduce visibility.                   |
|                     | Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.  | ✓ Standard met with conditions<br>Security lighting can be provided with permit conditions |

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**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|  |  |   |
|--|--|---|
|  | Private spaces within developments should be protected from inappropriate use as public thoroughfares.   | ✓ Standard met  |
| <b>Decision Guidelines</b>                   | The design response.   |   |
| <b>Objectives</b>                            | To ensure the layout of development provides for the safety and security of residents and property.  | ✓ Objective met   |
| <b>Clause 55.03-8 Landscaping objectives</b> |  |   |
| <b>Standard B13</b>                          | <p>The landscape layout and design should:</p> <ul style="list-style-type: none"> <li>Protect any predominant landscape features of the neighbourhood.</li> <li>Take into account the soil type and drainage patterns of the site.</li> <li>Allow for intended vegetation growth and structural protection of buildings.</li> <li>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>Provide a safe, attractive and functional environment for residents.</li> <li>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</li> </ul> <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:</p> <p>"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>✓ Standard met<br/>Landscape plan provided – no vegetation on site</p> <p>✓ Standard met<br/>Landscape plan provided – no vegetation on site</p> <p>✓ Standard met<br/>No significant trees removed in last 12mths</p> <p>✓ Standard met<br/>Landscape plan provided – no vegetation on site</p> <p>✓ Standard met<br/>Landscape plan provided – no vegetation on site</p> |
| <b>Decision Guidelines</b>                   |  |   |

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (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>  |                        |
| <b>Objectives</b> | <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>✓ Objective met</p> |

**Clause 55.03-9 Access objective**

|                            |  |  |
|----------------------------|--|--|
| <b>Standard B14</b>        | <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> <li>• 33 per cent of the street frontage, or</li> <li>• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> </ul> <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> | <p>✓ Standard met</p> <p>No change to the existing number of crossovers provided to the site proposed.</p>                       |
|                            | <p>The location of crossovers should maximise retention of on-street car parking spaces.</p>   | <p>✓ Standard met</p> <p>On street parking is not impacted.</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>N/A</p> <p>✓ Standard met</p> <p>The proposed accessway is adequate in size for service, emergency and delivery vehicles.</p> |
| <b>Decision Guidelines</b> | <p>The design response.</p> <p>The impact on neighbourhood character.</p> <p>The reduction of on-street car parking spaces.</p> <p>The effect on any significant vegetation on the site and footpath.</p>  |  |

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|  |   |  |
|--|---|--|
| <b>Objectives</b>                                      | To ensure the number and design of vehicle crossovers respects the neighbourhood character.   | ✓ Objective met  |
| <b>Clause 55.03-10 Parking location objectives</b>     |   |  |
| <b>Standard B15</b>                                    | <p>Car parking facilities should:</p> <ul style="list-style-type: none"> <li>• Be reasonably close and convenient to dwellings and residential buildings.</li> <li>• Be secure.</li> <li>• Be well ventilated if enclosed.</li> </ul> <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>Parking spaces are located adjacent to the entries.</p>   |
| <b>Decision Guidelines</b>                             | The design response.  | ✓ Standard met   |
| <b>Objectives</b>                                      | <p>To provide convenient parking for residents and visitors vehicles.</p> <p>To protect residents from vehicular noise within developments.</p>   | ✓ Objective met  |
| <b>Clause 55.04-1 Side and rear setbacks objective</b> |   |  |
| <b>Standard B17</b>                                    | <p>A new building not on or within 200mm of a boundary should be setback from side or rear boundaries:</p> <p>At least the distance specified in a schedule to the zone, or</p> <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> <p>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> | <p>✓ Standard met</p> <p>All side and rear setbacks comply with the standards.</p> |

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|                                   |   |   |  |
|-----------------------------------|---|---|--|
|                                   | <p><b>Diagram B1 Side and rear setbacks</b></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<br/>                 There are no encroachments more than 0.5m into the setback area.</p> <p>✓ Standard met<br/>                 There are no landings that encroach into the setback standard more than 2sqm and 1m high.</p> |
| <p><b>Decision Guidelines</b></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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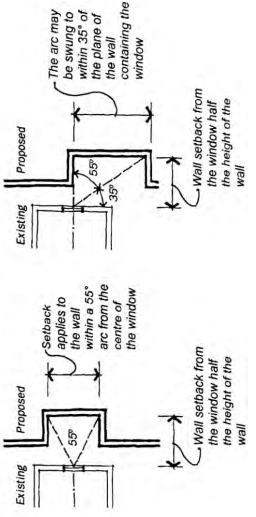
|   |  |                 |
|---|--|-----------------|
| <b>Objectives</b>                                   | To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.   | ✓ Objective met |
| <b>Clause 55.04-2 Walls on boundaries objective</b> |  |                 |
| <b>Standard B18</b>                                 | <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"> <li>• For a length of more than the distance specified in the schedule to the zone; or</li> <li>• If no distance is specified in a schedule to the zone, for a length of more than:             <ul style="list-style-type: none"> <li>- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>- 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.</li> </ul> </li> </ul> <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> | N/A             |
| <b>Decision Guidelines</b>                          | <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>  | N/A             |



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|                   |   |                        |
|-------------------|---|------------------------|
|                   | <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> |                        |
| <b>Objectives</b> | <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>✓ Objective met</p> |


**Clause 55.04-3 Daylight to existing windows objective**

|                     |  |  |
|---------------------|--|--|
| <b>Standard B19</b> | <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><b>Diagram B2 Daylight to existing windows</b></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>✓ Standard met</p> <p>Light courts of habitable room windows on the adjoining properties would not be impacted by the proposal.</p> <p>✓ Standard met</p> <p>Existing habitable room windows on adjoining properties would not be impacted by the proposal.</p> |
| <b>Decision</b>     | <p>The design response.</p>  |  |

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|  |  |   |
|--|--|---|
| <p><b>Guidelines</b></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><b>Objective</b></p>  | <p>To allow adequate daylight into existing habitable room windows.</p>  | <p>✓ Objective met</p>  |
| <p><b>Clause 55.04-4 North-facing windows objective</b></p>  |  |   |
| <p><b>Standard B20</b></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<br/>The proposal provides adequate setbacks from the southern boundary to ensure there is no significant increased overshadowing on any northern facing adjoining habitable room windows...</p> |
| <p><b>Diagram B3 North-facing windows</b></p>  |  |   |
| <p>The diagram illustrates the setbacks for a north-facing habitable room window relative to a south boundary. A dashed line indicates the window's axis. Key dimensions shown are: a 3m setback from the south boundary to the window edge; setbacks of 5.1m, 4.1m, 2m, 1m, 1.1m, and 1.1m for different window heights; a 3.3m setback for a window height of 6.9m; a 6.9m setback for a window height of 5m; and a 1.3m setback for a window height of 1.3m. A north-facing habitable room window is shown with a 3m setback from the south 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>  |  |   |

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|                            |   |                 |
|----------------------------|---|-----------------|
|                            |    |                 |
| <b>Decision Guidelines</b> | <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> |                 |
| <b>Objective</b>           |   | ✓ Objective met |

**Clause 55.04-5 Overshadowing open space objective**

|                            |   |  |
|----------------------------|---|--|
| <b>Standard B21</b>        | <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>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 proposed development has provided reasonable setbacks from neighbouring dwellings to the sides and rear. No significant overshadowing of neighbouring secluded private open space will occur. The applicant has provided overshadowing diagrams to indicate compliance.</p> <p>✓ Standard met</p> |
| <b>Decision Guidelines</b> | <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>      |  |
| <b>Objective</b>           |   | ✓ Objective met  |

**Clause 55.04-6 Overlooking objective**

|                     |   |   |
|---------------------|---|---|
| <b>Standard B22</b> | <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</p> | <p>✓ Standard met</p> <p>Privacy screens provided to the first floor bedroom windows.</p> <p>No other overlooking</p> |
|---------------------|---|---|

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|   |   |  |                       |
|---|---|--|-----------------------|
|   | <p>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><b>Diagram B4 Overlooking open space</b></p> | <p>Boundary fences are sufficient in height.</p> | <p>✓ Standard met</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"> <li>• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</li> <li>• Have sill heights of at least 1.7 metres above floor level.</li> <li>• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.</li> </ul> <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>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> <li>• Perforated panels or trellis with a maximum of 25 per cent</li> </ul> | <p>✓ Standard met</p>   | <p>✓ Standard met</p>                            | <p>N/A</p>            |

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|                            |  |                        |
|----------------------------|--|------------------------|
|                            | <p>openings or solid translucent panels.</p> <ul style="list-style-type: none"> <li>• Permanent, fixed and durable.</li> <li>• Designed and coloured to blend in with the development.</li> </ul> <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</p>  |
| <b>Decision Guidelines</b> | <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 met</p> |

**Clause 55.04-7 Internal views objective**

|                            |  |                        |
|----------------------------|--|------------------------|
| <b>Standard B23</b>        | <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>The design response.</p> | <p>✓ Standard met</p>  |
| <b>Decision Guidelines</b> |  |                        |
| <b>Objective</b>           | <p>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>   | <p>✓ Objective met</p> |

**Clause 55.04-8 Noise impacts objectives**

|                     |  |   |
|---------------------|--|---|
| <b>Standard B24</b> | <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>✓ Standard met</p> <p>No noisy machinery is proposed</p> <p>✓ Standard met</p> <p>No noisy machinery is proposed</p> |
|---------------------|--|---|

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|                            |   |                 |
|----------------------------|---|-----------------|
|                            | Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms. | N/A             |
| <b>Decision Guidelines</b> | The design response.  |                 |
| <b>Objectives</b>          | To contain noise sources within development that may affect existing dwellings.<br>To protect residents from external noise.                    | ✓ Objective met |

**Clause 55.05-1 Accessibility objective**

|                     |  |   |
|---------------------|--|---|
| <b>Standard B25</b> | 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<br>The floor levels proposed are not excessive high and could be accessible to people with limited mobility. |
| <b>Objective</b>    | To encourage the consideration of the needs of people with limited mobility in the design of developments.   | ✓ Objective met   |

**Clause 55.05-2 Dwelling entry objective**

|                     |   |  |
|---------------------|---|--|
| <b>Standard B26</b> | Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> <li>• Be visible and easily identifiable from streets and other public areas.</li> <li>• Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul> | ✓ Standard met<br>Entries would be visible from the street/ shared driveway. |
| <b>Objective</b>    | To provide each dwelling or residential building with its own sense of identity.  | ✓ Objective met  |

**Clause 55.05-3 Daylight to new windows objective**

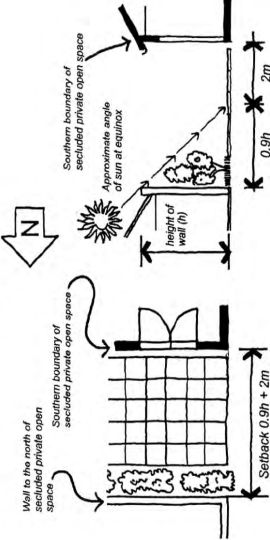
|                     |   |   |
|---------------------|---|---|
| <b>Standard B27</b> | A window in a habitable room should be located to face: <ul style="list-style-type: none"> <li>• An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</li> <li>• A verandah provided it is open for at least on third of its perimeter, or</li> <li>• A carport provided it has two or more open sides and is open for at least on third of its perimeter.</li> </ul> | ✓ Standard met<br>Each habitable room window would face an outdoor space. |
| <b>Decision</b>     | The design response.  |   |

ORDINARY COUNCIL MEETING - AGENDA

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|  |  |  |
|--|--|--|
| <b>Guidelines</b>                                  | Whether there are other windows in the habitable room which have access to daylight.   |  |
| <b>Objective</b>                                   | To allow adequate daylight into new habitable room windows.  | ✓ Objective met  |
| <b>Clause 55.05-4 Private open space objective</b> |  |  |
| <b>Standard B28</b>                                | <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: "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</p> <p>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."</p>   | <p>✓ Standard met</p> <p>Building 1: Total 129sqm POS, 76.3sqm is SPOS. 40sqm of SPOS has min dimension of 5m.</p> <p>Building 2: Total 64.4sqm SPOS, 30sqm has min dimension of 5m.</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"> <li>• 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</li> <li>• A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>• A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> </ul> <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p> | N/A  |
| <b>Decision Guidelines</b>                         | <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>  |  |

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|  |   |  |
|--|---|--|
| <b>Objective</b>   | To provide adequate private open space for the reasonable recreation and service needs of residents.  | ✓ Objective met  |
| <b>Clause 55.05-5 Solar access to open space objective</b> |   |  |
| <b>Standard B29</b>  | The private open space should be located on the north side of the dwelling or residential building, if appropriate.   | ✓ Standard met<br>The SPOS areas are located on the northern sides of the site |
|  | <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least <math>(2 + 0.9h)</math> metres, where 'h' is the height of the wall.</p> <p>Diagram B5 Solar access to open space</p>  | ✓ Standard met   |
| <b>Decision Guidelines</b>                                 | <p>The design response.</p> <p>The useability and amenity of the secluded private open space based on the sunlight it will receive.</p>   |  |
| <b>Objective</b>   | To allow solar access into the secluded private open space of new dwellings and residential buildings.  | ✓ Objective met  |
| <b>Clause 55.05-6 Storage objective</b>                    |   |  |
| <b>Standard B30</b>  | Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.  | ✓ Standard met<br>Storage areas provided.                                      |
| <b>Objective</b>   | To provide adequate storage facilities for each dwelling.   | ✓ Objective met  |



ORDINARY COUNCIL MEETING - AGENDA

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

**Clause 55.06-1 Design detail objective**

|                            |   |   |
|----------------------------|---|---|
| <b>Standard B31</b>        | <p>The design of buildings, including:</p> <ul style="list-style-type: none"> <li>• Façade articulation and detailing,</li> <li>• Window and door proportions,</li> <li>• Roof form, and</li> <li>• Verandahs, eaves and parapets,</li> </ul> <p>should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p> | <p>✓ Standard met<br/>The proposal offers a respectful design that is in the preferred neighbourhood character. The materials, finishes, and colours of the dwellings are muted earthy tones.</p> |
| <b>Decision Guidelines</b> | <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <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>✓ Standard met</p>   |
| <b>Objective</b>           | <p>To encourage design detail that respects the existing or preferred neighbourhood character.</p>  | <p>✓ Objective met</p>  |

**Clause 55.06-2 Front fences objective**

| <b>Standard B32</b>                | <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"> <li>• The maximum height specified in a schedule to the zone, or</li> </ul> <p><b>All schedules to all residential zones:</b></p> <p><b>"Maximum 1.5 metre height in streets in Road Zone Category 1<br/>1.2 metre maximum height for other streets"</b></p> <ul style="list-style-type: none"> <li>• If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. </li></ul> <p><b>Table B3 Maximum front fence height</b></p> <table border="1" data-bbox="1098 1070 1185 1619"> <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>N/A no front fence</p> <p>N/A</p> |
|------------------------------------|---|----------------|----------------------------|------------------------------------|----------|---------------|------------|--------------------------------------|
| Street context                     | Maximum front fence height  |                |                            |                                    |          |               |            |                                      |
| Streets in a Road Zone, Category 1 | 2 metres  |                |                            |                                    |          |               |            |                                      |
| Other streets                      | 1.5 metres  |                |                            |                                    |          |               |            |                                      |

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|                            |   |
|----------------------------|---|
| <b>Decision Guidelines</b> | Any relevant neighbourhood character objective, policy or statement set out in this scheme.   |
|                            | The design response.  |
|                            | The setback, height and appearance of front fences on adjacent properties.  |
|                            | The extent to which slope and retaining walls reduce the effective height of the front fence.   |
|                            | Whether the fence is needed to minimise noise intrusion.  |
| <b>Objective</b>           | <p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p> <p>✓ <b>Objective met</b></p> |

**Clause 55.06-3 Common property objectives**

|                     |  |
|---------------------|--|
| <b>Standard B33</b> | <p>Developments should clearly delineate public, communal and private areas.</p> <p>✓ <b>Standard met</b><br/>Appropriate fencing has been including to delineate private areas.</p>   |
| <b>Objectives</b>   | <p>Common property, where provided, should be functional and capable of efficient management.</p> <p>✓ <b>Standard met</b></p>   |
|                     | <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p> <p>✓ <b>Objective met</b></p> |

**Clause 55.06-4 Site services objectives**

|                     |   |
|---------------------|---|
| <b>Standard B34</b> | <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>✓ <b>Standard met with conditions</b><br/>It is considered that the provision of one clothesline per rooming house is inadequate for the number of occupants proposed. Therefore, a permit condition can be included to require two clothes lines per rooming house.</p> |
| <b>Objectives</b>   | <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>✓ <b>Standard met</b><br/>Mailboxes have been annotated.</p>   |
|                     | <p>Bin and recycling enclosures should be located for convenient access by residents.</p> <p>✓ <b>Standard met</b><br/>The buildings have access to the street from the bin storage area.</p>   |

**2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)**

|                            |   |   |
|----------------------------|---|---|
|                            | Mailboxes should be provided and located for convenient access as required by Australia Post.   | <p>✓ <b>Standard met</b><br/>Mailboxes have been annotated along the front boundary and would be easily accessible by Australia Post.</p> |
| <b>Decision Guidelines</b> | The design response.  |   |
| <b>Objectives</b>          | <p>To ensure that site services can be installed and easily maintained.<br/>To ensure that site facilities are accessible, adequate and attractive.</p> | <p>✓ <b>Objective met</b></p>   |

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## 2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688)

|                      |   |
|----------------------|---|
| File Id:             | 392435  |
| Responsible Officer: | Director City Planning Design & Amenity                               |
| Attachments:         | Submitted Plans<br>Location of Objectors<br>Chain of Parks Policy Map |

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### Application Summary

|            |  |
|------------|--|
| Applicant: | Progress Earth Pty Ltd   |
| Proposal:  | The use and development of the land for a renewable energy facility (solar energy facility). |
| Zone:      | Green Wedge Zone   |
| Overlay:   | Environmental Audit Overlay  |
| Ward:      | Springvale South   |

The application was lodged on 03 December 2018 and proposes the use and development of the land for a renewable energy facility, specifically a solar energy facility. A detailed analysis of the specific use and development will be provided below.

A permit is required pursuant to:

- Clause 35.04-1 (Green Wedge Zone): to use the land for a renewable energy facility (solar energy facility); and
- Clause 35.04-5 (Green Wedge Zone) to construct or carry out buildings or works associated with a Section 2 use of Clause 35.04-1.

This application has been brought to a Council meeting as it has received one-hundred and sixty-two (162) objections and one submission of no objection, during the statutory notification period required under Section 52 of the *Planning and Environment Act 1982*.

The applicant has lodged an application for review with VCAT for Council's 'failure to determine' the application within the prescribed time under Section 79 of the *Planning and Environment Act 1987*. As such, this Council report now seeks to establish Council's position for the upcoming VCAT Compulsory Conference currently scheduled for 29 March 2021. VCAT have directed that Council must establish its position before the Compulsory Conference prior to that date. A full VCAT hearing is scheduled from 6 May 2021 over a period of seven (7) days. Only one of the objectors has lodged a 'statement of grounds' to participate in the VCAT hearing.

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

Given that the application is now before VCAT for a decision, Council may no longer determine to approve or refuse the permit and can only establish its position for the VCAT hearing.

The reason for the long timeframe for making a decision on this planning application was due to the need to confirm if the proposal was in accordance with the Section 173 agreement registered on Title. This resulted in the submission of a separate application for this to be determined, which did not permit Council to 'stop the clock' on the subject application.

The matter before VCAT was only whether or not cl6 was relevant to the permit application consideration. A decision has now been made by VCAT in relation to the declaration application submitted under Section 149A(1A) of the Planning and Environment Act 1987 in relation to the validity of Clause 6 of the original Section 173 Agreement registered on the title. VCAT has declared that, to quote:

- a. ***Clause 6 of the relevant Section 173 Agreement R325593X is not inconsistent with the proposed use of the subject land at 66-88 and 98-100 Clarke Road, Springvale for the purposes of a renewable energy facility (solar farm).***
- b. ***Where this Clause 6 has been reproduced below, those words shown underlined are so fatally uncertain that they are deemed to be severed and struck out.***

*“Upon cessation of tipping operations of 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 [sic].”*

With clarification from the declaration from VCAT, Council can now move to make a recommendation on the proposed solar farm application without the requirement to consider the 'after use' of the land for recreation purposes as was potentially required under the original version of the Section 173 Agreement. Whilst this is the case, it has no practical impact on Council's consideration of the intent of the Chain of Parks as consideration of this is still a requirement embedded in the Chain of Parks Policy at Clause 22.01 of the Greater Dandenong Planning Scheme.

It is also noted that if a new application for this proposal was to be lodged now, it would be the Minister for Planning that would be the responsible authority for determining this application, as all applications for energy generation of one megawatt or greater are now to be submitted to the Minister for Planning for assessment.

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)****Objectors Summary**

The application was advertised to the surrounding area through the erection of six (6) on-site notices and the mailing of notices to adjoining and surrounding owners and occupiers. One-hundred and sixty-two (162) objections, and one submission of no objection, were received to the application. Issues raised generally relate to matters of:

- Visual impacts.
- Environmental impacts.
- Health impacts.
- Glare and reflectivity.
- Bushfire risk.
- No community benefit.
- Inconsistent with Planning Scheme and Chain of Parks policy.

**Assessment Summary**

The use and development of the land for a renewable energy facility is considered to be reasonable and acceptable on the subject land.

The use of a solar farm in this location is considered appropriate, and in accordance with Planning Scheme, along with Council's Green Wedge Management Plan, Climate Emergency Strategy, Sustainability Strategy and the Climate and Ecological Emergency Declaration. The siting and design of the solar farm has been well-considered to limit visual impacts to the surrounding residential allotments. The submitted plans appropriately demonstrate a planting response around the periphery of the site to further improve screening and soften any views to or from the proposed works. In addition, it is considered that the proposal will comply with Clause 22.01 – Chain of Parks Policy subject to conditions (Condition 1) of permit requiring the provision of walking and bicycle tracks and parkland along the periphery of the site. Importantly, it is proposed that a condition of any permit issued requires the completion of all landscaping before any development of the solar farm infrastructure can commence.

It is considered that the supporting engineering documentation demonstrates that the panel foundations and racking systems proposed would not affect the site cap. The application was referred to EPA Victoria who have no objections to the proposed application for a solar farm subject to conditions. In addition, the owners and permit holders of the subject site will continue to be required to comply with all remediation conditions as imposed by conditions of the original landfill permit and the Section 173 Agreement registered on the title to the land it applies to.

Overall, the proposal is considered to be consistent with the relevant policy framework of the Greater Dandenong Planning Scheme, providing a wide-reaching net community benefit in perpetuity through the provision of a renewable energy facility.

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)****Recommendation Summary**

That Council resolves to adopt the following position for the upcoming Victorian Civil Administrative Tribunal (VCAT) Compulsory Conference and Hearing for planning application PLN18/0688:

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 renewable energy facilities with this report recommending that had Council been in a position to decide the application it would have resolved to issue a Notice of Decision to Grant a Permit in respect of the land known and described as 66-88, 98-100 and 168-222 Clarke Road, Springvale South, for the use and development of the land for a renewable energy facility (solar energy facility) in accordance with the plans submitted with the application subject to the conditions as set out in the recommendation.

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (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.

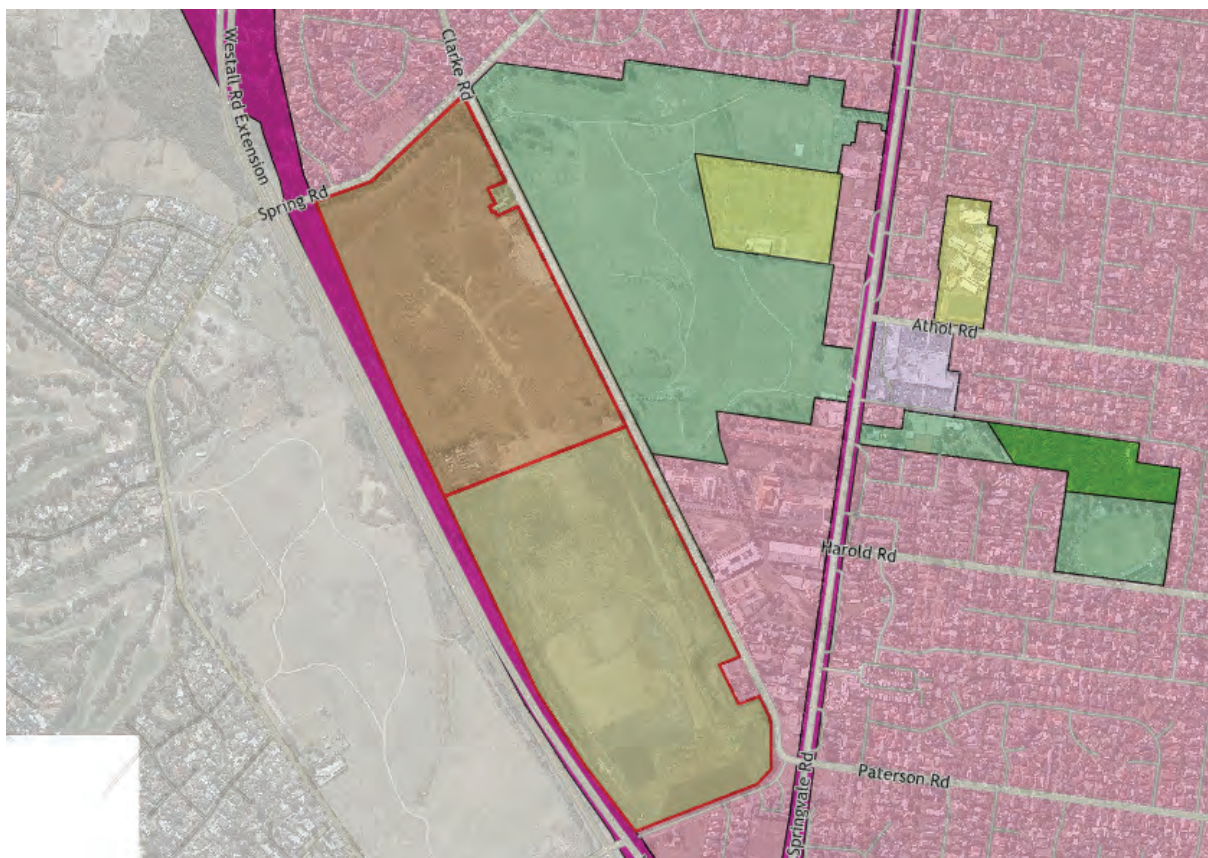
**Surrounding Area**

- 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.



**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

Locality Plan



**Background**

**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. 1998/145 was issued on 29/07/1998 for the purpose of a Waste Recycle and Transfer Station (Private Rubbish Tip).

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 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. The permit was never activated and has since expired.
- 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 was refused on 25/03/2010.

## **Subject Application**

### **Proposal**

The application proposes the use and development of the land for a renewable energy facility (solar energy facility). Pursuant to Clause 73.03, the definition of solar energy facility is as follows:

*“Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network. It does not include the generation of electricity principally used for an existing use of land.”*

Importantly, as it is nested under the broader definition of renewable energy facility, it also:

*“includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource”.*

As such, the substation, battery storage and associated infrastructure form part of the development application.

The use will comprise the installation of solar panels which will collect and store solar energy for distribution to electricity wholesalers. The use is anticipated to have a solar capacity of up to approximately 27.552 megawatts per year, producing 39,014 megawatt hours of electricity which is sufficient to power approximately 10,094 homes per year.

The use is anticipated to generate approximately 85 jobs in research, development and construction. The use will operate 24 hours per day, 7 days per week with occasional access by staff / contractors to the site, however, the use will generally operate remotely independent from any staff.

The specific details of each development component is as follows:

### **Solar panel array**

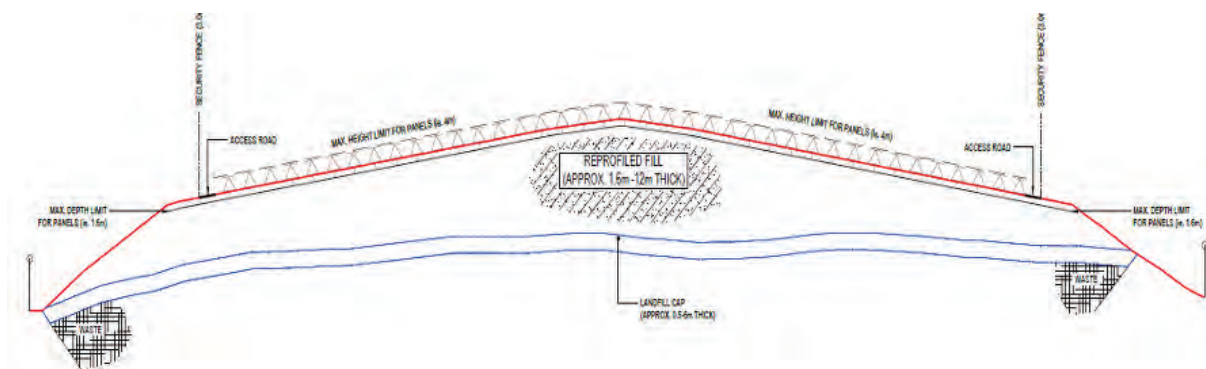
The proposal solar panel array layout utilises GCL400W panels with an overall maximum height of four (4) metres, with the total number of modules required for a 27.552-megawatt project being 68,880. The modules are located within a table comprising three (3) panels vertically and eight (8) panels horizontally.

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

Whilst the specific detailed design is yet to be finalised, it is noted that there are two types of mounting options for solar panels. These are either fixed tilt or single axis tracking.

The fixed tilt option does not track the sun path and remains fixed in a position on the site whilst the single axis tracking option rotates throughout the day to track the east to west sun path. The single-axis option is greater in height and has been utilised within the visual impact assessment to demonstrate the 'worst-case' scenario.

Both options require footing and pier structures for support which penetrate through the ground up to 1.6 metres with neither option exceeding the four (4) metre maximum height from ground level. The environmental engineering documentation provided with the application indicates that the support structures will not penetrate the landfill cap (identified in blue) thus limiting any offsite environmental harm (see plan extract below).

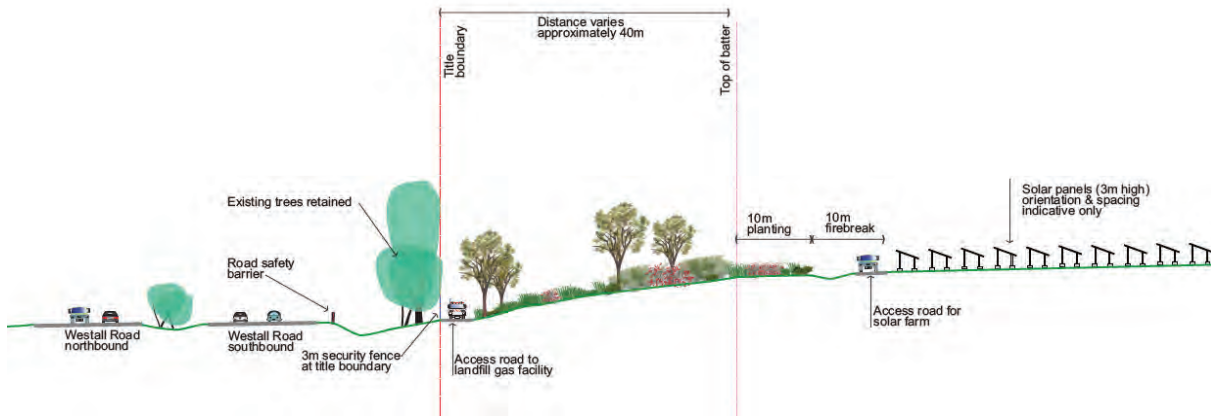


*Please see attachments for a larger version of this plan*

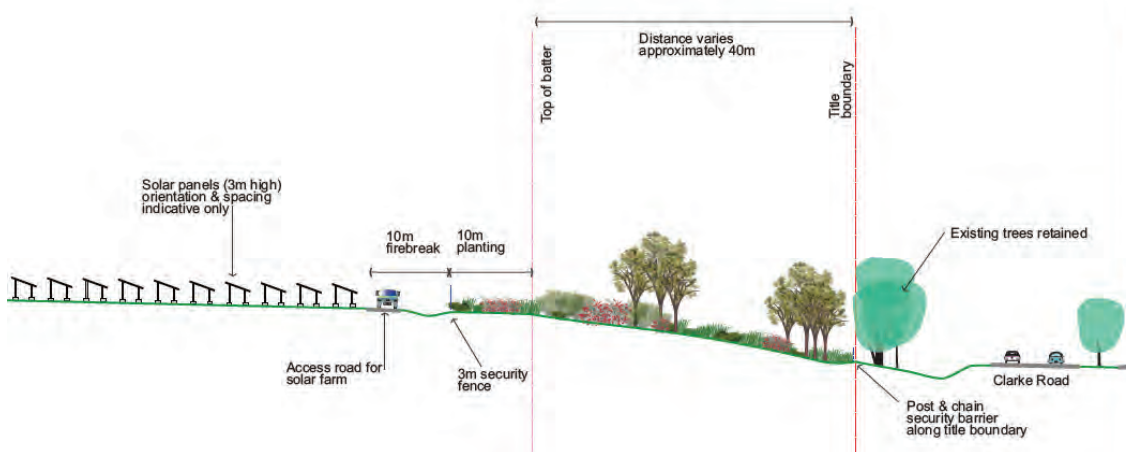
The typical section below demonstrates the general setbacks proposed across the site from the title boundary to the solar panel array and the maximum overall height and depth of the structure. In essence, there is a proposed 60m setback in the proposal, being a varied landscape setback from the title boundary to the top of the batter of 40 metres, with a further 10 metre setback from the top of the batter to a security fence. An additional 10 metre firebreak will provide the location of the access road around the perimeter of the solar panel array. The below section diagrams show the proposed setbacks and landscaping buffers from the east and western perspective.

ORDINARY COUNCIL MEETING - AGENDA

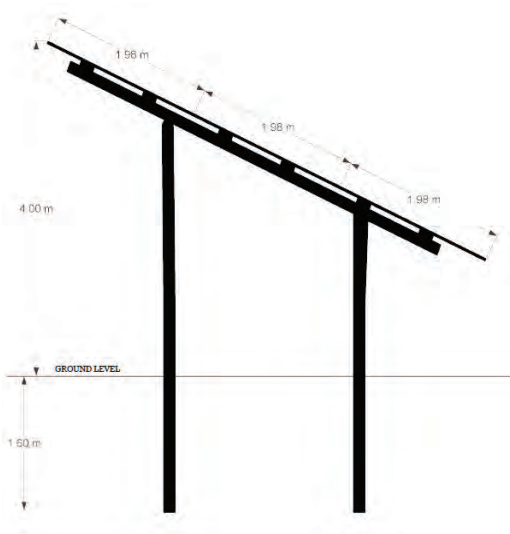
**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**



Western boundary setbacks (Westall Road)



Eastern boundary setbacks (Clarke Road)

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

*Please see attachments for larger versions of the above plans*

**Associated electrical and transmission infrastructure**

The development of the land will include the provision of electrical and transmission infrastructure required to support the project. This is inclusive of a dedicated substation, transmission lines, inverters and potential battery storage.

The substation and battery storage bank are proposed to be located on the eastern side of the site as per the map below.



**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**



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### **2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

The applicant has detailed that the exact Mega Watt / Mega Watt Hour capacity and subsequent area footprint of the provisional substation and battery storage bank will be determined subject to commercial, technical, legal and regulatory considerations. It is considered that the information such as elevation plans and specific locations for these infrastructure elements of the proposal should be required as a condition of permit with full requirements around landscaping and materials to be used being identified on any plans required to be submitted.

#### **Internal site access**

The proposal will include site access from Rowan Road which provides access to the broader site around the periphery of the solar array.

#### **Perimeter fencing**

Although a planning permit is not required for 'a fence', the proposal includes the provision of fencing both to the title boundary and the top of the batter for site security.

There is an inner and an outer fence proposed. The outer fence is the title boundary fencing will be in the form of bollard and chain, which seeks to prevent vehicular access whilst maintaining a level of transparency to the landscaped public realm which is part of the open space linkages, with the batter fencing being in the form of a 3-metre-high security fence.

Due to the slope of the batter and the provision of landscaping and canopy planting, the security fence is largely screened to minimise visibility to the public realm.

*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:

- Clause 35.04-1 (Green Wedge Zone): to use the land for a renewable energy facility (solar energy facility); and
- Clause 35.04-5 (Green Wedge Zone): to construct or carry out buildings or works associated with a Section 2 use of Clause 35.04-1.

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

The relevant controls and policies are as follows:

**Zoning Controls**

The subject site is located within a Green Wedge Zone. The purpose of the Zone outlined at Clause 35.04 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.*
- *To encourage use and development that is consistent with sustainable land management practices.*
- *To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.*
- *To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.*
- *To protect and enhance the biodiversity of the area.*

Pursuant to Clause 35.04-1 and Clause 35.04-5, a Planning Permit is required for the use and development of the land for a renewable energy facility (solar energy facility).

**Overlay Controls**

The subject site is located within an Environmental Audit Overlay. The purpose of the Overlay outlined at Clause 45.03 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.*

The requirements of the overlay outlined at Clause 45.03-1 indicate that before a sensitive use (residential use, childcare centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- *A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or*
- *An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.*

As the proposed use is not defined as sensitive within the Victoria Planning Provisions, there is no requirements to prepare an Audit pursuant to Clause 45.03-01. However, to ensure the proposed works do not result in any offsite impacts from gas or leachate migration, an Environmental Audit should be requested via permit conditions independently of the Overlay.



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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**State Planning Policy Framework**

Clause 71.02 (Operation of the Planning Policy Framework) outlines the purpose of the planning policy framework and seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

This is further highlighted within Clause 71.02-3 (Integrated decision making) which suggests:

*“Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations”.*

Relevant planning policies to this application within the Planning Policy Framework include:

- Clause 11: Settlement
  - Clause 11.01-1S Settlement
  - Clause 11.01-1R Settlement – Metropolitan Melbourne
  - Clause 11.01-1R Green Wedges – Metropolitan Melbourne
  
- Clause 13: Environmental Risks and Amenity
  - Clause 13.02-1S Bushfire Planning
  - Clause 13.04-1S Contaminated and Potentially Contaminated Land
  - Clause 13.07-1S Land Use Compatibility
  
- Clause 14: Natural Resource Management
  - Clause 14.01-1S Protection of Agricultural Land
  - Clause 14.01-1R Protection of Agricultural Land – Metropolitan Melbourne
  - Clause 14.01-2S Sustainable Agricultural Land Use.
  
- Clause 15 Built Environment and Heritage
  - Clause 15.01-1S Urban Design
  - Clause 15.01-1R Urban Design – Metropolitan Melbourne
  - Clause 15.01-2S Building Design
  - Clause 15.03-2S Aboriginal Cultural Heritage
  
- Clause 17: Economic Development

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- Clause 17.01-1S Diversified Economy
- Clause 17.01-1R Diversified Economy – Metropolitan Melbourne
- Clause 19: Infrastructure
  - Clause 19.01-1S Energy Supply
  - Clause 19.01-2S Renewable Energy
  - Clause 19.01-2R Renewable Energy – Metropolitan Melbourne
  - Clause 19.02-6R Open Space – Metropolitan Melbourne

The Planning Policy Framework will be discussed further within the assessment section of this report.

**Local Planning Policy Framework**

As outlined at Clause 23.02, the MSS is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives.

Relevant planning policies to this application within the MSS include:

- Clause 21.03 A Vision for Greater Dandenong
- Clause 21.04 Land Use
  - Clause 21.04-4 Green Wedge
- Clause 21.05 Built Form
  - Clause 21.05-1 Urban Design, Character, Streetscapes and Landscapes
  - Clause 21.05-3 Sustainability
- Clause 21.06 Open Space and Natural Environment
  - Clause 21.06-3 Green Wedge

As outlined at Clause 23.03, Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement and provide a policy statement of intent or expectation.

Relevant Local Planning Policies to this application include:

- Clause 22.01 Chain of Parks
- Clause 22.02 Green Wedge

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

The Local Planning Policy Framework will be discussed further within the assessment section of this report.

**Particular Provisions**

Relevant Particular Provisions to this application include:

Clause 51.02 Metropolitan Green Wedge: Core Planning Provisions

The purpose of Clause 51.02 is:

- *To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.*
- *To protect productive agricultural land from incompatible uses and development.*
- *To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.*
- *To encourage the location of urban activities in urban areas.*
- *To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004. To provide deeming provisions for metropolitan green wedge land.*

This policy sets out prohibited land uses within the metropolitan Green Wedge areas. A renewable energy facility (solar energy facility) is not listed as a prohibited land use.

Clause 52.06 Car Parking

The purpose of Clause 52.06 broadly seeks 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.

Pursuant to Clause 52.06-6, as a solar energy facility is not listed in Table 1 to Clause 52.06-5, no set car parking rate applies and instead car parking must be provided to the satisfaction of the responsible authority.

Clause 53.13 Renewable Energy Facility (Other than a Wind Energy Facility)

The purpose of Clause 53.13 seeks to facilitate the establishment and expansion of renewable energy facility, in appropriate locations, with minimal impact on the amenity of the area.

Pursuant to Clause 53.13-1, this clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

The application has been assessed against the relevant decision guidelines of Clause 53.13 at the time of its lodgement.

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (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.

**Planning Scheme Amendments**

Planning Scheme Amendment VC161 was gazetted on 17 September 2019 and introduced new requirements for solar energy facilities. Including:

- Introducing Clause 19.01-2S (Renewable energy) to specify the Solar Energy Facilities Design and Development Guideline (Department of Environment, Land, Water and Planning, August 2019) as a policy document;
- Amending Clause 53.13 (Renewable energy facility – other than wind energy facility) to:
  - clarify the application of the provision;
  - introduce new decision guidelines; and
  - **insert transitional provisions to provide that the changes made by this amendment do not apply to current applications.**
- Amend Clause 72.01 (Responsible authority for this planning scheme) to specify the Minister for Planning as the responsible authority in relation to the use and development of land for a:
  - renewable energy facility with an installed capacity of 1 megawatt or greater;
  - utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater

except for current applications or permits issued.

**The subject planning application was submitted on 3 September 2018 and no amendments to the planning application have been received to date. As such the following transitional provisions apply:**

- Clauses 19.01-2S and 53.13 of this planning scheme as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.
- Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**Victorian Policies**

There are state-wide planning strategies of relevance to this proposal being:

- Plan Melbourne 2017-2050; and
- Renewable Energy Action Plan 2017.

Further details are as follows:

Plan Melbourne 2017-2050

Outcome 6 of the Plan seeks to ensure that Victoria will reduce greenhouse gas emissions to net zero emissions by 2050 whilst creating new jobs, driving innovation and reducing household energy bills. A key direction of the Plan is to transition to a low-carbon city by facilitating the uptake of renewable energy technologies.

Renewable Energy Action Plan 2017

The Plan seeks to provide a range of renewable energy projects across Victoria to increase renewable energy generation to 25 per cent by 2020 and 40 per cent by 2025, to deliver a sustained pipeline for investment.

**Council Policies**

There are Council strategies of relevance to this proposal being:

- Greater Dandenong Sustainability Strategy 2016-2030;
- Green Wedge Management Plan 2017;
- Open Space Strategy 2009;
- Climate Emergency Strategy 2020; and
- Sustainability Strategy 2016-2030

Further details are as follows:

Greater Dandenong Sustainability Strategy 2016-2030

This strategy is based around 10 specific themes all of which are geared to making the City of Greater Dandenong one of the most sustainable cities in Australia by 2030. As part of this vision for the municipality the strategy identifies that Council supports a reduction in greenhouse gas emissions and increasing the uptake of renewable energies.

Green Wedge Management Plan 2017

This strategy consists of a 20-year vision of the Greater Dandenong Green Wedge. As part of this strategy, the subject site is identified within Precinct 1 titled the 'Clarke Road Precinct'. Under Section 5.4 of the Plan, it is noted that "*renewable energy is considered an example of an appropriate future use of the site, given the post closure land fill monitoring requirements, ongoing gas extraction*

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

*processes and requirements to maintain the landfill gap in the long term. Renewable energy generation should be supported as a desirable Green Wedge use, particularly in the case of the former Clarke Road Landfill. This supports Direction 5.7 of Plan Melbourne which aims to transition to clean energy”.*

Open Space Strategy 2020

The subject land is not designated for future open space in the Strategy.

Climate Emergency Strategy 2020

This strategy sits within the context of Council moving to meet four (4) headline targets being:

- Becoming a Net Zero Emission Council by 2025;
- 100% renewable energy for Council by 2025;
- Becoming a Net Zero Emission City by 2040; and
- A resilient and active community prepared for the challenges of a changing climate.

The Climate Emergency Strategy provides a strategic framework for Council and the community to achieve this vision, by informing decisions and helping to determine plans and activities. The strategy aims to develop a whole of Council response to climate change, building on existing programs and activities to reduce emissions and increase resilience, at both a corporate and community level.

Sustainability Strategy 2016-2030

The Greater Dandenong Sustainability Strategy 2016-30 provides the strategic framework to achieve Council’s vision, by informing decisions and helping to shape the plans and activities undertaken across the municipality and region.

While Council has significant ability to influence sustainable outcomes, it cannot do it alone. Our community, stakeholders and partners will also need to act, and the strategy and this website will guide their activities.

**Restrictive Covenants or Agreements**

The subject site is bound by an Agreement under Section 173 of the Planning & Environment Act 1987, reference R325593X. Broadly, the original Agreement sought to ensure that upon cessation of the landfill use (at the time), the Owner agrees to take appropriate steps to ensure the after use of the land.

The specific details of the original Agreement are as follows:

*“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*

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

*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.*
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 10th 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.***



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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

During the course of the assessment of the solar farm application the applicant submitted to VCAT a declaration application under Section 149A(1A) of the Planning and Environment Act 1987 in relation to the validity of Clause 6 of the Section 173 Agreement registered on the title. VCAT has declared that:

**(a) Clause 6 of the relevant Section 173 Agreement R325593X is not inconsistent with the proposed use of the subject land at 66-88 and 98-100 Clarke Road, Springvale for the purposes of a renewable energy facility (solar farm).**

**(b) Where this Clause 6 has been reproduced below, those words shown underlined are so fatally uncertain that they are deemed to be severed and struck out.**

*“Upon cessation of tipping operations of 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 [sic].”*

By Order of VCAT, Council can now move to make a recommendation on the proposed solar farm application without the requirement to consider the after use of the land for recreation purposes as was potentially required under the original s173Agreement. However, the Chain of Parks Policy will still continue to apply and be considered as outlined in the assessment section of this report.

### **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 subject to strict conditions on any planning permit issued.

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**Safe Design Guidelines**

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

**Referrals**

Pursuant to Sections 52 and 55 of the Planning and Environment Act 1987, the application was externally referred to the following authorities.

| <b>Authority</b>                   | <b>Determining or Comment</b> | <b>Response</b>   |
|------------------------------------|-------------------------------|---|
| VicRoads                           | Determining (Section 55)      | No objections   |
| Civil Aviation Safety Authority    | Comment (Section 52)          | No objections   |
| Country Fire Authority             | Comment (Section 52)          | No objections subject to permit conditions (General Advice) |
| Environmental Protection Authority | Comment (Section 52)          | No objections subject to permit conditions                  |
| South East Water                   | Comment (Section 52)          | No objections   |
| Australian Market Energy Operator  | Comment (Section 52)          | No response   |

**Internal**

The application was externally referred to the following internal departments for comment:

| <b>Internal Department</b> | <b>Response</b>                            |
|----------------------------|--|
| Asset Planning             | No objections subject to permit conditions |
| Building Services          | No objections                              |
| Bushland and Gardening     | No objections subject to permit conditions |
| ESD / Sustainability       | No objections                              |
| Strategic Planning         | No objections subject to permit conditions |
| Transport Planning         | No objections                              |
| Urban Design               | No objections subject to permit conditions |

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

### **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 land and surrounding land.
- Placing six (6) signs on site facing Westall Road, Clarke Road, Springvale and Rowan Road

Advertising included notice being given to the City of Kingston, which had no objections to the proposal subject to adequate visual barriers to be provided.

The notification has been carried out correctly. Council has received one hundred and sixty-two (162) objections to date and one (1) submission (Kingston City Council).

Only one of the objectors has lodged a 'statement of grounds' to participate in the VCAT hearing.

*The location of the objectors is shown in Attachment 2.*

### **Consultation**

A formal consultative meeting was not held for the subject application. However, the applicant has held a non-statutory public consultation in July 2019 as part of their community engagement strategy at which a considerable number of people attended, including Councillors, Council officers and members of the public.

### **Summary of Grounds of Objections**

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

#### **Visual impacts**

*Concerns have been raised regarding the visual impact of the proposed solar farm. Council officers, including Council's Urban Designer have assessed the plans and find that whilst the panels maintain visibility from the public realm component within the site boundaries, there will be sufficient setbacks and landscaping available to mitigate any potential visual impact outside of the site boundaries.*

#### **Environmental impacts**

*Concerns have been raised regarding environmental impacts with respect to the previous landfill use. Council officers have reviewed the environmental engineering documentation prepared and submitted with the application and have referred the application to EPA Victoria. It is considered that the construction of the proposed solar farm will not result in gas or leachate migration. In addition, the land is subject to Section 173 Agreement and ongoing EPA audits to ensure it meets specific environmental regulations in perpetuity.*

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**Health impacts**

*Concerns have been raised regarding health impacts from the solar array, particularly from electromagnetic waves, radiation or the like. These are not considered to be specific planning-based objections and cannot be further considered within this report.*

**Glare and reflectivity**

*Concerns have been raised regarding the glare and reflectivity of the solar panels. Council officers note the panels and associated support structures have been designed to interface with the sun with the angle at which the sunlight is reflected will be directed sufficiently skyward making any potential solar reflection with respect to road users and residents in surrounding dwellings (including double story dwellings) geometrically improbable and as such any potential glare or reflectivity will be directed away from any residential or public interface. However, a condition of permit should require a full glint and glare report to be submitted to ensure no detrimental impacts to surrounding residential dwellings from any potential glint and glare.*

**Bushfire risk**

*Concerns have been raised regarding bushfire risk. Council officers note that bushfire risk should be considered only when assessing planning applications for certain land uses and development, primarily relating to applications that will result in people congregating in larger numbers. As the proposed use and development of the land for a solar energy facility is not listed under Clause 13.02-1S and is not a use that will result in the large-scale congregation of persons, there is no requirement to identify hazards and assess bushfire risk. Nonetheless, the application was referred to the CFA with a number of conditions required, which should be recommended for any permit granted.*

**No community benefit**

*Concerns have been raised stating that the proposal will not result in community benefit as it will be reducing the extent of potential open space and has no direct benefit to the directly adjoining residential land. Council officers note that pursuant to cl 71.02-3 for Integrated Decision Making that responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. Council officers find that the proposed use and development for a renewable energy facility would on balance provide a wide community benefit by way of providing a renewable energy source to assist in reducing the impacts of climate change. This will also support a number of Council policies, including the Climate Emergency Strategy 2020 and Sustainability Strategy 2016-2030, as well as Council's adopted Climate and Ecological Emergency declaration. It is also important to note that open space in accordance with the Chain of Parks policy should still be required as part of this proposal.*

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)****Inconsistent with Planning Scheme and Chain of Parks**

*Concerns have been raised stating that the proposal is inconsistent with the Planning Scheme and specifically the Chain of Parks policy. Council officers have considered the suite of applicable policies within this report and consider that the proposal is generally in accordance with the Planning Scheme, including the Chain of Parks policy. It is intended that the open space set out in the Chain of Parks policy will be provided through this development. This will be further discussed below.*

**Assessment**

The proposal has been assessed against the relevant provisions of the Planning Policy Framework, Local Planning Policy Framework and relevant Council policies as well as the Zoning of the land and any applicable overlays and particular provisions. On balance, the proposed use and development is considered to be acceptable for the subject land on which it is located and supported by the relevant suite of policies. A full assessment is outlined below.

**Use**

The proposal responds to the relevant State and Metropolitan Melbourne policies for renewable energy outlined pursuant to Clause 19.01-2S and Clause 19.01-2R. The subject land is considered to be an appropriate location, making good after-use of a contaminated site. In addition, whilst the land is located within the midst of an existing urban area, it is considered to be compatible with the surrounding residential land uses when regard is given to the setbacks and landscaping proposed and overall provides a wide-reaching net-community benefit to the community and State of Victoria.

The proposal will result in the creation of approximately 85 jobs within an innovative technological sector, responding to the policy objectives outlined at Clause 17.01-1S and Clause 17.01-2S which seeks to improve the diversity of the economy, as well as create opportunities for innovation and the knowledge economy. The proposal would be one of the largest urban solar farms in Australia

At a local level, the proposal is generally consistent with the policy preferences outlined for land use and sustainability through the delivery of a renewable energy facility which can provide sustainable power and assist in meeting Council and the communities climate change obligations. The proposal will also align with, and assist in meeting the following Council adopted documents and resolutions:

- Climate Emergency Strategy 2020;
- Climate and Ecological Emergency Declaration; and
- Sustainability Strategy 2016-2030

Furthermore, Clause 21.03 identifies a Vision for Greater Dandenong, with strategies *that reduce air, water and noise pollution, strategies that promote ecologically sustainable development, strategies to protect and reinforce the rural landscape in Greater Dandenong's Green Wedge and strategies that reinforce the Green Wedge Zone as a 'Green Space' between urban growth corridors.*

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

The policy direction for Green Wedge land is established within Clause 21.04-4; Clause 21.06-3 and Clause 22.02 as well as within the purposes of the Zone at Clause 35.04. Broadly, these local policies and the green wedge zoning of the land seek to protect and enhance the Greater Dandenong green wedge by ensuring new uses and development do not compromise its landscape, ecological and agricultural values.

Whilst Council officers acknowledge the important role of the Green Wedge, as identified above, it is necessary to acknowledge that the Green Wedge land subject to this application is not contiguous with other areas of the green wedge, which are typically located further south in the municipality and inclusive of a strong network of green open space from Bangholme through to Cranbourne and then further east and south towards Koo Wee Rup and Mornington Peninsula respectively. Furthermore, suitable land uses are limited for this site due to the historical landfill use of the site.

Moreover, whilst other green wedge areas may be maintained for their agricultural or ecological purposes, the subject land does not afford the same level of value as it has been previously used for quarrying and landfill purposes. Thus, it is contaminated and unsuitable for agricultural purposes, and does not retain any biodiversity values with the exception of remnant vegetation from the previous landfill use.

Council's adopted Green Wedge Management Plan and policies at Clause 22.02 guide the future land use and development of the green wedge. The Green Wedge Management Plan specifically references the subject site where it states that:

*“Renewable energy is considered an example of an appropriate future use of the site, given the post closure land fill monitoring requirements, ongoing gas extraction processes and requirements to maintain the landfill gap in the long term. Renewable energy generation should be supported as a desirable Green Wedge use, particularly in the case of the former Clarke Road Landfill. This supports Direction 5.7 of Plan Melbourne which aims to transition to clean energy”.*

In addition, at Table 1 to Clause 22.02 the preferred land uses for the former landfill include a Solar Farm and other infrastructure.

The proposed use is therefore considered to be consistent with the broader Planning Policy Framework for the Green Wedge as it pertains specifically to this site within Precinct 1 and provides a wide-reaching net-community benefit.

**Development**

From a built form perspective, the proposal responds to the urban design objectives outlined at Clause 15.01-1S, it is considered the development demonstrates an outcome that seeks to mitigate any visual impacts to the public realm through the provision of significant setbacks and the proliferation of canopy planting and screen shrubbery.

An application to use or develop the land for a renewable energy facility (other than a wind energy facility) must consider the provisions of Clause 53.13 – Renewable Energy Facility, and before deciding on an application, the responsible authority must consider a range of matters relevant to this proposal. These are identified as follows:



**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)****The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference:**

The proposal has been assessed to determine the potential effects the proposal may have on the surrounding residential area. As the site is located within an established urban area, care must be taken to mitigate any offsite effects. It is noted that visual impact is assessed separately below.

Noise

Council officers highlight that noise is typically produced from the associated electrical infrastructure of the development. The most common noise sources for a solar energy facility include the photovoltaic (PV) inverter, transformers and substations, air conditioning units and traffic noises.

Generally, any noise created is only audible within close proximity to the infrastructure and at low frequencies and as such it is considered that with the correct siting and design of the infrastructure as well as appropriate buffers the proposal will not generate noise that would affect the amenity of the residential environs.

Permit conditions (conditions 41 and 45) should be recommended to regulate noise and should be required to be complied with and provide a mechanism of enforcement.

Glint

The applicant has indicated that there are two racking options available for the panel supporting structures which includes a fixed tilt and single tilt racking system.

The single-axis tracking system tracks the sun path for maximum solar efficiency thus it always maintains a direct interface with the sun path, limiting glint and glare to the public and private realm. In contrast, the fixed tilt racking system is fixed in place, but typically lower in overall height to limit glint and glare. For the fixed tilt racking system, the establishment of landscaping will also provide a visual barrier in which glint or glare is appropriately mitigated.

Furthermore, it is understood that panels typically do not reflect light, rather it is absorbed for PV generation. This is reflected in referral comments received by VicRoads and CASA who did not raise concerns to the proposal, both of which must consider the potential impacts of glint or glare to the road network or flight paths. Whilst the detailed design is yet to be confirmed, both racking system options are considered to be adequate in limiting offsite impacts of glint and glare. It is noted that to gain further certainty, Council will recommend a glint and glare report and necessary specifications of panel glass and racking material through permit conditions (Condition 14).

Light spill

Any lighting required for the site must be baffled and directed away from any sensitive interface to minimise any offsite emissions. These will likely form standard conditions (conditions 41 and 46) of permit and be subject to detailed design plans.



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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

*Vibration*

Any vibration to the surrounding residential interface is likely to be through the provision of vehicular movements during the construction phase. Permit conditions (condition 10) should require the preparation of a construction management plan to ensure that works are conducted within reasonable hours to minimise disruption to any nearby persons.

*Smell*

The proposed solar panels, support structures and transmission infrastructure will not emit odour. Whilst the subject land was previously used for a putrescible and solid inert landfill, the rehabilitation works required by the EPA include the provision of significant earthworks and capping to ensure that there are no offsite impacts from odour.

*Electromagnetic interference*

Electromagnetic interference is the disruption to the standard operation of an electronic device created by an electromagnetic field in its vicinity. Electromagnetic fields would typically be produced by the photovoltaic (PV) inverter noting that the panels themselves do not emit electromagnetic interference.

Generally, PV inverters operate at very low frequencies and are not prone to radiating electromagnetic interference, thus any potential impact is considered to be highly unlikely. Furthermore, electromagnetic interference decreases exponentially as distance from the source is increased, thus with appropriate siting and design of the facility, including the significant setbacks proposed, the impacts will be negligible.

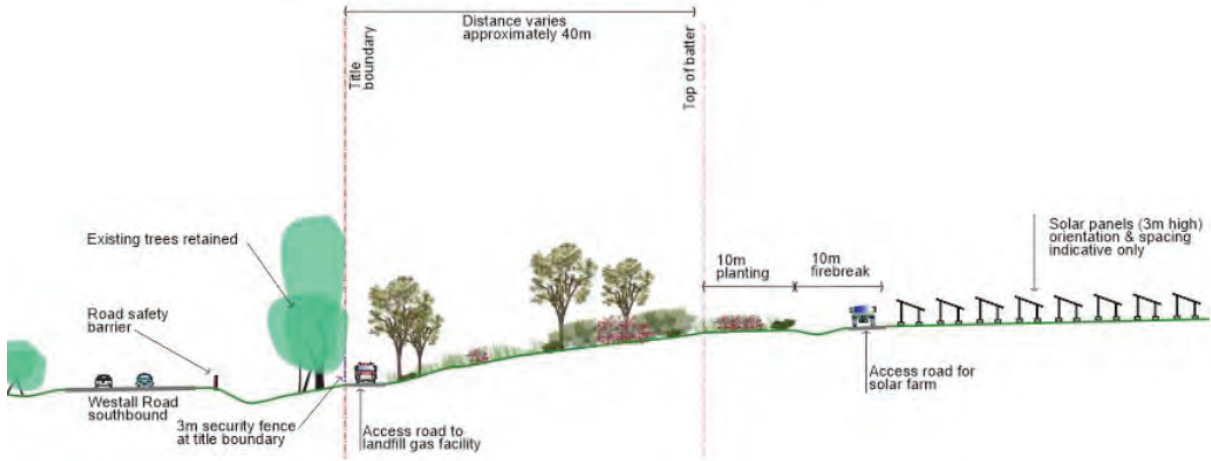
**The impact of the proposal on significant views, including visual corridors and sightlines:**

As part of the application material, the applicant has submitted a landscape concept plan and cross sections for the proposal (see attachment 1).

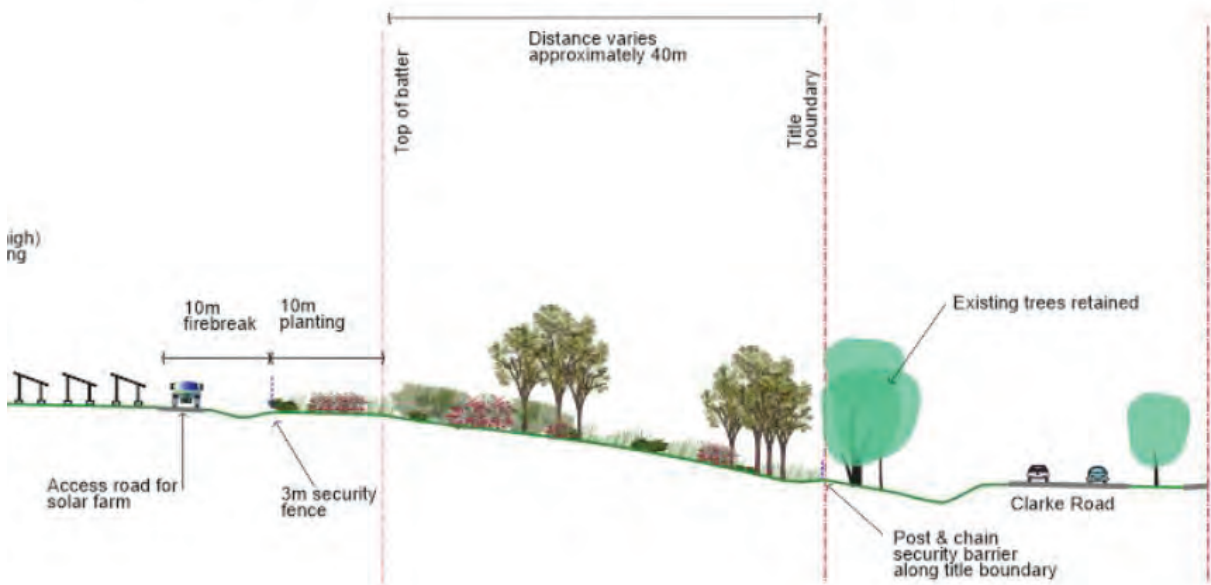
A total of 50m of planting setback is proposed, being a landscape buffer of approximately 40 metres wide is proposed around the perimeter of the site from the site boundary to the top of the batter with an additional 10 metres of planting up to a security fence.

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

*Section through proposed boundary planting along Westall Road*



*Section through proposed boundary planting along Clarke Road*



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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

The vegetation proposed to be utilised in the landscape buffer are listed as follows:

| Common Name              | Botanical Name                    | Tree Type | Mature Height |
|--------------------------|-----------------------------------|-----------|---------------|
| Blackwood                | <i>Acacia malnoxydon</i>          | Evergreen | 12-15m        |
| Drooping Sheoak          | <i>Allocasuarina verticillata</i> | Evergreen | 8-15m         |
| Coastal Banksia          | <i>Banksia integrifolia</i>       | Evergreen | 12-15m        |
| Narrow-leafed Peppermint | <i>Eucalyptus radiata</i>         | Evergreen | 15m+          |
| Yellow Box               | <i>Eucalyptus melliodora</i>      | Evergreen | 15m+          |

In addition to the above trees, the planting of mixed shrubbery and ground covers is to occur adjacent the security fence to the top of the batter. This planting seeks to provide a dense vegetated screen to further improve the visual outlook from the adjoining and surrounding public and private realm.

It is anticipated that the vegetation and more specifically the trees proposed will establish and grow to maturity over a period of 5 -10 years and are to be planted across the landscape buffer.

A condition of permit should require the planting of semi-mature vegetation to ensure an appropriate level of screening is available from the outset. A further condition will also require all of the landscaping to be completed prior to the commencement of works for the solar array panels, again to ensure there is screening at the outset.

In addition, it is important to note that the solar panels will have a maximum height of 4 metres, which is similar to a single storey dwelling. While it is noted that these panels will cover a large area, Council officers consider that the 50 metre landscaping buffer, plus the required 10 metre fire break, totalling 60 metres, as well as this level of landscaping, will ensure that the visual impacts of the solar panels will be minimal and result in an acceptable outcome.

In addition, conditions of permit should require the ongoing maintenance and protection of all landscaping, inclusive of groundcover, shrubbery and tree planting in the form of a Section 173 Agreement to ensure its protection in perpetuity. (see condition No 6)

**The impact of the proposal on the natural environment and natural systems:**

As identified above, the land does not retain any biodiversity value due to the previous landfill use associated with the site. The only natural environments relevant to the land are the remnant shrubs and trees along the title boundary, none of which are identified as significant or of conservation value. As such, there is no impact on the natural environment and natural systems.

In addition, the land is contaminated due to the previous landfill use associated with the site and therefore would be unsuitable for agricultural purposes. As such, there is no impact on strategically important agricultural land, and it is noted that the proposal is not within a declared irrigation district.

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**Whether the proposal will require traffic management measures:**

The proposal will have no impact to the road network as the solar energy facility has a low-maintenance requirement and as described by the applicant can generally be operated remotely. Any access to the site will be for maintenance purposes only and will have a lesser impact than the current ongoing traffic and vehicle movements associated with the EPA rehabilitation works.

**Chain of Parks**

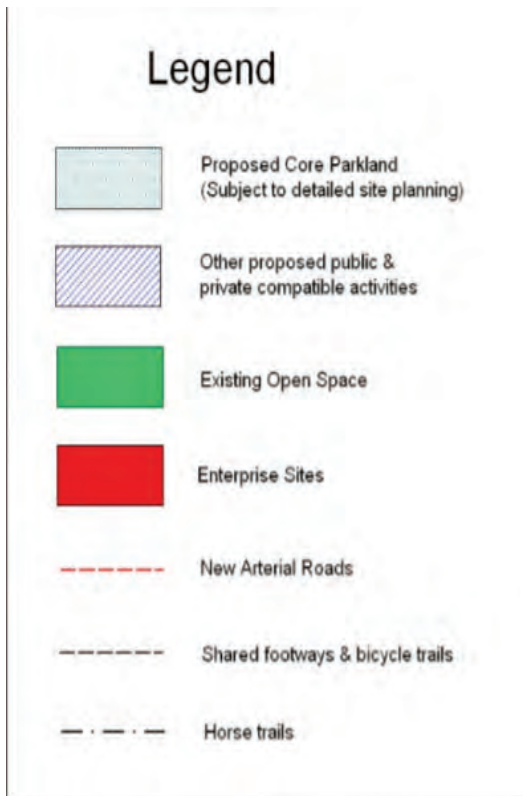
The Chain of Parks open space network is recognised within Clause 19.02-6R and Clause 22.01 and spans from Kingston City Council through to Greater Dandenong City Council. It is located within an existing urban residential and industrial area and inclusive of a number of current and historic landfill, quarry and other extractive industry sites.

Council officers note that the majority of the subject site is identified in the Chain of Parks Local Planning Policy (Clause 22.01) primarily as 'other proposed public and private compatible activities' as well as partially identified for 'proposed core parkland' along the south-eastern corner of the site, which is to include a shared footway and bicycle trail as identified on the map extract below. In effect, the subject site is required by the policy to provide a 'link' between areas of open space in Kingston and the Spring Valley Reserve in the City of Greater Dandenong.



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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**



*See attachments for larger version of this plan*

Whilst the land is in private ownership, the submitted plans are consistent with the *Chain of Parks Plan* and do provide for land to be used as a link from the open space sites in Kingston to Spring Valley Reserve, and it is considered that the proposal will be able to provide for areas to be linked by a shared pedestrian path, bicycle trails and core parkland which will be integrated with adjoining urban areas and trails and will be required to be publicly accessible.

The trail networks will be complemented with significant planting of vegetation and have the potential to provide high-quality public open space areas. Conditions of any permit issued will require detailed plans of this area to be provided in accordance with the Chain of Parks (Clause 22.01) and to Council's satisfaction.

In addition, the use of the main section of the site for a solar farm is considered to be in accordance with the 'other proposed public & private compatible activities', with the setbacks and landscaping proposed ensuring the solar farm and open space are compatible.

**Car Parking and Access**

The use of the land for a Solar Energy Facility is not specified in Table 1 of Clause 52.06 – Car Parking. As the use is not specified the number of car parking spaces must be provided to the satisfaction of the responsible authority.



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### **2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

As outlined earlier in this report the solar energy facility has a low-maintenance requirement and as described by the applicant can generally be operated remotely with a requirement for approximately seven (7) maintenance staff who will have access to the site at any one time but will not be permanently based on site. Any access and carparking for the site will be for maintenance and emergency purposes only and will have a lesser impact than the current ongoing traffic and vehicle movements associated with the EPA rehabilitation works.

Whilst it is considered that the proposed use will not be visited by members of the public and as detailed will only be staffed by a small on site team who run and service the facility as and when they are needed, it is considered that a minimum of twenty (20) car spaces should be provided to ensure that if additional staff or other persons do attend the development can park safely on site. Overall it is considered that the site is large and that an area for car parking for twenty (20) cars will be able to be accommodated on site at a location to the satisfaction of Council.

In addition, access to the site will be provided via an existing access point from Rowan Road which will lead to the internal road within the site. This internal road will be constructed to the satisfaction of Council and CFA to ensure emergency vehicles can access the site.

Conditions of any permit to be issued should request a full Traffic Management Plan to be submitted to address car parking and access requirements. Further, amended plans showing the car parking and the requirements of CFA will need to be submitted.

The application was also referred to Council's Transport Department who have no objections to the proposed use and development at this time.

#### **Environmentally Sustainable Design**

The application was referred to Council's ESD Department. A review of the application documentation found that this application is not applicable under Council's Sustainable Design Assessment and is not subject to Clause 22.06. However, Council's Sustainability team have reviewed the submitted documentation, and are supportive of the use and development of the land for a Solar Energy Facility.

#### **Aboriginal Cultural Heritage Sensitivity**

The subject and surrounding land is designated as culturally sensitive under the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018*. The proposed works would typically require the preparation of a Cultural Heritage Management Plan, however as the site has been subject to significant ground disturbance – as defined under r,4 of the Regulations due to the previous landfill use, the preparation of a Cultural Heritage Management Plan is not required.

#### **Bushfire Planning**

The subject land is located within a designated bushfire prone area, and as such the provisions of Clause 13.02-1S for Bushfire planning applies. The objective of this policy seeks to *strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life*.

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

It is noted that bushfire risk should be considered only when assessing planning applications for certain land uses and development, primarily relating to applications that will result in people congregating in larger numbers.

As the proposed use and development of the land for a solar energy facility is not listed under Clause 13.02-1S and is not a use that will result in large scale congregation, there is no requirement to identify hazards and assess risk.

However, Council officers have opted to refer the application to the Country Fire Authority (CFA), with their response being no objections subject to a number of permit conditions. The recommended permit should incorporate these conditions under the heading of CFA conditions.

### **Conclusion**

The application has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the Planning Policy Framework and Local Planning Policy Framework, Municipal Strategic Statement, Zone, Particular and General Provisions and Decision Guidelines. Overall, it is considered that the proposed use and development is appropriate having regard to the site's location within the Green Wedge Zone and it is recommended a Notice of Decision be granted subject to conditions.

### **Recommendation**

**That Council resolves to adopt the following position for the upcoming Victorian Civil Administrative Tribunal (VCAT) Compulsory Conference and Hearing for planning application PLN18/0688:**

**Had Council been in a position to decide the application it would have resolved to issue a Notice of Decision to Grant a Permit in respect of the land known and described as 66-88, 98-100 and 168-222 Clarke Road, Springvale South for the use and development of the land for a renewable energy facility (solar energy facility) in accordance with the plans submitted with the application subject to the following conditions:**

#### **Condition 1 Plans**

- 1. Prior to the endorsement of plans, 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. A 10metre firebreak around the perimeter of the solar farm array, which must not reduce or impact the landscaping areas.**
  - 1.2. The location of the publicly accessible open space (including shared footway, bicycle trail and parkland) clearly delineated, to be generally in accordance with the requirements of Clause 22.01 – Chain of Parks and located outside of the landscaping buffers and 10m firebreak.**



**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 1.3. The location, layout and number of panels with setbacks nominated from all site boundaries.**
- 1.4. A minimum 50 metre landscape setback area from the site boundary around the perimeter of the entire site. The Chain of Parks open space land is to be additional to this landscape setback.**
- 1.5. The location of vehicle access, internal roads and egress routes including nomination of width and surface types.**
- 1.6. The location of all electrical infrastructure (substations, inverters and the like) and battery storage, which must be located at least 100 metres from any residential land (not including roads) and not within the landscaping areas. These structures are to be screened or housed to mitigate any visual impact to the adjoining public realm or residential environs. Screening or housing must be of a high-quality design and utilise muted tones all to the satisfaction of the Responsible Authority.**
- 1.7. Elevations of all electrical infrastructure (substations, inverters and the like) and battery storage.**
- 1.8. Confirmation of the panel specifications to demonstrate that the solar panels limit any potential glint and glare effects, which must include anti-reflective coating (AR); low-iron/high transmission (LFe/HT) PV glass or equivalent; and anodised PV frames or equivalent.**
- 1.9. Elevation plans to confirm specifications of the panel racking system to be used in the final design. The plans must be scaled and dimensioned and provide detailed design features of the specific racking system chosen. The racking systems must be designed to ensure that the solar panels do not exceed a maximum height of four (4) metres at any point.**
- 1.10. Details of any external lighting and associated infrastructure proposed, including position, height and baffles/shields. All external lighting must be located behind the inner security fence.**
- 1.11. The 3-metre-high security fence reduced in height to a of 2.2 metres with 300mm of barbed (or equivalent wire) for a total maximum height of 2.5 metres. The fence is to be nominated as being Black PVC Coated chain wire fencing and shall be provided with gates at appropriate intervals which will allow access to landscaping for maintenance from inside the site.**
- 1.12. Any amendments to the plans in accordance with the requirements of applicable CFA Conditions. Any proposed amendments in relation to the CFA requirements must not impact upon or encroach into any landscaping area or area identified to be utilised for parkland or walking or cycling tracks proposed under Clause 22.01 – Chain of Parks.**

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 1.13. The provision of twenty (20) car parking spaces located within proximity to the entrance of the site from Rowan Road.**

**All to the satisfaction of the Responsible Authority.**

**Landscape Plan**

- 2. Prior to the endorsement of plans, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape plan must be drawn to scale with dimensions. The amended landscape plan must be generally in accordance with the plans submitted and assessed with the application but modified to show:**

- 2.1. Plans to accord with Condition 1 of this permit.**
- 2.2. A legend of all plant types, surfaces, materials and landscape items to be used.**
- 2.3. A plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height and individual plant quantities.**
- 2.4. Demonstrate that the species selected, spacing of plantings and the maturity of plantings are appropriate to provide visual screening and are to the satisfaction of the responsible authority.**
- 2.5. All trees and large shrubs must afford a minimum planting height of 2.5 metres and be suitable for screening purposes with dense foliage.**
- 2.6. Provide a survey plan including botanical names of all trees and vegetation to be retained and removed.**
- 2.7. Include details of:**
- 2.7.1. soil preparation techniques.**
- 2.7.2. watering schedule.**
- 2.7.3. irrigation infrastructure.**
- 2.8. A landscape maintenance plan for the life of the facility that identifies the method of proposed on-going protection and maintenance of outer and inner buffer landscaping.**
- 2.9. A clearly delineated area set aside for a publicly accessible shared footway and bicycle trail and parkland generally in accordance with the requirements of Clause 22.01 – Chain of Parks and located outside of the landscaping buffer and 10m firebreak.**

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**All to the satisfaction of the Responsible Authority.**

- 3. Unless with the prior written consent of the responsible authority, prior to the commencement of development the landscaping works shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the responsible authority.**
- 4. Any dead, diseased or damaged plants must be replaced in accordance with the endorsed landscape plan.**
- 5. The endorsed landscape plan must not be altered or modified without the written consent of the responsible authority.**

**Landscape and Open Space Maintenance**

- 6. Prior to the development commencing, the owner must enter into an agreement with the Responsible Authority, pursuant to Section 173 of the Planning and Environment Act 1987 (the Act) for:**
  - 6.1. The ongoing maintenance and protection of all landscaping, inclusive of groundcover, shrubbery and tree planting in accordance with the endorsed landscape plan(s) and Condition 2.8 of the permit.**
  - 6.2. The ongoing provision of access to the public to any area set aside and identified for a shared footway and bicycle trail and parkland generally in accordance with the requirements of Clause 22.01 – Chain of Parks and in accordance with the endorsed development plan(s).**

**This section 173 agreement is to be prepared to the satisfaction of the Responsible Authority. All reasonable costs associated with the preparation of the agreement, including preparation, execution and recording on title of the section 173 agreement, shall be borne by the owner/applicant including Council's reasonable review costs. All fees associated with the execution and registration of the document to be met by the owner.**

**This agreement must be registered on the title to the land pursuant to Section 181 of the Planning and Environment Act 1987.**

**Operation Environmental Management Plan**

- 7. Prior to the development commencing, a Operation Environmental Management Plan for the management and operation of the use and development must be submitted to an approved by the Responsible Authority. The Operational Environmental Management Plan must address the following:**

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 7.1. Overall environmental objectives for the operation of the use and techniques for their achievement.
- 7.2. Procedures to ensure that no significant adverse environmental impacts occur as a result of the use.
- 7.3. Proposed monitoring systems.
- 7.4. Identification of possible risks of operational failure and response measures to be implemented.
- 7.5. Day to day management requirements for the use.
- 7.6. Procedures to manage airborne dust, silt and debris onsite.
- 7.7. Procedures to manage and investigate any complaints made in relation to the use and development.
- 7.8. A Pest, Animal and Plant Management Plan (PAPMP) which must include:
  - 7.8.1. ongoing actions and measures to be undertaken to control pest animals and plants.
  - 7.8.2. a process to inform surrounding property owners of any works that present a risk to their homes or animals.

All to the satisfaction of the Responsible Authority.

8. The Operation Environmental Management Plan must be reviewed every three years by the facility operator and any consequential changes to the plan must be submitted to and approved by the Responsible Authority.
9. The use and development must be conducted in accordance with the endorsed Operational Environmental Management Plan at all times.

**Construction Management Plan**

10. Prior to the commencement of development, a Construction Management Plan must be submitted to the Responsible Authority for consideration and approval. The Construction Management Plan must include details on how the construction will be undertaken so it has minimal impact on the environment. Details to be provided in the Construction Management Plan must include, but are not limited to:
  - 10.1. Overall construction objectives for the construction and techniques for their achievement.
  - 10.2. Proposed monitoring systems.
  - 10.3. Construction times.

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 10.4. Procedures to manage airborne dust, silt and debris onsite.**
- 10.5. Processes for removal of hazardous material.**
- 10.6. Management of on-site building waste equipment, machinery and/or earth storage/stockpiling during construction.**
- 10.7. Management of building waste on public and private land (streets, footpaths, laneways and reserves).**
- 10.8. Details of tradesperson vehicle parking.**
- 10.9. How issues such as mud on roads, erosion and sediment control will be managed on site during the construction phase.**
- 10.10. Details of a contact person/site manager must be provided so that this person can be easily contacted should any issues arise.**
- 10.11. The location of trenching works, boring, and pits associated with the provision of services.**
- 10.12. The location of any temporary buildings or yards.**

**All to the satisfaction of the Responsible Authority.**

- 11. All activities associated with the construction of the buildings and works hereby permitted must be carried out in accordance with the endorsed Construction Management Plan.**

**Stormwater Management Plan**

- 12. Prior to the endorsement of plans, a Stormwater Management Plan must be submitted to the Responsible Authority for consideration and approval. The Stormwater Management Plan must be supported with design calculations and the provision of adequate stormwater drainage infrastructure within site to service the proposed use and development all to the satisfaction of responsible authority.**

**Consolidation of lots**

- 13. Prior to the commencement of development an application must be made for the consolidation of all lots associated with the Solar Energy Facility. Within 3 months of registration of the plan of consolidation, a copy of the new certificate of title for the land must be submitted to the Responsible Authority.**

**Glint and Glare**

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 14. Prior to the endorsement of plans under condition 1, a Glare, Glint and Light Spill Management Plan must be submitted. This Glare, Glint and Light Spill Management Plan is to be submitted to, approved by and be to the satisfaction of the responsible authority and must:**
  - 14.1. demonstrate how glare, glint and light spill from the facility, in particular the solar panels, will be managed to minimise impacts on the surrounding area;**
  - 14.2. include details of how any lighting within the site is designed and located to effectively illuminate all pertinent public areas without spilling onto road reserves or adjoining land; and**
  - 14.3. require lighting to be connected to a time switch or other approved system to the satisfaction of the responsible authority.**
  
- 15. Any changes proposed to buildings and works in this Glint and Glare Report must be included in the plans submitted for endorsement.**

**Traffic Impact Assessment**

- 16. Prior to the endorsement of plans under condition 1, a report addressing the requirements of Clause 52.06 – Car Parking and any impacts of traffic associated with the solar energy facility is to be prepared by a suitably qualified consultant. This report is to be submitted to, approved by and be to the satisfaction of the responsible authority. When approved the Traffic Impact Assessment Report will be endorsed and will then form part of the permit.**

**Traffic and Access**

- 17. Prior to the endorsement of plans under condition 1, a Traffic Management Plan must be prepared for the construction phase and operational phase. Both be submitted and approved by the responsible authority. The Traffic Management Plan must include but not be limited to the following:**
  - 17.1. be prepared by a suitably qualified and experienced independent civil or traffic engineer;**
  - 17.2. specify measures to be taken to manage traffic impacts associated with the construction of the renewable energy facility;**
  - 17.3. designate appropriate construction and transport vehicle routes to the site;**

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 17.4. include a program to inspect, maintain and (where required) repair public roads used by construction traffic;**
- 17.5. be approved by the relevant road management authority (or authorities) prior to submission;**
- 17.6. address potential environmental and social impacts of associated with traffic generated by construction of the renewable energy facility. This must include coordination between construction traffic and school bus travel, demonstrating consultation with Public Transport Victoria on this matter, including hours that construction traffic will use public roads;**
- 17.7. Measures required for the protection of private, Council and VicRoads assets (streets, footpaths, laneways and reserves);**
- 17.8. Heavy vehicle movements where access to the site for construction vehicle traffic will occur; and**
- 17.9. Details of any road or lane closures and crane operations.**

**The endorsed Traffic Management Plan must be implemented to the satisfaction of the responsible authority.**

**The endorsed Traffic Management Plan must not be altered or modified without the written consent of responsible authority. Any proposed alteration or modification to the endorsed Traffic Management Plan must be prepared in consultation with the relevant road management authority (or authorities) prior to submission to the plan for endorsement.**

**All to the satisfaction of the Responsible Authority.**

- 18. Deliveries to and from the site for all commercial vehicles, including waste collection, must only take place between 7am and 6pm Monday to Friday.**
- 19. No deliveries to or from the site, including waste collection, must take place on weekends or public holidays.**
- 20. Access to and from the site for all commercial vehicles, including waste collection, must only be from Rowan Road. All roads/storage areas/external stockpiles/vacant or grazed areas must be maintained to avoid dust and grit nuisance to any nearby properties to the satisfaction of the responsible authority.**



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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 21. Any damage to Council assets (i.e. roads, table drains etc.) must be repaired at the cost of the owner/occupier to the satisfaction of the responsible authority. The TMP must include photos/videos and other supporting evidence of the state of the network at the time of lodgement of the plan.**
- 22. Before the use begins, the applicant or owner must construct any traffic management works identified in the approved traffic management plan to the satisfaction of Council. The cost of such works shall be fully met by the owner. Any changes proposed to work in this report must be referred to the responsible authority for approval prior to substitution.**
- 23. Prior to construction commencing, vehicle crossings as shown on the endorsed plan must be constructed and sealed to Council standards, and to the satisfaction of the responsible authority.**
- 24. Access and egress from the property must only be from Rowan Road, unless otherwise agreed in writing by the responsible authority. Vehicle access and egress from the property must take place in a forward direction at all times.**
- 25. All loading and unloading of vehicles must at all times be undertaken within the curtilage of the site, unless otherwise agreed in writing by the responsible authority.**
- 26. Prior to the commencement of the use, vehicle access ways, car parking and manoeuvring areas created by the proposed development and as shown on the endorsed plan(s) must be constructed, to an all-weather standard to the satisfaction of the responsible authority.**
- 27. Following commencement of the use only allocated parking spaces may be used to park vehicles. No vehicle on the site is permitted to park outside of an allocated parking space on the site.**
- 28. Any security gate, barrier or similar device controlling vehicle access to the premises must be located a minimum of six metres inside the property to allow vehicles to steer clear of pavements and footpaths.**
- 29. All vehicular entrances to the site from the road must be constructed at a location and of a size and standard satisfactory to the responsible authority. The vehicle crossing(s) must be constructed at the owner's expense to provide ingress and egress to the site to the satisfaction of the responsible authority.**

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

30. Before the use commences and/or any building is occupied all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the responsible authority.
31. No excavated or construction materials may be placed or stored outside the site area or on the adjoining road reserves, unless agreed otherwise by the responsible authority.

**Environmental Audit**

32. Prior to the commence of use either:
  - 32.1. Certificate of Environmental Audit for the land must be issued in accordance with Section 53Y of the Environment Protection Act 1970, or
  - 32.2. An Environmental Auditor appointed under Section 53S of the Environment Protection Act 1970 must make a Statement in accordance with Section 53Z of that Act that the environmental conditions of the land are suitable for the intended use and/of the development that are/is the subject of this permit.
33. Where a Statement of Environmental Audit is issued for the land pursuant to Condition 35.2 above, the intended use/s of the land and the buildings and works that are the subject of this permit must comply with all directions and conditions contained within the Statement.
34. Where a Statement of Environmental Audit is issued for the land pursuant to Condition 35.2. above, prior to the commencement of the intended use, and prior to the issue of a Statement of Compliance under the Subdivision Act 1988, and prior to the issue of an Occupancy Permit under the Building Act 1993, a letter prepared by an Environmental Auditor appointed under Section 53S of the Environment Protection Act 1970 must be submitted to the Responsible Authority to verify that the directions and conditions contained within the Statement have been satisfied.
35. Where a Statement of Environmental Audit is issued for the land pursuant to Condition 1.(ii) above, and any condition of that Statement requires any maintenance or monitoring of an ongoing nature, the owner must enter into an Agreement with Council pursuant to Section 173 of the Planning and Environment Act 1987. Where a Section 173 Agreement is required, the Agreement must be executed prior to the commencement of the use of the building that is the subject of this permit, and prior to the issue of a Statement of Compliance under the Subdivision Act 1988. All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, are to be met by the owner.

**General Use and Development Conditions**

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 36. The use and development of the site for the proposed Renewable Energy Facility (Solar Energy Facility) as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.**
- 37. Maintenance of all buildings, surrounds, storage and parking areas within the site must be carried out in such a manner to render the site in a neat, tidy and clean condition at all times so as to not adversely affect the amenity of the locality to the satisfaction of the responsible authority.**
- 38. The use and development must be conducted so that it has minimum impact on the amenity of the area by way of:**
  - 38.1. The transportation of materials, goods and commodities to and from the premises.**
  - 38.2. The appearance of any building, works or materials.**
  - 38.3. The emission of noise, vibration, dust, wastewater, waste products, electromagnetic interference or reflected light.**
- 39. In the event of any other such nuisance in the opinion of the Responsible Authority occurring, additional suitable procedures for suppression must be developed and implemented to the satisfaction of the Responsible Authority.**
- 40. The proposed solar panels must be of a non-reflective nature all to the satisfaction of the Responsible Authority.**
- 41. All security alarms or similar devices installed on the land must be of a silent type in accordance with the current standard specified by Standards Australia International Limited and connected to a security service.**
- 42. Noise levels emanating from the land must not exceed the requirements of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.**
- 43. All external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.**
- 44. Following the completion of construction and commencement of the use, the display and storage of goods or materials on the site must be out of view from any road reserve, public place or dwelling to the satisfaction of the responsible authority.**

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

45. The applicant must ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by works within the site does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority.
46. Appropriate measures must be implemented throughout the construction stage of the development and during operation of the facility, to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads from the subject land to the satisfaction of the Responsible Authority.
47. Any damage to Council assets (i.e. roads, table drains etc.) must be repaired at the cost of the applicant to the satisfaction of the Responsible Authority.

**Drainage Conditions**

48. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.
49. The connection of the internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of the Responsible Authority.
50. 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.

**Complaints**

51. Before development starts, a Complaint Investigation and Response Plan must be submitted and approved and endorsed by the responsible authority. When endorsed, the plan will form part of this permit. The Complaint Investigation and Response Plan must:
  - 51.1. respond to all aspects of the construction and operation of the solar energy facility;
  - 51.2. be prepared in accordance with Australian/New Zealand Standard AS/NZS 10002:2014 – Guidelines for complaint management in organisations; and
  - 51.3. include a process to investigate and resolve complaints (different processes may be required for different types of complaints).
52. The endorsed Complaint Investigation and Response Plan must be implemented to the satisfaction of the responsible authority.
53. Before development starts, the following information must be made publicly available and readily accessible from the solar energy facility project website, or another publicly available resource to the satisfaction of the responsible authority:

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 53.1. a copy of the endorsed Complaints Investigation and Response Plan; and**
- 53.2. a toll-free telephone number and email contact for complaints and queries to the facility operator.**
- 54. Before development starts, a Complaints Register must be established which records:**
  - 54.1. the complainant's name and address (if provided);**
  - 54.2. a receipt number for each complaint, which must be communicated to the complainant;**
  - 54.3. the time and date of the incident, and the prevailing weather and operational conditions at the time of the incident;**
  - 54.4. a description of the complainant's concerns; and**
  - 54.5. the process for investigating the complaint, and the outcome of the investigation, including the actions taken to resolve the complaint.**

**All complaints received must be recorded in the Complaints Register.**

- 55. A complete copy of the Complaints Register along with a reference map of complaint locations must be provided to the responsible authority on each anniversary of the date of this permit, and at other times on request.**

**Decommissioning**

- 56. Subject to condition 60, once the renewable energy facility permanently ceases operation, all infrastructure and structures must be removed, and the site must be rehabilitated to the condition it was in prior to the start of development, to allow it to be used for agricultural purposes (or any proposed alternative use).**
- 57. Infrastructure to be removed includes, but is not limited to, all solar panels, supporting infrastructure including foundations, substation, buildings, access tracks and above and below ground electrical infrastructure.**
- 58. If the landowner requests, items of infrastructure that are suitable for the ongoing agricultural use of the land (or any proposed alternative use) may be retained, subject to the approval of the responsible authority.**
- 59. Within two months of the renewable energy facility permanently ceasing operation, a Decommissioning Management Plan prepared by a suitably qualified person must be submitted to, approved and endorsed by the responsible authority. When endorsed, the plan will form part of this permit.**

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**The Decommissioning Management Plan must include, as a minimum:**

- 59.1. identification of structures to be removed, and details of how infrastructure and structures will be removed.**
- 59.2. details of how the site will be rehabilitated to meet the requirements of condition 59.**
- 59.3. a requirement that all decommissioning works identified in the Decommissioning Management Plan be completed to satisfaction of the responsible authority as soon as practicable, but no later than 12 months after the Plan is endorsed, or such other period approved by the responsible authority.**

- 60. The endorsed Decommissioning Management Plan must be implemented to the satisfaction of the responsible authority.**

**CFA Conditions**

**Risk and Emergency Management**

- 61. Prior to the commencement of the use a comprehensive risk management process plan must be submitted as per CFA's Guidelines for Renewable Energy Installations 2018.**
- 62. Prior to the commencement of the use an Emergency Information Book must be, provided in an Emergency Information Container at site entrances, as per CFA's Guidelines for Renewable Energy Installations 2018.**

**Access**

- 63. A four (4) metre perimeter road must be constructed within the ten (10) metre perimeter Fire Break.**
- 64. Roads are to be of all-weather construction and capable of accommodating a vehicle of fifteen (15) tonnes.**
- 65. Constructed roads must be a minimum of four (4) metres in trafficable width with a four (4) metre vertical clearance for the width of the formed road surface.**
- 66. The average grade must be no more than 1 in 7 (14.4% or 8.1°) with a maximum of no more than 1 in 5 (20% or 11.3°) for no more than fifty (50) metres.**
- 67. Dips in the road must have no more than a 1 in 8 (12.5% or 7.1°) entry and exit**

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

angle.

68. **Passing bays must be incorporated at least every 600 metres, which must be at least 20 metres long and have a minimum trafficable width of 6 metres. Where roads are less than 600 metres long, at least one passing bay is to be incorporated.**
69. **Road networks must enable responding emergency services to access all areas of the facility.**
70. **Two, but preferably more access points, must be available to the site, to ensure safe and efficient access to and egress from areas that may be impacted or involved in fire. The number of access points is to be informed through a risk management process.**

**Water Supply**

71. **Static water storage tank installations are to comply with AS 2419.1.**
72. **The static water storage tank shall be of not less than 45,000 litres effective capacity.**
73. **The static water storage tank(s) must be an above-ground water tank constructed of concrete or steel. The location and number of tanks should be determined as part of the site's risk management process and in consultation with a CFA delegated officer.**
74. **The static storage tanks shall be capable of being completely refilled automatically or manually within 24 hours.**
75. **The hard-suction point shall be provided, with a 150mm full bore isolation valve equipped with a Storz connection, sized to comply with the required suction hydraulic performance. Adapters that may be required to match the connection are 125mm, 100mm, 90mm, 75mm, 65mm Storz tree adapters with a matching blank end cap to be provided.**
76. **The hard-suction point shall be positioned within 4 metres to a hardstand area and provide clear access for fire personnel.**
77. **An all-weather road access and hardstand shall be provided to the hard-suction point. The hardstand shall be maintained to a minimum of 15 tonne GVM, 8 metres long and 6 metres wide or to the satisfaction of the relevant fire authority.**



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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

78. The road access and hardstand shall be kept clear at all times.
79. The hard-suction point shall be protected from mechanical damage (i.e., bollards) where necessary.
80. Where the access road has one entrance, a 10metre radius-turning circle shall be provided at the tank.
81. An external water level indicator is to be provided to the tank and be visible from the hardstand area.
82. Signage shall be fixed to each tank.

**Fuel and Vegetation Management**

83. Grass is to be maintained at below 100mm in height during the declared Fire Danger Period.
84. A fire break area of ten (10) metres width is to be maintained around the perimeter of the facilities, electricity compounds and substations. This area is to be of non-combustible mulch or mineral earth.
85. The fire break area must commence from the boundary of the facility or from the vegetation screening (landscape buffer) inside the property boundary.
86. The fire break must be constructed using either mineral earth or non-combustible mulch such as crushed rock.
87. The fire break must be vegetation-free at all times.
88. No obstructions are to be within fire break area (e.g., no stored materials of any kind).
89. Adhere to restrictions and guidance during the Fire Danger Period, days of high fire danger and Total Fire Ban days (refer to [www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).
90. All plant and heavy equipment is to carry at least a 9-litre water stored-pressure fire extinguisher with a minimum rating of 3A, or firefighting equipment as a minimum when on-site during the Fire Danger Period.
91. There is to be no long grass or deep leaf litter in areas where plant and heavy

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

equipment will be working.

**Conditions Specific to Solar Installations**

**92. Solar facilities are to have a 6 metre separation between solar panel banks/rows.**

**Where this cannot be achieved, advice is to be sought from CFA's State Infrastructure and Dangerous Goods Unit ([.sidgu@cfa.vic.gov.au](mailto:sidgu@cfa.vic.gov.au)).**

**93. Solar farm operators must provide specifications for safe operating conditions for temperature and the safety issues related to electricity generation, including isolation and shut-down procedures, if solar panels are involved in fire. This information must be provided within the content of the Emergency Information Book at the main entrance of the facility.**

**94. Solar arrays are to have grass or other vegetation maintained to 100mm under the array installation or mineral earth or non-combustible mulch such as stone.**

**95. Where practicable, solar energy installations can be sited on grazed paddocks. In this case, vegetation is to be managed as per the requirements of this guideline, or as informed through a risk management process.**

**Conditions Specific to Battery Installations**

**96. Containers/infrastructure for battery installations are to be located so as to be directly accessible to emergency responders (e.g., provided with a suitable access road).**

**97. Adequate ventilation of the battery container/storage area is to be provided where required under (DR) AS/NZS 5139-2017; the manufacturer's requirements and/or SDS for battery storage.**

**98. Containers/infrastructure for battery installations are to be provided with appropriate spill containment/bunding that includes provision for fire water runoff.**

**99. Battery installations that contain dangerous goods may have to comply with the requirements of the *Dangerous Goods Act 1985*; the *Dangerous Goods (Storage and Handling) Regulations 2012*; and relevant Australian Standards.**

**100. Battery storage manufacturers must provide specifications for safe operating**

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

conditions for temperature and the effects on battery storage if involved in fire. This information must be provided within the content of the Emergency Information Book at the main entrance of the facility.

101. Battery installations are to be kept free of extraneous materials and combustible materials of all kinds. Regular inspections and housekeeping is to be conducted to ensure materials do not accumulate.
102. Battery installations are to be serviced/maintained as per the manufacturer's requirements.
103. Containers/infrastructure for battery installations must be clear of vegetation for ten (10) metres on all sides, including grass. CFA requires non-combustible mulch such as stone or mineral earth within this ten (10) metre area.

**End CFA Conditions**

**EPA Conditions**

104. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard.
105. There must be no emissions of noise and/or vibrations from the premises which are detrimental to either of the following:
  - 105.1. The environment in the area around the premises.
  - 105.2. The wellbeing of persons and/or their property in the area around the premises.

**End EPA Conditions**

**Permit Expiry Conditions**

106. This permit will expire if one of the following circumstances applies:
  - 106.1. The development or any stage of it does not start within four (4) years of the date of this permit, or
  - 106.2. The development or any stage of it is not completed within eight (8) years of the date of this permit, or

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

- 106.3. The use does not start within one (1) year of the completion of the development, or
- 106.4. The use is discontinued for a period of two (2) years.

**Notes:**

**CFA Notes:**

If applicable to the installation, adherence to *(DR) AS/NZS 5139-2017: Electrical installations – Safety of battery systems for use with power conversion equipment* for any battery installations, and CFA's Guidelines for Renewable Energy Installations 2018.

If applicable to the installation, adherence to dangerous goods storage and handling requirements, as per the dangerous goods regulatory framework and any relevant Australian Standards.

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**STATUTORY PLANNING APPLICATION**

**TOWN PLANNING APPLICATION – NOS. 66-88, 98-100 AND 168-222  
CLARKE ROAD, SPRINGVALE SOUTH (PLANNING APPLICATION NO.  
PLN18/0688)**

**ATTACHMENT 1**

**SUBMITTED PLANS**

**PAGES 6 (including cover)**

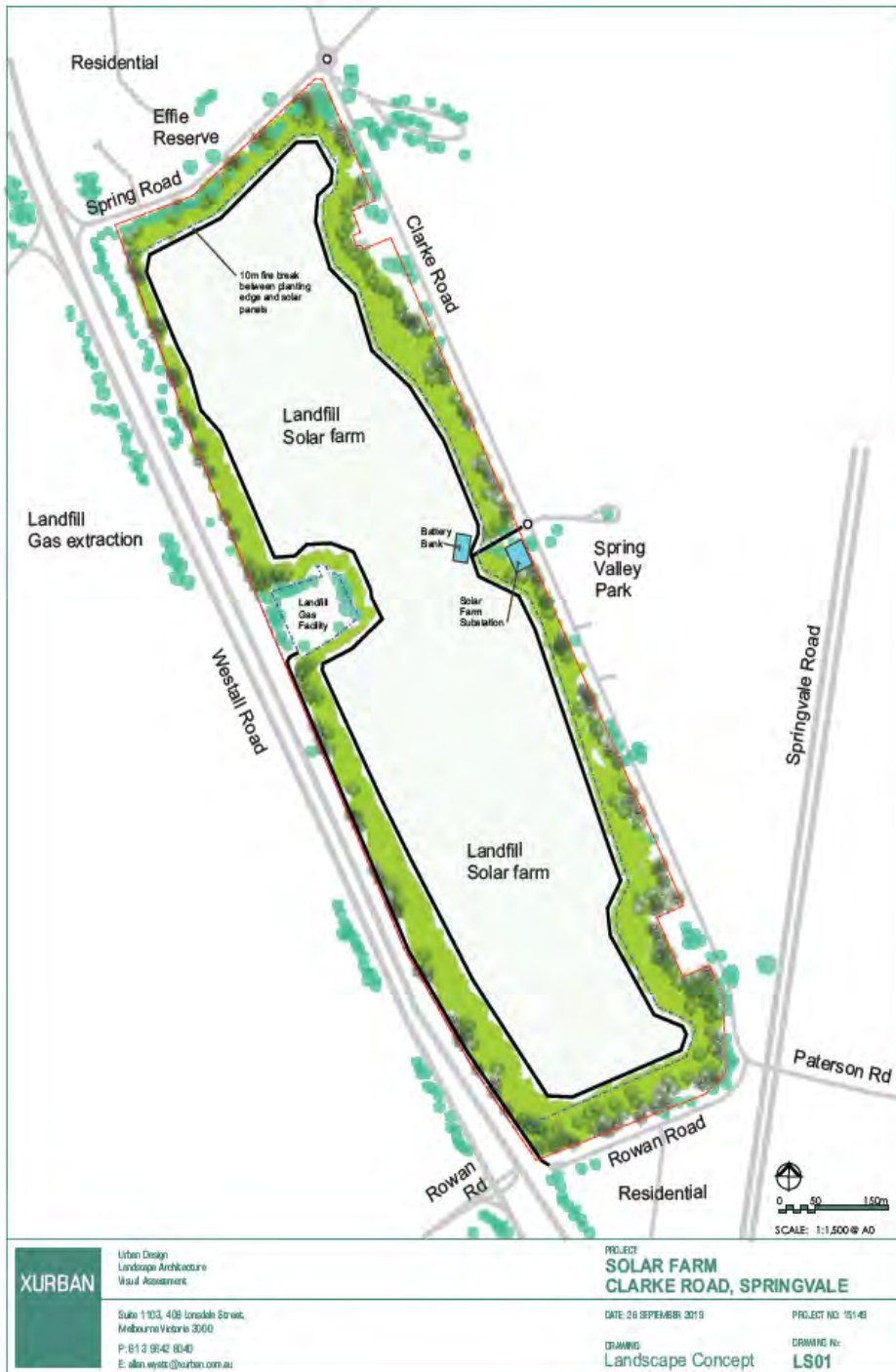
*If the details of the attachment are unclear please contact Governance on 8571 5235.*

ORDINARY COUNCIL MEETING - AGENDA

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

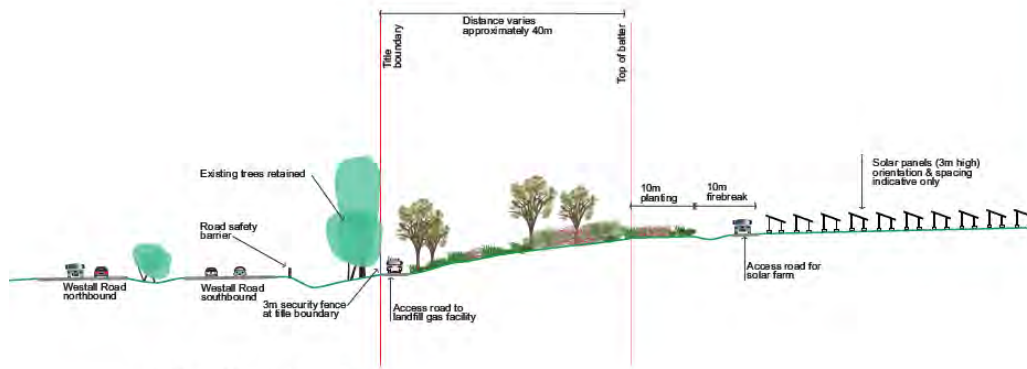


**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**





**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**



Section AA

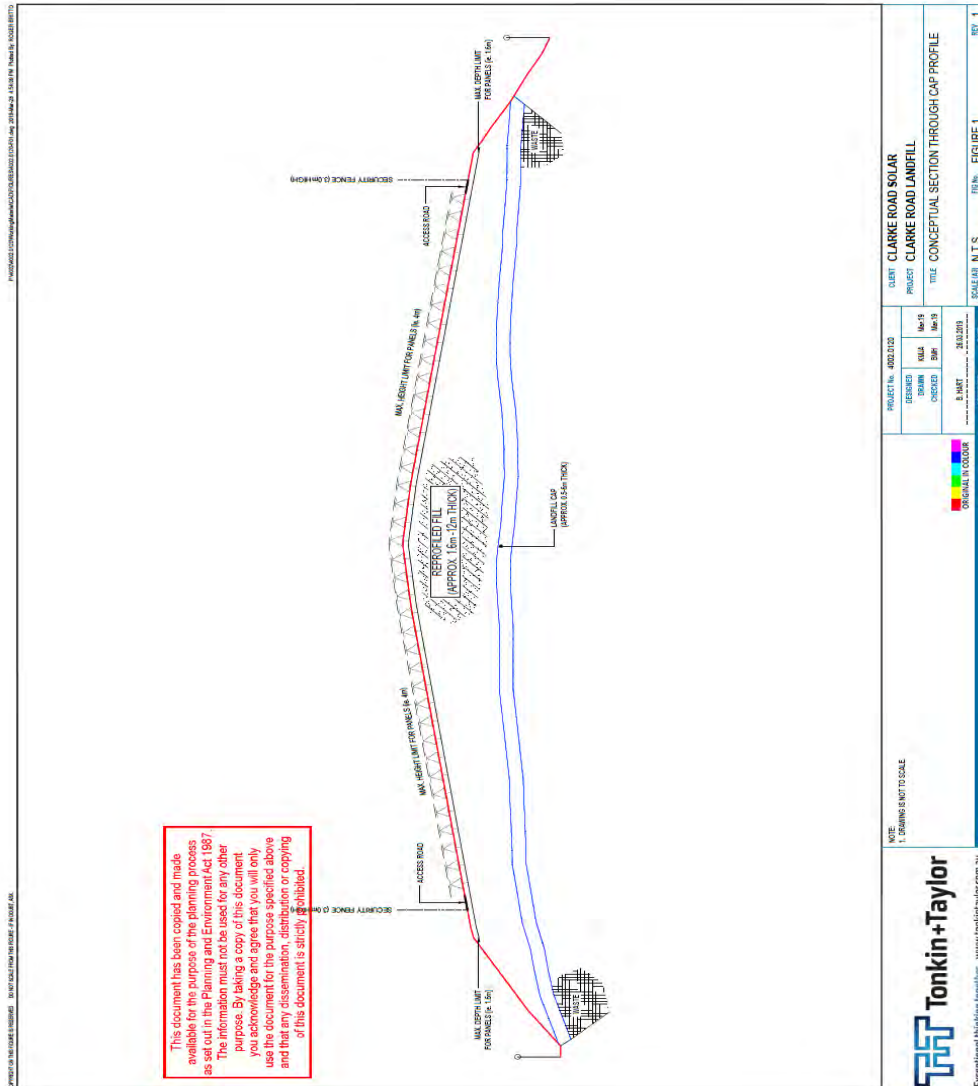


Section BB

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| <b>XURBAN</b> | Urban Design<br>Landscape Architecture<br>Visual Assessment   | <b>PROJECT:</b><br><b>SOLAR FARM<br/>CLARKE ROAD, SPRINGVALE</b> |
|               | Suite 1103, 409 Lonsdale Street,<br>Melbourne Victoria 3000<br>P: 61 3 9642 6040<br>E: alan.wyett@xurban.com.au | DATE: 26 SEPTEMBER 2019<br><br>DRAWING:<br>Indicative Sections   |

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**



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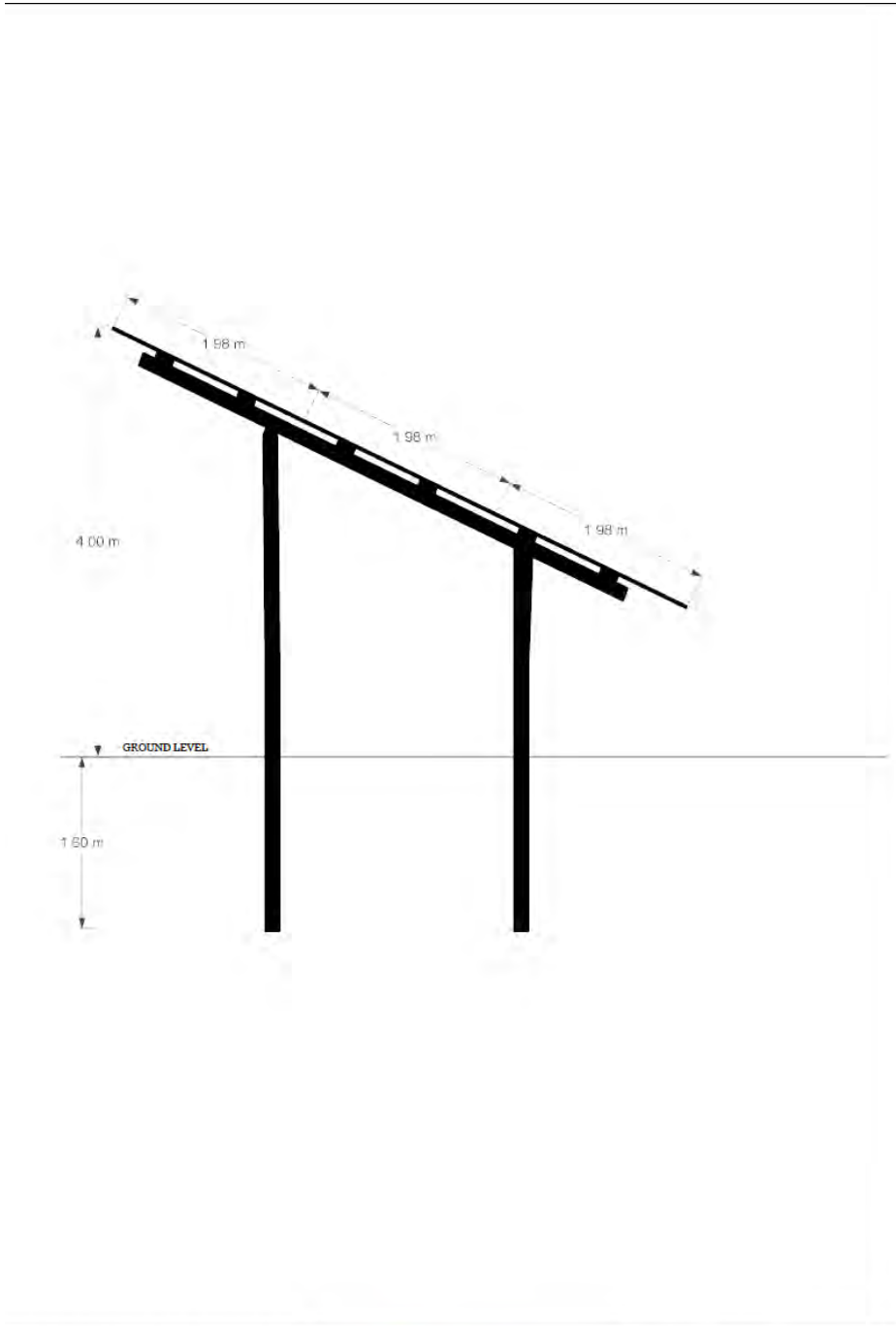
NOTE:  
 1. DRAWING IS NOT TO SCALE

|             |          |        |                   |
|-------------|----------|--------|-------------------|
| PROJECT No. | 66020202 | CLIENT | CLARKE ROAD SOLAR |
| DESIGNED    | NOVA     | DATE   | 16/03/19          |
| CHECKED     | SBM      | DATE   | 16/03/19          |
| APPROVED    |          | DATE   |                   |

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**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**



|   |   |           |          |                                     |
|---|---|-----------|----------|-------------------------------------|
| FIXED SOLAR ELEVATION VIEW- INDICATIVE ONLY |  | REVISIONS |          | A 01                                |
|   |   | DATE      | REMARKS  |                                     |
|   |   | 1         | 04/04/19 | Finalise design only. Not to scale. |
|   |   | 2         | 04/04/19 | -                                   |
|   |   | 3         | 04/04/19 | -                                   |
|   |   | 4         | 04/04/19 | -                                   |
|   |   | 5         | 04/04/19 | -                                   |
|   | CLARKE ROAD SOLAR FARM  |           |          |                                     |

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NOS. 66-88, 98-100 AND 168-222  
CLARKE ROAD, SPRINGVALE SOUTH (PLANNING APPLICATION NO.  
PLN18/0688)**

**ATTACHMENT 2**

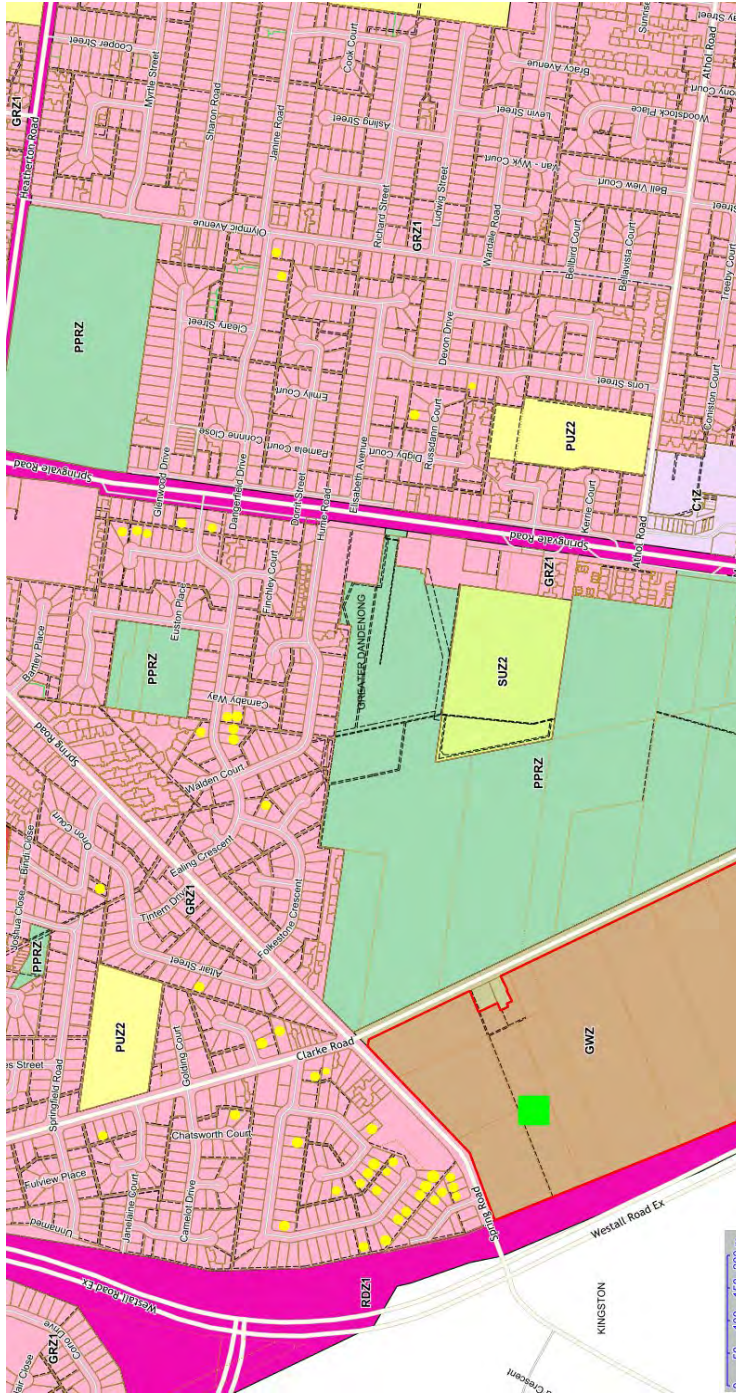
**LOCATION OF OBJECTORS**

**PAGES 10 (including cover)**

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

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

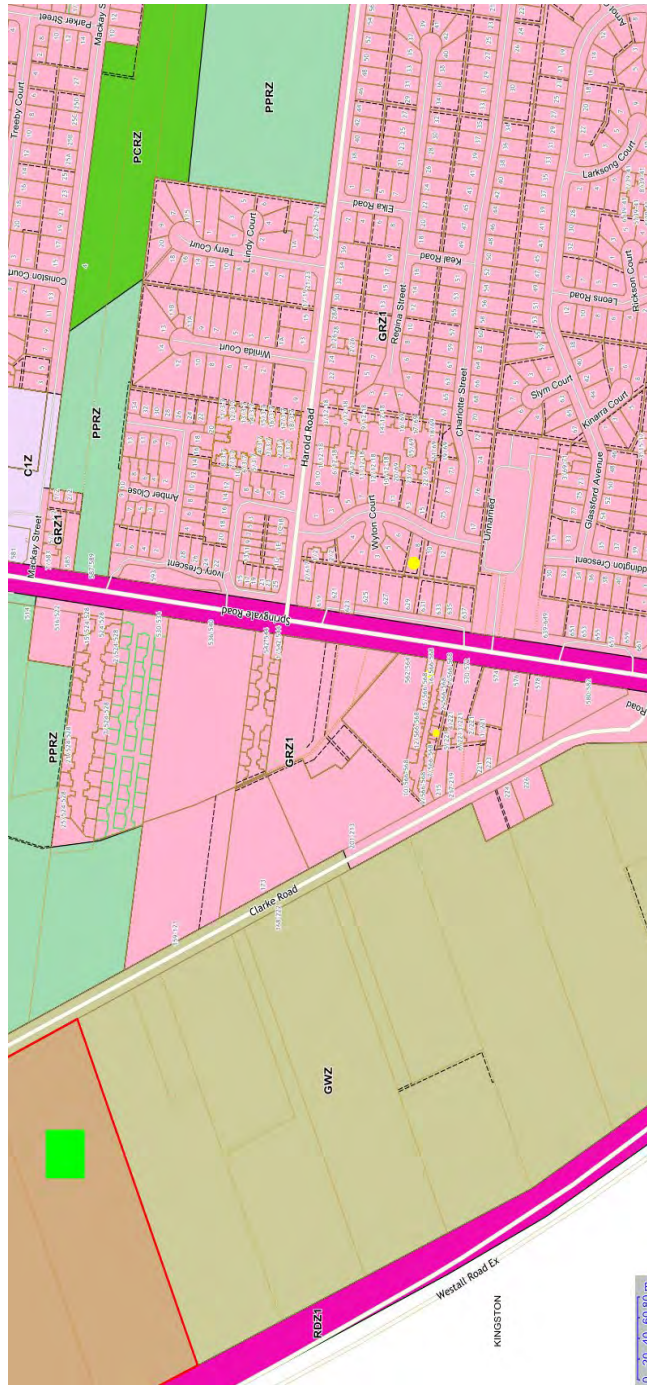
Springvale South (Map 1)





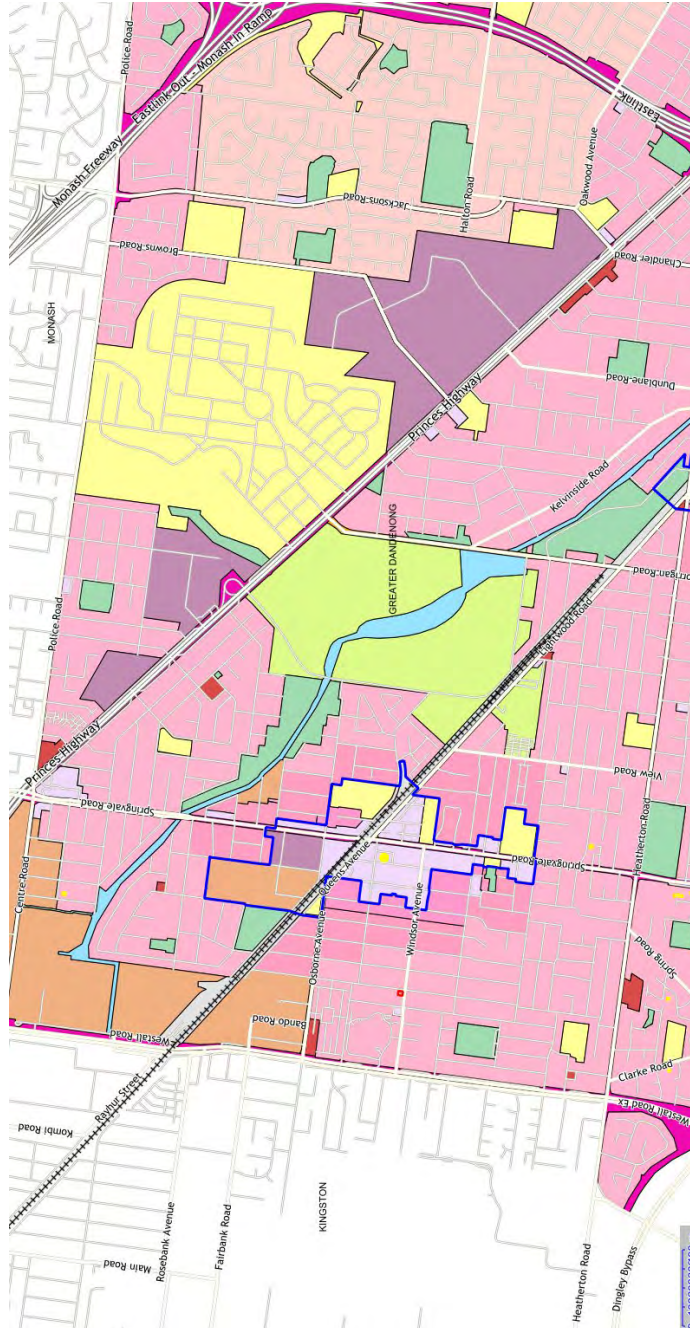
**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

Springvale South (Map 2)



**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

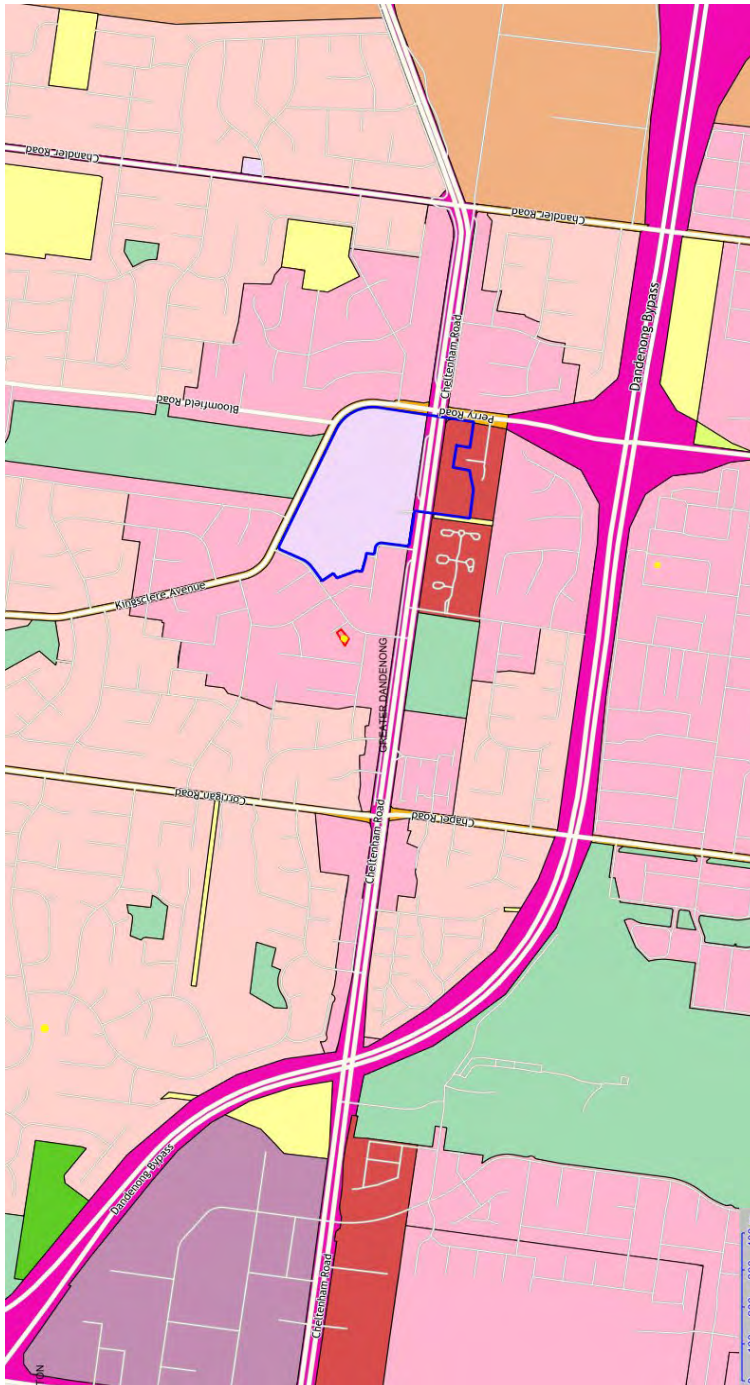
Springvale





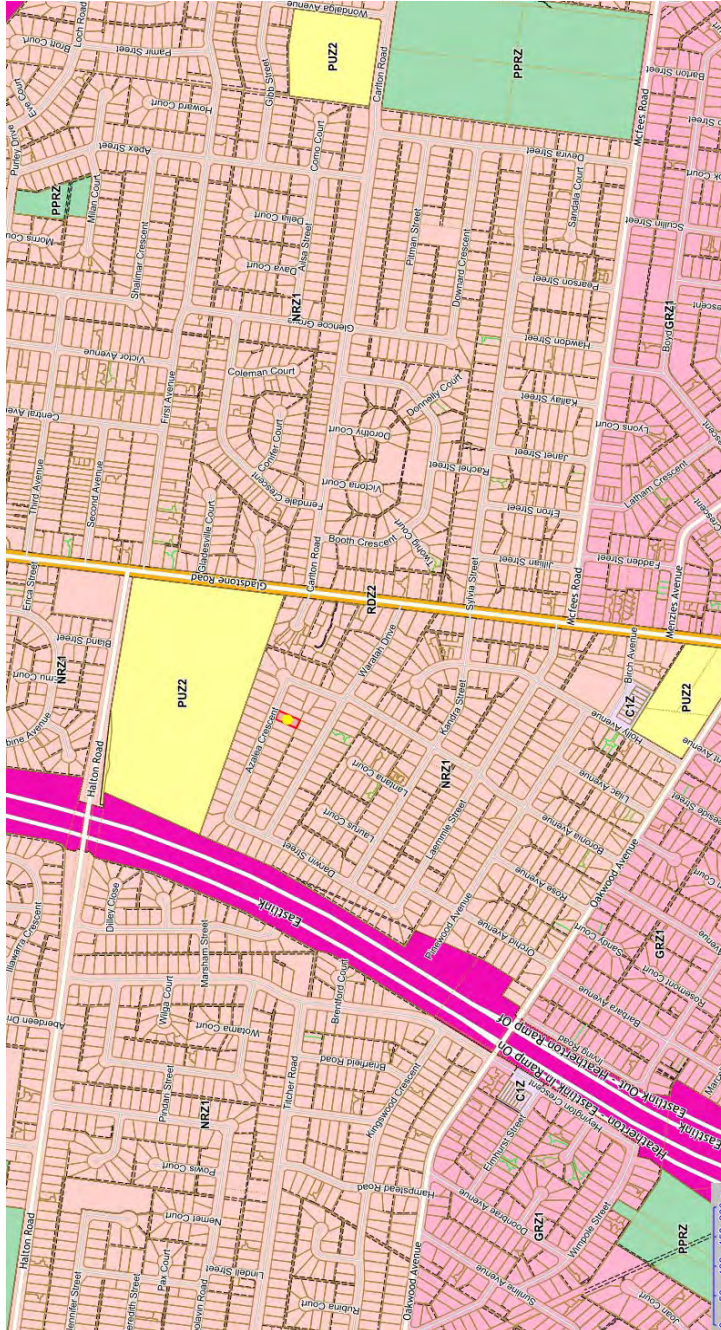
**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

Keysborough



**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

Dandenong North



## ORDINARY COUNCIL MEETING - AGENDA

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

| <b>OUTSIDE MUNICIPALITY</b>         |
|-------------------------------------|
| 68 Brown Road                       |
| CLAYTON VIC 3168                    |
| 16 Mahal Drive                      |
| CLYDE NORTH VIC 3978                |
| 16 Mahal Drive                      |
| CLYDE NORTH VIC 3978                |
| 26 Spring Valley Drive              |
| CLAYTON SOUTH VIC 3169              |
| 1319 Centre Road                    |
| CLAYTON VIC 3168                    |
| 9 Springs Road                      |
| CLAYTON SOUTH VIC 3169              |
| 5 Barton Road                       |
| CLAYTON SOUTH VIC 3169              |
| 9 Springs Road                      |
| CLAYTON SOUTH VIC 3169              |
| 1/1285 Centre Road                  |
| OAKLEIGH SOUTH VIC 3167             |
| Unit 16/52-70 Centre Dandenong Road |
| DINGLEY VILLAGE VIC 3172            |
| 32B Crisp St                        |
| Hampton VIC 3188                    |
| 14 Bevan Avenue                     |
| CLAYTON SOUTH VIC 3169              |
| 11 Ling Court                       |
| MULGRAVE VIC 3170                   |
| 3/11 Ling Court                     |
| MULGRAVE VIC 3170                   |
| 30 Shute Avenue                     |
| BERWICK VIC 3806                    |
| 14 Sinclair Street                  |
| OAKLEIGH SOUTH VIC 3167             |
| 10 Withers Avenue                   |
| MULGRAVE VIC 3170                   |

## ORDINARY COUNCIL MEETING - AGENDA

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

|                               |
|-------------------------------|
| 5 Barton Road                 |
| CLAYTON SOUTH VIC 3169        |
| 324 Black Forest Drive        |
| MACEDON VIC 3440              |
| Unit 16                       |
| 52-70 Centre Dandenong Road   |
| DINGLEY VILLAGE VIC 3172      |
| 16 Howard Road                |
| DINGLEY VILLAGE VIC 3172      |
| 9 Springs Road                |
| CLAYTON SOUTH VIC 3169        |
| 10/80 Balcombe Road           |
| MENTONE VIC 3194              |
| 30 Wandoo Avenue              |
| CLARINDA VIC 3169             |
| Unit 31/1230-1238 Centre Road |
| CLARINDA VIC 3169             |
| 14 Sinclair Street            |
| OAKLEIGH SOUTH VIC 3167       |
| 17 Carbine Avenue             |
| CLARINDA VIC 3169             |
| 24 Golf Road                  |
| OAKLEIGH SOUTH VIC 3167       |
| 24 Golf Road                  |
| OAKLEIGH SOUTH VIC 3167       |
| 1 Gilbert Court               |
| MT WAVERLEY VIC 3149          |
| 137 James Cook Drive          |
| ENDEAVOUR HILLS VIC 3802      |
| 37 Springs Road               |
| CLAYTON SOUTH VIC 3169        |
| 30 Melaleuca Drive            |
| CLARINDA VIC 3169             |

## ORDINARY COUNCIL MEETING - AGENDA

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

|   |
|---|
| 1319 Centre Road  |
| CLAYTON VIC 3168<br>78 View Street  |
| CLAYTON VIC 3168<br>Unit 38, 1230-1238 Centre Road  |
| CLARINDA VIC 3169<br>54 Clarinda Road   |
| CLARINDA VIC 3169<br>Japara Healthcare<br><br>c/- Planning & Property Partners Pty Ltd<br>13/1 Collins Street |
| MELBOURNE VIC 3000<br>3 Cedarwood Crescent  |
| BERWICK VIC 3806<br>36 Melaleuca Drive  |
| CLARINDA VIC 3169<br>404 Clayton Road   |
| CLAYTON VIC 3168<br>110 Ambition Drive  |
| Greenvale VIC 3059<br>c/- Contour Consultants Australia Pty Ltd<br><br>PO Box 1040                            |
| CARLTON VIC 3053<br>16 Howard Road  |
| DINGLEY VILLAGE VIC 3172<br>1206 Centre Road  |
| CLARINDA VIC 3169<br>54 Clarinda Road   |
| CLARINDA VIC 3169<br>1 Elder Street South   |
| HEATHERTON VIC 3202<br>54 Clarinda Road   |
| CLARINDA VIC 3169<br>Unit 10, 80 Balcombe Road  |
| MENTONE VIC 3194  |



## ORDINARY COUNCIL MEETING - AGENDA

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

|   |
|---|
| 24 Evelyn Street<br>CLAYTON VIC 3168          |
| 25 Everard Avenue<br>CLYDE NORTH VIC 3978     |
| Unit 2/13 Elder Street<br>CLARINDA VIC 3169   |
| 30 Wandoo Avenue<br>CLARINDA VIC 3169         |
| 29C Garfield Street<br>CHELTENHAM VIC 3192    |
| 60 Orange Street<br>BENTLEIGH EAST VIC 3165   |
| 19 Alexander Avenue<br>OAKLEIGH EAST VIC 3166 |
| 16 Mahal Drive<br>CLYDE NORTH VIC 3978        |
| 5 Legon Road<br>OAKLEIGH SOUTH VIC 3167       |
| 37 Wilma Avenue<br>MULGRAVE VIC 3170          |
| PO Box 29<br>OAKLEIGH SOUTH VIC 3167          |
| PO Box 29<br>OAKLEIGH SOUTH VIC 3167          |
| 78 View Street<br>CLAYTON VIC 3168            |

**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION – NOS. 66-88, 98-100 AND 168-222  
CLARKE ROAD, SPRINGVALE SOUTH (PLANNING APPLICATION NO.  
PLN18/0688)**

**ATTACHMENT 3**

**CHAIN OF PARKS POLICY MAP**

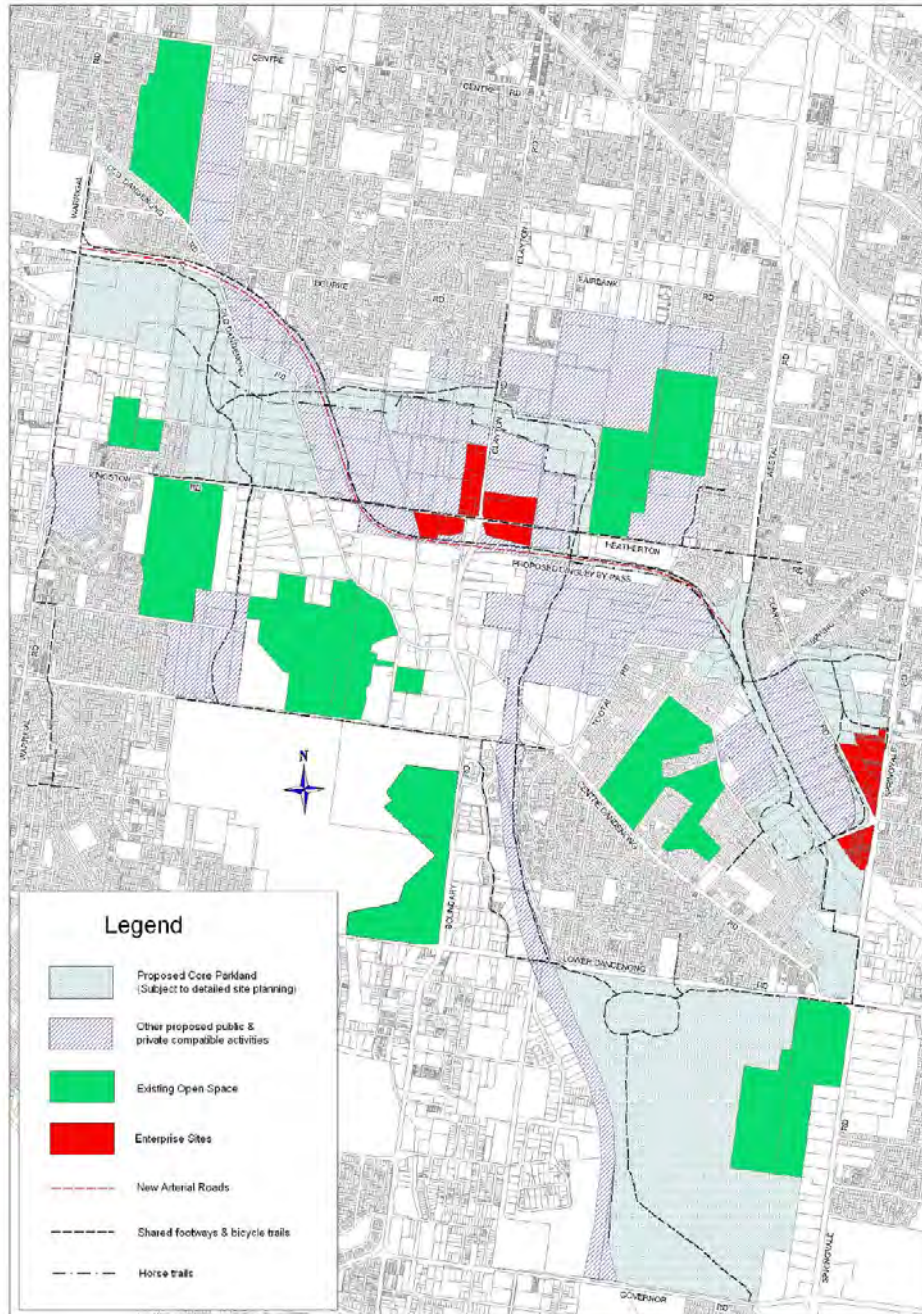
**PAGES 2 (including cover)**

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



**2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**

Sandbelt Open Space Project Development Plan (Melbourne Parks and Waterways 1994)



**Map 2: Sandbelt Open Space Project Development Plan**

### 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

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**3 QUESTION TIME - PUBLIC (Cont.)**

- ii) will make the question available to Councillors or Members upon request.
- 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.

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## 4 OFFICERS' REPORTS - PART TWO

### 4.1 OTHER

#### 4.1.1 Hemmings Street Precinct Action Plan

|                      |  |
|----------------------|--|
| File Id:             | A7208607   |
| Responsible Officer: | Director Community Services  |
| Attachments:         | Hemmings Street Precinct Draft<br>Action Plan<br>Hemmings Street Precinct<br>Action Plan Consultation Analysis |

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#### Report Summary

On 14 September 2020, Council endorsed a Council Report that included the proposed draft 'Hemmings Street Precinct Action Plan'. Council recommended that the draft Plan undergo a community consultation process and a final report be presented to the new Council.

The draft Action Plan was created in response to the requirements of the Notice of Motion (NoM) No.81 and incorporates a partnership approach between Council, State Government agencies and other community stakeholders to address public safety concerns and anti-social behaviour in the Hemmings Street Precinct.

The Precinct under consideration is the area bordered by Robinson Street, Princes Highway, Jones Road, Pickett Street and Railway Parade, Dandenong.

The consultation process spanned six weeks and included informing the Precinct's residents, traders, and services in the affected areas of the proposed Plan via an Australia Post letter, with the opportunity given to provide feedback. Feedback options were also available online, by phone, email, in person or hard copy returned by mail.

This Report details the issues raised, consultation outcomes, and proposed options to improve perceptions and levels of safety in the Hemmings Street Precinct.

#### Recommendation Summary

This Report recommends that Council endorses the attached final draft Hemmings Street Precinct Action Plan (Attachment 1) and notes submission of the associated grant application recommendations to support implementation of the Action Plan.

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#### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)

### Background

From mid-2018, residents and business providers in Hemmings Street and its surrounding areas have raised concerns with Council about their perceptions of crime and anti-social behaviour, including in Hemmings Street's northern residential end.

Council subsequently defined the area as the 'Hemmings Street Precinct', bordered by Robinson Street, Princes Highway, Pickett Street and Railway Parade in Dandenong West.

Issues raised include:

- Cars driving around, with occupants seeking street sex workers and propositioning a wide range of women, including residents.
- Concerns about crime, visible anti-social behaviour, and public drug and alcohol use, despite Council's improvements to the area.
- A phone box in Hemmings Street that appears to be used for drug dealing, requests for its removal and/or a CCTV camera to be installed at this location.

In response to these concerns, Councillors, Council officers and Victoria Police officers held ongoing face-to-face meetings with community members living in and in the vicinity of Hemmings Street. Police increased and continue to proactively patrol the Precinct daily.

A community engagement event was held in late-2019 in the southern-end business zone, a collaboration between Council, Victoria Police, Crime Stoppers, Wayss (housing service provider) and Neighbourhood Watch. An estimated 150 community visitors engaged, discussed and collected information on crime prevention.

Throughout 2020, issues have also been raised with Council regarding some Precinct rooming houses, community housing models, the proliferation of increasing numbers of squats and a perceived escalation in homelessness, crime and/or anti-social behaviour.

At the Council meeting on 9 June 2020, NoM No.81 was resolved. The NoM requested that, after meetings between Council, relevant State Government bodies and non-profits, a Report comes to Council outlining a partnership approach and a Plan for dealing with these issues. This included including informing local residents and traders of the Precinct of the draft Plan via Australia Post letter.

Council has since advocated with Local Members of Parliament, Victoria Police, Department of Justice and Community Safety (DJCS), Department of Health (DH), Neighbourhood Watch (NHW) and other key stakeholders.

The Local Member of Parliament, the Hon Gabrielle Williams MP acknowledged that short and long-term strategic, as well as multi-agency approaches, are required to address the community safety issues raised with Council.



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#### **4.1.1 Hemmings Street Precinct Action Plan (Cont.)**

A meeting was subsequently organised by Minister Williams' office with the Ministers of Housing and Consumer Affairs, the Mayor of Greater Dandenong, Director of Community Services and associated staff. Those at the meeting discussed the specific ongoing safety concerns of the Hemmings Street Precinct. As a result, advocacy support was offered for Council's application for a Community Safety Infrastructure Grant (CSIG).

A commitment was also given by Minister Wynne to activate a place-based coordinated initiative in partnership with Council, government departments and other local stakeholders. The Coordinator for the initiative is the Deputy Secretary – South Division Department of Families, Fairness and Housing (DFFH).

#### **Design of the Draft Hemmings Street Precinct Action Plan**

The objectives of the draft Hemmings Street Precinct Action Plan resulted from stakeholder feedback Council received in consultations with and advocacy to State Ministers, Councillors, Council planners, Council's Community Safety Advisory Committee, and a number of Precinct residents and traders who had continued to liaise with Council about their concerns.

Consultation feedback indicated that objectives of the draft Action Plan should aim to undertake advocacy for resources, develop stakeholder collaboration to resolve issues, and conduct activities to improve both perceptions and levels of safety.

The resulting draft Plan consists of five proposed Priority Actions:

- (1) Increase community participation through Neighbourhood Watch recruitment.
- (2) Improve perceptions of safety through arts and cultural engagement.
- (3) Enhance crime prevention, security and safety infrastructure.
- (4) Advocate to local parliamentary members and partner with State Government agencies.
- (5) Investigate research partnership options to improve and monitor perceptions of safety.

These actions aim to also reduce crime and anti-social behaviour through extending Precinct safety infrastructure, promoting crime prevention strategies, conducting community events to increase engagement, and motivating the community to report incidents at the time or after they occur.

#### **Community Consultation and Findings**

The consultation process spanned six weeks and included informing the Precinct's residents, traders, and services of the proposed Plan via an Australia Post letter with a Perceptions of Safety Survey and a request for feedback on the included draft Action Plan. Feedback options were also available online, via phone, email, in person or hard copy returned mail.

In total, 205 Precinct residents, traders and visitors responded to the Council survey and request for feedback. Participants included similar numbers of women and men, and a substantial representation of residents of working and retirement age.

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#### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)

Attachment 2 presents community consultation findings, including the demographics of respondents; responses to questions about perceptions of safety, crime and anti-social behaviour; and comments about the proposed Action Plan. In summary:

- Survey participants mostly expressed concerns about violence, anti-social behaviour, alcohol and drug use, theft, noise, traffic, dumped rubbish and residents of squats, community housing and rooming houses.
- Approximately half of respondents stated that they felt unsafe in the Hemmings Street Precinct during the day, and four-fifths stated they felt unsafe in the evenings.
- Three-quarters of females and half of male respondents stated they often avoided the area at night because of their safety concerns, citing insufficient street lighting and the behaviour of other persons in public spaces.
- Feedback regarding the Neighbourhood Watch action priority included comments that efforts would be required to communicate with and engage residents of culturally and linguistically diverse backgrounds (CALD), many who have limited English fluency.
- Some respondents stated that increased proactive Police involvement was needed, in the form of more visible, frequent patrols and operations.
- Feedback regarding the arts and cultural events action priority included suggestions such as barbeques and specific events for families; ensuring activities be arranged for young people; linking events to occasions of cultural importance; and that events be promoted in community languages.
- The action priority regarding the introduction of CCTV in a residential section of Hemmings Street attracted much support. Some respondents questioned whether a portable CCTV system would be as effective as permanently located units. Others raised concerns about the cameras being used to place everyday residents under surveillance.
- Some respondents questioned CCTV's effectiveness in light of the persistence of anti-social behaviour around the milk bar on the corner of Weller and Hemmings Streets, and despite the existence of cameras in the shopping precinct area.
- Advocacy for funding of safety initiatives in the Precinct was supported, though some stated their scepticism about the prospects of securing government support.

#### Proposal

Overall, responses indicated that the draft Hemmings Street Precinct Action Plan in its current form addresses the following community concerns and expectations, and will support:

- Improvements to public lighting in key locations where a perceived lack of illumination impedes pedestrian use within and adjacent to the Precinct.



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#### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)

- The introduction of CCTV in certain residential areas where it is perceived that crime and/or anti-social behaviour is more evident in particular public spaces.
- Utilising Neighbourhood Watch to increase Precinct membership and promote the need to call Triple Zero to request assistance in an emergency and report crime.
- Increased community engagement through arts, cultural events, and other community activities, including a focus on meeting the needs of young and/or CALD people.

It is requested that Council endorses:

- The draft Hemmings Street Action Plan and its implementation as detailed in Attachment 1.
- Writing letters to local Federal members, Mr Julian Hill MP and Ms Clare O'Neil MP, requesting additional funding support for Precinct Action Plan initiatives.
- Partnering with Minister Wynne to activate a place-based coordinated initiative in partnership with Council, government departments and other local stakeholders.
- Noting that two funding applications to the State Government's Building Safer Communities Program have been submitted in the following two categories:
- **Category 1: *Creating Safer Places***, where grants of between \$25,000 to \$300,000 are available for councils to apply to fund urban design and place activation initiatives.

Proposed Precinct urban design projects listed below fall within the scope of Category 1, aiming to improve Precinct sightlines, safety, wayfinding and accessibility, including to and from central Dandenong:

- CCTV infrastructure and cameras installed in Precinct spaces that will enhance the capability of Council's CCTV system in the Hemmings Street shopping zone, and also a Visual Messaging Sign (VMS).
- A public lighting audit to inform resultant upgrades to street lighting.
- Removal and replanting of trees in accordance with Council's Greening Our City Strategy, and improvements to footpaths/nature strips due to tree root damage.
- Public syringe disposal bins installed across strategic Precinct locations where used syringes are repeatedly discarded.
- Ongoing events and space activation to maintain momentum and engagement in implementation of the Action Plan and build continuing social cohesion.
- An independent consultancy to be engaged to evaluate before and after infrastructure installations and community activities to determine levels of perceptions of safety and project impact.
- **Category 2: *Crime Prevention Innovation Fund***, where grants of between \$25,000 to \$300,000 are available for councils, non-profit and other specialist community organisations to apply to

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#### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)

fund partnership projects that deliver and evaluate innovative community safety and crime prevention initiatives.

The following proposed Precinct project falls within the scope of Category 2, aiming to improve perceptions of safety, community capacity and resilience:

- A longitudinal action-based research study in partnership with Deakin University, underpinned by community development engagement principles, to co-design initiatives to increase and build community cohesion, pride of place, and a neighbourhood identity.
- The study will also inform long-term Council strategic and social planning through building on previous Precinct research and support other Council policy, plans and an integrated approach to addressing similar issues arising in other Precincts.

### **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
- *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
- *Jobs and Business Opportunities* – Prosperous and affordable
- *Tourism and visitors* – Diverse and interesting experiences
- *Leadership by the Council* – The leading Council

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#### **4.1.1 Hemmings Street Precinct Action Plan (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
- A creative city that respects and embraces diversity

##### *Place*

- A healthy, liveable and sustainable city
- A city planned for the future

##### *Opportunity*

- An open and effective Council

The strategies and plans that contribute to these outcomes are as follows:

- City of Greater Dandenong Community Safety Plan 2015-22
- City of Greater Dandenong Community Wellbeing Plan 2017-21
- City of Greater Dandenong People Seeking Asylum and Refugees Action Plan 2018-21
- City of Greater Dandenong Disability Action Plan 2017-23
- City of Greater Dandenong Positive Ageing Strategy 2017-25
- City of Greater Dandenong Road Safety Strategy 2016-22
- City of Greater Dandenong Youth Strategy 2016-19
- City of Greater Dandenong Children's Plan 2015-19
- City of Greater Dandenong Graffiti Management Plan 2013-18
- City of Greater Dandenong Public Space CCTV Policy 2019-22
- City of Greater Dandenong Housing Strategy 2014-24
- City of Greater Dandenong Municipal Emergency Management Plan 2018-21
- City of Greater Dandenong Open Space Strategy 2009 (under review)
- City of Greater Dandenong Make Your Move Physical Activity Strategy 2020-2030
- City of Greater Dandenong Walking Strategy 2015-23
- City of Greater Dandenong Cycling Strategy 2017-24.

##### **Related Council Policies**

- City of Greater Dandenong Community Engagement Policy and Framework 2018-22
- City of Greater Dandenong Diversity, Access and Equity Policy 2015-19 (under review)
- City of Greater Dandenong Alcohol Management Policy and Guidelines 2018-22

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#### **4.1.1 Hemmings Street Precinct Action Plan (Cont.)**

### **Victorian Charter of Human Rights and Responsibilities**

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

### **Financial Implications**

Perceptions of Safety Survey findings, community and other stakeholder feedback about the draft Action Plan indicate the need for additional funds to implement the Plan. There are no current resources included within the Annual Budget for this purpose.

There will be increased requests for operational improved street amenity and upkeep, eg, dumped rubbish removal, Local Laws visits and rooming house audits.

There is also likely to be a high number of requests for CIP-type improvements not currently budgeted for by Council in the residential north/east end of Hemmings Street and linked lanes, eg, footpaths, nature strips, CCTV, public lighting and pedestrian safety.

### **CCTV Implications**

#### **Community Safety Infrastructure Grant**

Council was recently advised of a successful funding application for \$400,000 from the State Government's Community Safety Infrastructure Grant (CSIG) 2020-22.

This includes agreed funding of \$24,750 for six CCTV cameras to be piloted in the Hemmings Street Precinct and Boyd Lane. It is envisaged that these cameras will likely be procured outside of Council's Safer City CCTV Program.

#### **Building Safer Communities Grant (BSCG)**

Council should note the following funding has been sought under categories 1 and 2 of the BSCG:

#### **Category 1 - Creating Safer Places**

- Four Safer City CCTV Program cameras and related infrastructure: \$45,000.
- An Electronic VMS Board: \$10,000.
- A public lighting audit and upgrades to street lighting in priority locations: \$50,000.
- Removal and replanting of street trees, remediation of streetscape and aesthetics (in consultation with Business and Revitalisation, Infrastructure Services and Planning, Strategy Design and Sustainability): \$162,000.
- Design and installation of six public space syringe disposal bins; \$3,000
- Three community engagement events to support implementation of the Action Plan: \$18,000.
- Project impact consultancy and evaluation: \$12,000.

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#### **4.1.1 Hemmings Street Precinct Action Plan (Cont.)**

##### **Category 2 - Crime Prevention Innovation Fund**

- Funding of up to \$300,000 has been sought for a longitudinal action-based research study in collaboration with Deakin University which will leverage existing University research work.

Council will implement the Action Plan in collaboration with State Government, partners, stakeholders, and the community, based on what is endorsed in this Council Report, available resources and agreed-to future funding.

##### **Consultation**

Council's Community Engagement Policy and Planning Framework underpinned the community consultation process implemented in response to NoM No.81. Council consulted with and/or surveyed a broad range of Precinct residents and traders, and related non-profits and service agencies with clients and/or interests in the Precinct's community.

To maximise the opportunity for a broad range of responses, the consultation period was extended to six weeks throughout November and December 2020.

The draft Action Plan, an explanatory letter, and an accompanying Perceptions of Safety Survey were promoted, and feedback canvassed through a wide range of engagement and research methods, including:

- A mailout to the Precinct's 2,300 properties, with a postage-paid return envelope.
- Emails to 350 officers/managers of relevant non-profit/community service agencies.
- Utilising Council's 'Have Your Say' website link to provide another response method.
- Providing the option to attend one of six online consultation sessions.
- Providing information on how to obtain translation support through Council, and the option for phone or face-to-face interviews (in compliance with COVID-19 restrictions).
- Promotion through Council's social media platforms, and those of Victoria Police and Neighbourhood Watch.

Council also consulted with a range of other stakeholders and Council staff to advocate for Precinct resources, collaborative action, and feedback on the draft Action Plan, including:

- The Hon Gabrielle Williams MP, Hon Richard Wynne MP and Hon Melissa Horne MP.
- DH and DJCS executives.
- Fifth Avenue Kindergarten management.
- Deakin University's Community Development Department.

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#### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)

- Community Safety Advisory Committee representatives from the southern metropolitan region, including:
- Victoria Police command
- DJCS and DH management and officers
- Metro Trains Dandenong
- Melbourne University
- Neighbourhood Watch Greater Dandenong
- Monash Health
- Launch Housing
- YSAS (Youth Support and Advocacy Service)
- Wayss.
- Consultations were held with Afri-Auscare, AMES Australia, the Asylum Seeker Resource Centre, and contact made with Dandenong West Primary School Community Hub.
- Ten Council officers provided written feedback on behalf of all four Council directorates, while four senior officers from Building Compliance Services contributed through an online consultation session.

#### Conclusion

In response to NOM No.81, a draft Hemmings Street Precinct Action Plan was created and submitted for community consultation and feedback. An analysis of the 205 responses received indicated that overall the draft Action Plan in its current form addresses community concerns and expectations.

External funding has been sought and Council will work with Minister Wynne to activate a place-based coordinated initiative in partnership with Council, government departments and other local stakeholders.

#### Recommendation

##### That Council:

1. **endorses the draft Hemmings Street Action Plan and its implementation as detailed in Attachment 1;**
2. **writes letters to local Federal Members of Parliament, Mr Julian Hill MP and Ms Clare O'Neil MP, requesting additional funding support for Precinct Action Plan initiatives;**

**4.1.1 Hemmings Street Precinct Action Plan (Cont.)**

- 3. collaborates with the Minister for Planning Richard Wynne to activate a place-based coordinated initiative in partnership with Council, government departments, Victoria Police and other local stakeholders; and**
  
- 4. notes the submission of applications for funding made to categories 1 and 2 of the Building Safer Communities Program as per the details outlined in the Financial Implications section of this Report.**



**4.1.1 Hemmings Street Precinct Action Plan (Cont.)**

**OTHER**

**HEMMINGS STREET PRECINCT ACTION PLAN**

**ATTACHMENT 1**

**HEMMINGS STREET PRECINCT DRAFT  
ACTION PLAN**

**PAGES 3 (including cover)**

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

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#### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)



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##### The Hemmings Street Precinct Action Plan (draft)

###### Introduction

This Hemmings Street Precinct draft Action Plan aims to improve perceptions and levels of safety in the area bound by Robinson Street, Princes Highway, Jones Road and Railway Parade in Dandenong West.

The key strategies in the Action Plan will achieve these through stakeholder partnerships, security measures, community engagement, place-based activities, and using social media.

Hemming Street Precinct community members, Greater Dandenong Council, Victoria Police, State Government agencies, local services and Neighbourhood Watch Greater Dandenong will plan and deliver these activities and other identified actions.

These include arts and cultural events, promoting crime prevention and community safety strategies, and supporting the community to report crime and anti-social behaviour to Police.

The following five actions form the basis of the draft Action Plan.

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###### Priority 1: Increase community participation through Neighbourhood Watch recruitment

Neighbourhood Watch is a pro-active group that successfully strengthens partnerships and social connections between Police, councils, organisations and the community.

Neighbourhood Watch has proven expertise in increasing community participation through education, empowering people to work together and feel safer and improve security in and around homes and businesses.

###### Action

Neighbourhood Watch will lead a partnership with Victoria Police and Council to increase its membership in the Hemmings Street Precinct to build community cohesion and confidence in managing the impacts of crime and anti-social behaviour and increase safety.

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###### Priority 2: Improving perceptions of safety through arts and cultural engagement

Council and Victoria Police have the capacity and responsibility to engage with local communities and build ongoing relationships and neighbourhood ownership to improve perceptions and levels of safety.

###### Action

Council will partner with Victoria Police, other agencies and the local community to design and implement three cultural space activation events in the Hemmings Street Precinct, which will also provide the opportunity to engage with and educate people to report crime and anti-social behaviour at the time of the event.

(Please Note: Due to COVID-19, activities will commence through social media. Other activities will be confirmed after restrictions are lifted).

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#### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)

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##### **Priority 3: Improving crime prevention, security and safety infrastructure**

Council and Victoria Police actively seek solutions to prevent crime and improve security and safety infrastructure. This includes CCTV systems that can provide Police with the capability to proactively monitor and respond to issues of concern in real-time.

A mobile CCTV camera system provides the flexibility to place the camera/s in Precinct hotspots, having proved successful in reducing hooning in key Greater Dandenong locations.

##### **Action**

Victoria Police will partner with Council to seek financial support to purchase, develop and maintain a Mobile CCTV Trailer and a Variable Message Signage Trailer, which can be used periodically to deter crime, alert Police, and improve perceptions and levels of safety in the Hemmings Street Precinct.

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##### **Priority 4: Advocate to and partner with State Government to improve Precinct safety**

The Mayor and Councillors believe that Hemmings Street Precinct issues require the support and partnership of State Government to improve safety.

##### **Action**

Council will advocate to local members of parliament and partner with State Government agencies to improve crime prevention and safety infrastructure, reduce crime and anti-social behaviour, and improve safety in the Hemmings Street Precinct.

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##### **Priority 5: Conduct Precinct research to inform community safety and security planning**

Council believes that a research project will help stakeholders to co-design Precinct projects and initiatives that will increase perceptions and levels of safety in the Hemmings Street Precinct.

By partnering with a university, the research would support ongoing and active community engagement across the Precinct. The research can provide a 'snapshot' of issues and proposed solutions to inform ongoing Precinct planning.

##### **Action**

Council will develop a proposal outlining the scope of a partnership project, associated costs and in-kind support to collaborate with a local university to improve community engagement and safety in the Hemmings Street Precinct.

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**4.1.1 Hemmings Street Precinct Action Plan (Cont.)**

**OTHER**

**HEMMINGS STREET PRECINCT ACTION PLAN**

**ATTACHMENT 2**

**HEMMINGS STREET PRECINCT DRAFT  
ACTION PLAN – CONSULTATION ANALYSIS**

**PAGES 5 (including cover)**

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

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#### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)

##### **Attachment 2: Hemmings Street Precinct Action Plan Consultation Analysis**

###### **2020 Hemmings Street Precinct Perceptions of Safety Survey and Consultation Analysis**

This summary outlines the findings of a Perceptions of Safety Survey conducted in late 2020, of 205 people who live, work, conduct business, visit or shop in the Hemmings Street Precinct. The Hemmings Street Precinct, bordered by Robinson Street, Princes Highway, Pickett Street and Railway Parade in Dandenong West

The Survey asked participants about their beliefs of personal safety in the Precinct during the day and evening, explored specific safety concerns, sought views about key directions in a draft Action Plan proposed by Council, and invited suggestions about further measures which might improve safety and amenity.

###### **Survey Participants**

Among 205 Precinct survey participants:

- 54 per cent were female, 45.5 per cent male and 0.5 per cent (one respondent) of another gender.
- 70 per cent were aged 25-64 years, with 27 per cent over 64 and the balance of 3 per cent aged 15-25 years.
- Participants' association with the Precinct included:
  - 70 per cent living in the Precinct.
  - 31 per cent shop in it, and the same proportion visit.
  - 9 per cent have a business and 6 per cent work in the Precinct.

###### **Feelings of Personal Safety When in the Hemmings Street Precinct**

- Approximately half (47 per cent) of survey participants, including similar numbers of females and males stated they did **not** feel safe in the Hemmings Street Precinct **during the day**.
- Nearly one-third (29 per cent) agreed that they '*always*' or '*often*' avoided coming to the Precinct **during the day** owing to concerns for their personal safety.
- Nearly four-fifths (79 per cent) of participants, including similar proportions of women and men, agreed that they did **not** feel safe in the Precinct **at night**.
- 70 per cent of female participants and just 54 per cent of males agreed that they '*always*' or '*often*' avoided coming to the Hemmings Street Precinct **at night**, due to such concerns.

###### **Key Safety Issues Perceived in the Hemmings Street Precinct**

In response to questions about key issues and conditions which affect safety in the Precinct, participants cited:

###### **Social Concerns/Anti-social Behaviour**

- Incidents of public and family violence in the street, and other anti-social behaviour.
- People with assumed mental health issues acting strangely in public, people entering and loitering in private gardens, carports and backyards.
- Beggars causing distractions and barriers to the flow of pedestrian traffic.

###### **Alcohol and Other Drug Use**

- Drug use, alcohol consumption and drug dealing in public places.
- Other public alcohol consumption and related intoxicated people in public.

###### **Street-based Sex Work**

- Street sex workers, men driving around searching for them, sex occurring on private property.
- Harassment of women by men driving around seeking sex workers.

### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)

#### Theft and Burglary

- Theft of and from vehicles and registration number plates.
- House burglaries, and stolen mail from vandalised mailboxes.
- People accosting pedestrians, demanding property, phones and/or money.
- Traffic and parking issues, housing and amenity, including dumped rubbish.

#### Excessive Noise

- Cars creating excessive engine, passenger and radio noise.
- Women screaming and intrusive noise from other properties at night.
- Fighting and shouting in the street.

#### Housing and Homelessness

- Perceived anti-social behaviour in public by Precinct rooming house tenants.
- Badly managed, neglected, overcrowded and/or unregistered rooming houses.
- Squatters living in derelict houses, perceived associated crime and/or anti-social behaviour.
- Other homeless persons staying in public places in the Precinct.

#### Traffic

- Limited residential parking.
- High-speed, high-risk driving, and increased traffic.
- Traffic congestion and bottlenecks in specific locations.
- Dumped and/or unregistered cars on streets for long periods, assumed at times by mechanics.

#### Amenity

- An overall unsanitary and ill-kept appearance.
- Poorly maintained properties and nature strips.
- Property vandalism.
- Hard rubbish dumping on nature strips.
- Litter.

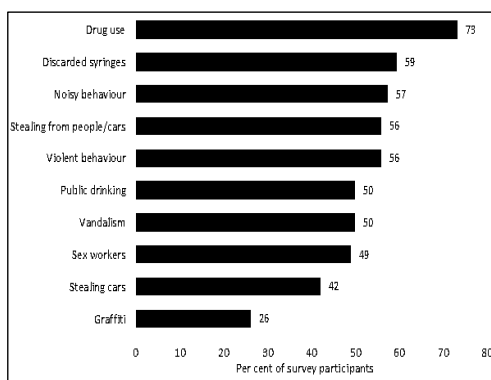
#### Street Lighting

- Poor street and laneway lighting, impacting people's decisions to walk the around the Precinct and/or to public facilities, food and entertainment venues in central Dandenong in the evening and night.

#### Major Concerns About Safety

Major concerns about safety and amenity in were analysed, and:

- Nearly three-quarters of respondents identified '*drug use*'; and over half nominated '*discarded syringes*', '*noisy behaviour*', '*stealing*' and '*violent behaviour*' (see accompanying diagram)
- There were no marked differences between the percentage of females and males noting these concerns.



ORDINARY COUNCIL MEETING - AGENDA

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**4.1.1 Hemmings Street Precinct Action Plan (Cont.)****Feedback on the Hemmings Street Precinct Draft-Action Plan Priority Areas**

Consultative questions on each draft-Plan priority area requested respondents to indicate if they supported the action and/or had any suggestions or concerns. A summary of key responses follows:

**Proposed Priority One: Increasing Neighborhood Watch Support, Membership and Involvement****Suggestions in Support of the Priority**

- Council should provide support to reach CALD communities and provide information in other languages.
- Residents need a point-of-contact for reporting crime and anti-social behaviour.
- Residents still require pro-active Police involvement in preventing and responding to crime.

**Concerns**

- By emphasising community action to prevent crime, it shifts responsibility for safety onto residents.
- This is unlikely to be effective, based on previous experience with Neighborhood Watch.
- Neighborhood Watch does not have the means to address the problems of the Precinct.
- Increased policing is required, rather than community development.
- Neighborhood Watch is made up of largely elderly English-speaking members and many residents are not, instead speaking languages other than English.
- People are largely fearful and may therefore not get involved in Plan activities.

**Priority Two: Arts and Cultural Events****Suggestions in Support of the Priority**

- Events are likely to encourage community involvement.
- Perhaps a street parade or barbeque; market day; and family friendly events.
- Events could be conducted to mark cultural celebrations: Easter, Christmas, ethnic and cultural events.
- Activities should also aim to engage local young people.
- Opportunities should be included to become acquainted with local Police.
- Events/activities should be promoted with posters and in languages other than English.
- The local Primary School should be involved, and utilised as a meeting/planning point.

**Concerns**

- The effect of events/activities to improve perceptions and levels of safety might be minimal and would not address underlying causes of crime.
- Arts-oriented activities are unlikely to influence levels of crime and safety.
- Creative events would be more effective if lead by artists, not Council or Police.

**Priority Three: Introducing a Mobile CCTV Camera System and a Visual Messaging Board (VMS)****Suggestions in Support of the Priority**

- Increased CCTV will help to prevent crime.
- Cameras should be permanently installed.
- Police should also increase patrols in the Precinct.

**Concerns**

- This is not an adequate response.
- CCTV is useful only after an incident, which does not help the victim at the time of the event.
- CCTV has not proven to increase actual safety, only perceptions of safety.
- CCTV cameras and VMS are expensive to install and maintain and are vulnerable to vandalism.
- CCTV cameras are already installed in/near the shops and have not resolved issues.
- Current portable signs [VMS] uses wording that some people do not understand.



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#### 4.1.1 Hemmings Street Precinct Action Plan (Cont.)

**Priority Four: Advocacy for Funding of Safety Initiatives**

**Suggestions in Support of the Priority**

- Government funding would help improve conditions in the Precinct.
- It's good to work on safety at all levels.
- Local people should be consulted about these efforts or resulting programs.

**Concerns**

- The Government may not be willing to help.
- The proposed Plan is vague and lacks specifics.
- It is unclear what impact the proposed Plan would have.

**Priority 5: Conduct Precinct Research to Inform Community Safety and Security Planning**

Insufficient comments were supplied to provide a clear direction.

**Other Suggested Actions to Improve Precinct Safety**

Survey respondents were invited to offer suggestions about further measures which might reduce crime and anti-social behaviour in the Precinct. The 125 specific and relevant comments submitted largely concerned the following:

**Safety Measures**

- More frequent and visible Police patrols.
- Police need to be more receptive to calls from residents about anti-social behaviour.
- Improved police response times to calls from residents.
- Improved street lighting.

**Addressing Underlying Issues**

- Poverty, homelessness, mental health issues, alcohol and other drug use.
- Provide activities for young people.
- Make services affordable.

**Housing Issues**

- Less social housing and rooming houses in the Precinct.
- Removal of vacant properties, which attract squatters.
- Fewer flats and townhouses and more separate houses, to attract homeowners.
- Hold estate agents/housing provider agencies responsible for behaviour of their tenants.

**Business Support**

- Support for local businesses.
- Efforts to attract cafes and other shops into the Precinct, to improve amenity and community activity.

**Improved Amenity**

- Increased street cleaning and removal of dumped rubbish.
- Installation of disability parking next to the shops.

**Community Engagement**

- Provide information about safety and other issues for the community, including cultural groups.

#### **4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021**

|                      |  |
|----------------------|--|
| File Id:             | A7285191                                     |
| Responsible Officer: | Director Community Services                  |
| Attachments:         | Draft Minutes of Meeting on 10 February 2021 |

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#### **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 the Community Safety Advisory Committee meeting provided in Attachment 1 to this report be noted by Council.

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#### 4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (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

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**4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (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 meeting for the Community Safety Advisory Committee as provided in Attachment 1 to this report.**

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**4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)**

**OTHER**

**DRAFT MINUTES OF  
COMMUNITY SAFETY ADVISORY COMMITTEE MEETING**

**ATTACHMENT 1**

**COMMUNITY SAFETY ADVISORY  
COMMITTEE MEETING  
ON 10 FEBRUARY 2021**

**PAGES 10 (including cover)**

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

**4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)**

**Advisory Committee or Reference Group Name:** Community Safety Advisory Committee

**Date of Meeting:** 10 February 2021

**Time of Meeting:** 3.00-5.00pm

**Meeting Location:** Online - Microsoft Teams Meeting

**Attendees:**

Mayor Cr Angela Long (City of Greater Dandenong [CGD]), Deputy Mayor Cr Sophie Tan (CGD), Cr Rhonda Garad (CGD), Cr Lana Formoso (CGD), Insp Mark Langhorn (Victoria Police [VicPol]), Director – Community Services (CGD), Jess Dawson (Department of Families, Fairness and Housing [DFFH]), Snr Sgt Brett Skurka (VicPol), Snr Sgt Mark Knight (VicPol), Snr Sgt Kent Standish (VicPol), Yvette Shaw (DFFH), Rhyll Browne (Monash Health Alcohol and Other Drug Services [MH AOD]), Codie Schaefer (Launch Housing [Launch]), Toshi Mochida (Launch), Suzanne Bumpstead (Monash Health Accident and Emergency [MH A&E]), Dawn Vernon (Greater Dandenong Neighbourhood Watch [NHW]), Manager – Community Development, Sport and Recreation (CGD), Coordinator – Community Development – Chairperson (CGD), Manager – Communications and Customer Service (CGD), Manager – Business and Revitalisation (CGD), Manager – Municipal Recovery (CGD), Coordinator – Youth and Family Services (CGD), Senior Engineer Transport – Business Engineering and Major Projects (CGD), Team Leader – Public Safety and Security (CGD), Community Advocacy Officer (CGD).

**Apologies:**

Derlie Mateo-Babiano (Melbourne University), Cassie Hughson (Metro Trains Dandenong [MT]), Jude Mathews (MT), Tom Bell (Department of Justice and Community Safety [DJCS]), Wendy Tran (DJCS), Sean Quigley (Wayss), Mark Fitzgerald (Launch), Sarah Lalley (Youth Advocacy and Support Service [YSAS]), Deb Pugsley (Women's Health In South East [WHISE]), Jessica Elsworth (WHISE), Jess Macauley (YSAS), Place Manager – Activity Centres Revitalisation (CGD).

**Minutes:**

Community Advocacy Officer (CGD).

| Item No. | Item  | Action   | Action By  |
|----------|---|--|--|
| 1        | <b>Welcome and Apologies</b><br>The Chair acknowledged the Traditional Owners of the Land, welcomed attendees and noted the apologies.  |  |  |
| 2        | <b>Minutes of Previous Meeting and Business Arising</b><br>The Minutes of the Previous Meeting were adopted.<br><b>Feasibility of Linking Dandenong Railway Station CCTV Camera Footage to Victoria Police Local Screen Monitors</b> <ul style="list-style-type: none"> <li>(Refer to 'Metro Trains', Item 7)</li> </ul>  |  |  |
| 3        | <b>Community Safety Plan 2015-22</b><br><b>Community Safety Night – 6 April 2021</b> <ul style="list-style-type: none"> <li>Community Safety Night will be held between Councillors and Victoria Police on 6 April. VicPol will present on their work with multicultural communities, responses to family violence, crime data trends and current priorities.</li> </ul> <b>New Community Safety Plan 2023: Planning</b> <ul style="list-style-type: none"> <li>The CSAC will commence scoping the development of a new Community Safety Plan (CSP) in the 2021-22 financial year as the current Plan expires in 2022.</li> </ul> | Detailed Agenda to be finalised<br><br>Commence scoping the development of the new Community Safety Plan | Council and VicPol<br><br>Community Advocacy Officer to lead consultation and drafting |

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

## ORDINARY COUNCIL MEETING - AGENDA

**4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)**

|   |  |   |                    |
|---|--|---|--------------------|
|   | <ul style="list-style-type: none"> <li>The timeframes for developing the new CSP will align with Council's adoption of planning outcomes for the integration of the Council Plan with its Community Wellbeing Plan.</li> </ul>   | Report on progress at next CSAC meeting.  |                    |
| 4 | <p><b>Hemmings Street Precinct Action Plan Update</b></p> <p><b>Community Consultation Findings</b></p> <p>Council provided an overview of community consultation findings received from a perceptions of safety survey on the objectives of a draft Action Plan that aim to address concerns about crime and anti-social behaviour in the Hemmings St Precinct.</p> <ul style="list-style-type: none"> <li>Appendix 1 of the Minutes provides a summary of consultation methods and outcomes.</li> <li>The survey and feedback options included information on Council's ability to provide translation services, the opportunity to meet in person or via phone or online for respondents who preferred to speak in English rather than receive written translations. Six residents took up these interview options.</li> <li>Overall, responses indicated that the Action Plan addresses community concerns and supported the following activities: <ul style="list-style-type: none"> <li>Improvements to public lighting in key locations where a perceived lack of illumination impeded pedestrian use.</li> <li>The introduction of CCTV in certain residential areas where it was perceived that crime and/or anti-social behaviour was more evident in certain public spaces.</li> <li>Utilising Neighbourhood Watch to increase Precinct membership and promote the need to call Triple Zero to request assistance in an emergency and report crime.</li> <li>Increased community engagement through arts, cultural events, and other community activities, including a focus on meeting youth needs.</li> </ul> </li> <li>Future community information about the Action Plan and related implementation activities will be promoted more broadly amongst specialised culturally diverse community agencies. Some Precinct members and services also indicated their interest in receiving updates on the Plan.</li> </ul> <p><b>Next Steps</b></p> <ul style="list-style-type: none"> <li>Key consultation findings, community and stakeholder expectations, and implications for Council and collaborators will be submitted in a report to Council on 22 March.</li> <li>Another State Government grant, 'Building Safer Communities' (BSC) is open for proposed projects. The Precinct's documented concerns and issues meet the required criteria.</li> <li>A recommendation will be provided to Council to apply for funding under two different categories within the grant program: <ul style="list-style-type: none"> <li>One grant stream is available for Council to upgrade safety infrastructure to improve perceptions and levels of safety and increase community engagement and activation.</li> <li>A second grant stream will fund innovative solutions delivered by councils in partnership with other stakeholders that aim to support social change, community building and engagement.</li> <li>Council is proposing to partner with Deakin University in an action-based research project to improve safety in the Hemmings St Precinct.</li> </ul> </li> <li>VicPol will support the application and liaise with Council to determine the potential to include aspects from a successful youth leadership program delivered by VicPol in 2019-20.</li> </ul> | <p>Develop a BSC grant application to improve safety and engagement in the Hemmings Precinct</p> <p>Report on progress at next CSAC meeting</p> | Council and VicPol |

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



ORDINARY COUNCIL MEETING - AGENDA

**4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)**

|   |  |  |  |
|---|--|--|--|
| 5 | <p><b>Homelessness</b></p> <p><b>Service Provider Updates</b></p> <ul style="list-style-type: none"> <li>• Launch continues to work closely with Council to support persons sleeping rough in public space hotspots to transition into housing options. Their staff undertakes assertive outreach from early morning to mid-evenings, Monday to Friday.</li> <li>• Currently a significant number of persons perceived to be sleeping rough or homeless in public places are not to be. Launch can only provide basic support in these cases as their target group is persons sleeping rough.</li> <li>• Launch is currently planning the development of 420 social housing properties in Greater Dandenong, funded through the State Government's Hotels to Home Program.</li> <li>• There are still approximately 10-20 such persons in COVID-19 funded emergency motel accommodation in Greater Dandenong, reduced from 60 on average per day, mid-COVID. Launch is still also supporting persons in rooming houses.</li> <li>• Wayss provided a written update and continued to provide housing and family violence support over the period of COVID-19 restrictions operating 9-5 Monday to Friday.</li> <li>• Persons exiting motel accommodation remains Wayss' priority, with families continuing to present the biggest challenges. Wayss has provided many positive outcomes for people exiting motel accommodation.</li> <li>• Demand remains very high for services and a rise in people presenting for rental in-arrears support is anticipated after 28 March when Victorian rental laws are expected to revert back to pre-COVID circumstances.</li> </ul> <p><b>Transition Support Funding</b></p> <ul style="list-style-type: none"> <li>• DFFH representatives provided an update on recent changes to State Government structures and related funding. From 1 February, DHHS was replaced with two new departments:             <ul style="list-style-type: none"> <li>- A 'Department of Health' (DH) - responsible for Health and Ambulance Services, Mental Health and Ageing portfolios. DH will continue leading the Government's public health response to the COVID-19 pandemic.</li> <li>- A 'Department of Families, Fairness and Housing' (DFFH) - includes the DHHS portfolios of Child Protection, Prevention of Family Violence, Housing, and Disability. DFFH will support delivery of significant investments announced in the Budget to aid Victoria's COVID-19 recovery.</li> <li>- DFFH will also be responsible for the key policy areas of Multicultural Affairs, LGBTQI+ Equality, Veterans, Office of Women and Office of Youth. This re-alignment will increase effective linkages with other policy areas that are focused on COVID-19 recovery as well as the growth of Victoria's culturally and linguistically diverse communities (CALD).</li> </ul> </li> <li>• The DHHS' Population Health and Community Wellbeing team for the Southern Metro Area, and all other teams in Community Services Operations will move as a whole into DFFH.</li> <li>• Teams have been heavily involved in community engagement for the Government's COVID-19 response and recovery initiatives and, through the COVID-19 CALD Communities Taskforce, supported local implementation of responses by multicultural organisations.</li> <li>• Taskforce funding has been provided to several agencies based in Greater Dandenong. Further information can be accessed at <a href="https://www.vic.gov.au/priority-response-multicultural-communities-during-coronavirus-covid-19">https://www.vic.gov.au/priority-response-multicultural-communities-during-coronavirus-covid-19</a>.</li> </ul> |  |  |
|---|--|--|--|

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

ORDINARY COUNCIL MEETING - AGENDA

**4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)**

|          |  |   |                           |
|----------|--|---|---------------------------|
| <p>6</p> | <p><b>38 Robinson St / 301-315 Thomas St, central Dandenong</b><br/>                 The Mayor provided an update on a meeting she attended with Council management and officers, senior VicPol officers, business and property owners from 301-315 Thomas St.</p> <ul style="list-style-type: none"> <li>• Traders and owners are concerned with anti-social and threatening behaviour exhibited by unauthorised groups of persons accessing open space and carports to the rear of their shops.</li> <li>• The carports face and are entered through an adjacent Council lane and car park at 38 Robinson St. Their isolated location has led to increased rubbish dumping in the car parks.</li> <li>• Launch’s outreach staff have attended and offered support however persons concerned have not been receptive and it appears that the majority have not been homeless.</li> <li>• Council’s Place Making, Community Services, Local Laws, Environmental Health, and Public Safety and Security officers have undertaken site assessments.</li> <li>• As a result of the meeting and site visits, agreed actions to address these issues include:                     <ul style="list-style-type: none"> <li>- Allocating a VicPol senior officer as a key point-of-contact for traders/owners.</li> <li>- Continued proactive VicPol patrols of the location, and moving on of persons concerned, including provision of support services options.</li> <li>- Consideration given to installing additional Council infrastructure, such as fencing, to reduce access to unauthorised persons, and requesting traders/owners to undertake similar strategies to reduce access to their private properties.</li> <li>- Increased Council site cleansing and waste removal to maintain amenity standards.</li> <li>- Installation of a Council relocatable CCTV camera on-site, which will assist VicPol to monitor the site and respond in real time to issues arising.</li> </ul> </li> </ul> | <p>Report progress of actions and outcomes back to CSAC at next meeting</p> | <p>Council and VicPol</p> |
| <p>7</p> | <p><b>Roundtable Updates</b><br/> <b>Council</b><br/> <b>Grant Funding</b></p> <ul style="list-style-type: none"> <li>• Council has commenced planning for the design, contracting and implementation of the Community Safety Infrastructure Grant funds provided by the DJCS.</li> <li>• Initiatives include safety upgrades to Council’s Walker St Multistorey Car Park, CCTV cameras for Boyd Lane in central Dandenong and part of Hemmings St.</li> <li>• CCTV camera locations are currently being mapped and designed to comprehensively cover the external public spaces of the new Springvale Community Hub.</li> </ul> <p><b>Hotspot Incidences</b><br/> <b>Robert Booth Reserve – Resident’s Letter to Council</b></p> <ul style="list-style-type: none"> <li>• The resident asked Council to act on an incident where a person threatened the family and others in the Reserve while brandishing a weapon.</li> <li>• No contact details supplied to Council for feedback, and VicPol informed at the time of receipt. VicPol representatives explained that the matter had been resolved.</li> </ul>  |   |                           |

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

**4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)**

|  |  |
|--|--|
| <p><b>Coles Supermarket</b></p> <ul style="list-style-type: none"> <li>• Council has received reports about impacts from anti-social behaviour associated with persons gathering daily to socialise for long periods and beg outside the store.             <ul style="list-style-type: none"> <li>- Persons also gather and occasionally sleep rough in the associated underground car park accessed from Cleeland St and via an elevator into Coles.</li> <li>- Launch have intensively engaged and will continue to do so. On average, eight people continually gather though only one or two are sleeping rough and Launch requested VicPol's support to address the issue.</li> <li>- VicPol has met with Coles management who have stated they will now invest up to \$100,000 in infrastructure changes to address the issue.</li> </ul> </li> </ul> <p><b>Youth Services Feedback</b></p> <ul style="list-style-type: none"> <li>- Youth Services and DH noted the Coles cohort is not the same group accessing the Robinson/Thomas Streets carparks, nor those who are at times displaced from Pioneer Park and around 39A Clow St beside the Market.</li> <li>- Many individuals in the current groups are not homeless or young people aged more than 25 years old.</li> </ul> <p><b>Youth Services</b></p> <ul style="list-style-type: none"> <li>• Youth Services will activate the public space around 39A Clow St through prosocial engagement with young people and Market visitors to develop a public art installation and encourage legitimate use of its surrounds.</li> <li>• Youth Services is also preparing a report on research findings conducted with families and young people on their needs post-COVID pandemic.</li> </ul> <p><b>Emergency Management</b></p> <ul style="list-style-type: none"> <li>• Over the Christmas/New Year period:             <ul style="list-style-type: none"> <li>- Council's Emergency Management and Environmental Health teams assisted in the response to contain COVID-19 exposure from transmission sources into local communities.</li> <li>- Presentations and related information were also provided to CALD communities to support them to minimise the risk of COVID-19 infection and transmission.</li> <li>- A desktop exercise was also conducted between Emergency Management stakeholders to better prepare for the establishment an emergency relief centre should one be required to respond to COVID-19 impacts on the community.</li> </ul> </li> </ul> <p><b>City of Greater Dandenong Councillors</b></p> <ul style="list-style-type: none"> <li>• Councillors raised issues for discussion that had been brought to their attention.             <ol style="list-style-type: none"> <li>1 The Deputy Mayor reported that residents on Corrigan Rd had reported ongoing issues with break-ins and theft of vehicles as well as hooning along the road.                 <p>Residents had stated that VicPol was unable to assist as personal CCTV footage was often not clear enough to identify offenders.</p> <ul style="list-style-type: none"> <li>- VicPol and Council's Transport Unit noted that the level of theft from motor vehicles (predominantly registration plate theft) is decreasing in Greater Dandenong, and often vehicles had been left unlocked.</li> <li>- Theft from motor vehicles and hooning/dangerous driving are state-wide priorities and key local concerns.</li> </ul> </li> </ol> </li> </ul> |  |
|--|--|

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

**4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)**

|  |  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li>- VicPol, NHW and Council will again be collaborating to implement Operation Bounce Back (OBB) events and promotions to educate the community on vehicle security. Council's Media and Communication Unit will assist with promoting OBB messages and events.</li> </ul> <p>2 There are persons, perceived to be homeless, regularly gathering to socialise, beg, and/or consume alcohol in public spaces and outside shops along Douglas St in the Noble Park central activities zone.</p> <ul style="list-style-type: none"> <li>- VicPol, Council, and support and housing services are aware of these hotspot situations and respond to reports by outreaching to the persons concerned and offering assistance and accommodation options.</li> </ul> <p>3 Cr Garad reported that Keysborough South residents were concerned about ongoing incidents of house and car break-ins, as well as theft of vehicles.</p> <ul style="list-style-type: none"> <li>- Previous ward-based forums have not been well attended so VicPol and Council will investigate the scope of holding an online crime prevention and community safety forum with associated promotion to encourage attendance by the Keysborough South community.</li> </ul> <p><b>Metro Trains</b></p> <ul style="list-style-type: none"> <li>• MT was unable to attend the CSAC meeting due to rostering commitments at Dandenong Station.             <ul style="list-style-type: none"> <li>- Feedback on the feasibility of linking Dandenong Railway Station CCTV camera footage to VicPol's local station monitors is therefore deferred until a MT representative can attend.</li> <li>- VicPol have CCTV MOUs with organisations other than Council, who have linked their footage to the local police stations, separate to Council's Safer City CCTV Program MOU, processes and monitors.</li> <li>- VicPol is aware of the scope and planning required to implement such an arrangement and will work with MT to investigate establishing a partnership project.</li> <li>- Requests to link other CCTV systems to Council's model are to be referred to the Public Safety and Security Unit.</li> </ul> </li> </ul> <p><b>Monash Health Accident and Emergency</b></p> <ul style="list-style-type: none"> <li>• MH A&amp;E presented an overview of data findings for the 'Driving Change' Project, for July to September 2020.</li> <li>• Alcohol-use data regarding persons presenting to A&amp;E include:             <ul style="list-style-type: none"> <li>- More than double the number of alcohol-related presentations compared to those from April to June 2020.</li> <li>- The number of presentations for high alcohol-harm periods on Friday and Saturday nights also increased marginally.</li> <li>- Approximately eighty per cent of patients reported purchasing the alcohol they had consumed from packaged liquor outlets over the six months from April to September.</li> <li>- Males are continuing to drink alcohol more frequently and at riskier levels than females.</li> </ul> </li> <li>• VicPol noted that alcohol theft from packaged liquor outlets accounts for forty per cent of shoplifting offences.</li> <li>• A final report on the Project will be available after analysis of data obtained during the last quarter of collection from October to December 2020.</li> </ul> | <p>Promote OBB and vehicle safety though Council media platforms</p> <p>Scope requirements for holding an online safety forum for Keysborough South residents Report on progress at next CSAC meeting</p> <p>Establish linkages between MT and VicPol to progress project scoping Report back at next CSAC meeting</p> | <p>Council</p> <p>Council and VicPol</p> <p>Council</p> <p>MT and VicPol</p> |
|--|--|--|

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

ORDINARY COUNCIL MEETING - AGENDA

**4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)**

|                           |   |   |   |
|---------------------------|---|---|---|
|                           | <p><b>Victoria Police</b></p> <ul style="list-style-type: none"> <li>• Insp Langhorn congratulated Council for the successful development and delivery of the new Springvale Community Hub. He informed the CSAC that crime levels continue to trend downwards across all categories, though the overall impact of the COVID-19 pandemic on crime is yet to be determined.             <ul style="list-style-type: none"> <li>- Council noted 'Job Keeper' is concluding at the end of March, which may increase social disadvantage and mental health impacts.</li> <li>- The proposed partnership project with Deakin University that will form a component of Council's BSC grant application would support social issues mapping and build an evidence base for advocacy purposes to address disadvantage.</li> </ul> </li> <li>• VicPol and the Chairperson formally welcomed a new member to the CSAC, Rhyl Browne from Monash Health Alcohol and Drug Services, who thanked those present for the invitation to join the Committee.             <ul style="list-style-type: none"> <li>- Ms Browne has been proactively engaging with services, Council and authorities to address alcohol and other drug-related impacts on substance users and the community.</li> </ul> </li> <li>• New members have taken up Officer in Charge roles at both Springvale and Dandenong stations, and will liaise with the Deputy Mayor regarding the issues raised about Noble Park.</li> <li>• Residents opposite Dandenong Park have contacted VicPol about noise from the new activities zone near Pultney St creating disturbances due to public lighting being on until later in the evening/night. VicPol and Council will investigate the zone's lighting timings and whether they should or should not be operating later into the evening.</li> <li>• Insp Langhorn invited councillors to liaise with VicPol and Council's Media and Communications Unit prior to contacting external media outlets that continue to publish articles that portray Greater Dandenong negatively.</li> </ul> <p><b>Neighbourhood Watch</b></p> <ul style="list-style-type: none"> <li>• NHW forums will resume as COVID-19 restrictions lift. Council and VicPol speakers are requested to assist with community education at forums.             <ul style="list-style-type: none"> <li>- It was noted that local social media posts and newspapers are highlighting negative and controversial features of the municipality, reinforcing a perception that Greater Dandenong is unsafe.</li> <li>- The CSAC was requested to increase its collective efforts to promote positive aspects about Greater Dandenong.</li> </ul> </li> </ul> | <p>VicPol and Council to consider strategies to address Corrigan Rd/ Noble Park shopping precinct issues</p> <p>Obtain lighting timings for new activity zone on Pultney St. Report back at next CSAC meeting</p> <p>Provide options for speakers to present at NHW forums.</p> | <p>Springvale OIC and Deputy Mayor</p> <p>Council and VicPol</p> <p>NHW, Council and VicPol</p> |
| <b>2021 Meeting Dates</b> |   |   |   |
| <b>Wednesday</b>          | <b>Time</b>   | <b>Location</b>   |   |
| 12 May                    | 3-4.30pm  | TBC   |   |
| 11 August                 | 3-4.30pm  | TBC   |   |
| 10 November               | 3-4.30pm  | TBC   |   |

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

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## 4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)

### Community Safety Advisory Committee 10 February 2021 Meeting

#### Appendix 1

#### Hemmings Street Precinct Draft-Action Plan Community Consultation Overview

##### Overview

At a Council Meeting on 9 June 2020, Notice of Motion (NoM) No.81 was passed instructing that a report be presented to Council about crime and anti-social behaviour in the inner part of Dandenong West.

The report was to outline a partnership approach between State Government, community agencies and Council and a draft Action Plan for addressing related concerns and issues in the area.

##### Community Consultation

As required, Council consulted with and/or surveyed a broad range of Precinct residents and traders, as well as non-profits and service agencies with clients and/or interests in the Precinct's community.

Online options on Council's website were made available to provide other response methods, as well as the ability to be interviewed in person, over the phone and/or obtain translation support if required.

Promotion of the consultation was also conducted on Council's social media platforms, and those of Victoria Police and Neighbourhood Watch Greater Dandenong.

A draft Action Plan was developed and mailed to the Precinct's 2,300 properties to obtain feedback on its objectives, with an explanatory letter, a Perceptions of Safety (POLS) Survey, and a paid-return envelope.

Council also consulted with a range other stakeholders and Council staff to advocate for Precinct resources, increased collaborative action, and feedback on the draft Plan, including:

- The Hon Gabrielle Williams MP, Hon Richard Wynne MP, Hon Melissa Horne MP.
- DH and DJCS executives.
- Fifth Avenue Kindergarten management.
- Deakin University's Community Development Department.
- CSAC representatives from local Victoria Police command, DJCS and DH officers; Metro Trains Dandenong, Neighbourhood Watch, Monash Health, Launch Housing, YSAS and Wayss.

##### Consultation Response Rate

There were:

- Two-hundred-and-five surveys returned from 2,100 tenanted Precinct properties, resulting in a 10 per cent survey return rate, which is regarded as statistically significant and therefore a valid representation of overall views across all those contacted.
- Ten Council officers who provided feedback on behalf of all four Council directorates, while four senior officers from Building Compliance Services contributed through an online consultation session.
- Feedback provided by CSAC representatives at Committee meetings and via email.
- Consultations held with service providers Afri-Auscare, AMES Australia, the Asylum Seeker Resource Centre and Dandenong West Primary School Community Hub resulted in in-principle support to collaborate with Council to implement the adopted Action Plan.

##### Major Concerns About Safety By Precinct Residents, Traders and Service Providers

Key issues raised in survey responses by persons living in or servicing the Precinct included:

- Nearly three-quarters identifying 'drug use', over half identifying 'discarded syringes', 'noisy behaviour', 'stealing', 'violent behaviour' as key issues of concern
- No marked differences between the percentage of females and males noting these concerns.

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

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#### 4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)

##### Appendix 1 cont/-

##### Feelings of Personal Safety in the Hemmings Street Precinct

- 47 per cent of survey participants, including similar numbers of females and males stated they did **not** feel safe in the Hemmings Street Precinct '*during the day*'.
- 29 per cent) agreed that they '*always*' or '*often*' avoided coming to the Precinct '*during the day*' owing to concerns for their personal safety.
- 79 per cent) of participants, including similar proportions of women and men, agreed that they did **not** feel safe in the Precinct '*at night*'.
- 70 per cent of female participants and just 54 per cent of males agreed that they '*always*' or '*often*' avoided coming to the Hemmings Street Precinct '*at night*', due to such concerns.

##### Key Issues Raised

Specific concerns included:

- **Social and Health Issues/Anti-social Behaviour:** Incidents of public and family violence in the street and other anti-social behaviour; behaviour so some people in public places perceived as due to mental health issues.
- **Alcohol and Other Drug Use:** Drug use, alcohol consumption and drug dealing in public; intoxicated people.
- **Street-based Sex Work:** Sex workers, men driving around searching for them, sex transactions occurring on private property; harassment of other women.
- **Theft and Burglary:** Theft of and from vehicles that includes theft of registration plates, house break-ins, demands on the street to hand over valuables.
- **Excessive Noise:** Noticeably loud car engines, passengers' voices and radio noise; women screaming, arguments and intrusive noise from properties at night.
- **Housing and Homelessness:** Perceived anti-social behaviour in public by Precinct rooming house tenants, and those in squats. Also, badly managed, neglected, overcrowded and/or unregistered rooming houses.
- **Traffic:** High-speed, high-risk driving, and increased traffic, congestion and bottlenecks in specific locations.
- **Amenity:** Overall ill-kept appearance, poorly maintained properties and nature strips, hard rubbish dumping.
- **Street Lighting:** Perceived poor levels of street and laneway lighting that impacts people's decisions to walk around the Precinct in the evening or night and/or to public facilities and events, food and entertainment venues in central Dandenong.

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



#### 4.1.3 Landfill & Transfer Station Services Contract

File Id:

Responsible Officer:

Director Business, Engineering & Major Projects

Attachments:

Landfill Services Summary Evaluation Report V3  
(Confidential)

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#### Report Summary

The purpose of this report is to:

- Detail the tender process being conducted by the Metropolitan Waste and Resource Recovery Group (MWRRG) for a collective procurement for the Provision of Landfill Services on behalf of Council and 29 other metropolitan councils;
- Provide a summary of tender bids received and future cost implications;
- Recommend that Council enter into contractual arrangements with **Cleanaway Pty Ltd** and **Suez Recycling and Recovery Pty Ltd** for guaranteed tonnages using a common gate fee to be administered by MWRRG.

#### Recommendation Summary

That Council enter into contractual arrangements with **Cleanaway Pty Ltd** and **Suez Recycling and Recovery Pty Ltd** for guaranteed tonnages using a common gate fee to be administered by MWRRG.

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#### 4.1.3 Landfill & Transfer Station Services Contract (Cont.)

### Background

In 2010 MWRRG conducted a collective procurement process for landfill services and contracts were awarded to each of the major putrescible landfill sites across Melbourne:

- City of Wyndham – Werribee
- Melbourne Regional Landfill (Cleanaway formerly Boral) – Ravenhall
- Hanson – Wollert
- Suez – Hallam
- Suez – Lyndhurst (Contingency site)
- Cleanaway- Clayton (Now closed)

All available contract extensions have now been exercised; the final contract extension expires on **31st March 2021**. Twenty six of the 31 metropolitan councils are currently a party to one or more of the MWRRG contracts delivering approximately 865,000 tonnes of waste to the landfill operators per year.

The City of Greater Dandenong currently accesses the Suez Landfill located at Hallam Road, Hampton Park for its waste disposal needs via this contract. In the event of a short-term closure of Suez, a contingency plan is in place with Cleanaway, who operate the Melbourne Regional Landfill in Ravenhall. Greater Dandenong's waste is delivered to Cleanaway's South East Melbourne Transfer Station (SEMPTS) in Thomas Muriel Drive, Dandenong South where it is then bulk hauled to Ravenhall.

### Procurement Objectives

The overall objective of this procurement process is to enable metropolitan councils to access services for the disposal and transfer of waste that cannot be recovered or reused through other means.

In order to achieve this objective, the collective procurement has been structured to:

- Provide a bridging period for the disposal of waste until an Alternative Waste Processing (AWP) contract is available.
- Enable the appointment of more than one provider.
- Ensure consistency across the metropolitan area.
- Integrate with other household waste services.
- Achieve a robust contract model that is based on:

|  |                             |
|--|-----------------------------|
|  | Best Value                  |
|  | Pricing transparency        |
|  | Appropriate risk allocation |
|  | Flexible contract terms     |
|  | Reduced tender costs        |

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#### 4.1.3 Landfill & Transfer Station Services Contract (Cont.)

|  |  |
|--|--|
|  | Ensure workable contingency arrangements |
|--|--|

#### Contract Framework

Prior to the commencement of this procurement, all metropolitan Councils were invited to participate in the procurement process. Thirty councils executed Memorandums Of Understanding (MOU) recognising that MWRRG and Council would benefit in MWRRG:

- working with clusters of Councils that have common needs to be met;
- seeking the provision of Landfill Services for the benefit of Council clusters;
- partially administering and facilitating, on behalf of Council, the contractual arrangements in relation to the provision of these Landfill Services.

Attachments to the MOU included the following documents that will need to be executed at the conclusion of the tender process:

- (1) A Participation Agreement between MWRRG and Council.
- (2) A Landfill Services Deed for the provision of Landfill Services to be executed by successful tenderers and the MWRRG.
- (3) A Direct Deed to be executed by successful tenderers and councils.

MWRRG will administer the contracts on behalf of councils in accordance with Participation Agreements, Direct Deeds and Landfill Services Deeds.

The Australian Competition and Consumer Commission (ACCC) has approved the MWRRG to procure these services on behalf of councils.

#### The Tender Process

The Environment Protection Act 1970, formalises MWRRG's role in collective procurement to:

- facilitate waste and resource recovery infrastructure and services for councils;
- facilitate the development of joint procurement contracts for waste and resource recovery facilities and services;
- manage contracts in the performance of these objectives and functions;
- ensure consistency across the metropolitan area;
- integrate with other household waste services; and
- ensure workable contingency arrangements.

This tender process has been resourced by MWRRG on behalf of councils using the support of municipalities and external legal, probity, negotiation and financial advisors.

This collaborative procurement is consistent with the requirements of s186 of the LGA 1989 and with the requirements of s108/109 of the LGA 2020.

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#### **4.1.3 Landfill & Transfer Station Services Contract (Cont.)**

The contract documents allow Council to enter into contracts with one provider on either a 4-year guaranteed basis or a 12-month guaranteed basis and/or one or more contractors on a non-guaranteed basis. Penalties will apply for the early termination of a guaranteed agreement.

This report recommends that Council execute agreements with more than one provider to ensure that contingency arrangements are in place if a landfill site is not available during the contract term.

##### Waste Transfer

Council has previously advised MWRRG that it wished to seek prices for waste transfer as part of the landfill services contract as an alternative to direct hauling to a disposal facility.

##### Contract Term

Council will continue to rely on some form of landfilling in the future however, should Council transition to an alternative waste technology for the treatment of residual waste, the volume of material sent to landfill may reduce significantly.

The initial contract term is for a four-year period commencing on the 1st of April 2021. There is an option to extend the contract for two further terms of 2 years. Any extension will need to be agreed to by Council and the service provider.

Contractors will be invited to resubmit pricing in **2023**, for the **1st April 2025** extension, to enable Council to determine if it wishes to exercise an extension option or commence a new procurement process. If the latter is preferred, then a similar process will be conducted in **2025**.

##### **Reponses Received**

A total of 8 responses were received to MWRRG's Invitation to Supply:

##### Landfill

Cleanaway Pty Ltd - a national company, owns and operates the Melbourne Regional Landfill (MRL) at Ravenhall. Cleanaway takes waste from 9 metropolitan councils under the current MWRRG Landfill Services contract.

Suez Recycling and Recovery Pty Ltd - a multi-national company, owns and operates a landfill in Hampton Park that currently provides services to 9 metropolitan councils under an MWRRG contract.

Hanson Landfill Services Limited - has been providing landfilling services to councils at their Wollert Landfill for two decades. Hanson's Wollert landfill currently provides services to 5 metropolitan Councils under an MWRRG contract.

SBI Landfill Pty Ltd - The offer is for a solid inert landfill in Botanic Ridge. The site is unable to accept residual municipal waste.

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#### 4.1.3 Landfill & Transfer Station Services Contract (Cont.)

##### Waste Transfer

Cleanaway Pty Ltd - a national company, operates a network of transfer stations that provides councils with potential collection efficiencies and transport cost savings. Cleanaway has provided pricing for three sites; the SEMTS and Lysterfield Transfer Stations; both are established facilities. Cleanaway has indicated that the Northern Transfer Station in Coolaroo will be available at the commencement of the contract.

KTS Recycling - has managed and operated waste transfer stations since 2007. KTS proposes two sites:

- Coldstream - for putrescible waste transfer.
- Knox - is limited to the transfer of inert waste.

Citywide Service Solutions - has 25 years' experience in providing waste transfer services from its Dynon Road facility in West Melbourne.

##### Alternative Offers

Wyndham City Council – submitted an offer based on; receiving waste in an enclosed facility, mechanical separation to recover metals, baling the residual waste for future advanced waste treatment and processing recovered organics using anaerobic digestion technology.

Recovered Energy Australia (REA) and Solo Resource Recovery (Solo) - propose to jointly provide a service based on the high temperature destruction of waste to generate energy (gasification) at a facility to be constructed at Laverton North.

##### **Evaluation Criteria**

A Tender Evaluation Panel comprising two council representatives and an MWRRG Procurement Team member assessed the tender responses, including council's Service Unit Leader Parks & Waste. The panel was supported by:

- **Probity Advisor** – is responsible for ensuring that the evaluation process is conducted in accordance with probity principles and adherence to the approved evaluation plan.
- **MWRRG Subject Matter Experts and Project Managers** – responsible for providing expert advice as required to confirm tenderer's submissions compliance to the specification and compliance with procurement policies.
- **Legal Advice** - provide legal advice and support throughout the tender process on an 'as needs' basis.

Confidential Attachments detail the findings of the Evaluation Panel against the following evaluation key criteria.

|  |                          |
|--|--------------------------|
|  | Mandatory requirements;  |
|  | Professional competence; |

---

#### 4.1.3 Landfill & Transfer Station Services Contract (Cont.)

|  |                                   |
|--|-----------------------------------|
|  | Quality Systems for Deliverables; |
|  | Commercial;                       |
|  | Social Procurement; and           |
|  | Local Jobs First Policy.          |

##### Mandatory Criteria

Responses which did not comply with a Mandatory Criteria were not considered.

##### Professional Competence

Professional capability, capacity to process waste and scope of services was based on evidence supplied in the tender documents.

The technical capability of the tenderer is critical to the final value for money score provided by the Tender Evaluation Team. Technical capability was assessed through consideration of the solution proposed, combined with verifiable evidence of current/past performance in providing services of a similar nature.

##### Quality Systems for Deliverables

The Quality Systems for Deliverables assessment was based on the level of best practice accreditations Invitees hold or able to demonstrate progress towards achieving certifications in Occupational Health & Safety, Quality Management System and Risk Management and any Strategic Innovations that could add value or continuous improvement strategy.

##### Commercial

The commercial assessment focused on each Invitee's risk, degree of compliance with the proposed contract, demonstrated financial viability, levels of insurance cover offered, and a comparison of the prices offered.

##### Social Procurement Framework (SPF)

The Social Procurement Framework is a 'whole of government' procurement policy that embodies the Victorian Government's commitment to social procurement. Social and sustainable procurement are defined as a key value-for-money component. Tenderer's were required to demonstrate how they can make a difference to our communities.

##### Local Jobs First Policy Scoring

Under the Local Jobs First Act 2003 the Minister for Industry and Employment is responsible for setting local content requirements for a Strategic Project.

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#### **4.1.3 Landfill & Transfer Station Services Contract (Cont.)**

### **Implications for Council**

#### Financial implications

The rate offered by Cleanaway is the most attractive to Council and is aligned to Council's 5 Year Financial Strategy for this service.

#### Waste Transfer/Direct Access

Cleanaway's combined landfill and transfer station option means that council will not have the added cost of transport to the north west of Melbourne where landfill is readily available in the short and longer term, coupled with cheaper rates than those offered in the south-east of Melbourne.

#### Collection Contractor

The appointment of Cleanaway provides a closer proximity to the landfill disposal point in Dandenong South for council's collections contractor, delivering travel efficiency and possible collections contract schedule of rates savings.

#### Non-guaranteed v Guaranteed:

Awarding the contract to Cleanaway with a guaranteed supply over the term of the contract affords council with the Best Value.

#### Contingency Arrangements

Provisions for contingency arrangements are critical in the event of service disruption at any one facility. Cleanaway's contract provides a range of facilities including its landfill at Ravenhall, supported by transfer stations at Dandenong South, Lysterfield and Coolaroo. Appointing a second contractor in Suez Recycling and Recovery Pty Ltd provides further service contingency.

### **Common Gate Fee**

Preliminary discussions with south east councils indicate a preference to redirect material to the Cleanaway Transfer facilities in Dandenong South and Lysterfield under a new collective contract commencing on 1 April 2021.

As the total volume of waste generated from these municipalities will exceed the combined capacity of the two transfer stations, councils will need to direct some material to the Suez landfill site at Hallam Rd.

The amount of material directed to Suez will increase over the four-year contract term with growth and the potential of Mornington Peninsula Shire joining the contract in 2022.

Councils have also indicated that from a social and environmental perspective it is not desirable to transport all waste generated in the south east of Melbourne to the Melbourne Regional Landfill (MRL).



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#### **4.1.3 Landfill & Transfer Station Services Contract (Cont.)**

Councils in Melbourne's south east are currently generating in excess of 330,000t of municipal waste per annum. It is expected that during the first four-year term the annual tonnage will grow to in excess of 380,000tpa. The capacity of the Cleanaway SEMTS transfer station for municipal waste is 250,000tpa and Lysterfield is 50,000tpa, a total of 300,000tpa available to be utilised by councils.

Whilst the Cleanaway gate fees, to receive, transfer and dispose of waste via SEMTS and Lysterfield, are substantially lower than the gate fees at Suez, it is not possible for all councils in the south east to direct all their waste to Cleanaway sites.

There are two potential solutions that councils can adopt:

##### **Option 1- Enter a relationship with both Cleanaway and Suez**

Under this scenario individual councils will enter contractual arrangements with both Cleanaway and Suez to ensure that the combined overall volume of waste delivered to the Cleanaway sites does not exceed capacity and limit the amount of material directed to MRL.

All councils will potentially need to allocate a minimum of one to two days per week to Suez. This option may provide some logistical challenges for some councils.

##### **Option 2- Enter into an agreement with MWRRG for a common gate fee arrangement.**

Enter into an arrangement with MWRRG to administer a Common Gate Fee (CGF) for south east councils. Under this scenario individual councils will enter into an agreement with MWRRG to administer the allocation of waste across the two sites in accordance with a proportion agreed between participating councils.

Councils would generally be directed to utilise the most convenient site but would pay a gate fee rate that is the average cost that all councils incurred for waste delivered to Cleanaway and Suez for the billing period.

The process would involve:

- (1) Participating councils would deliver to Suez or a Cleanaway site.
- (2) Suez and Cleanaway would invoice MWRRG for waste delivered.
- (3) MWRRG would determine a CGF and invoice each of the participating councils
- (4) MWRRG would receive payments from councils and then pay Suez and Cleanaway

The contractual model would be similar to the SE Organics contract. MWRRG would recover the costs involved in administering this arrangement by charging an administration fee on a per tonne basis.

Under Option 2, the cost of this service from 1 July 2021 will be \$5.73M per annum that will be recouped via the Residential Garbage Levy (RGL).

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#### 4.1.3 Landfill & Transfer Station Services Contract (Cont.)

##### How will waste be allocated?

The objectives of a CGF is to minimise the gate fee for participating councils and where possible ensure that waste is transported to the most convenient location for individual councils. The allocation of waste would be determined by the South East Councils User Group.

Under the terms of the contract councils are required to nominate a volume of waste to a provider to access the four-year guaranteed rate. The guaranteed supply is the minimum tonnage to be allocated to each provider that will be administered by MWRRG.

It is proposed that the south east councils collectively guarantee to a minimum of 90,000 tonnes per annum to Suez and a minimum of 180,000 tonne per annum to Cleanaway.

MWRRG has provided a report detailing the cost implications of a common gate fee and agreements that would need to be varied to facilitate a common gate fee arrangement.

##### **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' 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;
- *Lifecycle and Social Support* – The generations supported

###### **Place**

- *Appearance of Places* – Places and buildings

###### **Opportunity**

- *Jobs and Business Opportunities* – Prosperous and affordable;
- *Leadership by the Council* – The leading Council

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### **4.1.3 Landfill & Transfer Station Services Contract (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;
- 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

The strategies and plans that contribute to these outcomes are as follows:

- Waste & Litter Strategy 2015-20

##### Related Council Policies

- Financial Management Policy;
- Procurement 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.

#### **Consultation**

In addition to those on the Evaluation Panel and its Advisors, the views of participating councils were considered.

There was no public consultation conducted as a part of the tender process as those facilities being accessed via this contract are well established and have the required regulatory and Council approvals to operate.

#### **Conclusion**

Council has been offered a new contractual arrangement that has resulted in a competitive gate fee that is reflective of the current environment. It will introduce contingencies to ensure continuity of service with a marginal impact on the costs to dispose of our waste. The volume of the guaranteed

**4.1.3 Landfill & Transfer Station Services Contract (Cont.)**

supply generated by Greater Dandenong and its distribution to each provider by MWRRG that will minimise risk due to each council, both of which are considered reasonable and acceptable. The largest increase to our disposal costs will be the increases associated with the EPA Landfill Levy which are set to increase over the next two years.

Cleanaway's pricing inclusive of landfill services at its landfill in Ravenhall, combined with transfer from their South East Melbourne Transfer Station (SEMTS) located in Dandenong South to Ravenhall, offers council best value in price and service efficiency. Cleanaway has and proposes other transfer stations as a part of its waste and recycling business network. This multi facility provision offers contingency arrangements should any one of their facilities encounter an incident that results in a short-term closure.

As further insurance for such closures, appointing Suez Recycling and Recovery Pty Ltd under a guaranteed supply arrangement provides council with another landfill services contingency option.

**Recommendation**

**That Council's Chief Executive Officer be delegated the authority to execute Agreements with Metropolitan Waste and Resource Recovery Group, Cleanaway Pty Ltd and Suez Recycling and Recovery Pty Ltd for the provision of Landfill Services under a common gate fee arrangement on a 4-year guaranteed basis for a four-year term commencing on April 1, 2021.**

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**4.1.3 Landfill & Transfer Station Services Contract (Cont.)**

**OTHER**

**LANDFILL AND TRANSFER STATION SERVICES CONTRACT**

**ATTACHMENT 1**

**LANDFILL SERVICES SUMMARY  
EVALUATION REPORT V3  
(CONFIDENTIAL)**

**PAGES 36 (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.*

#### **4.1.4 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 22 February & 1 March 2021**

File Id: fA25545  
Responsible Officer: Director Corporate Services

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#### **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 ordinary Council meetings.

The matters listed in this report were presented to Councillor Briefing Sessions & Pre-Council Meetings in February & March 2021.

#### **Recommendation Summary**

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

**4.1.4 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 22 February & 1 March 2021 (Cont.)****Matters Presented for Discussion**

| Item |  | Councillor Briefing Session/Pre-Council Meeting |
|------|--|---|
| 1    | <p><b>General Discussion</b></p> <p>Councillors and Council officers briefly discussed the following topics:</p> <p>(a) Various infrastructure issues that will be discussed at a future Councillor Briefing Session.</p> <p>(b) Development of a Sandown Park Masterplan workshop.</p> <p>(c) Agenda items for the Council Meeting of 22 February 2021.</p>               | <b>22 February 2021</b>                         |
| 2    | <p><b>Young Leaders Presentation</b></p> <p>Councillors were presented with an overview of the Young Leaders program for 2021.</p>   | <b>1 March 2021</b>                             |
| 3    | <p><b>Noble Park Activity Centre Structure Plan 2021</b></p> <p>Councillors were updated on the continued progression of the Noble Park Activity Structure Plan 2021. The plan sets out the long-term vision, planning and design framework for Noble Park. The Structure Plan manages and guides the future development of the Activity Centre for the next 20 years.</p> | <b>1 March 2021</b>                             |
| 4    | <p><b>Councillor Gift Policy</b></p> <p>Councillors discussed section 138 of the <i>Local Government Act 2020</i> which requires Council to adopt a Councillor Gift Policy before 24 April 2021. A draft policy was provided for Councillors to consider prior to it being presented to the Council meeting of 12 April 2021.</p>  | <b>1 March 2021</b>                             |



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**4.1.4 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 22 February & 1 March 2021 (Cont.)**

|          |  |                     |
|----------|--|---------------------|
| <b>5</b> | <b>General Discussion</b><br><br>Councillors and Council officers briefly discussed the following topics:<br><br>(a) weekend media coverage regarding iCook Foods (CONFIDENTIAL).<br>(b) Hanna Street residential development.<br>(c) proposed road safety project at Corrigan and Harold Road, Noble Park.<br>(d) Agenda items for the Council Meeting of 9 March 2021. | <b>1 March 2021</b> |
|----------|--|---------------------|

**Apologies**

Nil.

**Recommendation**

**That:**

- 1. the information contained in this report be received and noted; and**
- 2. the information discussed at the above listed Councillor Briefing Session in item 5(a) be deemed confidential under section 3(1) of the *Local Government Act 2020* and will remain confidential until further advisement unless that information forms the subject of a subsequent Council report.**

#### 4.1.5 Review of Mayoral and Councillor Allowances

File Id:

Responsible Officer:

Director Corporate Services

Attachments:

Review of Mayoral and Councillor Allowances –  
Discussion Paper

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#### Report Summary

Section 39(6) of the *Local Government Act 2020* provides for transitional arrangements to remain in force under the *Local Government Act 1989* in relation to mayoral and councillor allowances. In this respect, under section 74(1) of the *Local Government Act 1989*, Council must review and determine the level of mayoral and councillor allowances by 30 June 2021.

#### Recommendation Summary

This report recommends that the current level of mayoral and councillor allowances remains in place (in principle), that Council endorses the Discussion Paper in Attachment 1 to this report and that Council officers commence a submission process required under the provisions of section 223 of the *Local Government Act 1989* (with submissions closing on **Tuesday 20 April 2021**).

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#### 4.1.5 Review of Mayoral and Councillor Allowances (Cont.)

### Background

Under the transitional arrangements of the *Local Government Act 2020* the following is applicable under the *Local Government Act 1989* in relation to mayoral and councillor allowances.

- The Minister for Local Government reviews and sets the limits and ranges of mayoral and councillor allowances and determines any increases applied annually. (Note that this decision is made by the Minister for Local Government and is not a Council decision.)
- No direction regarding a deputy mayoral allowance is applicable under the *Local Government Act 1989* nor has any advice been received by the Minister for Local Government. Accordingly, no deputy mayoral allowance can be set at this time.
- Greater Dandenong's Councillors-elect took their oaths or affirmations of office on 19 November 2020 and noted the set allowances under the *Local Government Act 1989* at that time.
- Section 74(4) of the *Local Government Act 1989* requires that Council performs a review of these allowances by 30 June the year following general elections to determine the allowances that will be payable within the range available to Council as a Category 3 Council.
- Greater Dandenong Council has been classified as a Category 3 Council since July 2005. Allowance limits that are currently available to Category 3 Councils as a result of this are as follows:

Category 3 Allowance Range

Councillors \$13,123 to \$31,444

Mayor no lower limit to \$100,434

An amount equivalent to the superannuation guarantee of 9.5% under Commonwealth taxation legislation must also be paid in addition to these allowances.

Since 2005, Greater Dandenong Councillors have received the uppermost limit of the Category 3 range. It should be noted that the Mayor is provided with the use of a

fully maintained Council vehicle as outlined in the Council report of 19 November 2020.

### Allowances under the *Local Government Act 2020*

Sections 39(1) and 39(2) of the *Local Government Act 2020* (LGA 2020) provide that a Mayor, Deputy Mayor or Councillor are entitled to receive from the Council an allowance (as a Mayor, Deputy Mayor or Councillor respectively) in accordance with a determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. Under this legislation, the Minister for Local Government is expected to request the Remuneration Tribunal to make a determination towards the end of 2021.

However, until the Remuneration Tribunal makes its first determination on these allowances, the mayoral and councillor allowance framework continues to be governed by the *Local Government Act 1989* (LGA 1989) as previously mentioned in this report.

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#### 4.1.5 Review of Mayoral and Councillor Allowances (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

##### Opportunity

- *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

- An open and effective Council

### **Related Council Policies**

The community consultation attached to the process of reviewing the mayoral and councillor allowances aligns with Council's Public Transparency Policy and is a requirement under the *Local Government Act 1989*.

### ***Charter of Human Rights and Responsibilities Act 2006 – Compatibility Statement***

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this report. In particular, section 18 of the *Charter of Human Rights and Responsibilities Act 2006*, which provides for the right to have the opportunity to take part in public life, is satisfied with the *Local Government Act 1989* requirement for consultation on this matter. It is therefore considered that this report is consistent with the standards set by the Charter.

### **Financial Implications**

There are no financial implications associated with this report and the subsequent submission process. Existing allowances have been factored into the current budget and Council's budget for 2021-2022.

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#### 4.1.5 Review of Mayoral and Councillor Allowances (Cont.)

##### **Proposal**

In accordance with the information presented in Attachment 1, it is proposed that Council allowances remain the same which is currently at the uppermost limit of the Category 3 range as follows:

- Councillors \$31,444
- Mayor \$100,434 (plus the use of a fully maintained Council vehicle)

An amount equivalent to the superannuation guarantee of 9.5% under Commonwealth taxation legislation will also be paid in addition to these allowances.

Written submissions relating to this review will be considered in accordance with section 223 of the *Local Government Act 1989*. Submissions must be received by 5.00pm on Tuesday 20 April 2021 at the Council Offices at 225 Lonsdale Street, Dandenong or by email at [governance@cgd.vic.gov.au](mailto:governance@cgd.vic.gov.au)

Any person requesting to be heard in support of their submission must state this in their submission and they will be advised of the day, time and place of the special meeting of Council convened to hear any submissions received.

##### **Consultation**

Review of the mayoral and councillor allowances will be open for public consultation under section 223 of the *Local Government Act 1989* and will be advertised in the Age on 23 March 2021 and on Council's website. **The submission period will close at 5.00pm on Tuesday 20 April 2021.**

Members of the community will be able to access a copy of the Discussion Paper in Attachment 1 as a basis for any submissions. (Copies will be available at [www.greaterdandenong.com](http://www.greaterdandenong.com), by contacting Council's Governance Unit directly on telephone 9239 5216, email [governance@cgd.vic.gov.au](mailto:governance@cgd.vic.gov.au) or at the Dandenong Civic Centre.)

Once the submission process closes, any submissions received will be considered

and Council will hear any submitters that wish to be heard in relation to this matter at a time to be decided. (All submitters wishing to be heard will be advised of this time.)

##### **Recommendation**

That:

1. **Council determines, in principle, that the existing mayoral and councillor allowances remain as they are, being \$100,434 for the Mayor and \$31,444 for Councillors and with both allowances subject to the additional payment equivalent to the 9.5% superannuation guarantee required under Commonwealth legislation;**
2. **Council endorses the Discussion Paper provided in Attachment 1 as a basis for the submission process and seeks formal submissions from members of the community under section 223 of the *Local Government Act 1989*;**

**4.1.5 Review of Mayoral and Councillor Allowances (Cont.)**

- 3. the submission process for the review of Mayoral and Councillor allowances commences on 23 March 2021 and closes at 5pm on 20 April 2021; and**
- 4. Council hears any submitters that wish to be heard at a meeting, the time of which is to be determined.**

**4.1.5 Review of Mayoral and Councillor Allowances (Cont.)**

**OTHER**

**REVIEW OF MAYORAL AND COUNCILLOR ALLOWANCES**

**ATTACHMENT 1**

**REVIEW OF MAYORAL AND COUNCILLOR  
ALLOWANCES – DISCUSSION PAPER**

**PAGES 5 (including cover)**

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



#### 4.1.5 Review of Mayoral and Councillor Allowances (Cont.)

## Review of Mayoral and Councillor Allowances Discussion Paper



### Legislative Background

Sections 39(1) and 39(2) of the *Local Government Act 2020* (LGA 2020) provide that a Mayor, Deputy Mayor or Councillor are entitled to receive from the Council an allowance (as a Mayor, Deputy Mayor or Councillor respectively) in accordance with a determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*. Under this legislation, the Minister for Local Government is expected to request the Remuneration Tribunal to make a determination towards the end of 2021.

However, until the Remuneration Tribunal makes its first determination on these allowances, the mayoral and councillor allowance framework continues to be governed by the *Local Government Act 1989* (LGA 1989).

Under section 74(1) of the LGA 1989, Council is required to undertake a review of its mayoral and councillor allowances by 30 June 2021 to determine the allowances that will be payable within the range available to Council (as a Category 3 Council) until such time as the first determination is made by the Remuneration Tribunal under the new legislation – the LGA 2020.

Under the LGA 1989, only the Governor in Council or Minister for Local Government can make adjustments to the limits and ranges for mayoral and councillor allowances within particular categories of councils. However, Councillors can decide to alter the level of allowances within the category that their particular Council sits within.

A councillor allowances review must involve public consultation under section 223 of the LGA 1989.

### Current Category Range

Greater Dandenong has been classified as a Category 3 Council since July 2005. Allowance limits that are currently applicable to Category 3 are as follows.

|             |                               |
|-------------|-------------------------------|
| Councillors | \$13,123 - \$31,444 per annum |
| Mayor       | Up to \$100,434 per annum     |

An amount equivalent to the superannuation guarantee (9.5%) under Commonwealth taxation legislation must also applied to these allowances.

Greater Dandenong's existing allowances have been indexed annually (on 1 December) since 2008 as required by the Minister for Local Government and have always remained at the uppermost limit of the Category 3 range. Note that increases to mayoral and councillor allowances **within a particular range** are not made by Council and are made by the Minister for Local Government.

REVIEW OF MAYORAL AND COUNCILLOR ALLOWANCES  
22 MARCH 2021

**4.1.5 Review of Mayoral and Councillor Allowances (Cont.)**

The Minister for Local Government applied no increases to mayoral and councillor allowances in December 2020.

A comparison of Greater Dandenong's past and current councillor allowances is provided in the following table:

|            | Allowance<br>1/12/15<br>to 30/11/16 | Allowance<br>01/12/16<br>to 30/11/17 | Allowance<br>01/12/17<br>to 30/11/18 | Allowance<br>01/12/18<br>to 30/11/19 | Allowance<br>01/12/19<br>to 30/11/20 | Allowance<br>01/12/20<br>to current |
|------------|-------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|-------------------------------------|
| Councillor | \$28,907                            | \$29,630                             | \$30,223                             | 30,827                               | 31,444                               | 31,444                              |
| Mayor      | \$92,333                            | \$94,641                             | \$96,534                             | 98,464                               | 100,434                              | 100,434                             |

**Review Process**

This councillor allowances review will include a submission process under section 223 of the LGA 1989 as required. It will be advertised in the Age on 23 March 2021 and interested parties will have 28 days after the public notice has been placed in which to lodge a submission. Any person who wishes to be heard in support of their submission must specify that they wish to be heard at a special meeting of Council convened for that purpose. Submitters will be notified of the time and place of that meeting should it need to occur.

**Councillors' Roles and Workloads**

In 2007, the Victorian Government commissioned an extensive review of mayoral and councillor allowances and subsequently released the document titled *Local Government (Councillor Remuneration Review) Panel Report in January 2008* (available at the following link):

[Local Government Victoria - Local Government \(Councillor Remuneration Review\) Panel Report](#)

**Note** - there has been no Victorian Government review of mayoral and councillor allowances since that time however, Councillor allowances have been indexed annually since then, (excluding 2020) and an additional amount paid which is equivalent to the superannuation guarantee, as required by Commonwealth taxation legislation.

The Victorian Government views Councillor allowances not as a form of salary but as some recognition of the contributions made by those elected to voluntary and/or part-time roles in the community.

The Government acknowledges the value and significance of the role of local government Councillors – both through their skills and ability to represent and engage with their constituents and their leadership in developing solutions to the pressing social, cultural, environmental and economic challenges facing communities everywhere.

Those committed to civic leadership should be entitled to some form of allowance to better inform their choices about public service, about their career and financial future and balancing family and community life with public life.

The current legislation provides for greater encouragement of community participation in local government and retention of valued and experienced leaders and mentors in civic service.

REVIEW OF MAYORAL AND COUNCILLOR ALLOWANCES  
 27 MARCH 2017

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#### 4.1.5 Review of Mayoral and Councillor Allowances (Cont.)

Further to this, Greater Dandenong City Council continues to be a large and growing metropolitan municipality in terms of population, revenue and industrial growth. The City of Greater Dandenong is recognised by the State Government as the centre of Melbourne's south east.

This presents Greater Dandenong's Mayor and Councillors with increasing challenges in managing this growth while effectively representing residents, ratepayers, small and large businesses as well as other stakeholders.

Councillors' workloads continue to increase in line with the City's growth, and Councillors are expected and required to deal with increased issues of:

- budget complexity (particularly in regards to the impacts of rate capping across Victoria and COVID-19 impacts);
- Infrastructure that meets the community's needs and expectations and infrastructure renewal challenges;
- Council planning and strategic planning for the future of the city;
- statutory and strategic development and environment planning;
- public transport advocacy;
- social and cultural matters within our diverse multicultural community;
- contract management; and
- continued professional development to maintain their ability to make informed decisions for the benefit of the Greater Dandenong community.

Councillors are also required to become more responsive to community needs and are expected to be available seven days a week representing Council and its community on peak bodies, advisory groups, reference groups and community organisations, attending Council Meetings or Councillor Briefing Sessions, external community meetings, civic functions or responding to ratepayer concerns.

Although Councillors are supported to some extent with office equipment and stationery, allowances are provided to Councillors to compensate them for time and expenses incurred while carrying out their many and varied civic duties.

Therefore payment of allowances should be set at a level that also acknowledges the impact on their lives and careers as well as their workload as elected representatives.

##### **Additional Councillor Support**

Greater Dandenong's Council Expenses, Support and Accountability Policy currently details the range of administrative and resource support provided to Councillors and the items for which reimbursement will be provided in addition to their allowance.

It should be noted that, under this Policy, the Mayor is provided with the use of a fully-maintained Council vehicle. This has been Council's past practice for the past 24 years.

##### **Options Available to this Council**

Greater Dandenong's Mayor and Councillors have been paid allowances at the maximum levels within the Category 3 range since 2005. Given this, Council can determine to:

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**4.1.5 Review of Mayoral and Councillor Allowances (Cont.)**

- retain the existing allowances currently being paid within the Category 3 range (NO CHANGE).
- decrease the existing allowances currently being paid within the Category 3 range (CHANGE).

**Financial Implications**

The 2021-2022 Budget has been based on the current mayoral and councillor allowance payments remaining as they are.

#### **4.1.6 List of Registered Correspondence to Mayor and Councillors**

|                      |   |
|----------------------|---|
| File Id:             | qA283304                                |
| Responsible Officer: | Director Corporate Services             |
| Attachments:         | Correspondence Received 1-12 March 2021 |

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#### **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 1-12 March 2021.

#### **Recommendation**

**That the listed items provided in Attachment 1 for the period 1-12 March 2021 be received and noted.**

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

**OTHER**

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

**ATTACHMENT 1**

**CORRESPONDENCE RECEIVED  
1-12 MARCH 2021**

**PAGES 3 (including cover)**

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

ORDINARY COUNCIL MEETING - AGENDA

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



**Correspondences addressed to the Mayor and Councillors received between 01/03/21 & 12/03/21 - for officer action - total = 6**

| Correspondence Name   | Correspondence Dated | Date Record Created | Objective ID | User Assigned          |
|---|----------------------|---------------------|--------------|------------------------|
| An email from a Dandenong resident regarding putting food and organic waste into green bins.  | 26-Feb-21            | 01-Mar-21           | fA211271     | Mayor & Councillors EA |
| A resident complaint regarding an unsightly property in Timberglade Drive, Noble Park North.  | 02-Mar-21            | 02-Mar-21           | fA211434     | Mayor & Councillors EA |
| A resident request for Councillor contact details in relation to traffic concerns on Chandler Road.   | 03-Mar-21            | 04-Mar-21           | fA211655     | Mayor & Councillors EA |
| A complaint from a resident in Elonera Road, Noble Park North regarding the trimming of bushes along a fence line shared with Council and lack of consultation. | 05-Mar-21            | 09-Mar-21           | fA211837     | Mayor & Councillors EA |
| A request from a Eumemmering resident for Council to build a bridge between the old Myer building at the Plaza to the Dandenong Market.                         | 18-Feb-21            | 11-Mar-21           | fA212040     | Mayor & Councillors EA |
| A complaint from a Noble Park resident regarding dumped rubbish in Queens Avenue, Springvale.   | 09-Mar-21            | 10-Mar-21           | A7473263     | Mayor & Councillors EA |

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



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



**Correspondences addressed to the Mayor and Councillors received between 01/03/21 & 12/03/21 - for information only - total = 2**

| Correspondence Name   | Correspondence Dated | Date Record Created | Objective ID | User Assigned          |
|---|----------------------|---------------------|--------------|------------------------|
| A letter to the Mayor from Spinal Life Australia requesting support for its new App - Accessible Australia.         | 24-Feb-21            | 02-Mar-21           | A7436655     | Mayor & Councillors EA |
| A letter of appreciation from Dandenong Parkrun Australia thanking Council for its support over the past 12 months. |                      | 05-Mar-21           |              | CEO                    |

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

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## 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, dated and signed by the intending mover (Councillor), and lodged with the Chief Executive Officer no later than 12 noon at least three (3) business days before the meeting.

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

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### 5.1 Notice of Motion No. 5 - ICAN (International Campaign to Abolish Nuclear Weapons) Cities Appeal

File Id:

Responsible Officer:

Director Community Services

Author:

Cr Rhonda Garad

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***NB: This Notice of Motion was deferred at the 8 February 2021 Council Meeting. The item is now tabled again for Council's consideration.***

#### **Preamble**

Nuclear weapons are currently the biggest threat to world peace with the risk of a nuclear war greater now, than at any time since the end of the Cold War. (NATO)

It would take less than 100 nuclear warheads to destroy society. There are approximately 15,000 nuclear weapons globally, within nine nuclear weaponized countries.

No one is safe from this threat.

The UN Treaty on the Prohibition of Nuclear Weapons is now in force, but unfortunately Australia is missing.

The United Nations Treaty on the Prohibition of Nuclear Weapons is the first global treaty to ban nuclear weapons and all activities related to them.

A recent opinion poll conducted by Ipsos in July 2020 showed overwhelming support in favour of Australia joining the Treaty on the Prohibition of Nuclear Weapons.

Local Governments have an important role to play as they are tasked with responsibility of both protecting their citizens and dealing with the aftermath of nuclear detonation.

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**5.1 Notice of Motion No. 5 - ICAN (International Campaign to Abolish Nuclear Weapons) Cities Appeal (Cont.)**

THE ICAN\* CITIES APPEAL is a *call to action* for local governments to protect their citizens by requesting the Federal Government ratify the nuclear treaty.

\* The International Campaign to Abolish Nuclear Weapons.

**Motion**

**That Council:**

1. **endorses the ICAN Cities Appeal which states that:**

**Our city is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. Therefore, we warmly welcome the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2018, and we call on our national government to sign and ratify it without delay;**

2. **writes to the Minister for Foreign Affairs, calling for the government to sign and ratify the Treaty on behalf of the Australian people; and**

3. **writes to ICAN to inform them of Councils decision to join the ICAN cities appeal.**

## **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 the information electronically to 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 Governance Rules.

## **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.