



**GREATER
DANDENONG**
City of Opportunity

MINUTES

COUNCIL MEETING

MONDAY, 22 MARCH 2021
Commencing at 7:00 PM

COUNCIL CHAMBERS
225 Lonsdale Street, Dandenong VIC 3175

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	MEETING OPENING	2090
1.1	ATTENDANCE	2090
1.2	ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND	2090
1.3	OFFERING OF PRAYER	2091
1.4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2091
1.5	DISCLOSURES OF INTEREST	2092
2	OFFICERS' REPORTS - PART ONE	2093
2.1	DOCUMENTS FOR TABLING	2093
2.1.1	Documents for Tabling	2093
2.1.2	Petitions and Joint Letters	2095
2.2	STATUTORY PLANNING APPLICATIONS	2101
2.2.1	Planning Decisions Issued by Planning Minister's Delegate - February 2021	2101
2.2.2	Planning Delegated Decisions Issued - February 2021	2104
2.2.3	Town Planning Application - No.41 Imagine Way, Dandenong South (Planning Application No. PLN17/0424.03)	2115
2.2.4	Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275)	2160
2.2.5	Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276)	2235
2.2.6	Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688)	2310
3	QUESTION TIME - PUBLIC	2399
4	OFFICERS' REPORTS - PART TWO	2407

4.1	OTHER	2407
4.1.1	Hemmings Street Precinct Action Plan	2407
4.1.2	Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021	2426
4.1.3	Landfill & Transfer Station Services Contract	2439
4.1.4	Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 22 February & 1 March 2021	2486
4.1.5	Review of Mayoral and Councillor Allowances	2489
4.1.6	List of Registered Correspondence to Mayor and Councillors	2499
5	NOTICES OF MOTION	2503
5.1	Notice of Motion No. 5 - ICAN (International Campaign to Abolish Nuclear Weapons) Cities Appeal	2503
6	REPORTS FROM COUNCILLORS/DELEGATES AND COUNCILLORS' QUESTIONS	2506
7	URGENT BUSINESS	2545

1 MEETING OPENING

1.1 ATTENDANCE

Apologies

Nil.

Councillors Present

Cr Angela Long (Chairperson)

Cr Tim Dark, Cr Lana Formoso, Cr Eden Foster, Cr Rhonda Garad, Cr Richard Lim, Cr Jim Memeti, Cr Bob Milkovic, Cr Sean O'Reilly, Cr Sophie Tan, Cr Loi Truong.

Officer Present

John Bennie PSM, Chief Executive Officer, Mick Jaensch, Director Corporate Services, Jody Bosman, Director City Planning, Design and Amenity, Martin Fidler, Director Community Services, Craig Cinquegrana, Acting Director Business, Engineering and Major Projects.

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

Cr Rhonda Garad read the following prayer provided prior to the meeting by Mrs Ursula Aruma from the Sri Sathya Sai Organisation, a member of the Greater Dandenong Interfaith Network.

"Start the day with LOVE, Fill the day with LOVE, spend the day with LOVE, end the day with LOVE, this is the way to God. LOVE is vital. LOVE is Divine. Practise love in your daily living."

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.

MINUTE 107

Moved by: Cr Tim Dark

Seconded by: Cr Bob Milkovic

That the minutes of the Ordinary Meeting of Council held 9 March 2021 be confirmed.

CARRIED

1.5 DISCLOSURES OF INTEREST

Cr Tim Dark disclosed a DIRECT MATERIAL Conflict of Interest of a NON-PECUNIARY nature (s.128) in Item No. 2.2.3 Town Planning Application - No. 41 Imagine Way, Dandenong South (Planning Application Number PLN17/0424.03), as the applicant is a client of his workplace. Cr Tim Dark left the Chamber prior to discussion and voting on this item.

2 OFFICERS' REPORTS - PART ONE

2.1 DOCUMENTS FOR TABLING

2.1.1 Documents for Tabling

File Id: qA228025
Responsible Officer: Director Corporate Services

Report Summary

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

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

Recommendation Summary

This report recommends that the listed items be received.

2.1.1 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.

MINUTE 108

Moved by: Cr Tim Dark
Seconded by: Cr Sophie Tan

That the listed items be received.

CARRIED

2.1.2 Petitions and Joint Letters

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

Report Summary

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

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

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

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

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

2.1.2 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.

MINUTE 109

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

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

CARRIED

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 - MINUTES

2.1.2 Petitions and Joint Letters (Cont.)

Date Received	Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
2/03/21	<p>• Petition Text (Prayer)</p> <p>Petition regarding progressing concept design and location survey for the Dandenong Community Hub in 2020/21.</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 Responsible Officer – Director Community Services</p> <p>2/03/2021 Acknowledgement Email sent to the head petitioner by Governance.</p> <p>16/03/21 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
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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

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.

MINUTE 110

Moved by: Cr Tim Dark

Seconded by: Cr Richard Lim

That the items be received and noted.

CARRIED

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 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
Total :							1	

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

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.

MINUTE 111

Moved by: Cr Tim Dark
Seconded by: Cr Bob Milkovic

That the items be received and noted.

CARRIED

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 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: -Parapet heights increased to a maximum of 400mm; and -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 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 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 KEYSBOROUGH VIC 3173	Install A Veranda	AMENDMENT TO: Multi Unit Development x.40 (PLN06/0395)	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 DANDENONG SOUTH VIC 3175	Salta Properties (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 SPRINGVALE VIC 3171	Achala Indika Kumara Abeykoon	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 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 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 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: - The addition of decking to the north-east and western sides of the proposed building. - The provision of an open pergola above the decking. - The provision of a retractable roof over the decking. - 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 DANDENONG SOUTH VIC 3175	Salta Properties (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 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 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 NOBLE PARK VIC 3174	Anne-Marie Mahony 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 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 DANDENONG SOUTH VIC 3175	David's Timber 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 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 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 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	

3

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 DANDENONG VIC 3175	Railway Parade Project Pty Ltd	Development of the land for nine (9) dwellings	General Residential 3 Zone, 663sqm	Delegate	PlanPermit	02/02/2021	Yarraman
PLN20/0410	PinApp	No	6 Egan Road DANDENONG VIC 3175	Ratio Consultants Pty Ltd	Buildings & Works (Cool Room) and Reduction in Car Parking Requirements	Industrial 1 Zone, cool room, 23sqm & reduction in car parking	Delegate	PlanPermit	10/02/2021	Dandenong
PLN20/0414	PinApp	No	102 Assembly Drive DANDENONG SOUTH VIC 3175	Garubba & Associates Pty Ltd	Development of the land for warehouses	Commercial 2 Zone, 2295.2sqm, construction of 6 warehouses	Delegate	PlanPermit	01/02/2021	Dandenong
PLN20/0415	PinApp	No	9 James Street DANDENONG VIC 3175	Convergence Investment Group Pty Ltd	Use and development of the land for a childcare centre	General Residential 1 Zone, 45 children, construction of play area, car parking area and signage	Delegate	NOD	03/02/2021	Cleeland
PLN20/0419	PinApp	No	24A Heather Grove SPRINGVALE VIC 3171	Cuba3Group Cr-Francis Gaia	Development of the land for one (1) double storey dwelling	General Residential 1 Zone, 240sqm, construction of double storey dwelling	Delegate	PlanPermit	11/02/2021	Springvale Central
PLN20/0423	PinApp	No	17 Fifth Avenue DANDENONG VIC 3175	Burdenuk Dmitry	Development of the land for three (3) dwellings (two double-storey dwellings and one single-storey dwelling to the rear)	General Residential 1 Zone, 650sqm	Delegate	PlanPermit	02/02/2021	Yarraman
PLN20/0428	PinApp	No	37 Hillside Avenue DANDENONG NORTH VIC 3175	Plans2Construct	Development of the land for one (1) double storey dwelling to the rear of an existing single storey dwelling	General Residential 1 Zone, 694sqm	Delegate	PlanPermit	03/02/2021	Dandenong North
PLN20/0429	PinApp	No	87 Princes Highway DANDENONG SOUTH VIC 3175	Lushida Investments Pty Ltd	Display of one (1) internally illuminated business identification pylon sign	Commercial 2 Zone, externally illuminated business identification pylon and three flag poles	Delegate	PlanPermit	03/02/2021	Dandenong
PLN20/0441	PinApp	No	468-472 Princes Highway NOBLE PARK NORTH VIC 3174	X. Defelice Corporation Pty Ltd	To remove the covenant created in Instrument L897782T from that part of the property shown hatched on Sheet 2 on PS739355Q SPEAR	Commercial	Delegate	PlanPermit	18/02/2021	Noble Park North
PLN20/0445	PinApp	No	73-77 Leggo Court DANDENONG SOUTH VIC 3175	Quality First Designs Pty Ltd	Change of Use (Storage) & Buildings and Works (Warehouse)	Commercial 2 Zone, storage, 494sqm	Delegate	PlanPermit	17/02/2021	Dandenong

01/03/2021

4

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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
PLN20/0450	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 SFEAR	Residential	Delegate	PlanPermit	08/02/2021	Yarraman

01/03/2021

5

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
PLN20/0515	PlnApp	No	26 Erickson Street 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 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, construction of gazebo associated with community garden and reduction in car parking requirements	Delegate	PlanPermit	24/02/2021	Dandenong
PLN20/0521	PlnApp	No	23-29 James Street 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 KEYSBOROUGH VIC 3173	220 Chapel Rd 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 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 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 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 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 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
EANTOS									01/03/2021	

ORDINARY COUNCIL MEETING - MINUTES

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

01/03/2021

7

EANTOS

ORDINARY COUNCIL MEETING - MINUTES

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

01/03/2021

8

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
PLN21/0055	PlnApp	No	10 Bass Court KEYSBOROUGH VIC 3173	Auslander Developments Pty Ltd	Creation of an Easement SPEAR	Industrial	Delegate	PlanPermit	25/02/2021	Keysborough South
PLN21/0056	PlnApp	No	12 Bass Court KEYSBOROUGH VIC 3173	Auslander Developments Pty Ltd	Creation of an Easement SPEAR	Industrial	Delegate	PlanPermit	25/02/2021	Keysborough South
PLN21/0057	PlnApp	No	14 Bass Court KEYSBOROUGH VIC 3173	Ausgreen Properties Pty Ltd	Creation of an Easement SPEAR	Industrial	Delegate	PlanPermit	25/02/2021	Keysborough South
PLN21/0075	PlnAppVic	Yes	1 Lebert Court SPRINGVALE VIC 3171	Vinh Ky Tat	Subdivision of the land into two (2) lots (VICSMART)	Residential	Delegate	PlanPermit	23/02/2021	Springvale Central
PLN21/0081	PlnApp	No	15 Irving Road DANDENONG NORTH VIC 3175	Shabeer Ahmed	Subdivision of the land into two (2) lots SPEAR	Residential	Delegate	PlanPermit	24/02/2021	Noble Park North

70

EANTOS

9

01/03/2021

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

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">• Extend the existing building;• Extend the Red Line area; and• Display of internally-illuminated business identification signs.
Zone:	Commercial 1 Zone
Overlay:	Development Contributions Plan Overlay (Schedule 3) 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.

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.

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

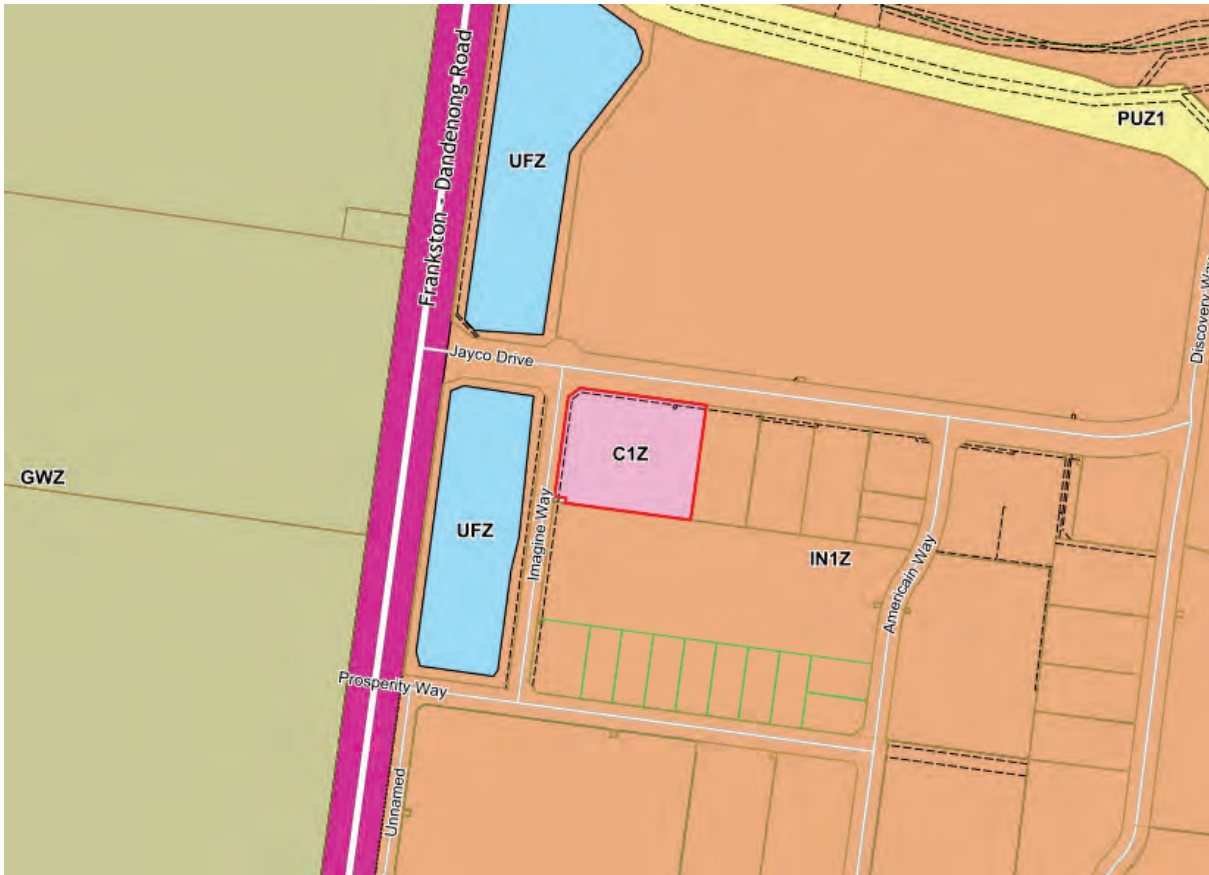
- The subject site is located on the corner of Jayco Drive and Imagine Way in Dandenong South, at the entrance to a developed Industrial estate.
- The site is generally rectangular in shape, with an overall area of 1.42 hectares.
- The site has a frontage to Imagine Way of 95 metres and a frontage to 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.)

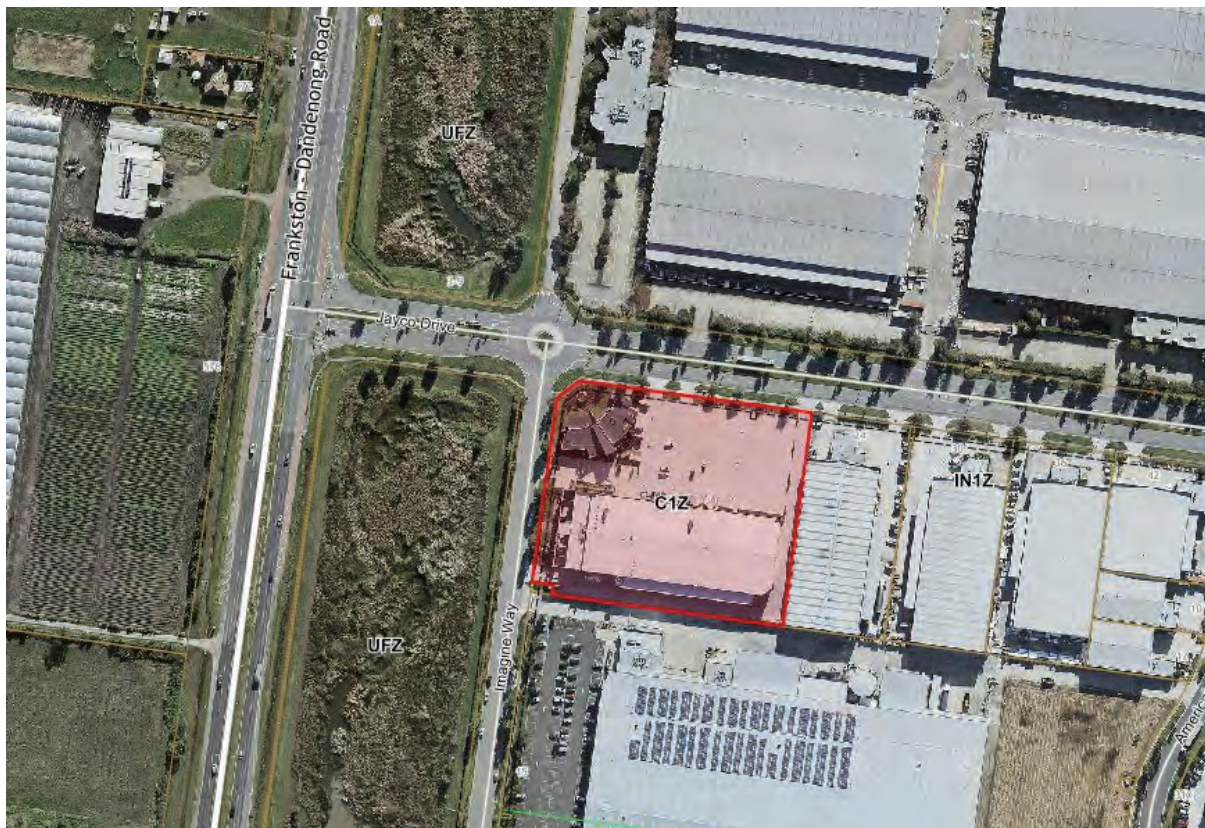
Locality Plan



p Subject Site Melways Map 95C12 North é

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.

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).

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.

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.

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.

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.

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.

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.

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.

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:

Referral Authority	Comments
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:

Department	Comments
Community Services	No objection, subject to conditions.
Health Department	No objection.

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.

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).

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

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:

	Clause 52.06-5 at today's rate	Calculation of current proposal at today's rate
Industry	1 to each 100sqm net floor area	$3899/100= 38$ spaces required
Manufacturing sales	3.5 to each 100sqm leasable floor area	143.7 square metres /100 x 3.5 = 5 spaces required
Bar	3.5 to each 100sqm leadable floor area	$994.6/100 \times 3.5= 34$ spaces required
Total car spaces required for Industry, Manufacturing Sales & Bar		77 spaces required
Total spaces required for the existing food and drink premises/function centre (existing development to the north of the Bar within the same title).		60 spaces
Total spaces required		137 spaces
Spaces provided		180 spaces
Reduction		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.

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.

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:

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

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

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.

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**

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.**

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.

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

Cr Tim Dark disclosed a **DIRECT MATERIAL** Conflict of Interest of a **NON-PECUNIARY** nature (s.128) in this item, as the applicant is a client of his workplace. Cr Tim Dark left the Chamber at 7.07pm prior to discussion and voting on this item.

MINUTE 112

Moved by: Cr Eden Foster

Seconded by: Cr Rhonda Garad

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:**

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

- 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 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.**

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

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.**
- 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**

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

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.
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.

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

- 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

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.

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

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.
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

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

- 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.**

CARRIED

Cr Tim Dark returned to the Chamber at 7.08pm.

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)**

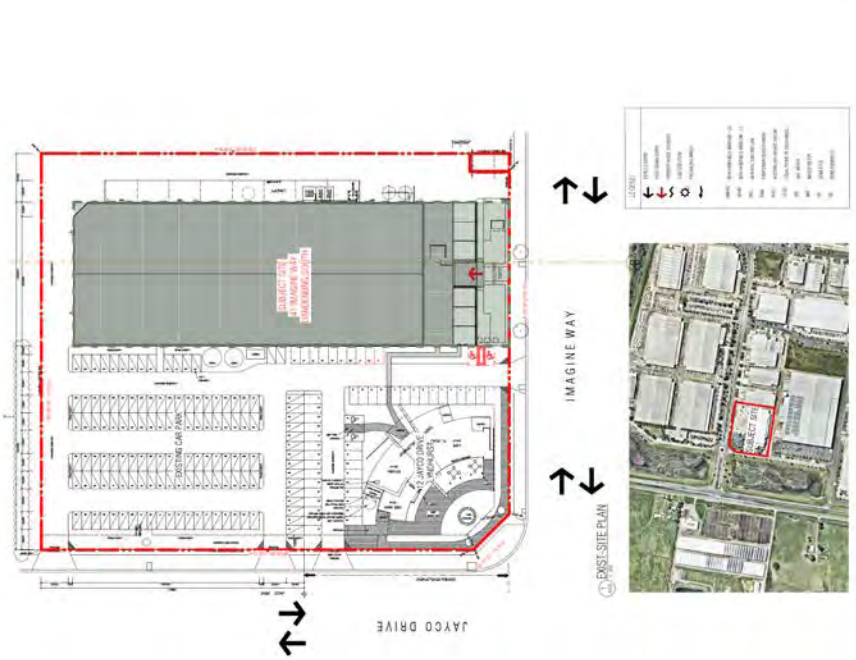
ATTACHMENT 1

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.)



SITE ANALYSIS & EXISTING CONDITIONS 1 : 500

Te
 Techa Architecture
 Interior Design
 27-31 Blackburn Drive
 Blackburn VIC 3163
 03 9593 1000
 www.techa.com.au

TP013
 TOWN PLANNING
 PROJECT NO. 19003
 PROJECT NAME: BRICK LANE BREWERY
 PROJECT DATE: 2020
 PROJECT TYPE: INTERIOR DESIGN
 PROJECT VALUE: \$1,000,000



TECHA ARCHITECTURE
 27-31 BLACKBURN DRIVE
 BLACKBURN VIC 3163
 03 9593 1000
 www.techa.com.au

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



EXISTING & PROPOSED SITE PLAN 1 : 200

Té Techné Architecture
+ Interior Design
20/11 Edmondson Drive
Dandenong South VIC 3175
PH: 03 9594 2022
www.technedesign.com.au

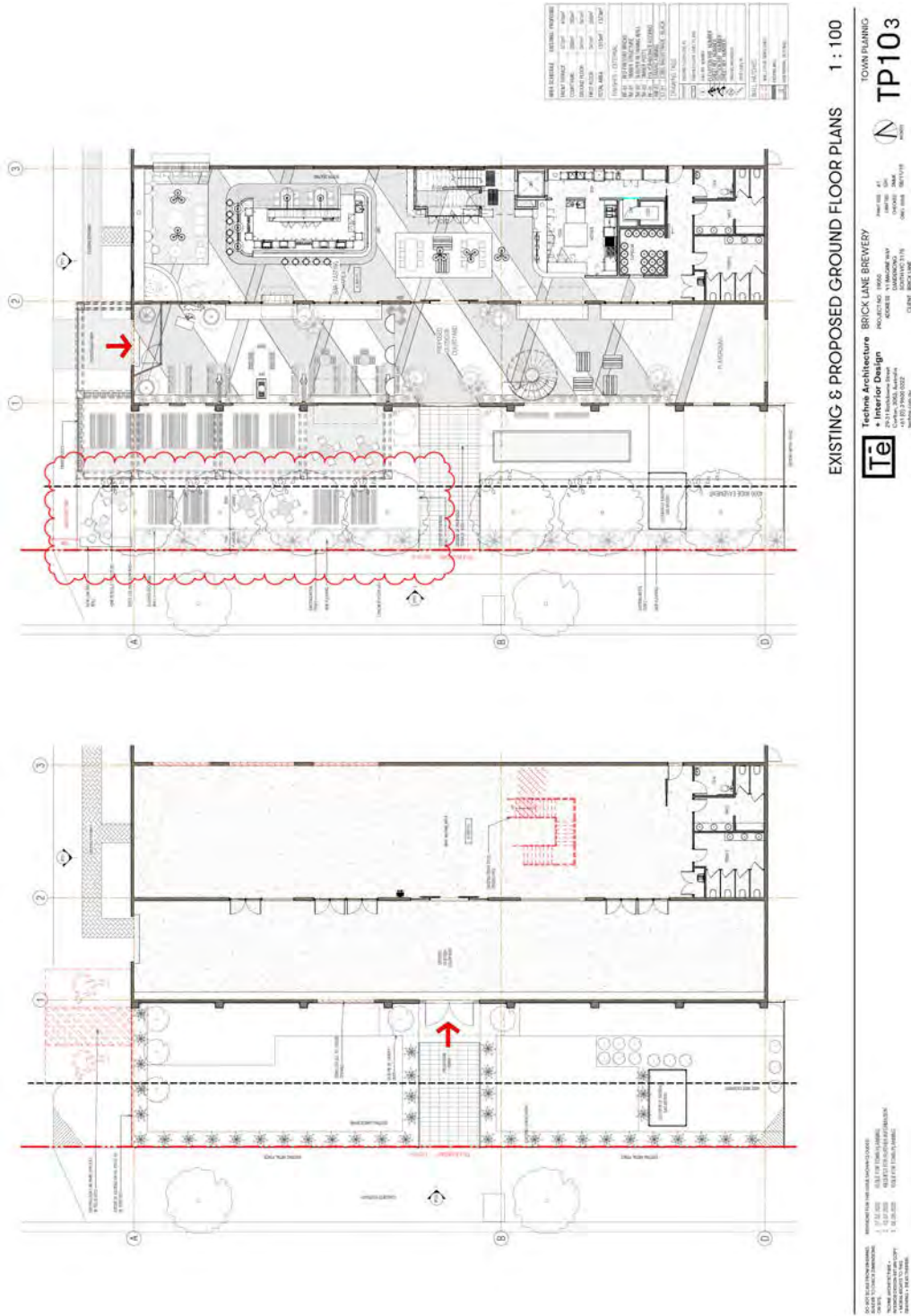
Techné Architecture
BRICK LANE BREWERY
PROJECT NO: 17006
ADDRESS: 41 IMAGINE WAY
DANDENONG SOUTH VIC 3175
CLIENT: BRICK LANE

TOWN PLANNING
TP023

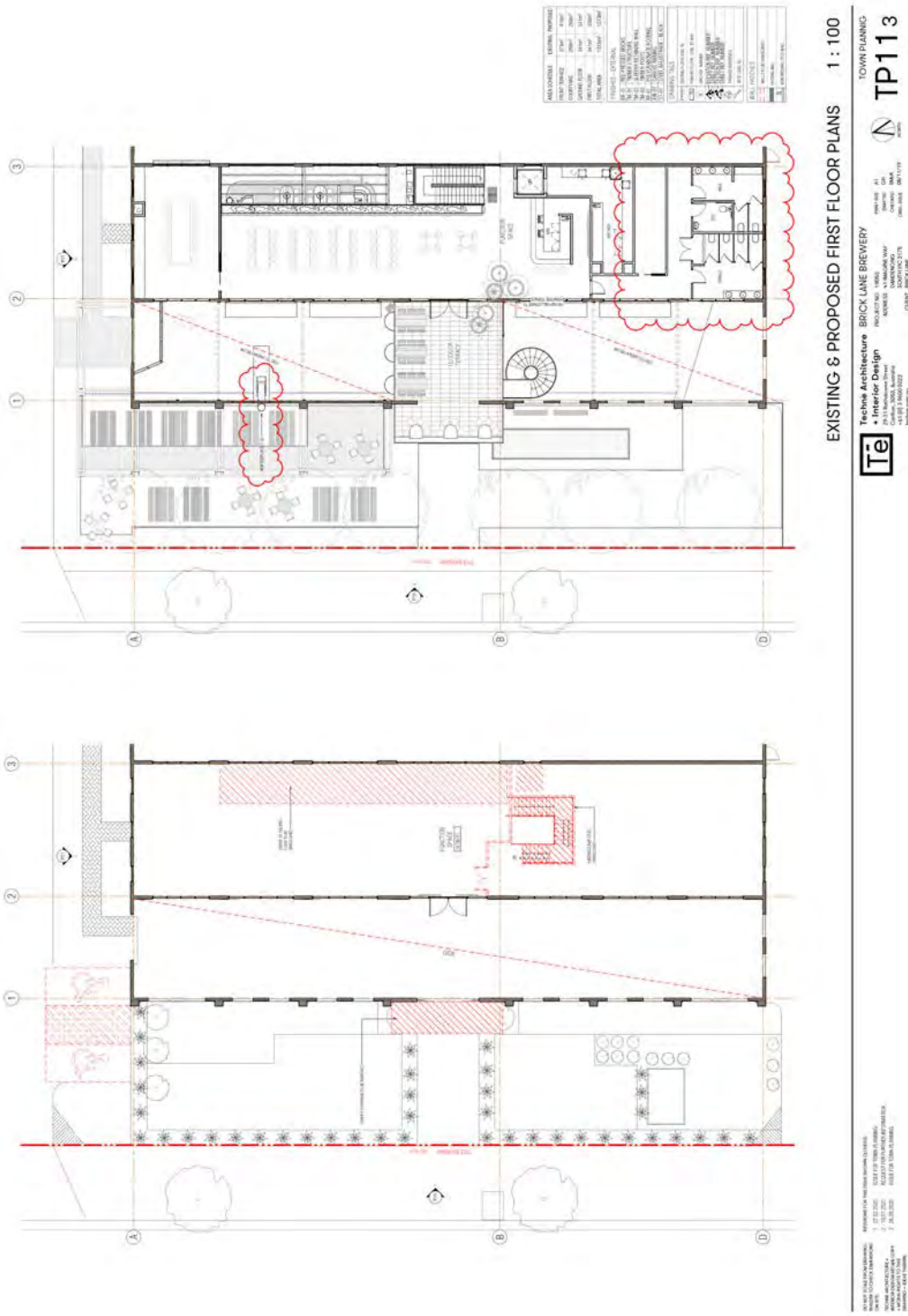
N
North

DATE: 17/03/2021
DRAWN BY: J. BURNETT
CHECKED BY: J. BURNETT
SCALE: AS SHOWN
PROJECT NO: 17006

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.)

NO.	DESCRIPTION	EXISTING	PROPOSED
1	ROOF	ASPHALT SHEET	ASPHALT SHEET
2	ROOF	CONCRETE	CONCRETE
3	ROOF	FLAT	FLAT
4	ROOF	FLAT	FLAT
5	ROOF	FLAT	FLAT
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7	ROOF	FLAT	FLAT
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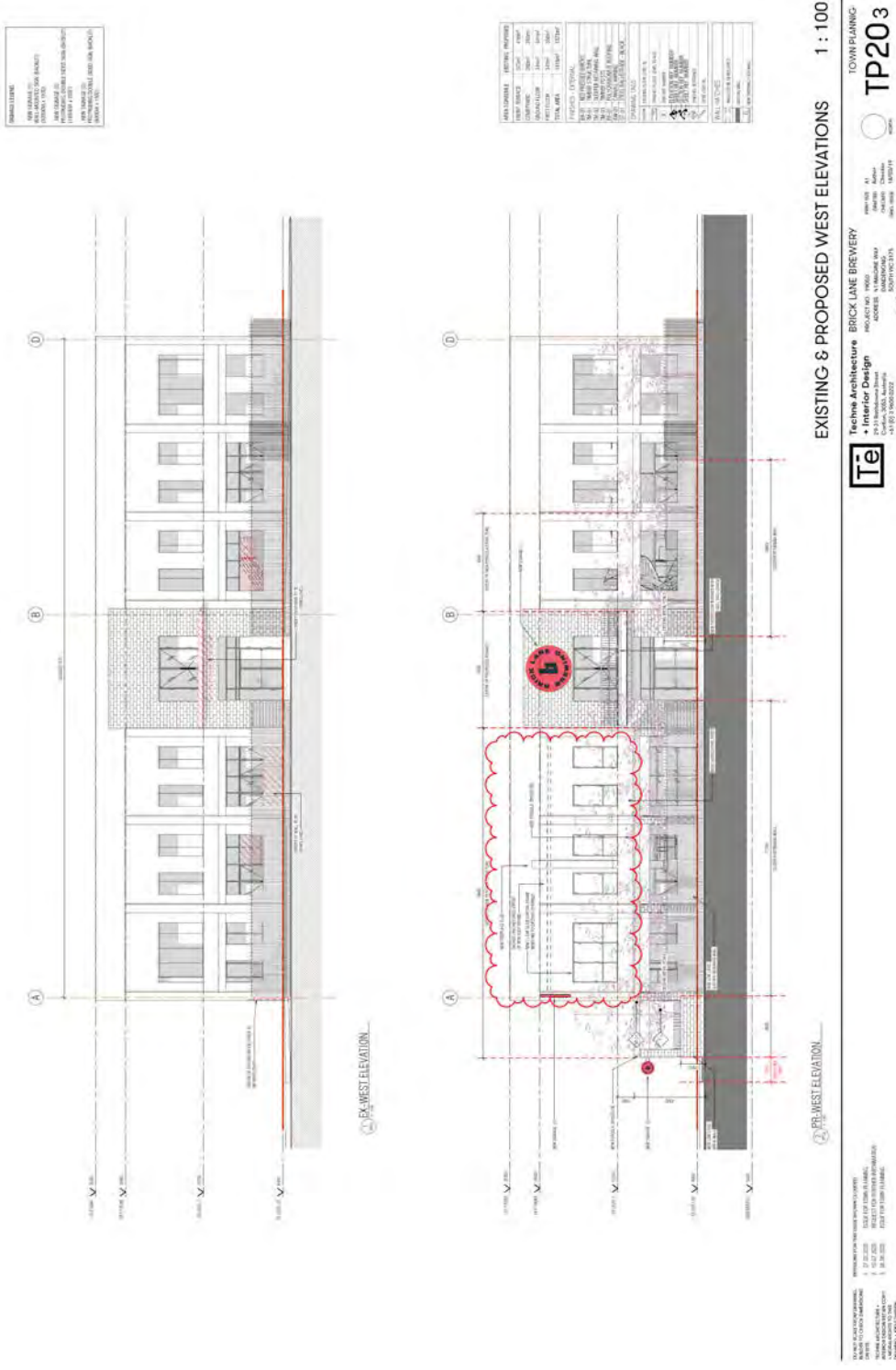
EXISTING & PROPOSED ROOF PLANS 1 : 100

Town Planning TP123

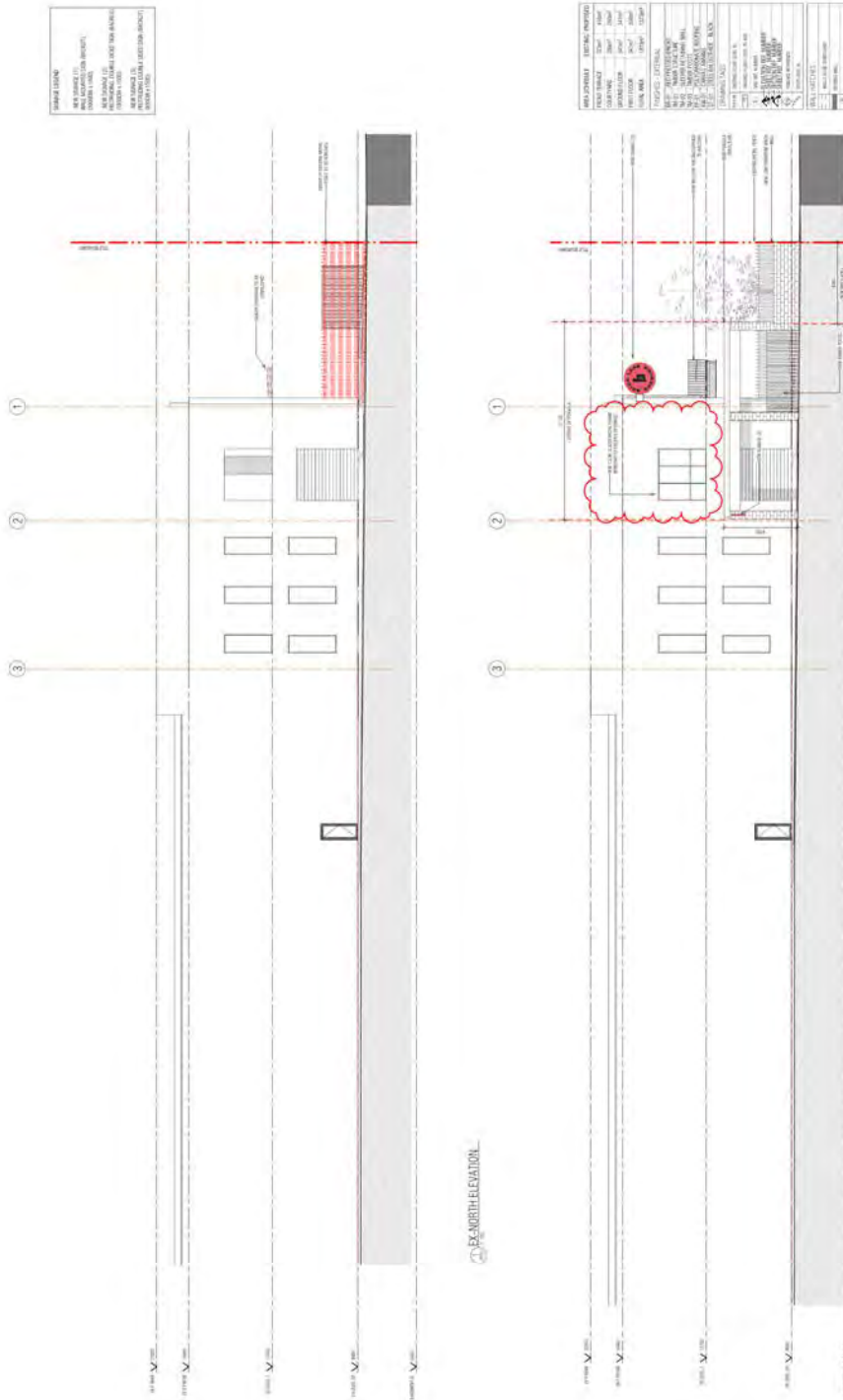
Techne Architecture BRICK LANE BREWERY
PROJECT NO. 17001
DESIGNED BY TECHNE ARCHITECTURE
DRAWN BY TECHNE ARCHITECTURE
DATE: 01/03/2021

Interior Design
PROJECT NO. 17001
DESIGNED BY TECHNE ARCHITECTURE
DRAWN BY TECHNE ARCHITECTURE
DATE: 01/03/2021

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 ELEVATION
 ALL WALLS TO BE PAINTED WHITE (EXCEPT WHERE INDICATED).
 ROOF TO BE PAINTED GREY.
 ALL MATERIALS TO BE AS SUPPLIED.
 ALL WORKS TO BE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL BUILDING STANDARDS 2011.

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL PRICE
1	FOUNDATION
2	WALLS
3	ROOF
4	DOORS
5	WINDOWS
6	PAINT
7	LABOUR
8	PERMITS
9	INSURANCE
10	STAKEOUT
11	HOIST
12	TESTING
13	CRANE
14	TRAFFIC
15	SETBACKS
16	PROTECTIVE FENCES
17	DEMOLITION
18	CONCRETE
19	BRICKS
20	ROOFING
21	GLAZING
22	LANDSCAPE
23	DRAINAGE
24	SEWER
25	ELECTRICAL
26	PLUMBING
27	MECHANICAL
28	MECHANICAL
29	MECHANICAL
30	MECHANICAL
31	MECHANICAL
32	MECHANICAL
33	MECHANICAL
34	MECHANICAL
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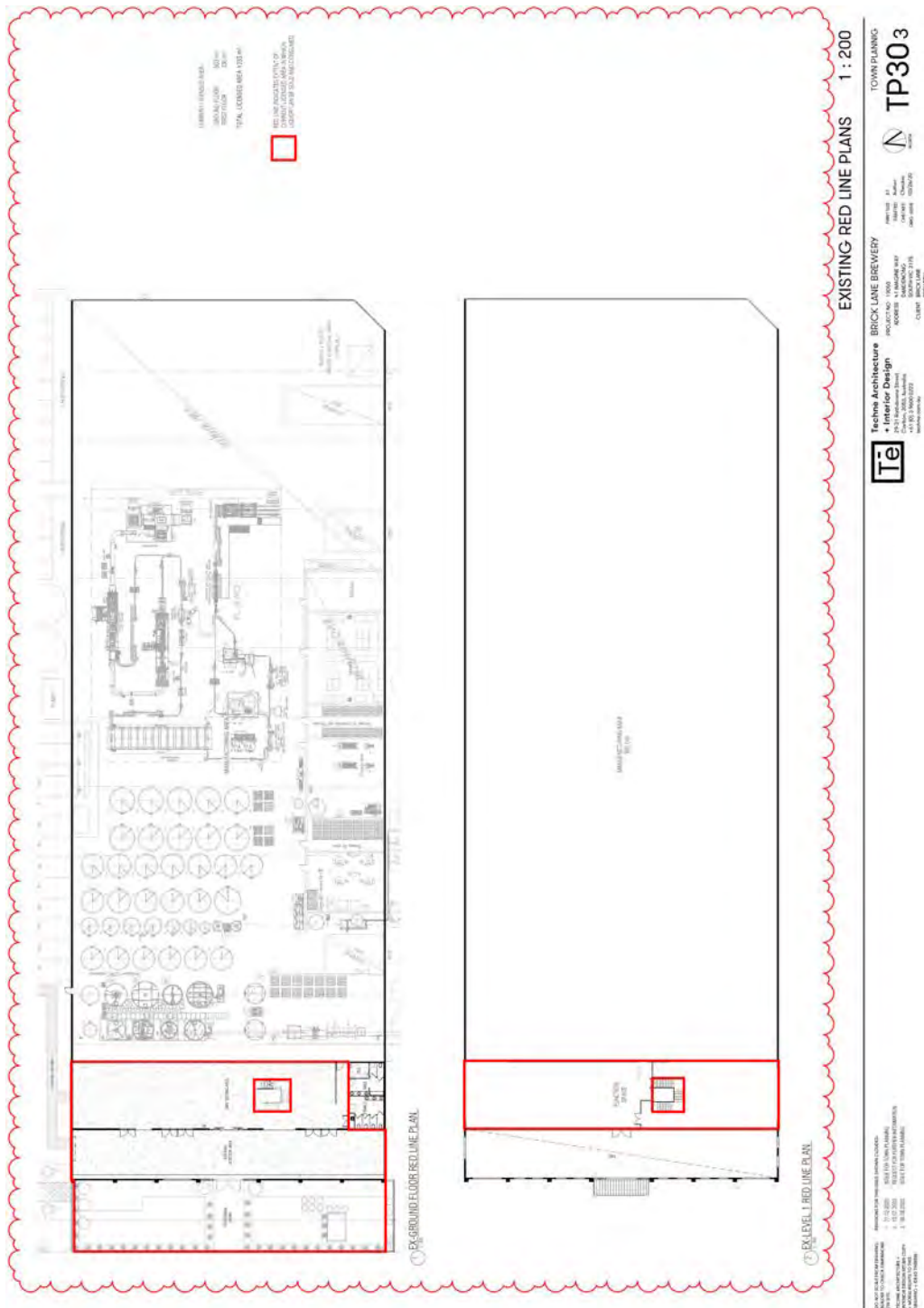
EXISTING & PROPOSED NORTH ELEVATIONS 1 : 100

Te Teekwa Architecture + Interior Design
 10/21 Macaulay Street, Dandenong, VIC 3175
 PH: 03 9592 2345 | WWW.TEAKWA.COM.AU

TP213

CLIENT: BRICK LANE BREWERY

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.)



PERPECTIVES

Te **Techne Architecture** **BRICK LANE BREWERY** **TOWN PLANNING**
Interior Design
20/11 Hawthorn Drive
Melbourne VIC 3122
03 9594 1111
www.techne.com.au

INDUSTRY 1980
RESIDENTIAL 1980
COMMERCIAL 1980
PUBLIC WORKS 1980
CIVIL 1980
LANDSCAPE ARCHITECTURE 1980
INTERIOR DESIGN 1980
CONSTRUCTION 1980

TECHNE ARCHITECTURE
1/17/2020 11:11 AM
TECHNE ARCHITECTURE
1/17/2020 11:11 AM
TECHNE ARCHITECTURE
1/17/2020 11:11 AM

TP403

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 Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment 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

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.

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).

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.

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.

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.

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.

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

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.*

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.

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.

Department	Response
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.

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">• <i>There is a large need in the municipality for quality affordable single room accommodation and a compliant well-managed rooming house addresses the shortage of affordable accommodation options for those with limited income.</i>

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.

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.

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

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.

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);

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).

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.

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

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.

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:
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

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**

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

MINUTE 113

Moved by: Cr Rhonda Garad
Seconded by: Cr Eden Foster

That Council resolves to Refuse to grant a planning permit in respect of the land known as and described as 94 Langhorne Street Dandenong for the use and development of the land for a rooming house (two (2) new rooming houses to the rear of an existing rooming house), on the following grounds:

- 1. the proposal would be an overdevelopment of the site;**
- 2. the intensity of the proposal is considered to be unacceptable in the context of this site and the surrounding area;**
- 3. the proposal would have an unacceptable impact on the level of amenity for neighbouring residents, including an increase in anti-social behaviour;**
- 4. the proposal would provide an unacceptable level of internal amenity for residents;**
- 5. the proposal would increase car parking congestion with insufficient onsite car parking provided; and**
- 6. the proposal would not contribute to the orderly planning of the area pursuant to Clause 65 of the Greater Dandenong Planning Scheme.**

CARRIED

For the Motion: Cr Tim Dark, Cr Eden Foster, Cr Rhonda Garad, Cr Richard Lim, Cr Angela Long, Cr Jim Memeti, Cr Sophie Tan, Cr Loi Truong.

Against the Motion: Cr Bob Milkovic, Cr Lana Formoso, Cr Sean O'Reilly.

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)**

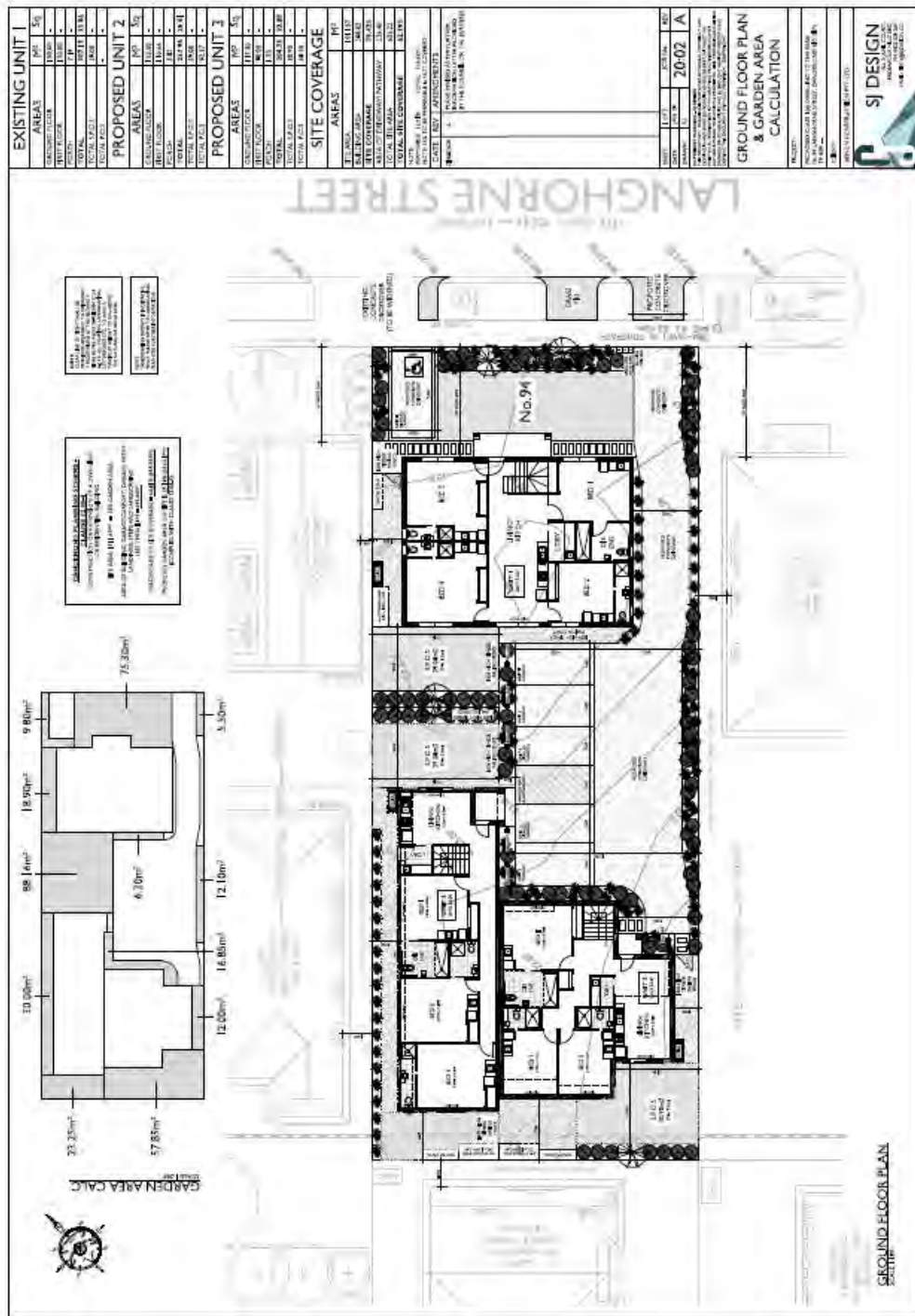
ATTACHMENT 1

ASSESSED PLANS

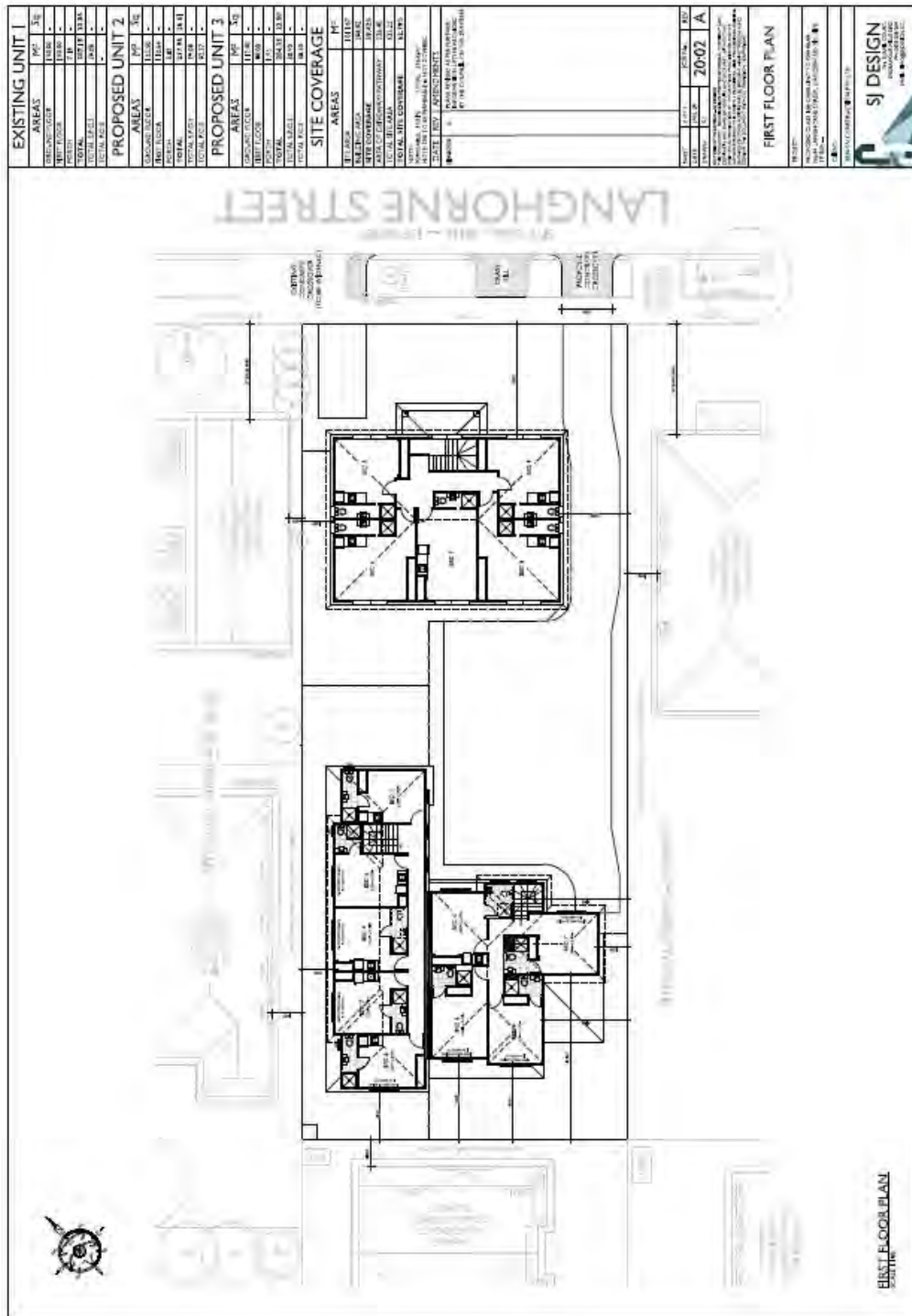
PAGES 9 (including cover)

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.)



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.)

BUILDING MATERIAL & FINISHES SCHEDULE	
■	RESIDUAL GROUND WALL - BRICKWORK (100mm)
■	WEST FACER WALL - MORTAR COATED BRICK - 100mm (100mm) GYPSUM BOARD - 100mm (100mm) INSULATION - 100mm (100mm) GYPSUM BOARD - 100mm (100mm) BRICK
■	ROOFING - COLORBOND STEEL - 100mm (100mm) INSULATION
■	ROOF - 100mm (100mm) INSULATION - 100mm (100mm) GYPSUM BOARD
■	ROOF ANGLE & SUPPORTS - 100mm (100mm) GYPSUM BOARD - 100mm (100mm) INSULATION - 100mm (100mm) GYPSUM BOARD
■	INTERIOR - 100mm (100mm) GYPSUM BOARD - 100mm (100mm) INSULATION - 100mm (100mm) GYPSUM BOARD
■	EXTERIOR BALCONY RAILING - ALUMINUM (PULVERIZED)

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR TOWN PLANNING APPLICATION	20/02	A

ELEVATIONS	
ELEVATION	DATE
1	20/02

NORTH - EASTERN ELEVATION OF UNITS 1, 2 & 3

SOUTH - WESTERN ELEVATION OF UNITS 1, 2 & 3

NORTH - WESTERN ELEVATION OF UNITS 1, 2 & 3

SOUTH - EASTERN ELEVATION OF UNITS 1, 2 & 3

NORTH - EASTERN ELEVATION OF UNIT 1

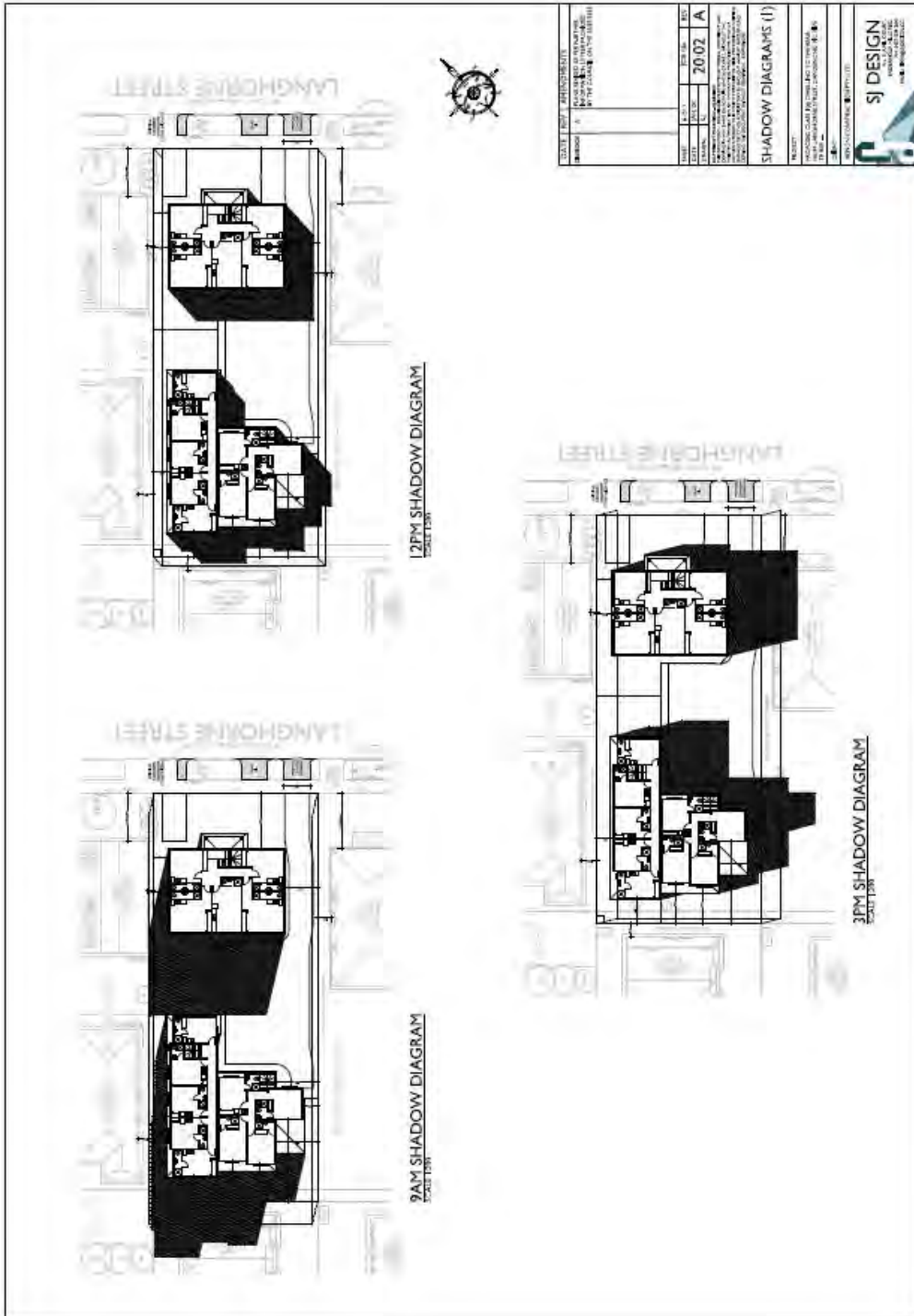
SOUTH - WESTERN ELEVATION OF UNIT 1

NORTH - WESTERN ELEVATION OF UNIT 1

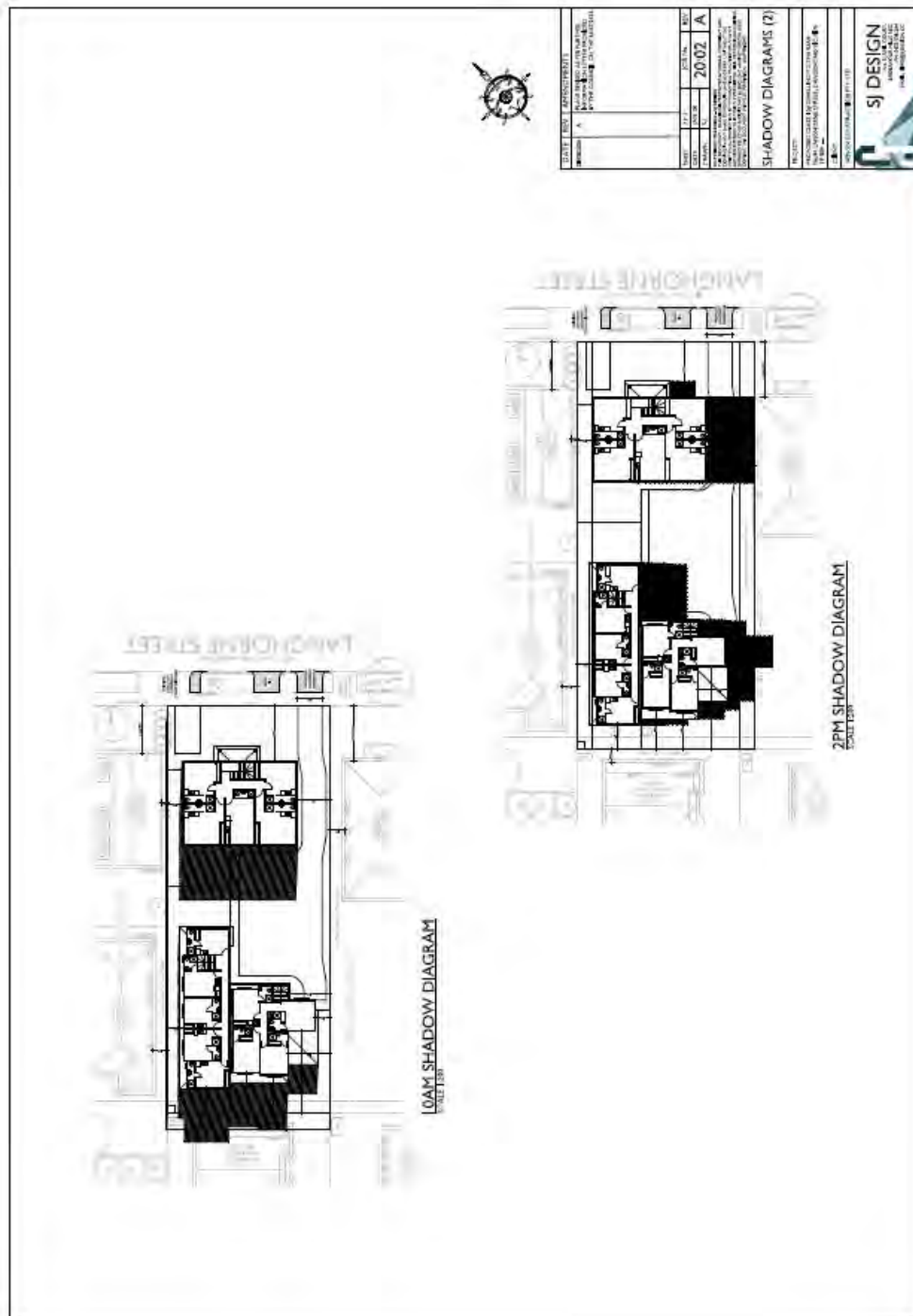
SOUTH - EASTERN ELEVATION OF UNIT 1

SJ DESIGN
 ARCHITECTURE & INTERIOR DESIGN
 1/100 LANGHORNE STREET, DANDEENONG VIC 3175
 TEL: 03 9594 1111
 WWW.SJDESIGN.COM.AU

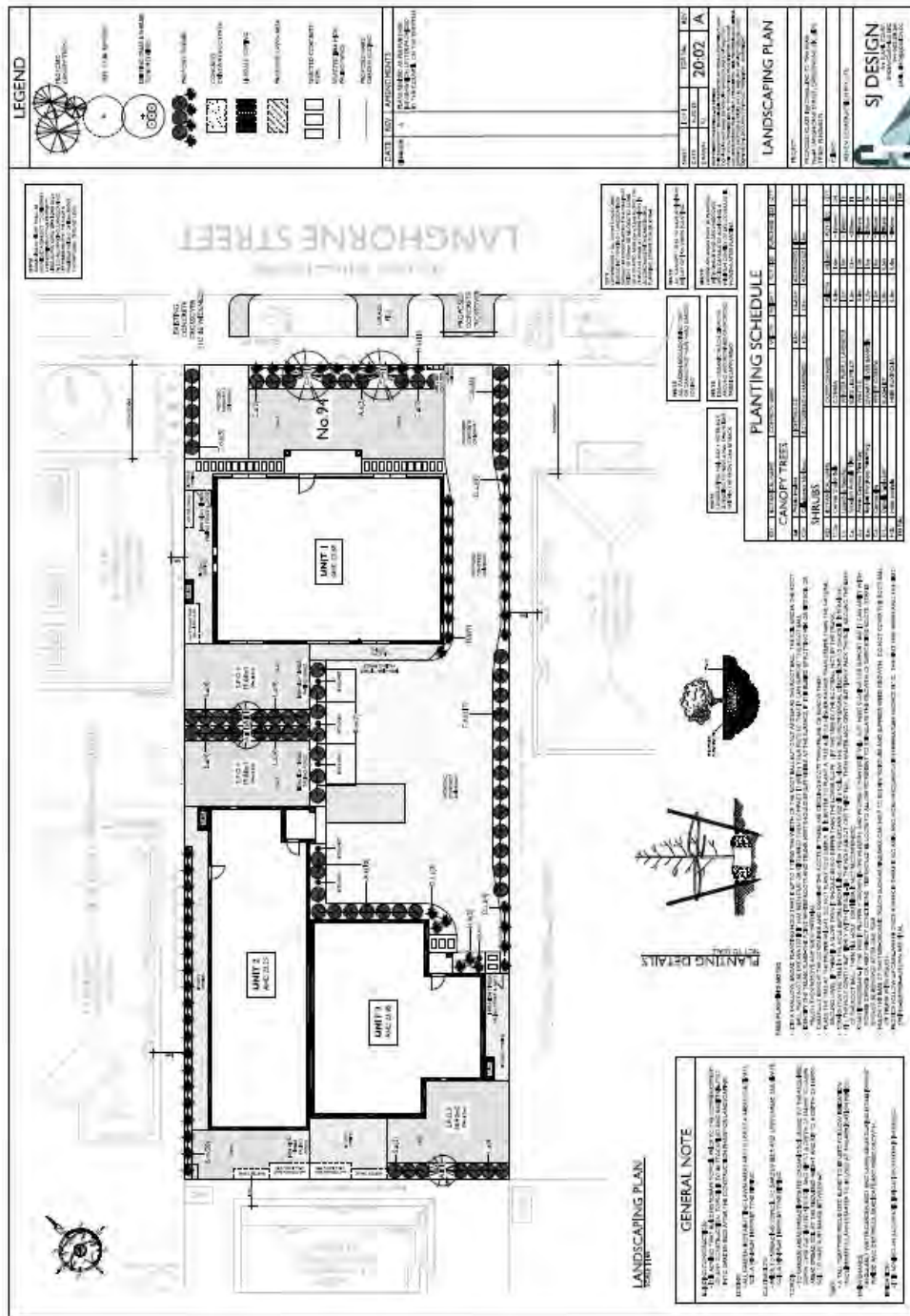
2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)



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.

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.

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

Safety	To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:	
	Incorporate active frontages including ground floor habitable room windows.	<p>✓ Principle met 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>✓ Principle met The proposed buildings front the street and shared driveway.</p>
	Use semi-transparent fences to the street frontage.	<p>✓ Principle met No front fence is proposed.</p>
	Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.	<p>✓ Principle met Security lighting is provided</p>
	Ensure that all main entrances are visible and easily identifiable from the street.	<p>✓ Principle met Entrances face the street/ driveway.</p>
	Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.	<p>✓ Principle met</p>
Landscaping	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>✓ Principle met The landscape plan can be endorsed</p>
	Provide substantial, high quality landscaping along vehicular accessways.	<p>✓ Principle met The landscape plan can be endorsed</p>

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

ORDINARY COUNCIL MEETING - MINUTES

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>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met No significant vegetation on site.</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p>
<p>Car parking</p>	<p>The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.</p> <p>On-site car parking should be:</p> <ul style="list-style-type: none"> • Well integrated into the design of the building, • Generally hidden from view or appropriately screened where necessary, • Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. <p>Where car parking is located within the front setback it should be:</p> <ul style="list-style-type: none"> • Fully located within the site boundary; and • Capable of fully accommodating a vehicle between a garage or carport and the site boundary. 	<p>✓ Principle met No increase to the number of existing crossovers/ change to on street parking</p> <p>✓ Principle met Parking is well integrated into the design of the buildings</p> <p>✓ Principle met</p>

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

ORDINARY COUNCIL MEETING - MINUTES

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 No basement car parking proposed.
Setbacks, front boundary and width	Residential developments should: Provide a front setback with fence design and height in keeping with the predominant street pattern. Maintain the apparent frontage width pattern.	<p>✓ Principle met No change to existing</p> <p>✓ Principle met</p>
	Provide appropriate side setbacks between buildings to enable screen planting where required, and at least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity.	<p>✓ Principle met 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>✓ Principle met 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>✓ Principle met 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>✓ Principle met 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>✓ Principle met 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>✓ Principle met 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>✓ Principle met 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>✓ Principle met The buildings are similar to the streetscape in terms of proportion of the dominant façade.</p>
	<ul style="list-style-type: none"> Using similarly proportioned roof forms, windows, doors and verandahs; and Maintaining the proportion of wall space to windows and door openings. 	

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

ORDINARY COUNCIL MEETING - MINUTES

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"> The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or The retention of the existing dwelling detracts from the identified future character. <p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <ul style="list-style-type: none"> Not exceeding the height of the neighbouring significant building; Minimising the visibility of higher sections of the new building; and Setting higher sections back at least the depth of one room from the frontage. 	<p>✓ Principle met No balconies</p> <p>N/A</p> <p>N/A No heritage building on the site or on adjoining land.</p>
<p>Site Design</p>	<p>Residential development should:</p> <p>Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.</p> <p>Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance</p> <p>Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.</p> <p>Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.</p> <p>Provide suitable storage provisions for the management of operational waste</p>	<p>✓ Principle met Design is responsive to abutting lots.</p> <p>✓ Principle met Large windows are proposed to enable thermal performance and lessen reliance on artificial heating and cooling</p> <p>✓ Principle met</p> <p>✓ Principle met</p> <p>✓ Principle met Storage areas are provided.</p>

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

ORDINARY COUNCIL MEETING - MINUTES

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.	✓ Principle met The site is well placed within proximity to public transport.
Materials & Finishes	Residential development should: Use quality, durable building materials and finishes that are designed for residential purposes.	✓ Principle met The materials proposed are brick, weatherboard cladding, and render with tiled roofing, which are durable and complementary to existing dwellings in the vicinity.
	Avoid the use of commercial or industrial style building materials and finishes.	✓ Principle met Materials are suited to residential developments.
	Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials.	✓ Principle met A mix of materials, finishes and articulates are proposed
	Use a consistent simple palette of materials, colours finishes and architectural detailing.	✓ Principle met The colour palette is of a consistent simple nature
	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.	✓ Principle met The materials chosen are durable
Domestic services normal to a dwelling and Building services	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: 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.	✓ Principle met
	Be designed to avoid the location of domestic and building services: <ul style="list-style-type: none"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	✓ Principle met
	Residential development should: Ensure that dwelling layouts have connectivity between the main living area and private open space.	✓ Principle met
Internal Amenity		

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.)

	Be designed to avoid reliance on borrowed light to habitable rooms.	✓ Principle met 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.	✓ Principle met
	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.	✓ Principle met

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

Preferred housing type	The preferred housing type for the Incremental Change Area is medium density.	✓ Principle met The proposal is for rooming houses.
Building Height	The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.	✓ Principle met The proposed development is 2 storey.
Landscaping	Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties	✓ Principle met A landscaping plan can be endorsed. Sufficient areas for landscaping provided on site.
Setbacks, front boundary and width	Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.	✓ Principle met
Private open space	Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.	✓ Principle met Each building is provided with SPOS areas.
Bulk & Built Form	Residential development should: Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;	✓ Principle met The design of the development is well articulated and landscaping can include canopy trees at the front, side and rear of the site.

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

ORDINARY COUNCIL MEETING - MINUTES

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"> • The visual impact of the building bulk does not adversely affect the identified future character of the area; • Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties; • The building bulk does not adversely affect the planting and future growth of canopy trees to maturity; • Sufficient side and rear boundary landscaping can be provided to screen adjoining properties; • Upper storey components are well recessed from adjoining sensitive interfaces. <p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>	<p>✓ Principle met 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>✓ Principle met 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>✓ Principle met Private open spaces of the adjoining properties would not be impacted by the proposal.</p> <p>✓ Principle met 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>✓ Principle met The development would be provided with a mixed of materials and colours and is a high standard</p>
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Note: Other requirements also apply. These can be found at the schedule to the applicable zone.

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

2.2.4 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.

Design standard 1 - Accessways	Accessways must: <ul style="list-style-type: none"> • Be at least 3 metres wide. 	✓ Standard met 2 crossovers
	<ul style="list-style-type: none"> • Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. 	✓ Standard met
	<ul style="list-style-type: none"> • 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. 	N/A
	<ul style="list-style-type: none"> • Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres. 	N/A
	<ul style="list-style-type: none"> • If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed to that cars can exit the site in a forward direction. 	✓ Standard met
	<ul style="list-style-type: none"> • 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. 	N/A
	<ul style="list-style-type: none"> • Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height. 	✓ Standard met 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

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.)

<p>Design standard 2 – Car parking spaces</p>	<p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p>Table 2: Minimum dimensions of car parking spaces and accessways</p> <table border="1"> <thead> <tr> <th>Angle of car parking 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 3 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"> • A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1. • A structure, which may project into the space if it is at least 2.1 metres above the space. <p>Diagram 1 Clearance to car parking spaces</p>	Angle of car parking 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 way	Accessway width	Car space width	Car space length																															
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	4.8 m	3.2 m	4.9 m																															
		<p>✓ Standard met</p>																																

ORDINARY COUNCIL MEETING - MINUTES

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

Design standard 3: Gradients	<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>Table 3: Ramp gradients</p> <table border="1"> <thead> <tr> <th>Type of car park</th> <th>Length of ramp</th> <th>Maximum grade</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Public car parks</td> <td>20 metres or less</td> <td>1:5 (20%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:6 (16.7%)</td> </tr> <tr> <td rowspan="2">Private or residential car parks</td> <td>20 metres or less</td> <td>1:4 (25%)</td> </tr> <tr> <td>longer than 20 metres</td> <td>1:5 (20%)</td> </tr> </tbody> </table> <p>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</p> <p>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</p>	Type of car park	Length of ramp	Maximum grade	Public car parks	20 metres or less	1:5 (20%)	longer than 20 metres	1:6 (16.7%)	Private or residential car parks	20 metres or less	1:4 (25%)	longer than 20 metres	1:5 (20%)
Type of car park	Length of ramp	Maximum grade												
Public car parks	20 metres or less	1:5 (20%)												
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2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)

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

Design standard 5: Urban design	<p>Ground level car parking, garage doors and accessways must not visually dominate public space.</p>	<p>✓ Standard met The car parking would not dominate the street.</p>
	<p>Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.</p>	<p>✓ Standard met Car parking is integrated with the design of the buildings and would not be visually dominating.</p>
	<p>Design of car parks must take into account their use as entry points to the site.</p>	<p>✓ Standard met Proposed car parks are appropriate.</p>
	<p>Design of new internal streets in developments must maximise on street parking opportunities.</p>	<p>✓ Standard met</p>

Design standard 6: Safety	<p>Car parking must be well lit and clearly signed.</p>	<p>✓ Standard met Security lighting provided</p>
	<p>The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.</p>	<p>✓ Standard met 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>
	<p>Pedestrian access to car parking areas from the street must be convenient.</p>	<p>✓ Standard met Access to the car parking areas would be convenient from the street.</p>
	<p>Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.</p>	<p>✓ Standard met 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.)

Design standard 7: Landscaping	The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.	<p>✓ Standard met 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>✓ Standard met</p>
	Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.	<p>✓ Standard met</p>

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

Standard B1	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"> • The land is within a General Residential Zone. • Existing buildings on the site and neighbouring lots are double storey
Decision Guidelines	<p>The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.</p> <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>✓ Standard met</p> <p>The proposal is considered appropriate to the existing and preferred neighbourhood character of the area as mentioned above.</p>
Objectives	<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>✓ Objective met</p>

Clause 55.02-2 Residential policy objectives

Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the 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>
Decision Guidelines	<p>The SPPF and the LPPF including the MSS and local planning policies.</p> <p>The design response.</p>	
Objectives	<p>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> <p>To support medium densities in areas where development can take advantage of public and community infrastructure and services.</p>	<p>✓ Objective met</p>

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	
Standard B3	<p>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.
Objective	<p>To encourage a range of dwellings sizes and types in developments of ten or more dwellings.</p>
	<p>✓ Standard met N/A</p> <p>✓ Objective met</p>
Clause 55.02-4 Infrastructure objectives	
Standard B4	<p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p> <p>The capacity of the existing infrastructure.</p> <p>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.</p> <p>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.</p>
Decision Guidelines	<p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>
Objectives	<p>Site is located in an established residential area</p> <p>The proposal would provide landscaping to assist with water runoff as to not overload the existing infrastructure.</p> <p>No upgrading to services required</p>
	<p>✓ Standard met Site is located in an established residential area</p> <p>✓ Standard met The proposal would provide landscaping to assist with water runoff as to not overload the existing infrastructure.</p> <p>✓ Standard met No upgrading to services required</p> <p>✓ Objective met</p>
Clause 55.02-5 Integration with the street objective	
Standard B5	<p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p>
	<p>✓ Standard met The development would have adequate link between the car spaces and buildings.</p>

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.	✓ Standard met 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 No front fence
	Development next to existing public open space should be laid out to complement the open space.	N/A
Decision Guidelines	Any relevant urban design objective, policy or statement set out in this scheme. The design response.	
Objective	To integrate the layout of development with the street.	✓ Objective met

Clause 55.03-1 Street setback objective

Standard B6	Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone: RGZ: 5 metres or as per Table B1, whichever is the lesser. GRZ: 7.5 metres or as per Table B1, whichever is the lesser. NRZ: As per Table B1.	✓ Standard met N/A no change												
<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 the site and the abutting buildings 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 abutting buildings on the abutting side of the 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 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 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 the site and the abutting buildings facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the abutting buildings on the abutting side of the 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 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 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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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												

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 abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</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>Front walls of new development, fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</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>Decision Guidelines</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>Objective</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>Clause 55.03-2 Building height objective</p>			
<p>Standard B7</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 <u>discretionary</u> maximum (refer Clause 32.07-8 for details)</p> <p>GRZ: 11 metres / 3 storeys <u>mandatory</u> maximum (refer Clause 32.08-9)</p> <p>NRZ: 9 metres / 2 storeys <u>mandatory</u> maximum (refer Clause 32.09-9)</p>		<p>✓ Standard met Maximum height 7.47m</p>

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>Decision Guidelines</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</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>Objective</p>		<p>✓ Objective met</p>

Clause 55.03-3 Site coverage objective

<p>Standard B8</p>	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p>RGZ1: 70% RGZ2: 70% RGZ3: 70% GRZ1: 60% (none specified) GRZ2: 60% (none specified) NRZ1: 50%</p>	<p>✓ Standard met</p> <p>Proposed site coverage is 39.34%</p>
<p>Decision Guidelines</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>	
Objective	<p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p>✓ Objective met</p>
<p>Clause 55.03-4 Permeability objectives</p>		
Standard B9	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> The minimum areas specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p><u>RGZ1</u>: 20% <u>RGZ2</u>: 20% (none specified) <u>RGZ3</u>: 20% (none specified) <u>GRZ1</u>: 30% <u>GRZ2</u>: 20% (none specified) <u>NRZ1</u>: 40%</p>	<p>✓ Standard met Proposed permeability is 37.29%</p>
Decision Guidelines	<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>	
Objectives	<p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>	<p>✓ Objective met</p>

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>Standard B10</p>	<p>Buildings should be:</p> <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. • 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. 	<p>✓ Standard met 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>✓ Standard met The proposed secluded private open spaces and living areas would have appropriate solar access.</p>
<p>Decision Guidelines</p>	<p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p>✓ Standard met</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>Objectives</p>	<p>To achieve and protect energy efficient dwellings and residential buildings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p>✓ Objective met</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

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

Clause 55.03-7 Safety objective

Standard B12	Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares. The design response.	<p>✓ Standard met Entrances are visible from the street/ shared driveway.</p> <p>✓ Standard met Planting along accessways would not reduce visibility.</p> <p>✓ Standard met Security lighting provided</p> <p>✓ Standard met</p>
Decision Guidelines	To ensure the layout of development provides for the safety and security of residents and property.	✓ Objective met

ORDINARY COUNCIL MEETING - MINUTES

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

Clause 55.03-8 Landscaping objectives

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

Objectives	<p>Whether a tree was removed to gain a development advantage.</p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>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		
Standard B14	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	<p>✓ Standard met No change to the existing number of crossovers provided to the site proposed.</p> <p>✓ Standard met</p> <p>✓ Standard met On street parking is not impacted.</p> <p>N/A</p> <p>✓ Standard met The proposed accessway is adequate in size for service, emergency and delivery vehicles.</p>
Decision Guidelines	<p>The design response.</p> <p>The impact on neighbourhood character.</p> <p>The reduction of on-street car parking spaces.</p> <p>The effect on any significant vegetation on the site and footpath.</p>	
Objectives	<p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	<p>✓ Objective met</p>

ORDINARY COUNCIL MEETING - MINUTES

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

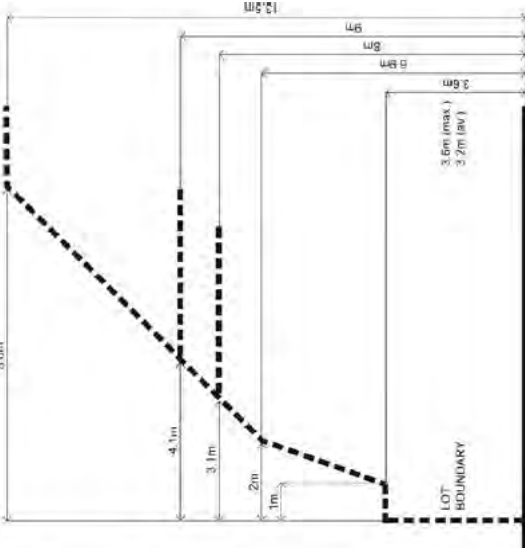
Clause 55.03-10 Parking location objectives

<p>Standard B15</p>	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p>✓ Standard met Parking spaces are located adjacent to the entries.</p> <p>✓ Standard met</p>
<p>Decision Guidelines</p>	<p>The design response.</p>	
<p>Objectives</p>	<p>To provide convenient parking for residents and visitors vehicles. To protect residents from vehicular noise within developments.</p>	<p>✓ Objective met</p>

Clause 55.04-1 Side and rear setbacks objective

<p>Standard B17</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"> • At least the distance specified in a schedule to the zone, or 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." • If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. 	<p>✓ Standard met All side and rear setbacks comply with the standards.</p>
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2.2.4 Town Planning Application - No. 94 Langhorne Street, Dandenong (Planning Application No. PLN20/0275) (Cont.)

<p>Diagram B1 Side and rear setbacks</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 There are no encroachments more than 0.5m into the setback area.</p> <p>✓ Standard met There are no landings that encroach into the setback standard more than 2sqm and 1m high.</p>
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</p> <p>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</p> <p>Whether the wall abuts a side or rear lane.</p>	

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

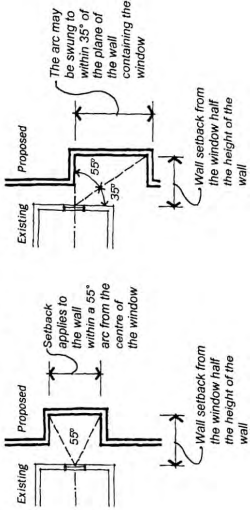
Objectives	To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	✓ Objective met
Clause 55.04-2 Walls on boundaries objective		
Standard B18	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> • For a length of more than the distance specified in the schedule to the zone; or • If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property.</p>	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
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The extent to which walls on boundaries are part of the neighbourhood character.</p> <p>The impact on the amenity of existing dwellings.</p> <p>The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.</p>	

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>
Objectives	<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>

✓ **Objective met**

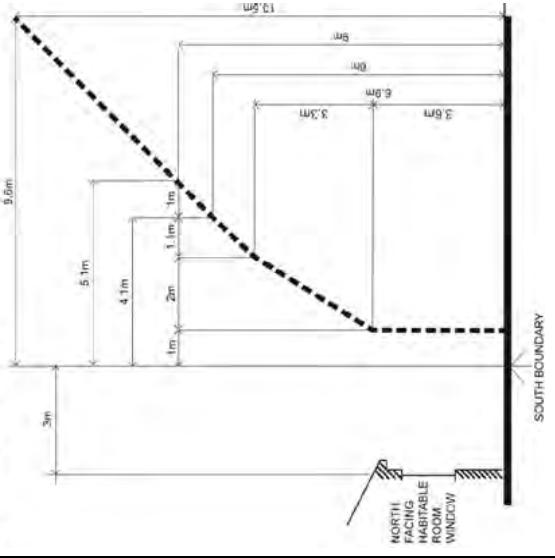
Clause 55.04-3 Daylight to existing windows objective

Standard B19	<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>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>
Decision	<p>The design response.</p>

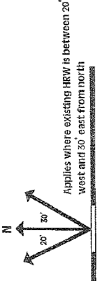
✓ **Standard met**
 Light courts of habitable room windows on the adjoining properties would not be impacted by the proposal.

✓ **Standard met**
 Existing habitable room windows on adjoining properties would not be impacted by the proposal.

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

<p>Guidelines</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. The impact on the amenity of existing dwellings.</p>	
<p>Objective</p>	<p>To allow adequate daylight into existing habitable room windows.</p>	<p>✓ Objective met</p>
<p>Clause 55.04-4 North-facing windows objective</p>		
<p>Standard B20</p>	<p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.</p>	<p>✓ Standard met 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>Diagram B3 North-facing windows</p>  <p>Diagram B3 North-facing windows</p> <p>The diagram illustrates the required setbacks for a north-facing habitable room window from a south boundary. A dashed line indicates the window's edge. The setbacks from the boundary are 1m, 2m, 4.1m, 5.1m, and 9.6m. The window widths are 3.3m, 5.6m, 6.6m, and 13.6m. A north-facing habitable room window is shown with a 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>	

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

		
Decision Guidelines	<p>The design response.</p> <p>Existing sunlight to the north-facing habitable room window of the existing dwelling.</p> <p>The impact on the amenity of existing dwellings.</p>	
Objective	<p>To allow adequate solar access to existing north-facing habitable room windows.</p>	<p>✓ Objective met</p>

Clause 55.04-5 Overshadowing open space objective

Standard B21	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.</p>	<p>✓ 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>
Decision Guidelines	<p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p> <p>The design response.</p> <p>The impact on the amenity of existing dwellings.</p> <p>Existing sunlight penetration to the secluded private open space of the existing dwelling.</p> <p>The time of day that sunlight will be available to the secluded private open space of the existing dwelling.</p> <p>The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</p>	<p>✓ Standard met</p>
Objective	<p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>✓ Objective met</p>

Clause 55.04-6 Overlooking objective

Standard B22	<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>✓ Standard met</p> <p>Privacy screens provided to the first floor bedroom windows.</p>
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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>Diagram B4 Overlooking open space</p>	<p>No other overlooking 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"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. • Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. • Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent 	<p>✓ Standard met</p>	
	<p>✓ Standard met</p>	
	<p>N/A</p>	

ORDINARY COUNCIL MEETING - MINUTES

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"> • Permanent, fixed and durable. • Designed and coloured to blend in with the development. <p>The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	<p>✓ Standard met</p>
Decision Guidelines	The design response.	
	The impact on the amenity of the secluded private open space or habitable room window.	
	The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.	
Objective	The internal daylight to and amenity of the proposed dwelling or residential building.	
	To limit views into existing secluded private open space and habitable room windows.	<p>✓ Objective met</p>

Clause 55.04-7 Internal views objective

Standard B23	<p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</p>	<p>✓ Standard met</p>
Decision Guidelines	The design response.	
	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	<p>✓ Objective met</p>

Clause 55.04-8 Noise impacts objectives

Standard B24	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.	<p>✓ Standard met No noise sources apparent.</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>✓ Standard met No noise sources apparent.</p>

ORDINARY COUNCIL MEETING - MINUTES

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
Decision Guidelines	The design response.	
Objectives	To contain noise sources within development that may affect existing dwellings. To protect residents from external noise.	✓ Objective met
Clause 55.05-1 Accessibility objective		
Standard B25	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	✓ Standard met The floor levels proposed are not excessive high and could be accessible to people with limited mobility.
Objective	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		
Standard B26	Entries to dwellings and residential buildings should: <ul style="list-style-type: none"> • Be visible and easily identifiable from streets and other public areas. • Provide shelter, a sense of personal address and a transitional space around the entry. 	✓ Standard met Entries would be visible from the street/ shared driveway.
Objective	To provide each dwelling or residential building with its own sense of identity.	✓ Objective met
Clause 55.05-3 Daylight to new windows objective		
Standard B27	A window in a habitable room should be located to face: <ul style="list-style-type: none"> • An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or • A verandah provided it is open for at least on third of its perimeter, or • A carport provided it has two or more open sides and is open for at least on third of its perimeter. 	✓ Standard met Each habitable room window would face an outdoor space.
Decision	The design response.	

ORDINARY COUNCIL MEETING - MINUTES

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

Guidelines	Whether there are other windows in the habitable room which have access to daylight.	
Objective	To allow adequate daylight into new habitable room windows.	✓ Objective met
Clause 55.05-4 Private open space objective		
Standard B28	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>GRZ1: <i>“An area of 50 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres and a minimum dimension of 5 metres and convenient access from a living room; or</i></p> <p><i>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area.”</i></p>	<p>✓ Standard met</p> <p>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. Rooming house 2: Total approx. 93sqm SPOS with 39.07sqm having a min dimension of 5m. 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"> • An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or • A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or • A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>	N/A
Decision Guidelines	<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>Objective</p>	<p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p>✓ Objective met 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>Clause 55.05-5 Solar access to open space objective</p>		
<p>Standard B29</p>	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p>	<p>✓ Standard met 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 $(2 + 0.9h)$ metres, where 'h' is the height of the wall. Diagram B5 Solar access to open space</p>		<p>✓ Standard met</p>
<p>Decision Guidelines</p>	<p>The design response. 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.)

Objective	To allow solar access into the secluded private open space of new dwellings and residential buildings.	✓ Objective met
Clause 55.05-6 Storage objective		
Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	✓ Standard met Storage areas provided.
Objective	To provide adequate storage facilities for each dwelling.	✓ Objective met
Clause 55.06-1 Design detail objective		
Standard B31	<p>The design of buildings, including:</p> <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, <p>should respect the existing or preferred neighbourhood character. 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>✓ Standard met</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>✓ Standard met</p>
Decision Guidelines		
Objective	To encourage design detail that respects the existing or preferred neighbourhood character.	✓ Objective met
Clause 55.06-2 Front fences objective		
Standard B32	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

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"> The maximum height specified in a schedule to the zone, or <p>All schedules to all residential zones:</p> <p>"Maximum 1.5 metre height in streets in Road Zone Category 1</p> <p>1.2 metre maximum height for other streets"</p> <ul style="list-style-type: none"> If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table border="1" data-bbox="424 1055 512 1626"> <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	N/A
Street Context	Maximum front fence height							
Streets in a Road Zone, Category 1	2 metres							
Other streets	1.5 metres							
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The 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>Objective</p>		<p>✓ Objective met</p>						
<p>Clause 55.06-3 Common property objectives</p>								
<p>Standard B33</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>✓ Standard met Appropriate fencing has been including to delineate private areas.</p> <p>✓ Standard met</p>						
<p>Objectives</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>✓ Objective met</p>						

ORDINARY COUNCIL MEETING - MINUTES

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

Clause 55.06-4 Site services objectives

<p>Standard B34</p>	<p>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</p>	<p>✓ Standard met with conditions 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>
	<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>✓ Standard met Mailboxes have been annotated.</p>
	<p>Bin and recycling enclosures should be located for convenient access by residents.</p>	<p>✓ Standard met The buildings have access to the street from the bin storage area.</p>
	<p>Mailboxes should be provided and located for convenient access as required by Australia Post.</p>	<p>✓ Standard met Mailboxes have been annotated along the front boundary and would be easily accessible by Australia Post.</p>
<p>Decision Guidelines</p>	<p>The design response.</p>	
<p>Objectives</p>	<p>To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive.</p>	<p>✓ Objective met</p>

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 Location of objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

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

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.

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.

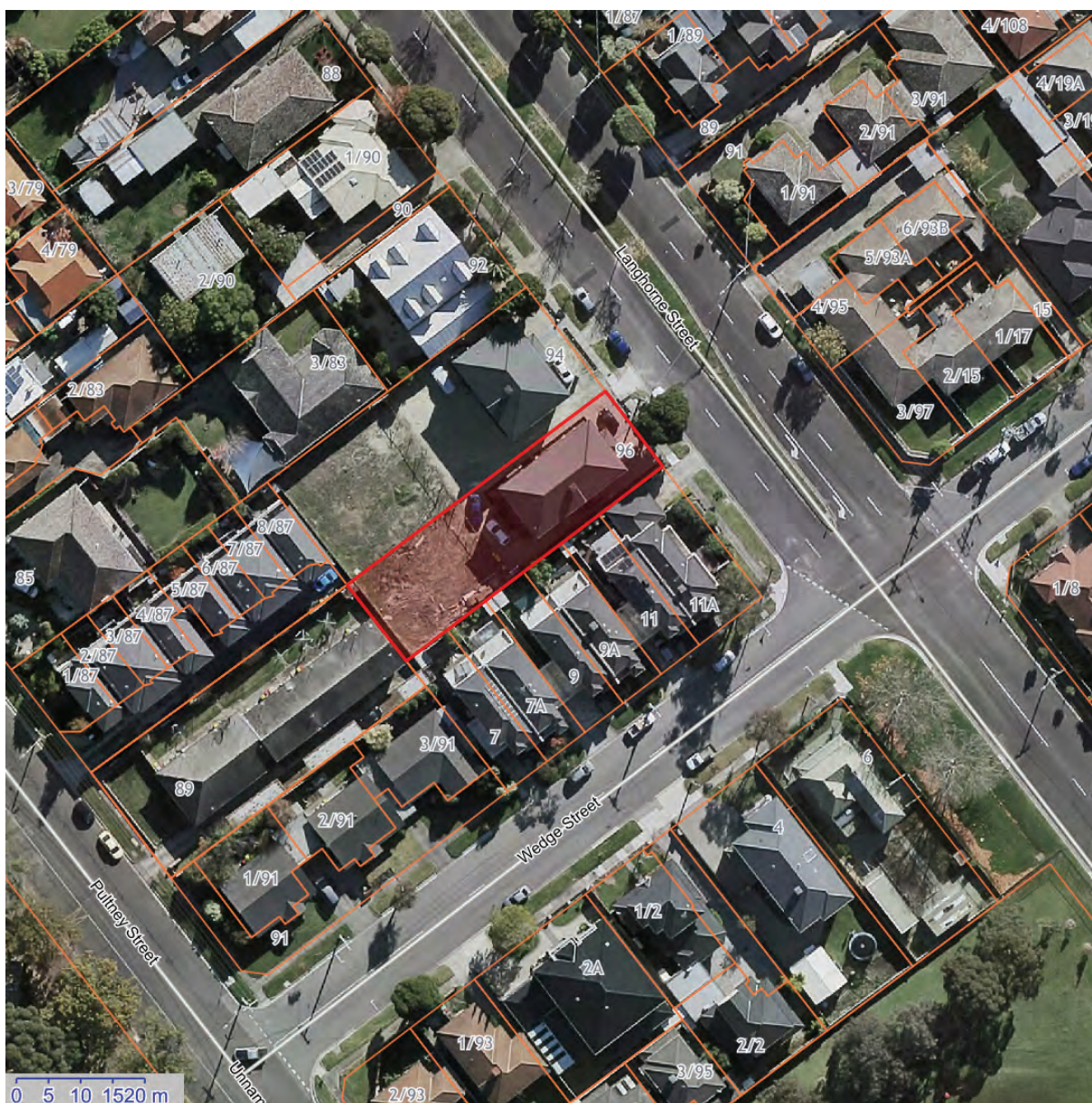
Surrounding Area

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.

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.

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.

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.

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

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.*

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

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.

Department	Response
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.

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">• <i>There is a large need in the municipality for quality affordable single room accommodation and a compliant well-managed rooming house addresses the shortage of affordable accommodation options for those with limited income.</i>

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.

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).

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.

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

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;

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.

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.

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:

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**

MINUTE 114

Moved by: Cr Rhonda Garad
Seconded by: Cr Eden Foster

That Council resolves to Refuse to grant a planning permit in respect of the land known as and described as 96 Langhorne Street Dandenong for the use and development of the land for a rooming house (one (1) new rooming house to the rear of an existing rooming house), on the following grounds:

1. **the proposal would be an overdevelopment of the site;**
2. **the intensity of the proposal is considered to be unacceptable in the context of this site and the surrounding area;**

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

3. the proposal would have an unacceptable impact on the level of amenity for neighbouring residents, including an increase in anti-social behaviour;
4. the proposal would provide an unacceptable level of internal amenity for residents;
5. the proposal would increase car parking congestion; with insufficient onsite car parking provided; and
6. the proposal would not contribute to the orderly planning of the area pursuant to Clause 65 of the Greater Dandenong Planning Scheme.

CARRIED

For the Motion: Cr Tim Dark, Cr Eden Foster, Cr Rhonda Garad, Cr Richard Lim, Cr Angela Long, Cr Jim Memeti, Cr Sophie Tan, Cr Loi Truong.

Against the Motion: Cr Bob Milkovic, Cr Lana Formoso, Cr Sean O'Reilly.

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)**

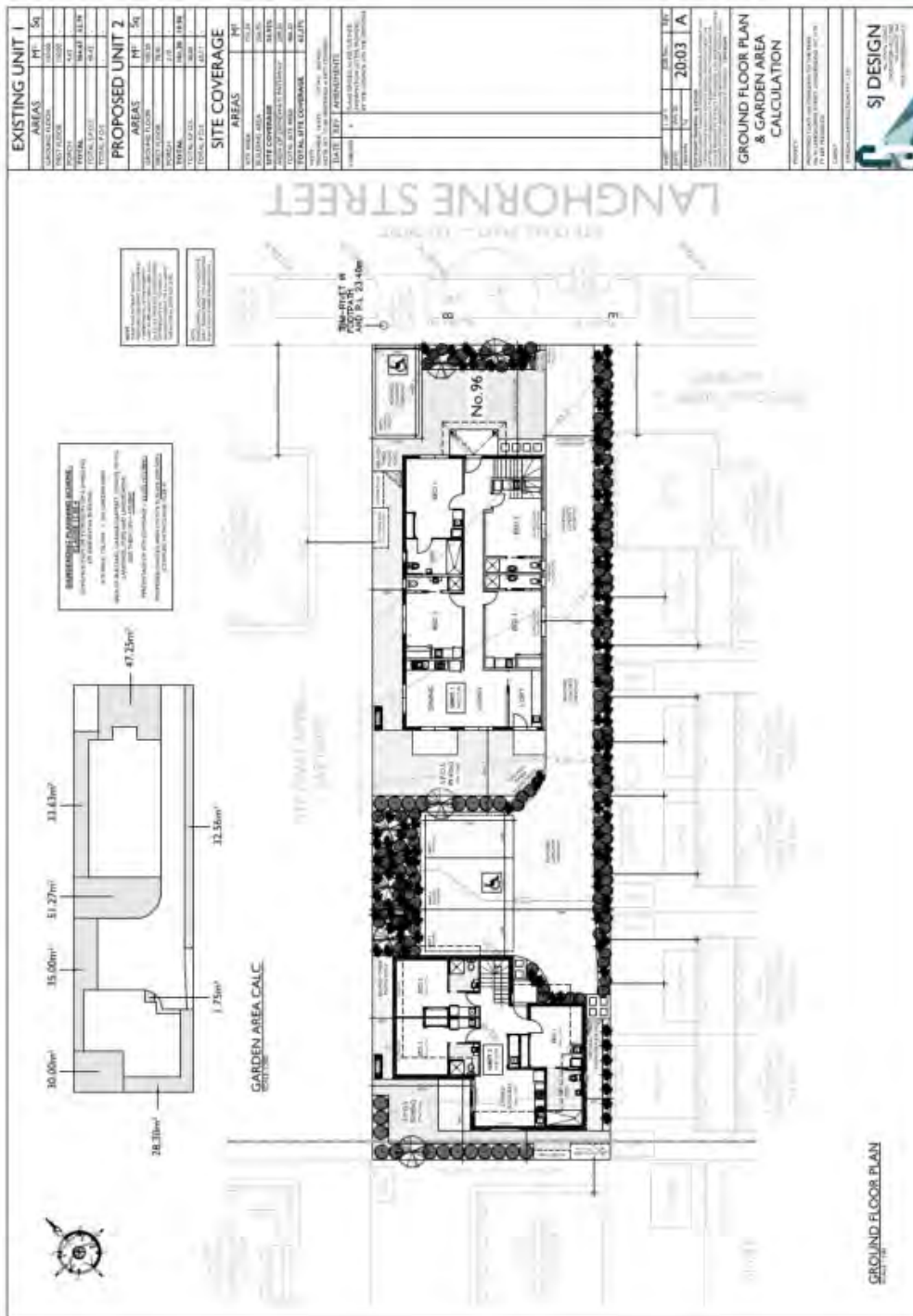
ATTACHMENT 1

ASSESSED PLANS

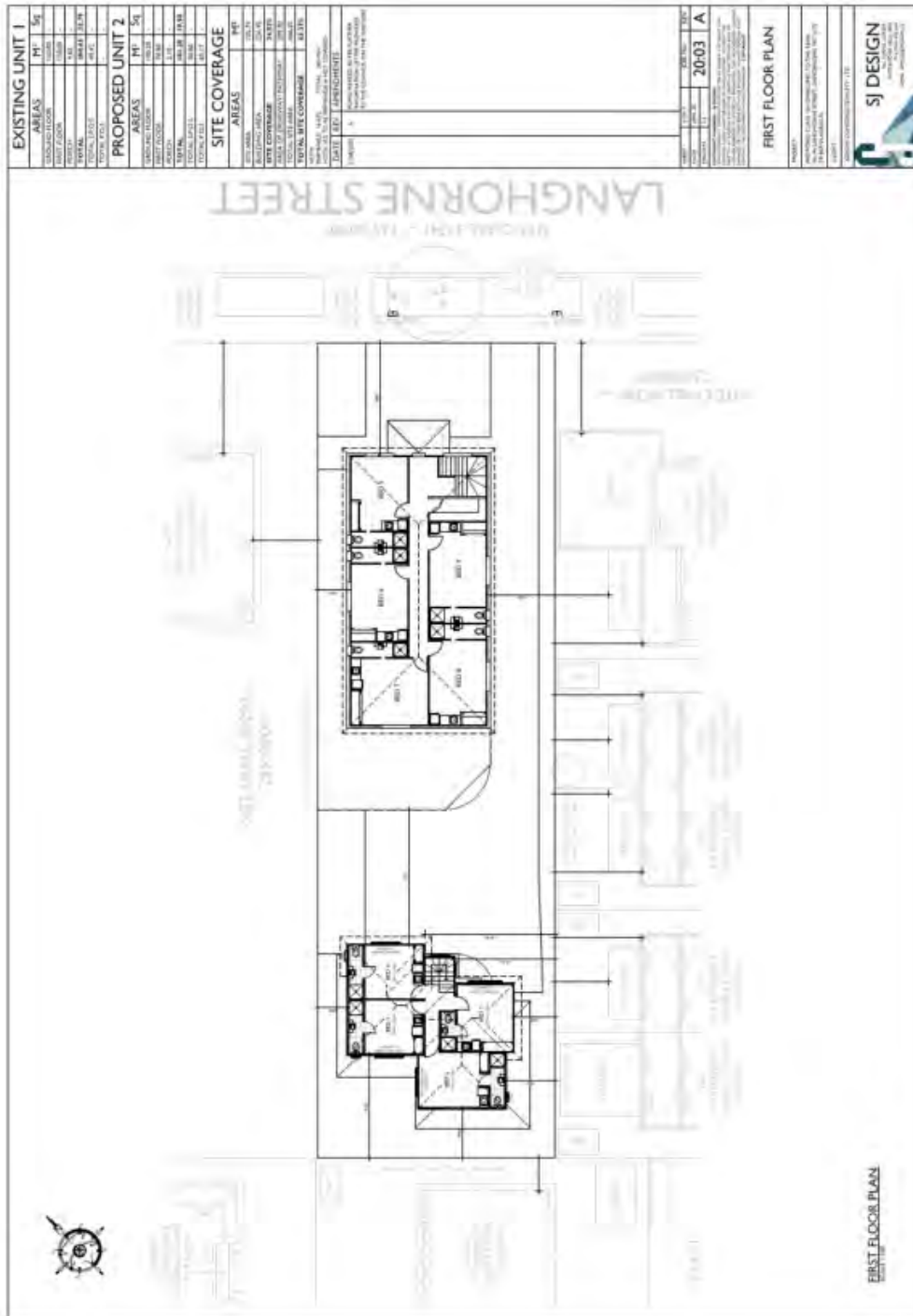
PAGES 9 (including cover)

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 ²	M ²	M ²
RESIDENTIAL FLOOR	100.00	100.00	100.00
ROOF FLOOR	0.00	0.00	0.00
STAIRS	0.00	0.00	0.00
TOTAL	100.00	100.00	100.00
TOTAL FLOOR	100.00	100.00	100.00
TOTAL ROOF	0.00	0.00	0.00
TOTAL AREA	100.00	100.00	100.00

SITE COVERAGE	
AREAS	M ²
RESIDENTIAL FLOOR	100.00
ROOF FLOOR	0.00
STAIRS	0.00
TOTAL	100.00
TOTAL FLOOR	100.00
TOTAL ROOF	0.00
TOTAL AREA	100.00

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

ORDINARY COUNCIL MEETING - MINUTES

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

BUILDING MATERIAL & FINISHES SCHEDULE	UNIT 107 - ASSIGNMENT	DATE	20-03	REV	A
UNPAVED GROUND WALL	UNIT 107 - ASSIGNMENT	ELEVATIONS			
PAVED GROUND WALL	UNIT 107 - ASSIGNMENT	SJ DESIGN			
CONCRETE WALL	UNIT 107 - ASSIGNMENT	SJ DESIGN			
BRICK WALL	UNIT 107 - ASSIGNMENT	SJ DESIGN			
GLAZED WALL	UNIT 107 - ASSIGNMENT	SJ DESIGN			
ROOF	UNIT 107 - ASSIGNMENT	SJ DESIGN			
CEILING	UNIT 107 - ASSIGNMENT	SJ DESIGN			
FLOOR	UNIT 107 - ASSIGNMENT	SJ DESIGN			
WALL FINISH	UNIT 107 - ASSIGNMENT	SJ DESIGN			
ROOF FINISH	UNIT 107 - ASSIGNMENT	SJ DESIGN			
CEILING FINISH	UNIT 107 - ASSIGNMENT	SJ DESIGN			
FLOOR FINISH	UNIT 107 - ASSIGNMENT	SJ DESIGN			
WALL COLOUR	UNIT 107 - ASSIGNMENT	SJ DESIGN			
ROOF COLOUR	UNIT 107 - ASSIGNMENT	SJ DESIGN			
CEILING COLOUR	UNIT 107 - ASSIGNMENT	SJ DESIGN			
FLOOR COLOUR	UNIT 107 - ASSIGNMENT	SJ DESIGN			
WALL MATERIAL	UNIT 107 - ASSIGNMENT	SJ DESIGN			
ROOF MATERIAL	UNIT 107 - ASSIGNMENT	SJ DESIGN			
CEILING MATERIAL	UNIT 107 - ASSIGNMENT	SJ DESIGN			
FLOOR MATERIAL	UNIT 107 - ASSIGNMENT	SJ DESIGN			

NORTH - EASTERN ELEVATION OF UNIT 2

SOUTH - WESTERN ELEVATION OF UNIT 2

NORTH - EASTERN ELEVATION OF UNIT 1

SOUTH - WESTERN ELEVATION OF UNIT 1

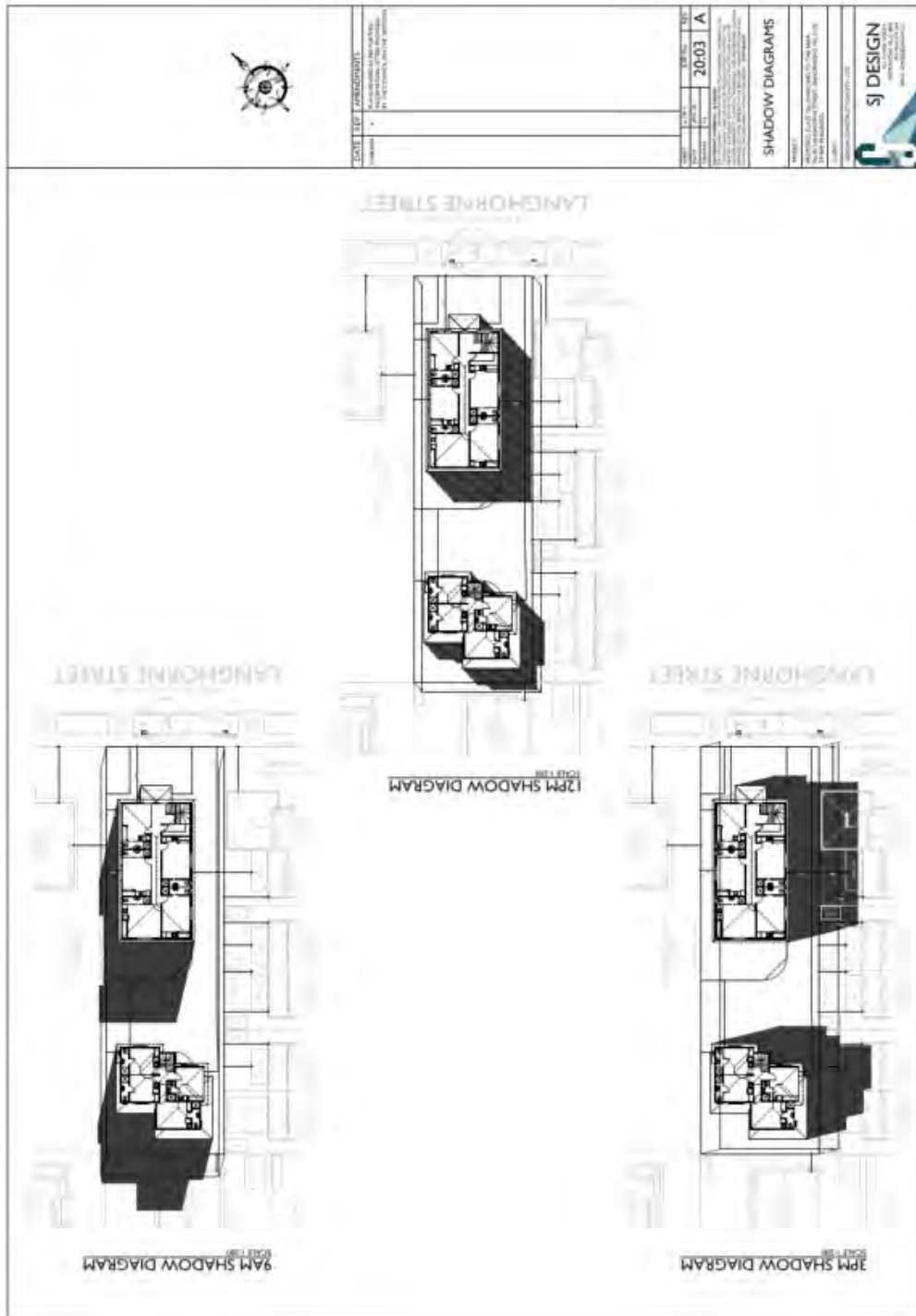
NORTH - WESTERN ELEVATION OF UNITS 1 & 2

SOUTH - EASTERN ELEVATION OF UNITS 1 & 2

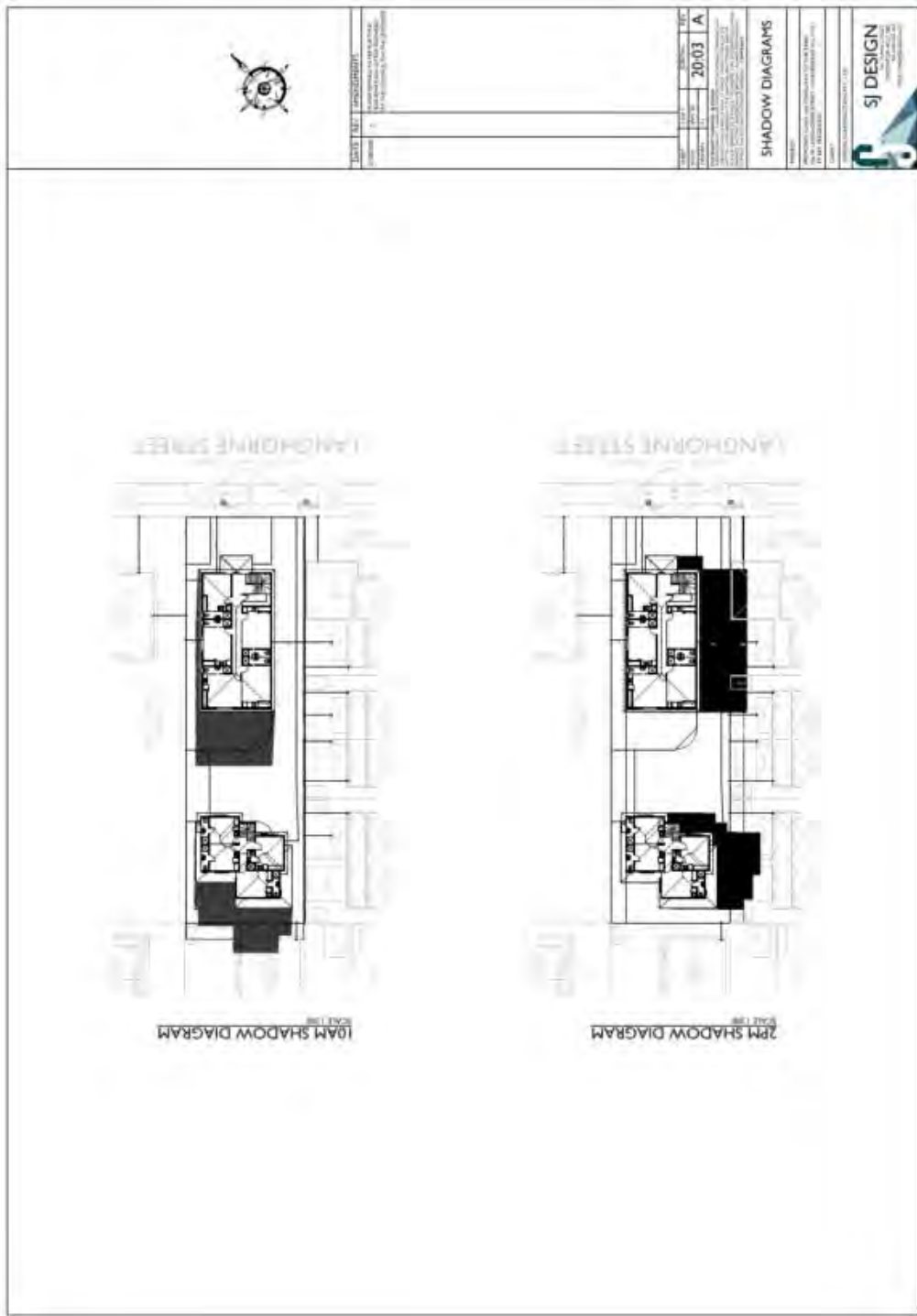
NORTH - EASTERN ELEVATION OF UNIT 3

SOUTH - WESTERN ELEVATION OF UNIT 3

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.)

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.

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)**

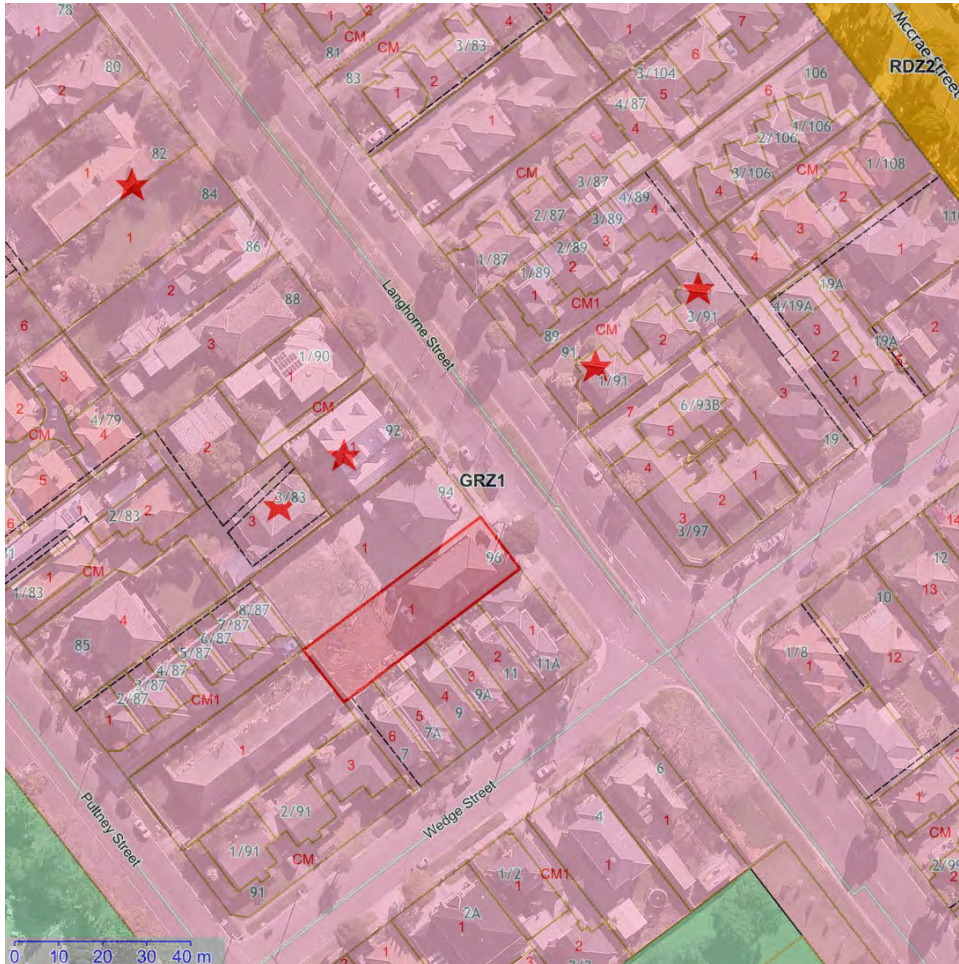
ATTACHMENT 2



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.

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

Safety	To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that.	
	Incorporate active frontages including ground floor habitable room windows.	<p>✓ Principle met 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>✓ Principle met The proposed buildings front the street and shared driveway.</p>
	Use semi-transparent fences to the street frontage.	<p>✓ Principle met No front fence is proposed.</p>
	Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.	<p>✓ Principle met with condition Permit conditions can ensure security lighting is provided</p>
	Ensure that all main entrances are visible and easily identifiable from the street.	<p>✓ Principle met Entrances face the street/ driveway.</p>
Landscaping	Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.	<p>✓ Principle met</p>
	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>✓ Principle met The landscape plan can be endorsed</p>
	Provide substantial, high quality landscaping along vehicular accessways.	<p>✓ Principle met The landscape plan can be endorsed</p>

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

ORDINARY COUNCIL MEETING - MINUTES

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>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met No significant vegetation on site.</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p> <p>✓ Principle met The landscape plan can be endorsed</p>
<p>Car parking</p>	<p>The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.</p> <p>On-site car parking should be:</p> <ul style="list-style-type: none"> • Well integrated into the design of the building, • Generally hidden from view or appropriately screened where necessary, • Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. 	<p>✓ Principle met No increase to the number of existing crossovers/ change to on street parking</p> <p>✓ Principle met 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 - MINUTES

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"> Fully located within the site boundary; and Capable of fully accommodating a vehicle between a garage or carport and the site boundary. <p>Developments with basement car parking should consider flooding concerns where applicable.</p>	<p>✓ Principle met</p> <p>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>✓ Principle met No change to existing</p> <p>✓ Principle met</p> <p>✓ Principle met Setbacks would allow for tree planning.</p> <p>✓ Principle met 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>✓ Principle met Quality useable private open space is provided</p> <p>✓ Principle met Garden areas shown show that SPOS is a usable space for domestic services and outdoor furniture</p> <p>✓ Principle met Secluded private open spaces would be orientated to achieve ample solar access.</p> <p>✓ Principle met Upper levels would not encroach over ground floor open spaces</p> <p>✓ Principle met 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 - MINUTES

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"> Using similarly proportioned roof forms, windows, doors and verandahs; and Maintaining the proportion of wall space to windows and door openings. 	<p>✓ Principle met 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>✓ Principle met 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"> The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or The retention of the existing dwelling detracts from the identified future character. 	<p>N/A</p>
	<p>On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:</p> <ul style="list-style-type: none"> Not exceeding the height of the neighbouring significant building; Minimising the visibility of higher sections of the new building; and Setting higher sections back at least the depth of one room from the frontage. 	<p>N/A 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>✓ Principle met Design is responsive to abutting lots.</p> <p>✓ Principle met Large windows are proposed to enable thermal performance and lessen reliance on artificial heating and cooling</p>

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

ORDINARY COUNCIL MEETING - MINUTES

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>✓ Principle met</p> <p>✓ Principle met</p> <p>✓ Principle met Storage areas are provided.</p> <p>✓ Principle met The site is well placed within proximity to public transport.</p> <p>✓ Principle met 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>✓ Principle met Materials are suited to residential developments.</p> <p>✓ Principle met A mix of materials, finishes and articulates are proposed</p> <p>✓ Principle met The colour palette is of a consistent simple nature</p> <p>✓ Principle met The materials chosen are durable</p> <p>✓ Principle met</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"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	<p>✓ Principle met</p>
Internal Amenity	Residential development should:	
	Ensure that dwelling layouts have connectivity between the main living area and private open space.	<p>✓ Principle met</p>
	Be designed to avoid reliance on borrowed light to habitable rooms.	<p>✓ Principle met 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>✓ Principle met</p>
	Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 & 7, 55.05-3, 4 & 5.	<p>✓ Principle met</p>

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

Preferred housing type	The preferred housing type for the Incremental Change Area is medium density.	<p>✓ Principle met The proposal is for rooming houses.</p>
Building Height	The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.	<p>✓ Principle met The proposed development is 2 storey.</p>
Landscaping	Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties	<p>✓ Principle met A landscaping plan can be endorsed. Sufficient areas for landscaping provided on site.</p>
Setbacks, front boundary and width	Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.	<p>✓ Principle met</p>

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

ORDINARY COUNCIL MEETING - MINUTES

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

Private open space	Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.	<p>✓ Principle met Each building is provided with SPOS areas.</p>
Bulk & Built Form	<p>Residential development should:</p> <p>Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;</p> <p>Provide separation between dwellings at the upper level;</p> <p>Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;</p> <p>Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.</p>	<p>✓ Principle met The design of the development is well articulated and landscaping can include canopy trees at the front, side and rear of the site.</p> <p>✓ Principle met Upper levels separation is provided.</p> <p>✓ Principle met 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>✓ Principle met 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 - MINUTES

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"> • The visual impact of the building bulk does not adversely affect the identified future character of the area; • Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties; • The building bulk does not adversely affect the planting and future growth of canopy trees to maturity; • Sufficient side and rear boundary landscaping can be provided to screen adjoining properties; • Upper storey components are well recessed from adjoining sensitive interfaces. <p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>	<p>✓ Principle met</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>✓ Principle met</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.

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>Design standard 1 - Accessways</p>	<p>Accessways must:</p> <ul style="list-style-type: none"> • Be at least 3 metres wide. 	<p>✓ Standard met Both accessways are 3m wide.</p>
	<ul style="list-style-type: none"> • Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. 	<p>✓ Standard met</p>
	<ul style="list-style-type: none"> • 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. 	<p>N/A</p>
	<ul style="list-style-type: none"> • Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres. 	<p>N/A</p>
	<ul style="list-style-type: none"> • 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. 	<p>✓ Standard met</p>
	<ul style="list-style-type: none"> • Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in Road Zone. 	<p>N/A</p>
	<ul style="list-style-type: none"> • Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height. 	<p>✓ Standard met 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>Design standard 2 – Car parking spaces</p>	<p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p>Table 2: Minimum dimensions of car parking spaces and accessways</p> <table border="1" data-bbox="459 1061 699 1626"> <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																															

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

	<p>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:</p> <ul style="list-style-type: none"> • A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1. • A structure, which may project into the space if it is at least 2.1 metres above the space. <p>Diagram 1 Clearance to car parking spaces</p>	<p>✓ Standard met</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>

ORDINARY COUNCIL MEETING - MINUTES

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

<p>Design standard 3: Gradients</p>	<p>Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.</p> <p>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</p> <p>Table 3: Ramp gradients</p> <table border="1" 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>Public car parks</td> <td>20 metres or less longer than 20 metres</td> <td>1:5 (20%) 1:6 (16.7%)</td> </tr> <tr> <td>Private or residential car parks</td> <td>20 metres or less longer than 20 metres</td> <td>1:4 (25%) 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 longer than 20 metres	1:5 (20%) 1:6 (16.7%)	Private or residential car parks	20 metres or less longer than 20 metres	1:4 (25%) 1:5 (20%)	<p>✓ Standard met</p>
Type of car park	Length of ramp	Maximum grade									
Public car parks	20 metres or less longer than 20 metres	1:5 (20%) 1:6 (16.7%)									
Private or residential car parks	20 metres or less longer than 20 metres	1:4 (25%) 1:5 (20%)									
		<p>N/A</p>									
<p>Design standard 4: Mechanical parking</p>	<p>Mechanical parking may be used to meet the car parking requirement provided:</p> <ul style="list-style-type: none"> At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres. Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation. The design and operation is to the satisfaction of the responsible authority. 	<p>N/A</p>									

ORDINARY COUNCIL MEETING - MINUTES

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

Design standard 5: Urban design	Ground level car parking, garage doors and accessways must not visually dominate public space.	<p>✓ Standard met 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>✓ Standard met 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>✓ Standard met Proposed car parks are appropriate.</p>
	Design of new internal streets in developments must maximise on street parking opportunities.	<p>✓ Standard met</p>

Design standard 6: Safety	Car parking must be well lit and clearly signed.	<p>✓ Standard met Security lighting provided</p>
	The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.	<p>✓ Standard met 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>✓ Standard met 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>✓ Standard met Entries are clearly visible and separated from the driveway.</p>

Design standard 7: Landscaping	The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.	<p>✓ Standard met 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>✓ Standard met</p>
	Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.	<p>✓ Standard met</p>

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

Standard B1	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"> • The land is within a General Residential Zone. • Existing buildings on the site and neighbouring lots are double storey
	The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.	✓ Standard met
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	The proposal is considered appropriate to the existing and preferred neighbourhood character of the area as mentioned above.
	The neighbourhood and site description.	
	The design response.	
Objectives	To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.	✓ Objective met
	To ensure that development responds to the features of the site and the surrounding area.	

Clause 55.02-2 Residential policy objectives

Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the 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>
Decision Guidelines	The SPPF and the LPPF including the MSS and local planning policies.	
	The design response.	
Objectives	To ensure that residential development is provided in accordance with any policy for housing in the SFPF and the LPPF, including the MSS and local planning policies.	✓ Objective met
	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.

ORDINARY COUNCIL MEETING - MINUTES

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

Clause 55.02-3 Dwelling diversity objective

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

Clause 55.02-4 Infrastructure objectives

Standard B4	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available. Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads. In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	✓ Standard met Site is located in an established residential area ✓ Standard met The proposal would provide landscaping to assist with water runoff as to not overload the existing infrastructure. ✓ Standard met No upgrading to services required
Decision Guidelines	The capacity of the existing infrastructure. In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the SEPP (Waters of Victoria) under the EPA 1970. If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.	
Objectives	To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	✓ Objective met

Clause 55.02-5 Integration with the street objective

Standard B5	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	✓ Standard met The development would have adequate link between the car spaces and buildings.
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2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)

	Developments should be oriented to front existing and proposed streets.	✓ Standard met 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 No front fence
	Development next to existing public open space should be laid out to complement the open space.	N/A
Decision Guidelines	Any relevant urban design objective, policy or statement set out in this scheme. The design response.	
Objective	To integrate the layout of development with the street.	✓ Objective met

Clause 55.03-1 Street setback objective

Standard B6

Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone:
 RGZ: 5 metres or as per Table B1, whichever is the lesser.
 GRZ: 7.5 metres or as per Table B1, whichever is the lesser.
 NRZ: As per Table B1.

Table B1 Street setback

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable

✓ Standard met
N/A no change

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

	<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, 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 street, the setback of the front wall of the existing building on the abutting street or 4 metres, whichever is the lesser.</p>	
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>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>Objective</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>Clause 55.03-2 Building height objective</p>	<p>Standard B7</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) GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9) NRZ: 9 metres / 2 storeys mandatory maximum (refer Clause 32.09-9)</p>	<p>✓ Standard met Maximum height 7.61m</p>

ORDINARY COUNCIL MEETING - MINUTES

2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (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>Decision Guidelines</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 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>Objective</p>		<p>✓ Objective met</p>

Clause 55.03-3 Site coverage objective

<p>Standard B8</p>	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> • The maximum site coverage specified in a schedule to the zone, or • If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p>GRZ1: 60% (none specified)</p>	<p>✓ Standard met Proposed site coverage is 34.92%</p>
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development or the features of the site.</p> <p>The site coverage of adjacent properties</p>	

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.	
Objective	To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	✓ Objective met
Clause 55.03-4 Permeability objectives		
Standard B9	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> The minimum areas specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p>GRZ1: 30%</p> <p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development.</p> <p>The capacity of the drainage network to accommodate additional stormwater.</p> <p>The capacity of the site to absorb run-off.</p> <p>The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.</p>	<p>✓ Standard met</p> <p>Proposed permeability is 36.63%</p>
Decision Guidelines	<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
Objectives		
Clause 55.03-5 Energy efficiency objectives		
Standard B10	<p>Buildings should be:</p> <ul style="list-style-type: none"> Oriented to make appropriate use of solar energy. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. <p>Living areas and private open space should be located on the north side of the development, if practicable.</p>	<p>✓ Standard met</p> <p>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>

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

	Developments should be designed so that solar access to north-facing windows is maximised.	✓ Standard met
Decision Guidelines	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.	
Objectives	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

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

Standard B12	<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>✓ Standard met Entrances are visible from the street/ shared driveway.</p> <p>✓ Standard met Planting along accessways would not reduce visibility.</p> <p>✓ Standard met with conditions Security lighting can be provided with permit conditions</p>
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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
Decision Guidelines	The design response.	
Objectives	To ensure the layout of development provides for the safety and security of residents and property.	✓ Objective met
Clause 55.03-8 Landscaping objectives		
Standard B13	<p>The landscape layout and design should:</p> <ul style="list-style-type: none"> Protect any predominant landscape features of the neighbourhood. Take into account the soil type and drainage patterns of the site. Allow for intended vegetation growth and structural protection of buildings. In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. Provide a safe, attractive and functional environment for residents. Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood. <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 Landscape plan provided – no vegetation on site</p> <p>✓ Standard met Landscape plan provided – no vegetation on site</p> <p>✓ Standard met No significant trees removed in last 12mths</p> <p>✓ Standard met Landscape plan provided – no vegetation on site</p> <p>✓ Standard met Landscape plan provided – no vegetation on site</p>
Decision Guidelines		

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>	
Objectives	<p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p>✓ Objective met</p>

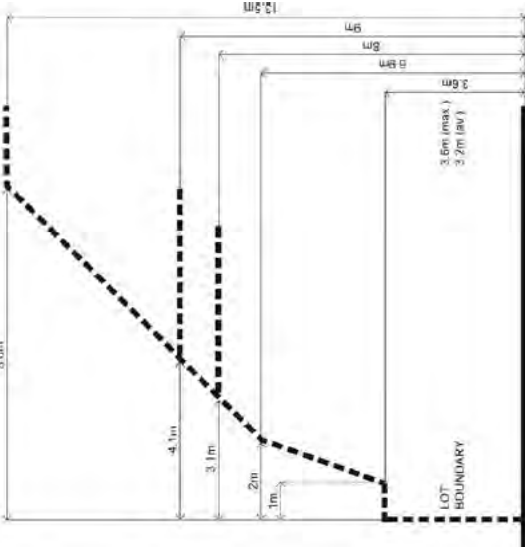
Clause 55.03-9 Access objective

Standard B14	<p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p>	<p>✓ 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>
Decision Guidelines	<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>	

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

Objectives	To ensure the number and design of vehicle crossovers respects the neighbourhood character.	✓ Objective met
Clause 55.03-10 Parking location objectives		
Standard B15	<p>Car parking facilities should:</p> <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p>✓ Standard met</p> <p>Parking spaces are located adjacent to the entries.</p>
Decision Guidelines	The design response.	✓ Standard met
Objectives	<p>To provide convenient parking for residents and visitors vehicles.</p> <p>To protect residents from vehicular noise within developments.</p>	✓ Objective met
Clause 55.04-1 Side and rear setbacks objective		
Standard B17	<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>

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

	<p>Diagram B1 Side and rear setbacks</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 There are no encroachments more than 0.5m into the setback area.</p> <p>✓ Standard met There are no landings that encroach into the setback standard more than 2sqm and 1m high.</p>
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</p> <p>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</p> <p>Whether the wall abuts a side or rear lane.</p>		

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

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

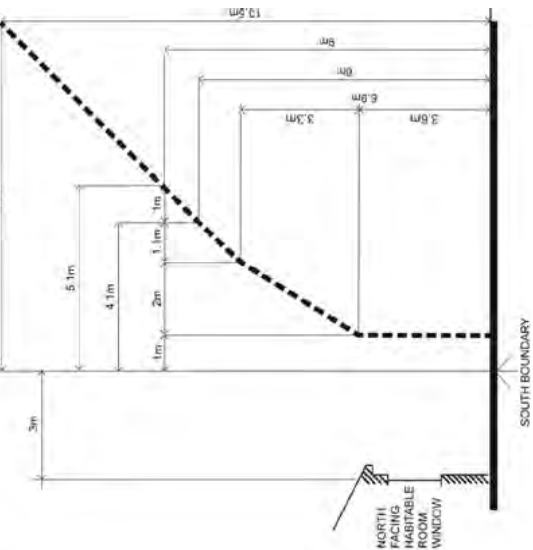
2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (Cont.)

	The orientation of the boundary that the wall is being built on.
	The width of the lot.
	The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
	Whether the wall abuts a side or rear lane.
	The need to increase the wall height to screen a box gutter.
Objectives	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.
	✓ Objective met


Clause 55.04-3 Daylight to existing windows objective

Standard B19	<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>✓ Standard met Light courts of habitable room windows on the adjoining properties would not be impacted by the proposal.</p> <p>✓ Standard met Existing habitable room windows on adjoining properties would not be impacted by the proposal.</p>
Decision	The design response.	

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

<p>Guidelines</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. The impact on the amenity of existing dwellings.</p>	
<p>Objective</p>	<p>To allow adequate daylight into existing habitable room windows.</p>	<p>✓ Objective met</p>
<p>Clause 55.04-4 North-facing windows objective</p>	<p>Standard B20</p> <p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.</p>	<p>✓ Standard met</p> <p>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>Diagram B3 North-facing windows</p> 	
	<p>A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.</p>	

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

		
Decision Guidelines	<p>The design response.</p> <p>Existing sunlight to the north-facing habitable room window of the existing dwelling.</p> <p>The impact on the amenity of existing dwellings.</p>	
Objective	<p>To allow adequate solar access to existing north-facing habitable room windows.</p>	<p>✓ Objective met</p>

Clause 55.04-5 Overshadowing open space objective

Standard B21	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.</p> <p>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>
Decision Guidelines	<p>The design response.</p> <p>The impact on the amenity of existing dwellings.</p> <p>Existing sunlight penetration to the secluded private open space of the existing dwelling.</p> <p>The time of day that sunlight will be available to the secluded private open space of the existing dwelling.</p> <p>The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</p> <p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>✓ Standard met</p>
Objective		<p>✓ Objective met</p>

Clause 55.04-6 Overlooking objective

Standard B22	<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>
Objective		

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

	<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>Diagram B4 Overlooking open space</p>	<p>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"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. • Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. • Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent 	<p>✓ Standard met</p>	
		<p>✓ Standard met</p>
		<p>N/A</p>

ORDINARY COUNCIL MEETING - MINUTES

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

	<p>openings or solid translucent panels.</p> <ul style="list-style-type: none"> • Permanent, fixed and durable. • Designed and coloured to blend in with the development. <p>The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	<p>✓ Standard met</p>
Decision Guidelines	<p>The design response.</p> <p>The impact on the amenity of the secluded private open space or habitable room window.</p> <p>The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.</p> <p>The internal daylight to and amenity of the proposed dwelling or residential building.</p> <p>To limit views into existing secluded private open space and habitable room windows.</p>	<p>✓ Objective met</p>

Clause 55.04-7 Internal views objective

Standard B23	<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>
Decision Guidelines		
Objective	<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

Standard B24	<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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2.2.5 Town Planning Application - No. 96 Langhorne Street, Dandenong (Planning Application No. PLN20/0276) (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
Decision Guidelines	The design response.	
Objectives	To contain noise sources within development that may affect existing dwellings. To protect residents from external noise.	✓ Objective met

Clause 55.05-1 Accessibility objective

Standard B25	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	✓ Standard met The floor levels proposed are not excessive high and could be accessible to people with limited mobility.
Objective	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

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

Clause 55.05-3 Daylight to new windows objective

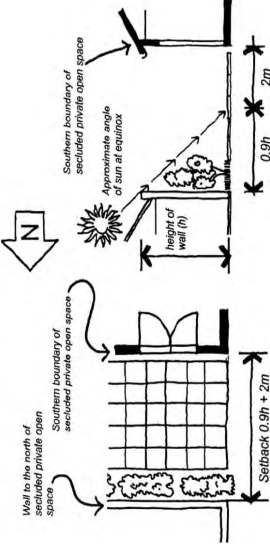
Standard B27	A window in a habitable room should be located to face: <ul style="list-style-type: none"> • An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or • A verandah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

ORDINARY COUNCIL MEETING - MINUTES

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

Guidelines	Whether there are other windows in the habitable room which have access to daylight.	
Objective	To allow adequate daylight into new habitable room windows.	✓ Objective met
Clause 55.05-4 Private open space objective		
Standard B28	<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"> • An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or • A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or • A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p>	N/A
Decision Guidelines	<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.)

Objective	To provide adequate private open space for the reasonable recreation and service needs of residents.	✓ Objective met
Clause 55.05-5 Solar access to open space objective		
Standard B29	The private open space should be located on the north side of the dwelling or residential building, if appropriate.	✓ Standard met 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 $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Diagram B5 Solar access to open space</p> 	✓ Standard met
Decision Guidelines	<p>The design response.</p> <p>The useability and amenity of the secluded private open space based on the sunlight it will receive.</p>	
Objective	To allow solar access into the secluded private open space of new dwellings and residential buildings.	✓ Objective met
Clause 55.05-6 Storage objective		
Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	✓ Standard met Storage areas provided.
Objective	To provide adequate storage facilities for each dwelling.	✓ Objective met

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

Clause 55.06-1 Design detail objective

Standard B31	<p>The design of buildings, including:</p> <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, <p>should respect the existing or preferred neighbourhood character. Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	<p>✓ Standard met 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>
Decision Guidelines	<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>
Objective	<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

Standard B32	<p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> • The maximum height specified in a schedule to the zone, or <p>All schedules to all residential zones:</p> <p>"Maximum 1.5 metre height in streets in Road Zone Category 1 1.2 metre maximum height for other streets"</p> <ul style="list-style-type: none"> • If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table border="1" data-bbox="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.)

Decision Guidelines	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.
Objective	To encourage front fence design that respects the existing or preferred neighbourhood character.
	✓ Objective met

Clause 55.06-3 Common property objectives

Standard B33	Developments should clearly delineate public, communal and private areas.	✓ Standard met Appropriate fencing has been including to delineate private areas.
Objectives	Common property, where provided, should be functional and capable of efficient management.	✓ Standard met
	To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	✓ Objective met

Clause 55.06-4 Site services objectives

Standard B34	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.	✓ Standard met with conditions 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.
Objectives	Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	✓ Standard met Mailboxes have been annotated.
	Bin and recycling enclosures should be located for convenient access by residents.	✓ Standard met The buildings have access to the street from the bin storage area.

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>✓ Standard met Mailboxes have been annotated along the front boundary and would be easily accessible by Australia Post.</p>
Decision Guidelines	The design response.	
Objectives	<p>To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive.</p>	<p>✓ Objective met</p>

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 Location of Objectors Chain of Parks Policy Map

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.

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**

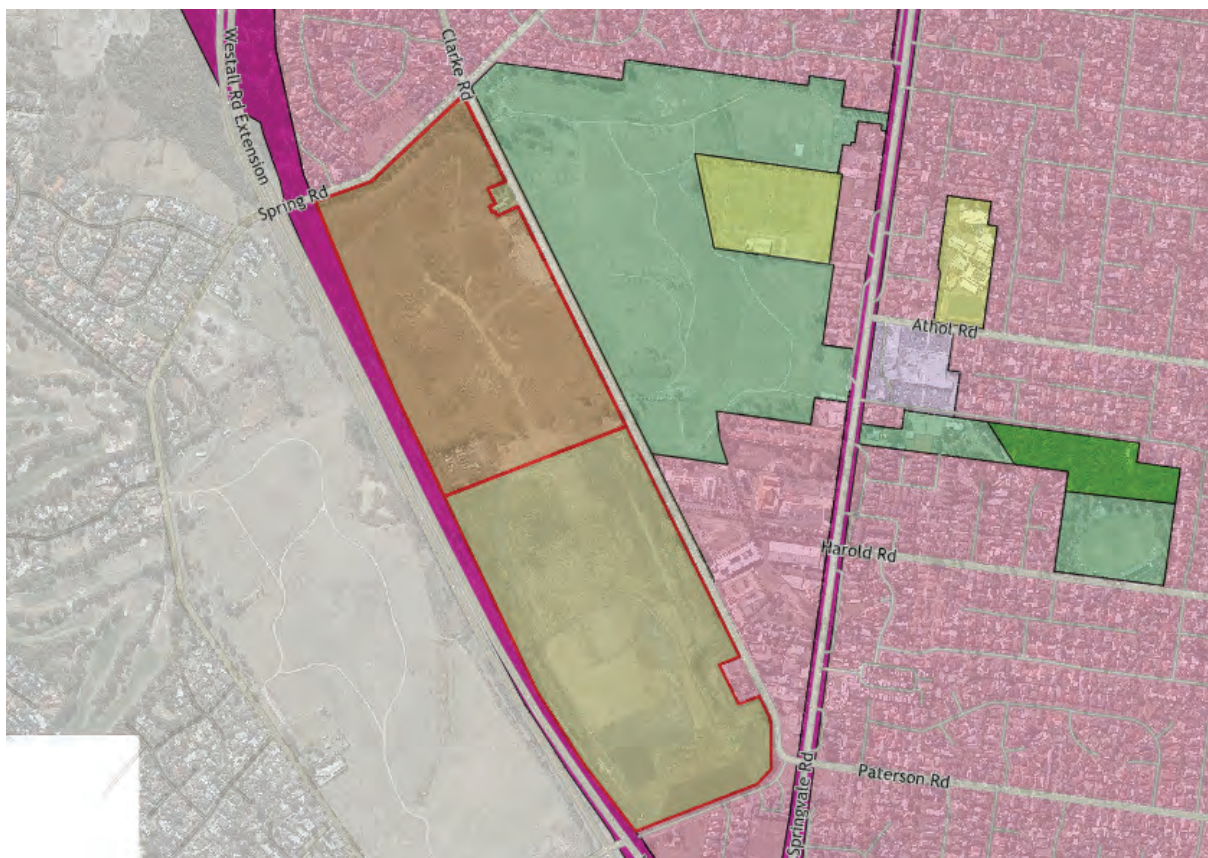
- The subject land is bound by Spring Road to the north; Clarke Road to the east; Rowan Road to the South and Westall Road to the west. The site takes up the entirety of the street block with the exception of four (4) residential properties situated on Clarke Road.
- The subject land comprises of 24 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).

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

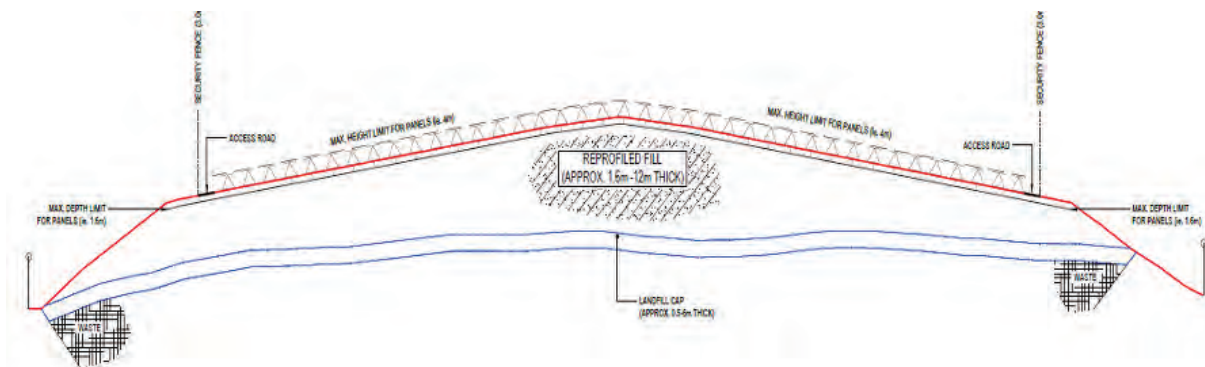
The proposal solar panel array layout utilises GCL400W panels with an overall maximum height of four (4) metres, with the total number of modules required for a 27.552-megawatt project being 68,880. The modules are located within a table comprising three (3) panels vertically and eight (8) panels horizontally.

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.

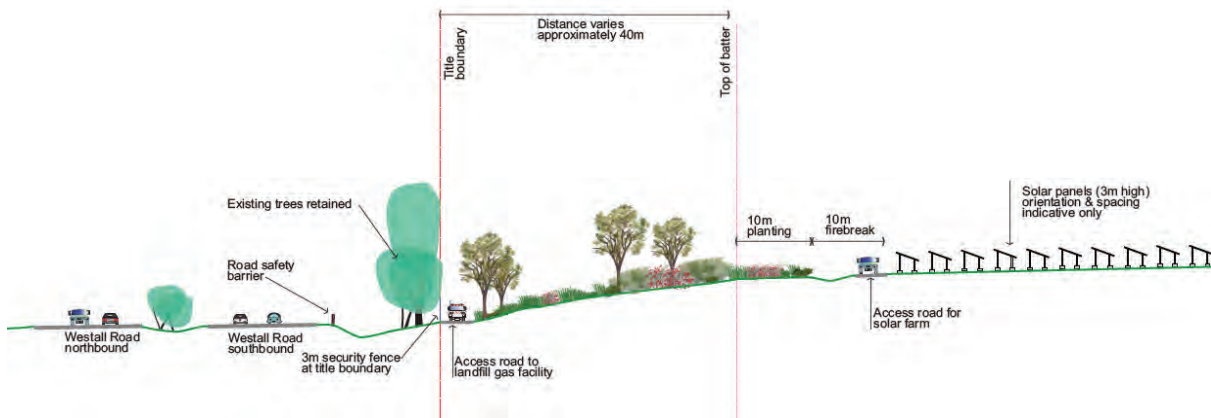
Both options require footing and pier structures for support which penetrate through the ground up to 1.6 metres with neither option exceeding the four (4) metre maximum height from ground level. The environmental engineering documentation provided with the application indicates that the support structures will not penetrate the landfill cap (identified in blue) thus limiting any offsite environmental harm (see plan extract below).



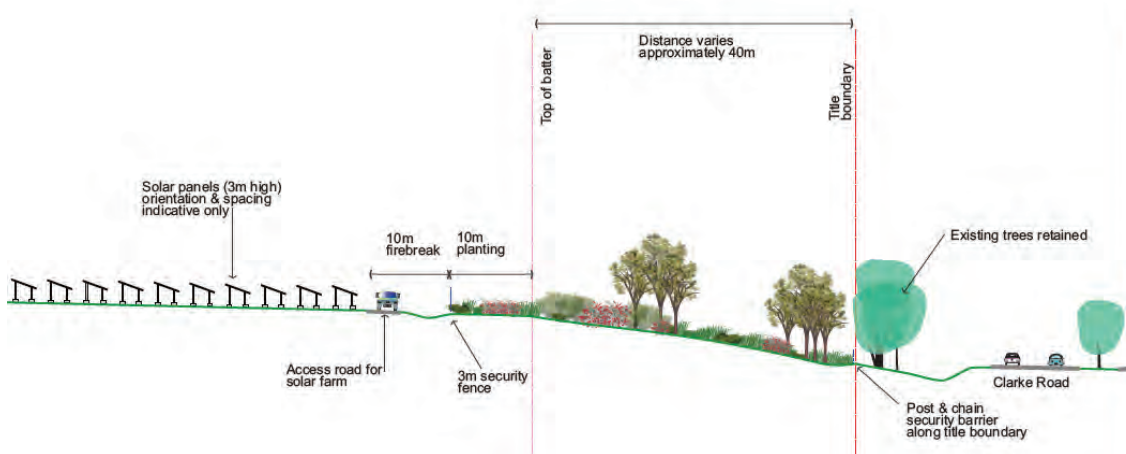
Please see attachments for a larger version of this plan

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.

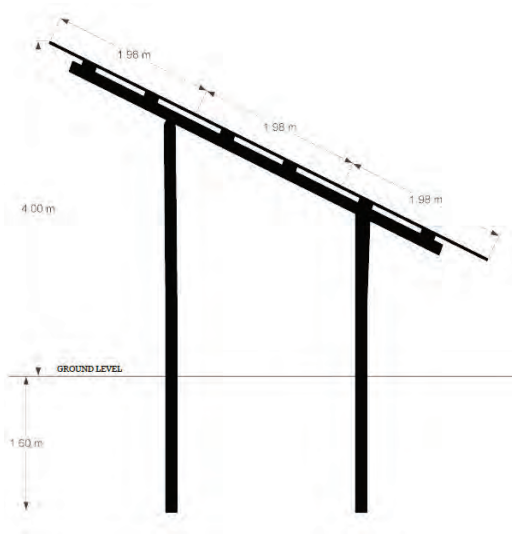
2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)



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.)



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.

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.

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

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

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.

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.

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*

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*

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 (lithe 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.***

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.

Authority	Determining or Comment	Response
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:

Internal Department	Response
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

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.

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.

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.

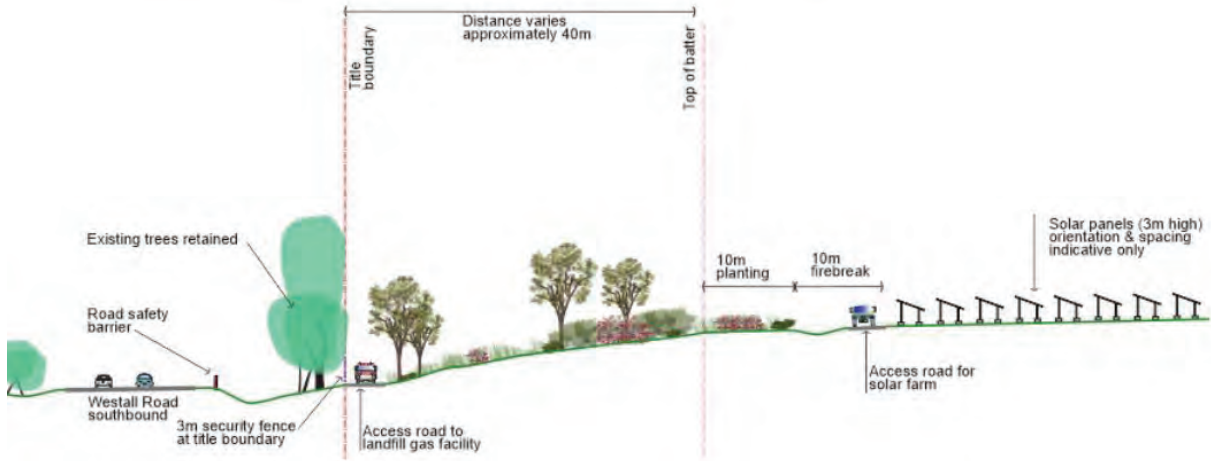
The impact of the proposal on significant views, including visual corridors and sightlines:

As part of the application material, the applicant has submitted a landscape concept plan and cross sections for the proposal (see attachment 1).

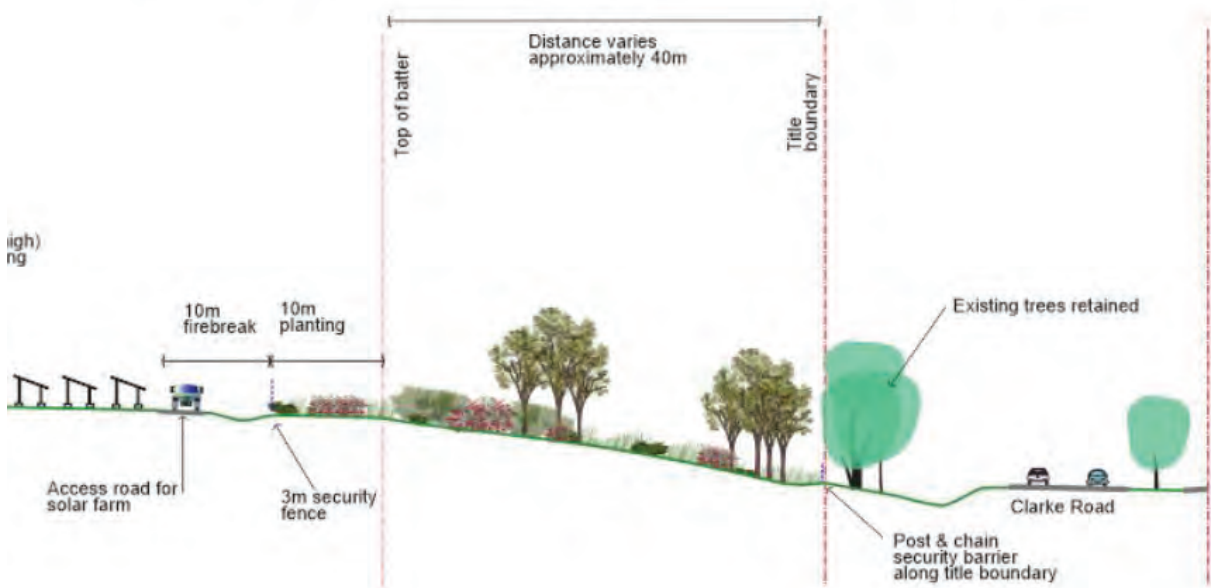
A total of 50m of planting setback is proposed, being a landscape buffer of approximately 40 metres wide is proposed around the perimeter of the site from the site boundary to the top of the batter with an additional 10 metres of planting up to a security fence.

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



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.

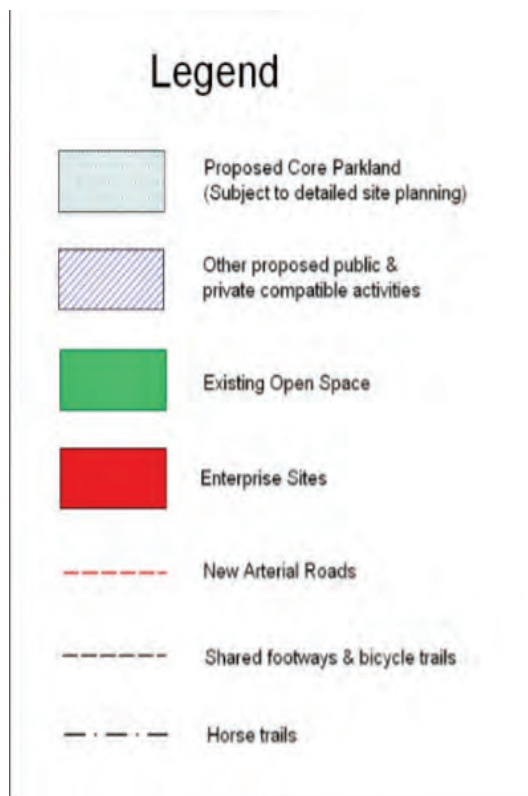
Chain of Parks

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.



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.

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*.

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.**

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.**

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:**

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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**Glint and Glare**

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;

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.**

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.

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 Use and Development Conditions

- 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.**

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.

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. 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:**
- 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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

- 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.**

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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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 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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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.
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).

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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).**
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 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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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 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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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**
 - 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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

MINUTE 115

Moved by: Cr Sean O'Reilly
Seconded by: Cr Tim Dark

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.**
 - 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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

- 1.7. 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.
- 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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

- 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.**

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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**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:
- 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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

- 7.7. 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.**
 - 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.**

ORDINARY COUNCIL MEETING - MINUTES

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

- 10.10. 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

- 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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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;
 - 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

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**17.9. 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.**
- 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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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.
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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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

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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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.
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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

- 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:**
- 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.**

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 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.**

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.**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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 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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)**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.
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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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).
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 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).

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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 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**

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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
- 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.

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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.

CARRIED

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 - MINUTES

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)



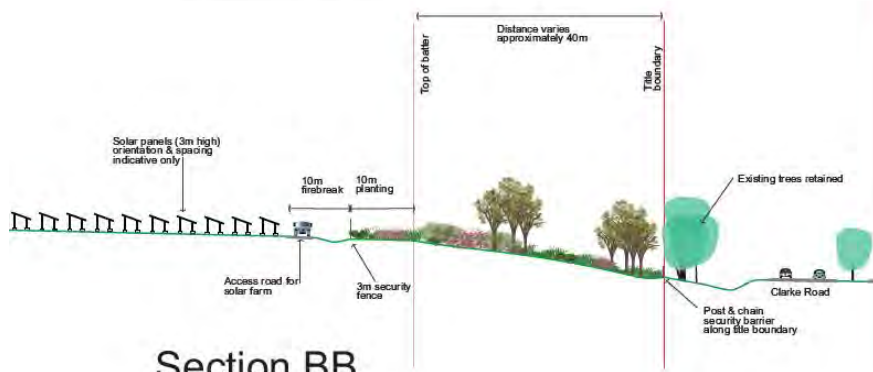
2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)



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

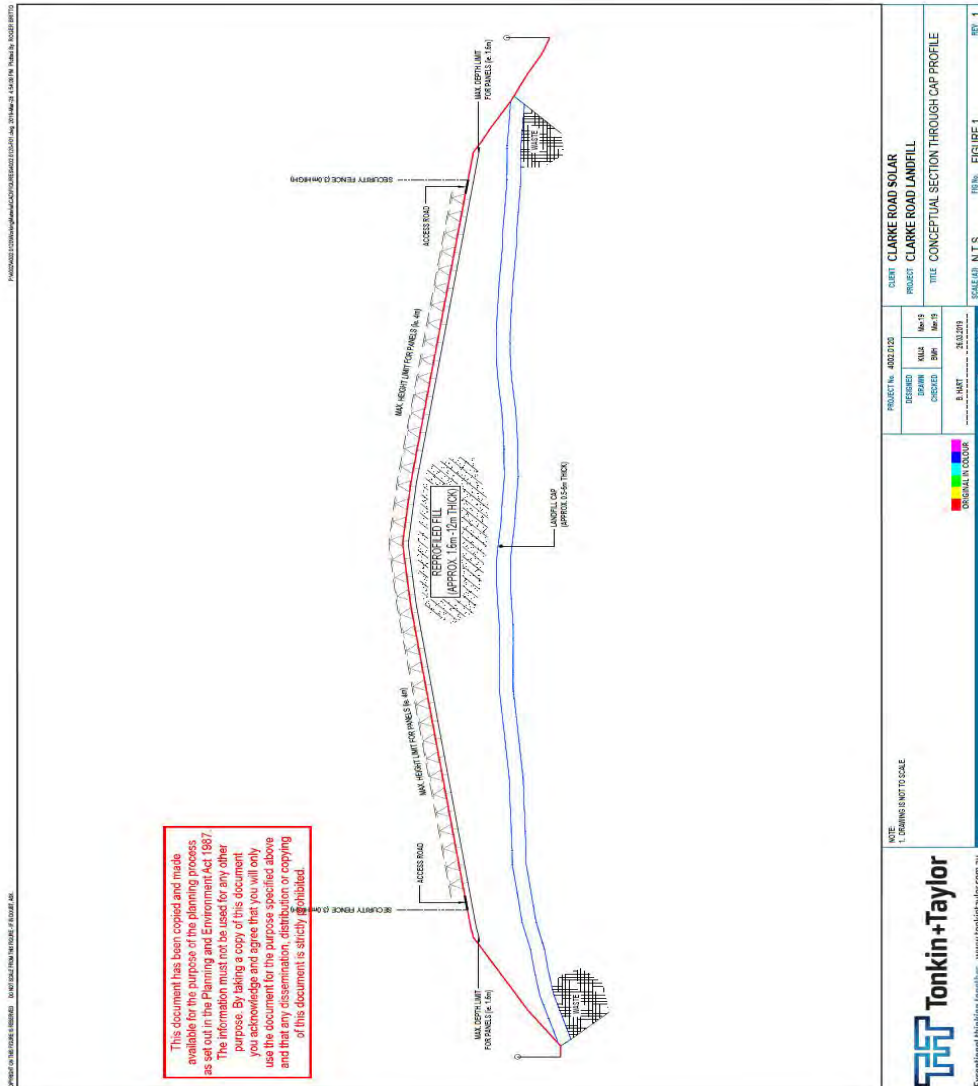


Section BB

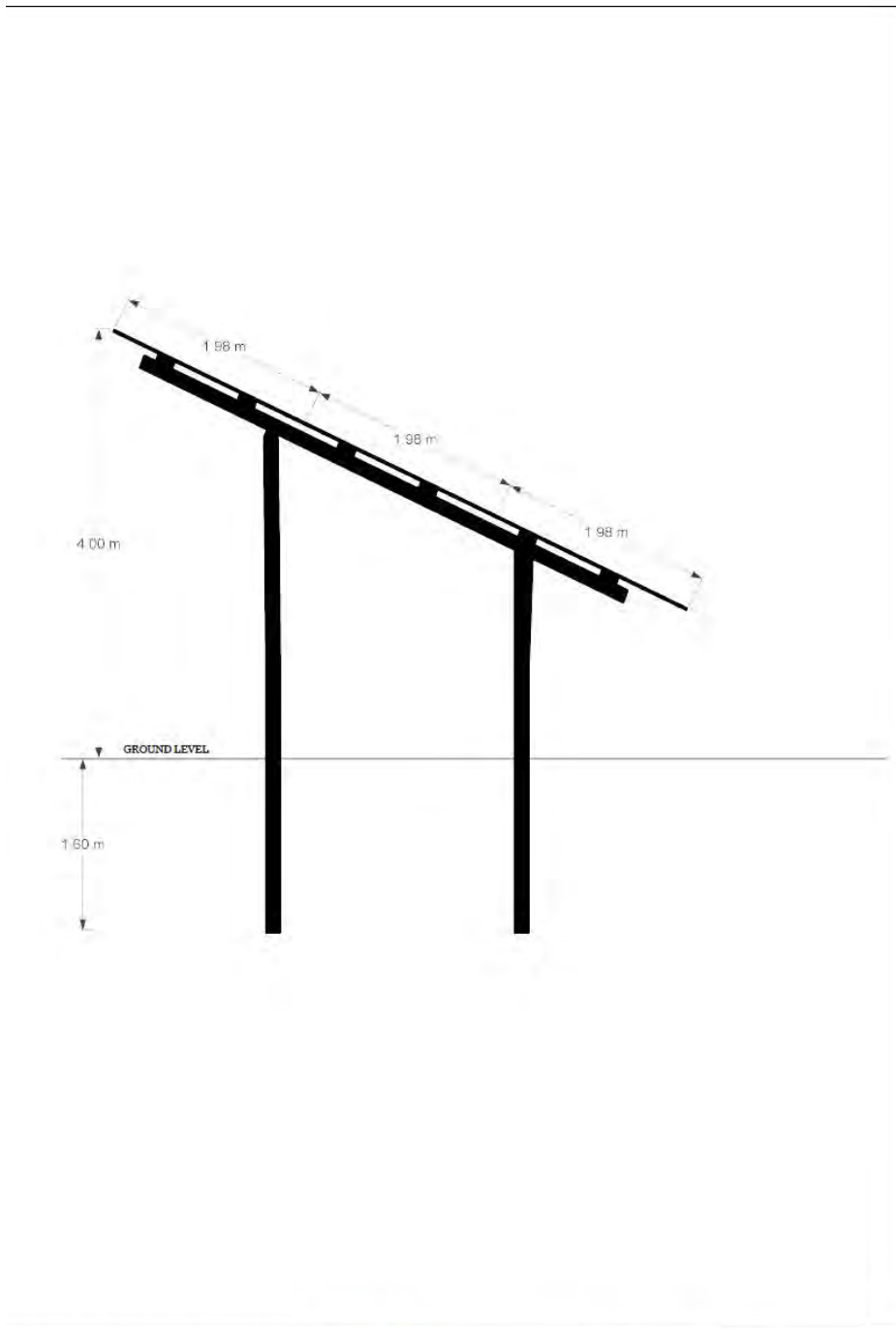
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XURBAN Urban Design Landscape Architecture Visual Assessment	Suite 1103, 405 Lonsdale Street, Melbourne Victoria 3000 P: 61 3 9642 6040 E: alan.wyett@xurban.com.au	PROJECT: SOLAR FARM CLARKE ROAD, SPRINGVALE	DATE: 26 SEPTEMBER 2019 PROJECT NO.: 15149
		DRAWING: Indicative Sections	DRAWING No.: LS02

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.)



FIXED SOLAR ELEVATION VIEW- INDICATIVE ONLY		REVISIONS		A 01
		DATE	REMARKS	
		1 02/04/20	Indicative design only. Not to scale.	
		2		
		3		
		4		
		5		
	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

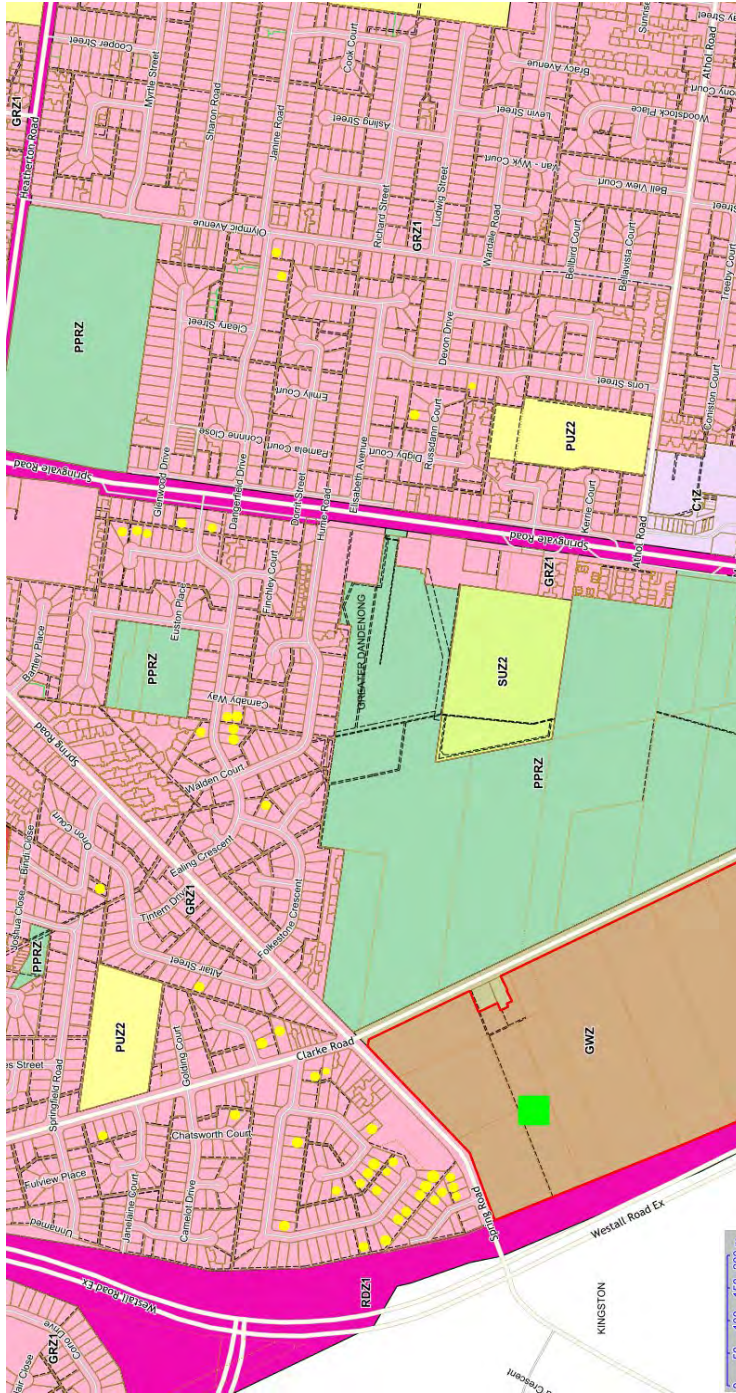
LOCATION OF OBJECTORS

PAGES 10 (including cover)

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

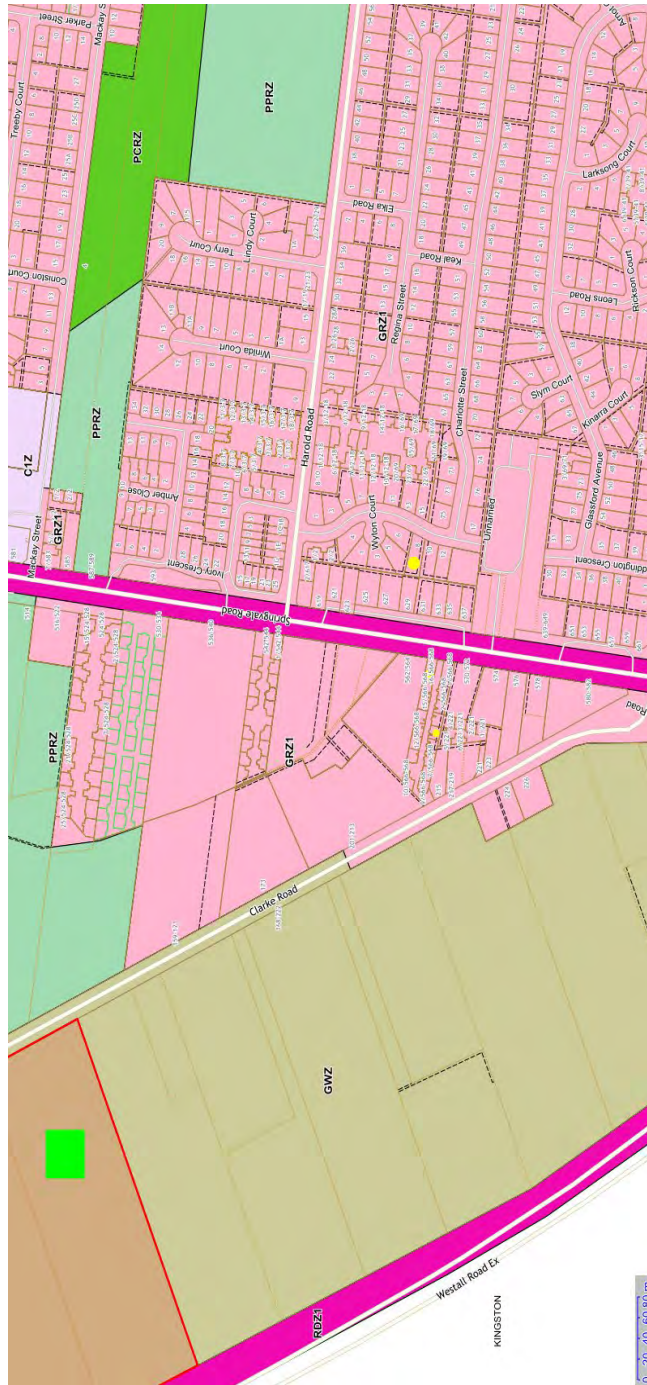
2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

Springvale South (Map 1)



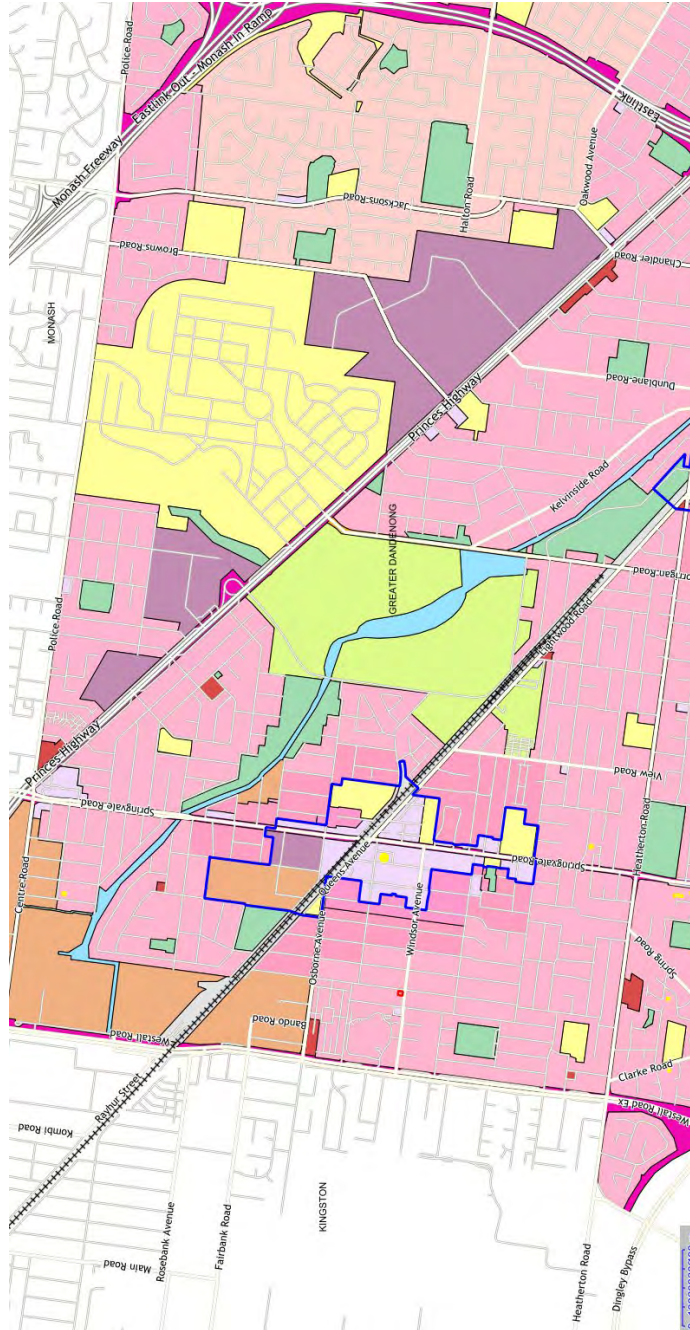
2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

Springvale South (Map 2)



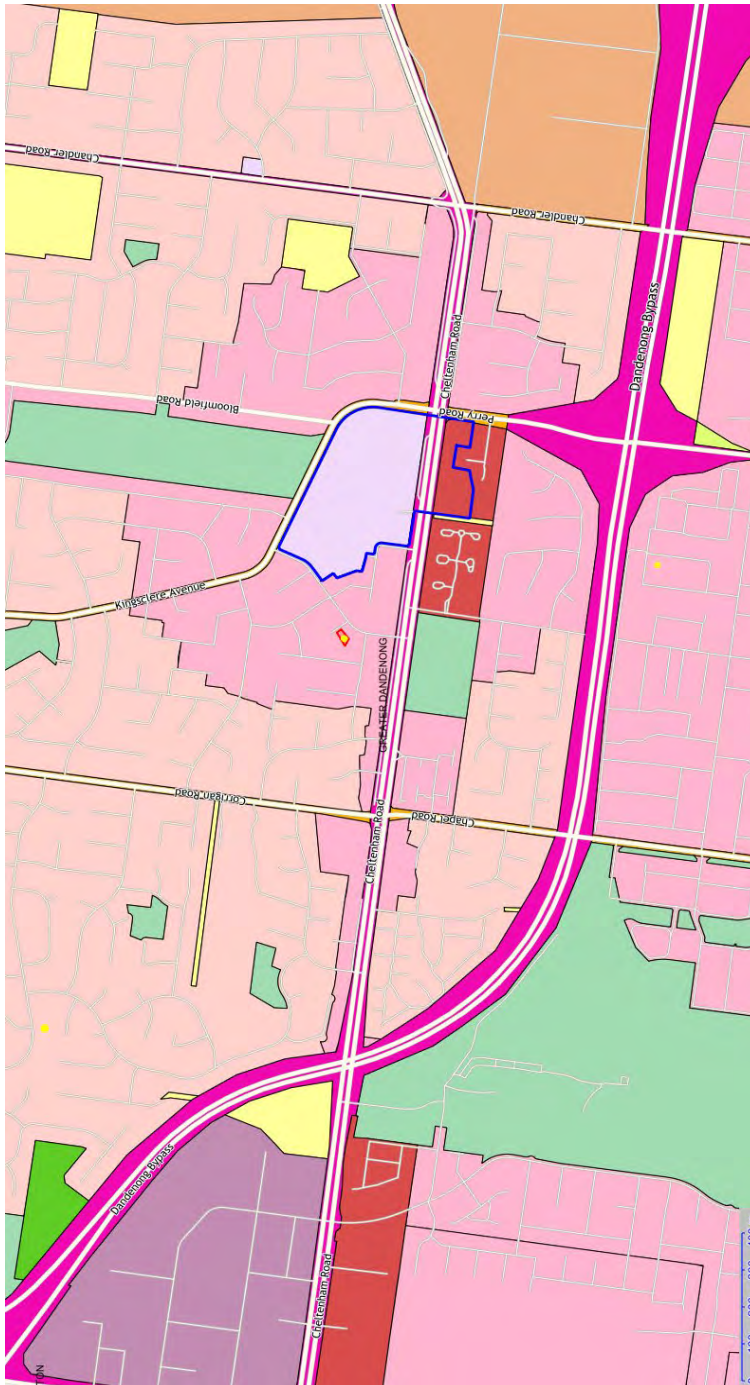
2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

Springvale



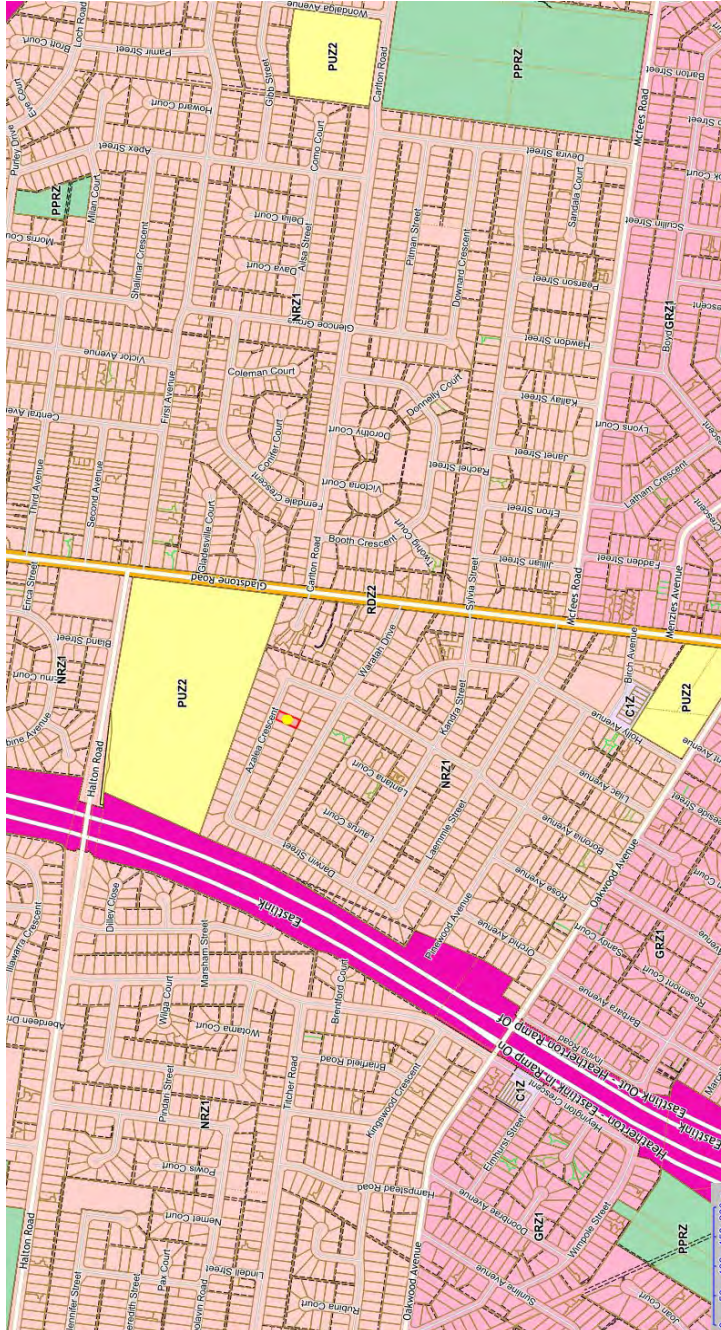
2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

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 - MINUTES

2.2.6 Town Planning Application - No. 66-88, 98-100 and 168-222 Clarke Road, Springvale South (Planning Application No. PLN18/0688) (Cont.)

OUTSIDE MUNICIPALITY
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 - MINUTES

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 - MINUTES

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 78 View Street
CLAYTON VIC 3168 Unit 38, 1230-1238 Centre Road
CLARINDA VIC 3169 54 Clarinda Road
CLARINDA VIC 3169 Japara Healthcare c/- Planning & Property Partners Pty Ltd 13/1 Collins Street
MELBOURNE VIC 3000 3 Cedarwood Crescent
BERWICK VIC 3806 36 Melaleuca Drive
CLARINDA VIC 3169 404 Clayton Road
CLAYTON VIC 3168 110 Ambition Drive
Greenvale VIC 3059 c/- Contour Consultants Australia Pty Ltd PO Box 1040
CARLTON VIC 3053 16 Howard Road
DINGLEY VILLAGE VIC 3172 1206 Centre Road
CLARINDA VIC 3169 54 Clarinda Road
CLARINDA VIC 3169 1 Elder Street South
HEATHERTON VIC 3202 54 Clarinda Road
CLARINDA VIC 3169 Unit 10, 80 Balcombe Road
MENTONE VIC 3194

ORDINARY COUNCIL MEETING - MINUTES

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 CLAYTON VIC 3168
25 Everard Avenue CLYDE NORTH VIC 3978
Unit 2/13 Elder Street CLARINDA VIC 3169
30 Wandoo Avenue CLARINDA VIC 3169
29C Garfield Street CHELTENHAM VIC 3192
60 Orange Street BENTLEIGH EAST VIC 3165
19 Alexander Avenue OAKLEIGH EAST VIC 3166
16 Mahal Drive CLYDE NORTH VIC 3978
5 Legon Road OAKLEIGH SOUTH VIC 3167
37 Wilma Avenue MULGRAVE VIC 3170
PO Box 29 OAKLEIGH SOUTH VIC 3167
PO Box 29 OAKLEIGH SOUTH VIC 3167
78 View Street 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

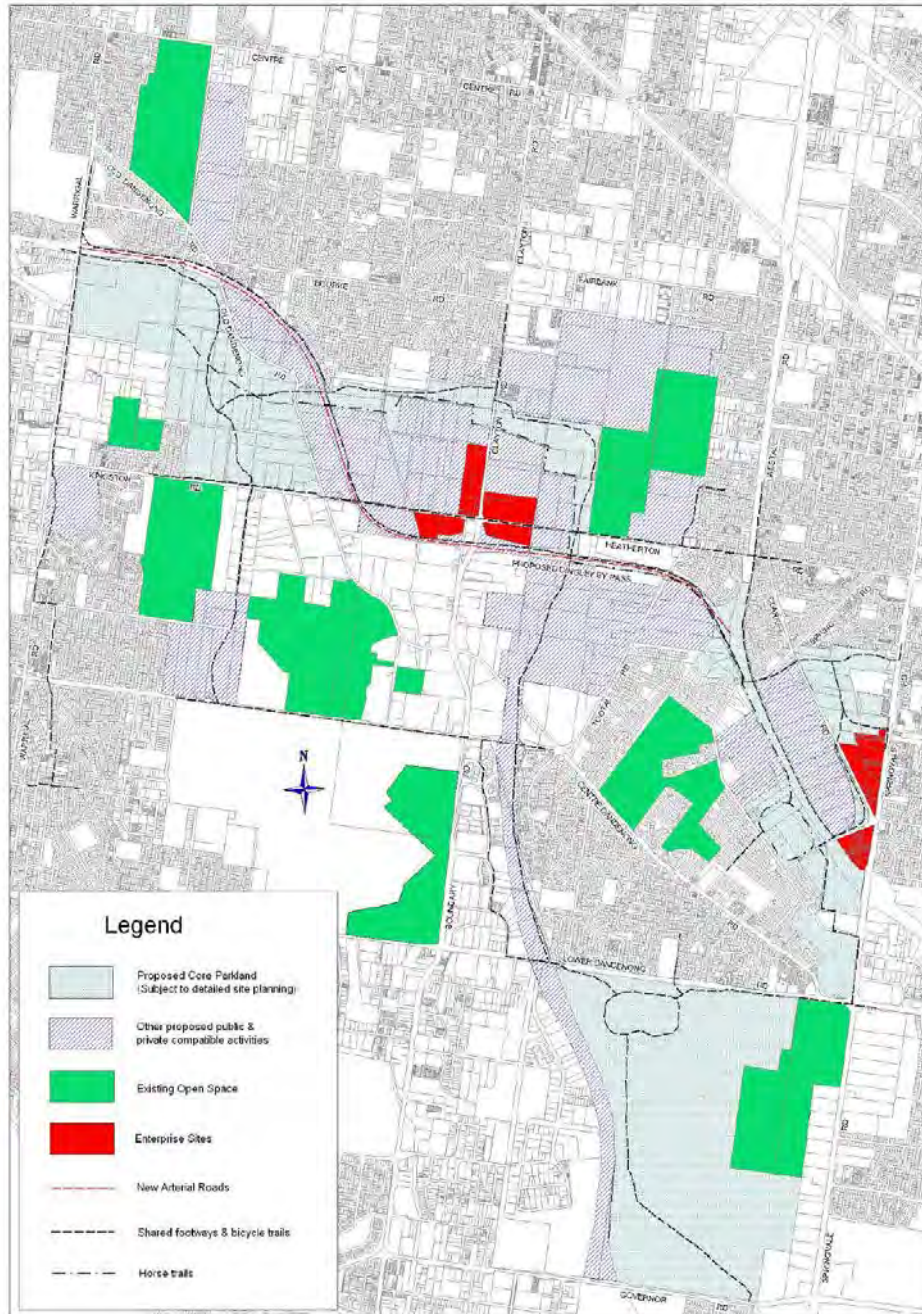
CHAIN OF PARKS POLICY MAP

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

Comment

John Bennie PSM, Chief Executive Officer

Mayor and Councillors, the first question this evening is from Sylvia Mastrogiovanni. Sylvia has requested to ask her own question.

Question

Silvia Mastrogiovanni, Dandenong

Following the Strategic Planning weekend, when will there be early community consultation on the concept design of the Dandenong Community Hub as resolved by the Council at the Council meeting on 14 September 2020 and also, the same process of genuine community input as what happened with the Keysborough South Community Hub?

Response

Martin Fidler, Director Community Services

There are a number of important steps to progress the development of the Dandenong Community Hub and we are currently in the process of recruiting a consultant to assist us with this important work. Once they are appointed and we hope that will be in the beginning of April, we will confirm the community engagement plan, including the dates and times for community consultation. This information will be provided to residents and other interested stakeholders consistent with how we promote and provide information on other projects. That will include things like social media, our website, emails, promotions through key organisations. We also have a very large petition list of people that we can respond to. Along with this process, as I mentioned earlier to Cr Memeti, we have also developed a Dandenong Community Hub page on the Council website and will provide regular updates and information there for people to keep in touch with us.

Question

Silvia Mastrogiovanni, Dandenong

Just to clarify, will we be informed of these dates in good time?

Response

Martin Fidler, Director Community Services

Absolutely. Once the consultant has been appointed and we can work through the engagement plan, we then promote the dates and the times.

Question

Silvia Mastrogiovanni, Dandenong

And to clarify again, will there be early community consultation?

3 QUESTION TIME - PUBLIC (Cont.)

Response

Martin Fidler, Director Community Services

It will start when the consultant starts then we can work out when those dates will be and that is what we will provide to the community. I believe there will be a range of consultation dates through the whole project. It is a very big project. The business plan has certain aspects of consultation and then as we get into the concept design and detailed designs later, there will be a range of times when we consult with community.

Comment

Silvia Mastrogiovanni, Dandenong

Thank you.

Comment

John Bennie PSM, Chief Executive Officer

Mayor and Councillors, all the other questioners have opted to have their questions read so I will proceed on that basis.

Question

Michelle Bidgood, Keysborough

Can we please have something done about the amount of traffic coming in and out of Breanne Place to the college at pick up and drop off times; the illegal parking of parents picking up and dropping off kids. I am sick and tired of not being able to get in and out of the street let alone the property; and the illegal practice of a traffic warden directing traffic at the corner of Breanne Place and Keylana Drive?

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

Our Traffic Engineers are working very closely with the school at resolving these traffic issues and having them addressed as best we can but they have also advised the school that unqualified operators should not be directing traffic on a public road.

Cr Loi Truong left the Chamber at 7.46pm.

3 QUESTION TIME - PUBLIC (Cont.)

Question

Jeanna Edwards, Dandenong North

Hi there. Before I ask my question/s regarding green waste, I would like to point out some matters that may not have been discussed or thoroughly thought about.

You are not providing kitchen waste caddies and biodegradable bags for the kitchen waste to all residents as per Bass Coast. You are expecting residents and ratepayers to throw kitchen waste into a bin without a biodegradable bag, therefore creating potential health hazards with rats, mice, flies and stench. Being unsure as to how many Councillors live in Greater Dandenong, I am still struggling to fathom your expectations regarding kitchen waste. Food for thought? I hope so for all Councillors. It is what you are expecting of MY parents. They are 82 and 86 respectively and you are expecting them to wash the large green bin out weekly I presume (because you have not provided ratepayers with a 'bin collection' calendar). Why have you chosen to take this path without thinking it through? It is not possible for my elderly parents to wash the green lid bin out on a weekly basis. There is no 'shady' spot in their courtyard. They have no room in their freezer. Has anyone taken these questions into consideration?

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

I would like to respond point by point. I would like to start by saying that all residents who pay for garden waste bins are entitled to a kitchen caddy to transfer their food organics from the kitchen to the garden waste bin separately from their general rubbish. Council has a no plastic bags policy and elected not to supply plastic bags with the kitchen caddies as this would be inconsistent with that policy. In addition to this, the inclusion of compostable plastic bags at some Councils has led to some people using non-compostable bags which can compromise the process and the quality of the compost produced as a result of that. Similarly, sometimes the compostable bags do not break down themselves to the right extent. Instead, we have recommended approaches such as using paper towels or newspapers which can wrap the caddy bin contents if required. The use of paper towel and newspaper is recommended in the guidance book which we supplied with all the kitchen caddies. Maintaining a closed kerbside bin once the material is put into it is the best way to avoid the nuisance of unwanted pests. Council has distributed its annual community calendar to all households across the municipality. This was done in December 2020 and includes information on FOGO, the food organics and garden organics; links to Council's webpage and the website and a collections calendar for residents to reference when their collection will occur. The inclusion of food to the garden waste bin is not expected to have a significant impact overall on volumes to be collected and the collection remains at the fortnightly frequency. It is anticipated that residents will take responsibility for any required washing or cleaning of all three of their kerbside collection bins but there are a number of commercial operators in the market place who can help people who need assistance in cleaning their bins or if they choose not to do that, we would also suggest they engage in the assistance of a family member or friends if they needed help with that.

Comment

John Bennie PSM, Chief Executive Officer

I should correct the brief statement I made earlier. All Councillors live in or operate businesses within the Greater Dandenong City Council.

3 QUESTION TIME - PUBLIC (Cont.)

Question

Isabelle Nash, Keysborough

Given the social and health benefits of nature strip gardens, will Council please support these?

Response

Jody Bosman, Director City Planning, Design and Amenity

I can advise that there is currently no provision to permit the planting out of nature strips in the City of Greater Dandenong. However, the existing Local Laws are currently being reviewed and as part of that review it will be proposed that planting on a nature strip be permitted so long as it complies with nature strip guidelines, which are also being prepared at this stage. The reviewed draft Local Law will be put out to community consultation in the near future.

Cr Lana Formoso left the Chamber at 7.52pm.

Question

Sabrina Mileto, Dandenong

Following on from my question at the last Council meeting, what is meant by appropriate engagement with our Greater Dandenong community regarding the Little India redevelopment? In a community where so many are not online and so awareness of Council or State Government projects is low, only an Australia Post letter to each household will effectively let people know what is going on.

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

The master planning process and the associated community engagement will be led by Capital Alliance with Development Victoria. The details of how this will occur have not yet been set but are scheduled to be announced later in the year. Council will be guided by this process that will be set by Development Victoria and Capital Alliance and we will continue to advocate for community views to be considered as part of the Master Plan. The announcement of the Foster Street Redevelopment received a good deal of coverage in the local and state media and Council will continue to utilise our own media avenues such as print and electronic to share engagement opportunities with the local community as they arise. Development Victoria has stated its commitment to keeping the Dandenong community updated and encourages the community sign up for their mailing list and then to share their preferred contact methods. Of course, we would encourage all in the community to sign up for that mailing list.

3 QUESTION TIME - PUBLIC (Cont.)

Question

Meaghan Mack, Keysborough

Has the detailed design for the Keysborough South Community Hub been finished? If not when is it expected to be finished and actual construction expected to start? I was looking at the page on the hub on the Greater Dandenong Website and it does not seem to have been updated since late last year.

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

No, the detailed design has not been completed. It is still being finalised along with all the associated tender documents. It is anticipated that we will be able to advertise the tender with that design and all the documents in August 2021 and then construction would follow in November 2021. The website is correct at the moment but certainly, when we have got that detailed design complete, we will update the website accordingly.

Question

Sonia Navidi, Dandenong North

Last year there was a Master Plan finalised for two new playgrounds at the Barry Powell Reserve. When is construction planned for them? There are so many young families in the area but the local playgrounds are in desperate need of an upgrade.

Response

Jody Bosman, Director City Planning, Design and Amenity

The Barry Powell Reserve Master Plan was adopted by Council in March 2020. The two playgrounds were both identified in the Master Plan as future capital works improvement projects for the reserve as part of the long-term implementation of the Master Plan. The northern playground upgrade is to include a nature play area and the southern playground relocates the playground to the large parkland area south of the Jan Wilson Centre and upgrades it to a district level playground. In terms of concept design, both of these playgrounds are identified as high priorities. However, the actual construction of the playground is a medium priority and most likely a few years away from implementation. Both of these projects are subject to the support of future separate capital works bids for design and construction being funded as part of the council's annual budget process.

Question

Sabrina Mileto, Dandenong

When will Council be developing the open space they purchased in Herbert St into a park?

Response

Jody Bosman, Director City Planning, Design and Amenity

Council has received funding from the State Government to transform the site into a new public park. The park will include shade, seating and plantings for local residents to relax outdoors and be close to nature. The new park will be part of a new tree-lined green spine from Dandenong High School

3 QUESTION TIME - PUBLIC (Cont.)

along Herbert Street or Robert Street Reserve. This will include around 60 new trees and landscaping to improve the comfort for residents walking to and from community facilities and help reduce the effect of climate change. Council officers are currently preparing concept plans for the Herbert Street site and streetscape upgrade works. It is anticipated that community engagement and these ideas for this new park will occur in late April and May 2021.

Question

Sabrina Mileto, Dandenong

What was the outcome of the public consultation on a Local Law protecting large trees on private land ie, how many submissions and what percentage support?

Response

Jody Bosman, Director City Planning, Design and Amenity

With regards to this particular aspect of the consultation, there were 107 responses to this particular question. Of the responses received, 63.5 percent strongly agreed with the Local Law protecting large trees on private land; 5.61 percent agreed; 1.87 percent of respondents neither agreed nor disagreed; 2.8 percent disagreed and 26.17 strongly disagreed. Council officers are collating all submissions and will present to Councillors the full outcomes of the consultation regarding the Local Law as well as the draft Urban Forest and Greening Our Neighbourhoods Strategies at a future Council meeting.

Question

Charlie Mastrogiovanni, Dandenong

In the Victorian State Government Guidelines called "Rooming Houses A Guide for Residents and Operators" and "The Dandenong Share Accommodation Fact Sheet" it is clearly explained that for persons who are accommodated for a period of 31 DAYS OR LESS the maximum number of persons permitted to occupy a bedroom is:

- (a) in the case of a bedroom with a floor area of less than 10m²- 2 persons
- (b) in the case of a bedroom with a floor area of 10m² or more - 3 persons and an additional person for every 2m² of floor area that exceeds that exceeds 10m².

With the capacity of 40 rooms which includes the two existing buildings on the property of 94-96 Langhorne Street, Dandenong and the size of the rooms, I estimate that between 93 minimum to 194 maximum persons can be accommodated.

This can be built anywhere in the Greater City of Dandenong.

- (a) Is this what our Council or Councillors want to achieve for our community?
- (b) Will Council change its own planning scheme and/or Local Laws to restrict rooming houses to less and more reasonable numbers of occupants and houses on the same property?
- (c) Will Council lobby State Government to enforce good management of rooming houses to ensure the safety and livability of both occupants and neighbouring residents?

3 QUESTION TIME - PUBLIC (Cont.)

Response

Jody Bosman, Director City Planning, Design and Amenity

In terms of the Victoria planning provisions, anyone has the right to apply for a rooming house planning permit in a residential zone. Those provisions cannot be changed by Local Government. Every application must and will be assessed on its individual merits and it is in terms of the planning scheme permit conditions that the numbers of occupants can be restricted such as that tabled tonight for No.94-96 Langhorne Street, where officers recommended that occupancy be restricted to one person per bedroom. That equates to the maximum number of residents being limited to 24 occupants for the 94 Langhorne Street application and to 16 occupants for the 96 Langhorne Street application. Council's Town Planning, Public Health and Building team officers all respectively enforce matters around public amenity, health and safety of rooming houses and the neighbouring areas. Councillors are also engaging with other agencies in addressing the concerns of illegal rooming houses and the adverse impact of these where they occur.

Question

Charlie Mastrogiovanni, Dandenong

- a) Why does this Hemmings Precinct Action Plan not have a priority first year action to deal with criminal and/or anti-social behaviour in both rooming houses and squat houses?
- b) What resident feedback was incorporated into the Hemmings Precinct plan and what was not? Other Council plans detail that in the public Council report but this one does not.
- c) Will there be annual updates to the Hemmings Precinct plan to Dandenong residents on progress?
- d) When is the targeted end date for the plan and will there be a midpoint review and if so when will that be?

Response

Martin Fidler, Director Community Services

- (a) The action plan response will involve Council, Victoria Police, State Government departments and other local stakeholders. Anti-social behaviour in both rooming houses, illegal rooming houses and squat houses is covered under priority area 3 of the draft plan which deals with enhancing crime prevention, security and safety infrastructure.
- (b) The consultation analysis of the Precinct Perceptions of Safety Survey is included in the report which provides a summary of residents and other stakeholders feedback. The report notes that responses indicate the action plan in its current form addresses the identified community concerns and expectations. There have been improvements in public lighting in key locations; the introduction of CCTV in certain residential areas; increasing Neighbourhood Watch precinct membership and increasing community engagement through arts, cultural activities and other community events.
- (c) There will be annual updates as part of the Council reports from the Community Safety Advisory Committee and through the reporting of the Community Safety Plan.

3 QUESTION TIME - PUBLIC (Cont.)

(d) The plan will be reported on annually through the Community Safety Advisory Committee and subject to successful grant funding applications that are quite detailed in the report, we anticipate the plan will be reviewed after two years and we are hopeful too that there will be ongoing recommendations after those two years.

Question

Gaye Guest, Keysborough

Why are planning permits, either PLNs or PSUBs advertised on the online Council portal when many cannot be objected to by residents? Historically many of our planning problems start at State Government level before residents even realise that land will be sold off or subdivided. After elaborate plans are designed by developers on land that is not quarantined the residents are the last to know and get cranky with Council for not imposing stricter rules, permits and policies. At every stage of the permit process residents should be able to object about anything that falls under Development Plan Overlays and DDOs which determine size, form, build, setbacks etc. It is this loop hole that has transformed all our housing blocks into dense ugly teenie tiny box developments and residents cannot protest and when they do their concerns are rejected and not even considered. Why is this the case?

Response

Jody Bosman, Director City Planning, Design and Amenity

With reference to s.49 of the *Planning and Environment Act 1987*, Council is required to keep a planning register of all applications for permits it receives. The purpose of this register is only to allow any person to view and be aware of an application. It is not the list of applications that objections can be submitted for. In other words, amongst them would be those that you can and those that you cannot object to. It is a full list of applications received. In terms of objecting to applications, not all applications can be objected to. Some are exempt from the advertising provisions of the planning scheme. To view the list of applications that are advertised and objections can be submitted for, I would encourage residents and Ms Guest to view the advertised applications page under the My Greater Dandenong section of the Council website.

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 Action Plan Hemmings Street Precinct Action Plan Consultation Analysis

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.

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.

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.

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.

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

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

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

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.

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.

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.**

Cr Loi Truong returned to the Chamber at 7.54pm.

MINUTE 116

Moved by: Cr Tim Dark
Seconded by: Cr Bob Milkovic

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;**
3. **collaborates with the Minister for Planning Richard Wynne and the Hon. Melissa Horne, Minister for Consumer Affairs, Gaming and Liquor Regulation, 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.**

CARRIED

Cr Lana Formoso returned to the Chamber at 7.57pm.

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.

4.1.1 Hemmings Street Precinct Action Plan (Cont.)



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.

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.

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).

4.1.1 Hemmings Street Precinct Action Plan (Cont.)

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.

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.

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.

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.

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.

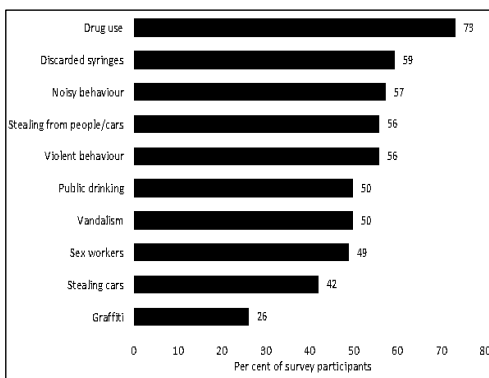
Street Lighting

- 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 - MINUTES

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.

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

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.

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

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.

MINUTE 117

Moved by: Cr Lana Formoso
Seconded by: Cr Sophie Tan

That Council notes the draft Minutes of meeting for the Community Safety Advisory Committee as provided in Attachment 1 to this report.

CARRIED

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	Welcome and Apologies The Chair acknowledged the Traditional Owners of the Land, welcomed attendees and noted the apologies.		
2	Minutes of Previous Meeting and Business Arising The Minutes of the Previous Meeting were adopted. Feasibility of Linking Dandenong Railway Station CCTV Camera Footage to Victoria Police Local Screen Monitors <ul style="list-style-type: none"> (Refer to 'Metro Trains', Item 7) 		
3	Community Safety Plan 2015-22 Community Safety Night – 6 April 2021 <ul style="list-style-type: none"> 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. New Community Safety Plan 2023: Planning <ul style="list-style-type: none"> 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. 	Detailed Agenda to be finalised Commence scoping the development of the new Community Safety Plan	Council and VicPol 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 - MINUTES

4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)

	<ul style="list-style-type: none"> 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. 	Report on progress at next CSAC meeting.	
4	<p>Hemmings Street Precinct Action Plan Update</p> <p>Community Consultation Findings</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"> Appendix 1 of the Minutes provides a summary of consultation methods and outcomes. 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. Overall, responses indicated that the Action Plan addresses community concerns and supported the following activities: <ul style="list-style-type: none"> Improvements to public lighting in key locations where a perceived lack of illumination impeded pedestrian use. 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. 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 youth needs. 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. <p>Next Steps</p> <ul style="list-style-type: none"> Key consultation findings, community and stakeholder expectations, and implications for Council and collaborators will be submitted in a report to Council on 22 March. Another State Government grant, 'Building Safer Communities' (BSC) is open for proposed projects. The Precinct's documented concerns and issues meet the required criteria. 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"> One grant stream is available for Council to upgrade safety infrastructure to improve perceptions and levels of safety and increase community engagement and activation. 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. Council is proposing to partner with Deakin University in an action-based research project to improve safety in the Hemmings St Precinct. 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. 	<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.

4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)

5	<p>Homelessness</p> <p>Service Provider Updates</p> <ul style="list-style-type: none"> • 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. • 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. • Launch is currently planning the development of 420 social housing properties in Greater Dandenong, funded through the State Government’s Hotels to Home Program. • 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. • 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. • 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. • 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. <p>Transition Support Funding</p> <ul style="list-style-type: none"> • 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"> - 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. - 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. - 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). • 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. • 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. • Taskforce funding has been provided to several agencies based in Greater Dandenong. Further information can be accessed at https://www.vic.gov.au/priority-response-multicultural-communities-during-coronavirus-covid-19. 		
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If the details of the attachment are unclear please contact Governance on 8571 5235.

ORDINARY COUNCIL MEETING - MINUTES

4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)

6	<p>38 Robinson St / 301-315 Thomas St, central Dandenong 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"> • 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. • 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. • 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. • Council's Place Making, Community Services, Local Laws, Environmental Health, and Public Safety and Security officers have undertaken site assessments. • As a result of the meeting and site visits, agreed actions to address these issues include: <ul style="list-style-type: none"> - Allocating a VicPol senior officer as a key point-of-contact for traders/owners. - Continued proactive VicPol patrols of the location, and moving on of persons concerned, including provision of support services options. - 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. - Increased Council site cleansing and waste removal to maintain amenity standards. - 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. 	Report progress of actions and outcomes back to CSAC at next meeting	Council and VicPol
7	<p>Roundtable Updates</p> <p>Council</p> <p>Grant Funding</p> <ul style="list-style-type: none"> • Council has commenced planning for the design, contracting and implementation of the Community Safety Infrastructure Grant funds provided by the DJCS. • 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. • CCTV camera locations are currently being mapped and designed to comprehensively cover the external public spaces of the new Springvale Community Hub. <p>Hotspot Incidences</p> <p>Robert Booth Reserve – Resident's Letter to Council</p> <ul style="list-style-type: none"> • The resident asked Council to act on an incident where a person threatened the family and others in the Reserve while brandishing a weapon. • 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. 		

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>Coles Supermarket</p> <ul style="list-style-type: none"> • 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"> - Persons also gather and occasionally sleep rough in the associated underground car park accessed from Cleeland St and via an elevator into Coles. - 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. - VicPol has met with Coles management who have stated they will now invest up to \$100,000 in infrastructure changes to address the issue. <p>Youth Services Feedback</p> <ul style="list-style-type: none"> - 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. - Many individuals in the current groups are not homeless or young people aged more than 25 years old. <p>Youth Services</p> <ul style="list-style-type: none"> • 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. • Youth Services is also preparing a report on research findings conducted with families and young people on their needs post-COVID pandemic. <p>Emergency Management</p> <ul style="list-style-type: none"> • Over the Christmas/New Year period: <ul style="list-style-type: none"> - Council's Emergency Management and Environmental Health teams assisted in the response to contain COVID-19 exposure from transmission sources into local communities. - Presentations and related information were also provided to CALD communities to support them to minimise the risk of COVID-19 infection and transmission. - 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. <p>City of Greater Dandenong Councillors</p> <ul style="list-style-type: none"> • Councillors raised issues for discussion that had been brought to their attention. <ol style="list-style-type: none"> 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"> - 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. - Theft from motor vehicles and hooning/dangerous driving are state-wide priorities and key local concerns. 	
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If the details of the attachment are unclear please contact Governance on 8571 5235.

ORDINARY COUNCIL MEETING - MINUTES

4.1.2 Draft Minutes of Community Safety Advisory Committee Meeting - 10 February 2021 (Cont.)

	<p>Victoria Police</p> <ul style="list-style-type: none"> 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"> Council noted 'Job Keeper' is concluding at the end of March, which may increase social disadvantage and mental health impacts. 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. VicPol and the Chairperson formally welcomed a new member to the CSAC, Rhyl Brown from Monash Health Alcohol and Drug Services, who thanked those present for the invitation to join the Committee. <ul style="list-style-type: none"> Ms Brown has been proactively engaging with services, Council and authorities to address alcohol and other drug-related impacts on substance users and the community. 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. 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. 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. <p>Neighbourhood Watch</p> <ul style="list-style-type: none"> 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"> 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. The CSAC was requested to increase its collective efforts to promote positive aspects about Greater Dandenong. 	<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.</p> <p>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>
2021 Meeting Dates			
Wednesday	Time	Location	
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.

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.

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)

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.

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

4.1.3 Landfill & Transfer Station Services Contract (Cont.)

	Ensure workable contingency arrangements
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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.

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.

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.

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).

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).

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

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.

MINUTE 118

Moved by: Cr Rhonda Garad
Seconded by: Cr Tim Dark

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.

CARRIED

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

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>General Discussion</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>	22 February 2021
2	<p>Young Leaders Presentation</p> <p>Councillors were presented with an overview of the Young Leaders program for 2021.</p>	1 March 2021
3	<p>Noble Park Activity Centre Structure Plan 2021</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>	1 March 2021
4	<p>Councillor Gift Policy</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>	1 March 2021

4.1.4 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 22 February & 1 March 2021 (Cont.)

5	General Discussion Councillors and Council officers briefly discussed the following topics: (a) weekend media coverage regarding iCook Foods (CONFIDENTIAL). (b) Hanna Street residential development. (c) proposed road safety project at Corrigan and Harold Road, Noble Park. (d) Agenda items for the Council Meeting of 9 March 2021.	1 March 2021
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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.

MINUTE 119

Moved by: Cr Eden Foster

Seconded by: Cr Lana Formoso

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.

CARRIED

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

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**).

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.

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.

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

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, by contacting Council's Governance Unit directly on telephone 9239 5216, email 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.**

MINUTE 120

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

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*;**
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.**

CARRIED

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 1/12/15 to 30/11/16	Allowance 01/12/16 to 30/11/17	Allowance 01/12/17 to 30/11/18	Allowance 01/12/18 to 30/11/19	Allowance 01/12/19 to 30/11/20	Allowance 01/12/20 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

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:

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

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.

MINUTE 121

Moved by: Cr Rhonda Garad
Seconded by: Cr Loi Truong

That the listed items provided in Attachment 1 for the period 1-12 March 2021 be received and noted.

CARRIED

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.

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.

5 NOTICES OF MOTION

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

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.

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.

5.1 Notice of Motion No. 5 - ICAN (International Campaign to Abolish Nuclear Weapons) Cities Appeal (Cont.)

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.**

MOTION

Moved by: Cr Rhonda Garad
Seconded by: Cr Eden Foster

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.**

5.1 Notice of Motion No. 5 - ICAN (International Campaign to Abolish Nuclear Weapons) Cities Appeal (Cont.)

MINUTE 122

Moved by: Cr Jim Memeti

Seconded by: Cr Bob Milkovic

That Cr Tim Dark be granted and extension of time of two (2) minutes to speak against the motion.

CARRIED

MOTION LOST

For the Motion: Cr Eden Foster, Cr Rhonda Garad, Cr Angela Long, Cr Sean O'Reilly, Cr Loi Truong

Against the Motion: Cr Tim Dark, Cr Lana Formoso, Cr Richard Lim, Cr Jim Memeti, Cr Bob Milkovic, Cr Sophie Tan

6 REPORTS FROM COUNCILLORS/DELEGATES AND COUNCILLORS' QUESTIONS

Comment

Cr Tim Dark

It has been a very busy fortnight as we have certainly come out of COVID and we are certainly starting to ramp up with the events.

Over the last couple of weeks, I have attended a couple of events. I had a meeting with Cr Formoso at the South East United Turkish Soccer Club based at the Wachter and Lois Twohig Reserve. While Cr Formoso and I were there, it was good to see so many young kids turning up to play, parents dropping them off and some of the parents stayed to watch and enjoy. It has become quite a good area down there. I had never been to the Lois Twohig Reserve before so it was good to check it out and see what the facility is like.

I also attended the 2nd Springvale Scouts Camp at Gilwell Park this weekend in Gembrook. I have never been there before but I understand that quite a few Councillors have been there in the past. The 2nd Springvale Scouts is one of the biggest Scout groups in the City of Greater Dandenong. They have over 100 children who live locally, who are involved and participate. They attend camps and get involved with the local community for badges. I attended the camp because Ben Morscop from the 2nd Springvale Scouts was the third recipient so far in 12 months to receive the Queen's Scout Award which is the highest achievement you can possibly receive across a whole lot of categories, including badges for different things. Mr Morscop was one of the Scouts who attended a previous Council meeting to receive his citizenship badge and he was very, very excited to be a recipient of that. The badge was presented to him by Lord Baden-Powell who attended with his wife; and is the great grandchild of the founder of Scouts, Mr Baden-Powell. It was an excellent ceremony.

I was very proud to be the Keysborough Ward Councillor over the weekend when Keysborough Ward teams were in control of the cricket matches which is always good to see. We had wins from the Parkmore Pirates Cricket Club, the Coomoora Cricket Club and Keysborough Cricket Club. The Keysborough Cricket Club match was played at the Lois Twohig Reserve. I think Dandenong North did pretty well out of the canteen there for the day but it was a very, very close game. These are the best games to have.

Question

Cr Tim Dark

It was a good day across all three clubs, to see such good games of cricket occurring. If the Mayor could write a letter to each of the cricket clubs to congratulate them for their wins.

The second letter is to Ben Morscop on receiving his Queen's Scout Award at the 2nd Springvale Scouts Camp.

The third letter is for one of the people who has been involved in the 2nd Springvale Scouts for over 40 years. Jenny Morgan who is the mother of Leanne Morgan and they are both heavily involved with the 2nd Springvale Scouts. She received an award for 40 years of service to Scouts while I was

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

at the campsite. That is one of the rarest achievements in terms of Scouting hours. She is 74 years old and has been an active foster carer for over 30 years. Even at 74, she is still caring for five kids. She is definitely very active in the community and a stalwart. I think it would be worthwhile if we could please send her a letter congratulating her.

This question was noted for further action.

Question

Cr Tim Dark

I have received some correspondence from a resident in the City of Greater Dandenong regarding animal registrations and the failure of a BPAY transaction when it was paid. I believe the BPAY number and the post-paid number did not match on the pet registration letters. They subsequently received another letter which was dated 17 March 2021 which stated that there was an error within the print house and the previous ones were disregarded. I just want to confirm the following with regards to the costs:

- (1) If the reprint and the posting of those letters is at Council's expense. The letter does say that it was done by a printing house but I do not know whether that was internal or external.
- (2) Given this involved significant amounts of money being paid through the BPAY system, that we are not going to have any potential errors in the future where we will send out the next quarter rates notice with an incorrect number and we pay somebody else.

Response

Mick Jaensch, Director Corporate Services

We will take that question on notice and between Mr Bosman and I, we will investigate. If it was a printing house error, generally the printing house would cover those costs, not Council, but I would need to confirm that with Cr Dark and we will do that in the coming days.

Question

Cr Tim Dark

When I attended the Parkmore Pirates Grand Final, many residents had asked me for an update on the reinstatement of the wetlands at Wachter Reserve. From the clubhouse, looking out across, it looks like barren land or a desert. It looks very smooth in terms of the layout of the ground however, there was much querying going on with that. Secondly, Parkmore Pirates have explained that they have been looking to renovate. There is quite a bit of damage to the building just general wear and tear. The footpath at the front on the balcony is breaking away and there is quite a bit of a fall. There have been a couple of people who have tripped over that. I just wonder if we can please:

- (1) have that raised as a merit and investigated; and
- (2) if we could please get in touch with the Grounds manager just to get an update on what is happening with the Wachter Reserve Master Plan.

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

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

Yes. The wetlands reserve has recently finished all the hard earthworks so that the clay line will then receive the stormwater. Prior to releasing that or turning that water on, we need to do our planting which is the next step and we have also got tenders out for the boardwalks and associated works so the project is continuing but we are going into stages 2 and 3 which will be occurring in the next few months.

Question

Cr Tim Dark

I got ambushed at the Keysborough Cricket Club, who were playing at Rowley Allan Reserve and they have also indicated the same thing. I know that there was a meeting last week with regards to the Rowley Allan Master Plan but the clubs are saying to me that they have not had a whole lot of correspondence between the two. They had some queries regarding the Master Plan drawings that they have received from Mr Cullen. There is a distinct L-shape outline where the Pavilion is. They were wondering whether that was part of the pavilion given the way that it has been designed or whether that was just put there as an inanimate object. They would also like some correspondence with regards to the Pavilion.

Response

Jody Bosman, Director City Planning, Design and Amenity

This is a question that I will need to consult on with my colleague Mr Fidler. There has been correspondence between ourselves and the various clubs. It is ongoing work. It is work that is currently in-hand. I will take the question on notice and come back to you and all Councillors on exactly where we are at in regard to those discussions and the status of the Master Plan.

Question

Cr Bob Milkovic

I would like an update regarding the safety cricket nets replacement at Lois Twohig Reserve, Dandenong North as requested by the Dandenong North Cricket Club? It is not the new part but the older part where the bushes have intertwined with the fence pulling down the fence. I think it is the section owned by Melbourne Water so we may need to ask for their permission. Is there any update on that please?

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

I will take that question on notice.

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

Comment

Cr Bob Milkovic

I would like to pass on many thanks from a local Rosswood Downs resident in regard to the coffee truck that is now fully operational at Rosswood Tennis Club parking lot. The residents are delighted and happy and they are hoping to see the truck there for many, many years to come. Thank you to the Planning Department yet again on this wonderful move.

Question

Cr Bob Milkovic

A couple of residents in Dandenong North have asked if it is possible for the relevant officer to investigate moving at least one disabled parking bay to the front of the Brady Road shopping strip. They are currently located at the carpark across the street from the shops. I myself have witnessed one of the residents on a walker having quite a lot of trouble crossing the road and it does take a bit of time. If you are mobile then it does not make any difference but if you are not, the cars tend not to slow down to below 60km which is also an issue on Brady Road. Is it possible to move one disabled parking bay closer to the shops maybe in front of the pharmacy because that is obviously where these residents would quite often go?

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

Yes, that is certainly possible. I will have our Traffic Engineers investigate and see what can be done.

Cr Loi Truong left the Chamber at 8.37pm.

Question

Cr Bob Milkovic

Repeatedly over many months, I drive past the pedestrian crossing at Ann Street and Herbert Street in Dandenong where Dandenong High School is located and I have noticed that those super expensive, super high-tech removable/moveable bollards are still in the ground. Will they be reinstalled because as far as I understand, that was the high-tech solution that was offered at the time? Currently, they are operating with a \$50 set of bollards and a piece of string strung through. Does anyone know if the high-tech bollards are going to be put back in operation or not?

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

Yes, they will be put back in operation. There is currently an investigation to improve the draining. The problem is getting good drainage to the base of those bollards to make them more reliable.

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

Question

Cr Richard Lim

As a representative of the Springvale community, I inspect the Springvale Activity Centre regularly. My first question is about the footpaths and the driveways in the Springvale Activity Centre. There are many dangerous paths which could be tripping hazards and potholes in the Centre. I have seen an electrical or a telephone pit outside the multilevel carpark toilet which looks to have sunk. The alleyway leading to the Multicultural Place has uneven cracks in the footpath as well as next to the Golden Plaza Shopping Centre, Maxim Restaurant and the No.1 St John Avenue private carpark. There many cracks in the footpaths and holes in the driveways. Can the relevant department investigate these issues?

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

It sounds like there is a mix of issues on private land as well as public land but we can certainly investigate the areas of public land that we are responsible for.

Comment

Cr Richard Lim

Even though it could be private land, Council officers could still arrange an inspection and advise the private business owners especially the Body Corporate on what to do otherwise, it would create more issues and problems for our City as well as leaving a bad image.

Question

Cr Richard Lim

The second issue relates to trees and garden maintenance. The trees across from the Street Hot Pot restaurant in Springvale were removed without replacement and the stumps have not been removed properly. There are many dead and overgrown branches hanging off the trees along Buckingham Avenue and Balmoral Avenue. Can we maintain the trees in this area more actively?

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

We will investigate those as well. We do conduct regular inspections of the trees and footpaths throughout the municipality and record them in a priority list.

Cr Loi Truong returned to the Chamber at 8.41pm.

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

Question

Cr Richard Lim

The third question is littering. No.1 St John Avenue Plaza has a lot of litter such as cardboard packaging foam which most likely come from the nearby business owners. How can we educate these business owners and reprimand them to keep our City clean and tidy? These factors all form a negative image of the Springvale Centre which is part of the City of Greater Dandenong. How can we work together to solve this issue?

Response

Jody Bosman, Director City Planning, Design and Amenity

We will engage using our Litter Prevention and Education officer in the area of education which is obviously our first port of call. I think that if we can have a rollout maybe together with the shop owners in the area and an education program, we might have a broader success in dealing with the litter issue rather than an enforcement issue to start off with. Leave it with me to look at it from an education point of view and I will liaise directly with you on the way that that might be best implemented.

Comment

Cr Sophie Tan

This my report since the last Council meeting.

On 12-13 March 2021, I attended the Councillor Strategic Planning Workshop. In the last two years, Council has conducted the workshop locally at one of our local reserves or at the Springvale City Hall Supper Room. However, due to the tragic bushfires last year, the City of Greater Dandenong Council wanted to help a regional rural business that was affected by this event and also by COVID-19. Council then agreed to have our Strategic Planning Workshop in a rural area instead of locally. I just want to say thank you again to the Chief Executive Officer, all the Directors and Councillors who contributed with their time away from their families and friends for the long weekend and just focus on work. We had a lot of productive workshops during the whole two days so thank you.

On 7 March 2021, I attended the citizenship ceremony where we welcomed 100 new citizens to our City with our Mayor, Cr Long.

On 18 March 2021, I attended the Councillor Induction briefing on Gender Equality, Diversity and Inclusiveness.

On 21 March 2021, I attended the New Year flag raising ceremony for the 20/21 Vietnamese TET festival which is hosted by the Vietnamese Community Australia Victoria.

I want to say Happy Harmony Week for last week, 15-21 March 2021, where we celebrate cultural diversity and being the most multicultural and diverse community in Australia, Greater Dandenong really has something to celebrate. Normally, we would have hundreds of people from different cultural backgrounds celebrating at Harmony Square, putting on performances during the day but this year, due to COVID restrictions, these were conducted online instead.

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

Question

Cr Sophie Tan

Regarding firework displays at the TAB or the hotels especially in Keysborough, residents around that area have not received flyers or information related to the fireworks. What is Councils Fireworks Policy for commercial buildings such as the TAB or hotels?

Response

Jody Bosman, Director City Planning, Design and Amenity

There is a requirement to obtain a permit for the discharge of fireworks. Failure to do so is an offence under the Local Law and if we can identify who is responsible, we will take the necessary action. Unfortunately, in many situations, especially like at New Year's, residents will illegally discharge fireworks and it is almost impossible in those sorts of situations to identify the guilty parties. If you have a situation where you know of a commercial operator or any operator that has illegally discharged fireworks we can and will follow that up. If you can provide me with that information, I am happy to pass that onto the Manager of Regulatory Services.

Question

Cr Jim Memeti

I was contacted by a resident regarding the intersection of Kirkham and Hammond Roads, Dandenong where the road is uneven and has potholes. I think we need to look at it urgently. I normally do not raise these issues but an intersection like Kirkham and Hammond Roads gets a lot of traffic and is quite a dangerous intersection so if Council officers can please look into that. It is off Hammond Road in Dandenong South.

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

I will have Traffic Officers investigate.

Question

Cr Jim Memeti

My next question is regarding Moomba Parade in Dandenong. A fortnight ago, I asked Council officers to investigate and put in a 'No Standing' sign on one side. I received an email last week advising Council officers had investigated and advise that there is no need for any action. Unfortunately, I do not accept that. The residents do not accept it so I am asking the relevant officer if we can have an onsite meeting with the residents on Sunday morning. It is quite dangerous. I am not sure whether Council officers went down there on a Sunday morning to have a look and investigate because it was not provided in the response but we need to have a meeting with myself, the relevant Council officers and residents if that is possible.

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

We are happy to meet with Cr Memeti onsite.

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

Comment

Cr Jim Memeti

Cr Tan just acknowledged Harmony Day. Harmony Day is celebrated annually on 21 March in Australia. It began in 1999 coinciding with the United Nations International Day for the Elimination of Racial Discrimination. I was very happy to see my grandchildren dress up in their traditional clothing and go to Dandenong South Primary School which is one of the most multicultural schools in Australia. I am not sure if they do that only at Dandenong South Primary School or whether it happens at other primary schools but I think it is fantastic that these kids get all dressed up and celebrate Harmony Day. Well done to Dandenong South Primary School and all the other schools that are engaged in doing that. That was fantastic to see that.

To our other communities who celebrate Nowruz, Happy Nowruz to you all who celebrated over the weekend.

Comment

Cr Rhonda Garad

I had the honour and privilege of attending a number of important events in the last two weeks.

Yesterday, I attended the opening of the community centre for the Druze Community of Victoria. That will serve as an important gathering place for the community. In particular, I would like to thank Cr Hadi Saab, Deputy Mayor of the City of Kingston Council for his warm welcome and I wish to congratulate the community on the great progress they have made on that centre.

I would also like to thank the Cleveland Street Mosque for their warm welcome as part of the Mosque Open Day, a day in which the Muslim community open their doors to build connections with the wider community.

I also attended a tour of the Dandenong Market and had the pleasure of meeting the new Board members. It was wonderful to hear of the future plans to be developed for the Dandenong Market. I indicated I looked forward to hearing back from extensive community consultation on these plans.

I also attended the flag raising ceremony for the Vietnamese TET festival.

I also proudly attended the Women for Justice March along with 110,000 women across Australia and it was a very proud moment indeed for women across this country.

I have also been working the Council staff on the redevelopment plans for the Westwood Boulevard Park in Keysborough South. I thank the executive team for their assistance in insuring that the final plans will be responsive to the community feedback from over 220 residents who showed great interest in the development of this concept plan.

I would really like to highlight a fantastic project that has started called 'Mothers Legal Help'. This project is a health justice project between Springvale Monash Health Legal Service and the City of Dandenong Maternal and Child Health Program; supporting the response to women and children experiencing family violence. This program is a great example of a collaborative approach and consistent with the call by the Royal Commission into Family Violence in the health sector who stated

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

health professionals have a powerful role to play in family violence. The funding was provided through the Council's Strategic Grants Program and will support the placement of a lawyer one day a week over two years inside the Maternal Child and Health centres. I sincerely congratulate the Maternal Child and Health Care nurses who instigated this project and Council staff involved and look forward to hearing the great work progress of this project.

I have been approached by a number of residents in my Ward in Keysborough South who are increasingly concerned about the level of crime in this area. Local Police reports have shown a significant increase in house break-ins, car break-ins and thefts. Cr Tan and I raised this issue with the Community Safety Advisory Committee recently and I have met with Dawn Vernon, the head of the City of Greater Dandenong Neighbourhood Watch who is going to attend with me a meeting with Victoria Police to look at ways in which we can increase community safety in this area. The residents of Keysborough South have the right to feel safe in their communities and we will do everything we can to work collaboratively to ensure that.

Question

Cr Rhonda Garad

In light of the reduction in government support in the forms of JobKeeper and JobSeeker at the end of this month, will the Council reconsider business registration cost reductions to assist the many businesses who are still doing it tough at this time?

Response

Jody Bosman, Director City Planning, Design and Amenity

Less than five percent or 79 out of 1,669 of our registered businesses have yet to pay their registration fees within the extended period which ends 31 May 2021. That is for the health premises. In other words, it is a very, very low number. However, we will certainly keep an eye on this situation and bring the question back for further consideration should it become apparent that an extension of future registration periods is warranted. At this stage, our data and our statistics show that there is no stress within that system. As I said, it is less than five percent that are outstanding which would be fairly typical but if going into the future it becomes apparent that we need to bring that back, we will.

Comment

Cr Rhonda Garad

Just to follow up on that response, I do not think that the payment of the fees is really an indication of the stress and also to highlight that the stress is ongoing. We are only beginning to see the beginning of financial stress on businesses as JobSeeker and JobKeeper are reduced.

Question

Cr Rhonda Garad

Can the Council provide an update on the progress of the COVID plan that will clearly inform the community of comprehensive assistance program the Council has in place to assist the community at this difficult time and into the future?

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

Response

Mick Jaensch, Director Corporate Services

I am pleased to say that we distributed a draft of the COVID recovery and response plan to Councillors this morning and following Councillor feedback over the course of this week, we hope to publish the plan online by the end of this week.

Question

Cr Rhonda Garad

Can the Council provide an update on the Green Wedge - Recreational Trail plan?

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

I will take that question on notice.

Question

Cr Rhonda Garad

In light of the concern expressed in the community over the cost of the recent Strategic Planning event, will the Council plan in future to hold these events on Council premises at no cost to the community?

Response

John Bennie PSM, Chief Executive Officer

I think it is a question that each of the Councillors will undoubtedly take on notice and give consideration. From my point of view, in each and every year that this Council has held a strategic planning workshop, it has given consideration before the event and after the event for the benefits and disbenefits of holding the workshop in-house on location within the City and at another location. Council has opted to use both over a number of years. Council had a discussion in December last year as to where this most recent workshop should be and determined that for a number of reasons it should be in a remote location. Council also had a debrief immediately after the event on the Saturday and heard different views about the success or otherwise of that particular event. That has happened every year, a pre-discussion and a post-discussion and whether there is community concern or not and none of that is ignored and disregarded. I think Council will do what it always does for all future events and that is have a conversation before the event and after the event about the appropriate location for it.

Comment

Cr Rhonda Garad

I would like to acknowledge that this is not a normal time. It is a time of great hardship during COVID and that perhaps exceptional circumstances should perhaps generate altered behaviour.

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

Question

Cr Rhonda Garad

I have been approached by many residents to create verge gardens. In recognition of the need to strengthen community ties following COVID will the Council explore verge gardens in tandem with the policy on community gardens currently under review?

Response

Jody Bosman, Director City Planning, Design and Amenity

This question is not unlike or dissimilar to a question that we heard earlier this evening from the public. As I mentioned in that, the existing Local Laws are currently being reviewed and it will be proposed that planting on nature strips and verge gardens be permitted as long as they comply with the Council nature strip guidelines, which are being developed at the moment. We will be putting that review or the draft review of the Local Law out fairly soon to community consultation. Separately but running concurrently with that obviously, is the development of the policy on community gardens and we expect that to be coming through to Councillors for discussion soon.

Comment

Cr Lana Formoso

I have attended many events and been very busy meeting with sporting clubs and residents of Noble Park North Ward.

One of the things that I did attend which I was very excited about on Thursday 11 March 2021, was the first Women's League match in the south-east which was between Melbourne City and Western City. We will be holding another match here on Thursday 25 March 2021, which is going to be at the Dandenong City Grounds at 7pm. I highly recommend that our Councillors and residents attend. It is against Perth Glory so I was very excited to see a women's match here in the south-east and hope there is a lot more of that.

The other thing that I had the real pleasure of attending was the Greater Dandenong Young Leaders organised a Youth Leadership Forum called the Youth Voice held at Springvale Town Hall. I attended with Mayor Angela Long and it was amazing to hear what our youth have got to say about their ideas and views moving forward in our municipality and beyond. It was a real pleasure to be there with them.

I also went on a Dandenong Chamber of Commerce Food Walking Tour which was on 17 March 2021, which was absolutely fantastic. I highly recommend my colleagues and anyone that can attend this event to do so. It gives you a real history as to what goes on in Dandenong and what we have achieved during this time and also gives us a taste of some of the delicious food that we have on offer so I highly recommend doing that.

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

Question

Cr Lana Formoso

Following on from Cr Milkovic's question regarding the Dandenong High School bollards on Herbert Street, I had a meeting with the Vice Principal last week in regards to that and it is a safety issue for the residents, for the teachers and most certainly a safety issue for the students on a daily basis. He proposed and I think I agree with this, to perhaps block the street off completely. I hope to bring that to Council in the near future if we possibly can because the bollards are just not working. They are a ridiculous cost to Council and I would like the relevant officer to respond if they could please.

Response

John Bennie PSM, Chief Executive Officer

I know Mr Cinquegrana commented earlier on the difficulties that we seem to be experiencing with perhaps the electricals but on the point that you made, I will only add that this was a very contentious issue in Council a number of years ago when that crossing was created. Full closure of the road was one option, boom gates was another option and electrically operated bollards was the option that was settled on. I think it was a matter from memory, that probably came back to Council with rescission motions and other things two or three times. I am only saying to you that there is a history. It does not mean it cannot be revisited but we will need to dig into that history and bring back to you a whole lot of information around the connectivity or disconnectivity of Herbert Street in relation to that location. I am sure the officers, arising from your question that we received a couple of weeks ago, are working on developing that background information for all Councillors to consider.

Comment

Cr Lana Formoso

I certainly did not want to cause any issues, especially as a new Councillor but it is definitely an issue that we are dealing with on a daily basis so I look forward to hearing further reports.

Question

Cr Lana Formoso

The other issue that I have received on multiple occasions from residents who live on Browns Road in Noble Park North relates to the amount of traffic that is going through Browns Road. Not only traffic, the speed and more importantly, the heavy vehicles that are going through there. It is just ridiculous. I visit quite often just to have a look at what is happening. The size of the semi-trailers are often too wide for the road and I understand that many of these trucks are using this as a detour because it is cost effective in relation to going all the way around. I do believe there was a system in place where we were fining such heavy vehicles but that seems to have died down a little bit. I was wondering what we could possibly do in terms of enforcing these rules because the residents are saying that often in the middle of the night, their houses are shaking from the heavy vehicles that are going through and the distress that it is causing for many residents. What can we possibly do in terms of fining or monitoring this space better?

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

Response

Jody Bosman, Director City Planning, Design and Amenity

I think there are many officers that need to collaborate on this. I will take the lead on it and we will have a look at what has happened in the past and what options we might employ in the future in dealing with this issue. I will also consult directly with you in respect of the list of issues that you have with Browns Road and that will help inform us on the way forward.

Question

Cr Tim Dark

Supplementary to Cr Formoso's comment, I am aware of this issue with Browns Road. I will add just while you are doing your research, in the last 12 months that there has been Nationwide Towing that have moved into Browns Road and they have taken over the factories there, E&S Trading Warehouse and the bigger one, Schmitz Cargobull Australia Pty Ltd. Former Cr Sampey attended an opening there with the press some time ago. They are a large manufacturer of semi-trailers and that is the reason why there has been a significant increase of traffic along Browns Road as well as drivers taking a shortcut. If we could investigate who the industrial tenants are in that industrial component and enforce a cut off period when it hits residential?

Response

Jody Bosman, Director City Planning, Design and Amenity

You are quite right. It is an industrial area and it is about finding a balance between how one allows the industrial area to continue to operate as an industrial area, while at the same time, the reasonable protection of residential amenity for the neighbouring residential. There is probably no easy or quick solution but as I said earlier, I will take the lead into look into what those options might be.

Comment

Cr Sean O'Reilly

I attended quite a few events and will mention a couple. The Dandenong Market Briefing I thought was such a testament to the professionalism of the Board and Management, how they have steered that through the times of COVID. A telling number for me was that financially it ended up with just a small deficit and that includes all the trader support they have done. With the new Board members, I think the Dandenong Market Board is doing so well and this Council should be really proud of both the Board and Management of Dandenong Market.

Question

Cr Sean O'Reilly

I visited the Springvale Districts Football and Netball Club at Springvale Reserve on Saturday morning and they are also a great bunch of people. They are certainly kicking goals in more ways than one. They advised they have many netball players that currently have to train in Dingley because there is no suitable facility to do that in Greater Dandenong. When you look at parts of Springvale Reserve, there is space there that could accommodate a netball or mixed-use ball court. To the Acting Director of Engineering, could I have some assistance with working out some sort of plan to get a ball court on Springvale Reserve? I understand these things do not happen overnight and there are a number

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

of steps and funding stages required however, I would appreciate the Acting Director arranging that assistance. I think the outcome we would have from it ties in with Council promoting increased female participation in sport, the effective use and activation of our existing sporting grounds and of course, making it easier for families with both boys and girls to both participate in sport without having to drive around to all different locations.

Response

Craig Cinquegrana, Acting Director Business, Engineering and Major Projects

Yes, I am quite happy to liaise with our Sports and Recreation Department. I know they have a Sporting Facility Strategy and some of those questions maybe already answered in that but I will refer to them to provide some answers on that issue.

Comment

Cr Loi Truong

Last week, I attended a meeting with Council staff and Cr Sophie Tan, to discuss new traffic lights at the corner of Harold Road and Corrigan Road, Springvale South. It is a very important issue to the residents because I know it is a very dangerous area and also a black spot.

I also attended the Vietnamese TET festival Flag Raising event and celebration of the New Year with the Vietnamese community along with the Mayor, Deputy Mayor, Cr Rhonda Garad and Cr Sean O'Reilly. We had the opportunity to reveal everything we have done during the COVID-19 pandemic. From the start of the year in January, I worked with over 100 people to raise over \$44,000 for the Bushfire Appeal.

With the lockdowns, people were stuck at home so a number of Vietnamese people formed a team to make face masks for people in the community. Local newspapers such as the Dandenong Star helped by advertising and people were able to pick them up from my shop as they were not allowed to visit other people's homes. By the end of COVID, we had given out over 31,000 of those face masks to the Greater Dandenong residents.

As you know, Vietnam faced severe flooding not long ago. With the support of the Vietnamese community, we raised \$12,100 which we sent over to assist the Vietnamese people with the flooding.

We also completed fundraising for the Monash Children Hospital and initially raised \$4,800 and as we went around to collect the money tins from various locations, the final amount increased to \$14,800 for the Monash Children Hospital.

Vietnamese people mostly come to Australia under duress and donating money is their way of saying thank you to the Australian Government and Australian people for opening their arms and welcoming them 40 years ago.

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

Comment

Cr Angela Long, Mayor

On Wednesday 10 March 2021, I attended via Zoom the South East Business Network (SEBN) International Women's Day celebration.

On Thursday 11 March 2021, I attended the Noble Park Revitalisation Board Meeting via Zoom. That night, I attended the Melbourne City versus Western Sydney Wanderers soccer match at the Police Paddocks in Dandenong. Sydney won: 4-0.

On Friday and Saturday, 12- 13 March 2021, I attended the Councillor Strategic Planning Workshop.

On Sunday 14 March 2021, I attended Noble Park RSL Annual General Meeting.

On Monday 15 March 2021, I attended a Councillor Briefing on Rowley Allan Reserve concept plan.

On Tuesday 16 March 2021, I attended the Youth Leadership Forum, Youth Voice, which Cr Formoso mentioned. I also attended the COVID-19 Business Recovery Task Force via Teams and Dandenong Day Nursery Committee Meeting via Zoom.

On Wednesday 17 March 2021, I attended the Children's Advisory Group Meeting for the Election of the 2021 City of Greater Dandenong Junior Mayor (Murray Congues from St Mary's Primary School). That night, I presided over a citizenship of 100 new Australian citizens.

On Thursday 18 March 2021, I attended the Councillor induction on Gender Equality Diversity and Inclusiveness.

On Friday 19 March 2021, I attended the Williamson Leadership Program and also the soccer match between Dandenong City and Avondale clubs. Avondale won: 4-1.

On Saturday 20 March 2021, I attended the Co Vang New Year flag raising ceremony for the 2021 Vietnamese TET festival.

On Sunday 21 March 2021, I attended the Dandenong and District Aborigines Co-op Annual General Meeting. A bit of a fiery meeting that was.

Today, I drew the first prize for the International Women's Day lucky draw. The first prize of \$300 of Dandenong Market vouchers was won by the Dandenong Arts Club who then donated it back to the Wellsprings for Women. I will be doing that presentation to the Wellsprings for Women tomorrow. I am very pleased that they did not want it for themselves but being International Women's Day, they wanted a woman's group to receive the money.

Cr Formoso spoke about the bollards in Ann and Herbert Street in Dandenong. There is a very long history on that. I have always hoped we would put traffic lights in to stop the traffic going through but there was a lot of traffic and there was a bus route which people from the lower end of Ann and Herbert Streets used to be able to catch to the Market. The bollards stopped the traffic and forced more traffic onto nearby David Street, right next to the primary school which created a problem. I was

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

very, very vocal about that. In the end, they advised the traffic lights were going to cost an extra \$20,000 however, it costs Council \$20,000 a year to maintain these bollards. I am airing my grievances because I still maintain that they should have installed traffic lights at this site.

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

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

COUNCILLOR QUESTIONS TAKEN ON NOTICE/REQUIRING FURTHER ACTION

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
25/01/21 CQT17	Cr Bob Milkovic	<p>Letter to Minister Merlino and Minister Williams regarding upgrading of Rosewood Downs Primary School.</p> <p>During the holidays, living in close vicinity of Rosewood Downs Primary School and Tirhatuan Park in Dandenong North, I have interactions with quite a few residents, neighbours, friends and family members. There seems to be a common question asked about the school. I know it is not a Council matter, but I would like to ask for a little bit of support and if we can possibly write a letter. The Rosewood Downs Primary School has been on the same grounds for 40 years and except for a sports hall that was built about 10 years ago, the school is pretty much in its original condition. They have added on a few rooms here and there, renovated, but it is mismatched at the best of times and it is not really a 21st century facility for our kids and residents and I think they deserve better. What I would like to ask with the Mayor's permission is that the Council writes a letter to the Honourable James Merlino, Minister for Education; and to our local member, the Honourable Gabrielle Williams MP, Minister for Women and for Aboriginal Affairs, asking for support and for our State Government to maybe look into redeveloping, basically rebuilding a new school on the Rosewood Downs grounds. We could possibly even seek the cooperation of Council, specifically Mr Fidler's department, in incorporating</p>	Director Community Services/ Mayor's Office	19/03/21	<p>Response provided 8/02/21: In progress.</p> <p>Further response provided 9/03/21: Based on the discussions from meetings that have already taken place, it was agreed that an advocacy letter from Council would be drafted when Kindergarten Infrastructure and Services Plans are finalised; and all relevant information is received. It is anticipated to be finalised in May if not earlier.</p> <p>Further response provided 19/03/21: As this will involve ongoing communications and updates, Council officer/s working on the Kindergarten Infrastructure and Services Plans will liaise directly with Cr Milkovic with regards to the progress of his request. Councillors will be advised in writing when the letter is finalised.</p> <p style="text-align: right;">COMPLETED</p>

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/02/21 CQT6	Cr Rhonda Garad	<p>Rosewood Kindergarten within the school grounds. I think that will be highly beneficial as the current facilities have reached the end of their useful life with repairs and patch-ups on the go for so long. I am not sure how it is going to work in practice but I would like to ask for that letter to be drafted if possible seeking support and maybe consideration towards the local residents there.</p> <p><i>This question was noted for further action.</i></p>	Director City Planning, Design and Amenity		<p>Initial response provided 22/02/21:</p> <p>This was a matter of much discussion at the time of campaigning during the recent Elections, much information was gathered. A lot of information was handed out or given to prospective candidates at that stage. Its information and its questions that in fact, go across three different directorates. I am going to take your question on notice so that I can pull together a comprehensive response that can then be put into the Council Minutes. It will be there for the public record. Your question might seem to be a simple one, but the answer is in fact, quite a detailed one. We will come back to Council with a response.</p>

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

2 / 23

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>Further response provided 9/03/21: The details for a comprehensive response are still being worked through and this is expected to be completed shortly.</p> <p>No further update as at 22/03/21</p> <p>FURTHER ACTION REQUIRED</p>
9/03/21 CQT2	Cr Eden Foster	<p>Tree replanting Carpenter Street, Noble Park. I have had an enquiry from a resident about the very low tree canopy cover on Carpenter Street in Noble Park. The resident notes that several of the trees on their street have died or are in poor condition. Several properties do not seem to have any nature strip trees and the few small trees that they do have on the street, appear to be damaged by severe pruning. The resident has requested to have their street added to Council's list for planting new trees if possible and given Council's Urban Tree Strategy, can I please ask that this street be considered for improvement of these?</p>	Director Business, Engineering and Major Projects	17/03/21	<p>Initial response provided 9/03/21: Yes, we do have a program for replanting in our streets so hopefully Carpenter Street is on the list but I will follow up and advise.</p> <p>Further response provided 17/03/21: Council officers have finalised the tree planting programs for 2021 however, Carpenter Street will be assessed for potential infill planting for 2022. The street trees that the resident believes are damaged will be assessed and rectification work arranged, if required.</p> <p>COMPLETED</p>
9/03/21 CQT3	Cr Rhonda Garad	<p>Compulsory cat de-sexing. Why is it that the City of Greater Dandenong is one of the few Councils who does not require compulsory cat de-sexing?</p> <p>Comment Cr Rhonda Garad Cr Formoso and I have just met with</p>	Director City Planning, Design and Amenity	10/03/21	<p>Initial response provided 10/03/21: This is a question that has recently come to me from one of the residents and I am in the process of formulating a response there. I will include everybody in that response. I would like to mention though that this year we are doing a complete review of our Domestic Animal</p>

3 / 23
Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>some concerned residents around the care of cats in the City of Greater Dandenong. With COVID, we do have a tremendous feral cat issue as do the rest of Australia so I look forward to the Director's response.</p>			<p>Management Plan generally known as DAMP and that will be one of the issues that will be included.</p> <p>Further response provided 10/03/21:</p> <p>Whilst noting and appreciating your clear passion for the topic, the question of introducing compulsory de-sexing of "owned" cats across the municipality is complex, and whilst we consider de-sexing as an important aspect in cat management, we do not consider it as being the panacea for all the problems, as here at the City of Greater Dandenong our statistics show that 98% of registered (owned) cats are already de-sexed, so clearly the vast majority of cat owners in the City of Greater Dandenong are already getting their cats de-sexed. This leaves the management of those cats which are "semi owned" and "unowned" cats in our municipality as being our major focus to help reduce the type of incidents you have described in your e-mail. To that end we are also closely looking at how some Councils, in particular the City of Banyule, have had (and are continuing to have) considerable success in reducing the number of unwanted kitten in their areas by working with targeted groups within their community to improve "ownership" levels of those unowned animals, which then leads to the</p>

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

4 / 23

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT4	Cr Jim Mermeti	<p>No standing zones in Moomba Parade, Dandenong to enhance traffic flow.</p> <p>Facebook has become a phenomenal communication tool for everyone to express their concerns. Residents from Moomba Parade in Dandenong South posted via Facebook and Messenger that it gets quite congested on a Sunday morning along Moomba Parade. In other areas where there are temples, mosques and churches, there are 'no standing' signs on one side and parking on the other side. Currently there is parking on both sides of Moomba Parade. The concern is if something was to happen and there is a need to call emergency services these vehicles would not be able to go through. Can Council please investigate having one side of Moomba Parade as a 'no standing' area especially on a Sunday morning to make sure the entire street is accessible during any time of emergency?</p>	Director Business, Engineering and Major Projects	18/03/21	<p>more responsible ownership and ultimately the better care of cats.</p> <p>COMPLETED</p> <p>Initial response provided 9/03/21: Yes, we can arrange for our Traffic Team investigate and see if parking restrictions are appropriate.</p> <p>Further response provided 18/03/21: This matter was discussed at the March 2021 Parking Review Committee (PRC) meeting and the request for the introduction of parking restrictions was not supported for the following reasons:</p> <ul style="list-style-type: none"> • Whilst the request seems logical in relation to similar parking restrictions on nearby streets on other days of the week, it does differ with regards to its impact on local residents. • The restrictions referenced near the Mosque operate on Fridays during the middle of the day when local residents are not likely to be at home. Thus the demand for on-street parking by locals is somewhat reduced. • The restrictions sought for Sundays would significantly impact local residents, when it is highly likely they will be at home and there will be a higher demand for

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

5 / 23

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT5	Cr Jim Memeti	<p>Establishment of community working group for Dandenong Community Hub.</p> <p>With regards to the petition for the Dandenong Community Hub discussed earlier tonight, I have just received another email from concerned residents. I would like to recommend that the Mayor, the relevant Director and other interested Councillors meet with a few people from the community and form a working group to keep them updated on the progress of this project. Even though we have our own Strategy meeting of Councillors and Directors on Friday and Saturday, this working group will give our residents confidence that our Council will deliver so can a meeting be arranged in the next week or so please?</p>	Director Community Services	19/03/21	<p>on-street parking.</p> <p>A review of the Facebook comments on this matter indicated the issue was likely raised by those seeking easier passage through the area or whilst they visit the Church. The Parking Review Committee's opinion was supported by local residents to introduce parking restrictions along Moomba Parade on Sundays, would be very unlikely. Given the above, no further action is proposed at this time.</p> <p style="text-align: right;">COMPLETED</p> <p>Initial response provided 9/03/21: Yes</p> <p>Further response provided 19/03/21: The format and dates for community engagement and consultation will be finalised when the consultant for the business plan is appointed. These dates will be communicated to key stakeholders and a Dandenong Community Hub information page has been developed on Council's website to provide ongoing information and updates.</p> <p style="text-align: right;">COMPLETED</p>
9/03/21 CQT7	Cr Sophie Tan	<p>Installation of bollards to avoid parking on grass</p> <p>My other question relates to the same</p>	Director City Planning, Design and	19/03/21	<p>Response provided 19/03/21: Council does not currently own the land and rather has entered into a</p> <p style="text-align: right;">COMPLETED</p>

6 / 23

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>area is regarding parking issues. Some residents park their cars on the grassed area. Can we install bollards to prevent parking on the grass?</p> <p><i>This question was noted for further action.</i></p>	Amenity		<p>contract of sale. The contract is subject to a number of conditions including finalising landscaping works and addressing body corporate issues. Once the land sale is settled and in Council's ownership, we can investigate ways in which to protect trees whilst preventing illegal or damaging parking on that land in Council's ownership.</p>
9/03/21 CQT9	Cr Richard Lim	<p>Possible purchase of land to establish Springvale Heritage Museum</p> <p>Is there any possibility of Council helping to establish a Springvale Museum in the future? If we were to buy a property near the Springvale Town Hall for about \$800,000, we can raise these funds through various associations such as the Cambodian associations, the many Chinese associations and the various Vietnamese Associations. Is there anything that Council can do to help make it happen in the near future?</p>	Director Community Services	18/03/21	<p>COMPLETED</p> <p>Initial response provided 9/03/21: I will take that question on notice. I do think we will need to look at a feasibility study initially to bring the key stakeholders together. That is something we can investigate and provide further information on.</p> <p>Further response provided 18/03/21: Officers will meet with Cr Lim to discuss this concept further and determine next steps.</p> <p>COMPLETED</p>
9/03/21 CQT10	Cr Bob Milkovic	<p>Re-installation of bus shelter at Outlook Drive, Dandenong North</p> <p>I would like to start off by following up on some previously asked questions. Could I ask the relevant officer for an update on a possible re-installation of the bus shelter on Outlook Drive, Dandenong North, opposite the retirement village? Obviously, with the weather changing for the worse with winter coming, the residents would like to know if there has</p>	Director Business, Engineering and Major Projects	18/03/21	<p>Initial response provided 9/03/21: I will follow that up. Bus shelters are normally the responsibility of the State Government but I need to get the information on the progress of that request and report back to you.</p> <p>Further response provided 18/03/21: Public Transport Victoria (PTV) manages public transport services</p>

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice
7 / 23

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>been any update or any progress with regards to having the bus shelter re-done.</p>			<p>and infrastructure (including many bus shelters) on behalf of the Victorian Government. However, there are circumstances where bus shelters have been installed and maintained by the local Council. Whilst most of the bus shelter infrastructure throughout the municipality has been provided through a contract arrangement with Ooh! Media (formerly Adshel), this particular shelter was an older Council asset predating the Adshel contract arrangement. Until the early 2000s, some Councils (including Greater Dandenong) assisted by providing shelters for passengers at specific bus stops. Most of these shelters are coming to the end of their service life (>30 years old) and some have been assessed as being structurally unsound, posing a risk to the public. This was the case for the Outlook Drive shelter and as such, the shelter was removed. As there currently is no Council funding stream for the provision or maintenance of bus shelters, Council officers are examining options for replacing the highest priority shelters where existing ones have to be removed. We have made several requests to PTV to assist by providing new modern shelters for their customers, however our requests have been unsuccessful to-date for various reasons. Once an options paper regarding how Council may choose to move forward on the</p>

8 / 23

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT11	Cr Bob Milkovic	<p>Parking issues in Kriegel Way, Dandenong North</p> <p>My next question is for Mr Bosman and it is regarding parking enforcements along Kriegel Way, Dandenong North. The lines have been painted. Residents are asking if this is being enforced now because there are quite a few cars still parking along the side of the road. They are worried that emergency services may not get through on a busy day if they need to. Has it been enforced? Can residents park along the road and if they do, are they going to get fined? I am referring to the Kriegel Way entrance to Tirhatuan Park.</p> <p>Comment Cr Bob Milkovic</p> <p>The residents were wanting to know as if one car parked there, others may park there as well. I think warnings would be appropriate so thank you very much for that Mr Bosman.</p>	Director City Planning, Design and Amenity	19/03/21	<p>issue of bus shelters has been developed, it will be discussed with EMT and Councillors at a later date.</p> <p>COMPLETED</p> <p>Initial response provided 9/03/21: Obviously, a solid yellow line is a 'no stopping zone'. I will take the points that have been raised. We will make sure that we increase the level of patrols in the area. It is a relatively new line that has been painted there, so enforcement generally takes a more understanding approach initially. It might be a case of issuing warnings before issuing fines but I will bring it to the attention of the Parking Management team and we will have more officers out there.</p> <p>Further response provided 19/03/21: Parking officers are increasing level of patrols and will be taking necessary actions to any breaches observed.</p> <p>COMPLETED</p>
9/03/21 CQT12	Cr Bob Milkovic	<p>Rubbish issues in Tirhatuan Park, Dandenong North.</p> <p>The next question is about the ever-present issue in the City of Greater Dandenong which is rubbish. I was busy on Clean Up Australia Day, probably not as busy as Cr Formoso and credit to her</p>	Director Business, Engineering and Major Projects	17/03/21	<p>Initial response provided 9/03/21: There is currently a lot of pressure on parks. I think local communities are obviously for reasons around the pandemic, not travelling as much interstate and obviously not able to travel overseas. I think parks in</p>

9 / 23
Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>for putting in a 10 hour day on a Sunday which was great to see. We have all contributed but unfortunately, we had a group of quite ungrateful residents/visitors to Tirhatuan Park and they left quite an unsightly scene for mums and dads and the local residents to pick up of their own accord. This was on Australia Day. I would like to ask the relevant officer if there is anything that can be done. It is a recurring issue in Springvale, Noble Park and all over the place but is there anything that we can do? The residents are getting a little bit desperate. They go there, clean up the park in their own time and get the rubbish bags and we are all happy to participate, but it is getting to the stage where they are fed up with people having parties and just leaving rubbish everywhere. Sometimes, the rubbish is in tied up black bags next to the bins and that is fine. Council officers come in and pick them up. Plastic plates are strewn around. Tirhatuan Park is quite unique in the fact that it does have a lot of wildlife. There is a creek that runs through it so plastic rubbish really does not help the general appearance, the wildlife and the environment.</p> <p>Comment Cr Bob Milkovic My question was in no way a criticism of Council and the officers. I think they do a fantastic job. I have witnessed them first-hand on a Sunday morning scrubbing the barbecues which should not happen at all. Barbecues should be left as clean as</p>			<p>general are getting a lot of use which is very welcoming. One of the negative effects of that is the amount of litter that gets created. I think Council does a fairly good job with litter collection. Our major parks are cleaned each morning. On weekends, we have been doing spot checks in the afternoons on Saturdays to keep an eye on things. The bins are emptied daily and any litter that is thrown around and is adjacent to the bins is picked up and collected at the same time. We also have a mobile crew that attend some of our parks to pick up loose items and litter that is blown away from where the bins are so I think we are doing a lot in that space and it is not to say that we cannot do more. Education is part of that as I mentioned tonight in responding to a public question on Burden Park where similar issues were observed recently. I think one of the things that may help to some extent will be to increase the bin capacity in the parks. We have also mentioned the rollout of the public recycling bins which would give us more capacity to hold litter at those locations. I think this would be of some assistance but we will investigate that matter further and get some more information to you.</p> <p>Further response provided 17/03/21: Council officers have actively</p>

10 / 23
Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>we find them in the morning. Unfortunately, some people choose to abuse the system. Perhaps plenty of signage might strike a chord in their minds and remind users to either take their rubbish home or put it in or next to the bins. Officers deserve some praise as they always do a fantastic job but we need to look at ways of educating visitors to our parks and enforce those kinds of issues.</p>			<p>responded to this request with a number of activities being undertaken to address this issue:</p> <ul style="list-style-type: none"> • Reviewing the bin allocation at Tirihatuan Park including the following: <ul style="list-style-type: none"> ○ assessment of the number, size, and placement of each bin ○ consideration of litter bins with wider openings to accommodate the disposal of bagged rubbish to avoid rubbish being placed outside the receptacles. ○ installation of Public Place Recycling (PPR) bins that will occur by the end of April 2021 ○ review of the servicing arrangements of these bins; • Monitoring over the weekend and assessing levels of littering and waste disposal compliance with the assistance of our local laws team; • Removal of loose litter that maybe windblown in areas beyond the main congregation spaces in the Park that is undertaken several times per week; and • Installation of environmental educative signage that will be expanded to include litter messaging. This will be complimentary to your comments associated with preserving the natural environment that is such a

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

11 / 23

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT13	Cr Bob Milkovic	<p>Anti-social behaviour at Brady Road, Dandenong North</p> <p>Another question is regarding Brady Road shops. I have had a meeting with many of the shop owners there regarding some potential installation of public toilets and their desire for that to happen. In the course of the conversation, I was made aware of many complaints about the liquor shop with people congregating at the benches in front of the shops, drinking alcohol and even serving alcohol in the liquor shop to people who appear to be quite intoxicated already. I would like to ask a question to the relevant officer if there is anything that can be done to curb this anti-social behaviour. Right next to the liquor shop is the Awareness Hair Salon shop where the ladies who work there are quite afraid to walk out of the hair salon and at times have called their husbands to come and pick them up. It has been observed on many occasions that people walking in and out of the liquor store are quite drunk and incapacitated, get together at the seats consuming more alcohol and throwing obscenities at people. Can</p>	Director City Planning, Design and Amenity	19/03/21	<p>strong feature at this location. The signage messaging is currently being designed under the guidance of our Environmental Programs Education Officer. We expect the signage to be installed before 30 June.</p> <p>COMPLETED</p>
<p>Initial response provided 9/03/21:</p> <p>Over the last while, we have had many questions generally around anti-social behaviour in different parts of the municipality. I know I have responded to a number of those by way of email. The one thing I think we need to understand is that the Council officers are not empowered in situations like you have just described where there has been this sale of alcohol in people who would not have had alcohol sold to them or where there is anti-social behaviour. This is within the jurisdiction of Victoria Police. My advice to those particular shop owners as to when this incident is occurring is to call 000 for Victoria Police to have a Police presence onsite and investigate. Having Council's Local Law officers patrolling the area is probably not the answer because they do not have the powers that you are seeking for that intervention. We certainly can have the officers in the area and do what they can within the Local Law provisions, but in terms of</p>					

12 / 23
Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT14	Cr Bob Milkovic	<p>Council do something about it?</p> <p>Traffic congestion at Brady Road (shops) & Victor Avenue, Dandenong North Another question regarding Brady Road shops is that on the corner of Brady Road and Victor Avenue, there is about a 20 metre 'no standing zone' between Brady Road and the laneway behind the shops with parking on the other side of the road. That particular area is quite frequently occupied for long periods of time by delivery trucks instead of using the laneway at the back, which makes going up and down Victor Avenue physically impossible if there are cars parked on the other side. Could I please ask the relevant officer to have Parking Officers patrol the area frequently, particularly in the morning during delivery hours rather than the evening? Children are crossing the road for school, Mums and Dads stop to buy from the bakery so it becomes a real traffic hazard and extremely dangerous, especially when the big trucks pull up blocking the view on both sides.</p>	Director City Planning, Design and Amenity	19/03/21	<p>the anti-social behaviour, this is squarely within the jurisdiction of Victoria Police.</p> <p>Further response provided 19/03/21: Local Law officers will patrol area with a view for any breaches of any Local Law provisions and take necessary actions.</p> <p>COMPLETED</p> <p>Initial response provided 9/03/21: We certainly will have that put on the list as a hotspot and an area for increased patrols in the weeks ahead.</p> <p>Further response provided 19/03/21: Parking officers are increasing level of patrols and will be taking necessary actions to any breaches observed</p> <p>COMPLETED</p>

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

13 / 23

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT15	Cr Tim Dark	<p>Dumped rubbish at Coomoorra Reserve, Springvale South</p> <p>At that cricket game, some questions were raised about the Coomoorra Reserve heading up to the Coomoorra Wetlands. In that top corner, there is a gate that leads through and there have been complaints that there has been quite a bit of rubbish being dumped there including bags of dog waste that have been collected and it seems to be accumulating. One of the residents had discussed the issue with the person responsible in throwing the rubbish down there and they just said that the bin at the other end of the reserve was too far to get to. Would it be possible to have an additional bin in that corner? I am happy to send a map of where they want that to be placed.</p>	Director Business, Engineering and Major Projects	19/03/21	<p>Initial response provided 9/03/21: Yes. If you could send through the location to us, we can investigate that further.</p> <p>Further response provided 19/03/21: When considering your request, Council officers undertook the following:</p> <ol style="list-style-type: none"> 1. Conducted an inspection of the site and found there was little or no litter in the reserve. 2. Consulted with our litter collection contractor, who conducts a litter collection in the reserve on a weekly basis, which extends along the fire break in Coomoorra Woodland that links Serpentine Reserve, a path sometimes used by dog walkers. They advised that they have not experienced a significant litter problem at this location. 3. We confirmed that bins are provided and are in easy access to entry points at Coomoorra Reserve available to those who responsibly dispose of litter, including dog litter (bags). <p>When considering the installation of new bins, which comes at a capital and on-going maintenance cost, we take into consideration:</p> <ul style="list-style-type: none"> • The litter source and volume of litter.

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

14 / 23

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT16	Cr Tim Dark	<p>Flooding issues at Keysborough Community Park, Loxwood Avenue, Keysborough</p> <p>I have received some Facebook messages prior to the meeting from residents regarding a concern raised about the Keysborough Community Park on Loxwood Avenue, Keysborough relating to the amount of flooding occurring at the Reserve. There was a commitment from Council to undertake works on filling the tracks to boost it up and more gravel. That has not</p>	Director Business, Engineering and Major Projects	17/03/21	<p>• Accessibility to other bins to reasonably cope with the litter source and those volumes.</p> <p>• Efficiency of service delivery and manual handling considerations related to accessibility for a truck to drive to the bin and the distance staff may have to walk from the truck to the bin to empty and return the bin.</p> <p>After giving due consideration to your request, we have concluded that at this stage we should continue to monitor the site in consultation with our litter collections contractor and in-house staff who empty the litter bins, along with Parks staff who maintain the reserve. Should circumstances dictate the need for an additional bin we will take the necessary steps to install one accordingly.</p> <p style="text-align: center;">COMPLETED</p>
					<p>Initial response provided 9/03/21:</p> <p>I will take that question on notice.</p> <p>Further response provided 17/03/21:</p> <p>Council Officers inspected the park and no immediate flooding or water pooling was evident. The resident was contacted to gain a better understanding of the flooding issues. In discussion with the resident the issue is more prevalent in winter where sections of the path are</p>

15 / 23
Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT17	Cr Tim Dark	<p>happened. I had a phone call and Facebook messages from the resident requesting an update on that and if it is ever going to happen because it has been quite some time. Can I please get that investigated by the relevant director?</p> <p>Improvements to Parkland Reserve at College Crescent & Parkland Avenue, Keysborough My next question came from a couple of residents from College Crescent and Parkland Court in Keysborough. There were some issues about two years ago with people illegally riding motorbikes through the Reserve. The Council took a step of putting up some fencing to stop people from riding and it helped curtail the issue. Now there have been some conversations about some improvements including benches or a pergola where people would be able to sit. The turnover has led to many younger families moving into the area while the older generations move out. Can this be investigated as to whether we could add some improvements in the short-term pending a review?</p>	Director Business, Engineering and Major Projects	22/03/21	<p>covered with water and people find it difficult to access the open space. Council Officers will investigate further, with the view to consider reprofiling the path to prevent pooling and allow water to shed off the path during winter periods.</p> <p style="text-align: center;">COMPLETED</p> <p>Initial response provided 9/03/21: I will take that question on notice.</p> <p>Further response provided 22/03/21: Parkland Reserve is classified in the Open Space Strategy as a small local park. It provides a linear open space link between the residential blocks. As per the Open Space Strategy Park Development Standards for small local parks (linear, links and trails), a pergola would not be supported. Technically speaking the park development standards would also not support a seat, however, this small local park will be assessed on its merit and size of this link space. A single seat could be accommodated and located on site and the cost of this is being considered. The main future improvements to this small local park would be landscape improvements such as tree planting. A concept plan for the trees would need to be prepared. In the interim I would encourage the local residents to visit nearby Harold Box Reserve</p>

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

16 / 23

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT18	Cr Tim Dark	<p>Building orders/permitted use</p> <p>My next question is for the Director of Planning and it is a question that I have raised with him already and he has taken it on notice. It relates to the provision and issuing of building orders to do with uses within premises that are not permitted. It is an issue we seem to be currently facing within the City of Greater Dandenong. I will ask and I wanted to make sure that this was noted on record that Mr Bosman will get back to me with information on what the provisions are around building orders, particularly with issues such as those happening in Robinson Street, Dandenong. I am aware that we have organised a meeting next week with the Mayor and the Director of Community Services to talk about these. This was brought to my attention, particularly around what our options are with that so could that be investigated please?</p>	Director City Planning, Design and Amenity	19/03/21	<p>(neighbourhood park) and Frederick Wacher Reserve (district park) which both provide a range of recreational and play facilities and are of the size and open hierarchy to accommodate this.</p> <p>COMPLETED</p> <p>Initial response provided 9/03/21: Cr Dark and I did discuss this prior to the meeting. I will have a look at what role if any, building orders can play as part of a solution for the situation described by Cr Dark.</p> <p>Further response provided 19/03/21: Further response provided 19/03/21: This question has been discussed with Council's Municipal Building Surveyor and I can confirm that where uses being conducted within a building are not in accordance with the approved category of occupation for that building or area within the building, Orders and Notices under the Building Act can be issued.</p> <p>In regard to the Robinson Street matter referred to by Cr Dark specifically, there is no remedy or action under the Building Act as the activities of concern are not within the building, notwithstanding that they are within the site.</p>

COMPLETED

17 / 23

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT19	Cr Tim Dark	<p>Parkfield Reserve development & advice to Noble Park United Soccer Club</p> <p>I received a phone call from the Noble Park United Football Club - Drinas who are currently based at the Parkfield Reserve in Noble Park. They have questions regarding the construction of the oval, getting the lights up and running at the Reserve, questions around the tender process for the carpark, when that is expected to come back and shaping up of the oval now that the velodrome has been removed from the site. If the relevant director/s could get in touch with the Club as their season is about to commence, to keep them in the loop on the improvements and when everything is expected to be fully completed by, that would be great.</p>	Director Business, Engineering and Major Projects	22/03/21	<p>Initial response provided 9/03/21: Yes, we will follow up on that matter.</p> <p>Further response provided 22/03/21: The tender process was completed some time ago, i.e. contract has been let and work on the oval has been completed for some time. The light poles will be up after Easter at which time the car park works will be commenced. Council officers have held ongoing meetings with the clubs to keep them informed.</p> <p style="text-align: center;">COMPLETED</p>
9/03/21 CQT20	Cr Tim Dark	<p>Widening of Perry Road, Keysborough</p> <p>Some residents from Keys Road in Keysborough asked me some questions regarding the Perry Road upgrade. Apparently, there was an accident there about a week ago on the bend heading towards Pacific Drive. I was alerted that there was a funding commitment for the widening and duplication to occur on Perry Road, from River End Road all the way down to Greens Road. Do we have any update on that if it is still happening and if not, can we please investigate that bend on Pacific Drive with the collision that occurred?</p>	Director Business, Engineering and Major Projects	18/03/21	<p>Initial response provided 9/03/21: I will take that question on notice.</p> <p>Further response provided 18/03/21: The Perry Road upgrade project between Greens Road and Bangholme Road remains on Council's future CIP development schedule. One of the project's objectives is to widen the carriageway to three lanes, allowing central right-turn refuge lanes as well as to provide more formally constructed shoulders. Given the size of the project, the proposed delivery will be in three separate stages. The first stage, from Greens</p>

18 / 23

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT21	Cr Tim Dark	<p>Letters to Fire Brigade Members (TD to provide details) I am aware that the local volunteer fire brigades in Keysborough, Springvale, Dandenong and Noble Park have had their brigade elections with quite a turnover of new captains taking on new positions and some leadership positions within the Country Fire Authority (CFA). Can the Mayor could please write to the people who have been elected to the various roles within the brigades such as managers, captains and lieutenants? I will source out the information as it comes to hand and send it on. I do believe that Keysborough's elections are coming up but Noble Park and Springvale have got new captains and new executives.</p>	Mayor		<p>Road to Pacific Drive, is subject to a CIP Bid for the 2022/23 budget. Subsequent stages will follow subject to Council's endorsement of future funding allocation. In the meantime, Council's Traffic Engineers will review the details of the incident and determine if any short-term actions such as improved signage, line marking or lighting, may be undertaken to improve safety for road users at this location.</p> <p>COMPLETED</p> <p>Initial response provided 9/03/21: If you can provide their names, I will prepare the letters for them.</p> <p>Further update provided 9/03/21: Cr Dark to provide information required for the letters such as names, etc.</p> <p>FURTHER ACTION REQUIRED</p>
9/03/21 CQT22	Cr Tim Dark	<p>Improvements to Springvale Reserve, Newcomen Road, Springvale</p>	Director Community	17/03/21	<p>Initial response provided 9/03/21: I will take that question on notice.</p>

19 / 23

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT23	Cr Tim Dark	<p>This is an issue that was raised with me in the weekend and I spoke to Cr O'Reilly regarding the Newcomen Reserve in Springvale where the Springvale Districts Football Club play. Sometime ago, there was some extensive media coverage around a corporate box on the site. The site does have a mismatch with a heritage listed stand on one side and on the other side are many old buildings which I believe have been scheduled to be demolished. That has not happened and there are some queries coming from many people who play at Springvale Districts and many local residents as to what is happening at the reserve. I am aware that Cr O'Reilly has a CIP bid for a minor amount but I believe Newcomen Reserve is in need of a significant boost of financial support. Could we have a conversation with Springvale Districts and Ward Councillors as well, to find out what the options are for that?</p>	Services		<p>We will have to see where the Master Plan is and where that process is in the infrastructure planning but it is definitely something we can do to get the key stakeholders together to discuss it.</p> <p>Further response provided 17/03/21: Officers met with the Club and Cr Sean O'Reilly, Ward Councillor on 2 December 2020 to discuss a range of items including the proposed CIP renewal works scheduled for 2021/22 for the home and away change room amenities, options for the increased use of the Social Pavilion by the club, which is currently being used by Council for distribution of Material Aid and a long term Concept Plan for the Reserve to consider future requests for large scale projects including netball courts, improved car parking, pavilion redevelopment and spectator amenity. Since then subsequent meetings have been held with the Club and Council officers on 14 December 2020 and 1 March 2021. Should Councillors wish to discuss the Concept Plan with the Club, Officers can arrange a meeting accordingly.</p> <p>COMPLETED</p> <p>Initial response provided 9/03/21: I will take that question on notice. Just confirming that the private school is Cornish College in</p>

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>the City of Kingston. I believe he sent an email to the majority if not all of the Councillors, to do with a footpath on Riverend Road. Bangholme from the private school there, up towards the Bypass and then underneath where the freeway is currently being built. It has become quite a hazard. When I personally went to check it out, there is no question that Riverend Road is starting to sink and it is not a very even road. There is no real area for kids to be able to walk home from the school without being trapped. I am aware that he did send an email with budget constraints that Council is facing at the moment but I just want to find out: (1) if we have investigated it; and (2) I believe it falls into the electorate of Mordialloc and there seems to be a surplus of funding available. Could we potentially also write to the State Government to see if we can source some funding from them also?</p> <p>Comment Cr Tim Dark Yes, it is.</p>	<p>Projects</p>		<p>Bangholme? Further response provided 18/03/21: Both the reconstruction of Riverend Road and the construction of a path along Riverend Road are projects that Council will be looking at delivering in future. This path forms part of a Walking, Cycling and Equestrian Trail Network Plan for the Green Wedge which was developed a couple of years ago. Due to the nature of the road reconstruction, both the path and road project should to be delivered together to avoid costly inefficiencies. While this project will certainly be considered in upcoming budget discussions, I would like to highlight that due to the ongoing impacts on Council's budget created through our extensive support of the community through the COVID-19 pandemic, I anticipate that Council's 2021/22 budget will be extremely tight and competitive, with very few "new" projects enjoying funding. As a result, the 2022/23 financial year is more realistically likely to be the next potential source of Council funding to advance the detailed design to advance the Riverend Road and paths, with construction most likely in the following year. Our effort to obtain funding from other sources such as through the Victorian Government alongside the Mordialloc Freeway project have unfortunately been</p>

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

21 / 23

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT24	Cr Angela Long	<p>Boundaries and Installation of bollards</p> <p>My question is very similar to that asked earlier by Cr Tan. Could Council work with the Hanna Street Body Corporate to install bollards along the driveway to stop tenants from parking illegally in the area that Council has just purchased with 26 River Red Gum trees? There was a car parked there for months unregistered. The residents thought Council had the ability to tow that car away. I advised them we need to work out whether it was on our property or the building's property. If it was on the building's property, we cannot tow it away because it is on private land.</p>	Director City Planning, Design and Amenity	19/03/21	<p>unsuccessful to date, however we will continue to pursue funding through any external grant opportunities that may become available.</p> <p>COMPLETED</p> <p>Initial response provided 9/03/21: This is something I will discuss with Mr Van Boxtel. Determining the boundaries of the properties should not be too much of a problem. Whether we can install any bollards or some sort of mechanism, that can be a discussion between Mr Van Boxtel and myself. We will then report back to all Councillors.</p> <p>Further response provided 19/03/21: Council does not currently own the land and rather has entered into a contract of sale. The contract is subject to a number of conditions including finalising landscaping works and addressing body corporate issues. Once the land sale is settled and in Council's ownership, we can investigate ways in which to protect trees whilst preventing illegal or damaging parking on that land in Council's ownership.</p>
9/03/21 CQT25	Cr Angela Long	<p>Boundary delineation</p> <p>I think the boundary is going to be a little bit beyond that driveway and residents are asking if they could build it along the</p>	Director City Planning, Design and Amenity	19/03/21	<p>COMPLETED</p> <p>Initial response provided 9/03/21: Obviously, what happens along the driveway within the private property is the Body Corporate's</p>

22 / 23
Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>driveway. Can we work together with the Body Corporate to discuss boundary delineation?</p>			<p>responsibility but certainly, we will have a discussion with them as to what could and might happen within the public domain and see if there is some sort of integration of the two. Our involvement would end at the public boundary.</p> <p>Further response provided 19/03/21: Council does not currently own the land and rather has entered into a contract of sale. The contract is subject to a number of conditions including finalising landscaping works and addressing body corporate issues. Once the land sale is settled and in Council's ownership, we can investigate ways in which to protect trees whilst preventing illegal or damaging parking on that land in Council's ownership.</p> <p style="text-align: right;">COMPLETED</p>

At the Ordinary meeting of Council on Monday, 24 March 2014, Council resolved to change the way Councillors and Public questions taken on notice are answered and recorded from 14 April 2014 meeting of Council onwards.

7 URGENT BUSINESS

No urgent business was considered.

The meeting closed at 9.16PM.

Confirmed: / /
