

MINUTES

ORDINARY COUNCIL MEETING

MONDAY 12 DECEMBER 2016 Commencing at 7:00 PM

COUNCIL CHAMBERS

225 Lonsdale Street, Dandenong VIC 3175

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1 MEETING OPENING

1.1 ATTENDANCE

Apologies

Cr Heang Tak

Councillors Present

Cr Jim Memeti (Chairperson)

Cr Roz Blades AM, Cr Youhorn Chea, Cr Tim Dark, Cr Matthew Kirwan, Cr Angela Long, Cr Zaynoun Melhem Cr Sean O'Reilly, Cr Maria Sampey, Cr Loi Truong

Officers Present

John Bennie PSM, Chief Executive Officer; Jody Bosman, Director City Planning, Design and Amenity; Mark Doubleday, Director Community Services; Mick Jaensch, Director Corporate Services; Julie Reid, Director Engineering Services; Kevin Van Boxtel, Acting Group Manager Greater Dandenong Business

1.2 OFFERING OF PRAYER

All present remained standing as Reverend Jeffrey Parker from the Christian - St James Anglican Church, a member of the Greater Dandenong Interfaith Network read the opening prayer:

"Almighty God creator and sustainer of all thing, we thank for this special time of the year when we reflect on life and its meaning and when families come together to celebrate in so many ways. We pray for this City of Greater Dandenong this day. We give thanks for its wonderful diversity among its people and culture. We pray that this city will continue to be one of peace, goodwill and unity. We pray also for our Mayer Jim and all the members of this council and the officers of the Council. Watch over and protect them and their families good Lord. Give them wisdom and courage in their decision making and also mutual respect in their working together. Lord you give your people good gifts and today we pray that all who take part in this meeting may use their many gifts for the benefit of the people of\his city and be open to the gifts of others being used for the same good purpose. All this we pray in the name of the one, eternal and holy God. Amen."

1.3 **PRESENTATION**

Mayor Councillor Memeti presented a letter under seal to John Kelly former Councillor, Silverleaf Ward in appreciation of over twenty years of service to the City of Greater Dandenong.

Mayor Councillor Memeti presented a letter under seal to Peter Brown former Councillor, Paperbark Ward in appreciation of over twenty years of service to the City of Greater Dandenong.

1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of Council held 28 November 2016.

Recommendation

That the minutes of the Ordinary Meeting of Council held 28 November 2016 be confirmed.

MINUTE 44

Moved by: Cr Sean O'Reilly Seconded by: Cr Loi Truong

That the minutes of the Ordinary Meeting of Council held 28 November 2016 be confirmed.

CARRIED

1.5 ASSEMBLIES OF COUNCIL

The following assemblies of Council occurred in the period 24 November to 7 December 2016:

Date	Meeting Type	Councillors Attending	Topics Discussed & Disclosures of Conflict of Interes
28/11/16	Councillor Briefing Session	Youhorn Chea, Tim Dark, Matthew Kirwan, Angela Long, Zaynoun Melhem, Jim Memeti, Sean O'Reilly, Maria Sampey (part), Heang Tak, Loi Truong	 Melbourne Racing Club master plan for Sandown Park. Harmony Square and public insurance for events. Dandenong Benevolent Society. Ownership of land by Places Victoria in Dandenong CBD. Agenda items for the Council Meeting of 28 November 2016.

30/11/16	Greater Dandenong Community Safety Advisory Committee	Matthew Kirwan, Maria Sampey	- Greater Dandenong Community Safety Advisory Committee Meeting
1/12/16	Asylum Seeker and Refugee Advisory Committee	Matthew Kirwan	- Asylum Seeker and Refugee Advisory Committee Meeting
3/12/16	Councillor Strategic Induction Workshop	Youhorn Chea, Tim Dark, Matthew Kirwan, Angela Long, Zaynoun Melhem, Jim Memeti, Sean O'Reilly, Maria Sampey, Heang Tak	- Councillor leadership induction in which the Council Plan was workshopped.
5/12/16	Councillor Briefing Session	Youhorn Chea, Tim Dark, Matthew Kirwan, Angela Long, Zaynoun Melhem, Jim Memeti, Sean O'Reilly, Maria Sampey, Loi Truong	 Springvale Community Precinct project stage 1 update. Response to Notice of Motion No. 97 – subdivisional roads in Greater Dandenong. Capital improvement project update for first quarter. Rate capping and future approaches to variations. Commonwealth aged care packages currently owned by Greater Dandenong (CONFIDENTIAL). Abbotts Road level crossing update. Living Treasures memorial design for Civic Centre update. Update on Commonwealth Bank pop-up branch on Warwick Avenue, Springvale. Agenda items for the Council Meeting of 12 December 2016.

Recommendation

That the assemblies of Council listed above be noted.

MINUTE 45

Moved by: Cr Angela Long Seconded by: Cr Zaynoun Melhem

That the assemblies of Council listed above be noted.

CARRIED

1.6 DISCLOSURES OF INTEREST

Cr Matthew Kirwan disclosed an indirect Conflict of Interest due to close association in Item No. 2.1.1 - Documents For Sealing (Item 1), regarding Hanna Street, NOBLE PARK, as his spouse was an objector to the application and land swap processes. Cr Matthew Kirwan left the Chamber prior to discussion and voting on this item.

Cr Matthew Kirwan disclosed an indirect Conflict of Interest due to close association in Item No. 2.1.1 - Documents For Sealing (Item 2), regarding Hanna Street NOBLE PARK, as his spouse was an objector to the application and land swap processes. Cr Matthew Kirwan left the Chamber prior to discussion and voting on this item.

Cr Matthew Kirwan disclosed an indirect Conflict of Interest due to conflicting duties in Item No. Item 2.5.1 - Community Funding Programs Round Two, as he is a board member of Dandenong West Primary School Council and there is a grant for the Dandenong West Community Festival. Cr Matthew Kirwan left the Chamber prior to discussion and voting on this item.

1.7 ADOPTION OF THE AUDIT ADVISORY COMMITTEE MEETING MINUTES

The Audit Advisory Committee held a meeting on 17 November 2016. Minutes of this meeting were presented to Council for adoption.

Recommendation

That the unconfirmed minutes of the Audit Advisory Committee meeting held on 17 November 2016 be adopted.

Item withdrawn by Leave of Council.

2 OFFICERS' REPORTS

2.1 DOCUMENTS FOR SEALING

2.1.1 Documents for Sealing

File Id:

Responsible Officer:

Director Corporate Services

Report Summary

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

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

Recommendation Summary

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

2.1.1 Documents for Sealing (Cont.)

Item Summary

There are four (4) items being presented to Council's meeting of 12 December 2016 for signing and sealing as follows:

- 1. A Section 173 Agreement of the Planning and Environment Act 1987 between the Greater Dandenong City Council and Melbourne Estates Consortium No.1. Pty Ltd to give effect to Condition 55 on Planning Permit PLN15/0459, in relation to waste management at a property in Hanna Street, Noble Park.
- 2. A Section 173 Agreement of the Planning and Environment Act 1987 between the Greater Dandenong City Council and Melbourne Estates Consortium No.1. Pty Ltd to give effect to Condition 3 on Planning Permit PLN15/0459, in relation to a public access path at a property in Hanna Street, Noble Park.
- 3. A Section 173 Agreement of the Planning and Environment Act 1987 between the Greater Dandenong City Council and Jaguar Car Club of Victoria (ACN 005 438504) and Austin-Healey Owners Car Club of Victoria Inc. (Reg. No. A0004278G), pertaining to occupation of a portion of road reserve abutting a property in Rosalie Avenue, Springvale; and
- 4. A transfer of land under Section 45 of the Transfer of Land Act 1958 between the Greater Dandenong City Council and Melbourne Water Corporation (ASIC) to allow for the transfer of a section of land described as R-1 on Plan of Subdivision No. PS735760C Volume 8718 Folio 063 at part of a property in Glasscocks Road Dandenong South, in order to create an extension of Fox Road.

Recommendation

That the listed documents be signed and sealed.

MINUTE 46

Moved by: Cr Youhourn Chea Seconded by: Cr Roz Blades AM

That the listed documents be signed and sealed.

CARRIED

Cr Matthew Kirwan left the Chamber at 7:12 pm.

Cr Matthew Kirwan returned to the Chamber at 7:13pm.

2.2 DOCUMENTS FOR TABLING

2.2.1 Receipt of Petitions and Joint Letters

File Id:

Responsible Officer:

qA228025

Director Corporate Services

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.

Petitions and Joint Letters Tabled

Council received one petition and one joint letter prior to the Council Meeting of 12 December 2016 as follows:

- A petition from 13 proponents requesting a road audit of Rodina Terrace, Dandenong. This petition has been forwarded to the relevant Council business unit for consideration.
- A joint letter from 74 proponents requesting clearer signage of pedestrian crossings throughout the Springvale Shopping Centre Precinct. This joint letter has been forwarded to the relevant Council business unit for consideration.
- 234 signatures through the website Change.org requesting Council take action on the increasing crime rate in Keysborough South. This petition has been forwarded to the relevant Council business unit for consideration.

Whilst not all items listed above are formal petitions to Council (i.e. they do not meet our guidelines), each submission received has been noted and has been forwarded to the relevant Council business unit for consideration.

Recommendation

That the listed items be received.

2.2.1 Receipt of Petitions and Joint Letters (Cont.)

MINUTE 47

Moved by: Cr Roz Blades AM Seconded by: Cr Loi Truong

That the listed items be received.

CARRIED

2.3 STATUTORY PLANNING APPLICATIONS

2.3.1 Town Planning Application - No. 1086 Heatherton Road, Noble Park (Planning Application No. PLN15/0929)

File Id:	178590
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plans Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

Application Summary

Applicant:	Pink Architecture
Proposal:	The construction of seven (7) new double storey dwellings and the alteration of access to a road in a Road Zone – Category 1.
Zone:	Residential Growth Zone (RGZ1)
Overlay:	No overlays affect the subject site.
Ward:	Paperbark

This application has been brought to a Council meeting as it has received two (2) objections.

The application proposes to construct seven (7) double storey dwellings and the alteration of access to a road in a Road Zone – Category 1. A permit is required pursuant to Clause 32.07-4 (Residential Growth Zone) of the Greater Dandenong Planning Scheme to construct two or more dwellings on a lot. A permit is also required pursuant to Clause 52.29 to alter access to a road in a Road Zone Category 1 (Heatherton Road).

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. Two (2) objections were received to the application. Issues raised generally relate to matters of:

- Fairness of development
- Over development
- Traffic

- Double Storey built form
- Overshadowing
- Open Space, and;
- Tree removal

Assessment Summary

It is noted that the proposal is affected by the '**seriously entertained' Amendment C182.** While the zoning of the land is not being changed the schedule applicable to the subject site is being changed from Schedule 1 to Schedule 3. In addition relevant sections of Clause 22.09 are also proposed to be modified. These will be outlined later in the report.

The subject site is located within an established residential area and is well suited for medium to high density housing given that the site is located within close proximity of community facilities, complementary land uses, Noble Park Activity Centre and close to public transport via bus routes along Heatherton Road and Noble Park Railway Station.

However, the development is not respectful of the preferred neighbourhood character by way of siting, and design. Whilst the development provides appropriate parking provision it lacks in providing sufficient open space and landscaping.

The site is located within a 'Substantial Change Area', which is to undergo a relatively high level of change, suitable for medium to high density housing (of up to three or four storeys), which seeks to establish the future built form rather than to maintain existing character. Built form will evolve over time to contain a greater proportion of well designed and site responsive medium to high density residential developments, which make a positive contribution to the streetscape and public realm by providing appropriate setbacks and private open space and high quality landscaping of which the proposal fails to reasonably provide. The schedule 3 of the Residential Growth Zone aims to achieve a transition in built form with high density residential developments up to four (4) storeys in the RGZ2 stepping down to residential developments of up to three (3) storeys in the RGZ3 as the distance from the core of the Activity Centre increases.

Recommendation Summary

As assessed, the proposal does not meet the requirements of the Greater Dandenong Planning Scheme. It is inconsistent with and does not appropriately respond to the provisions of the Scheme as detailed in the report, and for the reasons set out in the recommendation should be **Refused**.

Subject Site and Surrounds

Subject Site

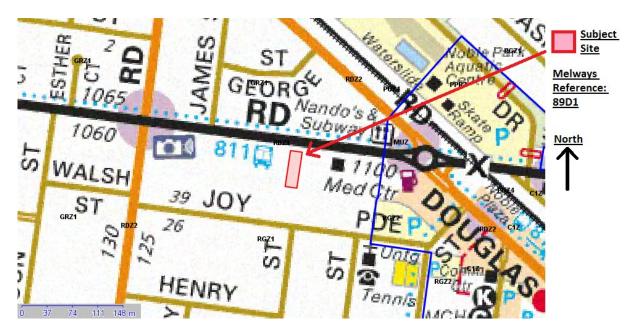
- The subject site is located to the southern side of Heatherton Road approximately 170 metres west of Douglas Street or 208 metres east of Corrigan Road.
- The subject site comprises of one (1) allotment, identified as Lot 3 on LP10224 and a discontinued road (at the rear) being Lot 2 on TP003719U.
- The site is generally rectangular in shape, with a frontage to Heatherton Road of 17.37 metres and a total depth of 53.34 metres.
- The subject site has a 3.05 metre wide easement for the purpose of "As provided for in Sec 528(2)(e) LGA" in favour of Melbourne Water Corporation and City of Dandenong.
- The subject site has an overall area of 926.52 square metres.
- The site is currently occupied by a double storey weatherboard house with tiled hipped roof. The site maintains a large front and rear yard accessed by a single crossover located to the north-west corner off Heatherton Road leading to a carport located to the south-west corner of the dwelling.
- The site does not contain any significant vegetation.

Surrounding Area

- The subject site is located within an established residential area, with various sized infill developments comprising of two to four detached dwellings of single and double storey built forms.
- A permit has been granted for a two storey and basement development containing twelve (12) dwellings to the south of the subject site at 21 Joy Parade (PLN14/0456 issued 26/02/2016).
- A permit was granted for another two storey and basement development containing fourteen (14) dwellings at 25 Joy Parade (PLN11/0468 issued 20/07/2012 and extension of time granted to commence by 20/07/2016).
- A permit has been granted for a two storey and basement development containing thirteen (13) dwellings at 29 Joy Parade (PLN14/0163 Issued by VCAT on 23/03/2016)
- Typical building materials used within the area are a mix of either brick, weatherboard or render, with tiled hipped roofs.
- Front fences within the general area are a mix of low to high brick, picket, steel or Colorbond fences facing Heatherton Road.
- The subject site is in close proximity to the following:
 - Ross Reserve 200 metres to the north.
 - Noble Park Aquatic Centre 180 metres to the north-east.
 - Noble Park Activity Centre 120 metres to the east.
 - Noble Park Railway Station 530 metres to the east.
 - AMES & English Language School 740 metres to the south-east.
 - Noble Park Primary School 580 metres to the south-east.

- St Anthonys Catholic Primary School 645 metres to the south.
- Bus routes along Heatherton Road, Douglas Street 210 metres to the east

Locality Plan



Background

Previous Applications

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

Proposal

The application proposes to construct seven (7) double storey dwellings and the alteration of access to a road in a Road Zone – Category 1.

The application was amended on 18 July, 2016 to reduce the number of dwellings from eight (8) down to seven (7), these plans now form the basis of this assessment.

Key details of the proposed dwellings are as follows:

Dwelling 1

- Orientated to Heatherton Road with a 5.1 metre street setback.
- Ground floor will comprise a single car garage, study nook, one (1) bedroom and ensuite.
- First floor will comprise one (1) bedroom, bathroom, kitchen/living/dining area and 11m2 balcony with a minimum width of 2 metres.
- The dwelling will maintain 43m2 of front yard and 7m2 (minimum dimension of 1.2 metres) of service yard along the eastern boundary.

Dwelling 2

- Orientated to the shared accessway along the west side of the site.
- Ground floor will comprise a single car garage, one (1) bedroom and ensuite.
- First floor will comprise one (1) bedroom, bathroom kitchen/living/dining area and 11m2 balcony with a minimum dimension of 1.65 metres.
- The dwelling will maintain 13m2 of secluded private open space at ground level with a dimension of 2.2 metres accessed through the bedroom.

Dwelling 3 & 4

- Orientated to the shared accessway along the west side of the site.
- Ground floor will comprise a single car garage, one (1) bedroom and ensuite.
- First floor will comprise one (1) bedroom, bathroom kitchen/living/dining area and 13m2 balcony with a minimum dimension of 2 metres.
- The dwelling will maintain 24m2 of secluded private open space at ground level, the main section having a dimension of 2.2 metres accessed through the bedroom.

Dwelling 5

- Orientated to the shared accessway along the west side of the site.
- Ground floor will comprise a single car garage, one (1) bedroom and ensuite.
- First floor will comprise one (1) bedroom, bathroom kitchen/living/dining area and 11m2 balcony with a minimum dimension of 1.65 metres.
- The dwelling will maintain 13m2 of secluded private open space at ground level with a dimension of 2.2 metres accessed through the bedroom.

Dwelling 6

- Orientated to the shared accessway along the west side of the site.
- Ground floor will comprise a single car garage, one (1) bedroom and ensuite.
- First floor will comprise one (1) bedroom, bathroom kitchen/living/dining area and 11m2 balcony with a minimum dimension of 2 metres.
- The dwelling will maintain 6m2 of secluded private open space at ground level with a dimension of 1.2 metres accessed through the bedroom.

Dwelling 7

- Orientated to the shared accessway along the west side of the site.
- Ground floor will comprise a single car garage, one (1) bedroom and ensuite.
- First floor will comprise one (1) bedroom, bathroom kitchen/living/dining area and 11m2 balcony with a minimum dimension of 1.65 metres.
- The dwelling will maintain 40m2 of secluded private open space at ground level with a dimension of 3.05 metres accessed through the bedroom.

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 Policy but is not relevant to the content of the Policy.

Financial Implications

No financial resources are impacted by this report.

Planning Scheme and Policy Frameworks

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

- Under Clause 32.07-4 (Residential Growth Zone) for the construction of two or more dwellings on a lot.
- Under Clause 52.29 (Land adjacent to a Road Zone Category 1, or a Public Acquisition Overlay for a Category 1 Road) to alter access to a road in a Road Zone, Category 1.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in a Residential Growth Zone.

The purpose of the Residential Growth Zone outlined at Clause 32.07 is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide housing at increased densities in buildings up to and including four storey buildings.
- To encourage a diversity of housing type sin locations offering good access to services and transport including activities areas.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.
- 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 32.07-4 a permit is required to construct two more dwellings on a lot.

It is noted that in Schedule 3 to the Residential Growth Zone, different requirements are set out as follows (as per '**seriously entertained' Amendment C182)**:

- Standard B6 (Minimum Street Setback) As per B6 or 5 metres, whichever is the lesser;
- Standard B8 (Site Coverage) Maximum of 70%
- Standard B13 (Landscaping) 70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees;
- Standard B28 (Private Open Space) As per B28; or 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;
- Standard B32 (Front Fence Height) Maximum 1.5 metre height in streets in Road Zone Category 1, 1.2 metre maximum height for other streets.

Overlay Controls

No overlays affect the subject site or surrounding area.

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.

(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 11.04-5 Melbourne's urban growth

- Define the extent of the urban area with an urban growth boundary to:
 - Facilitate achievement of a compact city.

Clause 15 - Built Environment And Heritage

- Contributes positively to local urban character and sense of place.
- Reflects the particular characteristics, aspirations and cultural identity of the community.
- Enhances liveability, diversity, amenity and safety of the public realm.
- Promotes attractiveness of towns and cities within broader strategic contexts.
- Minimises detrimental impact on neighbouring properties.

Clause 16 – Housing

- To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. Ensuring land supply continues to be sufficient to meet demand.
- Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
- Increase the proportion of housing in Metropolitan Melbourne to be developed within the established urban area, particularly at activity centres, employment corridors and at other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.
- Ensure an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development.
- Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.
- Identify opportunities for increased residential densities to help consolidate urban areas.

Clause 16.01-4 Housing diversity

- To provide for a range of housing types to meet increasingly diverse needs.
- Encourage the development of well-designed medium-density housing which:
 - Respects the neighbourhood character.
 - Improves housing choice.
 - Makes better use of existing infrastructure.
 - Improves energy efficiency of housing.
- Support opportunities for a wide range of income groups to choose housing in well serviced locations.

Clause 18.01-1 Land use and transport planning

- Plan urban development to make jobs and community services more accessible by:
 - Ensuring access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.

Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies. The following local planning policies are of relevance to this application:

Clause 21.04-1 Housing and community

- Greater Dandenong is forecast to be home to some 16,700 new households by 2031 (as measured from 2001), according to the Southern Regional Housing Statement (DSE, 2006). This represents a 36% increase on the number of households compared to 2001.
- Supporting urban consolidation and providing housing in existing areas close to activity centres means that people do not need to travel as far to work, shop or to take part in sports/leisure activities thus reducing the environmental impacts of transport.
- Increases in housing density must be balanced by adequate provision of open space, good urban design and improvements to the public realm.
- Council is committed to actively encourage multi-storey, higher-density residential development in central Dandenong and other major activity centres of Springvale and Noble Park as a component of mixed-use function of those centres.
- Encourage the provision of housing that is adaptable to support the needs of the changing needs of present and future residents.
- Encourage innovative redevelopment and renewal of deteriorating housing stock and older styled higher-density apartments and multi-unit developments.
- Encourage new residential development that incorporates adequate space for the planting and the long term viability and safe retention of canopy trees.
- Respecting valued, existing neighbourhood character both on particular sites and within wider streetscapes.
- Ensuring new development takes into full account the neighbourhood character design guidelines for each type of building and that such new development positively contributes to the preferred future neighbourhood character of each particular residential area.
- Actively encouraging well designed, medium and higher density housing in strategic locations and in areas nominated for substantial change.

Clause 21.05-1 Urban design, character, streetscapes and landscapes

1. To facilitate high quality building design and architecture.

1.1. Ensure building design is consistent with the preferred character of an area and fully integrates with surrounding environment.

1.2. Encourage high standards of building design and architecture, which allows for flexibility and adaptation in use.

1.3. Encourage innovative architecture and building design.

7. To protect and improve streetscapes

7.1. Ensure that new developments improve streetscapes through generous landscape setbacks and canopy tree planting.

7.2. Ensure landscaping within private property that complements and improves the streetscapes and landscaping of public areas.

Clause 22.09 – Residential Development & Neighbourhood Character Policy

- To guide the form of residential development that occurs in residential areas throughout Greater Dandenong, having regard to metropolitan policies and planning policies concerning urban form and housing, while respecting valued characteristics of residential neighbourhoods throughout the municipality.
- To promote a range of housing types, in appropriate locations, to accommodate the future needs of the municipality's changing population.
- To improve the quality and standard of residential development that occurs throughout Greater Dandenong and the quality, sustainability and standard of on site landscaping provided in residential developments.
- To encourage high quality, creative and innovative design that makes a positive contribution to the streetscape.
- To encourage varied forms and intensities of residential development in appropriate locations throughout Greater Dandenong, having regard to metropolitan policies promoting urban consolidation and increased densities, and existing neighbourhood character.
- To encourage higher densities and forms of development in preferred strategic locations that have good access to existing public transport and the Proposed Public Transport Network (PPTN), commercial, community, educational and recreational facilities.
- To ensure that the siting and design of new residential development takes account of its interface with existing residential development on adjoining sites and responds to the individual circumstances of its site and streetscape it is located within.
- To implement the City of Greater Dandenong Neighbourhood Character Study (Sept 2007).

Clause 22.09-3 provides design guidelines, some of which also relate to the variances to the requirements of standards to Clause 55 under the schedule to the zone. The guidelines consider matters such as: safety, landscaping, car parking, setbacks, private open space, bulk & built form, site design, materials & finishes, domestic services normal to a dwelling & building services, internal amenity, housing types and building height.

An assessment against this clause is included as Attachment 3.

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.

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

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

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 52.29 Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road needs to be considered under the current application. The purposes of this provision are:

- To ensure appropriate access to identified roads.
- To ensure appropriate subdivision of land adjacent to identified roads.

The clause outlines the conditions in which an application to create or alter access to a road declared as a freeway or arterial road under the Road Management Act 2004 must be referred to the Roads Corporation under Section 55 of the Act. The application has been referred to VicRoads in accordance with this requirement.

VicRoads have responded with no objections to the proposed development subject to conditions.

Pursuant to **Clause 55 Two or more dwellings on a lot and residential buildings** of the Greater Dandenong Planning Scheme, the provisions of this clause apply to an application:

• To construct two or more dwellings on a lot.

The purpose of this clause is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
- To encourage residential development that provides reasonable standards of amenity for existing and new residents.
- To encourage residential development that is responsive to the site and the neighbourhood.

A development:

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

An assessment against this clause 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

The subject site is affected by the 'seriously entertained' Amendment C182.

Council has adopted Planning Scheme Amendment C182 on the 22/08/2016 to improve the quality and design of new housing in Greater Dandenong. Planning Scheme Amendment C182 proposes to:

1. Amend the existing schedules to the residential zones and introduce a new Schedule 3 to the Residential Growth Zone;

- 2. Vary additional ResCode provisions in some areas;
- 3. Rezone identified areas in Dandenong, Noble Park and Springvale; and
- 4. Amend Clause 22.09 Residential Development and Neighbourhood Character Policy.

As such, the adopted provisions of the Residential Growth Zone – Schedule 3 apply to the subject site.

It is noted that in Schedule 3 to the Residential Growth Zone, different requirements are set out as follows (as per **'seriously entertained' Amendment C182)**:

- Standard B6 (Minimum Street Setback) As per B6 or 5 metres, whichever is the lesser;
- Standard B8 (Site Coverage) Maximum of 70%
- Standard B13 (Landscaping) 70% of ground level front setback, **and side and rear setbacks**, planted with substantial landscaping and canopy trees;
- Standard B28 (Private Open Space) As per B28; or 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;
- Standard B32 (Front Fence Height) Maximum 1.5 metre height in streets in Road Zone Category 1, 1.2 metre maximum height for other streets.

These will be considered further in the assessment section of the report

Restrictive Covenants

A review of the submitted documents has indicated no restrictive covenants on the title.

Council Plan 2013-2017 – 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

Pursuant to Section 55 of the Planning and Environment Act 1987, the application was externally referred to:

• VicRoads – no objections subject to conditions.

<u>Internal</u>

The application was internally referred to Council's Civil Development and Transport Departments for their consideration. Both have responded with no objections, subject to standard conditions. The application was also refer to Councils Urban Design Department who have raised design concerns with the proposal and advise that the proposal in its current form cannot be supported, these concerns have been incorporated into the assessment and are discussed further below.

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
- Placing a sign on site facing Heatherton Road.

The notification has been carried out correctly.

Council has received two (2) objections to date.

It is noted that the application originally proposed eight (8) dwellings and was advertised as such. The applicant had since submitted an application under Section 57A of the Planning and Environment Act 1987 to amend the plans to show seven (7) dwellings, in which it is noted no further advertising was made as the application is recommended for refusal.

The location of the objectors is shown in Attachment 2.

Consultation

The objectors were contacted and the matters raised/discussed. They had informed Council that they do not wish to attend a consultation meeting, with matters within their written submission to be taken into consideration in this report. As such, no consultation meeting was held.

Summary of Grounds of Submissions/Objections

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

1. Fairness of application

It was raised by the objectors that it was unfair for Council to consider the proposed eight (8) dwellings, where they were involved with an application which Council had refused for only two (2) dwellings.

Council must have appropriate consideration of all applications received, and make an assessment of the proposed development on a particular site against the policies at the time of the decision being made. The current application must be assessed against the current policies within the planning scheme.

2. Over development

Council has serious design concerns which stem from what is considered to be an overdevelopment of the site as discussed further under the assessment.

3. Traffic

Some additional traffic is anticipated from any development. However, it is considered that the traffic generated by the proposed development would not be excessive and that the surrounding residential street network would be able to cater for the proposed traffic increase. The application was referred to Council's Transport Planning Department who did not raise any concerns about the proposed development.

4. Double Storey Built Form

Objectors raised concerns with the double storey character of the development and the predominant existing single storey form within the area. While it is correct to say that the majority of properties within the area are single storey, there are however examples of existing double storey built forms within the immediate area, and the double storey form is generally consistent with the preferred neighbourhood character providing a transition in built form with high density residential developments of up to four (4) storeys within the Residential Growth Zone (Schedule 3). The subject site is proposed to be located within the Residential Growth Zone – Schedule 3 - under the 'seriously entertained' Amendment C182.

5. Overshadowing

The objectors raised concerns about overshadowing caused by the proposed double storey form, affecting the adjoining properties to the west. While some overshadowing occurs, the level of shadowing is consistent with Clause 55 and shadows cast by the development are generally contained to the driveway of the adjoining properties to the west, with the small area of secluded private open space of the rear dwelling at 1084A Heatherton Road being provided with suitable solar access throughout the course of the day in accordance with Clause 55.

6. Overlooking

The objectors raised concerns about overlooking caused by the proposed double storey form. It is confirmed that the ability for overlooking can occur from the balcony areas which has not been adequately addressed by the applicant.

7. Tree Removal

The objector has raised concerns with regards to the removal of a tree on the subject site, and the provision of shelter from the sun. The location of this tree would unlikely provide substantial shelter from the sun to the adjoining property to the west, as it is a small tree and it is noted that in the event the tree were proposed to be removed, this would not require a permit.

Assessment

The subject site is located within an established residential area and is well suited for some form of medium to high density housing given that the site is zoned for substantial change. However, the development is not considered to be respectful of the proposed neighbourhood character, and fails to complies with both the State and Local Planning Policy Framework and is not support based on the below assessment.

The use of the land for dwellings is as of right. As required by the residential zone that applies to this site, the proposed development has been assessed against the provisions of Clause 55 (full assessment in Attachment 5) of the Greater Dandenong Planning Scheme and the schedule to the residential zone (**including 'seriously entertained' Amendment C182 provisions)**. The proposed development has also been assessed against Clause 52.06 (full assessment in attachment 4), Clause 52.29 and Clause 22.09 (full assessment in Attachment 3) of the Greater Dandenong Planning Scheme.

Internal Amenity

Clause 15 - Built Environment and Heritage, Clause 16 Housing, Clause 21.05 Built Form and Clause 55.06-1 Detailed Design

- 'Clause 15.01-1 Urban design' states design should promote good urban design to make the environment more liveable and attractive.
- 'Clause 16.01-4 Housing diversity' states that residential development should encourage the development of well-designed medium-density housing.
- 'Clause 21.05-1, Urban design, character, streetscapes and landscapes' has an objective to facilitate high quality building design and architecture.
- 'Clause 55.06-1 Design detail' objective states development should encourage design detail that respects the existing or preferred neighbourhood character.

Combined living/dining and kitchen areas in dwellings 1, 6 & 7 have dimensions of approximately 4.2 to 4.5 metres excluding the kitchen bench. This is considered undersized for a two (2) bedroom dwelling with insufficient area provided for a reasonable sized dining table and other furnishings appropriate to the number of potential residents.

These spaces are considered too small to be adequately used for the combination of dining/kitchen and appropriate living spaces. The result would be overcrowded and uncomfortable spaces. The proposal is a poor design contrary to the above Clauses of the Scheme. Conversely, the types of design encouraged by the above Clauses would create living/kitchen/dining areas more useable by occupants.

Although the Scheme does not specifically mention internal amenity, a recent VCAT decision supports this reports view that internal amenity should be taken into account. In the case of Nogic v Greater Dandenong CC (2014) the Tribunal upheld Council's decision to refuse an application, also for multiple double storey dwellings in the RGZ, as it deemed it provided an unacceptable level of internal amenity. In this case Member Frank Dawson stated the following:

[15] The proposed design has generally applied the minimum quantative standards of ResCode to achieve technical compliance. This in itself is not an issue if used in circumstances that contribute to a good design outcome. In this case, however, the totality of applying minimum standards to achieve three dwellings on a small site fails to achieve an acceptable standard of internal amenity. Affordability need not compromise 'liveability'

Clause 22.09-3 – Residential Development & Neighbourhood Character Policy

Relevant objective(s):

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

It is noted as part of Amendment C182, Clause 22.09-3.1 (Design Principles) have been incorporated into Clause and subsequently Substantial Change Area (as applies to the subject site) has been renumbered to Clause 22.09-3.2.

Safety (Design Principles)

The policy encourages the provision of new development to enable passive surveillance through designs that 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. The proposed design fails to provide this with no habitable room windows on the ground floor facing the shared driveway. Surveillance of the car park area is from the balcony off the main living/kitchen areas on the first floor, with exception of Unit 1 which provides both ground floor and first floor interface. Garages and narrow entrances to each of the dwellings front the shared driveway failing to provide passive surveillance of these areas.

Landscaping

The policy encourages residential development to provide substantial high quality screen planting and canopy trees along ground level front, side and rear boundaries with substantial landscaping along vehicular accessways. The development proposes a reverse living design to the dwellings with first floor balconies thus leaving little area for landscaping with ground floor setbacks of between 1.2 metres to 2.2 metres to the eastern boundary and 3 metres to the rear (southern) boundary. The shared driveway on the western side of the site leaves little area for landscaping with 0.5 metre strip adjacent to the boundary.

Car Parking (Design Principles) & Clause 52.06 (Car Parking - Urban Design) & Clause 55.06-1 (Design detail – Standard B31)

The policy encourages on site car parking to be well integrated into the design of the building. It is considered that the proposed garages visually dominate the western elevation as each dwelling has been provided with a single garage facing the shared driveway with no windows other than highlight windows to the entries facing the driveway little has been achieved design wise to break up the monotony of the appearance of the garage doors.

Urban Design Concerns

Internal amenity

As previously discussed, the combined living/dining and kitchen areas in dwellings 1, 6 & 7 have dimensions of approximately 4.2 to 4.5 metres excluding the kitchen bench, this is considered undersized for a two (2) bedroom dwelling with insufficient area provided for a reasonable sized dining table appropriate to the number of potential residents in comparison dwellings 2 to 5 which have better internal dimensions of 4 metres by 6 metres. Albeit it these are still the minimal size for accommodating a dining room table for a two (2) bedroom dwelling.

Sense of address

The entries to each of the dwellings apart from dwelling 1 is located on the western side facing the shared driveway, these entries particularly to dwellings 6 & 7 are long narrow entries which unlike the other dwellings which have 300mm wide windows adjacent to the main entry door have small glazing panels in the front door panel resulting in a poor sense of address.

Solar access to habitable room windows

Dwelling 6 has a minimum setback of 1.2 metres from the eastern side boundary to the ground floor bedroom which adjoins a 2.7 metre high wall on the boundary associated with the adjoining residential development and whilst this technically complies with Clause 55 in terms of solar access it still provides limited solar access to this habitable room window with a poor outlook for the resident as it leaves limited area for landscaping.

Overdevelopment

In summary, the above-mentioned concerns could be overcome by reducing the number of proposed dwellings on the site which would allow for better internal and external amenity for future residents along with greater area for landscaping reflective of the preferred future character of the area.

Clause 55 – Two or more dwellings on a lot and Residential Buildings (Attachment 5)

An assessment of the proposal against the Clause 55 has been undertaken, it is considered that the proposal fails to meet the following.

Clause 55.03-7 – Safety (Standard B12)

Relevant objective:

• To ensure the layout of development provides for the safety and security of residents and property

As previously discussed, the proposed design fails to provide habitable room windows on the ground floor facing the shared driveway, which creates the potential for safety and security issues to occur through this area of the development.

Clause 55.03-8 Landscaping (Standard B13)

Relevant objective(s):

- To encourage development that respects the landscape character of the neighbourhood.
- To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.
- To provide appropriate landscaping.
- To encourage the retention of mature vegetation on the site.

As mentioned above, the development should respect the landscape character of the neighbourhood, provide adequate landscaping and should meet any additional landscape requirements specified in a schedule to the zone.

The development proposes an excessive amount of hard surface area with minimal setbacks particularly to the eastern side boundary. Whilst a setback of 3 metres is proposed from the rear boundary, the site is encumbered by a 3 metre wide easement which runs parallel along the rear boundary which further inhibits the extent of landscaping which can be achieved in this area.

In addition, the minimal setbacks of between 1.2 to 2.2 metres to the eastern boundary and 0.5 metre landscaping strip adjacent to the western boundary along the shared driveway prevents the development from achieving a minimum of 70% landscaping.

Overall the lack of sufficient setbacks for the proposed development, extent of hard surface area and the provision of balconies as SPOS areas severely impedes the extent of landscaping that could be provided contrary to Clause 55.03-8.

Therefore the development fails to meet the objective and the Standard as well and is inconsistent with the character of the area.

Clause 55.04-1 – Side and rear setbacks (Standard B17)

Relevant objective(s):

• 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.

The eastern elevation indicates some sections of wall heights that require 1.84 metre setback from the boundary, with the development providing only 1.8 metres. This variation is considered minor and if the development were to be approved could be considered an allowable encroachment as the adjoining property has its driveway located to the same shared boundary as well as the rear dwelling having its carport and walls on the boundary.

Clause 55.04-6 – Overlooking (Standard B22)

Relevant objective(s):

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

The proposed design with balcony's on the first floor to dwellings 2 & 3 have the potential for overlooking into the adjoining properties habitable room windows and have failed to provide any screening in accordance with the Standard.

Clause 55.05-4 – Private Open Space (Standard B28)

Relevant objective(s):

• To provide adequate private open space for the reasonable recreation and service needs of residents.

As a result of Amendment C182, the proposed schedule 3 to the Residential Growth Zone now specifies "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". Whilst each dwelling has been provided with first floor balconies with areas of between 11 and 13 square metres, dwellings 2, 5 and 7 fail to provide the minimum widths with widths of only 1.65 metres proposed.

Clause 55.05-6 – Storage (Standard B30)

Relevant objective(s):

• To provide adequate storage facilities for each dwelling.

The plans indicate overhead storage to each dwelling's garage. However a detailed design should be provided, considering this storage space is located above the car parking space, appropriate room is required for the appropriate use of the car space and the plans have failed to provide this information.

Clause 55.06-1 – Design Detail (Standard B31)

Relevant objective(s):

• To encourage design detail that respects the existing or preferred neighbourhood character.

The development proposes multiple single garage doors to each dwelling which provides little surveillance opportunity and visually dominates the shared driveway and is not compatible with the existing and preferred neighbourhood character.

Conclusion

The current application for the construction of seven (7) double storey dwellings has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the State and Local Planning Policy Framework, Municipal Strategic Statement as set out in this assessment. It is considered that the application does not comply with these policies.

The proposed development fails to appropriately respond to the proposed changes under Planning Scheme Amendment C182 to Clause 22.09 and the Schedule to the Residential Growth Zone of the Greater Dandenong Planning Scheme and should therefore be refused.

Recommendation

That Council resolves to <u>Refuse</u> to grant a planning permit in respect of the land known and described as 1086 Heatherton Road NOBLE PARK VIC 3174, for the construction of seven (7) double storey dwellings and the alteration of access to a road in a Road Zone, Category 1 in accordance with the plans submitted with the application based on the following refusal grounds:

- 1. The proposal is inconsistent with Local Planning Policy Clause 21.05-1 Urban Design, Character, Streetscapes and Landscapes of the Greater Dandenong Planning Scheme which encourages high quality design and positive amenity impacts for the residents of the proposal.
- 2. The development fails to provide sufficient areas of suitable landscaping contrary to Clause 22.09-3.1 Residential Development & Neighbourhood Character Policy and Clause 55.03-8 Landscaping (Standard B13) of the Greater Dandenong Planning Scheme.
- 3. The development fails to provide adequate safety to residents as a result of a lack of passive surveillance contrary to Clause 22.09-3.1 – Residential Development & Neighbourhood Character Policy and Clause 55.03-7 – Safety (Standard B12) of the Greater Dandenong Planning Scheme.
- 4. The development fails to provide screening to the first floor balconies of dwellings 2 & 3 to prevent overlooking contrary to Clause 55.04-6 – Overlooking (Standard B22) of the Greater Dandenong Planning Scheme.
- 5. The development fails to respect the preferred neighbourhood character with garage doors that visually dominate the shared driveway contrary to Clause 55.06-1 Design Details (Standard B31) of the Greater Dandenong Planning Scheme.
- 6. The development fails to meet the minimum width for first floor balconies contrary to the proposed Residential Growth Zone Schedule 3 under Planning Scheme Amendment C182; and
- The proposed internal living areas are unsuitable for their intended purpose and would adversely impact on the internal amenity of residents contrary to Clauses 15

 Built Environment and Heritage, 16 – Housing, 21.05 – Urban Design, Character, Streetscapes and Landscapes and 55.06-1 – Detailed Design of the Greater Dandenong Planning Scheme.

MINUTE 48

Moved by: Cr Roz Blades AM Seconded by: Cr Sean O'Reilly

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- 2. The development fails to provide sufficient areas of suitable landscaping contrary to Clause 22.09-3.1 Residential Development & Neighbourhood Character Policy and Clause 55.03-8 Landscaping (Standard B13) of the Greater Dandenong Planning Scheme.
- 3. The development fails to provide adequate safety to residents as a result of a lack of passive surveillance contrary to Clause 22.09-3.1 – Residential Development & Neighbourhood Character Policy and Clause 55.03-7 – Safety (Standard B12) of the Greater Dandenong Planning Scheme.
- 4. The development fails to provide screening to the first floor balconies of dwellings 2 & 3 to prevent overlooking contrary to Clause 55.04-6 – Overlooking (Standard B22) of the Greater Dandenong Planning Scheme.
- 5. The development fails to respect the preferred neighbourhood character with garage doors that visually dominate the shared driveway contrary to Clause 55.06-1 Design Details (Standard B31) of the Greater Dandenong Planning Scheme.
- 6. The development fails to meet the minimum width for first floor balconies contrary to the proposed Residential Growth Zone Schedule 3 under Planning Scheme Amendment C182; and
- 7. The proposed internal living areas are unsuitable for their intended purpose and would adversely impact on the internal amenity of residents contrary to Clauses 15 – Built Environment and Heritage, 16 – Housing, 21.05 – Urban Design, Character, Streetscapes and Landscapes and 55.06-1 – Detailed Design of the Greater Dandenong Planning Scheme.

CARRIED

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 1086 HEATHERTON ROAD NOBLE PARK (PLANNING APPLICATION NO. PLN15/0929)

ATTACHMENT 1

SUBMITTED PLANS

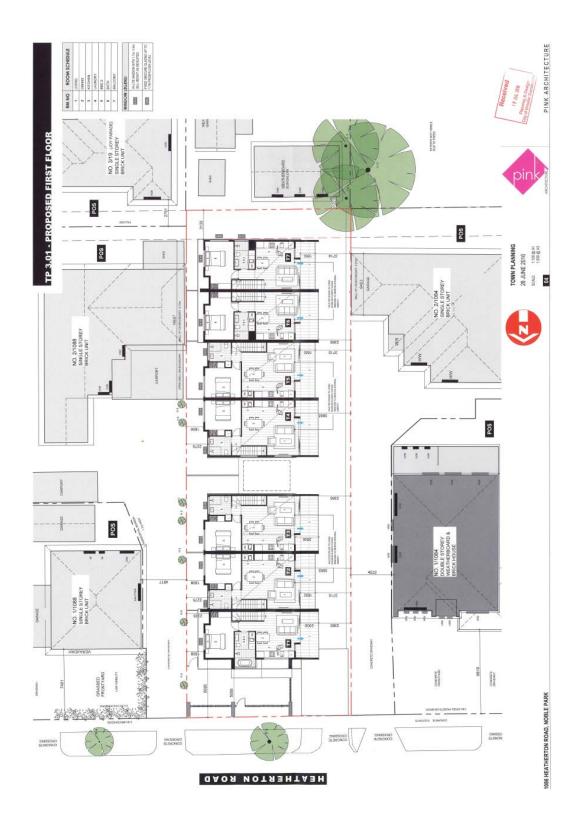
PAGES 9 (including cover)

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

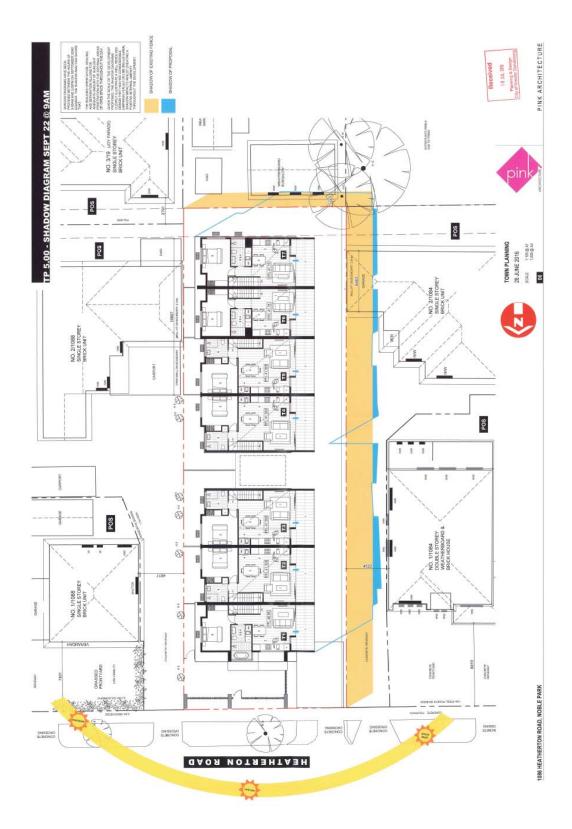


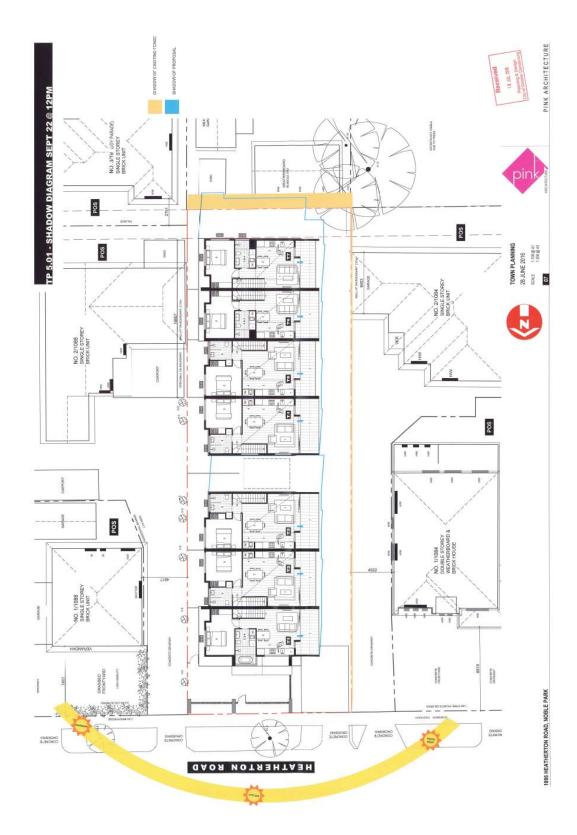


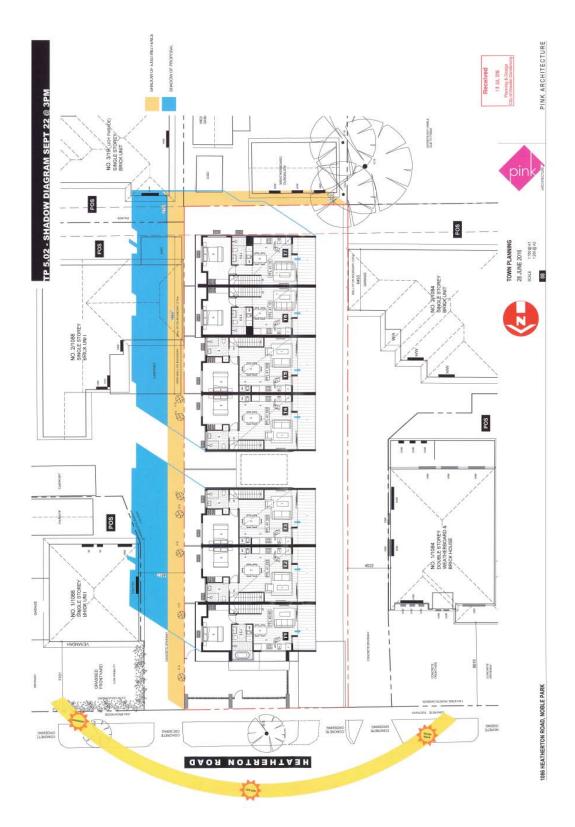












STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 1086 HEATHERTON ROAD, NOBLE PARK (PLANNING APPLICATION NO. PLN15/0929)

ATTACHMENT 2

LOCATION OF OBJECTORS

PAGES 2 (including cover)



STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 1086 HEATHERTON ROAD, NOBLE PARK (PLANNING APPLICATION NO. PLN15/0929)

ATTACHMENT 3

CLAUSE 22.09 ASSESSMENT

PAGES 6 (including cover)

Residential Development and Neighbourhood Character Policy Assessment Table for Clause 22.09-3.1 – Design Principles

Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A
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. 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. Use semi-transparent fences to the street frontage. Light communal spaces including main entrances and car parking areas with high mounted sensor-lights. Ensure that all main entrances are visible and easily identifiable from the street. Locate non-habitable rooms such as bathrooms, away from entrances and street frontage. 	* Does not comply
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. Provide substantial, high quality landscaping along vehicular accessways. Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area. Planting trees that are common to and perform well in the area. Avoid the removal of existing mature trees by incorporating their retention into the site design. Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties. Ensure that landscaping also addresses the Safety Design Principles. Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity. Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks. 	* Does not comply

2.3.1 Town Planning Application - No. 1086 Heatherton Road, Noble Park (Planning Application No. PLN15/0929) (Cont.)

Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A
Car parking	 The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres. On-site car parking should be: 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, Where car parking is located within the front setback it should be: fully located within the site boundary; and capable of fully accommodating a vehicle between a garage or carport and the site boundary. Developments with basement car parking should consider flooding concerns where applicable. 	* Does not comply
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. 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. Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting. 	✓ Complies
Private open space	All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area. Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the usability of the space. Private open space should be positioned to maximise solar access. 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. 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.	✓ Complies

Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A
Bulk & Built Form	 All residential developments should respect the dominant façade pattern of the streetscape by: Using similarly proportioned roof forms, windows, doors and verandahs; and Maintaining the proportion of wall space to windows and door openings. Balconies should be designed to reduce the need for screening from adjoining dwellings and properties. The development of new dwellings to the rear of existing retained dwellings is discouraged where: 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. On sites adjacent to identified heritage buildings infill development should respect the adjoining heritage by: 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 reamform the fractional stream. 	✓ Complies
Site Design	 room from the frontage. Residential development should: Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties. Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance. Ensure that building height, massing and articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening. Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees. Provide suitable storage provisions for the management of operational waste. Appropriately locate suitable facilities to encourage public transport use, cycling and walking. 	* Does not comply
Materials & Finishes	 Residential development should: Use quality, durable building materials and finishes that are designed for residential purposes. Avoid the use of commercial or industrial style building materials and finishes. Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials. Use a consistent simple palette of materials, colours, finishes and architectural detailing. Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building. 	✓ Complies

2.3.1 Town Planning Application - No. 1086 Heatherton Road, Noble Park (Planning Application No. PLN15/0929) (Cont.)

Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A
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. Be designed to avoid the location of domestic and building services: 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. 	! Variation required Refer to assessment section in the report.
Internal Amenity	 Residential development should: Ensure that dwelling layouts have connectivity between the main living area and private open space. Be designed to avoid reliance on borrowed light to habitable rooms. Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening. 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. 	✓ Complies

2.3.1 Town Planning Application - No. 1086 Heatherton Road, Noble Park (Planning Application No. PLN15/0929) (Cont.)

Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A
Preferred housing types	The preferred housing types for the Substantial Change Area are medium to high density.	✓ Complies
Building Height	 The preferred maximum building height for land within the: RGZ1 and RGZ2 is up to 4 storeys, including ground level. RGZ3 is up to 3 storeys, including ground level. 	✓ Complies
Bulk & Built Form	Building bulk and height can be relatively uniform throughout the depth of sites, where articulated building elevations and well proportioned ground level setbacks to upper levels are provided at the front, side and rear of buildings to allow for substantial landscaping to soften the built form. Upper level tiering may be appropriate in some cases with upper levels recessed from view. Tiered building profiles that result in excessive upper level setbacks should be avoided. Separation between upper levels of dwellings on a site is not generally needed, provided the building portrays a high standard of design and does not result in unreasonable adverse impacts. The bulk and mass of the upper levels of any dwelling should not have an unreasonable adverse impact on the amenity of adjacent residential secluded private open spaces. Residential development should be well articulated through the use of contrast, texture, variation in forms, materials, openings, colours and the inclusion of vertical design elements.	✓ Complies
Site Design	High density residential developments should provide safe and innovative communal open spaces.	- N/A

Substantial change areas – Residential Growth Zone

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 1086 HEATHERTON ROAD, NOBLE PARK (PLANNING APPLICATION NO. PLN15/0929)

ATTACHMENT 4

CLAUSE 52.06 ASSESSMENT

PAGES 3 (including cover)

2.3.1 Town Planning Application - No. 1086 Heatherton Road, Noble Park (Planning Application No. PLN15/0929) (Cont.)

Car Parking Assessment Table for Clause 52.06

Assessment Table for Clause 52.06			
Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A	
Parking Provision To ensure that car and bicycle parking for residents and visitors is appropriate to the needs of residents.	 Car parking for residents should be provided as follows: One space for each one or two bedroom dwelling. Two spaces for each three or more bedroom dwelling, with one space under cover. Studies or studios that are separate rooms must be counted as bedrooms. One space for visitors to every 5 dwellings for developments of 5 or more dwellings 	✓ Complies	
Design Standard 1 Accessways The provision of car parking should meet the design requirements of this Clause.	 Accessways should: Be at least 3 metres wide. Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre. Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres. 	✓ Complies	
	If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction. 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. Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway	 ✓ Complies ✓ Complies 	
	serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone. Have a corner splay or area at least 50 per cent 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.	✓ Complies	
Design Standard 2 Car parking spaces Car parking spaces and accessways should have minimum dimensions.	 Minimum car park and accessway dimensions: Parallel – 2.3m x 6.7m with a accessway width of 3.6m 45 degrees – 2.6m x 4.9m with a accessway width of 3.5m 60 degrees – 2.6m x 4.9m with a accessway width of 4.9m 90 degrees – 2.6m x 4.9m with a accessway width of 6.4m (refer to the table in 55.06 for more details) A building may project into the space if it is at least 	✓ Complies ✓ Complies	
	2.1 metres above the space.		

Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A
	Car spaces in garages, carports or otherwise constrained by walls should:- Single garage 3.5m x 6m Double garage 5.5m x 6	✓ Complies
Design Standard 3 Gradients Accessways to ensure safety for pedestrians and vehicles.	Accessway grades should not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. Ramps (except within 5 metres of the frontage) should have the maximum grades of: 20 metres or less 1:5 (20%) Longer than 20 metres 1:6 (16.7%)	✓ Complies
Design Standard 4 Mechanical parking	 Mechanical parking may be used to meet the car parking requirement provided: 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 that require the operation of the system are not allocated to visitorsunless used in a valet parking situation. The design and operation is to the satisfaction of the responsible authority. 	- N/A
Design Standard 5 Urban Design	Ground level car parking, garage doors and accessways should not visually dominate public space. Car parking within buildings (including visible portions of partly submerged basements) should be screened or obscured where possible, including	 * Does not comply N/A
Design Standard 6 Safety	through the use of occupied tenancies, landscaping, architectural treatments and artworks. Car parking should be well lit and clearly signed.	✓ Complies
	The design of car parks should maximise natural surveillance and pedestrian visibility from adjacent buildings.	✓ Complies
Design Standard 7 Landscaping	The layout of car parking areas should provide for water sensitive urban design treatment and landscaping. Landscaping and trees should be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.	✓ Complies✓ Complies
	Ground level car parking spaces should include trees planted with flush grilles. Spacing of trees should be determined having regard to the expected size of the selected species at maturity.	✓ Complies

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 1086 HEATHERTON ROAD, NOBLE PARK (PLANNING APPLICATION NO. PLN15/0929)

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 10 (including cover)

2.3.1 Town Planning Application - No. 1086 Heatherton Road, Noble Park (Planning Application No. PLN15/0929) (Cont.)

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

Jeighbourhood Character & Infrastructure Clause 55.02 Objective Standard (Summarised) Complies / Does Not		Complies / Does Not Comply /
		Variation Required/NA
B1 Neighbourhood Character To ensure that the design respects the existing neighbourhood character or	The design response must be appropriate to the neighbourhood and the site.	✓ Complies
contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area.	The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.	✓ Complies
B2 Residential Policy To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, ncluding the Municipal Strategic Statement and local planning policies.	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 State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.	✓ Complies
To support medium densities in areas where development can ake advantage of public ransport and community nfrastructure and services.		
B3 Dwelling Diversity To encourage a range of dwelling sizes and types in developments of ten or more dwellings.	 Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: Dwellings with a different number of bedrooms. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	- N/A
34 nfrastructure Fo ensure development is provided with appropriate utility	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.	✓ Complies
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	✓ Complies
	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.	✓ Complies
35 ntegration with the Street Γο integrate the layout of	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	✓ Complies
development with the street.	Development should be oriented to front existing and proposed streets. High fencing in front of dwellings should be	✓ Complies✓ Complies
	avoided if practicable. Development next to existing public open space should be laid out to complement the open space.	- N/A

Title & Objective	Standard	Complies / Does Not Comply /
B6	Walls of buildings should be set back from	Variation Required / N/A ✓ Complies
Bo Street Setback	streets:	• Complies
To ensure that the setbacks of	 the distance specified in Table B1. 	
buildings from a street respect	■ the distance specified in Table B1.	
the existing or preferred	Porches, pergolas and verandahs that are	
neighbourhood character and	less than 3.6m high and eaves may	
make efficient use of the site.	encroach not more than 2.5m into the	
make encient use of the site.	setbacks of this standard.	
	Within the Residential Growth Zone	
	schedule 3:	
	As per B6 or 5 metres, whichever is the	
	lesser.	
B7	The maximum building height should not	✓ Complies
Building Height	exceed 9 metres (unless the slope of the	
To ensure that the height of	natural ground level at any cross section	
buildings respects the existing	wider than 8 metres of the site of the	
or preferred neighbourhood	building is 2.5 degrees or more, in which	
character.	case the maximum building height should	
	not exceed 10 metres).	
	Changes of building height between existing	✓ Complies
	buildings and new buildings should be	
	graduated.	
B8	The site area covered by buildings should	✓ Complies
Site Coverage	not exceed 60%.	
To ensure that the site coverage		
respects the existing or		
preferred neighbourhood	Within the Residential Growth Zone	
character and responds to the	schedule 3 Zone schedule:	
features of the site.	Up to a maximum of 70%.	(a
B9	At least 20% of the site should not be	✓ Complies
Permeability	covered by impervious surfaces.	
To reduce the impact of		
increased stormwater run-off on		
the drainage system.		
To facilitate on-site stormwater		
infiltration.		
B10	Buildings should be:	✓ Complies
Energy Efficiency	 Oriented to make appropriate use of 	- complico
To achieve and protect energy	solar energy.	
efficient dwellings and	 Sited and designed to ensure that the 	
residential buildings.	energy efficiency of existing	
5-	dwellings on adjoining lots is not	
To ensure the orientation and	unreasonably reduced.	
layout of development reduce	Living areas and private open space should	✓ Complies
fossil fuel energy use and make	be located on the north side of the	
appropriate use of daylight and	development, if practicable.	
solar energy.	Developments should be designed so that	✓ Complies
	solar access to north-facing windows is	•
	maximised.	

Title & Objective	Standard	Complies / Does Not Comply /
B11 Open Space To integrate the layout of development with any public and communal open space provided in or adjacent to the development. B12 Safety To ensure the layout of development provides for the safety and security of residents and property.	If any public or communal open space is provided on site, it should: 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 usable. 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.	 ✓ Complies ✓ Complies ✓ Complies ✓ Complies ✓ Source and the second s
	Private spaces within developments should be protected from inappropriate use as public thoroughfares.	✓ Complies
B13 Landscaping To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping.	 The landscape layout and design should: 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. 	* Does not comply
To encourage the retention of mature vegetation on the site.	Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood. Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.	 ✓ Complies ✓ Complies
B14 Access To ensure vehicle access to and from a development is safe, manageable and convenient.	The width of accessways or car spaces should not exceed:	✓ Complies
To ensure the number and design of vehicle crossovers respects the neighbourhood character.	No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise	 ✓ Complies ✓ Complies
	The number of access points to a road in a Road Zone should be minimised.	✓ Complies
	Developments must provide for access for service, emergency and delivery vehicles.	✓ Complies

Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A
B15 Parking Location To provide convenient parking for resident and visitor vehicles. To avoid parking and traffic difficulties in the development and the neighbourhood. To protect residents from vehicular noise within	 Car parking facilities should: Be reasonably close and convenient to dwellings and residential buildings. Be secure. Be designed to allow safe and efficient movements within the development. Be well ventilated if enclosed. Large parking areas should be broken up with trees, buildings or different surface treatments. 	✓ Complies
developments.	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.	✓ Complies

Amenity Impacts		lause 55.04
Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A
B17 Side and Rear Setbacks 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.	 A new building not on or within 150mm of a boundary should be set back from side or rear boundaries: 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. 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. 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. 	* Does not comply
B18 Walls on Boundaries 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.	 A new wall constructed on or within 150mm 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 for a length of more than: 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. 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 abutting property boundary. A building on a boundary includes a building set back up to 150mm from a boundary. 	
B19 Daylight to Existing Windows To allow adequate daylight into existing habitable room windows.	side or rear boundary should not exceed an average of 3 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall. 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.	✓ Complies

Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A	
	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. Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.	✓ Complies	
B20 North Facing Windows To allow adequate solar access to existing north-facing habitable room windows.	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. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.	✓ Complies	
B21 Overshadowing Open Space To ensure buildings do not significantly overshadow existing secluded private open space.	Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with 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 9 am and 3 pm on 22 September. 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.	✓ Complies	
B22 Overlooking To limit views into existing secluded private open space and habitable room windows.	 A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the <u>secluded private</u> <u>open</u> space or <u>habitable room window</u> of an existing dwelling (horizontal 9m rule and from a height of 1.7m above ffl). A habitable room window, balcony, terrace, deck or patio with a direct view should be either: 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 permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. 	* Does not comply	
	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.	* Does not comply	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A	
	 Screens used to obscure a view should be: Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. Permanent, fixed and durable. Designed and coloured to blend in with the development. 	* Does not comply	
	This 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.		
B23 Internal Views To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	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.	✓ Complies	
B24 Noise Impacts To contain noise sources in	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.	✓ Complies	
developments that may affect existing dwellings. To protect residents from	Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties	✓ Complies	
external noise.	on immediately adjacent properties. Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	✓ Complies	

Dn-Site Amenity and Facilities Title & Objective	Standard	Complies / Does Not Comply / Variation Required / N/A
B25 Accessibility To encourage the consideration of the needs of people with limited mobility in the design of developments.	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.	✓ Complies
B26 Dwelling Entry To provide each dwelling or residential building with its own sense of identity.	 Entries to dwellings and residential buildings should: 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. 	✓ Complies
B27 Daylight to New Windows To allow adequate daylight into new habitable room windows.	 A window in a habitable room should be located to face: 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 one third of its perimeter, or more open sides and is open for at least one third of its perimeter. 	✓ Complies
B28 Private Open Space To provide adequate private open space for the reasonable recreation and service needs of residents.	 A dwelling or residential building should have private open space consisting of: Total of 40 square metres, one part to consist of secluded private open space to side or rear with a minimum area of 25 square metres and a minimum width of 3m A balcony of 8 square metres, minimum width of 1.6 metres A roof-top area of 10 square metres, minimum width of 2 metres. All with convenient access from a living room. Within the Residential Growth Zone schedule 3: As per B28; or a balcony or rooftop with a minimum width of 2 metres that is directly accessible from the main living area. 	* Does not comply
B29 Solar Access to Open Space To allow solar access into the secluded private open space of new dwellings and residential buildings.	The private open space should be located on the north side of the dwelling or residential building, if appropriate. 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.	 ✓ Complies N/A
B30 Storage To provide adequate storage facilities for each dwelling.	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	! Variation required Refer to assessment section in the report.

Detailed Design Title & Objective Standard		Clause 55.06 Complies / Does Not Comply /	
	o tantan a	Variation Required / N/A	
B31 Design Detail To encourage design detail that respects the existing or preferred neighbourhood character.	The design of buildings, including: Facade articulation and detailing, Window and door proportions, Roof form, and Verandahs, eaves and parapets, Should respect the existing or preferred neighbourhood character. Garages and carports should be visually	 ✓ Complies ★ Does not comply 	
	compatible with the development and the existing or preferred neighbourhood character.		
B32 Front Fences To encourage front fence design that respects the	The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.	✓ Complies	
existing or preferred neighbourhood character.	 A front fence within 3 metres of a street should not exceed: 2m if abutting a Road Zone, Category 1. 1.5m in any other streets. Within the Residential Growth Zone schedule 3: Maximum 1.5 metre height in streets in Road Zone Category 1, 1.2 metre maximum height for other streets. 	✓ Complies	
B33	Developments should clearly delineate	✓ Complies	
Common Property	public, communal and private areas.	-	
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.	Common property, where provided, should be functional and capable of efficient management.	✓ Complies	
B34 Site Services To ensure that site services can be installed and easily maintained.	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.	✓ Complies	
To ensure that site facilities are accessible, adequate and attractive.	Bin and recycling enclosures, mailboxes and other site facilities should be accessible, adequate in size, durable, waterproof and blend in with the development.	✓ Complies	
	Mailboxes should be provided and located for convenient access as required by Australia Post.	✓ Complies	

File Id:	129200	
Responsible Officer:	Director City Planning, Design and Amenity	
Attachments:	Submitted Plans Location of Objectors Clause 22.11 Assessment Clause 52.06 Assessment	

Application Summary

Applicant:	Joe Pirotta c/- Gypsum Australia Pty Ltd	
Proposal:	Use and development of part of the site for the purpose of a transfer station and the display of business identification signage	
Zone:	Industrial 1 Zone	
Overlay:	Nil	
Ward:	Lightwood	

This application has been brought to a Council meeting as it has received two (2) objections. The application proposes the use and development of part of the site for the purpose of a transfer station and the display of business identification signage. A permit is required pursuant to Clause 33.01-1 of the Greater Dandenong Planning Scheme for the use of the land for a transfer station; pursuant to Clause 33.01-4 of the Greater Dandenong Planning Scheme for buildings and works associated with the use; and pursuant to Clause 52.05-8 of the Greater Dandenong Planning Scheme for the display of business identification signage.

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. Two (2) objections were received to the application. Issues raised generally related to the matter of the proposed use of the land as a transfer station conflicting with the strategic redevelopment of the site at No. 1486-1550 Centre Road, directly opposite the subject site.

Assessment Summary

As assessed, the proposed use and development of the land for the purpose of a transfer station is considered acceptable and should be supported. The land is located in an industrial area with only moderate consideration for any sensitive interfaces necessary. The proposed transfer station will be accessible to, and serve, the local community with appropriate operating hours. The applicant has investigated and planned adequate measures to be employed on the site to prevent any off-site impacts and is committed to operating the site in accordance with best practice principles. A comprehensive Site and Environmental Management Plan (SEMP) was submitted with the application and the endorsement of this, as well as conditions required by the EPA, will ensure the seamless ongoing operation of the proposed use.

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 the provision of new facilities to safely and sustainably manage waste whilst maximising opportunities for resource recovery, 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.

Subject Site and Surrounds

Subject Site

- The subject site is located on the east side of Westall Road, accessible via a service road south of Centre Road.
- The site is orientated east-west and is regular in shape.
- The site has a frontage to the service road of 60.89 metres, a depth of 253.25 metres and a rear boundary with a width of 60.97 metres. However, the current application does not propose to use all of the site for the proposed transfer station. Attachment 1 shows the area the proposal covers.
- The southern portion of the lot shown on the copy of Title submitted with the application is currently occupied by a crane hire yard and does not form part of the subject site.
- Topography of the site is relatively flat.
- There is a 5.0 metre wide drainage and sewerage easement across the rear boundary of the site.
- The site can be accessed via a 6.4 metre wide crossover on the south side of the site.
- The subject site was previously used for materials recycling and is currently vacant.

Surrounding Area

- The surrounding area is characterised by its industrial and commercial nature. There are a number of larger businesses in the area surrounding the site including Bluescope Steel (which abuts the subject site's southern Title boundary), Mainfreight Transport, Bosch and the Springvale Homemaker Centre.
- The site's east (rear) boundary is adjoined by a large car wrecking yard with an address on Centre Road.
- North of the site are businesses located within Yiannis Court which houses smaller industrial buildings used for a variety of purposes.
- Opposite the site on the west side of Westall Road are businesses which form part of the Clayton Business Park (within the City of Kingston).
- The site lies 650 metres north-west of the boundary of the Springvale Activity Centre and is located 500 metres north-east of Westall Railway Station.

2.3.2 Town Planning Application – 12-14 Westall Road, Springvale (Planning Application No. PLN16/0405) (Cont.)

Locality Plan



Background

Previous Applications

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

Planning Permit No. PLN08/0519 for the use of the land for the purpose of Materials Recycling (storage and resale of second-hand building materials), with a reduction of the car parking provisions of Clause 52.06 of the Planning Scheme, all in accordance with the endorsed plans was issued on 15/01/2009. This permit was cancelled at the direction of VCAT on 14/12/2010 as demolition rubble was being stockpiled on the land, including combustible material, resulting in hazardous dust emissions affecting the amenity of the area in breach of the permit.

The current applicant is not associated with the previous operator, and the current proposal is totally independent of the previous permit.

Proposal

The application proposes the use and development of the site for the purpose of a transfer station and the display of business identification signage. Details are as follows:

Use

The use would encompass a waste drop-off station and resource recovery centre. Materials allowed to be dropped off would include typical household hard waste, green waste, wood waste, soil and rubble, bricks and concrete, plaster board and recyclables.

Hours of operation would be Monday to Friday 7.00am to 5.00pm; Saturday and Sunday 8.00am to 5.00pm; and the facility would be closed on selected public holidays.

There would be a maximum of five (5) employees on site at any one time.

A comprehensive Site and Environmental Management Plan (SEMP) was submitted with the application.

Buildings and works

From the front boundary to the rear of the site the proposed development, mostly along the north boundary, will include:

- Retention of the 9.0 metre landscape setback at the site's frontage.
- Staff toilet and staffroom facilities housed in portable buildings; set back in the order of 15.0 metres from the front boundary;
- A public toilet housed in a portable building;
- A site shed;
- Separate recycling sheds for paper/cardboard, batteries, glass, oil, e-waste and other hazardous wastes;
- Three (3) shipping containers for the temporary storage of goods to be sold off-site;
- An area for green waste separated by a prefabricated concrete enclosure,
- An area for wood waste also separated by a prefabricated concrete enclosure,
- A secure hazardous waste storage enclosure,
- Two (2) site shelters, each of which comprise a curved woven polyethylene roof mounted on shipping containers stacked two (2) high with one (1) shelter to be used for the unloading of domestic hard waste and one (1) shelter to be used for truck loading;
- Two (2) containers for scrap metal;
- An overflow area for wood waste; and
- Enclosures for soil and bricks or concrete.

To prevent the transmission of waste to adjoining sites all boundary fences would be lined with shade cloth covering the entire height of fencing to 1.8 metres. Additionally, 7.0 metre high industrial curtains would be installed on each of the existing gantries on the site, one of which is located inside the front boundary, set back in the order of 14.0 metres from the front boundary, and one of which is located at the rear of the site. At the front of the site the industrial curtain would extend across the front boundary from the north side of the accessway and 12.0 metres along the north boundary of the site.

Vehicle access to the site would be via the existing crossover with an accessway constructed along the south boundary of the site. The accessway would accommodate both domestic vehicles as well as trucks. Six (6) employee car parking spaces would be located perpendicular to the front boundary of the site with an additional six (6) car parking spaces for overflow located at the rear of the site.

Signage

Sign	Туре	Location	Size	Area	Content
S1	Business identification sign	Attached to north side of existing gantry perpendicular to front boundary at north-west corner of site	2.0 metres high x 3.0 metres wide	6.0 square metres	"Transfer & Recycling, Innovation, Protecting the Environment" and business name and contact number
S2	Business identification sign	Attached to south side of gantry located at front of site	1.0 metre high x 2.0 metres wide	2.0 square metres	"Waste Transfer Depot – Domestic and Light Commercial Waste Recycling and Transfer" with opening hours and contact details
S3	Business identification sign	Located at front boundary on north side of accessway, attached to boundary fence/metal supports	2.0 metres high x 1.0 metre wide	2.0 square metres	Categories of accepted and non-accepted waste
S4	Business pricing sign	Located inside site where accessway divides for entry/exit	2.0 metres high x 1.0 metre wide	2.0 square metres	Pricing
Total	Total advertising area		12 square metres		

A total of four (4) advertising signs are proposed to be displayed as follows:

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 Policy but is not relevant to the content of the Policy.

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:

- Pursuant to Clause 33.01-1 (Industrial 1 Zone) for the use of the land for a transfer station;
- Pursuant to Clause 33.01-4 (Industrial 1 Zone) for buildings and works associated with the use; and
- Pursuant to Clause 52.05-8 (Advertising signs) for the display of business identification signage.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in an Industrial 1 Zone, as is the surrounding area. Westall Road, but not the service road that provides access to the site, is located in a Road Zone Category 1.

The purpose of the Industrial 1 Zone outlined at Clause 33.01 is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Pursuant to Clause 33.01-1 a permit is required for the use of the land for a transfer station; and pursuant to Clause 33.01-4 a permit is required for buildings and works associated with the use.

Notice requirements and decision guidelines are also contained within that clause, noting that the use is not exempt from notification, although the buildings and works are.

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.

(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. The following state planning policies are relevant to this application.

Clause 15 of the Scheme looks at Built Environment and Heritage, with **Clause 15.02 – Sustainable Development** of relevance to this application. The following objective relating to Energy and Resource Efficiency at Clause 15.02-1 is to be considered:

• To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

Economic Development is of particular relevance to this application, with that outlined at Clause 17 of the Scheme. Under that matter **Industry** is focused on at **Clause 17.02** with the objectives of that Clause being:

- To ensure availability of land for industry.
- To facilitate the sustainable development and operation of industry and research and development activity.
- To protect industrial land of State significance.
- To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.

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

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

Movement Networks at **Clause 18.02** should also be considered with the following objectives to be considered:

- To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.
- To ensure an adequate supply of car parking that is appropriately designed and located.

Clause 19 looks at **Infrastructure**, within which **Clause 19.03-5 Waste and Resource Recovery** should be considered. The following objective and strategies are of relevance to the current application:

To avoid, minimise and generate less waste to reduce damage to the environment caused by waste, pollution, land degradation and unsustainable waste practices.

- Establish new sites and facilities to safely and sustainably manage all waste and maximise opportunities for resource recovery.
- Encourage facilities for resource recovery to maximise the amount of resources recovered.
- Provide sufficient waste management and resource recovery facilities to promote re-use, recycling, reprocessing and resource recovery and enable technologies that increase recovery and treatment of resources to produce energy and marketable end products.
- Encourage waste generators and resource generators and resource recovery businesses to locate in close proximity to enhance sustainability and economies of scale.
- Ensure buffers for waste and resource recovery facilities are defined, protected and maintained.
- Site and manage waste disposal and resource recovery facilities in accordance with the Waste Management Policy (Siting, Design and Management of Landfills) (EPA, 2004).

Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies. The following local planning policies are relevant to this application.

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 is one of Australia's premier industrial regions with exporting strengths in manufacturing, wholesale trade and transport and storage (Clause 21.02-2).
- Approximately one-third of employed residents worked in labouring or trades, compared with 20 percent of people throughout metropolitan Melbourne, with 14 percent of employed residents holding professional/managerial occupations compared with the metropolitan average of 30 percent (Clause 21.02-3).

- Industries range from small-scale light industries in older established areas, to newer, generally industrial estates with large allotments and purpose built facilities (Clause 21.02-3).
- Key industries located in Greater Dandenong include advanced manufacturing in automotive, plastics and scientific equipment, as well as food processing and distribution and metal fabrication (Clause 21.02-3).

The **Vision for Greater Dandenong** is outlined at **Clause 21.03**. Amongst others, the vision is that Greater Dandenong will be a nationally and internationally competitive city; and a pre-eminent industrial centre for Melbourne's south-east with a significant high-tech/knowledge industrial component.

Under **Clause 21.04 – Land Use**, the matter of 'industrial', amongst others, is covered. It is noted within Clause 21.04-3 relating to the matter of industrial that Greater Dandenong has a task of achieving a healthy balance between providing for an increased population and supporting robust activity centres and protecting key industries. The protection of the Industrial 2 Zone for its intended purpose is a noted challenge, with its interface with other zones requiring careful management. Noise and air pollution, along with other adverse amenity impacts need to be managed, with industries to be encouraged to develop best practice to make efficient use of energy and resources. Relevant objectives and strategies contained within that Clause include:

1. To provide development, employment and industrial opportunities, which cater for a broad range of industries.

1.1 Provide a diversity of locational opportunities for all types of industrial activity, including those enterprises that combine manufacturing with general office activities.

2. To facilitate new investment, development and redevelopment.

2.1 Discourage business or non-industrial uses on industrial land.

2.2 Encourage new hi-tech and knowledge industry to be established.

3. To develop and exploit existing infrastructure and locational advantage of the City's industrial areas.

3.1 Encourage the establishment of industries that add value to the local industry products, component manufacturers.

3.2 Encourage the establishment of industries that create local employment opportunities.

3.3 Protect the supply of industrial land by encouraging retail and office uses to locate in business zones.

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5. To protect the strategically significant Industrial 2 Zone for its primary purpose.

5.1 Encourage the location of industries that require more extensive buffer distances (requiring 1,000 to 5,000m buffer distances under Clause 52.10 of the Planning Scheme) within the Industrial 2 Zone.

5.2 Strongly discourage industrial land uses that do not require significant buffer distances from sensitive land uses from locating to the Industrial 2 Zone.

6. To protect industrial zones for industrial activity.

6.1 Strongly discourage the issue of planning permits for bulky goods retail developments in industrial zones.

Under **Clause 21.05 – Built Form** the matters of: urban design, character, streetscapes and landscapes; and, sustainability, amongst others, are covered. It is noted that within that Clause that there is a need to improve community perception of the industrial and commercial image of the City. Promoting appropriate urban design to improve the public realm of those areas, particularly along main roads and at gateways is noted as facilitating more economic activity. Relevant objectives and strategies of Clause 21.05-2 relating to the matter of urban design, character, streetscapes and landscapes, include:

1. To facilitate high quality building design and architecture.

1.1 Ensure building design is consistent with the preferred character of an area and fully integrates with surrounding environment.

1.2 Encourage high standards of building design and architecture, which allows for flexibility and adaptation in use.

1.3 Encourage innovative architecture and building design.

2. To facilitate high quality development, which has regard for the surrounding environment and built form.

2.1 Promote views of high quality landscapes and pleasing vistas from both the private and public realm.

2.2 Promote all aspects of character – physical, environmental, social and cultural.

2.3 Encourage planting and landscape themes, which complement and improve the environment.

2.4 Encourage developments to provide for canopy trees.

3. To improve the quality, consistency and function of the city's environment.

3.1 Encourage new developments which are adjacent to public open spaces to address and complement the open space.

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7. To protect and improve streetscapes.

7.1 Ensure new developments improve streetscapes through generous landscape setbacks and canopy tree planting.

7.2 Ensure landscaping within private property that complements and improves the streetscapes and landscaping of public areas.

Relevant objectives and strategies of Clause 21.05-4 relating to sustainability, include:

1. To promote ecologically sustainable development.

1.1 Encourage the design of developments to provide for integration of water sensitive urban design.

1.2 Encourage the recycling of grey water in new developments.

1.3 Require an environmental management plan where a use or development would require ongoing management controls.

2. To encourage environmentally sustainable practices by industrial and commercial developments.

2.1 Encourage the collection and use of rain water.

2.2 Encourage industrial and commercial developments to develop sustainable water use and waste water re-use programs.

Under **Clause 21.07 – Infrastructure and Transportation** matters of: physical, community and cultural infrastructure; public transport; walking and cycling; cars and parking; and, transport services are covered. Clause 21.07-1 focuses on the matter of physical, community and cultural infrastructure, with relevant objectives and strategies including:

2. To manage the impact of discharge of stormwater to minimise pollution and flooding.

2.1 Promote water sensitive urban design principles,

2.2 Require Environmental Management Plans for large developments.

4. To ensure new developments meet the cost of infrastructure.

4.1 Identify the requirements of infrastructure (land, works and facilities) and put in place funding arrangements with reference to:

- The type and capacity of infrastructure already in place.

- Accepted standards of infrastructure provision.

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

2. To integrate transport and land use.

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

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

1. To promote and facilitate walking and cycling.

1.2 Ensure use and development proposals have regard to the municipal bicycle and other transport strategies.

1.4 Discourage vehicle cross-overs where they have a significant impact on pedestrian movements.

Within Clause 21.07-5 the matter of transport services are the following relevant objectives and strategies:

1. To ensure that provision and location of transport related uses and services have no adverse impacts on residential areas.

1.1 Discourage the development of freight and logistics related facilities in locations that require transport to use roads through residential areas.

1.2 Discourage industries that are dependent on heavy road transport or high volumes of traffic from locating near residential areas.

2. To enhance the efficiency of freight movement.

2.1 Support inter-modal (road to rail) transfer facilities that reduce truck traffic.

2.2 Support the protection and enhancement of the existing operation and safety of arterial roads for all road users through ongoing management of vehicle access points.

The local planning policy of **Clause 22.03** which relates specifically to **Urban Design in Commercial and Industrial Areas** is of particular relevance to this application. The objectives of this policy are:

- To improve the appearance of all commercial and industrial areas, and particularly development along main roads and gateways.
- To provide urban design solutions which respond to the type of road and the speed of the traffic using the road.

Clause 22.03-3 sets out the criterion that needs to be considered for new commercial and industrial estates and infill development. These include: context and setting for new estates; estate and road layout; lot size, shape and orientation; interface with other uses; engineering services; built form; setbacks; storage areas; fencing; and landscaping. Further, the table to this Clause outlines specific buildings and works setbacks and landscaping design standards. Of particular relevance to this application is Area 2.

Particular Provisions

Clause 52.05 – Advertising signs needs to be considered under the current application. The purpose of the clause is:

- To regulate the display of signs and associated structures.
- To provide for signs that 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.

Advertising requirements for the subject site are set out in Clause 52.05 and described as Category 2 – Office and industrial areas (low limitation).

Pursuant to Clause 52.05-8, a permit is required to display business identification signage where the total advertisement area to the premises exceeds 8.0 square metres.

Clause 52.06 – Car Parking needs to be considered. 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.

Clause 52.06-1 notes that a new use must not commence or the floor area of an existing use must not be increased until the required car spaces have been provided on the land.

The required spaces are identified in the table to Clause 52.06-5. Clause 52.06-3 further notes that a permit may be granted to reduce or waive the number of car spaces required by the table, with the decision guidelines for such considerations also at that Clause.

The table at Clause 52.06-5 does not nominate a car parking rate for the use of land for a transfer station. However it is noted that an Industry requires 2.9 car parking spaces to each 100 square metres of net floor area. In addition, the table notes that 10 percent (10%) of the site area is required to be set aside for car parking for the use of land for materials recycling.

Car parking is to be designed and constructed in accordance with the requirements of Clauses 52.06-8 of the Scheme.

The requirements of **Clause 52.07 – Loading and Unloading of Vehicles** need to be considered, with the purpose of this Clause being:

To set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.

The dimensions and areas of loading bays are outlined under this Clause, with a permit required to reduce or waive these requirements.

The requirements of **Clause 52.10 Uses with Adverse Amenity Potential** needs to be considered. Within the table to Clause 52.10 the following threshold distances are required:

Refuse and used material storage, sorting and recovery in a transfer station:

- Accepting organic wastes Note 1
- Other 100

'Note 1' within Clause 52.10 states that the threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

Clause 52.45 Resource recovery needs to be considered under the current proposal. The purpose of the clause is:

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

That clause includes decision guidelines to be considered for applications for transfer stations and/or materials recycling facilities.

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

There are no relevant Planning Scheme Amendments.

Restrictive Covenants

The copy of Title submitted with the application does not reveal any covenants or restrictions.

Council Plan 2013-2017 – 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 general 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 55 of the Planning and Environment Act 1987, the application was externally referred to:

Authority	Comments
EPA	No objection subject to conditions.

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

Authority	Comments
VicRoads	No objection, no conditions required.

<u>Internal</u>

The application was internally referred to the following:

Department	Comments
Transport Planning	No objection, no conditions required.
Civil Development	No objection, standard conditions required.
Planning Compliance	No objection subject to conditions.
Asset Planning	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 a sign on site facing Westall Road.

The notification has been carried out correctly.

Council has received two (2) objections to date. However, the applicant has sought independent legal advice as to whether the objections should be considered separately given that they have been submitted under two (2) separate company names, only one of which appears to be a registered company according to the legal advice submitted to Council. Whilst Council is aware of this discrepancy, it has no bearing on the merits of the application.

The location of the objectors is shown in Attachment 2.

Consultation

A consultative meeting was not held as the application is not residential in nature. The objections stand as received.

Summary of Grounds of Objections

It is important to note the context of the objections received. Both are from the same address at No. 1486-1550 Centre Road (located within the City of Kingston, opposite the subject site) but under separate company names. The land at No. 1486-1550 Centre Road sits opposite the subject site on the west side of Westall Road and currently forms the Clayton Business Park. The land is bounded by Centre Road, Westall Road, Rayhur Street and Kombi Road and sits within the City of Kingston. The objectors submit that the land is identified in Plan Melbourne as part of the Monash National Employment Cluster and is currently being contemplated for rezoning from Industrial 1 to a Mixed Use Zone by the owners and the Metropolitan Planning Authority. It is envisaged that, once rezoned, the land will encompass a number of uses including residential, retail, commercial and community services.

The objections are summarised below (**bold**), followed by the Town Planner's Response (in *italics*). Both objections were identical and stated that specifically, the proposal:

• Fails to provide an acceptable outcome pursuant to the Greater Dandenong Planning Scheme.

As outlined in the 'assessment' section of this report, it is considered that the proposed use and development of the site for a transfer station will provide local residents with a viable recycling/waste facility that is appropriately located in an industrial area separated from any residential uses. The applicant has provided extensive information to demonstrate how the site would comply with best practice requirements and it is considered that conditions of permit, as well as an endorsed Site and Environmental Management Plan, would be sufficient to ensure the appropriate ongoing operation of the site, achieving an acceptable planning outcome.

• Fails to respond to the existing and future context of land [in] proximity to the site noting the designation of 1486-1550 Centre Road within Plan Melbourne.

It is noted that the subject site, and surrounds, are located in an Industrial 1 Zone, as is the land on the opposite side of Westall Road. The Greater Dandenong Planning Scheme outlines a total of twelve separate Section 1 (no permit required) uses, including the general designations of 'industrial' and 'warehouse' which could include a myriad of operations. Given that no planning permit is required for these uses to operate there is potential for them to operate from the site 24 hours a day and seven (7) days per week as of right. In Council Officer's opinion, this means that the current proposal creates no more potential for an adverse impact on the future use of land at No. 1486-1550 Centre Road than was already in existence.

Whilst the land has been noted in Plan Melbourne as part of a National Employment Cluster, it is designated as 'Clayton Business Park'. It is acknowledged that the site has the potential to contain sensitive uses, such as housing. An appropriate land use and development response for the redevelopment of Clayton Business Park would be to recognise the full extent of industrial zoning and land use opposite their site for the full length of Westall Road. That recognition would avoid developing sensitive uses such as housing at that Westall Road interface and in the Development Plan for the site nominate a more appropriate land use as a buffer to possible sensitive uses further from Westall Road and more appropriately proximate to existing housing proximate to the site's western boundary.

• Will not meet the future condition requirements of a Section 2 use within Clause 33.01-1 for a Transfer Station. This is noting the designation of land for amongst other uses a sensitive land use at 1486-1550 Centre Road.

The Greater Dandenong Planning Scheme sets out the condition requirements for a transfer station as a Section 2 use within Clause 31.01-1 as follows:

"The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre".

The objector has stated that the land at 1486-1550 Centre Road will, in the future, contain a number of uses including residential, retail, commercial and community services. They have not advised that the land will be specifically used for a hospital or education centre and the residential uses would be in the order of 90.0 plus metres from the subject site. However, Council records indicate that the portion of the land at the Centre Road site closest to the subject site will in fact be used for commercial purposes.

It is unlikely that the requirements, as set out in the clause, would be varied as these are statutory provisions in all planning schemes. Accordingly, the use complies with the current and future requirements of Clause 33.01-1.

• Fails to address the application requirements of Clause 33.01-2 as no material input has been provided in relation to any future noise impacts, air borne emissions and emissions to land or water.

It should be noted that the application was advertised concurrently with Council's request for further information, which has subsequently been submitted. That request included a comprehensive Site and Environmental Management Plan (SEMP) to be submitted to Council. A peer review of the submitted SEMP was also submitted to Council and both the SEMP and peer review have been assessed by Council's Planning Compliance unit. The application was also referred to the EPA and it is also noted that the applicant independently met with staff from the EPA to discuss the proposal. The applicant has also submitted a completed assessment checklist for resource recovery centres which is included as part of Sustainability Victoria's 'Guide to Best Practice at Resource Recovery Centres'.

In general, the SEMP submitted with the application is considered acceptable, with some additional material recommended by Council's Planning Compliance unit. Additionally, the EPA offered no objection to the proposal, subject to a number of conditions to be included on any permit issued. As a result it is considered that the applicant has adequately addressed any future noise impacts, air borne emissions and emissions to land or water that may occur as a result of their operations and adequately outlined how these issues would be dealt with.

• Does not have any regard to the impact the proposed use may have on proposed residential areas or other uses which are sensitive to industrial off-site effects as per the Decision Guidelines of Clause 33.01.

The Greater Dandenong Planning Scheme includes decision guidelines at Clause 33.01-2 for the use of land, clearly outlining that the matters listed must be considered by the 'Responsible Authority'. In this case it is considered that the applicant has adequately met the application requirements, also contained at Clause 33.01-2.

Additionally, in regards to proposed residential areas, any future developments such as that at 1486-1550 Centre Road should recognise existing industrial areas, and be designed in such a manner so as to minimise potential conflict between existing and proposed uses.

• Has not adequately addressed the existing or future context of land within proximity to the site.

The applicant has adequately addressed the existing context of the industrial land within which the site is located, noting the surrounding zones. They also note the residential area to the south-east of the subject site. The EPA has recommended that a Community Consultation Plan be created which will ensure any problems associated with the ongoing operation of the site are addressed.

As for the future use of the land opposite, this has been addressed in the comments on the objections above.

Assessment

<u>Use</u>

The following is an assessment of the proposed use of the land for a transfer station against the decision guidelines outlined at Clause 33.01-2 of the Greater Dandenong Planning Scheme:

• The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

As assessed, the proposed use accords with both State and Local planning policy. State planning policy seeks to ensure that land is available for industry. Clause 19.03-5 (Waste and Resource Recovery) includes an objective 'to avoid, minimise and generate less waste to reduce damage to the environment...'. Strategies to achieve this include the establishment of waste management facilities to maximise opportunities for resource recovery, as well as the encouragement of such facilities to maximise the amount of resources recovered.

Documentation submitted with the current application states that, with the recent closure of the Clayton South Regional Landfill, which was located 2.5 kilometres to the south-west of the subject site in the City of Kingston, there is a current need for such a facility to be established in this area. Additionally, the applicant submits that the proposed transfer station would service a population of approximately 500,000 residents of the cities of Greater Dandenong, Kingston and Monash collectively. The types of waste proposed to be accepted are comprehensive. The applicant submits that an estimated 300 tonnes of waste would be accepted at the site per week, with another 300 tonnes being transferred off-site for recycling, re-use or disposal. It is considered that the proposed use would provide an essential opportunity for resource recovery whilst maximising the amount of resources recovered, as appropriate.

Local planning policy at Clause 21.04 seeks to ensure the protection of industrial zones for industrial activity specifically. That clause also seeks to develop existing infrastructure to take locational advantage of the City's industrial areas. It is considered that the proposed use achieves these strategies. The site is located in an industrial area specifically zoned for such purposes. The site is large and devoid of any buildings which would need to be removed or altered, will allow sufficient car parking for the proposed use, and can take advantage of easy access to the main road network.

Clause 21.04 also encourages industries to develop best practice, which would be achieved by the proposed use. The applicant has submitted extensive documentation, including a comprehensive Site Environmental Management Plan (SEMP) which has been peer-reviewed, to demonstrate that the site would be adequately managed and operated in accordance with best practice. The EPA has also recommended a number of permit conditions, which the applicant is aware of, to be included on any permit granted that would ensure the optimal ongoing operation of the proposed use.

When assessed against the decision guidelines of Clause 52.45 (Resource recovery) it is considered that the proposal is also compliant. The establishment of the facility will make a significant contribution towards the Victorian Government's resource recovery targets as well as their Towards Zero Waste Strategy (DSE, 2005) and the Metropolitan Waste and Resource Recovery Strategic Plan (Sustainability Victoria, 2009). The application was referred to the EPA and conditions of permit, should one be issued, will require the proposal to operate within relevant best practice principles. Additionally, it is considered that conditions of permit will ensure the protection of the amenity of the surrounding area.

Overall it is considered that there is ample State and Local planning policy support for the type of use proposed as well as the nature of its operations.

• The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

The nearest existing residential area to the site is approximately 180 metres to the south-east. However, it is noted that this residential area directly abuts the site operated by Bluescope Steel, on the southern side of the subject site. Beyond a number of amenity conditions required to be included on any permit granted, the EPA did not specifically raise any concerns in relation to the site's distance from any existing residential areas.

The applicant submits that they have consulted with all immediate neighbours to the north, which includes some more sensitive uses which may potentially be impacted upon by the proposed use. Uses include, for example, a neighbouring brothel as well as small-scale mechanical repair and spray-painting operations which may be impacted by dust particles or similar being emitted from the site. The applicant acknowledges that their hours of operation may overlap with some of these uses but with adequate management processes in place, site protection such as shade cloth around the perimeter of the site, and ongoing dialogue, they believe there would be no detriment to adjoining neighbours resulting from the use. Additionally, it is noted that the EPA have recommended that a Community Consultation Plan should be developed as part of the approval of the use of the site, should this occur.

It is considered that, from the plans and information submitted with the application including a comprehensive SEMP, that the proposed use would not have a detrimental impact on any nearby existing or proposed residential areas or other sensitive uses. Amenity conditions to be included on any permit granted, as well as the requirement for a Community Consultation Plan to be produced, will ensure the ongoing operation and management of the proposed use in an acceptable manner.

• The effect that nearby industries may have on the proposed use.

It is not considered that any nearby industries would have a detrimental impact on the proposed use. Given the nature of the proposed use, the proposed site layout, and the site's location within an Industrial 1 Zone it is not likely that nearby industries will have a negative effect.

• The drainage of the land.

The application was referred to the EPA as well as Council's Asset and Civil Engineers. The EPA offered no objection to the application, subject to a number of conditions to be included on any permit granted. Conditions include several which refer to drainage requirements for the proposed use, outlining requirements for the management of drainage on the site to protect the existing stormwater management system.

Council's Civil and Asset Engineers offered no objection to the proposed use but illustrated that the site is subject to flooding. Asset Engineering advised that discharge from the site must be treated before entering the stormwater system. It was requested that a Stormwater and Flood Management Plan be required as a condition of permit, should one be granted, to ensure drainage of the site is adequately managed.

As a result of the above, it is considered that adequate drainage can be provided, subject to conditions on any permit being met.

• The availability of and connection to services.

The site is in a well-established industrial area where all relevant services are available and connected.

• The effect of traffic to be generated on roads.

The site is accessed via a service road off Westall Road and will utilise an existing crossover. Whilst Westall Road is located within a Road Zone Category 1, the service road is not. The application was referred to VicRoads who offered no objection to the proposal and confirmed that they were not seeking any conditions to be included, should a permit be granted. Additionally, the application was referred to Council's Transport Planners who also raised no concerns with the application, requesting that standard conditions only be included, should a permit be granted.

Plans submitted with the application clearly demonstrate that all vehicles accessing the site will be able to load, unload and manoeuvre wholly within the site and will be able to enter and exit the site in a forwards direction, as appropriate. A Traffic Engineering Assessment was submitted with the application which outlined that the proposed use would generate approximately ten (10) truck movements per day, averaging one (1) movement per hour of operation between 7.00am and 5.00pm weekdays and 8.00am and 5.00pm Saturdays and Sundays. The assessor submits that this volume is low and would have minimal impact on traffic along Westall Road. Additionally, the assessment outlined that there would be an estimated 200 vehicles visiting the site per day on weekdays and 300 per day at weekends. The assessor submits that, spread evenly throughout the site's proposed operating hours, this volume of traffic could be readily absorbed by the service road and surrounding road network.

In the context of the above information, it is not considered that there would be any negative impact on traffic generation within the surrounding road network as a result of the current proposal.

• The interim use of those parts of the land not required for the proposed use.

The current application will utilise part of the site and the industrial use of the remainder of the site will remain. There will be no conflict between the two uses.

Development

The following is an assessment of the proposed development of the land for a transfer station against the decision guidelines outlined at Clause 33.01-4 of the Greater Dandenong Planning Scheme:

• The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

There is both State and Local planning policy support for the proposed development. State planning policy at Clause 17 discusses strategies for economic development, stating that land must be available for industry and that the sustainable development and operation of industry must be facilitated. Local planning policy at Clause 21.05 (Built form) seeks to ensure that building design is of a high quality and that it has regard to the surrounding environment and built form. That clause also illustrates that streetscapes should be improved through the use of landscaping. Council's Local planning policy at Clause 22.03 (Urban Design in Commercial and Industrial Areas) also discusses the importance of landscaping and the need to improve the appearance of the city's industrial areas.

The proposed buildings on the site are considered acceptable given the context of the proposal as well as the surrounding industrial area. Clause 22.03 specifically requires that, in this area, a 9.0 metre landscape strip be planted across the front boundary of sites; and a minimum 1.8 metre landscape strip be planted along the sideage (if on a corner). A 9.2 metre wide landscape strip already exists across the front boundary of the site, as appropriate. Submitted plans show indicative landscaping along parts of the side boundaries of the site. However it is considered appropriate to require as a condition of permit, should one be granted, a more comprehensive landscape plan be provided (see Condition 2).

• Any natural or cultural values on or near the land.

It is not considered that there are any natural or cultural values near the subject site that would be impacted by the proposed development.

• Streetscape character.

The site is located in an area predominantly occupied by industrial uses which feature vastly differing frontage widths of the streetscape. Sites to the north feature smaller industrial units which face the service road. Front setbacks typically feature landscaping and car parking. The subject site shares a Title with the crane hire service to the south, each occupying roughly half of the 61.2 metre wide frontage. The crane hire business features a portable office building close to its front boundary, with an accessway to the south. To the south again is a large site occupied by Blue Scope Steel which has a frontage to the service road in the order of 240 metres. The boundary is occupied by landscaping, accessways, car parking and large industrial buildings.

It is noted that the service road which the subject site is located on is obscured from the remainder of Westall Road by fairly expansive vegetation along the nature strip on the west side of the service road. Given the existing streetscape character it is not considered that the proposed presentation of the subject site in the streetscape would be out of character or cause any detriment by appearance.

• Built form.

The few buildings proposed to be located on the site generally consist of some portable buildings for employee facilities as well as sheds, enclosures and two (2) large site shelters to be constructed towards the rear of the site. Buildings such as these are typical to a site to be used for a transfer station and are considered acceptable.

• Landscape treatment.

A landscape plan was not submitted with the application. However, plans submitted with the application show indicative landscaping along the boundaries of the site. It is considered that there is adequate space for landscaping to be accommodated on the site, particularly around the perimeter, and a comprehensive landscape plan should form a condition of permit, should one be granted (see Condition 2).

• Interface with non-industrial areas.

The site is entirely bound by land which is also within an Industrial 1 Zone, including the service road used to access the site. The site would not be visible from the nearest residential area 180 metres to the south-east.

In regards to the land on the opposite side of Westall Road, it is noted that the separation is approximately 90.0 metres and consists of a nature strip; a service road; plantation reserve; a three (3) land road; a plantation reserve; a three (3) land road; a plantation reserve; a service road and truck parking area; and a nature strip. This creates a substantive setback interface to the subject site.

• Parking and site access.

The main parking area is appropriately located within the front boundary of the site, with overflow parking also appropriately located to the rear of the site. Both areas of parking are separated from the accessway along the south side of the site and are appropriately sited so as to not conflict with vehicles manoeuvring within the site for drop-off and pick-up of items.

The site can be accessed via the existing crossover and an accessway which will be constructed along the south side of the site. The crossover and accessway will both be wide enough to accommodate two-way traffic, meaning that no vehicles will need to queue outside of the site on arrival.

Parking and site access are considered appropriate, with these matters further discussed below under 'car parking'.

• Loading and service areas.

Due to the nature of the proposed use of the land, a large proportion of the site will be occupied by loading and service areas. Two (2) site shelters which measure 18.0 metres by 24.0 metres will be employed for loading and unloading on site. One (1) will be used for domestic vehicles and one (1) will be used for trucks, ensuring the separation of these vehicles. It is considered that loading and service areas provided on the site will be adequate.

• Outdoor storage.

All waste will be stored in some type of shelter, either a shed or enclosure, and no waste will be stored in the open. Conditions of permit, should one be granted, as well as the Site Environmental Management Plan which would be endorsed to any permit granted, are considered adequate to ensure that no waste is stored in the open on the site at any time (see Conditions 3; and 11).

• Lighting.

Details of lighting to the site have not been provided and should be required as a condition of permit, should one be granted (see Condition 1.3). It is considered appropriate to require that adequate lighting be employed throughout the site to ensure security is maintained outside of business hours and during hours of darkness.

• Stormwater discharge.

As discussed above under 'use', it is considered that adequate drainage can be provided, subject to conditions on any permit being met (see Conditions 4; 13; and 24).

<u>Signage</u>

The proposed signage has been assessed against the requirements of Clause 22.11 of the Greater Dandenong Planning Scheme, as attached to this report. The proposed signage is relatively minimal. Signage will be appropriately placed to adequately identify the site and provide customers with adequate information as to the types of waste accepted at the facility.

The proposed signage is considered acceptable.

An assessment against the requirements of Clause 22.11 is shown at Attachment 3.

Car Parking

When having regard to the requirements of Clause 52.06 of the Scheme, the table at Clause 52.06-5 does not nominate a parking requirement for a transfer station. As a result, the amount of car parking required must be to Council's satisfaction.

A total of twelve (12) car parking spaces are proposed to be provided on site with six (6) inside the front boundary to the site and six (6) located to the rear of the site. The applicant submits that no more then five (5) employees will be on the site at any one time. Due to the nature of the use, given that visitors to the site would arrive in their own vehicles but not need to park on site in a parking space as such, the proposed provision of car parking is considered acceptable. Further, it is noted that Council's Transport Planners did not offer any objection to the proposal.

The application has also been assessed against the design standards of Clause 52.06 and found to comply with all of the requirements aside from the following:

Design standard 6 – Safety

Design standard 6 requires that security lighting be provided. Whilst the submitted plans do not include any details of lighting to be provided to the site, this can be required as a condition of permit, should one be granted.

An assessment against the requirements of Clause 52.06 is shown at Attachment 4.

Conclusion

The application has been assessed against the relevant decision guidelines of the Greater Dandenong Planning Scheme and is considered appropriate for approval. Assessment has demonstrated both State and Local planning policy support for the proposed use and development of the land for a transfer station as well as finding that the proposed signage to be displayed on the site is acceptable. The proposed provision of car parking on the site is also acceptable.

The grounds of objection have been adequately addressed in this report.

Recommendation

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 12-14 Westall Road, Springvale, for the purpose of the use and development of the land for the purpose of a transfer station and the display of business identification signage, in accordance with the plans submitted with the application subject to the following conditions:

1. Before the development starts, two (2) copies of amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plans have been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit.

The plans must be in accordance with the plans submitted with the application and marked 'REVISED 21/09/16' but modified to show:

- 1.1. Plans and elevations drawn to a scale of 1:200 with all buildings and works to be accurately identified and dimensioned.
- 1.2. All signage, including content, to be shown in plan and elevation form and drawn to scale.
- **1.3.** The provision of security lighting throughout the site.
- 1.4. A landscape plan in accordance with Condition 2.

- 1.5. Any alterations to the plans resulting from the requirements of Condition 3.
- 1.6. Any alterations to the plans and/or additional documents as required by the EPA.

All to the satisfaction of the Responsible Authority.

- 2. Prior to the endorsement of plans under Condition 1, a landscape plan must be submitted to the Responsible Authority for approval. When approved, the plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions and two (2) copies must be provided. The landscaping plan must be prepared by a suitably qualified person, and must show:
 - 2.1. The site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks.
 - 2.2. Details of the proposed layout, type and height of fencing.
 - 2.3. Legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn.
 - 2.4. A plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities.
 - 2.5. All landscape strips as required under Condition 1 to be planted with substantial landscaping, including canopy trees where possible.

All to the satisfaction of the Responsible Authority.

3. Prior to the endorsement of plans under Condition 1, an amended Site and Environmental Management Plan (SEMP) must be submitted to the Responsible Authority for approval.

The SEMP must be in accordance with the 'Environment Management Plan' authored by Robert Miller and dated 1 August 2016 and the 'Peer Review of Westall Road Transfer Station and Waste Recycling Facility' authored by David Maltby and dated 22 August 2016 but modified to include the following:

- 3.1. Stormwater pits are to be fitted with sediment traps and thereafter maintained to the satisfaction of the Responsible Authority.
- 3.2. Gas bottles are to be purged prior to acceptance at the site with no full or partially full bottles accepted.

- 3.3. Batteries are to be stored under cover in a bunded area. An acid spill kit is to be kept on site and maintained in good order to the satisfaction of the Responsible Authority.
- 3.4. The facility must not participate in, or accept such waste resulting from, hazardous waste programs including 'Detox Your Home' or 'drumMUSTER'. Should the facility wish to participate in such programs in the future the current permit and SEMP must be amended in consultation with the Responsible Authority and EPA.
- 3.5. Signage must be displayed at the entry to the site which clearly shows all after hours contact numbers as well as emergency contact numbers in the event of such an emergency.
- 3.6. E-waste must be stored and processed in an enclosed area. The operator must carry out weekly testing of stormwater discharge to ensure no lead contamination of same. Sampling to be Granulated Activated Carbon (GAC) sampling. The Responsible Authority must receive weekly reports of test results.

The operator must use the services of an accredited lab with custody records to be kept and tamper proof GAC pads to be used. Deployment and retrieval of GAC pads to be carried out by a suitably qualified person.

All to the satisfaction of the Responsible Authority.

- 4. Prior to the endorsement of plans under Condition 1, a Stormwater Management Plan must be submitted to and approved by the Responsible Authority. The Stormwater Management Plan must address, but not be limited to, the following:
 - 4.1. The use of the Westall Road service road as an overland flow path and the potential for floodwater to enter the site.
 - 4.2. The treatment of contaminated stormwater in accordance with a Trade Waste Agreement with South East Water or collection by an EPA accredited contractor.

All to the satisfaction of the Responsible Authority.

- 5. The use and development as shown on the endorsed plans must not be altered without the further written consent of the Responsible Authority.
- 6. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.
- 7. Industrial curtains and fencing featuring shade cloth noted and shown on the endorsed plans must be erected and maintained at all times, all to the satisfaction of the Responsible Authority.

- 8. The permitted use must not commence and the subject site must not be occupied for that use until all buildings and works associated with that use and the conditions of this permit have been complied with, unless with the further written consent of the Responsible Authority.
- 9. The use may operate only between the following hours:

Monday to Friday – 7.00am to 5.00pm; and

Saturday and Sunday – 8.00am and 5.00pm.

- 10. No more than five (5) employees may be on the site at any one time.
- 11. Except for external storage areas shown on the endorsed plans, goods, materials, equipment and the like associated with the use of the land must not be displayed or stored outside the building/s, without the further written consent of the Responsible Authority.
- 12. The loading and unloading of goods from or to vehicles must only be carried out on the land within the designated areas, all to the satisfaction of the Responsible Authority.
- 13. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.
- 14. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - 14.1. Constructed in accordance with the endorsed plans.
 - 14.2. Properly formed to such levels that they can be used in accordance with the plans.
 - 14.3. Surfaced with an all-weather sealcoat.
 - 14.4. Drained to the legal point of discharge.
 - 14.5. Line-marked to indicate each car space and all access lanes.

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

All to the satisfaction of the Responsible Authority.

15. In areas set aside for car parking, measures must be taken to prevent damage to fences or landscaped areas, all to the satisfaction of the Responsible Authority.

- 16. Car parking areas must be lit if in use during hours of darkness, and all lights must be designed, fitted with suitable baffles and located to prevent any adverse effect on adjoining land, all to the satisfaction of the Responsible Authority.
- 17. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operator's control, or the operator's staff, are parked in the streets nearby, all to the satisfaction of the Responsible Authority.
- 18. The car parking provided on the land must always be available for use by persons employed on or visiting the subject premises, and no measures may be taken to restrict access to the carpark by such persons, all to the satisfaction of the Responsible Authority.
- 19. The car parking and access lanes shown on the endorsed plans must at all times be made available for the parking of vehicles and not used for any other purpose, all to the satisfaction of the Responsible Authority.
- 20. The operator under this permit must make all reasonable endeavours to ensure that all vehicles entering and exiting the site should do so in a forward direction, all to the satisfaction of the Responsible Authority.
- 21. The amenity of the area must not be detrimentally effected by the use or development on the land, through the:
 - 21.1. Transport of materials, goods or commodities to or from the land,
 - 21.2. Appearance of any building, works or materials,
 - 21.3. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,

All to the satisfaction of the Responsible Authority.

- 22. All external lighting of the site, including car parking areas and buildings, must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site
- 23. All plant and equipment must be installed and located so that it does not adversely affect the amenity of the area due to the emission of noise and odour and maintained at all times, all to the satisfaction of the Responsible Authority.
- 24. 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 (unless licensed) or stormwater drainage system.
- 25. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.

- 26. The use of the site must at all times comply with the definition of a 'transfer station' in the Greater Dandenong Planning Scheme, all to the satisfaction of the Responsible Authority.
- 27. Before the use of the land starts, landscaping works as shown on the endorsed plans must be completed and then maintained, all to the satisfaction of the Responsible Authority.
- 28. Operation of the site must be in accordance with the endorsed Site and Environmental Management Plan prepared for the site to the satisfaction of the Responsible Authority.
- 29. The location and details of the signs shown on the endorsed plans must not be altered without the further written consent of the Responsible Authority.
- 30. The signs must not be animated and no flashing or intermittent lights may be displayed.
- 31. All signs must be constructed and thereafter maintained, all to the satisfaction of the Responsible Authority.

Environment Protection Authority (EPA) Conditions:

- 32. The operation of the premises will be in accordance with Sustainability Victoria's Guide to Best Practice at Resource Recovery and Waste Transfer Facilities (September 2009).
- 33. The facility must be designed and constructed to maximise recovery of resources and minimise contamination of materials in accordance to the Guide to Best Practice at Resource Recovery and Waste Transfer Facilities (September 2009).
- 34. Unloading areas and stockpile areas of the facility must be designed and constructed so that there is minimal external opening. Fixed wall structures/roller doors should be implemented into the design instead of Shade Cloth coverings.
- 35. Nuisance dust must not be discharged beyond the boundaries of the premises.
- 36. The stockpile of material must be maintained so that no dust is emitted from the stockpiles beyond the boundary of the premises.
- 37. Noise emissions from the premises must comply with the requirements of the State Environment Protection Policies (Control of Noise from Commerce, Industry and Trade) No. N-1.
- 38. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347 Bunding Guidelines 1992 or as amended.
- **39.** Material processing must not occur at the premises.

- 40. Industrial and municipal waste must not burn at the premises.
- 41. The applicant must ensure that litter is not deposited beyond the boundary of the premises.
- 42. Offensive odours must not be discharged beyond the boundaries of the premises.
- 43. All industrial waste generated during construction must be managed in accordance with EPA's Industrial Waste Resource Guidelines 2009.
- 44. There must be no discharge of wastewater or contaminated stormwater to the stormwater drainage system or nearby surface waters. Suitable drains, interceptor pits, water treatment facilities, pumps and sumps must be installed to ensure that any wastewater or contaminated stormwater generated at the premises is connected to a reticulated sewer, in accordance with a Trade Waste Agreement with South East Water; or collected by an EPA accredited contractor, as appropriate.
- 45. The washing of materials and/or bins must be conducted in an area where runoff is contained and the wash water must not flow into stormwater drains or nearby surface waters.
- 46. Prescribed industrial wastes including asbestos, as defined by the Environment Protection (Industrial Waste Resource) Regulations 2009, must not be accepted or stored at the premises.
- 47. EPA recommends the applicant be required to prepare and implement a Waste Management Plan to the satisfaction of Council which identifies the wastes permitted to be accepted at the premises and outlines proposed management procedures for: preventing and excluding Prescribed Industrial Wastes (PIW) and other non-permitted wastes from being deposited in the bins or accepted at the premises; the correct management and transportation of these wastes (if inadvertently received); the correct management and disposal of wastes which cannot be recycled; and the correct management and transportation of green waste received on site.
- 48. Green waste accepted at the premises must not be held on the premises for greater than 5 days. The applicant must satisfy Council that they will be able to accurately account for the holding time of green waste batches at the premises. This information must be included in a Waste Management Plan.
- 49. There must be no composting of wastes or materials on the premises.
- 50. Used batteries must be stored undercover in a spill tray or bunded area. Batteries must not be disposed of in waste to landfill.
- 51. The applicant must limit the scale of, or cease operations, which emit dust during windy days when dust levels are unacceptable.

- 52. All vehicles delivering or removing waste must have fully secured and contained loads so that no wastes are spilled.
- 53. A Community Consultation Plan should be developed as outlined in Sustainability Victoria's Guide to Best Practice at Resource Recovery Centres (September 2009) so that expectations and concerns of neighbouring properties/businesses can be identified and addressed.

End EPA Conditions

- 54. This permit will expire if:-
 - 54.1. The development does not start within two (2) years of the date of this permit, or
 - 54.2. The development is not completed within four (4) years of the date of this permit, or
 - 54.3. The use does not start within one (1) year of the completion of the development, or
 - 54.4. The use is discontinued for a period of two (2) years; and
 - 53.5. Fifteen (15) years after the date of this permit for the signage hereby permitted.

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.

Notes:

- 1. A Building Approval may be required prior to the commencement of the approved works.
- 2. The property is identified to be subject to flooding in major rain events. An application for Report and Consent for Flooding is required. Infrastructure Planning is to be contacted to confirm the minimum finished floor level (FFL) of the proposed development.
- 3. Prior to the building works commencing the developer will need to obtain an Asset Protection Permit from Council.
- 4. Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.
- 5. The connection of the internal drainage infrastructure to the LPD must be to the satisfaction of the Responsible Authority, prior to the issue of land upgrade Approval. 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.

MINUTE 49

Moved by: Cr Sean O'Reilly Seconded by: Cr Youhorn Chea

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 12-14 Westall Road, Springvale, for the purpose of the use and development of the land for the purpose of a transfer station and the display of business identification signage, in accordance with the plans submitted with the application subject to the following conditions:

1. Before the development starts, two (2) copies of amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plans have been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit.

The plans must be in accordance with the plans submitted with the application and marked 'REVISED 21/09/16' but modified to show:

- 1.1. Plans and elevations drawn to a scale of 1:200 with all buildings and works to be accurately identified and dimensioned.
- 1.2. All signage, including content, to be shown in plan and elevation form and drawn to scale.
- **1.3.** The provision of security lighting throughout the site.
- 1.4. A landscape plan in accordance with Condition 2.
- 1.5. Any alterations to the plans resulting from the requirements of Condition 3.
- 1.6. Any alterations to the plans and/or additional documents as required by the EPA.

All to the satisfaction of the Responsible Authority.

2. Prior to the endorsement of plans under Condition 1, a landscape plan must be submitted to the Responsible Authority for approval. When approved, the plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions and two (2) copies must be provided. The landscaping plan must be prepared by a suitably qualified person, and must show:

- 2.1. The site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks.
- 2.2. Details of the proposed layout, type and height of fencing.
- 2.3. Legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn.
- 2.4. A plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities.
- 2.5. All landscape strips as required under Condition 1 to be planted with substantial landscaping, including canopy trees where possible.

All to the satisfaction of the Responsible Authority.

3. Prior to the endorsement of plans under Condition 1, an amended Site and Environmental Management Plan (SEMP) must be submitted to the Responsible Authority for approval.

The SEMP must be in accordance with the 'Environment Management Plan' authored by Robert Miller and dated 1 August 2016 and the 'Peer Review of Westall Road Transfer Station and Waste Recycling Facility' authored by David Maltby and dated 22 August 2016 but modified to include the following:

- 3.1. Stormwater pits are to be fitted with sediment traps and thereafter maintained to the satisfaction of the Responsible Authority.
- 3.2. Gas bottles are to be purged prior to acceptance at the site with no full or partially full bottles accepted.
- 3.3. Batteries are to be stored under cover in a bunded area. An acid spill kit is to be kept on site and maintained in good order to the satisfaction of the Responsible Authority.
- 3.4. The facility must not participate in, or accept such waste resulting from, hazardous waste programs including 'Detox Your Home' or 'drumMUSTER'. Should the facility wish to participate in such programs in the future the current permit and SEMP must be amended in consultation with the Responsible Authority and EPA.
- 3.5. Signage must be displayed at the entry to the site which clearly shows all after hours contact numbers as well as emergency contact numbers in the event of such an emergency.

3.6. E-waste must be stored and processed in an enclosed area. The operator must carry out weekly testing of stormwater discharge to ensure no lead contamination of same. Sampling to be Granulated Activated Carbon (GAC) sampling. The Responsible Authority must receive weekly reports of test results.

The operator must use the services of an accredited lab with custody records to be kept and tamper proof GAC pads to be used. Deployment and retrieval of GAC pads to be carried out by a suitably qualified person.

All to the satisfaction of the Responsible Authority.

- 4. Prior to the endorsement of plans under Condition 1, a Stormwater Management Plan must be submitted to and approved by the Responsible Authority. The Stormwater Management Plan must address, but not be limited to, the following:
 - 4.1. The use of the Westall Road service road as an overland flow path and the potential for floodwater to enter the site.
 - 4.2. The treatment of contaminated stormwater in accordance with a Trade Waste Agreement with South East Water or collection by an EPA accredited contractor.

All to the satisfaction of the Responsible Authority.

- 5. The use and development as shown on the endorsed plans must not be altered without the further written consent of the Responsible Authority.
- 6. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.
- 7. Industrial curtains and fencing featuring shade cloth noted and shown on the endorsed plans must be erected and maintained at all times, all to the satisfaction of the Responsible Authority.
- 8. The permitted use must not commence and the subject site must not be occupied for that use until all buildings and works associated with that use and the conditions of this permit have been complied with, unless with the further written consent of the Responsible Authority.
- 9. The use may operate only between the following hours:

Monday to Friday – 7.00am to 5.00pm; and

Saturday and Sunday – 8.00am and 5.00pm.

10. No more than five (5) employees may be on the site at any one time.

- 11. Except for external storage areas shown on the endorsed plans, goods, materials, equipment and the like associated with the use of the land must not be displayed or stored outside the building/s, without the further written consent of the Responsible Authority.
- 12. The loading and unloading of goods from or to vehicles must only be carried out on the land within the designated areas, all to the satisfaction of the Responsible Authority.
- 13. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.
- 14. Before the use or occupation of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - 14.1. Constructed in accordance with the endorsed plans.
 - 14.2. Properly formed to such levels that they can be used in accordance with the plans.
 - 14.3. Surfaced with an all-weather sealcoat.
 - 14.4. Drained to the legal point of discharge.
 - 14.5. Line-marked to indicate each car space and all access lanes.

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

All to the satisfaction of the Responsible Authority.

- 15. In areas set aside for car parking, measures must be taken to prevent damage to fences or landscaped areas, all to the satisfaction of the Responsible Authority.
- 16. Car parking areas must be lit if in use during hours of darkness, and all lights must be designed, fitted with suitable baffles and located to prevent any adverse effect on adjoining land, all to the satisfaction of the Responsible Authority.
- 17. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operator's control, or the operator's staff, are parked in the streets nearby, all to the satisfaction of the Responsible Authority.
- 18. The car parking provided on the land must always be available for use by persons employed on or visiting the subject premises, and no measures may be taken to restrict access to the carpark by such persons, all to the satisfaction of the Responsible Authority.

- 19. The car parking and access lanes shown on the endorsed plans must at all times be made available for the parking of vehicles and not used for any other purpose, all to the satisfaction of the Responsible Authority.
- 20. The operator under this permit must make all reasonable endeavours to ensure that all vehicles entering and exiting the site should do so in a forward direction, all to the satisfaction of the Responsible Authority.
- 21. The amenity of the area must not be detrimentally effected by the use or development on the land, through the:
 - 21.1. Transport of materials, goods or commodities to or from the land,
 - 21.2. Appearance of any building, works or materials,
 - 21.3. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,

All to the satisfaction of the Responsible Authority.

- 22. All external lighting of the site, including car parking areas and buildings, must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site
- 23. All plant and equipment must be installed and located so that it does not adversely affect the amenity of the area due to the emission of noise and odour and maintained at all times, all to the satisfaction of the Responsible Authority.
- 24. 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 (unless licensed) or stormwater drainage system.
- 25. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.
- 26. The use of the site must at all times comply with the definition of a 'transfer station' in the Greater Dandenong Planning Scheme, all to the satisfaction of the Responsible Authority.
- 27. Before the use of the land starts, landscaping works as shown on the endorsed plans must be completed and then maintained, all to the satisfaction of the Responsible Authority.
- 28. Operation of the site must be in accordance with the endorsed Site and Environmental Management Plan prepared for the site to the satisfaction of the Responsible Authority.
- 29. The location and details of the signs shown on the endorsed plans must not be altered without the further written consent of the Responsible Authority.

- 30. The signs must not be animated and no flashing or intermittent lights may be displayed.
- 31. All signs must be constructed and thereafter maintained, all to the satisfaction of the Responsible Authority.

Environment Protection Authority (EPA) Conditions:

- 32. The operation of the premises will be in accordance with Sustainability Victoria's Guide to Best Practice at Resource Recovery and Waste Transfer Facilities (September 2009).
- 33. The facility must be designed and constructed to maximise recovery of resources and minimise contamination of materials in accordance to the Guide to Best Practice at Resource Recovery and Waste Transfer Facilities (September 2009).
- 34. Unloading areas and stockpile areas of the facility must be designed and constructed so that there is minimal external opening. Fixed wall structures/roller doors should be implemented into the design instead of Shade Cloth coverings.
- 35. Nuisance dust must not be discharged beyond the boundaries of the premises.
- 36. The stockpile of material must be maintained so that no dust is emitted from the stockpiles beyond the boundary of the premises.
- 37. Noise emissions from the premises must comply with the requirements of the State Environment Protection Policies (Control of Noise from Commerce, Industry and Trade) No. N-1.
- 38. A secondary containment system must be provided for liquids which if spilt are likely to cause pollution or pose an environmental hazard, in accordance with the EPA Publication 347 Bunding Guidelines 1992 or as amended.
- **39.** Material processing must not occur at the premises.
- 40. Industrial and municipal waste must not burn at the premises.
- 41. The applicant must ensure that litter is not deposited beyond the boundary of the premises.
- 42. Offensive odours must not be discharged beyond the boundaries of the premises.
- 43. All industrial waste generated during construction must be managed in accordance with EPA's Industrial Waste Resource Guidelines 2009.
- 44. There must be no discharge of wastewater or contaminated stormwater to the stormwater drainage system or nearby surface waters. Suitable drains, interceptor pits, water treatment facilities, pumps and sumps must be installed to ensure that

any wastewater or contaminated stormwater generated at the premises is connected to a reticulated sewer, in accordance with a Trade Waste Agreement with South East Water; or collected by an EPA accredited contractor, as appropriate.

- 45. The washing of materials and/or bins must be conducted in an area where runoff is contained and the wash water must not flow into stormwater drains or nearby surface waters.
- 46. Prescribed industrial wastes including asbestos, as defined by the Environment Protection (Industrial Waste Resource) Regulations 2009, must not be accepted or stored at the premises.
- 47. EPA recommends the applicant be required to prepare and implement a Waste Management Plan to the satisfaction of Council which identifies the wastes permitted to be accepted at the premises and outlines proposed management procedures for: preventing and excluding Prescribed Industrial Wastes (PIW) and other non-permitted wastes from being deposited in the bins or accepted at the premises; the correct management and transportation of these wastes (if inadvertently received); the correct management and disposal of wastes which cannot be recycled; and the correct management and transportation of green waste received on site.
- 48. Green waste accepted at the premises must not be held on the premises for greater than 5 days. The applicant must satisfy Council that they will be able to accurately account for the holding time of green waste batches at the premises. This information must be included in a Waste Management Plan.
- 49. There must be no composting of wastes or materials on the premises.
- 50. Used batteries must be stored undercover in a spill tray or bunded area. Batteries must not be disposed of in waste to landfill.
- 51. The applicant must limit the scale of, or cease operations, which emit dust during windy days when dust levels are unacceptable.
- 52. All vehicles delivering or removing waste must have fully secured and contained loads so that no wastes are spilled.
- 53. A Community Consultation Plan should be developed as outlined in Sustainability Victoria's Guide to Best Practice at Resource Recovery Centres (September 2009) so that expectations and concerns of neighbouring properties/businesses can be identified and addressed.

End EPA Conditions

- 54. This permit will expire if:-
 - 54.1. The development does not start within two (2) years of the date of this permit, or

2.3.2 Town Planning Application – 12-14 Westall Road, Springvale (Planning Application No. PLN16/0405) (Cont.)

- 54.2. The development is not completed within four (4) years of the date of this permit, or
- 54.3. The use does not start within one (1) year of the completion of the development, or
- 54.4. The use is discontinued for a period of two (2) years; and
- 53.5. Fifteen (15) years after the date of this permit for the signage hereby permitted.

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.

Notes:

- 1. A Building Approval may be required prior to the commencement of the approved works.
- 2. The property is identified to be subject to flooding in major rain events. An application for Report and Consent for Flooding is required. Infrastructure Planning is to be contacted to confirm the minimum finished floor level (FFL) of the proposed development.
- 3. Prior to the building works commencing the developer will need to obtain an Asset Protection Permit from Council.
- 4. Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.
- 5. The connection of the internal drainage infrastructure to the LPD must be to the satisfaction of the Responsible Authority, prior to the issue of land upgrade Approval. 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.

CARRIED

2.3.2 Town Planning Application – 12-14 Westall Road, Springvale (Planning Application No. PLN16/0405) (Cont.)

STATUTORY PLANNING APPLICATIONS

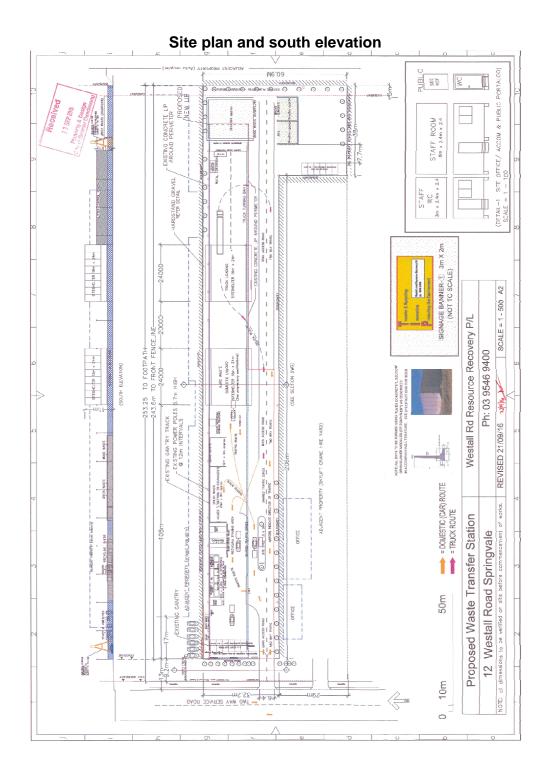
TOWN PLANNING APPLICATION - 12-14 WESTALL ROAD, SPRINGVALE (PLANNING APPLICATION NO. PLN16/0405)

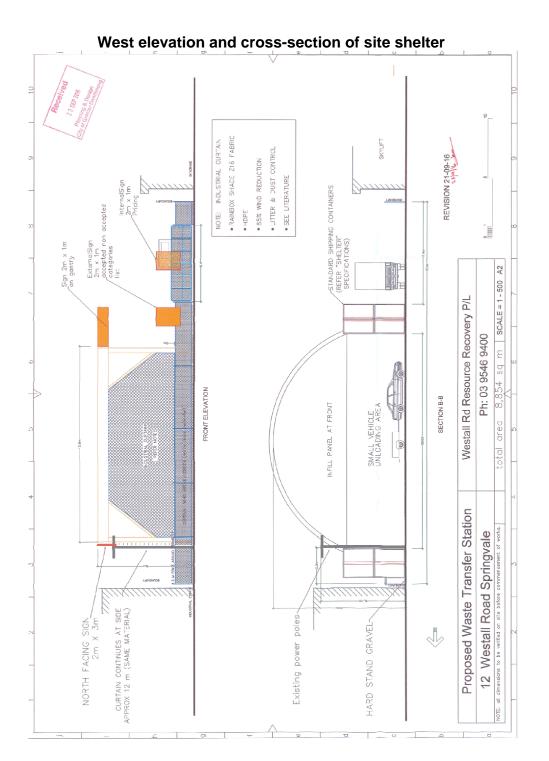
ATTACHMENT 1

SUBMITTED PLANS

PAGES 3 (including cover)

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





2.3.2 Town Planning Application – 12-14 Westall Road, Springvale (Planning Application No. PLN16/0405) (Cont.)

STATUTORY PLANNING APPLICATIONS

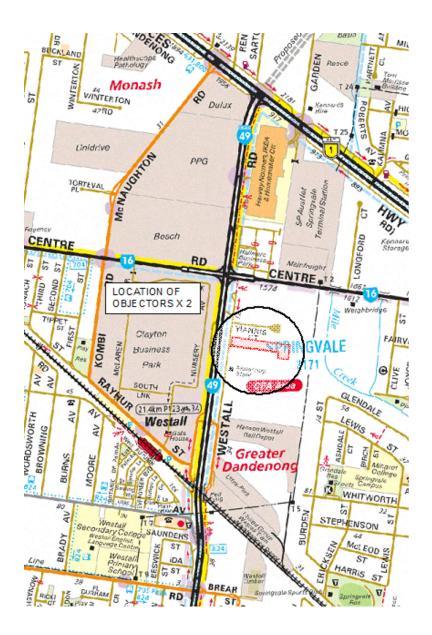
TOWN PLANNING APPLICATION - 12-14 WESTALL ROAD, SPRINGVALE (PLANNING APPLICATION NO. PLN16/0405)

ATTACHMENT 2

LOCATION OF OBJECTORS

PAGES 2 (including cover)

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



2.3.2 Town Planning Application – 12-14 Westall Road, Springvale (Planning Application No. PLN16/0405) (Cont.)

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION - 12-14 WESTALL ROAD, SPRINGVALE (PLANNING APPLICATION NO. PLN16/0405)

ATTACHMENT 3

CLAUSE 22.11 ASSESSMENT

PAGES 2 (including cover)

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

2.3.2 Town Planning Application – 12-14 Westall Road, Springvale (Planning Application No. PLN16/0405) (Cont.)

Assessment Tables for Clause 22.11 Advertising Signs Policy

Car based stand-alone development

Stand-alone developments are those that are generally characterised by substantial setbacks from the street/public realm and adjacent developments without continuity to the streetscape and, with large areas of the site often devoted to vehicular access, parking and landscaping to the perimeter of the development.

Clause 22.11-3.4

Policy	Descriptor	Complies/Does Not Comply/Variation Required/N/A
Car-based stand-alone development	 It is policy that: Generally signs are located on buildings or canopies. Generally limit freestanding signs to one per premises (for large sites with more than one street frontage a maximum of two freestanding signs may be permitted). Limit additional freestanding signs (more than two) to direction signs placed at strategic locations at a height easily read by pedestrians, including people with a disability, and motorists. Freestanding signs are spaced consistent with the prevailing setbacks in the street consistent with the prevailing setbacks in the streetscape, if any. 	! Variation required

2.3.2 Town Planning Application – 12-14 Westall Road, Springvale (Planning Application No. PLN16/0405) (Cont.)

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION - 12-14 WESTALL ROAD, SPRINGVALE (PLANNING APPLICATION NO. PLN16/0405)

ATTACHMENT 4

CLAUSE 52.06 ASSESSMENT

PAGES 5 (including cover)

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

Car Parking			
Assessment Table for Clause Title & Objective	standard	Complies/Does Not	
•		Comply/Variation	
Design Standard 1 Accessways The provision of car parking should meet the design requirements of this Clause.6	Accessways should: Be at least 3 metres wide. Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre. Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres. If the accessway must be designed so that cars can exit the site in a forward direction. If an accessway to four or more car parking spaces is from land in a Road Zone, the	✓ Complies	
	access to the car spaces must be at least 6 metres from the road carriageway. 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 a Road Zone. Have a corner splay or area at	✓ Complies ✓ Complies	
	least 50 per cent 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.		

Title & Objective	Standard	Complies/Does Not Comply/Variation Required/N/A
Design Standard 2 Car parking spaces Car parking spaces and accessways should have minimum dimensions.	Minimum car park and accessway dimensions: Parallel – 2.3m x 6.7m with an accessway width of 3.6m 45 degrees – 2.6m x 4.9m with an accessway width of 3.5m 60 degrees – 2.6m x 4.9m with an accessway width of 4.9m 90 degrees – 2.6m x 4.9m with an accessway width of 6.4m (refer to the table in 55.06 for more	✓ Complies
	A building may project into the space if it is at least 2.1 metres above the space.	- N/A
	Car spaces in garages, carports or otherwise constrained by walls should:- • Single garage 3.5m x 6m • Double garage 5.5m x 6	- N/A

Title & Objective	Standard	Complies/Does Not Comply/Variation Required/N/A
Design Standard 3 Gradients Accessways to ensure safety for pedestrians and vehicles.	Accessway grades should not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. Ramps (except within 5 metres of the frontage) should have the maximum grades of: 20 metres or less 1:5	- N/A
	(20%) Longer than 20 metres 1:6 (16.7%)	
Design Standard 4 Mechanical parking	 Mechanical parking may be used to meet the car parking requirement provided: 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 that require the operation of the system are not allocated to visitors unless used in a valet parking situation. The design and operation is to the satisfaction of the responsible authority. 	- N/A
Design Standard 5 Urban Design	Ground level car parking, garage doors and accessways should not visually dominate public space.	✓ Complies
	Car parking within buildings (including visible portions of partly submerged basements) should be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.	- N/A
Design Standard 6 Safety	Car parking should be well lit and clearly signed.	* Does not comply
	The design of car parks should maximise natural surveillance and pedestrian visibility from adjacent buildings.	✓ Complies
Design Standard 7 Landscaping	The layout of car parking areas should provide for water sensitive urban design treatment and landscaping.	✓ Complies

Title & Objective	Standard	Complies/Does Not Comply/Variation Required/N/A
	Landscaping and trees should be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.	✓ Complies
	Ground level car parking spaces should include trees planted with flush grilles. Spacing of trees should be determined having regard to the expected size of the selected species at maturity.	- N/A

File Id:	301750
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plans

Application Summary

Applicant:	Roma Deli Continental Foodstore Pty Ltd
Proposal:	To use part of the land for the sale of packaged liquor.
Zone:	Commercial 1 Zone
Overlay:	No Overlays Apply
Ward:	Red Gum

This application is being brought before Council as Council's Instrument of Delegation requires that all liquor licence applications (with the exception of liquor licence for a food and drink premises), be issued by Council.

The application proposes to extend the existing red line area to include the registers and to alter the existing hours of operation. A permit is required pursuant to Clause 52.27 (Licenced Premises) of the Greater Dandenong Planning Scheme.

Assessment Summary

The granting of a permit to extend the existing area for the sale of packaged liquor and to alter the hours of operation within the existing Roma Deli store is not considered to result in adverse amenity impacts on the neighbouring surrounds. Conditions of permit, if issued, will ensure the proposal is appropriately controlled and maintained. An Alcohol Management Plan was prepared and submitted with the application ensuring that the proposal is suitably located with no off-site amenity loss to neighbouring 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 with this report recommending that the application be supported, and that a **Permit** be granted subject to conditions as set out in the recommendation.

Subject Site and Surrounds

Subject Site

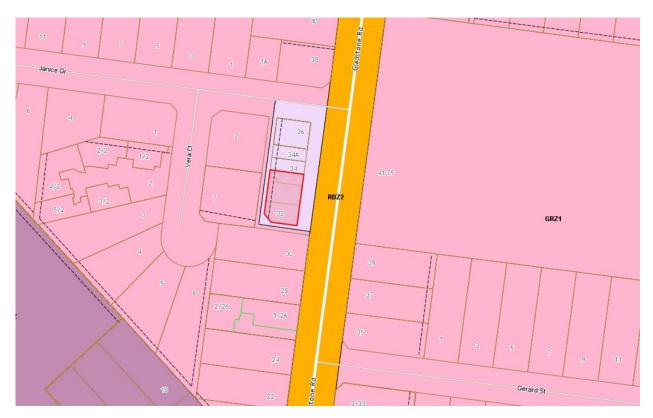
- The subject site is orientated towards Gladstone Road to the east and is regular in shape aside from a small splay in the south west corner. The site is approximately 324 square metres in area.
- The site contains an existing commercial building which is constructed to the boundaries of the site.
- The site is adjoins a public car parking area directly to the east and a laneway to the rear of the building.
- The public car parking adjoining the site numbers sixteen (16) spaces comprising one (1) disabled space and fifteen (15) other spaces.

Surrounding Area

- The subject site is part of a small commercial strip on the corner of Gladstone Road and Janice Grove. The immediate surrounding area contains residentially zoned land, however approximately 120m to the south along Gladstone Road is the start of the commercially zoned area that abuts the Princes Highway.
- Directly opposite the subject site is the St Gerard's Primary School.
- The residentially zoned land surrounding the site consists mainly of single storey detached dwellings on lots with large front setbacks. There are some examples of infill unit type development. The commercially zoned land surrounding the Princes Highway contains large purpose built buildings with large car parking areas.

2.3.3 Town Planning Application - No. 32 Gladstone Road, DANDENONG (Planning Application No. PLN16/0541) (Cont.)

Locality Plan



Background

Previous Applications

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

- Planning Permit Application No. PLN04/0003: A permit was granted on the 27/09/2004 to erect and display an above verandah sign.
- Planning Permit Application No. PLN06/0002: A permit was granted on the 18/05/2006 to construct buildings and works to an existing building.

Proposal

The application proposes to extend the area for the sale of packaged liquor to include the registers and to alter the hours of operation. The reason for the increase in the red line area to include the registers is per the requirement of the Victorian Commission of Gaming and Liquor Regulation. The current red line area covers the shelving and storage of packaged liquor held on the site. The proposed liquor area will be located within the existing Roma Deli shop and will occupy an area in the north east portion of the premises. Customers will only be able to access the packaged liquor area internally from the store with no vehicle access provided (drive through). The Roma Deli store has been operating with an existing liquor licence for 10 years and has no plans to increase the range or quantity of packaged liquor for sale.

The area set aside for the display and sale of packaged liquor comprises a small section of the overall retail floor space. The overall size of the licenced area is approximately 12sqm and represents 3.7% of the overall floor area of the store.

In addition to seeking permission to increase the red-line area to include the registers, the applicant is also seeking to alter the trading hours for packaged liquor and the rest of the store as follows:

Monday to Friday	9am to 5pm
Saturday	9am to 3pm
Sunday and all Public Holidays	Closed

The changes to opening hours would increase Saturday trading time by 1.5 hours and reduce trading time on Sundays to nil, where currently the trading hours are 10am to 1pm.

Under the licencing legislation, all staff members will be required to have a current Responsible Service of Alcohol (RSA) certification.

No external signage is proposed in this application.

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 Policy and are consistent with the standards set by the Charter.

Financial Implications

No financial resources are impacted by this report.

Planning Scheme and Policy Frameworks

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

• Under Clause 52.27 (Licenced Premises) to increase the area that liquor is allowed to be supplied under a licence and to extend the hours of trading allowed under a licence.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in a Commercial 1 Zone, as is the two commercial premises to the north. These sites are surrounded by residential areas and a school directly opposite on the east side of Gladstone Road. In close proximity is a large Commercial 2 Zoned area which abuts the Princes Highway and surrounding streets.

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

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- 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 34.01-2, the use of the land must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land;
- Appearance of any building, works of materials;
- Emission of noise, artificial light, vibration, small, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Overlay Controls

No overlays affect the subject site or surrounding area.

State Planning Policy Framework

Clause 10 – Operations of the 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.

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

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

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

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

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

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

Clause 11 – Settlement

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

Clause 15 – Built Environment and Heritage

This clause seeks to the development and maintenance of communities with adequate and safe physical and social environments for their residents, through the appropriate location of uses and development and quality of urban design.

Clause 17 – Economic Development

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

Clause 17.01-1 (Business) has the objective to encourage development which 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.

Clause 21.04 – Land Use

Clause 21.04 outlines retail, commerce and entertainment land use objectives. Those relevant include

- To promote and further develop Central Dandenong as the pre-eminent regional centre for retail, commercial, entertainment and community services in Melbourne's South East.
- To reinforce and develop the role, character and identity of activity centres outside of Central Dandenong
- To encourage a mix of complimentary land uses that increase and activity centre's commercial variety without compromising its core commercial strengths.
- To encourage greater visitation to the activity centres
- To create positive social, cultural and economic perceptions of activity centres.
- To protect the amenity of new residential precincts within activity centres from the adverse impact of the commercial operation of the centre in terms of noise, lighting, and significant odours.

Particular Provisions

Clause 52.27 – Licenced Premises

This Clause needs to be considered as part of the assessment of this application. The purposes of this provision are:

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

These provisions apply to premises licenced, or to be licenced, under the Liquor Control Reform Act 1998. A permit is required to use land to sell or consume liquor is any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

This does not apply to:

- To a limited licence.
- To a licence to manufacture liquor.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Commission for Gambling and Liquor Regulation, pursuant to Section 58 of the Liquor Control Reform Act 1998.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

A permit is required under Clause 52.27 as the area that liquor is allowed to be supplied under a licence is to be increased and the hours of trading allowed under a licence are to be extended.

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

Councils 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 applies 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.

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 seek to improve future applicants' understanding of the responsibilities and potential risks associated with the sale of alcohol.

This policy was adopted on 9 December 2013.

Council Plan 2013-2017 – 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

Pursuant to Section 55 of the Planning and Environment Act 1987, the application was externally referred to:

Authority	Referral Comments
VCGLR	No Comment
Victoria Police	No Objection

<u>Internal</u>

The application was internally referred to:

Internal Department	Referral Comments
Community Wellbeing	No objection subject to conditions.

Advertising

The application was not advertised to the surround area under Section 52 of the Planning and Environment Act 1987. The proposed extension of the red line area and alteration of trading hours are considered minor and would not cause detriment to the existing amenity of the area.

Assessment

The application proposes to extend the area currently used for the sale of packaged liquor to include the register area and to alter the stores existing trading hours. The proposed packaged liquor area will occupy a portion of the north east corner of the store. To determine the suitability of the proposal, Clause 52.27 of the Greater Dandenong Planning Scheme (Licenced Premises) needs to be considered. The decision guidelines of this provision are in italics followed by the Planning Departments' response:

• The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

The proposal meets the objectives of Clause 17 (Economic Development) and Clause 17.01-1 (Business) of the State Planning Policy Framework in that it is considered to continue to meet the community's need for retail services and provide net community benefit in relation to efficient infrastructure use and the aggregation and sustainability of commercial facilities.

• The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.

The proposal is to extend the red line area to include the cash registers of an existing premises selling small amounts of packaged liquor, not to increase the amount of stock or the range for display and sale. No liquor will be permitted to be consumed within the premises or in the public domain. The application has supplied an Alcohol Management Plan (AMP) that details the house policy for the responsible service of alcohol including prohibiting the selling of alcohol to intoxicated persons and minors. All staff members will be required to have appropriate Responsible Service of Alcohol certificate (RSA) and be required to strictly adhere to the company's policies when serving customers as pertained in the AMP. It is considered that the AMP is sufficient to conduct this assessment; however as per the Community Wellbeing referral response above, further detail is required prior to endorsement of this plan.

• The impact of the hours of operation on the amenity of the surrounding area.

	Current Hours	Proposed New Hours
Monday to Friday	9am to 5:30pm	9am to 5pm
Saturday	9am to 1:30pm	9am to 3pm
Sunday and all Public Holidays	10am to 1pm	Closed

The applicant proposes to change the trading hours as follows:

It is considered that the minor changes to the trading hours would not increase any potential amenity impacts to the surrounding neighbourhood. The sale of packaged alcohol would only occur during the hours of operation already applicable to the existing business and it is noted that Council's Community Wellbeing department along with Victoria Police, did not have any concerns with the trading hours proposed.

• The impact of the number of patrons on the amenity of the surrounding area.

This application is for the sale of packaged liquor only. Alcohol will not be consumed on the premises and therefore no limit on patron numbers is proposed.

• The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.

In accordance with DPCP Practice Note 61 "Licenced Premises: Assessment Cumulative Impact", a cumulative impact assessment is required if <u>both</u> 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 licenced premises.

As the proposed hours of operation do not exceed 11pm, there is no trigger for the provisions of a cumulative impact assessment. For the purposes of this assessment, a brief review of the surrounding licenced premises was undertaken to determine if there is an existing 'clustering' of licenced premises.

There are three (3) licenced venues within a 500 metre radius of the Roma Deli premises. Two of these are located to the north of Heatherton Road and are:

- North Dandy Liquor (Packaged Liquor Licence), located approximately 400 metres north from the subject site: and
- ANNJEE Chinese Restaurant (Restaurant and Café Licence), also located approximately 400 metres north from the subject site.

There is one (1) licenced venue which is located south of the subject site on the south side of the Princes Highway:

• Lovely Pancakes Restaurant (Pancake Parlour, Restaurant and Café Licence) approximately 460 metres south of the subject site.

Having noted the above it is considered that the site will not form a 'cluster' of licenced premises, a 'cluster' being defined as 3 venues within 100 metres or 15 venues within 500 metres. Therefore it is not considered that the continuance of an existing packaged liquor outlet will significantly increase any adverse amenity, or that the cumulative impact of these premises is unreasonable.

Conclusion

The application has been assessed against the relevant requirements of the Greater Dandenong Planning Scheme and is considered appropriate to the site in which it is located. It is considered that the continued benefits, such as economic activity and employment, have been balanced against and with appropriate in-house management protocols and conditions of permit to ensure the amenity of the area will be protected.

Recommendation

That Council resolves to Grant a planning permit in respect of the land known and described as 32 Gladstone Road, DANDENONG VIC 3175 for the use of part of the land for the sale of packaged liquor, subject to the following conditions:

- 1. Prior to the endorsement of plans, two (2) copies of an amended Alcohol Management Plan (AMP) must be submitted to the Responsible Authority for approval. The use must not commence until the AMP has been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit. The AMP must be in accordance with the plan submitted with the application, but modified to demonstrate:
 - 1.1. Up-to-date records of staff training for the responsible service of alcohol and other statutory documents, to be available upon request for Victoria Police and Victorian Commission for Gaming and Liquor Regulation.
 - **1.2.** Managerial and staff roles and responsibilities.
 - 1.3. Guidelines for recognising and addressing intoxication, anti-social behaviour, difficult patrons, refusal of service.
 - 1.4. Policies and procedures outlining security standards and to address emergencies, incidents and complaints.
 - 1.5. The display signage on the premises and venue website informing customers that phone, mail, email and Internet sales will require proof of age where appropriate.
- 2. The layout of the site, and size, design and location of the buildings and works permitted must always be in accordance with the endorsed plans unless with the written consent of the Responsible Authority.
- 3. Liquor must only be sold and displayed within the red line area identified on the endorsed plans.
- 4. Without the prior written approval of the Responsible Authority, any application to, or licence obtained from, the relevant Liquor Licencing Authority must be for the on-site sale of packaged liquor only.
- 5. The amenity of the area must not be detrimentally affected by the licenced premises through the:
 - 5.1. Transport of materials, goods or commodities to or from the land;
 - 5.2. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - 5.3. Adverse behaviour of patrons on, to or from the premises; and

5.4. Presence of vermin.

- 6. No alcohol may be consumed on the premises at any time.
- 7. The owner, occupier and the manager must at all times make reasonable endeavours that persons reporting to the premises do not create nuisance or annoyance to neighbours or otherwise disturb the amenity of the area.
- 8. The use of the site must be at all time comply with the approved Alcohol Management Plan, to the satisfaction of the Responsible Authority.
- 9. The use may operate only between the hours of:
 - 9.1. Monday to Friday 9am– 5pm
 - 9.2. Saturday 9am to 3pm
 - 9.3. Sunday and all Public Holidays Closed
- 10. This permit will expire if:
 - 10.1. The use does not start within one (1) year from the date of this permit; or
 - 10.2. 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.

MINUTE 50

Moved by: Cr Angela Long Seconded by: Cr Matthew Kirwan

That Council resolves to Grant a planning permit in respect of the land known and described as 32 Gladstone Road, DANDENONG VIC 3175 for the use of part of the land for the sale of packaged liquor, subject to the following conditions:

- 1. Prior to the endorsement of plans, two (2) copies of an amended Alcohol Management Plan (AMP) must be submitted to the Responsible Authority for approval. The use must not commence until the AMP has been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit. The AMP must be in accordance with the plan submitted with the application, but modified to demonstrate:
 - 1.1. Up-to-date records of staff training for the responsible service of alcohol and other statutory documents, to be available upon request for Victoria Police and Victorian Commission for Gaming and Liquor Regulation.

- **1.2.** Managerial and staff roles and responsibilities.
- **1.3.** Guidelines for recognising and addressing intoxication, anti-social behaviour, difficult patrons, refusal of service.
- 1.4. Policies and procedures outlining security standards and to address emergencies, incidents and complaints.
- 1.5. The display signage on the premises and venue website informing customers that phone, mail, email and Internet sales will require proof of age where appropriate.
- 2. The layout of the site, and size, design and location of the buildings and works permitted must always be in accordance with the endorsed plans unless with the written consent of the Responsible Authority.
- 3. Liquor must only be sold and displayed within the red line area identified on the endorsed plans.
- 4. Without the prior written approval of the Responsible Authority, any application to, or licence obtained from, the relevant Liquor Licencing Authority must be for the on-site sale of packaged liquor only.
- 5. The amenity of the area must not be detrimentally affected by the licenced premises through the:
 - 5.1. Transport of materials, goods or commodities to or from the land;
 - 5.2. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - 5.3. Adverse behaviour of patrons on, to or from the premises; and
 - 5.4. Presence of vermin.
- 6. No alcohol may be consumed on the premises at any time.
- 7. The owner, occupier and the manager must at all times make reasonable endeavours that persons reporting to the premises do not create nuisance or annoyance to neighbours or otherwise disturb the amenity of the area.
- 8. The use of the site must be at all time comply with the approved Alcohol Management Plan, to the satisfaction of the Responsible Authority.
- 9. The use may operate only between the hours of:
 - 9.1. Monday to Friday 9am– 5pm
 - 9.2. Saturday 9am to 3pm

2.3.3 Town Planning Application - No. 32 Gladstone Road, DANDENONG (Planning Application No. PLN16/0541) (Cont.)

- 9.3. Sunday and all Public Holidays Closed
- 10. This permit will expire if:
 - 10.1. The use does not start within one (1) year from the date of this permit; or
 - 10.2. 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.

CARRIED

2.3.3 Town Planning Application - No. 32 Gladstone Road, DANDENONG (Planning Application No. PLN16/0541) (Cont.)

STATUTORY PLANNING

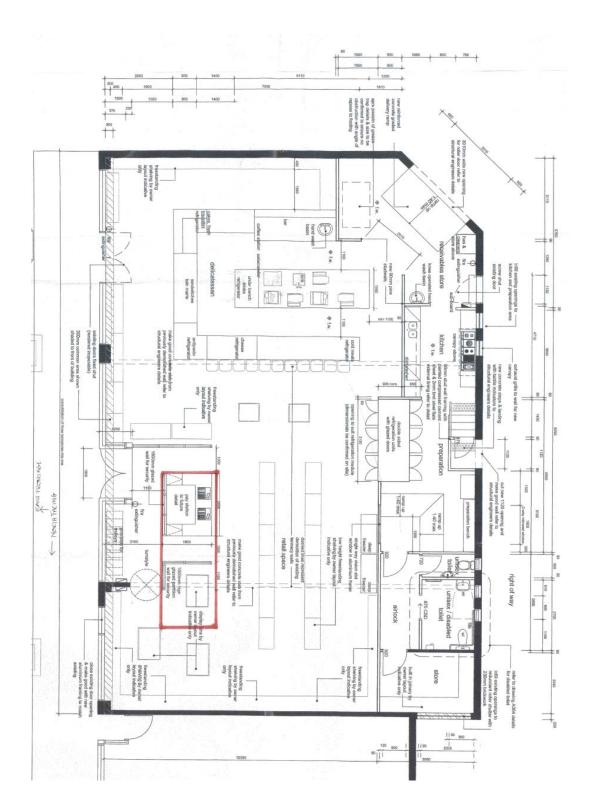
TOWN PLANNING APPLICATION – NO. 32 GLADSTONE ROAD, DANDENONG (PLANNING APPLICATION NO. PLN16/0541)

ATTACHMENT 1

SUBMITTED PLANS

PAGES 2 (including cover)

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



File Id:	328610
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plans Development Plan Map

Application Summary

Applicant:	Drian & Shemida Hewagama C/o KLM Spatial.
Proposal:	Use and development of the land for a kindergarten
Zone:	General Residential Zone 2 (GRZ2)
Overlay:	Development Contributions Plan Overlay Schedule 1 (DCPO1), Development Plan Overlay Schedule 5 (DPO5), Environmental Audit Overlay (EAO)
Ward:	Red Gum Ward

The application proposes use and development of the land for a kindergarten on future lots 28 & 29 as shown on PS720106T.

A permit is required pursuant to Clause 32.08-1 and Clause 32.08-6 (General Residential Zone-Schedule 2) of the Greater Dandenong Planning Scheme for the use of the land for a kindergarten and for buildings and works associated with a kindergarten.

This application is brought before Council as it has been called in by Councillor Kirwan and Councillor Memeti.

Notification Summary

The application was not advertised to the surrounding area as the officer recommendation is to refuse the application based on a number of refusal grounds, including that the proposal is not in accordance with the Development Plan applying to the land. Pursuant to Section 52 (1A) of the *Planning and Environment Act 1987*, the Responsible Authority may refuse the application and if it does so, it does not have to give notice of the application.

In the event that the proposal was considered to be consistent with the Development Plan, pursuant to Clause 43.04-2 (Development Plan Overlay) of the Greater Dandenong Planning Scheme, an application under any provision of the scheme which is generally in accordance with the development plan is exempt from the notice requirements and review rights.

Therefore, regardless of the decision of the Council, the application is not required to be advertised.

Assessment Summary

The subject site consists of 2 allotments within subdivision PS720106T fronting Bend Road. The area is undergoing a significant amount of change and is currently being developed for residential purposes in accordance with the approved Development Plan applying to the land.

The approved Development Plan clearly sets out the use of the site for 'residential development'. The proposed use of the land for a kindergarten is not considered to be 'residential development' and is therefore not consistent with the Development Plan applying to the land.

The provision of a large hard surfaced car parking area in the front setback is considered to be inconsistent with Local Planning Policy which aims to ensure new development establishes a landscape setting, which has been set out in the approved Development Plan and implemented through building envelopes specified on PS720106T. The hard surfaced car parking area in the front setback results in a loss of opportunity for soft landscaping which would be contrary to the intent and purposes of approved Development Plan and the intent and purposes of the building envelopes specified on PS720106T.

The location of the site on a no-through local road is not considered to be appropriate for the proposed use. Local Planning Policy aims to protect the amenity of residential areas through locating non-residential uses along main roads and collector roads or on corner sites. It is considered that the proposed use will generate a significant amount of additional traffic than what would otherwise be generated by residential development. It is considered that this will negatively impact on the amenity of surrounding residential dwellings once the area is developed in accordance with the Development Plan.

It is considered that the proposed use and development of the land for a kindergarten is inconsistent with Local Planning Policy and the approved Development Plan applying to the land and therefore should not be supported.

Recommendation Summary

As assessed, the proposal does not meet the requirements of the Greater Dandenong Planning Scheme. It is inconsistent with and does not appropriately respond to the provisions of the Scheme as detailed in the report, and for the reasons set out in the recommendation should be **Refused**.

Subject Site and Surrounds

Subject Site

The subject site is within a newly approved subdivision (PS720106T) at 8-14 Bend Road Keysborough. Plan of Subdivision 720106T had not yet been registered with the titles office at the time of submission of this application. Future lots 28 & 29 within PS720106T are the parcels of land proposed to be used and developed under this application.

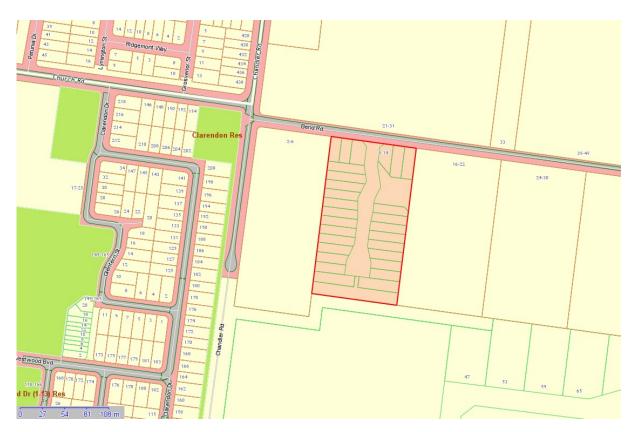
- The site consists of two (2) side by side rectangular shaped allotments (lots 28 & 29);
- The lots have a combined area of 1081 square metres;
- A 2 metre wide drainage and sewerage easement runs parallel along the rear (southern) boundaries of the lots;
- The site is currently vacant land devoid of any vegetation.
- In terms of topography the site is relatively flat.
- The lots form part of a recently approved subdivision (PLN10/0852).

Surrounding Area

- The subject site is located in an area that has, in the past, been predominately characterised by agricultural uses. However, the area is currently undergoing significant change with newer residential subdivisions and development to the west. Industrial development is beginning to emerge to the southern and eastern side of the site, adjacent to Greens Road and the Eastlink freeway.
- The western side of Chandler Road (south of the subject site) was subject to an earlier Planning Scheme amendment which rezoned farming land to Residential 1 (C2 gazetted on 31 April 2001). That area is predominately characterised by detached single and double storey dwellings on allotments of between 450 and 600 square metres. All these subdivisions are subject to Memorandums of Common Provisions covering setbacks and fencing restrictions.
- The land immediately abutting the site to the north (front), west (side) and east (side) is generally vacant residential land.
- Land to the south of the subdivision and slightly further to the east along Bend Road is zoned Industrial.
- The closest bus route travels along Dandenong Bypass and Perry Road. The closest bus stops are along Perry Road, approximately 850 metres from the subject site.
- The closest activity centre is the Parkmore Shopping Centre on Cheltenham Road, approximately 1.5 kilometres from the subject site.

Locality Plan

Subject site: Proposed lots 28 & 29 on PS720106T



Background

Previous Applications

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

- Planning permit application PLN15/0655 was refused on 16 May 2016. The application proposed the use and development of a kindergarten.
- Planning permit PLN10/0852 was issued on 15 July, 2011 for the "subdivision of the land", the permit approved a 29 residential lot subdivision and a reserve together with the creation of a road (court).

The permit was subsequently amended under PLN10/0852.01 on 10 March, 2016 to include the removal of native vegetation, the removal of the gas and fuel easement and the creation of 2 additional lots (30 & 31).

An extension of time was granted to the permit with the expiry date now being 15 July 2017 if the certification of the subdivision is not completed or the statement of compliance is not lodged at the tiles offices within 5yrs of the certification of the plan of subdivision.

The plans were endorsed on 11 March, 2016 in accordance with the permit conditions.

Subject Application

The current application was lodged with Council on 1 September 2016 and consists of the same built form and use proposal as application PLN15/0655, with the exception of an amended landscape plan and further information pertaining to the proposed use.

Planning permit application PLN15/0655 for use and development of a kindergarten was refused on 16 May 2016.

The amended landscape plan shows larger trees along the northern (front) boundary to Bend Road. The landscape plan submitted under PLN15/0655 showed ground covers of maximum 1-1.5m height. The amended landscape plan shows trees of maximum 5-8m height.

The additional information pertaining to the use includes a suggestion of a Noise Management Plan to be implemented to regulate outdoor play times, contact details for complaints, limited numbers of children playing outside at any one time, behaviour monitoring, etc.

Proposal

The application proposes the use and development of the site for a kindergarten.

Key details of the proposal are as follows:

<u>Use</u>

The proposal is to relocate an existing kindergarten (Montessori @ Home) which currently is operating temporarily from the crèche room at Springers Leisure Centre. Prior to this, the Kindergarten operated from the Serbian Orthodox Church at 115 Church Road, Keysborough (approximately 645m to the west of the subject site).

The kindergarten will accommodate, at any one time, a maximum of 50 children from ages 18 months to 5 years. Three groups are proposed to start at staggered times, with no more than 20 children in each group.

A maximum of 7 staff will be employed on the site at any one time with the proposed hours of operation being: 8.30am – 5.30pm Monday to Friday.

Development

The proposal includes the development of a new single storey building on the site with a maximum building height of 6.3 metres and constructed from brick with a pitched tiled roof.

The building will be setback a minimum of 13.2 metres from the front boundary and 1.1 metres from the side boundaries with a 9.5 metre setback from the rear boundary.

Access to the site is via 2 crossovers from Bend Road; an entry point on the eastern side of the frontage to Bend Road and exit point on the western side of the frontage to Bend Road. A car parking area at the front of the site will have 11 car parking spaces, including 1 disabled space.

Internally the building will contain an entry, 3 play space areas, staff room, office, laundry, store room and toilet facilities. A 255 square metre external play area is proposed at the rear of the site.

A new 1.8 metre high timber paling fence is proposed along the side and rear title boundaries.

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 Policy but is not relevant to the content of the Policy.

Financial Implications

No financial resources are impacted by this report.

Planning Scheme and Policy Frameworks

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

- Under Clause 32.08-1 (General Residential Zone): a permit is required for the use of a kindergarten.
- Under Clause 32.08-6 (General Residential Zone): a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in the General Residential Zone (Schedule 2).

The purpose of the General Residential Zone (Schedule 2) outlined at Clause 32.08 is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To provide a diversity of housing types and moderate housing growth 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 32.08-1: a permit is required for the use of a kindergarten.

Pursuant to Clause 32.08-6: a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.

Decision guidelines are listed at Clause 32.08-9.

Overlay Controls

The following overlays apply to the subject site;

- Development Contributions Plan Overlay Schedule 1 (DCPO1)
- Development Plan Overlay Schedule 5 (DPO5)
- Environmental Audit Overlay (EAO)

Development Contributions Plan Overlay - Schedule 1 (DCPO1)

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.

Conditions can be placed on any permit issued requiring the payment of relevant levies in accordance with the Development Contributions Plan Overlay Schedule 1.

Development Plan Overlay - Schedule 5 (DPO5)

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 development plan (Keysborough South Development Plan stages 2 & 3) was approved on 27 June, 2011.

An assessment of the proposal against the development plan is included within the assessment section of this report.

Environmental Audit Overlay (EAO)

Pursuant to Clause 45.03-1 (Environmental Audit Overlay) of the Greater Dandenong Planning Scheme;

- Before a sensitive use (residential use, child care 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 or
- An environmental auditor must make a statement that the environmental conditions of the land are suitable for the sensitive use.

This has been addressed under the original planning permit (condition 4) associated with the residential subdivision of the site into 29 lots (PLN10/01852) which required either the submission of a Certificate of Environmental Audit or the submission of a Statement that the land is suitable for sensitive land use.

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.

(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 17 – Economic Development; of relevance to the proposal is Clause 17.01-1 Business of which one of the objectives is;

"to encourage development which meet the communities' 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".

By undertaking the following strategy;

"Locate commercial facilities in existing or planned activity centres".

Local Planning Policy Framework

The Local Planning Policy Framework (LPPF) includes the Municipal Strategic Statement (MSS) and Local Policies. The following local planning policies are relevant to this application.

2.3.4 Town Planning Application - No. 8-14 Bend Road, Keysborough (Planning Application No. PLN16/0644) (Cont.)

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

Clause 21.04 – Land Use "The emerging residential area in Keysborough South is an area of strategic significance for residential development and will bring a challenge in managing the urban/non-urban transition. Residential development in this area needs to be based on Council's 'green vision' - the public realm having the primary role in delivering a range of beneficial environmental, landscape and recreation outcomes with more intensive forms of development being supported in private space within that green environment".

Of particular note is the following objective and associated strategy;

5. To protect the amenity of residential areas adjacent to particular uses and protect sensitive particular uses from residential development.

5.3 Discourage non-residential uses except along main roads or collector roads or on corner sites.

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 objective and strategy;

8. To ensure landscaping that enhances the built environment

8.1 Encourage new developments to establish a landscape setting, which reflects the local and wider landscape character.

Particular Provisions

Clause 52.06 – Car Parking

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.

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

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

The table at Clause 52.06-5 specifies that the following car parking rate is required for the use of a Child Care Centre:

• 0.22 car spaces to each child

Car parking is to be designed and constructed in accordance with the requirements of Clause 52.06-8 and 52.06-10 of the Scheme.

As the proposal is for a maximum of 50 children 11 car spaces are required to be provided on site. The proposal complies with this requirement with no variation or wavier sought.

General Provisions

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

Restrictive Covenants

The subject site is affected by the following restrictive covenants:

- A394619: Relates to the whole of the subject site (8-14 Bend Rd). The restriction relates to a gas and fuel easement. The proposal is not located within the area affected by the easement and therefore does not breach the covenant.
- PS720106T: Created under Planning Permit PLN10/0852.01 for the subdivision of the site (8-14 Bend Rd) into 31 lots. This restriction creates a building envelope for each of the proposed allotments approved under the subdivision and requires any dwelling to be constructed within the building envelope.

The proposed building is not a dwelling and therefore does not breach the covenant. Nevertheless, the building has been setback in accordance with the setback and height requirements of the building envelope, the car park is not considered to be a structure and is therefore not subject to the building envelope requirements. The cubby house and storage shed located at the rear of the site would be allowable encroachments (outbuildings less than 10sqm in area) and can therefore be located outside of the building envelope.

Council Plan 2013-2017 – 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.

<u>Internal</u>

The application was not internally referred. It is considered that the referral responses received under PLN15/0655 are still relevant.

Council Referrals	Advice/Response/Conditions
Transport Planning	 No objections. Bend Rd will truncate following the build out of the area which may ultimately affect access to the kindergarten and may increase the impact of kindergarten traffic on the area (depending on final road layout).
Strategic Planning	 Preliminary concerns: Proximity to major gas pipeline. Bend Rd is to truncate at the boundary with industrial zoned land.
Civil Development	 No objections subject to conditions.
Asset Planning Department	 Preliminary concerns: The property is subject to uncontrolled overland flow through the property. Flood dispensation to be obtained prior to Building Permit. Minimum FFL is to be RL 11.95m to AHD.

Advertising

The application was not advertised to the surrounding area as the officer recommendation is to refuse the application based on a number of refusal grounds, including that the proposal is not in accordance with the Development Plan applying to the land. Pursuant to Section 52 (1A) of the *Planning and Environment Act 1987*, the Responsible Authority may refuse the application and if it does so, it does not have to give notice of the application.

In the event that the proposal was considered to be consistent with the Development Plan, pursuant to Clause 43.04-2 (Development Plan Overlay) of the Greater Dandenong Planning Scheme, an application under any provision of the scheme which is generally in accordance with the development plan is exempt from the notice requirements and review rights.

Therefore, regardless of the decision of the Council, the application is not required to be advertised.

Consultation

A consultative meeting was not held as there were no submissions.

Assessment

The proposed use and development of the site is not considered to be consistent with the Municipal Strategic Statement, zoning of the land or overlays appling to the land and is not supported based on the following assessment;

General Residential Zone

To determine the suitability of the proposed use and development, the Decision Guidelines for non-residential use and development at Clause 32.08-10 of the Greater Dandenong Planning Scheme (General Residential Zone) need to be considered. The decision guidelines are in italics (followed by a town planner's response):

• Whether the use or development is compatible with residential use.

Whilst there are no existing residential uses within the immediate area, the surrounding area is intended for residential development as approved under PLN10/0852 and specified in the approved Development Plan. The proposed non-residential use of a kindergarten and the proposed development in this location is not considered to be compatible with the intended use of the site and surrounding area due to the amenity impacts associated with the location on a no-through road, proximity to neighbouring residential allotments and lack of opportunity for soft landscaping in the front setback as discussed below.

• Whether the use generally serves local community needs.

It is considered that the proposed use would generally serve the local community needs. The kindergarten has been operating from a nearby site for a number of years and the ongoing need is demonstrated by the continuing use at a temporary location elsewhere. In addition, the site is within a growing residential area and it is considered that the proposed use would continue to serve local community needs into the future.

• The scale and intensity of the use and development.

Noise: While up to 50 children playing on the site could result in a significant amount of additional noise, it is considered that the noise associated with children playing is not a cause for adverse amenity impacts. This is supported by various decisions of the Victorian Civil and Administrative Tribunal (VCAT). Nevertheless, the applicant has proposed a management plan to regulate outdoor play times. This is considered acceptable.

Traffic: The scale and intensity of the proposed use will result in a significant increase on the amount of vehicles travelling on Bend Road (a no-through Road), compared to that which would be associated with a residential use. Local Planning Policy Clause 21.04 of the Greater Dandenong Planning Scheme discourages non-residential uses except along main roads or collector roads or on corner sites. It is considered that the proposed use will result in a detrimental impact on the future neighbouring residential allotments, particularly in relation to the expected traffic flows along Bend Road, being a no-through road.

• The design, height, setback and appearance of the proposed buildings and works.

The design of the building, being single storey and constructed of brick with a pitched tiled roof, is generally reflective of the design of a dwelling and complies with the restrictive building envelope as shown on PS720106T which specifies setback requirements. However, the extent of hard surface area and location of the car parking area at the front of the site is not characteristic of a residential development and prevents these areas from being suitably landscaped. In addition, the size of the building which spans across two allotments is considered inconsistent with the future layout of the emerging residential area. The intensity and size of the development would be better located closer to an activity centre or on a larger allotment which would provide greater setbacks to boundaries and less sensitive adjoining land uses.

• The proposed landscaping.

The proposal lacks in providing any sufficient area of landscaping due to the extent of hard surface area proposed on the site and minimal setback to the car parking area and building which are discussed further below.

• The provision of car and bicycle parking and associated accessways.

Adequate provision has been provided on site for car parking in accordance with Clause 52.06 with the required number of car spaces provided. Accessways into the site are reasonable with a separate entry and exit point provided from Bend Road.

• Any proposed loading and refuse collection facilities.

The proposal does not include any loading areas and there is limited provision within the site to incorporate a loading area. This is considered acceptable in this instance as the proposed use is not expected to require frequent loading and unloading of goods. A bin storage area is shown on the plans, located on the western side of the building. The applicant has submitted a Waste Management Plan and proposed to utilise Council's on-street waste collection service. This is considered acceptable.

• The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Bend Road will ultimately become a no through road once the area has been fully developed which will impact on traffic associated with the proposed use increasing the amount of traffic within the immediate area. The use of a kindergarten would be better located with direct access to a collector road in accordance with Local Planning Policy at Clause 21.04, rather than a low traffic residential road which will only result in increased traffic and parking along Bend Road and the neighbouring streets.

<u>Development Plan Overlay – Schedule 5 (DPO5) – Keysborough South Development Plan</u> <u>Stages 2 & 3</u>

The Development Plan Overlay requires use and development to be generally in accordance with the development plan. The following is an assessment of the proposal against the approved development plan 'Keysborough South Development Plan Stages 2 & 3'.

A copy of the approved development plan map is included in attachment 2.

The subject site is nominated as 'proposed residential development'. The proposed use of the land for a kindergarten is not considered to be 'residential development' and is therefore inconsistent with the intent of the development plan.

The development plan makes mention of community facilities/ social infrastructure such as schools, pre-schools and child minding centres, however, nominates specific areas for these uses which are strategically located near major roads with proposed future public transport services (bus). This is also supported by Local Planning Policy at Clause 21.04 which discourages non-residential uses except along main roads or collector roads or on corner sites. The subject site is located a significant distance from the Neighbourhood Activity Centre, on a local no-through road (not on a main road, collector road or corner) within an area specifically set aside for 'residential development'.

The development plan indicates that approximately 2225 household lots are proposed to be developed over a 10 year period. The proposed development and use of the site for a kindergarten is not responsive to the objectives of the development plan, in particular it is not considered that the development contributes or enhances to the neighbourhood character or encourages high quality landscaping.

The provision of car parking within the front setback limits the opportunity for soft landscaping to contribute to the enhancement of the emerging neighbourhood character and likely development outcome for the surrounding residential area.

It is therefore considered that the proposal is inconsistent with the approved Development Plan.

Car Parking

Pursuant to Clause 52.06-5 the following car park rate applies for a Child Care Centre:

• 0.22 car spaces to each child

The proposal seeks a maximum of 50 children at any one time, therefore 11 car spaces are required to be provided on site. The proposal complies with the car parking requirements with 11 spaces provided at the front of the site including 1 disabled car space.

Access to the site is proposed via a separate entry and exit point from Bend Road. The layout and design of the proposed car parking area is considered reasonable allow vehicles to safety enter and exit the site in a forwards direction with sufficient turning areas provided on site for vehicles to adequately reverse out of the parking spaces.

Landscaping

The proposal fails to provide adequate areas of landscaping on the site. Local Planning Policy at Clause 21.05 aims to ensure landscaping enhances the built environment through encouraging new developments to establish a landscape setting which reflects the local and wider landscape character. The local and wider landscape character is set by the approved Development Plan landscape vision which aims to 'celebrate and connect to the natural environment, historic market gardens and horticultural heritage of the area'. In addition, the future landscape character of the more immediate area (for lots within subdivision PS720106T) is set by the restrictive building envelopes placed on each of the allotments in PS720106T. The 5 metres front setbacks and 3 metre rear setbacks required by the overall subdivision and building envelopes allows for landscaping to be achieved at the front and rear of the allotments.

The proposed development meets the building setback required by the building envelopes set out for PS720106T. However, the proposed development includes a large expanse of hard surfaced car parking in the front setback, limiting the opportunity for substantial landscaping to be provided. It is considered that this is contrary to the intent of the building envelopes specified for PS720106T which would allow for extensive areas of landscaping if the site were developed for residential use. The car park area at the front has a 1 metre separation from the front and side boundaries which is not sufficient to provide any substantial level of landscaping such as canopy trees which would assist in softening the appearance of the development from the street and adjoining properties.

The building will be setback a minimum of 1 metre from the side (east & west) boundaries. This 1 metre setback is proposed to be a walkway area to access the rear of the site, again, limiting opportunities to provide landscaping.

Overall, the lack of opportunity for soft landscaping on the site, particularly in the front setback, is considered to be inconsistent with Local Planning Policy 21.05 and the approved Development Plan applying to the land for providing a landscape setting.

Conclusion

The application has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the State and Local Planning Policy Framework, Municipal Strategic Statement, zones and overlays as set out in this assessment. It is considered that the application does not comply with these policies.

Recommendation

That Council resolves to <u>Refuse</u> to grant a planning permit in respect of the land known and described as 8-14 Bend Road KEYSBOROUGH VIC 3173 (future lots 28 & 29 as shown on PS720106T), for the use and development of a kindergarten based on the following grounds:

- 1. The proposal is inconsistent with the approved Development Plan applying to the land (Development Plan Overlay- Schedule 5 (DPO5) Keysborough South Development Plan Stages 2 & 3).
- 2. The proposal is inconsistent with Local Planning Policy Clause 21.04 of the Greater Dandenong Planning Scheme which discourages non-residential uses except along main roads or collector roads or on corner sites.
- 3. The proposal is inconsistent with Local Planning Policy Clause 21.05 of the Greater Dandenong Planning Scheme which encourages new developments to establish a landscape setting which reflects the local and wider landscape character.
- 4. The proposal is inconsistent with the purposes of the General Residential Zone, resulting in an unacceptable level of amenity impact in terms of traffic increases on a no-through road and lack of opportunity for soft landscaping within the front setback.

MINUTE 51

Moved by: Cr Matthew Kirwan Seconded by: Cr Sean O'Reilly

That Council resolves to grant a permit in respect of the land known and described as 8-14 Bend Road, Keysborough 3173 (future lots 28 & 29 as shown on PS720106T), for the use and development of a kindergarten in accordance with the plans submitted with the application subject to the following conditions:

1. Prior to the commencement of the use and development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- 1.1. Minimum finished floor levels as specified by the conditions below.
- 1.2. An acoustic fence along the southern, western and eastern boundaries of the play area, as specified in the conditions below.
- 2. The use and development, as shown on the endorsed plans, must not be altered without the further written consent of the Responsible Authority.
- 3. Once the development has started, it must be continued to the satisfaction of the Responsible Authority.
- 4. Areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
 - 4.1. constructed;
 - 4.2. properly formed to such levels that they can be used in accordance with the plans;
 - 4.3. surfaced with an all-weather sealcoat;
 - 4.4. drained;
 - 4.5. line-marked to indicate each car space and all access lanes;
 - 4.6. clearly marked to show the direction of traffic along the access lanes and driveways

to the satisfaction of the Responsible Authority.

- 5. The car parking and access lanes shown on the endorsed plans must at all times be made available for the parking of vehicles and not used for any other purpose, all to the satisfaction of the Responsible Authority.
- 6. Vehicular crossing(s) must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.
- 7. All external lighting of the site, including car parking areas and buildings, must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
- 8. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.
- 9. The finished floor level of the building must be a minimum of RL11.95m.

- 10. The use must not commence until the conditions on planning permit PLN10/0852.01 (or any further amendment) have been fulfilled and the titles for lots on PS720106T have been created.
- 11. Prior to the commencement of the use hereby permitted, an acoustic fence must be erected along the length of the southern, western and eastern boundaries of the play area to a minimum height of 2.0m above natural ground level. The design of the fence must be prepared in consultation with a suitably qualified acoustic engineer. The fence must be designed to limit the acoustic impact on surrounding properties. Details of the design and acoustic qualities of the fence must be submitted to, and approved by, the Responsible Authority.
- 12. Prior to the commencement of the use hereby permitted, all landscaping as shown on the endorsed plans, including trees, shrubs and lawn, shall be planted and thereafter maintained, to the satisfaction of the Responsible Authority. Any dead, diseased or damaged plants are to be replaced.
- 13. The use may operate only between the following hours:

Monday to Friday: 8.00 am to 6.00 pm

unless with the further written consent of the Responsible Authority.

- 14. Without the written permission of the Responsible Authority, the maximum number of children must not exceed fifty (50).
- 15. 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.
- 16. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land.
- 17. 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.
- 18. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.
- 19. This permit will expire if:
 - 19.1. The development does not start within two (2) years of the date of this permit, or
 - 19.2. The development is not completed within four (4) years of the date of this permit, or
 - 19.3. The use does not start within two (2) years of the date of this permit, 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.

Notes:

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

The minimum finished floor level of the proposed building is RL11.95m.

A building permit may be required for this development.

CARRIED

2.3.4 Town Planning Application - No. 8-14 Bend Road, Keysborough (Planning Application No. PLN16/0644) (Cont.)

STATUTORY PLANNING APPLICATIONS

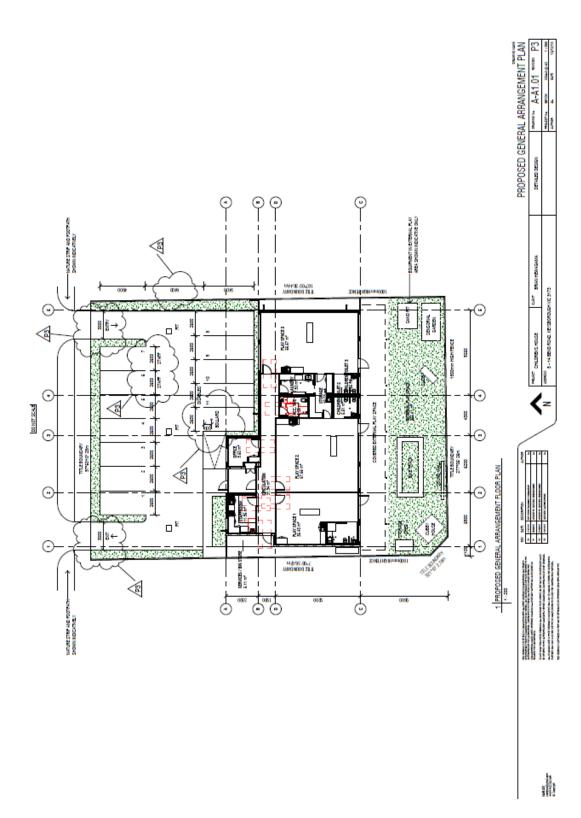
TOWN PLANNING APPLICATION - NOS. 8-14 BEND ROAD, KEYSBOROUGH (PLANNING APPLICATION NO. PLN16/0644)

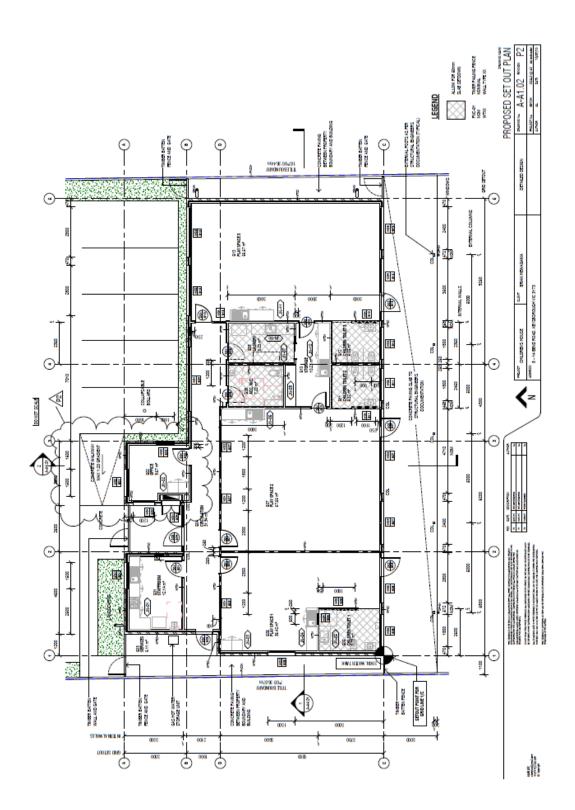
ATTACHMENT 1

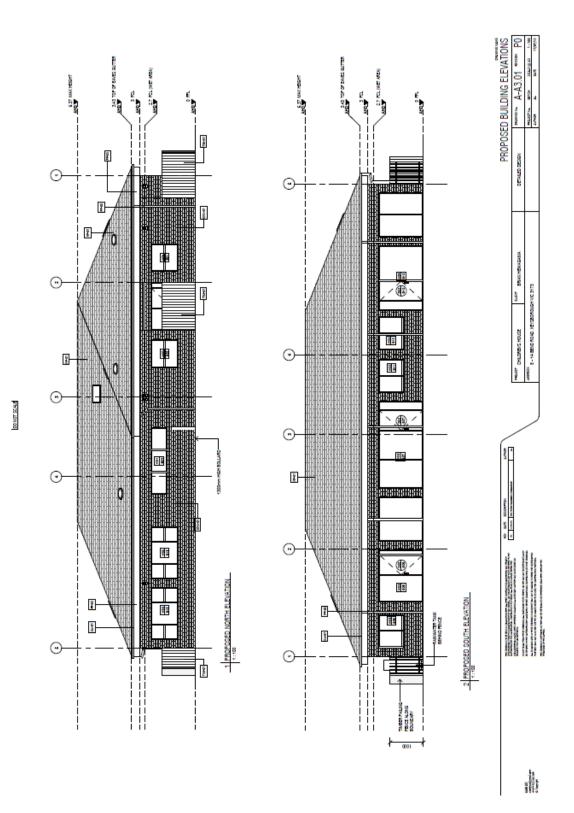
SUBMITTED PLANS

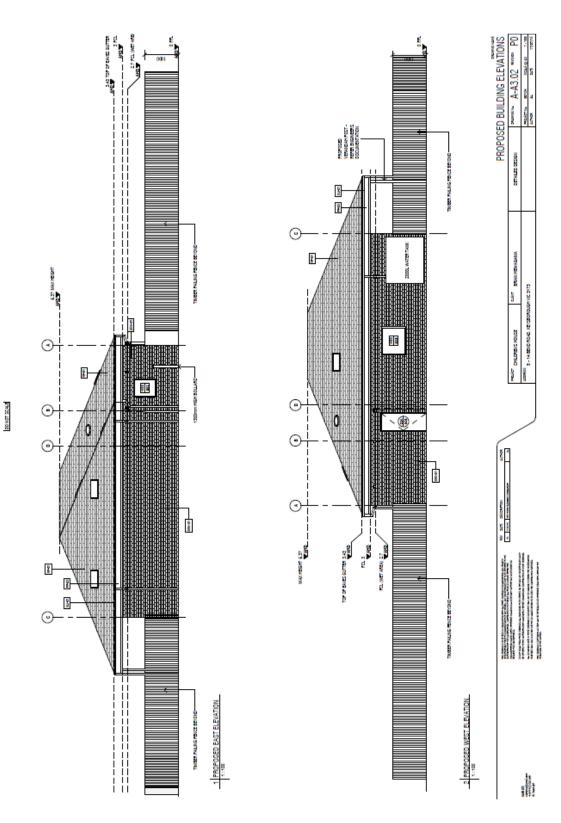
PAGES 6 (including cover)

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











STATUTORY PLANNING APPLICATIONS

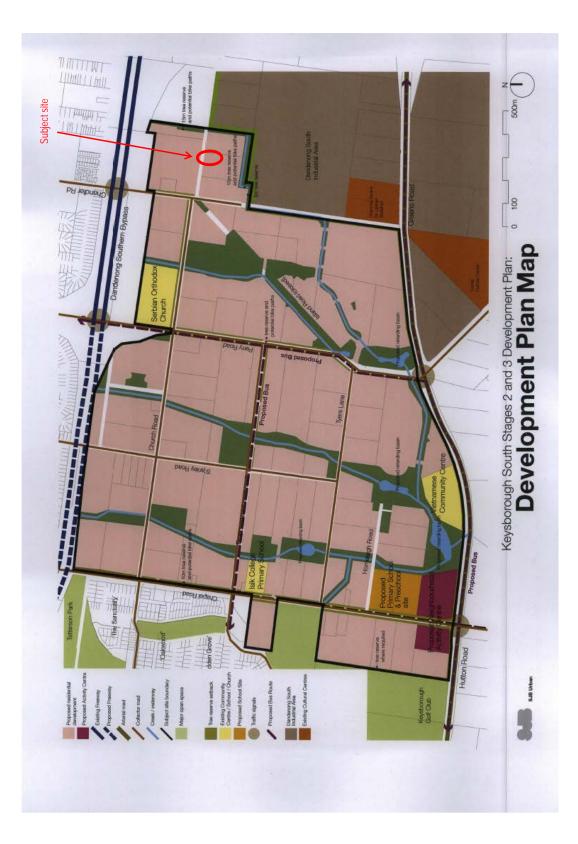
TOWN PLANNING APPLICATION – NOS. 8-14 BEND ROAD, KEYSBOROUGH (PLANNING APPLICATION NO. PLN16/0644)

ATTACHMENT 2

DEVELOPMENT PLAN MAP

PAGES 2 (including cover)

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



2.4 FINANCE AND BUDGET

2.4.1 2016-17 Mid Year Budget Review

Responsible Officer:

Attachments:

Director Corporate Services

Income Statement Mid Year Budget Review Referrals Mid Year Budget Review Notes

Report Summary

The 2016-17 Mid Year Budget Review process provides Council with the opportunity to review its operations since the adoption of the 2016-17 Budget and subsequently the Amended Budget (incorporating carry over's from 2015-16). It allows Council to make the necessary adjustments to reflect the latest forecast financial position. Where surplus funds are forecast to be available, the Mid Year Budget Review provides Council with an opportunity to reallocate funding and ensure that available financial resources achieve the maximum benefit to the community.

Following consideration of all required amendments to the 2016-17 Amended Budget (Original Budget plus carry over's from the previous financial year) and taking into account the final audited position from 2015-16, Council's cash outcome is an accumulated cash surplus of \$1.368 million.

This report recommends to Council the retention of \$500,000 contingent funding for the balance of the financial year having regard to the forthcoming considerations of Council and other unforeseen outcomes that may arise in 2016-17. A further \$316,000 is recommended for transfer to the Major Projects Reserve fund to resource future capital projects and land acquisitions.

The residual amount of \$552,000 is recommended for allocation on new capital projects as outlined in **Attachment C.**

Recommendation Summary

This report recommends that Council adopt the 2016-17 Mid-Year Budget which includes:

- 1. The proposed amendments to capital and operating budgets that have occurred since the adoption of the Annual Budget and subsequently the Amended Budget (incorporating carry over's from the previous financial year), (Attachment B).
- 2. The allocation of \$552,000 of net capital funding adjustments (refer to net total proposed in **Attachment C**).
- 3. The retention of \$500,000 in the current year cash result, as a contingency for forthcoming considerations and/or other unforeseen outcomes that may arise in 2016-17 and the transfer of \$316,000 to the Major Projects Reserve.

Background

The financial management of City of Greater Dandenong is a complex task with Council managing operational inflows and outflows of over \$174.38 million, with the addition of a capital works program of \$61.18 million in 2016-17 (including carry overs), across hundreds of different services that are provided to the community.

The purpose of this Mid Year Budget Review is to assess financial trends that have occurred during the first five months of the 2016-17 financial year and to determine a forecast outcome for 30 June 2017. The Mid Year Budget Review further allows Council to take account of the final outcomes arising from the previous financial year given that the Original Budget is developed in May, some two months prior to the end of the financial year and many of Council's services and capital projects span across the financial years.

Council undertook a half yearly review of the 2016-17 Annual Budget, to identify areas where the forecast result to 30 June 2017 may need amendment due to changed circumstances. All proposed variations to the Amended Budget for both capital and operating are fully described in Attachment B and C.

Following the completion of this review, Council has allocated the accumulated surplus as follows:

Component	Ref	\$'000	
Residual surplus available		\$1,821	
Less Capital variations (net of reserves) Operating variations (net of reserves)	Attachment B Attachment B	<mark>(\$</mark> 593) \$140	
Other reserve transfers	Attachment B	(\$316)	
Other capital variations sought	Attachment C	(\$552)	
Surplus available		\$500	

Council has considered the allocation of the net capital variations (\$593,200) and net favourable operational variations (\$140,043) and these are listed in **Attachment B**.

This report also recommends the allocation of other capital adjustments (\$552,000) which are listed in **Attachment C**.

To assist Council in considering the proposed revisions, a number of Attachments are contained in this report, viz.

- Attachment A Income Statement comparing the Amended 2016-17 Budget (Annual Budget plus carry over's from the previous year) against the proposed Mid Year Budget.
- Attachment B and C is the full listing of adjustments (both capital and operating) that have been referred for Council consideration and have been proposed to be included in the Mid Year Budget.
- **Attachment D** contains more detailed notes in respect of each proposed change in Attachment B and C.

Key Outcomes of the 2016-17 Mid Year Budget Review

The table below details the movements in operating, capital and other non-operating cash items resulting from the review.

Management Accounting summary							
Description	Original Budget 2016-17 \$'00	Amended Budget 2016-17 \$'000	Mid Year Budget 2016-17 \$'000	Mid Year vs Amended Variance Fav/(unfav) \$'000			
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Income Statement							
Income	217,111	217,208	215,120	(2,088)			
Expenditure	172,631	174,344	172,640	1,704			
Surplus (deficit) - operations	44,480	42,864	42,480	(384)			
Management accounting reconciliation Add back non-cash items:							
Depreciation	32,087	32,087	28,341	3,746			
Contributions non monetary assets	(20,000)	(20,000)	(20,000)	-			
Written down value of assets sold/scrapped	5,411	5,411	12,925	(7,514)			
Sub total	17,498	17,498	21,266	(3,768)			
Less non operating cash items							
Capital expenditure	47,803	61,181	63,666	2,485			
Transfers to (from) reserves	9,871	4,318	6,538	2,220			
Loan repayments	3,120	3,120	3,120	-			
Land acquisition - payment	1,184	1,184	1,184	-			
Sub total	61,978	69,803	74,508	4,705			
Cash surplus (deficit) for year	-	(9,441)	(10,762)	(1,321)			
Accumulated surplus bought forward		11,262	11,262				
Forecast position surplus		1,821	500	(1,321)			

Management Accounting summary

Notes to the Management Accounting summary

Original Budget – Annual Budget adopted by Council 27 June 2016.

Amended Budget – Incorporating operating and capital carry over's from 2015-16.

1. Income and Expenditure (Income Statement result)

The Income Statement is Council's formal accounting result in accordance with Accounting Standards and as such contains several non-cash items (depreciation, written down value of assets sold and gifted assets from developers) and excludes cash items such as capital expenditure and loan repayments.

Description	Original Budget 2016-17 \$'00	Amended Budget 2016-17 \$'000	Mid Year Budget 2016-17 \$'000	Mid Year vs Amended Variance Fav/(unfav) \$'000
Income Statement				
Income	217,111	217,208	215,120	(2,088)
Expenditure	172,631	174,344	172,640	1,704
Surplus - ongoing operations	44,480	42,864	42,480	(384)

The forecast operating surplus for the year as projected following the Mid Year Budget review is \$42.48 million, a minor decrease from the Amended Budget (**Attachment A**).

The significant items of revenue and expenses that contribute to this variation are as follows.

Income (by exception):

Total income reports a net decrease of \$2.09 million that comprises the following unfavourable variances:

- Written down value of property sales (\$7.51 million) This increase in written down value of property sales represents a reduction in the net gain on sale of property, infrastructure, plant and equipment which is a reduction in total income. This is a non cash item.
- Victoria Grants Commission reduction in funding allocation (\$230,000) Funding to be received in 2016-17 in relation to four Black Spot Program capital projects. The funding will be matched by corresponding project expenditure.

The above unfavourable items are partly offset by the following favourable income variations:

- Capital project funding Black Spot Program (\$1.74 million) Funding to be received in 2016-17 in relation to four Black Spot Program capital projects. The funding will be matched by corresponding project expenditure.
- **Property sale proceeds (\$1.15 million)** Anticipated sale proceeds on two properties in 2016-17.
- Operational project funding (\$643,000) Funding received or to be received in 2016-17 in relation to a number of operational projects. The funding will be matched by corresponding project expenditure.
- **Parking fine income (\$586,000)** Increase in anticipated parking fine income as a result of two new Regulatory Services positions (mostly offset by higher expenditure).
- **Supplementary rates increase (\$456,000)** Additional income expected based on actual supplementary rates income levied year to date.
- Home and Community Care growth funding (\$370,000) Funding to be received in relation to Council's Home and Community Care program. The funding will be matched by corresponding program expenditure.
- Planning Applications and Permit Amendments income increase (\$338,000 net) Increase in income due to the State Government recently increasing the statutory fees payable for planning applications and permit amendments under the Planning and Environment (Fees) Regulations 2016.
- Level Crossing Removal Project income (\$225,000) Income relating to the Level Crossing Removal Project (matched by expenditure).

Expenditure (by exception)

Operating expenditure has decreased by \$1.70 million. The major variations include the following favourable variances:

- Depreciation expense (\$3.75 million) reduction in the estimated depreciation expense for 2016-17 based on the actual result for 2015-16. The 2015-16 depreciation was lower due mainly to the effect of the revaluation of infrastructure asset classes valued at fair value at 30 June 2015 combined with a review of expiry dates of building assets. This is a non cash accounting entry.
- Waste expenditure (\$286,000) Expected savings in waste management costs in relation to domestic garden waste collections, domestic garbage collections, domestic recycling collections and tipping fees. These savings will be transferred to the Spring Valley Landfill Reserve (nil cash impact). As previously briefed to Council, the existing reserve funds are sufficient to cover the expected Council liabilities for Spring Valley over the next ten years but Council currently has no provision for its potential share of liabilities for the Clayton landfill in Kingston which are currently unknown.

These favourable items are partly offset by the following unfavourable variations in expenditure:

- **Operational project expenditure (\$643,000)** Corresponding project expenditure relating to various operational projects the grant funding of which has been received or is to be received in 2016-17.
- Home and Community Care program expenditure (\$370,000) Corresponding program expenditure relating to the Home and Community Care program the grant funding of which is to be received in 2016-17.
- **Resources in Regulatory Services (\$351,000)** Increased expenditure due to two new positions in Regulatory Services (offset by increased income).
- **WorkCover insurance premium increase (\$226,000)** Higher premium than budgeted due to an error in the estimated rate provided by Xchanging during the budget development period.
- Level Crossing Removal Project expenditure (\$225,000) Expenditure relating to the Level Crossing Removal Project (matched by income).
- Parking ticket machines increase in costs (\$106,000) An increase in costs has resulted from more parking ticket machines being installed than planned, including management fees, parking equipment maintenance contract costs and cash collection costs (offset by increased income).

2. Capital expenditure

The capital expenditure program is forecast to increase by \$2.49 million from the Amended Budget of \$61.18 million. The increase of \$2.49 million is offset mainly by a net reduction in transfers from reserves (\$416,000) and an increase in matching grant funding (\$1.74 million) resulting in a net impact of \$1.15 million as detailed below.

Component	Ref	\$'000
Capital variations (net of reserves)	Attachment B	(\$593)
Councillor requested capital variations sought (net of		
reserves)	Attachment C	(\$520)
Other capital variations sought	Attachment C	(\$32)
Total capital items (deficit)		(\$1,145)

3. Variation in movement in transfers to (from) reserves – (\$6.54 million)

The following table highlights the expected variations to the movements in reserve funds arising from the Mid-Year Budget Review.

	Original Budget 2016-17	Amended Budget 2016-17	Budget 2016-17	Mid Yearvs Amended Variance
Reserve	\$'000s	\$'000s	\$'000s	\$'000s
Transfer to reserves				
Major projects reserve	15,039	15,039	16,505	1,466
Local Government Funding Vehicle (LGFV) sinking fund	803	803	803	.,
Open space - planning, development and improvements	1,600	1,600	1,600	-
Open space - acquisitions		-	6,000	6,000
Development Contribution Plan - Council funded	2,540	2.540	2,540	_
Keysborough maintenance levy	1,280	1,280	1,241	(39)
Self insurance reserve	-	-	173	173
Spring Valley landfill rehabilitation reserve	-	-	286	286
Springvale activity precinct parking and development	1.032	1,032	949	(83)
Native vegetation reserves	-	-		
Total transfer to reserves	22,293	22,293	30,097	7,804
				1
Transfer from reserves				
Major projects reserve	10,134	14,211	14,726	515
Local Government Funding Vehicle (LGFV) sinking fund	-	-	-	-
Open space - planning, development and improvements	372	410	6,410	6,000
Open space - acquisitions	-	-	-	-
Development Contribution Plan - Council funded	-	1,438	307	(1,131)
Keysborough maintenance levy	1,129	1,129	1,129	-
Self insurance reserve	-		-	12
Spring Valley landfill rehabilitation reserve	90	90	90	
Springvale activity precinct parking and development	691	691	891	200
Native vegetation reserves	7	7	7	-
Total transfer from reserves	12,422	17,975	23,559	5,584
Net movement in reserves	9,871	4,318	6,538	2,219

Transfers to reserves (increase of \$7.80 million)

The increase in transfers to reserves relates to:

- the separation of the 'Open Space Reserve' into two reserve accounts, 'Open Space Planning, development and improvements reserve' and 'Open Space Acquisitions reserve' and the transfer of \$6 million to 'Open Space Acquisitions reserve'.
- a \$1.47 million increase in the transfer to the Major Projects reserve mainly relating to proceeds on two property sales in 2016-17.

Transfers from reserves (increase of \$5.58 million)

The increase in transfers from reserves primarily relates to:

- the separation of the 'Open Space Reserve' into two reserve accounts, 'Open Space Planning, development and improvements reserve' and 'Open space Acquisitions reserve' and the transfer of \$6 million from the 'Open Space Planning, development and improvements reserve',
- an increase of \$515,000 in transfers from the Major Projects Reserve to fund a potential land purchase and an increase in the Springvale Community Precinct project costs.

These increases are partly offset by:

• a reduction in the transfer from the Development Contribution Plan reserve of \$1.13 million in relation to the Abbotts Road bridge duplication project. The project was completed with lower than initial projections and receipt of successful grant funding.

Financial Implications

The 2016-17 Mid Year Budget review will ensure that Council has accommodated all known variations to the Budget that have occurred during the first six months of the financial year and results in only a slight reduction in the budgetary targets established in the 2016-17 Annual Budget.

Consultation

The 2016-17 Mid Year Budget Review has been prepared on the basis of budget reviews conducted by all Council staff with budgetary responsibilities and following discussion and consideration by Council.

As changes to the Original Budget are not material, Council is not required to formally advertise the Mid Year Budget.

Recommendation

That Council adopts the 2016-17 Mid-Year Budget including:

- 1. the proposed amendments to capital and operating budgets that have occurred since the adoption of the Annual Budget and subsequently the Amended Budget (incorporating carry over's from the previous financial year), (Attachment B).
- 2. the allocation of \$552,000 of net capital funding adjustments (refer to net total proposed in Attachment C); and
- 3. the retention of \$500,000 in the current year cash result, as a contingency for forthcoming considerations and/or other unforeseen outcomes that may arise in 2016-17 and the transfer of \$316,000 to the Major Projects Reserve.

MINUTE 52

Moved by: Cr Angela Long Seconded by: Cr Yohourn Chea

That Council adopts the 2016-17 Mid-Year Budget including:

- 1. the proposed amendments to capital and operating budgets that have occurred since the adoption of the Annual Budget and subsequently the Amended Budget (incorporating carry over's from the previous financial year), (Attachment B).
- 2. the allocation of \$552,000 of net capital funding adjustments (refer to net total proposed in Attachment C); and
- 3. the retention of \$500,000 in the current year cash result, as a contingency for forthcoming considerations and/or other unforeseen outcomes that may arise in 2016-17 and the transfer of \$316,000 to the Major Projects Reserve.

CARRIED

2.4.1 2016-17 Mid Year Budget Review (Cont.)

FINANCE AND BUDGET

2016-17 MID YEAR BUDGET REVIEW

ATTACHMENT 1

MID YEAR BUDGET REVIEW - INCOME STATEMENT/REFERRALS/NOTES

PAGES 14 (including cover)

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

Attachment A

Income Statement

	Original Budget 2016-17 \$'000	Amended Budget 2016-17 \$'000	Mid Year Budget 2016-17 \$'000	Mid Year vs Amended Variance Fav/(unfav) \$'000
Income				
Rates and charges	125,886	125,886	126,303	417
Statutory fees and fines	6,389	6,389	7,174	785
User fees	10,127	10,127	10,125	(2)
Grants - operating	30,351	30,351	31,134	783
Grants - capital	6,824	6,921	8,664	1,743
Contributions - monetary	1,600	1,600	1,600	-
Contributions - non-monetary	20,000	20,000	20,000	-
Net gain on disposal property, infrastructure,				
plant and equipment	7,391	7,391	1,027	(6,364)
Other income	8,543	8,543	9,093	550
Total income	217,111	217,208	215,120	(2,088)
Expenses				
Employee costs	74,194	74,896	76,335	(1,439)
Materials and services	53,348	54,303	54,681	(378)
Bad and doubtful debts	788	788	843	(55)
Depreciation	32,087	32,087	28,341	3,746
Borrowing costs	3.699	3,699	3,699	-
Other expenses	8,515	8.571	8,741	(170)
Total expenses	172,631	174,344	172,640	1,704
Surplus for the year	44,480	42,864	42,480	(384)
Other comprehensive income				
Items that will not be reclassified to surplus or	deficit:			
Other	-		-	-
Total comprehensive result	44,480	42,864	42,480	(384)

Attachment B

City of Greater Dandenong 2016-17 MID YEAR BUDGET REFERRALS

DESCRIPTION	NOTES	INCOME \$	EXPENDITURE \$	NET TOTAL \$
ADJUSTMENTS - CAPITAL (CASH)				
Strategic property acquisitions				
Purchase of 144 Thomas Street, Dandenong	1	0	950,000	(950,000)
Potential land purchase to be funded by transfer from Major Projects Reserve	2	0	375,000	(375,000)
Transfer from Major Projects Reserve to fund potential land purchase	2	375,000	0	375,000
Higher than expected project costs				
Sandown Road, Springvale - streetscape improvements project	3	0	17,000	(17,000)
Springvale Civic Precinct - increase in expenditure (offset by reserve transfer)	4	0	140,000	(140,000)
Springvale Civic Precinct - increase in transfer from Major Projects reserve	4	140,000	0	140,000
Savings and project adjustments				
Regulatory Services project - parking management equipment - savings (partly				
offset by new capital items 6 and 7)	5	0	(230,000)	230,000
Regulatory Services project - personal duress alarms	6	0	20,000	(20,000)
Regulatory Services project - parking management technology	7	0	70,000	(70,000)
Abbotts Road bridge duplication project - lower than anticipated costs (offset by reduced transfer from DCP reserve)	8	0	(1,130,820)	1,130,820
Abbotts Road bridge duplication project - lower than anticipated costs - reduced		0	(1,100,020)	1,100,020
transfer from DCP reserve	8	(1,130,820)	0	(1,130,820)
No. 8 Balmoral car park - ramp and services relocation works (offset by transfer	•			(000,000)
from Springvale Activity Precinct parking and development reserve)	9	0	200,000	(200,000)
No. 8 Balmoral car park - ramp and services relocation works - transfer from	9			
Springvale Activity Precinct parking and development reserve	-	200,000	0	200,000
Dandenong Market roof project - savings	10	0	(700,000)	700,000
Dandenong Market - cool room facilities	10	0	400,000	(400,000)
Capital transfers funded from operating (nil impact)				
Southern Screen hardware	11	0	10,000	(10,000)
Fleet vehicles x 2 (funded from increased Regulatory Services income - item 40)	12	0	56,200	(56,200)
New funding				
Federal Black Spot Program	13	1,743,000	1,743,000	0
TOTAL ADJUSTMENTS - CAPITAL (CASH)		1,327,180	1,920,380	(593,200)
ADJUSTMENTS - OPERATING (CASH)				
NON DIRECTORATE				
Victoria Grants Commission - reduction in funding allocation	14	(229,620)	0	(229,620)
WorkCover premium increase	15	0	225,636	(225,636)
WorkCover credit from prior year (offset by transfer to reserve)	16	98,361	0	98,361
WorkCover credit from prior year transferred to Self Insurance Reserve	16	0	98,361	(98,361)
Fire Services Property Levy (FSPL) increase	17	0	9,105	(9,105)
Property sales - 17-19 Dandenong Street, Dandenong and 29A Scott Street,		0	2,100	(2, 20)
Dandenong	18	1,150,000	0	1,150,000
Property sales - transfer proceeds to Major Projects Reserve	18	0	1,150,000	(1,150,000)
Keysborough South maintenance levy - lower than anticipated income (offset by				
lower transfer to reserve)	19	(38,573)	0	(38,573)
Keysborough South maintenance levy - reduction in transfer to reserve	19	0	(38,573)	38,573
Dub (stal New Directorists				(101.5
Sub total Non Directorate		980,168	1,444,529	(464,361)

Attachment B

City of Greater Dandenong 2016-17 MID YEAR BUDGET REFERRALS

DESCRIPTION	NOTES	INCOME \$	EXPENDITURE \$	NET TOTAL \$
GREATER DANDENONG BUSINESS DIRECTORATE				1
GREATER DANDENONG BUSINESS DIRECTORATE				
Activity Centres Revitalisation				
Market Precinct consulting	20	0	14,475	(14,475)
			· · · · ·	
Economic Development				
Great Bites Hidden Gems newsletter	21	0	_,	(2,166)
Stakeholder magazine - increased printing, mailing and postage costs	22	0	40,000	(40,000)
Sub total Greater Dandenong Business Directorate		0	56,641	(56,641)
CORPORATE SERVICES DIRECTORATE				
People and Procurement Services	+ +			
Insurance premium savings (offset by transfer to reserve)	23	0	(75,000)	75,000
Insurance premium savings transfer to Self Insurance Reserve	23	0	75,000	(75,000)
Financial Services				
General revaluation - increase in recovery income	24	17,818	0	17,818
Supplementary valuations - increase in recovery income and contract costs	25	10,000	30,000	(20,000)
Supplementary rates income	26	456,000	0	456,000
Communications and Customer Service				
Southern Screen hardware - budget transfer to capital	11	0	(10,000)	10,000
Sub total Corporate Services Directorate		483,818	20,000	463,818
ENGINEERING SERVICES DIRECTORATE				
Infrastructure Services				
Waste management expenditure savings (to be offset by a transfer to Spring				
Valley Landfill reserve)	27	0	(286,000)	286,000
Waste expenditure savings transferred to Spring Valley Landfill Reserve	27	0	286,000	(286,000)
Operating costs of fleet vehicles x 2 (funded by higher Regulatory Services income - item 40).	28	0	5 000	(5.000)
Municipal Emergency Resourcing Program - new funding	28	20,000	5,000 20.000	(5,000)
Parks Services - additional income (matched by expenditure)	30	132,375	132,375	0
		102,010	102,010	
Infrastructure Planning				
Strategic Transport - transport modelling with VicRoads	31	0	40,000	(40,000)
Sub total Engineering Services Directorate		152,375	197,375	(45,000)
CITY PLANNING DESIGN AND AMENITY DIRECTORATE				
City Planning Design and Amenity Executive				
Level Crossing Removal Project	32	225,000	225,000	0
Planning and Design	+ +			
Planning Applications and Permit Amendments - increase in income	33	400,000	0	400,000
Statutory Planning - decrease in Priority Paid income	34	(62,000)	0	(62,000)

Attachment B

City of Greater Dandenong 2016-17 MID YEAR BUDGET REFERRALS

DESCRIPTION	NOTES	INCOME \$	EXPENDITURE \$	NET TOTAL \$
Regulatory Services				
Litter Innovation Fund (round one) grant project	35	19,000	19,890	(890)
Carroll Lane car park - new	36	50,000	14,880	35,120
Purchase of new radios for officer safety	37	0	43,680	(43,680)
Animal pound service - contract price increase	38	0	45,455	(45,455)
Parking ticket machines - increase in costs	39	0	105,622	(105,622)
Two new positions (Parking Management Officer and Local Laws Officer)	40	586,118	350,718	235,400
Springvale parking fees - no increase in 2016-17 (offset by reduction in transfer to				
reserves)	41	(83,000)	0	(83,000)
Springvale parking fees - reduction in transfer to Springvale Parking and				
Development Reserve	41	0	(83,000)	83,000
Sub total City Planning Design and Amenity Directorate		1,135,118	722,245	412,873
COMMUNITY SERVICES DIRECTORATE				
Community Care				
HACC Assessments and Team Leaders - increase in grant funding	42	59,328	59,328	(
Home and Community Care (General) - increase in grant funding	42	38,484	38,484	0
Home and Community Care (Personal) - increase in grant funding	42	206,599	206,599	0
Home and Community Care (Respite) - increase in grant funding	42	66,053	66,053	0
Distribution Centre - loss of income	43	(61,769)	0	(61,769)
Community Development, Facilities and Recreation				
YMCA contract variation - additional cleaning	44	0	42,000	(42,000)
YMCA contract - overcap repairs and maintenance	45	0	22,665	(22,665)
YMCA contract variation - NPAC closure	46	0	20,000	(20,000
Community Wellbeing				
Community Weinbeing Community Hubs Early Years - final grant funding	42	CO 500	C2 500	(
Inter Council Aboriginal Consultative Committee - new funding	42	62,500	62,500	
	42	45,802	45,802	(
Immunisation - additional funding Maternal and Child Health (Universal) - adjustment to subsidy payments	42	103,489	103,489	(
Maternal and Child Health (Enhanced) - adjustment to subsidy payments	42	166,462	166,462	(
Child First - Integrated Family Services (Family Violence) grant funding	42	59,554 77,950	59,554 77,950	(
	42	1	1	
Drug Strategy - new grant funding	42	117,520	117,520	0
Learner Driver Mentor program - program ceased early	47	(27,910)	(27,910)	()
Ystop - loss of rental income	48	(24,212)	0	(24,212)
Community Arts, Culture and Library				
Library Services - Premier's Reading Challenge - new grant funding	42	20,016	20,016	(
Library Services - Tech Savvy Seniors - new grant funding	42	45,620	45,620	C
Adult, Community and Further Education (ACFE) - cessation of funding from 1			()	
January 2017	43	(27,121)	(27,121)	C
Sub total Community Services Directorate		928,365	1,099,011	(170,646)
TOTAL ADJUSTMENTS - OPERATING (CASH)		3,679,844	3,539,801	140,043
		E 007 004	F 400 404	
GRAND TOTAL OF ALL ADJUSTMENTS - RESULT		5,007,024	5,460,181	(453,157)

INCOME DECREASE (-) / INCREASE (+) EXPENDITURE DECREASE (-) / INCREASE (+)

Attachment B

City of Greater Dandenong 2016-17 MID YEAR BUDGET REFERRALS

DESCRIPTION	NOTES	INCOME \$	EXPENDITURE \$	NET TOTAL \$
Summary				
Residual surplus available at 30 June 2016				\$1,821,000
Capital - net outcome				(\$177,380)
(Increase)/decrease in transfers to reserves - capital				\$0
Increase/(decrease) in transfers from reserves - capital				(\$415,820)
Subtotal - Capital variations (net of reserve transfers)				(\$593,200)
Operating - net outcome				\$477,831
(Increase)/decrease in transfers to reserves - operating				(\$337,788)
Increase/(decrease) in transfers from reserves - operating				\$0
Subtotal - Operating variations (net of reserve transfers)				\$140,043
Other reserve transfers (Major Projects Reserve)				(\$315,843)
Subtotal - Other reserve transfers				(\$315,843)
SURPLUS AVAILABLE FOR ADDITIONAL ALLOCATIONS				\$1,052,000

Attachment C

City of Greater Dandenong 2016-17 MID YEAR BUDGET ADDITIONAL REFERRALS

DESCRIPTION	NOTES	INCOME \$	EXPENDITURE \$	NET TOTAL PROPOSED \$
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OTHER ADJUSTMENTS SOUGHT IN THE MID YEAR BUDGET

REFERRALS - CAPITAL (CASH)				
Councillor requests (capital) - for consideration				
Frank Holohan Reserve - electronic scoreboard	49	0	60,000	(60,000)
Tatterson Park - dog off leash infrastructure	50	0	80,000	(80,000)
Arena Square shared path (design only)	51	0	30,000	(30,000)
Dandenong City Soccer Club - sealing of car park	52	0	300,000	(300,000)
Springvale Reserve - dog off leash infrastructure	53	0	50,000	(50,000)
		0	520,000	(520,000)
Other (capital) - Project partly funded by grant, but requiring a Council contribution				
Community Access to Heritage Hill Wi-Fi and Internet	54	0	32,000	(32,000)
		0	32,000	(32,000)
GRAND TOTAL OF REFERRALS (to be considered)		0	552,000	(552,000)

INCOME DECREASE (-) / INCREASE (+) EXPENDITURE DECREASE (-) / INCREASE (+)

Attachment D

City of Greater Dandenong 2016-17 MID YEAR BUDGET REVIEW - NOTES

These notes explain the additional income and expenditure line items identified subsequent to the approval of the 2016-17 Original and Amended Budget.

NOTES TO ATTACHMENT B

Adjustments – Capital (cash)

Strategic property acquisitions

- 1. Purchase of 144 Thomas Street, Dandenong (\$950,000) Strategic property acquisition of \$950,000. This property was acquired in October 2016 with settlement to occur in December.
- 2. Potential land purchase (\$375,000) Funded by transfer from Major Projects Reserve.

Higher than expected project costs

- Sandown Road, Springvale streetscape improvements (\$17,000) Higher than anticipated expenditure due to electrical and public lighting contractor costs, awarded contract fee and variation from re-cabling of affected business premises.
- Springvale Civic Precinct increase in expenditure (\$140,000) Increase mainly due to higher than budgeted construction cost for City Hall refurbishment. To be funded by transfer from Major Projects Reserve (nil cash impact).

Savings and project adjustments

- 5. Regulatory Services project parking management equipment savings (\$230,000) Project completed with \$230,000 in savings. These savings are partly offset by two new parking management capital projects (items 6 and 7 below).
- Regulatory Services project personal duress alarms (\$20,000) the purchase and implementation of a new radio communication system for Regulatory Services officers that will enhance efficiency and safety. Funded by savings from parking management equipment project (item 5).
- Regulatory Services project parking management technology (\$70,000) increased use of technology to improve officer efficiency, including in-ground sensors to manage time restricted parking areas and car mounted camera systems to enable rapid identification and capture of illegally parked vehicles in higher risk situations (school crossings and shopping centres). Funded by savings from parking management equipment project (item 5).
- Abbotts Road bridge duplication project lower than anticipated costs (\$1.13 million) – Project completed with lower than initial projections and receipt of successful grant funding. Offset by reduction in transfer from Development Contribution Plans (DCP) Reserve (nil cash impact).
- 9. No. 8 Balmoral car park ramp and services relocation works (\$200,000) Additional works required in relation to ramps and services relocation. Funded by a transfer from the Springvale Activity Centre parking and development reserve (nil cash impact).

Attachment D

City of Greater Dandenong 2016-17 MID YEAR BUDGET REVIEW - NOTES

10. Dandenong Market roof project (savings \$700,000) and Dandenong Market cool room facilities (\$400,000) – Project completed with \$700,000 in savings comprising of \$200,000 carried over from the previous financial year and \$500,000 allocated in 2016-17. It is proposed to reallocate \$400,000 of these savings to allow further progress with the back of house project to significantly improve and expand the cool room facilities. This is a \$1.8 million staged project which when completed has a five-year pay-back period via increased rental of cool rooms. The project is highly sought after by fruit and vegetable traders who need much greater cool room space given the move of the wholesale market to Epping and the rise of Sunday trading since the original space was determined.

Capital expenditure funded by transfer from operating budget (nil impact):

- Southern Screen hardware (\$10,000) Operating budget transfer from Corporate Services (Communications and Customer Service) to the capital program to fund the purchase of hardware items (fixed assets) in relation to the Southern Screen (nil impact).
- Fleet vehicles x 2 (\$56,200) Two new positions were approved in Regulatory Services – Parking Management Officer and Local Laws Officer which require motor vehicles. Funded by an increase in Regulatory Services income (refer item 40).

New funding

- 13. Federal Black Spot program (\$1.74 million) Funding awarded in relation to the Federal Black Spot program for the following projects (offset by matching expenditure):
 - Ellen Street, Springvale (install roundabout and splitter islands)
 - Halton Road, Dandenong North to Noble Park North (install splitter islands)
 - Lightwood Road, Springvale to Noble Park (install roundabouts and splitter islands)
 - Oakwood Ave, Dandenong North to Noble Park North (install splitter islands)

Adjustments - operating (cash)

Non Directorate

- **14.** *Victoria Grants Commission reduction in funding allocation (\$229,620)* Decrease in the final funding allocation from the Victoria Grants Commission for 2016-17 due to minor changes in the calculation of cost and revenue adjustors and changes to input data such as population estimates.
- **15.** *WorkCover premium increase* (\$225,636) Higher premium than budgeted due to an error in the estimated rate provided by Xchanging during the budget development period.
- **16.** *WorkCover credit from prior year* (\$98,361) Resulting from lower actual gross remuneration in 2015-16 than estimated. This recovery will be transferred to the Self Insurance Reserve (nil cash impact).
- **17.** *Fire Services Property Levy (FSPL) increase (\$9,105)* The FSPL that Council is required to pay on leviable Council properties has increased due to new property acquisitions and an overall increase in the levy.

Attachment D

City of Greater Dandenong 2016-17 MID YEAR BUDGET REVIEW - NOTES

- Property sales 17-19 Dandenong Street, Dandenong and 29A Scott Street, Dandenong (\$1.15 million) – Estimated sale proceeds from the auction of the above two properties in November and December 2016. Proceeds to be transferred to Major Projects Reserve (nil cash impact).
- 19. Keysborough South maintenance levy lower than anticipated income (\$38,573) The actual number of properties subject to the levy was lower than estimated in the budget. This lower than anticipated income is offset by a reduction in the transfer to Keysborough South Maintenance Reserve (nil cash impact).

Greater Dandenong Business

- **20.** *Market Precinct consulting* (\$14,475) Amount initially budgeted for in 2015-16. Project delayed due to Councillor availability for workshops.
- Great Bites Hidden Gems newsletter (\$2,166) Amount initially budgeted for in 2015-16. Project delayed due to Councillor requests on publication.
- **22.** Stakeholder magazine increased printing, mailing and postage costs (\$40,000) Increased printing, mailing and postage costs and number of units relating to the distribution of the Stakeholder magazine.

Corporate Services Directorate

- **23.** *Insurance premium savings (\$75,000)* Favourable variation in the 2016-17 insurance premium expense to be transferred to the Self Insurance Reserve (nil cash impact).
- **24.** General revaluation increase in recovery income (\$17,818) Higher than budgeted recovery income from the State Revenue Office.
- **25.** Supplementary valuations increase in recovery income (\$10,000) and contract costs (\$30,000) Higher than expected recovery income and contract costs due to a greater number of supplementary valuations. Overall, a net expenditure increase of \$20,000.
- **26.** Supplementary rates income (\$456,000) Additional income expected based on actual supplementary rates income levied year to date.

Attachment D

City of Greater Dandenong 2016-17 MID YEAR BUDGET REVIEW - NOTES

Engineering Services Directorate

- 27. Waste management expenditure savings (\$286,000) Expected savings in waste management costs in relation to domestic garden waste collections, domestic garbage collections, domestic recycling collections and tipping fees. These savings will be transferred to the Spring Valley Landfill Reserve (nil cash impact). As previously briefed to Council, the existing reserve funds are sufficient to cover the expected Council liabilities for Spring Valley over the next ten years but Council currently has no provision for its potential share of liabilities for the Clayton landfill in Kingston which are currently unknown.
- 28. Operating costs of fleet vehicles x 2 (\$5,000) Two new positions were approved in Regulatory Services Parking Management Officer and Local Laws Officer which require motor vehicles. This budget item relates to 50% of the annual operating costs for the current financial year. Funded by an increase in Regulatory Services income (refer item 40).
- **29.** *Municipal Emergency Resourcing Program new funding (\$20,000)* Additional funding expected to be received in 2016-17 offset by associated program expenditure.
- **30.** *Parks Services additional income (matched by expenditure)* (\$132,375) Additional income expected to be received in relation to reinstatement works and maintenance of open space offset by matching expenditure.
- Strategic Transport transport modelling with VicRoads (\$40,000) Amount initially budgeted for in 2015-16. Project delayed due to VicRoads not being ready to advance the transport modelling. Expected to be finalised in 2016-17.

City Planning, Design and Amenity Directorate

- 32. Level Crossing Removal Project (\$225,000) A new sub activity has been set up to separately account for income and expenditure relating to the Level Crossing Removal Project (income matched by expenditure).
- **33.** *Planning Applications and Permit Amendments increase in income (\$400,000)* Increase in income due to the State Government recently increasing the statutory fees payable for planning applications and permit amendments under the *Planning and Environment (Fees) Regulations 2016.*
- 34. Statutory Planning decrease in Priority Paid income (\$62,000) Decrease in income expected due to lack of uptake with the new Priority Paid system. Feedback to date has indicated that the current timeframes for decisions through the normal system has reduced the benefit of paying for Priority Paid services. In addition, the types of applications available for Priority Paid (to comply with the legal requirements) has limited the ability to lodge Priority Paid.
- Litter Innovation Fund (round one) grant project (income \$19,000 and expenditure \$19,890) - The City of Greater Dandenong has been selected by Sustainability Victoria to implement the 'MSNOBUTTS campaign outfits' project in partnership with four other councils.
- **36.** Carroll Lane car park new (income \$50,000 and expenditure \$14,880) Income and expenditure associated with a new car park in Carroll Lane, Dandenong that will open in December 2016.

Attachment D

City of Greater Dandenong 2016-17 MID YEAR BUDGET REVIEW - NOTES

- **37.** *Purchase of new radios for officer safety (\$43,680) -* As part of the new capital project for personal duress alarms (item 6), 35 handsets at \$1,500 each will be purchased as part of the operating budget. This increase in expenditure is able to be funded from increased Regulatory Services income (item 40).
- 38. Animal pound service contract price increase (\$45,455) The animal pound service contract was recently re-tendered which resulted in a contract price increase. This increase in expenditure is able to be funded from increased Regulatory Services income (item 40).
- **39.** *Parking ticket machines increase in costs (\$105,622) –* An increase in costs has resulted from more parking ticket machines being installed than planned, including management fees, parking equipment maintenance contract costs and cash collection costs. This increase in expenditure is able to be funded from increased Regulatory Services income (item 40).
- 40. Two new positions (Parking Management Officer and Local Laws Officer) (income \$586,118 and expenditure \$350,718) As approved at the Council Briefing Session on 18 July 2016, the Regulatory Services department will gain two new positions (Parking Management Officer and Local Laws Officer). These new positions are expected to generate additional fine income and expenditure. Overall, the net effect is \$235,400 which can be used to fund items 12, 28, 37, 38 and 39 above.
- 41. Springvale parking fees no increase in 2016-17 (\$83,000) During the 2016-17 Budget process a standard increase was applied to Springvale parking fees. However, this increase was not approved by Council. The correct fees and charges have been published and applied, however, \$83,000 of income had already been factored in to the 2016-17 Budget. Given that the loss in income is matched by a reduction in transfer to reserves (nil cash effect), it was decided to adjust the budget income and reserve transfer in the 2016-17 Mid-Year Budget process.

Community Services

- 42. Increase in grant funding to be received during 2016-17 with offsetting expenditure (nil cash effect). Confirmation received after development of the 2016-17 Adopted Budget for the following programs:
 - HACC Assessments and Team Leaders (\$59,328)
 - HACC General (\$38,484)
 - HACC Personal (\$206,599)
 - HACC Respite (\$66,053)
 - Community Hubs Early Years (\$62,500)
 - Inter Council Aboriginal Consultative Committee (\$45,802)
 - Immunisation (\$103,489)
 - Maternal and Child Health (Universal) (\$166,462)
 - Maternal and Child Health (Enhanced) (\$59,554)
 - Child First Integrated Family Services (Family Violence) (\$77,950)
 - Drug Strategy (\$117,520)
 - Library Services Premier's Reading Challenge (\$20,016)
 - Library Services Tech Savvy Seniors (\$45,620)
- **43.** *Distribution Centre loss of income* (\$61,769) The storage and sorting agreement with the City of Yarra will cease in January 2017. There are no matching expenditure savings, a loss of income of \$61,769 is expected.

Attachment D

City of Greater Dandenong 2016-17 MID YEAR BUDGET REVIEW - NOTES

- **44. YMCA contract variation – additional cleaning (\$42,000) -** Variation due to additional cleaning required at Dandenong Oasis due to floor surface upgrade.
- **45. YMCA contract overcap repairs and maintenance (\$22,665)** Unbudgeted overcap repairs and maintenance expenditure at Dandenong Oasis.
- 46. YMCA contract variation NPAC closure (\$20,000) Contract variation due to Noble Park Aquatic Centre (NPAC) being closed for tile repairs from May to June 2017.
- 47. Decrease in grant funding in 2016-17 with matching reduction in expenditure due to cessation of the following programs:
 - Learner Driver Mentor (\$27,910)
 - Adult, Community and Further Education (ACFE) (\$27,121)
- **48.** YStop loss of rental income (\$24,212) Loss of rental income at YStop due to occupation by Council staff.

Attachment D

City of Greater Dandenong 2016-17 MID YEAR BUDGET REVIEW - NOTES

NOTES TO ATTACHMENT C - ITEMS FOR CONSIDERATION

REFERRALS - CAPITAL

Councillor requests (capital) - for consideration

- **49.** *Frank Holohan Reserve electronic scoreboard (\$60,000) –* Installation of new electronic scoreboard at Frank Holohan Reserve.
- Tatterson Park dog off leash infrastructure (\$80,000) Implementation of dog off leash park at Tatterson Park.
- **51.** Arena Square shared path (design only) (\$30,000) Request from Wallarano Primary School for a footpath from the Noble Park Football Club to the beginning of the parking area near the church. Assessed by officers as part of the Active Transport Infrastructure Priority (ATIP) program. Recommendation for design only due to complexity and planning permit requirements, and to submit 2017-18 capital bid for construction (estimate \$200,000).
- 52. Dandenong City Soccer Club sealing of car park (\$300,000) Sealing and marking the area north of the existing sealed car park.
- 53. Springvale Reserve dog off leash infrastructure (\$50,000) Implementation of dog off leash park at Springvale Reserve, Springvale.

Other (capital) - Project partly funded by grant, but requiring a Council contribution

54. Community Access to Heritage Hill Wi-Fi and Internet (\$32,000) - Grant agreement in place to install Wi-Fi at Heritage Hill (cabling and equipment). Council received grant funding of \$13,238 from Department of Infrastructure and Regional Development in June 2016, however, the grant only partly funds the full scope of the project. A Council contribution of \$32,000 is required to complete the project.

2.5 OTHER

2.5.1 Community Funding Programs - Round Two 2016

Responsible Officer:	Director Community Services
Attachments:	Community Support Grants Program 2016 - Round Two List of Recommended Applications Sponsorships Program 2016 - Round Two List of Recommended Applications Community Partnerships Funding Program 2014-17 List of Recommended Applications

Report Summary

Council provides a number of community funding programs that financially support organisations, services, projects and events to benefit residents of Greater Dandenong.

This report concerns the assessment of funding applications for the following community funding programs:

- Community Support Grants Program 2016 Round Two
- Sponsorships Program 2016 Round Two
- Community Partnerships Funding Program 2014-17.

All applications have been reviewed by Council Officers and eligible applications have been considered by Council at a Councillor Briefing Session. The applications recommended for funding are presented in this report.

Recommendation Summary

This report recommends that Council endorse the recommendations for Community Support Grants, Sponsorships and Community Partnerships Funding as outlined in the Attachments to this report.

Background

Council has received applications and proposals for funding in three community funding programs:

- Community Support Grants Program 2016 Round Two
- Sponsorships Program 2016 Round Two
- Community Partnerships Funding Program 2014-17.

Community Support Grants Program 2016 - Round Two

Council identified five 'special priorities' for Community Support Grants funding for 2016:

- Encouraging respectful relationships and gender equity.
- Bringing many communities together and promoting understanding.
- Supporting migrants, refugees and asylum seekers in our community.
- Encouraging young people to tackle youth issues.
- Improving children's nutrition and physical activity.

These priorities were factors which were considered during the assessment phase for grants.

A total of 100 applications were received for the Community Support Grants Program.

Of these 43 applications were deemed ineligible for funding as they did not meet the eligibility criteria, outlined in the Community Support Grants Program Guidelines.

The 57 eligible applications seeking total funding of \$396,602 were considered by officers for assessment.

At the Councillor Briefing Session on 21 November 2016, Councillors reviewed the advice regarding funding from officers. Following this it is recommended that 57 applications be funded to a total amount of \$158,193.

A list of all applications recommended for funding through the Community Support Grants Program is provided in Attachment One.

Sponsorships Program 2016 - Round Two

Applications were received from six organisations for Council's Sponsorships Program.

Two applications have been referred to the Community Partnerships Funding Program.

The four eligible sponsorship applications seeking total funding of \$70,000 were considered by officers for assessment.

Council officers have considered applications to the Sponsorships Program using the following set of criteria that has been previously discussed with Council:

- Events within Greater Dandenong
- Events with over 10,000 attendees
- Multi-day events
- Positive image of Greater Dandenong
- Positive and broad media coverage
- Consistency with City of Greater Dandenong plans and strategies
- Positive economic impact on the area or municipality
- Positive messages to support enhanced health and wellbeing
- Supporting cultural diversity and identity

At the Councillor Briefing Session of 21 November 2016, Councillors reviewed the advice regarding Sponsorships Program funding from officers. Following this it is recommended that four applications be funded to a total amount of \$56,000.

A list of all applications recommended for funding through the Sponsorships Program is provided in Attachment Two.

Community Partnerships Funding Program 2014-17

Two applications submitted to the Sponsorships Program have been referred for consideration under the Community Partnerships Funding Program.

The two eligible applications seeking funding of \$26,500 were considered by officers for assessment.

At the Councillor Briefing Session of 21 November 2016, Councillors reviewed the advice regarding funding from officers. Following this it is recommended that two applications be funded to a total amount of \$21,500 as part of the current Community Partnerships Funding Agreements until 30 June 2017.

Proposal

It is proposed that Council endorse the recommendations as shown in Attachments One, Two and Three for funding through the following funding programs:

- Attachment One Community Support Grants Program 2016 Round Two
- Attachment Two Sponsorships Program 2016 Round Two
- Attachment Three Community Partnerships Funding Program 2014-17.

For the Community Support Grants Program 2016 - Round Two there are 57 applications recommended for funding and listed in Attachment One.

For the Sponsorships Program 2016 - Round Two there are four applications recommended for funding and listed in Attachment Two.

For the Community Partnerships Funding Program 2014-17 there are two applications recommended for funding and listed in Attachment Three.

Community Plan 'Imagine 2030' and Council Plan 2013-2017 – 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

<u>Place</u>

- Sense of Place One city many neighbourhoods
- Safety in Streets and Places Feeling and being safe

Opportunity

• Education, Learning and Information – Knowledge

Council Plan 2013-2017

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:

<u>People</u>

- A healthy, active and safe community
- A city that celebrates its diversity with pride

<u>Place</u>

• An environmentally sustainable city

Related Council Policies

- Community Support Grants Policy
- Sponsorships Policy
- Community Partnerships Funding Policy

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

The funding recommendations made in this report can be contained within the budgetary parameters of the Community Funding Programs Budget for 2016-17.

The total amount contained in the 2016-17 budget for the Community Support Grants Program, the Sponsorships Program and the Community Partnerships Funding Program is \$1,641,610.

A total amount of \$314,556 was allocated to applications in Round One of the Community Support Grants Program and the Sponsorships Program.

A total amount of \$1,110,691 was allocated to 19 organisations for Year Three of Council's Community Partnerships Funding Program in 2016-17.

This leaves a total of \$216,363 available for allocation to applications in Round 2.

This report recommends the allocation of \$158,193 to 57 applications in the Community Support Grants Program 2016 Round Two.

This report recommends the allocation of \$56,000 to four applications for Sponsorships for 2016 Round Two.

This report recommends the allocation of \$21,500 to two applications through the Community Partnerships Funding Program 2014-17.

If the recommendations of this report are endorsed then the budgets for the Community Support Grants Program, the Sponsorships Program and the Community Partnerships Funding Program for 2016-17 will be overspent by an amount of \$19,330.

There will be an unspent amount of \$48,348 in the Community Response Grants Program after Council endorses the current batch of applications. It is recommended that \$19,330 from the Community Response Grants Program cover this shortfall across the three funding programs. This leaves a total of \$29,018 available for allocation in the Community Response Grants Program for the remainder of 2016-17.

Consultation

During the assessment process, Council officers consulted with staff from across the organisation to seek information and advice regarding the merits of all funding applications as part of the assessment process.

Officers also conducted extensive checks of applicants including compliance documentation, financial records, past grant acquittal history and other matters. Some organisations have been contacted for further information to assist with the assessment process.

All eligible applications were then presented at a Councillor Briefing Session on 21 November 2016 for consideration. Following this the recommended funding allocations under the Community Support Grants Program, Sponsorships Program and the Community Partnerships Funding Program have been formulated and are now presented for endorsement.

Conclusion

This report contains the recommendations arising from the Councillor Briefing Session for funding through the following funding programs:

- Community Support Grants Program 2016 Round Two
- Sponsorships Program 2016 Round Two
- Community Partnerships Funding Program 2014-17.

These recommendations are presented to Council for consideration and endorsement.

These forms of community funding provide local community groups and organisations with beneficial and necessary financial resources to promote positive outcomes including social inclusion, civic participation and diversity and harmony within the City of Greater Dandenong.

Recommendation

That Council:

- 1. endorses the recommendations as detailed in Attachment One of the report titled "Community Support Grants Program 2016 Round Two List of Recommended Applications" for the allocation of a total of \$158,193 to 57 applications for the Community Support Grants Program 2016 Round Two.
- 2. endorses the recommendations as detailed in Attachment Two of the report titled "Sponsorships 2016 Round Two List of Recommended Applications" for the allocation of a total of \$56,000 to four applications for the Sponsorships Program 2016 Round Two; and
- 3. endorses the recommendations as detailed in Attachment Three of the report titled "Community Partnerships Funding Program 2014-17 List of Recommended Applications" for the allocation of \$21,500 to two applications for the Community Partnerships Funding Program until 30 June 2017.

MINUTE 53

Moved by: Cr Roz Blades AM Seconded by: Cr Angela Long

That Council:

- 1. endorses the recommendations as detailed in Attachment One of the report titled "Community Support Grants Program 2016 Round Two List of Recommended Applications" for the allocation of a total of \$158,193 to 57 applications for the Community Support Grants Program 2016 Round Two.
- 2. endorses the recommendations as detailed in Attachment Two of the report titled "Sponsorships 2016 Round Two List of Recommended Applications" for the allocation of a total of \$56,000 to four applications for the Sponsorships Program 2016 Round Two; and
- 3. endorses the recommendations as detailed in Attachment Three of the report titled "Community Partnerships Funding Program 2014-17 List of Recommended Applications" for the allocation of \$21,500 to two applications for the Community Partnerships Funding Program until 30 June 2017.

CARRIED

Cr Matthew Kirwan left the Chamber at 7:21pm.

Cr Matthew Kirwan returned to the Chamber at 7:22pm.

OTHER

COMMUNITY FUNDING PROGRAMS – ROUND TWO 2016

ATTACHMENT 1

COMMUNITY SUPPORT GRANTS PROGRAM 2016 – ROUND TWO LIST OF RECOMMENDED APPLICATIONS

PAGES 7 (including cover)

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

Community Support Grants Program 2016 Round 2 List of Recommended Applications

Applicant Name <i>Project Title</i> Project Description	Amount Recmnded
AARDO (Afghan Australian Rehabilitation and Development Organization) Inc. Everyday English for Everyone, English as an Additional Language Class for New Arrival Adults	\$3,000
AARDO will organise a program of English language tuition aimed at newly arrived Afghan refugees and asylum seekers.	
Afri-Aus Care Incorporated	\$6,000
Provision of Alternate Education Pathways to Disengaged Youths of African and CALD Communities	
Afri-Aus Care will provide a range of support and referral services along with individualised education support, mentoring and advice.	
African Women's and Families Network Incorporated	\$2,500
Family Health and Wellbeing The African Women's and Families Network will organise a number of activities to promote healthy cooking, exercise and balanced nutrition.	
Al-Ehssan Women's Group	\$1,000
Al-Enssan Women's Group Al-Ehssan Support Group for Muslim Women	ψ1,000
The Al-Ehssan Women's Group meet weekly at the Springvale Neighbourhood House.	
Al-Emaan Muslim Women's Support Group Inc.	\$1,500
Belonging Together	
The AI-Emaan Muslim Women's Support Group will organise a ten-week program of cultural exchange sessions involving Arabic women and women of other backgrounds.	
Anglo-Indian Australasian Association of Victoria Inc.	\$950
Annual Community Networking Program For Youth 18-25, Seniors and the Isolated To Encourage Fellowship	
The Anglo-Indian Australasian Association of Victoria will organise a one-day community gathering to bring together young people and seniors in the Anglo-Indian community.	
Australian Kyrgyzstan Assocation Inc.	\$500
Celebrating the Spirit of Kyrgyzstan in the City of Greater Dandenong	
The Australian Kyrgyzstan Assocation will organise two community events to bring together newly arrived migrants and refugees from Kyrgyzstan.	
Australian Vietnamese Women's Association Inc.	\$4,000
Prevention of Domestic Violence against CALD Women & Children	
The Australian Vietnamese Women's Association will run an information campaign to raise awareness of the issue of family violence.	
Avocare Limited	\$3,600
Health and Hygiene	
Avocare will purchase a steam cleaner to clean donated furniture and mattresses so that they can be given to those in need in the community.	
Bangladesh Cultural Group Inc.	\$2,500
Huge Initiatives of Resolving Issues on Intercultutal Marriage of Migrants The Bangladesh Cultural Group will run a community awareness and education	
program about intercultural marriage.	

Community Support Grants Program 2016 Round 2 List of Recommended Applications

List of Recommended Applications	
Applicant Name	• •
Project Title	Amount Recmnded
Project Description	Roominada
Burmese Women's Alliance	\$1,500
Knitting and Crochet Project	
The Burmese Women's Alliance will run a weekly knitting and crochet group at the Noble Park Community Centre.	
City of Greater Dandenong Neighbourhood House & Community Centre Cluster	\$2,000
Cluster Branding	
The City of Greater Dandenong Neighbourhood House & Community Centre Cluster will create an overall brand to help the community better identify the collective organisations and their role in the community.	
Community Four Ltd	\$4,000
Project: Careers	
Community Four will run a careers program for refugees and asylum seekers living in Greater Dandenong.	
Dandenong & District Aborigines Co-operative Limited	\$5,400
Aboriginal Families Learning Culture Together, Elders & Children, Storytelling & Art Workshops	
The Dandenong & District Aborigines Co-operative will run a series of eight culture and literacy workshops aimed at pre-school aged children.	
Dandenong West Primary School	\$4,500
Dandenong West Cultural Diversity / Harmony Day Community Festival 2017	
The Dandenong West Primary School will organise a Cultural Diversity / Harmony Day Community Festival in March 2017.	
Eelam Tamil Association Victoria Inc.	\$2,000
Engaging and Strengthening the Recently arrived Tamil Humanitarian Category Migrants	
The Eelam Tamil Association Victoria will organise two community celebrations and hold four information sessions for Tamil migrants, refugees and asylum seekers.	
El Hokamaa Senior Citizens	\$500
Weekly Social Gathering of Senior Citizens	
The El Hokamaa Senior Citizens Group will provide a weekly meeting place for Iraqi and Egyptian seniors at the St Mina and St Marina Coptic Church in Hallam.	
ERMHA Ltd	\$2,246
A Voice Hearers Art Project to Connect, Understand & Promote Awareness of a Common Human Experience	
ERMHA will run a 10-week art therapy program at the Walker Street Gallery for people who experience voices. This will be followed by a four week art exhibition at the Heritage Hill Gallery.	
Footprint Enterprises Inc.	\$9,000
Grounded Project - Social Cohesion Project Featuring, Monthly Mentor Program, Camp & Festival	
Footprint Enterprises will engage and empower young people from CALD backgrounds to organise and run a youth concert in Harmony Square.	
Forum on Australia's Islamic Relations Incorporated	\$2,500
The Gang	
The Forum on Australia's Islamic Relations will work with young people from diverse backgrounds to develop and perform a play about identity, migration, fitting in, marginalisation, violence and family breakdown.	
List of Recommended Applications Wednesday, 23 November 2	Page 2 of 6

Community Support Grants Program 2016 Round 2 List of Recommended Applications

Applicant Name Project Title	Amount Recmnded
Project Description	
Hararian Organization Inc.	\$927
African Women's High Tea	
The Hararian Organization will organise an African Women's High Tea Event at the Castle in January 2017. Presenters will talk to the participants about mental and physical wellness. Healthy eating options will be provided.	
Hindi Niketan Inc.	\$1,000
Celebration of Independence Day of India	
Hindi Niketan will organise a celebration of the Independence Day of India, including speeches by community leaders, childrens activities and a dinner.	
НИМ ТИМ	\$3,000
Awareness of Respectful & Healthy Relationships within Indian Community of City of Greater Dandenong	
HUM TUM will conduct six activities to raise awareness about respectful relationships and gender equality within the Indian community.	
Indonesian Women's Friendship Network	\$1,500
Wellbeing Group for Multicultural Women	
The Indonesian Women's Friendship Network will run a wellbeing program for Indonesian women.	
Indonesian Women's Friendship Network	\$2,000
Group Counselling & Parenting Workshop	
The Indonesian Women's Friendship Network will run a program of parenting workshops and group counselling.	
Jesuran Welfare Services Inc.	\$6,000
Refugee Resilience Project	
Jesuran Welfare Services will run a weekly Tamil AA group, provide training in business development and health and wellbeing, and assisting new asylum seeker and refugee businesses through a showcase event at the Dandenong Market.	
Noble Park English Language School	\$4,000
Connecting our School Community with their Local Community	, ,
The Noble Park English Language School will organise orientation tours around relevant agencies and services in Dandenong for recently arrived migrant, refugee and asylum seeker families.	
Omid Cultural Association Inc.	\$1,500
Refugee Week Celebration 2017	
The Omid Cultural Association will stage a Refugee Week Celebration in June 2017.	
PRIMPOA Inc.	\$1,400
Beauty Hair & Skills Salon	
PRIMPOA will provide training in beauty and hair care along with mentoring and life skills development for young women from CALD communities.	
PRIMPOA Inc.	\$1,500
Performing Arts & Talent Show	
PRIMPOA will provide young people with training in a wide range of musical performing and production skills and run a competition for them to showcase their talent.	

List of Recommended Applications

Wednesday, 23 November 2

Page 3 of 6

Community Support Grants Program 2016 Round 2 List of Recommended Applications

Project Description PRIMPOA Inc. Sports & Recreation Tournament PRIMPOA will organise a sports and recreation program consisting of two days of soccer, two days of basketball and one day of skateboarding. PRIMPOA Inc. Youth Q & A and Awareness PRIMPOA will run a series of Q & A style youth forums with guest panelists from the police, local community agencies and other local community leaders. Project Respect Inc.	\$1,342 \$1,900
Sports & Recreation Tournament PRIMPOA will organise a sports and recreation program consisting of two days of soccer, two days of basketball and one day of skateboarding. PRIMPOA Inc. Youth Q & A and Awareness PRIMPOA will run a series of Q & A style youth forums with guest panelists from the police, local community agencies and other local community leaders.	
 PRIMPOA will organise a sports and recreation program consisting of two days of soccer, two days of basketball and one day of skateboarding. PRIMPOA Inc. Youth Q & A and Awareness PRIMPOA will run a series of Q & A style youth forums with guest panelists from the police, local community agencies and other local community leaders. 	\$1,900
soccer, two days of basketball and one day of skateboarding. PRIMPOA Inc. Youth Q & A and Awareness PRIMPOA will run a series of Q & A style youth forums with guest panelists from the police, local community agencies and other local community leaders.	\$1,900
Youth Q & A and Awareness PRIMPOA will run a series of Q & A style youth forums with guest panelists from the police, local community agencies and other local community leaders.	\$1,900
PRIMPOA will run a series of Q & A style youth forums with guest panelists from the police, local community agencies and other local community leaders.	
police, local community agencies and other local community leaders.	
Project Respect Inc.	
	\$8,000
Capacity Building for Services in CGD to be more Responsive to Women in the Sex Industry	
Project Respect will develop partnerships with other community agencies, provide training to agency staff, develop a collaborative relationship with Council, provide	
outreach to licenced brothels and map unlicenced brothels in Greater Dandenong.	
Red Chamber Chinese Opera Group Inc	\$1,500
Celebration for the Mid-Autumn Festival and 4th Anniversary Of RCCOGI in Greater Dandenong	
The Red Chamber Chinese Opera Group will organise a Mid-Autumn Festival that will involve traditional folk dance, singing and traditional Chinese operas.	
Serbian Community Association of Australia Inc.	\$3,195
CALD Seniors Getting Together to Keep Healthy and Active Lifestyle	
The Serbian Community Association of Australia will organise a number of activities to bring together senior citizens of different backgrounds.	
Shakti Migrant & Refugee Women's Support Group Melbourne Inc.	\$1,865
Empowerment over Coffee: Self-help Support Groups for Refugee & Migrant Women Survivors of DV	
Shakti Migrant & Refugee Women's Support Group Melbourne will establish a self- help support group for women from Asian, African and Middle Eastern backgrounds who have experienced domestic violence.	
South East Volunteers Incorporated	\$5,000
Skilled Mentorship Program	
The Greater Dandenong Volunteer Resource Service (managed by South East Volunteers) will establish a mentoring and training program for people who are struggling to find employment.	
Special Olympics Australia - Dandenong Valley Region	\$3,213
Annual Competition in Access for All Abilities Basketball	
Special Olympics Australia - Dandenong Valley will host a one day regional basketball competition for 30 teams at the Dandenong Basketball Stadium.	
Special Olympics Australia - Dandenong Valley Region	\$3,213
Annual Inter-Club Games for all Special Olympic Clubs	
Special Olympics Australia - Dandenong Valley will host a one day regional basketball competition for 20 teams at the Dandenong Basketball Stadium.	
Springvale Mandarin Network	\$3,000
Melbourne TaiChi Health & Culture Festival	
The Springvale Mandarin Network will organise a Chinese health and culture festival at the Springvale Town Hall.	

Community Support Grants Program 2016 Round 2 List of Recommended Applications

Applicant Name <i>Project Title</i> Project Description	Amount Recmnded
Springvale Monash Legal Service Inc. Express your Rights: An Art Project for At Risk Youth Living in the City of Greater Dandenong	\$6,000
The Springvale Monash Legal Service will run a series of art workshops followed by an art exhibition aimed at disadvantaged young people.	
Springvale Neighbourhood House Inc.	\$6,000
CGD Harmony Festival - Celebrating our Cultural Richness (Music, Song, Dance, Fashion, Craft & Food)	
Springvale Neighbourhood House will organise a Harmony Day Festival in Harmony Square to celebrate Cultural Diversity Week.	
Sri Lankan Study Centre for Advancement of Technology and Social Welfare	\$2,500
SCATS Malini Jayasinghe Short Drama Festival	
The Sri Lankan Study Centre for Advancement of Technology and Social Welfare (SCATS) will stage a short drama festival, inviting local drama groups to develop scripts and perform them at the festival.	
St Anthony's Primary School	\$2,000
Connecting through Art	
St Anthony's Primary School will run an eight week program of art classes for parents with pre-school aged children.	
St John Ambulance Australia (Victoria) Inc.	\$2,702
Essential Lifesaving First Aid Equipment for St John - Dandenong Division	
St John Ambulance will purchase a scoop stretcher and an oxygen response unit for use by volunteer first aid officers at major community and sporting events.	
The Association of Hazaras in Victoria Inc.	\$1,500
Responsible Gambling Education Project	
The Association of Hazaras in Victoria will run a series of information sessions about problem gambling, its impact on families and communities and where to turn for help.	
The Australian Indian Innovations Inc.	\$2,500
Alll Holi 'Festival of Colours' 2017 at Sandown Racecourse, Springvale	
The Australian Indian Innovations will organise a one day Holi Festival at Tatterson Park in March 2017 for up to 3,000 people.	
The Bridge Inc.	\$3,050
To Belong: A Visual Arts Program and Exhibition for People with a Disability	
The Bridge will run a series of three art workshops for people with an intellectual disability and/or a mental health condition. This will be followed by an exhibition at various sites across Greater Dandenong.	
The Country Women's Association of Victoria Inc Noble Park Branch	\$400
Clothing, Trauma Teddies, Dolls, Blankets and Protecters for our Community	
The Noble Park Branch of the Country Women's Association of Victoria will purchase materials to make goods for the less fortunate in the community.	
The Fiji Islamic and Cultural Society of Victoria Inc.	\$1,200
Two Community Events to Bring Together the Community at Large The Fiji Islamic and Cultural Society of Victoria is organising two community events to bring together the Fijian Muslim community and the wider Muslim community.	
List of Recommended Applications Wednesday, 23 November 2	Page 5 of 6

Community Support Grants Program 2016 Round 2 List of Recommended Applications

The Macfarlane Burnet Institute for Medical Research & Public Health Ltd Addressing Unmet Need for Family Planning among the Afghan Community in Greater Dandenong The Burnet Institute will conduct research into the sexual and reproductive health of the Afghan community in Greater Dandenong. The Russian Senior Citizens Club in Dandenong Inc.	\$2,000
the Afghan community in Greater Dandenong.	
The Russian Senior Citizens Club in Dandenong Inc.	
	\$1,000
Administration, Exercise and Dancing Classes, etc.	
The Russian Senior Citizens Club in Dandenong will run weekly exercise classes and weekly dance classes. The group are also requesting assistance with the general administrative costs of running the club and the cost of transporting members to and from the club.	
Victoria Tamil Senior Citizens Benevolent Society, Australia Inc.	\$1,590
Art Exhibition to Connect Sri Lankan Tamil Youth with Seniors	
The Victoria Tamil Senior Citizens Benevolent Society, Australia will organise an art competition for Tamil young people followed by a concert for the whole Tamil community.	
Victorian Afghan Associations Network Incorporated	\$7,000
Nawroz Festival 2017	
The Victorian Afghan Associations Network will stage a Nawroz Festival (Afghan New Year) on 26 March 2017.	
Victorian Myanmar Muslim Community Inc	\$2,000
Burmese Cultural Connections - Connecting Young and Old People Through Language	
The Victorian Myanmar Muslim Community will run a weekly Burmese language class for young people in the Burmese community as well as a weekly social lunch meeting for older people in the Burmese community.	
Victorian Tamil Cultural Association Inc.	\$1,500
Thai Thirunal Thamilar Thirunal Tamil New Year and Thai Pongol Harvest Festival	
The Victorian Tamil Cultural Association will stage their annual Thai Thirunal Thamilar Thirunal Celebration and Tamil New Year Festival.	
Vietnamese Freedom Day Club	\$1,000
Fun Day Project of Freedom Day Club	
The Vietnamese Freedom Day Club will provide weekly social and recreational activities for Vietnamese seniors at the Dandenong RSL.	
GRAND TOTAL (57 applications)	\$158,193

List of Recommended Applications Wednesday, 23 November 2

Page 6 of 6

OTHER

COMMUNITY FUNDING PROGRAMS – ROUND TWO 2016

ATTACHMENT 2

SPONSORSHIP PROGRAM 2016 – ROUND TWO LIST OF RECOMMENDED APPLICATIONS

PAGES 2 (including cover)

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

Sponsorships 2016 Round 2

List of Recommended Applications

Applicant Name Project Title	Amount Recmnded
Project Description	Recilinaeu
Chand Raat Eid Festival (CREF) Incorporated	\$5,000
Chand Raat Eid Festival (CREF) 2017	
The Chand Raat Eid Festival will stage a Multicultural Eid Festival at Springers Leisure Centre and Tatterson Park in July 2017.	
Dandenong Thunder Inc.	\$8,000
Dandenong Thunder NPL Club Sponsorship	
Dandenong Thunder is a soccer club based at George Andrews Reserve in Dandenong South with a team that plays in the National Premier League Victoria First Division. The club will put the CGD logo on all junior uniforms and provide signage at their home ground.	
Rotary Club of Dandenong Inc.	\$10,000
Cinema Under the Stars with Family Fun Day and Fun Run	
The Rotary Club of Dandenong will organise a combined Family Fun Day, Cinema Under the Stars Event and a Fun Run at Tirhatuan Park.	
Springvale Asian Business Association Inc.	\$28,000
2017 Springvale Lunar New Year Festival	
The Springvale Asian Business Association will stage the Springvale Lunar New Year Festival in central Springvale. The festival is a landmark event drawing crowds of over 60,000 people into the City of Greater Dandenong. An additional amount of \$5,000 is recommended as a one-off increase to assist with the 25 year celebration.	
GRAND TOTAL (4 applications)	\$56,000

List of Recommended Applications Tuesday, 22 November 201

Page 1 of 1

OTHER

COMMUNITY FUNDING PROGRAMS – ROUND TWO 2016

ATTACHMENT 3

COMMUNITY PARTNERSHIPS FUNDING PROGRAM 2014-17 LIST OF RECOMMENDED APPLICATIONS

PAGES 2 (including cover)

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

Community Partnerships Funding Program 2016-17 List of Recommended Applications

Applicant Name Project Title Project Description	Amount Recmnded
Dandenong Women's Cricket Club Inc.	\$6,500
Women's Cricket - Community and Premier Levels	
The Dandenong Women's Cricket Club (DWCC) have two teams in the Victorian Premier Cricket Competition and after a five-year break will re-enter a team in the Cricket Victoria Women's Community Cricket Competition.	
Windmill Theatre Company Inc	\$15,000
Windmill Theatre Company Inc Production of "Chicago"	\$15,000
	\$15,000

List of Recommended Applications Monday, 21 November 2016

Page 1 of 1

File Id:

Proposed Meeting Date:

Attachments:

12 December 2016

Community Response Grants Program 12 December 2016 List of Recommended Applications

Report Summary

This report summarises the recommended grants from the Community Response Grants Program.

All applications have been reviewed by Council Officers and details of eligible applications have been distributed to Councillors for consideration. The applications recommended for funding are presented in this report.

Recommendation Summary

This report recommends that Council endorse the recommendations for Community Response Grants as outlined in the Attachment to this report.

Background

Applications to the Community Response Grants Program can be made by individuals or community groups.

Individual Applications

For an individual applicant to be considered eligible they must:

- Be a resident of Greater Dandenong
- Be participating in an activity in an unpaid capacity and not as part of their education or employment
- Have complied with the conditions of any previous Council grants.

Individuals can apply for up to \$750 to assist them to:

- Participate in an elite level sporting tournament, artistic or cultural performance, community sector or civil society forum, or to receive a highly esteemed individual award
- Perform or produce a work of art in Greater Dandenong
- Provide volunteer services that enhance the health and wellbeing of other members of the local community
- Enrol in a training course that will provide them with the skills to serve the community in a
 voluntary capacity (not including vocational training or government funded or subsidised training).

When assessing an individual application Council has taken into consideration:

- The individual's social and financial circumstances
- The distance and duration of any travel
- How many other local residents will also benefit.

Community Group Applications

Applications from community groups are eligible if the group:

- Is a not-for-profit organisation
- Has a bank account in the group's name, or nominates another group to receive the grant on its behalf
- Has not already been funded for the activity and the activity isn't normally funded by State or Federal Government
- Has complied with the conditions of any previous Council grants.

In addition, primary and secondary schools are also considered eligible to apply to the Community Response Grants Program, provided that the purpose of the application is outside of the school's core curriculum responsibilities.

Community groups can apply for up to \$1,000 to assist with:

- Community forums, information sessions or training programs
- Community events or celebrations that encourage wider community engagement
- Regular social and support activities for senior citizens, people with a disability or other isolated and/or disadvantaged groups
- Events that raise funds for charitable purposes or for international disaster relief (funds must be directed through a recognised relief agency)
- Activities that increase participation in sport, the arts, civic or community activities
- Purchasing items of equipment that allow the group to serve the community in a voluntary capacity
- Travel costs for sports teams or similar groups to participate in elite level competitions or similar events.

When assessing an application Council has taken into consideration:

- Community development and community wellbeing outcomes
- The number of residents that will participate
- The participants' social and financial circumstances
- The financial capacity of the group
- Other more suitable sources of funding.

Other Eligibility Factors

Applications are not accepted from:

- Government agencies (with the exception of schools)
- Profit-making enterprises.

Applications will not be accepted for:

- Activities that have already taken place (prior to the submission of the application)
- Community events or celebrations taking place outside the City of Greater Dandenong
- Activities that promote specific political or religious views
- Capital works, renovations, fixtures and fittings.

Assessment of Applications Received

Council has been receiving applications to the Community Response Grants Program over the past few months.

Council officers have checked all applications to ensure compliance with the eligibility criteria for the program.

Thirty-four eligible applications seeking funding of \$30,241 were considered by officers for assessment in accordance with the endorsed operating procedures that accompanied the Community Response Grant Policy 2014. The procedures list the following considerations for assessing applications:

For individual applications:

- Higher priority for children, full-time students, people with a disability, senior citizens, single parents, recently arrived refugees and asylum seekers and low income health-care holders.
- Distance (within Victoria, interstate or overseas) and duration of activities involving travel.
- Number of residents who may benefit from the activity.

For community group applications:

- Community development and community wellbeing outcomes.
- The number of residents who will participate.
- Higher priority where participants are children, full-time students, people with a disability, senior citizens, single parents, recently arrived refugees and asylum seekers and low income health-care holders.
- Financial capacity of group to fund activity without Council support.
- Suitability of other sources of funding.

Councillors considered the advice from officers regarding eligible applications. Following this it is recommended that 33 applications be funded to a total amount of \$19,710.

The attachment contains a list of all recommended Community Response Grants Program applications with recommended funding amounts.

Proposal

It is proposed that Council endorses the recommendations as shown in the attachment for funding through the Community Response Grants Program.

Community Plan 'Imagine 2030' and Council Plan 2013-2017 – 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'

<u>People</u>

- *Pride* Best place best people
- Cultural Diversity Model multicultural community
- Outdoor Activity and Sports Recreation for everyone
- *Lifecycle and Social Support* The Generations supported

<u>Place</u>

- Sense of Place One city many neighbourhoods
- Safety in Streets and Places Feeling and being safe

Opportunity

• Education, Learning and Information – Knowledge

Council Plan 2013-2017

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 healthy, active and safe community
- A city that celebrates its diversity with pride

<u>Place</u>

• An environmentally sustainable city

Related Council Policies

• Community Response Grants 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 the content of the report.

Financial Implications

The funding recommendations made in this report can be contained within the budgetary parameters of the Community Response Grants Program for 2016-17.

The Community Response Grants Program has a budget of \$88,938 available for applications during the 2016-17 financial year.

It is expected that there will be seven batches considered during the 2016-17 financial year. The average allocation per batch should be \$12,705.

During 2016-17, the assessment of two batches has already been completed with an amount of \$20,880 allocated.

If the recommendations of this Report are endorsed with grants totalling \$19,710 being allocated, funding of \$48,348 would remain available for allocation in the remaining batches throughout 2016-17.

Consultation

During the assessment process, Council officers consulted with staff from across the organisation to seek information and advice regarding the merits of all funding applications.

Conclusion

This report contains the recommendations for funding through the Community Response Grants Program.

These recommendations are presented to Council for consideration and endorsement.

Recommendation

That Council endorses the recommendations as detailed in the attachment of the report titled "Community Response Grants Program 12 December 2016 List of Recommended Applications" for the allocation of a total of \$19,710 to 33 applications for the Community Response Grants Program.

MINUTE 54

Moved by: Cr Roz Blades AM Seconded by: Cr Maria Sampey

That:

- 1. Council endorses an additional community response grant to the Molise Club Melbourne of \$1000 for a Christmas celebration; and
- 2. Council endorses the recommendations as detailed in the attachment of the report titled "Community Response Grants Program 12 December 2016 List of Recommended Applications" for the allocation of a total of \$19,710 to 33 applications for the Community Response Grants Program.

CARRIED

OTHER

COMMUNITY RESPONSE GRANTS PROGRAM APPLICATIONS 12 DECEMBER 2016 BATCH

ATTACHMENT 1

COMMUNITY RESPONSE GRANTS PROGRAM 12 DECEMBER 2016 LIST OF RECOMMENDED APPLICATIONS

PAGES 4 (including cover)

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

Community Response Grants Program 2016-17 List of Recommended Applications

Applicant Name	Project Title	Amount Recmnded
Acacia Quinn	2016 Netball State Titles Competition	\$400
Davor Banadinovic	2016 WFK Karate World Championships	\$330
Gemma Proy	2016 ISV State Netball 17 and Under Mixed Steel Team	\$500
Jessica Stefanovic	Selection in the School Sport Victoria Track and Field State Team	\$380
Soul Sasulu	Victorian Rebels Under12s Rugby Union State Side	\$380
Brighton Life Saving Club Inc.	Water Safety Program	\$480
Ceylonese Welfare Organisation Inc.	End of Year Luncheon	\$700
Chaldean Group	Purchase of Resources for Aramaic Language Students	\$380
Corona Italian Seniors Club of Casey Inc.	Christmas Party for Italian Seniors	\$670
El Hokamaa Senior Citizens	Social Support and Nutrional Meals	\$750
Federation of Indian Origin Multi- Faith Organisation Inc	Tour to Places of Worship	\$470
Indonesian Women's Friendship Network	Group Counselling and Relationship Workshops	\$700
Island Roots Performing Arts	Open Day for Cook Island Culture	\$750
Italian Elderly Citizen Club Noble Park Inc.	Special Function for Father's Day	\$310
Keysborough Freedom Club Coop Ltd	Purchase of Recycling Resources	\$520
Lakhanda Sri Lankan Elderly Group	Sri Lankan New Year Celebration and Weekly Meeting Room Hire	\$700

Community Response Grants Program 2016-17 List of Recommended Applications

Applicant Name	Project Title	Amount Recmnded
Las Iluminadas	Regular Excursions in 2017	\$700
Lions Club of Dandenong Inc.	Senior Citizens Hall Hire Fee	\$250
Masala Football Club Inc.	One Touch Training Balls and Uniforms	\$1,000
Melbourne Tibetan Community	Hall Hire For Tibetan Classes	\$700
Rodriguan Social Club of Victoria Inc.	Rodrigues Independence Day Celebration	\$700
Silverton Cricket Club	Silverton Cricket Club Junior Registration Fees	\$1,000
Soical Club Maricot Incorporated	Members and Friends Social Function	\$1,000
Southern Migrant & Refugee Centre Inc.	Translation of a Developed App For Smart Phones/Devices	\$500
Southern Migrant & Refugee Centre Inc.	Celebration of Culture	\$500
Springvale Chinese Opera Group	Performance resources for Chinese Opera Singers	\$660
Springvale Mandarin Network	Chinese New Year Celebrations 2017	\$750
St Elizabeth Netball Club	Acquistion of Netball Resources	\$560
The Cyrene Centre	BBQ Fundraisers	\$670
The Nigerian Society of Victoria Inc.	Table Tennis Tournament	\$330
The Ricky Taylor Foundation	Community Event for Teenagers Undergoing Cancer Treatment	\$790
We Care Community Services Inc.	Purchase of Fridge and Camera for Playgroups	\$430

List of Recommended Applications Tuesday, 22 November 201

Community Response Grants Program 2016-17 adad Applicati

Applicant Name	Project Title	Amount Recmnded
Willow Lodge Social	Club Purchase of a Radio Microphone System	\$750
GRAND TOTAL	(33 applications)	\$19,710

List of Recommended Applications Tuesday, 22 November 201

File Id:	
Responsible Officer:	Director Community Services
Attachments:	Notice of Motion No. 98 – Exploring Options of Council facilitating Employment of Asylum Seekers within Greater Dandenong Services and financial support to assist asylum seekers within the City of Greater Dandenong Services and initiatives within Greater Dandenong that respond to youth disengagement

Report Summary

In July 2016, Council endorsed Notice of Motion No. 98 – Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Attachment 1). Various options have been investigated and are presented within this report.

Notice of Motion No. 98 also required Council officers to review Council efforts in addressing youth unemployment and consider possibilities for Council advocacy to State and Federal Governments in relation to youth employment.

Recommendation Summary

Asylum Seekers

This report recommends that Council advocates with, and on behalf of agencies and services that provide employment support to asylum seekers. The report also recommends that support for asylum seekers continues to be a high priority for Community Support Grant funding rounds in 2017. Finally, this report recommends that a funding project be developed that offers increased financial support to an agency or agencies assisting asylum seekers with enhanced employment outcomes. It is recommended that \$45,000 is allocated in the 2017-18 Community Funding Program budget to implement this outcome.

Youth

It is recommended that Council develop a strong advocacy position to address high rates of youth disengagement, which results in low employment participation, through the establishment of a Mayor's Taskforce which engages key stakeholders and other initiatives.

Background

Asylum Seekers

Since November 2011, eligible asylum seekers have been released from immigration detention on a Bridging Visa E (BVE). A BVE is a temporary visa that allows asylum seekers to remain in the community lawfully while awaiting resolution of their immigration status.

Among the 3,054 asylum seekers in Greater Dandenong, approximately 2,500 are of working age. The proportion of these people who may be actively seeking or hold paid employment is unknown as local service providers do not collate this data and are unable to provide this information.

City of Whittlesea Council - Work Ready program

Council was required to examine existing or similar programs in other Councils. The City of Whittlesea Work Ready program assists newly-arrived non-student migrants and refugees to prepare for the workforce. The program aims to build participants skills, networks and confidence in securing work in the wider community.

The program was examined by Council staff in 2015 and while there have been some successful employment outcomes for 56 newly arrived non-students in the Whittlesea area, it has also incurred a cost of approximately \$35,000 per year in implementation. On assessment, it was determined that Council may be best placed to add value to existing programs, rather than seeking funding for additional stand-alone programs.

No other similar programs have been readily identified in other Councils.

Services and financial support to assist asylum seekers

A range of State and Commonwealth Government funded support services were identified that operate within Greater Dandenong and provide employment, training and educational support to local asylum seekers. Currently there are a number of funded programs that enable not-for-profit organisations to deliver programs, training, recruitment or forums that seek to enhance the skills, knowledge and awareness of asylum seekers to increase employability. Attachment 2 lists services that have been identified. It is clear that there is extensive support funded through non-government services.

Community Support Grants

The City of Greater Dandenong, during 2015-16, has provided community funding grants for employment opportunities for asylum seekers. \$36,500 has been granted to four Greater Dandenong based agencies to provide skill based training, support, English language workshops and transition to employment. Council can continue to identify this area as a high priority for Community Support Grants funding.

Funded Programs

The State and Commonwealth Governments and philanthropic agencies also provide funding for specific programs that aim to increase employment opportunities for asylum seekers. There have been grants ranging from \$500 - \$300,000 from 11 known philanthropic agencies to assist in providing projects that will improve the lives of those in need and to provide opportunities for the disadvantaged.

One Percent Project

The One Percent Project, an initiative of the Greater Dandenong Employment Taskforce, is designed to tap into the Greater Dandenong community's 'tapestry of talent' by encouraging employers to source one percent of their workforce from those who need a helping hand to return or enter the workforce. Together with other initiatives, it supports the principle of 'live local, work local' and is designed to harness the collective input from providers and employers to provide relevant work place experience and learning; skills assessments; employment-related advice and ultimately, jobs.

This collaborative approach included the Department of Premier and Cabinet through their 'Back to Work' initiative with South East Business Network, Chisholm, JobActives, and other key organisations and aims to help those who face challenges and barriers in their journey to work, including factors such as language, health, lack of local experience, education and /or social equity. The desired outcome is a more capable workforce that can meet the employment demands of local business and industry under the banner 'Good for Business - Good for the Community'.

Youth

In 2011 (the latest year for which such data is available), the unemployment rate in Greater Dandenong stood at 8% or 657 young people aged between 15 and 19 years and 11% or 884 young people aged between 20 and 24 years.

A preferred measure of inclusion and wellbeing for young people is the youth disengagement rate as this takes into account employment as well as participation in education. Youth disengagement refers to the number of 15-24 year-olds who are neither in paid work nor enrolled in education, representing approximately 2011 young people in Greater Dandenong.

Services and initiatives within Greater Dandenong that respond to youth disengagement

There has been substantial investment over the last 12 months from State and Commonwealth Governments to increase the engagement of young people in education and employment. Services provided include work-readiness programs, case management, brokering of employment placements with local employers and support to retain students in the education system.

Council's revised Youth Strategy and accompanying Youth Action Plan 2016-19 was adopted in May 2016. The Strategy highlights opportunities to work, learn and engage as one of four priority areas for Council. Attachment 3 provides a list of Council's current work relating to youth disengagement.

Proposal

Asylum Seekers

Following an investigation of existing funded services to support employment outcomes for asylum seekers, a range of options were discussed and identified at the October meeting of the Asylum Seeker and Refugee Advisory Committee. The outcome of the discussion by the Committee identified the following Actions:

- Continued and increased advocacy by Council to the Commonwealth and State Governments for enhanced employment support programs for asylum seekers.
- Continued high priority by Council for asylum seeker support applications through Council's Community Support Grants Program.
- Employment of a liaison officer either through Greater Dandenong Business (Council employee) or with an existing agency.

Following the October Asylum Seeker and Refugee Advisory Committee meeting, Council wrote to the agencies represented on the Committee and sought their views on the proposed Actions. A number of other agencies views were also sought leading up to the October Committee meeting.

The matter was extensively discussed by Council at a briefing session in November. Based on the views of the Asylum Seeker and Refugee Advisory Committee, the written advice from agencies, the research by Council officers and Councillors views the following Actions have been finalised.

Action 1 – Advocacy

Council has previously endorsed a Refugee and Asylum Seeker Statement and led the preparation of a Joint Statement involving 21 Victorian Councils. These statements represent a strong advocacy role for Council in support of asylum seekers living in our community and this is an ongoing commitment.

Action 2 – Community Support Grants Priorities Consideration

Council has given priority to supporting asylum seekers as part of its annual priorities in the Community Support Grants Program for the past two years of funding rounds. It is proposed that support for asylum seekers continues to be a high priority for Community Support Grants funding rounds in 2017.

Action 3 – Agency Assistance to Enhance Employment Outcomes for Asylum Seekers

Councillors considered a range of options that had been recommended by the Asylum Seeker and Refugee Advisory Committee including the allocation of \$63,000 to support the employment of a liaison officer. Council considered the merits of direct staff employment as considered by the Advisory Committee and the advantages of attracting/leveraging other Government funds into the City by funding existing agencies that work to enhance employment outcomes for asylum seekers. There was strong consideration that an alternative to direct employment of a staff member by Council would be to support existing relevant agency services. Council employment is a more expensive option given Council's employment costs and this may also deter further Government support.

Councillors indicated support for an amount of \$45,000 which would be allocated to an existing funded agency in this field to enhance outcomes. This funding project is proposed to be implemented in the 2017-18 financial year. The proposal of increased financial support to an existing agency in Greater Dandenong that is funded by the State and/or Commonwealth Government would further enhance their work and lead to increased support for asylum seekers. The intention is not to duplicate existing services but to offer further support that will lead to leveraging increased funds from Government. A specific Expression of Interest would be prepared, inviting agencies to submit proposals for approval by Council against criteria that reflect the intentions of Council as outlined in this report. It is intended that this action will lead to more sustainable employment outcomes for asylum seekers and attract additional funding into Greater Dandenong from non-government organisations, the Commonwealth or State Government.

In addition to the three actions above, Greater Dandenong Business currently hosts an Employment Task Force involving State Government and a range of local stakeholders and business representatives. This Task Force oversees initiatives such as the One Percent Project. Greater Dandenong Business is well placed to meet with the Asylum Seeker and Refugee Advisory Committee to discuss and agree on strategies to improve contact between service providers and the business community in supporting employment outcomes for asylum seekers.

Youth

The key action to address the youth employment and education priority is as follows:

Mayoral Taskforce

Key Steps

Develop a Mayor's Taskforce to strengthen Council's advocacy position in relation to improving education and employment outcomes for young people. Consultation and involvement will include various agencies as below:

- Engagement with business and employer representative groups
- State and Commonwealth elected members
- Key government departments e.g. Department of Education and Training, Department of Health and Human Services and Department of Justice and Regulation
- Engagement with key employment stakeholders agencies e.g. Brotherhood of St Lawrence, Local Learning and Employment Networks and Youth Affairs Council of Victoria
- Philanthropic and social enterprise
- Young Leaders and the Youth Think Tank

Community Plan 'Imagine 2030' and Council Plan 2013-2017 – 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

<u>Place</u>

• Sense of Place – One city many neighbourhoods

Opportunity

- Education, Learning and Information Knowledge
- Jobs and Business Opportunities Prosperous and affordable
- *Leadership by the Council* The leading Council

Council Plan 2013-2017

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 healthy, active and safe community
- A city that celebrates its diversity with pride

<u>Place</u>

• A city planned for the future

Opportunity

- A thriving and resilient economy
- A Council that listens and leads

The strategies and plans that contribute to these outcomes are as follows:

- Asylum Seeker and Refugee Communities Action Plan 2014-17
- Community Wellbeing Plan 2013–17
- Community Safety Plan 2015–22

- Youth Strategy 2016-19
- Youth Action Plan 2016-19
- Local Economic and Employment Development Strategy 2011

Related Council Policies

• Diversity Access and Equity Policy 2010

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

Asylum seekers

Action 1

There are no financial implications for this option of advocating for increased employment services, opportunities and support for asylum seekers.

Action 2

There are no financial implications with this action of prioritising support for asylum seekers in the Community Support Grants Program annual priorities for 2017.

Action 3

Allocation of an additional \$45,000 as part of the Community Funding Program budget in the 2017-18 financial year to offer increased financial support to an agency assisting asylum seekers with enhanced employment outcomes.

Youth

There will be no additional cost with this action. The current budget will be realigned to undertake the proposed work activities within existing resources.

Consultation

Asylum seekers

Consultations were conducted with members of the Asylum Seeker and Refugee Advisory Committee and Chief Executive Officers of the representatives organisations, The Asylum Seeker Resource Centre's Employment Working Group and the Greater Dandenong Employment Taskforce. In addition, 19 organisations were individually contacted to discuss existing services funding and opportunities. Feedback received was used in the development of this report.

Youth

This report has been informed by the findings of contemporary research and engagement with key stakeholders, including Chisholm Institute of TAFE, AMES Australia, Foundation House and South East Local Learning and Employment Network.

Conclusion

Asylum seekers

Greater Dandenong is served by a number of Job Services Australia (JSA's) providers that assist job seekers find employment. The Commonwealth Government also provides funding to agencies such as AMES, Life Without Barriers and the Asylum Seeker Resource Centre to provide training and recruitment for groups such as asylum seekers. In addition, commonwealth funding provides not-for-profit organisations with the means to deliver programs, forums or workshops that enhance asylum seekers' employment skills.

Additional funding to improve employment opportunities for asylum seekers is also available for the sector through philanthropic trusts.

The findings of research and consultation conducted in the course of this investigation indicates that Council should avoid duplicating programs or services that already exist, directing its efforts instead toward advocacy and financial support through Council's Community Funding Programs.

Youth

A range of services funded by State and Commonwealth Governments operate within Greater Dandenong. Council can address local youth disengagement through advocacy and continuing to encourage collaboration across sectors to address service gaps and increase young people's participation in education and employment.

Recommendation

That:

In relation to Asylum Seekers:

- 1. Council advocates with, and on behalf of, existing agencies and services that offer employment or employment related services for asylum seekers and for additional services within Greater Dandenong.
- 2. Council continues to give a high priority consideration for Community Support Grant applications that seek to assist asylum seekers in 2017.
- 3. Council allocates an additional \$45,000 as part of Council's Community Funding Program budget for 2017-18 to offer increased support to agencies assisting asylum seekers with improved employment outcomes.

4. Greater Dandenong Business meets with the Asylum Seeker and Refugee Advisory Committee in early 2017 to discuss strategies for improved employment outcomes for asylum seekers that Council can pursue with employer groups.

In relation to Youth:

- 5. Council establishes a Mayoral Task Force with key stakeholders to develop an action plan to address youth disengagement, with an emphasis on enhanced youth employment and education outcomes. The Task Force is to include government businesses, service providers, appropriate elected State and Commonwealth representatives and education agencies.
- 6. The Task Force is to report to Council on the action plan with recommendations for advocacy and practical steps to address youth disengagement.
- 7. A Terms of Reference is to be developed for the Task Force for Council consideration.

MINUTE 55

Moved by: Cr Matthew Kirwan Seconded by: Cr Roz Blades AM

That:

In relation to Asylum Seekers:

- 1. Council advocates with, and on behalf of, existing agencies and services that offer employment or employment related services for asylum seekers and for additional services within Greater Dandenong.
- 2. Council continues to give a high priority consideration for Community Support Grant applications that seek to assist asylum seekers in 2017.
- 3. Council allocates an additional \$45,000 as part of Council's Community Funding Program budget for 2017-18 to offer increased support to agencies assisting asylum seekers with improved employment outcomes.
- 4. Greater Dandenong Business and Community Services directorates meet with the Greater Dandenong Council Asylum Seeker and Refugee Advisory Committee at their first meeting in 2017 to discuss strategies for improved employment outcomes for asylum seekers that Council can pursue with not-for-profit organisations and Greater Dandenong employer groups. The discussion to include options to achieve effective and sustainable linking of not-for-profit organisations that provide employment and training pathways to asylum seekers with Greater Dandenong employers and that following that meeting a report come back to a Council meeting by the end of April 2017 containing assessment of the options and a recommended way forward.

In relation to Youth:

- 5. Council establishes a Mayoral Task Force with key stakeholders to develop an action plan to address youth disengagement, with an emphasis on enhanced youth employment and education outcomes. The Task Force is to include government businesses, service providers, appropriate elected State and Commonwealth representatives and education agencies.
- 6. The Task Force is to report to Council on the action plan with recommendations for advocacy and practical steps to address youth disengagement; and
- 7. a terms of reference is to be developed for the Task Force for Council consideration.

CARRIED

2.5.3 Response to Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

OTHER

RESPONSE TO NOTICE OF MOTION NO. 98 – EXPLORING OPTIONS OF COUNCIL FACILITATING EMPLOYMENT OF ASYLUM SEEKERS WITHIN GREATER DANDENONG

ATTACHMENT 1

NOTICE OF MOTION NO. 98 – EXPLORING OPTIONS OF COUNCIL FACILITATING EMPLOYMENT OF ASYLUM SEEKERS WITHIN GREATER DANDENONG

PAGES 6 (including cover)

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

City of Greater Dandenong ORDINARY COUNCIL MEETING MINUTES

MONDAY 11 JULY 2016

3 NOTICES OF MOTION

3.1 Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong

Author:

Matthew Kirwan

Preamble

Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong

The Greater Dandenong Asylum Seeker and Refugee Communities Action Plan (2014-2017) was endorsed by Greater Dandenong Council at its meeting on Monday 11 August 2014 due to Greater Dandenong having the highest number of asylum seekers and refugees living in the community of any local government area in Victoria and also because the vulnerability of asylum seekers living in the community had become particularly evident. Critical issues identified were health (physical and mental), poverty, social isolation and a lack of access to affordable, stable and appropriate housing options.

Dealing with these issues was seen as both of benefit to not only asylum seekers but in terms of aiding social cohesion and thereby benefiting all Greater Dandenong residents.

Employment also was identified in the plan as a very important issue but at that stage only a small amount of asylum seekers had work rights. When the entitlement to work rights was expanded to the majority of asylum seekers in 2015 by the Federal Government, an important element of the plan, employment opportunities, could now be tackled by non-profit agencies and volunteer groups based in Greater Dandenong. However, the challenge was immense – not only because of the number of asylum seekers, currently 2600 live in community detention in Greater Dandenong, but because of the unique challenges of getting this group "work ready" along with their general adjustment to Australian society.

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City of Greater Dandenong	
ORDINARY COUNCIL MEETING MINUTES	MONDAY 11 JULY 2016

3.1 Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

The Council Advisory Committee created for the Plan, the *Greater Dandenong Asylum Seeker and Refugee Communities Advisory Committee* established a working group to tackle the employment issue, specifically how agencies and volunteer groups could work better together and with local businesses to achieve employment outcomes for asylum seekers and refugees.

A program such as the City of Whittlesea Council's Work Ready program was examined by both Council staff and the Working Group but it was recommended to Council by the Advisory Committee, on recommendation of the Employment Working Group, that rather than replicate such a program, which had involved Council providing a direct employment support role and only assisted a limited amount of clients, that a part-time Council position created for 12 months (reviewed annually) would provide better value, not by providing any direct employment support services but by being a champion of asylum seeker employment within Greater Dandenong, both external and internal to Council, and undertake business brokerage, advocacy, networking and support activities and that this be put forward as a 2016/17 budget submission.

The outcome of the 2016/17 budget submission process, recorded formally in the minutes of Council meeting on the 27 June 2016 was that rather than Council take on this role, to first explore opportunities for grant funding from either the Commonwealth or State Governments, especially through the Back to Work Place Based Program and in addition, review what other existing or similar programs may exist that Council could advocate for expansion to meet the need identified.

Page 25834

2.5.3 Response to Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

City of Greater Dandenong	
ORDINARY COUNCIL MEETING MINUTES	MONDAY 11 JULY 2016

3.1 Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

Motion

That Council:

- 1. receives an outline of what actions are presently underway in responding to this issue;
- investigates opportunities for grant funding from any sources including, but not limited to, the Commonwealth or State Governments (including the State Government funded Back to Work Place Based Program) or any other sources that may include charitable or philanthropic foundations or trusts;
- 3. reviews what other existing or similar programs may exist that Council could advocate for expansion to meet the need identified in the budget submission and the estimated likelihood of success of such advocacy efforts;
- 4. consults with members of the Employment Working Group, the Greater Dandenong Asylum Seeker and Refugee Advisory Committee, Council's Greater Dandenong Business Group and any other relevant parties including employers and employer representative groups as part of that process; and
- 5. officers submit a report to the Council meeting on 14 November 2016, in time to inform the Council mid-year budget process on the outcome of this investigation, including costed options (including, but not limited to, the original request arising from the budget submission for a part-time Council officer), and the advantages/disadvantages of each identified option in championing asylum seeker employment within Greater Dandenong, both external and internal to Council including business brokerage, advocacy and networking.

MINUTE 1442

Moved by: Cr Matthew Kirwan Seconded by: Cr Sean O'Reilly

That Council:

- 1. receives an outline of what actions are presently underway in responding to this issue;
- 2. investigates opportunities for grant funding from any sources including, but not limited to, the Commonwealth or State Governments (including the State Government funded Back to Work Place Based Program) or any other sources that may include charitable or philanthropic foundations or trusts;
- 3. reviews what other existing or similar programs may exist that Council could advocate for expansion to meet the need identified in the budget submission and the estimated likelihood of success of such advocacy efforts;

2.5.3 Response to Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

City of Greater Dandenong	
ORDINARY COUNCIL MEETING MINUTES	MONDAY 11 JULY 2016

3.1 Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

- 4. consults with members of the Employment Working Group, the Greater Dandenong Asylum Seeker and Refugee Advisory Committee, Council's Greater Dandenong Business Group and any other relevant parties including employers and employer representative groups as part of that process; and
- 5. officers submit a report to the Council meeting on 14 November 2016, in time to inform the Council mid-year budget process on the outcome of this investigation, including costed options (including, but not limited to, the original request arising from the budget submission for a part-time Council officer), and the advantages/disadvantages of each identified option in championing asylum seeker employment within Greater Dandenong, both external and internal to Council including business brokerage, advocacy and networking.

CARRIED

MINUTE 1443

Moved by: Cr Matthew Kirwan Seconded by: Cr John Kelly

That Cr Peter Brown be granted an extension of time of two minutes to speak against the motion .

CARRIED

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2.5.3 Response to Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

City of Greater Dandenong ORDINARY COUNCIL MEETING MINUTES

MONDAY 11 JULY 2016

3.1 Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

MINUTE 1444

(AMENDMENT) Moved by: Cr Jim Memeti Seconded by: Cr Peter Brown

That the motion be amended by addition of the following point:

6. officers also report to Council outlining the opportunities available to youth in Greater Dandenong in regards to employment, how Council can advocate on behalf of Greater Dandenong's youth in this area to State and Federal governments and what work Council is currently doing or has done in the area of youth unemployment in Greater Dandenong which is currently at 26%.

CARRIED

CARRIED (Refers to Minute #1442 as Amended)

For the Motion: Cr Roz Blades AM, Cr Youhorn Chea, Cr Matthew Kirwan, Cr Angela Long, Cr Jim Memeti, Cr Sean O'Reilly, Cr Maria Sampey (called for the division), Cr Heang Tak

Against the Motion: Cr Peter Brown, Cr John Kelly, Cr Loi Truong

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2.5.3 Response to Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

OTHER

RESPONSE TO NOTICE OF MOTION NO. 98 – EXPLORING OPTIONS OF COUNCIL FACILITATING EMPLOYMENT OF ASYLUM SEEKERS WITHIN GREATER DANDENONG

ATTACHMENT 2

SERVICE PROVIDERS WITHIN CITY OF GREATER DANDENONG SUPPORTING ASYLUM SEEKERS

PAGES 2 (including cover)

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

Service Providers within CGD supporting asylum seekers

There are a range of asylum seeker employment, training, education and support services within the City of Greater Dandenong. Funded by both Federal and State governments, these organisations offer work, training and education opportunities for asylum seekers.

Employment and Training

<u>Jobactive</u> connects job seekers with employers and is delivered by a network of Jobactive providers. Asylum seekers are assisted with job search and work readiness skill development.

<u>Life Without Barriers' Refugee and Asylum Seeker Service</u> conducts in-house targeted workshops and assists clients with employment aspirations. In the last 12 months, Life Without Barriers has assisted approximately 70 participants to secured employment.

Adult Multicultural Education Services Australia (AMES) provides settlement services for refugees and asylum seekers, including on-arrival settlement support, English language, literacy training, vocational training and employment.

<u>Asylum Seeker Resource Centre</u> increases the employability of asylum seekers and the two social enterprises, ASRC Catering and ASRC Cleaning, employ asylum seekers.

<u>Youth Transition Support Pilot Program</u> is a \$22.1 million pilot program that helps young humanitarian entrants, asylum seekers and vulnerable migrants under 25 participate in work and education.

Back to Work Scheme (Back to Work Place Based Program) encourages employers to hire disadvantaged job seekers, including asylum seekers, by granting them financial and training support.

<u>Jobs Victoria Employment Network (JVEN)</u> is the Victorian Government's Department of Economic Development, Jobs, Transport and Resources activity to help disadvantaged Victorian jobseekers gain employment.

<u>The Shared Value Program</u> is a partnership between ANZ and the Brotherhood of St Laurence to provide refugees and asylum seekers with work skills. Since 2007, 85 per cent of participants have secured employment.

<u>Cabrini Linen Service (CLS).</u> In partnership with Catholic Care, CLS has employed 10 asylum seekers and placed 31 in programs through Wise Employment and the Hoban Agency.

Neighbourhood Houses and Learning Centres

These programs focus on resume writing, preparing for interviews, understanding the skills that employers need and how to find and retain employment.

2.5.3 Response to Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

OTHER

RESPONSE TO NOTICE OF MOTION NO. 98 – EXPLORING OPTIONS OF COUNCIL FACILITATING EMPLOYMENT OF ASYLUM SEEKERS WITHIN GREATER DANDENONG

ATTACHMENT 3

SERVICES WITHIN THE CITY OF GREATER DANDENONG TO ADDRESS YOUTH DISENGAGEMENT

PAGES 3 (including cover)

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

Services within the City of Greater Dandenong to address youth disengagement

State Government funded services

The following seven services focus on young people aged between 12–25 years. Support and assistance is given to young people that are disengaged from education or employment, in outof-home care or are disadvantaged. Young people are given opportunities to re-engage in education, improve their employability skills and transition into employment.

- 1. School Focused Youth Service
- 2. Navigator
- 3. Springboard
- 4. South East Local Learning and Employment Network (SELLEN)
- 5. Reconnect
- 6. Chisholm Skills and Jobs Centre
- 7. Jobs Victoria Employment Network

Federally Funded Services

The following four services provide pre employment support, work readiness skills and transition to education and/or employment for young people 25 years and under.

- 1. Transition to Work
- 2. Job Active
- 3. Work for the Dole
- 4. Transition Support for Young Refugees and other Vulnerable Migrants

Council Youth and Family Services Initiatives (Y&FS)

Work Readiness Programs

The Skilled Up program focuses on building young people's capacity to look for work, submit job applications and techniques for successful interviews.

In partnership with YMCA, Council deliver the **Work Inspirations Program's** which exposes students to a range of careers available in their local community.

Partnering with education providers

The work undertaken in the **Resilience Project** demonstrates the link between employment and academic achievement, demonstrating the link between health and wellbeing indicators and academic engagement.

Careers events and forums

Y&FS support events and forums which provides young people with 'hands-on' opportunities to trial various showcased careers, meet with local employers, and learn about the expectations of employers. These include Try-A-Trade and the Migrant Youth Employment Forum.

<u>Youthpass</u> assists young people participating in youth projects and programs to describe what they have done and demonstrate what they have learnt. Youthpass also supports the employability of young people by providing a certificate documenting the key competences acquired.

2.5.3 Response to Notice of Motion No. 98 - Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong (Cont.)

Participation in strategic working groups Y&FS are represented on the board for the South East Local Learning and Employment Network. Staff are also participating in the Chisholm Youth Work Course Advisory Group and facilitate the Greater Dandenong Youth Network. All which are a mechanism for strengthening partnerships with key stakeholders, responding to emerging trends and advocating for the needs of employment and education of local young people.

Advocacy

Improving education and employment outcomes for young people in Greater Dandenong has been included in Council's advocacy platform for the most recent State and Federal election campaigns. Letters of support have also been provided for local service providers in their application for further funding.

2.5.4 List of Registered Correspondence to Mayor and Councillors

File Id:	qA283304
Responsible Officer:	Director Corporate Services
Attachments:	Correspondence Received 7-18 November 2016

Report Summary

Subsequent to resolutions made by Council on 11 November 2013 and 25 February 2014 in relation to a listing of incoming correspondence addressed to the Mayor and Councillors, Attachment 1 provides a list of this correspondence for the period 7-18 November 2016.

Recommendation

That the listed items provided in Attachment 1 for the period 7-18 November 2016 be received and noted.

MINUTE 56

Moved by: Cr Roz Blades AM Seconded by: Cr Maria Sampey

That the listed items provided in Attachment 1 for the period 7-18 November 2016 be received and noted.

CARRIED

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

OTHER

LIST OF REGISTERED CORRESPONDENCE TO MAYOR AND COUNCILLORS

ATTACHMENT 1

CORRESPONDENCE RECEIVED 7-18 NOVEMBER 2016

PAGES 2 (including cover)

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

ORDINARY COUNCIL MEETING MINUTES	MONDAY 12 DECEMBER 2016
2.5.4 List of Registered Correspondence to Mayor and Counc	cillors (Cont.)

Correspondences addressed to the Mayor and Councillors received between 07/11/2016 & 18/11/2016 - for information only - total = Correspondences addressed to the Mayor and Councillors received between 07/11/2016 & 18/11/2016 - for officer action - total = 0 user Assigned Mayor & Councillors EA objective ID A4060105 Date Created 8-Nov-16 CONNECTED. COLLABORATIVE. COMMUNITY jective **Objective** TED. COLLABOR Correspondence Name

Letter from the Minister for Families & Children advising of reallocation of funding for the refurbishment of the Yarraman Kindergarten to other projects within the 2016-17 State Program.

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2.5.5 Report on Matters Discussed at Councillor Briefing Sessions - 14 & 21 November 2016

File Id:

Responsible Officer:

fA25545

Director Corporate Services

Report Summary

As part of Council's ongoing efforts to improve transparency in Council processes, matters discussed at Councillor Briefing Sessions (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 in November 2016.

Recommendation Summary

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

2.5.5 Report on Matters Discussed at Councillor Briefing Sessions - 14 & 21 November 2016 (Cont.)

Matters Presented for Discussion

Item		Briefing Session	
1	 Executive Updates/Discussion Councillors and Council officers briefly discussed the following topics: a) Future funding of CCTV projects. b) Capital improvement project bidding from Councillors. c) Agenda items for the Council Meeting of 14 November 2016. 	14 November 2016	
2	Community Funding Programs 2016 Round 2 Councillors and Council officers discussed application received from various community organisations, groups and individuals and allocated funds accordingly. A report will be submitted to a future Council meeting. (Cr Kirwan disclosed a Conflict of Interest relating to one group.)	21 November 2016	
3	<i>Walker Street Artwork Project</i> Councillors were presented with the selection panel's recommendation and that the project be awarded in accordance with Council's Tenders and Contracts Policy.	21 November 2016	
3	Response to Notice of Motion No. 100 – Current and potential future traffic issues in Chapel Road, Keysborough Councillor consideration was sought regarding whether the work to prepare this report should be funded in the mid-year budget.	21 November 2016	
5	Response to Notice of Motion No. 101 – Civic Centre Basement Car Park Councillors discussed various parking options and their merits including potential timing and related issues for the Civic Centre public basement parking.	21 November 2016	

2.5.5 Report on Matters Discussed at Councillor Briefing Sessions - 14 & 21 November 2016 (Cont.)

6	Response to Notice of Motion No. 98 – Exploring options of Council facilitating employment of asylum seekers within Greater Dandenong	21 November 2016
	Councillors were presented with a number of options to assist existing groups in facilitating employment opportunities for youth and asylum seekers within Greater Dandenong and for the Mayor	
7	2016-17 Mid-Year Budget review (Confidential) Council discussed the financial position of Council at the mid-year point of the 2016/17 financial year. A report will be presented to the 12 December 2016 Council meeting.	21 November 2016
8	 <i>Executive Updates/Discussion</i> Councillors and Council officers briefly discussed the following topics: a) Future of City of Greater Dandenong race day. b) Councillor bids for capital works - resources and assistance available. c) Nominations for local Hall of Fame recipients. d) Agenda items for the Council Meeting of 28 November 2016. 	21 November 2016

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 Sessions that was declared confidential in Item 6 by the Chief Executive Officer under Sections 77 and 89 of the Local Government Act remain confidential until further advisement unless that information was the subject of a subsequent Council report.

2.5.5 Report on Matters Discussed at Councillor Briefing Sessions - 14 & 21 November 2016 (Cont.)

MINUTE 57

Moved by: Cr Angela Long Seconded by: Cr Roz Blades

That:

- 1. the information contained in this report be received and noted; and
- 2. the information discussed at the above listed Councillor Briefing Sessions that was declared confidential in Item 6 by the Chief Executive Officer under Sections 77 and 89 of the Local Government Act remain confidential until further advisement unless that information was the subject of a subsequent Council report.

CARRIED

File Id:

Responsible Officer:

Attachments:

Director City Planning, Design and Amenity

Greater Dandenong Planning Scheme Amendment C143 Green Wedge Panel Report

Report Summary

At its meeting on 14 June 2016, Council resolved to request the Minister for Planning to appoint an independent planning panel to consider all submissions to Amendment C143, pursuant to the requirements of Part 8 of the *Planning and Environment Act 1987*.

A Planning Panel was appointed under Sections 153 and 155 of the Planning and Environment Act 1987. The Panel appointed by the Minister conducted the Panel Hearing over 6 days between 10 - 18 October 2016 at the Planning Panels Victoria offices at 1 Spring Street, Melbourne.

This report discusses the findings of the Planning Panel's report and recommends that Amendment C143 be adopted as per the Panel's recommendations and forwarded to the Minister for Planning for approval.

Recommendation Summary

This report recommends that Council adopt Amendment C143 to the *Greater Dandenong Planning Scheme* in the form as recommended by the Panel and forward Amendment C143 to the Minister for Planning for approval.

Background

Greater Dandenong Planning Scheme Amendment C143 (the Amendment) proposes to implement the key recommendations of the *City of Greater Dandenong Green Wedge Management Plan* (*December 2014*) and to update and improve the operation of the planning policy and controls relating to Greater Dandenong's portion of the South East Green Wedge.

At its meeting on 8 December 2014, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C143 to the Greater Dandenong Planning Scheme.

More specifically, the Amendment (as exhibited) proposes to:

- Rezone the 'Hutton Road North Precinct' and the 'Keys Road Precinct' in Keysborough from the 'Green Wedge Zone' to the 'Green Wedge A Zone';
- Rezone the National Water Sports Centre from the 'Green Wedge Zone' and 'Public Use Zone' to the 'Public Park and Recreation Zone';
- Introduce a temporary Vegetation Protection Overlay to protect larger native trees, such as River Red Gums.
- Update Council's Local Policy guidance regarding development in the Green Wedge. This will include the requirement that all use and development proposals show how they respond to the:
 - Green Wedge vision;
 - Precinct objective and preferred land use;
 - Siting and Design Guidelines for buildings and works;
 - Appropriate flood management measures
- Make changes to the Municipal Strategic Statement to reflect the *Green Wedge Management Plan* (December 2014).

In accordance with the statutory process of the *Planning and Environment Act 1987*, Amendment C143 was placed on public exhibition for 4 weeks from 4 February to 7 March 2016. A total of 75 submissions were received.

On 14 June 2016, Council resolved to refer all unresolved submissions (all submissions) to a Planning Panel to be appointed by the Minister for Planning.

Post Exhibition Changes by Council

At its meeting on 14 June 2016, Council further resolved that in its presentation to the Panel, it would put forward Council's view that since the *Green Wedge Management Plan* was adopted by Council in December 2014, Council had reconsidered its position in relation to elements of the *Green Wedge Management Plan*, and accordingly resolved with a 9:2 resolution of Council in January 2016, that Council supported the removal of the Keysborough Golf Club land from Green Wedge zoning and recommended its inclusion within the Urban Growth Boundary.

Furthermore, Council resolved to advise the Panel, that notwithstanding Planning Officer views expressed in Attachment 2 of the Council report (dated 22 August 2016) that the one dwelling to 6 hectares be the default subdivisional size as expressed in the *Green Wedge Management Plan*, and expressed its preparedness, subject to any recommendations by the Panel, to further amend the Green Wedge Management Plan to facilitate a less size restrictive requirement for subdivision, than is presently required in the *Green Wedge Management Plan*, within the area recommended as being rezoned from Green Wedge to Green Wedge A.

Council also resolved support for the application for the Green Wedge A zone and a schedule that applies a minimum subdivision area of 2,000 square metres to the Keys Road Precinct.

Planning Panel

At its meeting of 14 June 2016, Council resolved to refer the submissions to a Panel. As a result, a Planning Panel was appointed from the Minister for Planning to consider the Amendment under Sections 153 and 155 of the *Planning and Environment Act 1987* on 25 July 2016.

A Directions Hearing was held in relation to the Amendment on 18 August 2016. Following the Directions Hearing and on 5 October 2016, the Panel undertook an inspection of the Green Wedge area and its surrounds.

The Panel then met in the offices of Planning Panels Victoria on 10, 11, 13, 14, 17 and 18 October 2016 to hear submissions about the Amendment. Those in attendance at the Panel Hearing are listed in Appendix B of Attachment 1.

The Panel considered the proposed changes to the scheme, all written submissions received during the exhibition of the amendment and changes made by Council post-exhibition. Appendix C of Attachment 1 contains a list of documents that were tabled at the Hearing.

The C143 Panel Report was received by Council on 1 December 2016 and is provided at Attachment 1.

Panel Report

The Panel considered all submissions and concluded that the exhibited Amendment C143 implements the vision and policy of the City of Greater Dandenong Green Wedge Management Plan 2014 and is supportive of State and Local policy for green wedge land.

Regarding submissions, the Panel's main conclusions were as follows:

Clarke Road precinct

The Panel supports the need for greater flexibility in considering future land uses for the former resource extraction and landfill sites that are closed and undergoing rehabilitation.

Hutton Road North precinct

Based on the modified position put by the Keysborough Golf Club (which was not to pursue the change to the Urban Growth Boundary through this amendment process), the Panel accepted the need to make some reference to the potential of the site for urban residential uses. However, it did not accept the proposed words of the golf club which, in the mind of the Panel, pre empts any decision by *Plan Melbourne Refresh* process on whether the land should be within the Urban Growth Boundary. The Panel supported words that do not imply that this decision has been made.

Keys Road precinct

The Panel acknowledged that a development based on a 0.2 hectare minimum subdivision area has the capacity to address environmental and drainage constraints. However, the Panel is required to consider the strategic implications of this proposal first and has found:

- The Keysborough South Landowners Group proposal would be considered as a form of rural residential development. The Green Wedge A zone refers more specifically to rural living. The Panel has found the proposal would represent a low density residential development within the green wedge. This is inconsistent with State policy for the green wedges.
- A lot yield of at least 1,100 lots and a future population of 2,500 to 3,000 people is significant by any measure and this should be supported by local policy and a housing strategy. The Panel has found this not to be the case. This represents a residential development in the green wedge which is not supported by State or Local policy.
- The quantum of fill that is proposed to re engineer the landscape to address drainage is likely to challenge the ability to retain Aboriginal heritage (scar trees) and the many remnant redgum trees.

Overall, the Panel found that this post exhibition change fundamentally undermines the intent and purpose of green wedges.

Bangholme Lowlands precinct

The Panel found that the Cornish College provides an important educational offering in the green wedge. However, the Panel found that there is no need for any more direct support or references to the College as the Special Use Zone has provisions that are tailored to support the future development of the school that will be guided by a master plan.

Bangholme East precinct

The Panel has accepted that there is enough industrial land available in Greater Dandenong for the foreseeable future, as concluded by the *Industrial and Commercial Change and Demand Final Strategy May 2016.* On this basis, it does not support the industrial development of the Harwood Road North sub-precinct.

The Panel supported the submission from Southern Metropolitan Cemeteries Trust to provide permit exemption of tree removal at Bunurong Memorial Park.

The Panel found there is there is the ability to apply for a tourist/recreational use (or amusement park) under the provisions of the Green Wedge Zone.

Lyndhurst precinct

The Panel did not support urban uses on the undeveloped portion of the Melbourne Chevra Kadisha cemetery.

Panel Recommendation

Based on the reasons set out in the Panel Report council officers have in all recommendations accepted Panel's position. Council officers have recommended support and adoption of Panel's recommendations as they support and enhance the Greater Dandenong Green Wedge Management Plan 2014 and Local Planning Policy Framework. The Panel recommends Greater Dandenong Planning Scheme Amendment C143 be adopted as exhibited subject to the following alterations:

Panel Conclusion & recommendation			Justification & recommended response		
Gre	eater Dai	ndenong Green W	edge Management	Plan 2014	_
1.	 Amend references to the Clarke Road precinct as contained in Appendix D. 			Accept Panel's recommendation. Council officers recommend support & adoption of Panel's recommendation.	
2.	Amend follows	Figure 12 (page 77	Accept Panel's recommendation. Council officers		
Pr	ecinct	Key constraints	Precinct objective	Preferred land uses	recommend support & adoption of Panel's recommendation.
2.	Hutton Road	Potential Coastal Acid Sulphate Soils	To allow for continued operation of the golf course and investigate whether the land should transition to an urban residential use	Recreation, or rural living in a park like environment.	

City of Greater Dandenong

ORDINARY COUNCIL MEETING MINUTES

2.5.6 Planning Scheme Amendment C143 - Green Wedge - Adoption 12 Dec 2016 (Cont.)

3.	Amend Page 10 Map 1, page 27 Scenario 1, page 28 scenario 3, page 63 Map 8, page 71 Hutton Road North precinct, page 71 Keys Road precinct and page 77 Figure 12 to replace references to 'rural residential' or 'rural residential living' with 'rural living'.	Accept Panel's recommendation. Council officers recommend support & adoption of Panel's recommendation.
4.	At page 10, insert the following text for Precinct 2 under the heading 'Preferred land use by precinct' on Map 1 (Spatial Elements): <i>recreation, rural living in a park like environment</i>	Accept Panel's recommendation. Council officers recommend support & adoption of Panel's recommendation.
5.	At page 71, delete the reference to having identified a site in Hutton Road and in the sentence that commences with "Preliminary discussions with Council have taken place" replace with: <i>and that a new site will be sought in green wedge.</i>	Accept Panel's recommendation. Council officers recommend support & adoption of Panel's recommendation.
6.	At page 78, Action C1.1, insert at the end of the sentence: Further investigation to determine whether the land should transition to an urban residential use.	Accept Panel's recommendation. Council officers recommend support & adoption of Panel's recommendation.
Loc	al Planning Policy Framework	
7.	Amend Clause 21.03, Strategic Framework Map, by identifying the Dandenong Green Wedge.	Accept Panel's recommendation. Council officers recommend support & adoption of Panel's recommendation.
8.	Amend Clause 21.04, Further Strategic Work to insert the following: Further investigation as to whether Precinct 2, Hutton Road North, should transition to an urban residential use.	Accept Panel's recommendation. Council officers recommend support & adoption of Panel's recommendation.
9.	Amend Table 1 of Clause 22.02 by replacing references to the Clarke Road and Hutton Road North Precinct with the following:	Accept Panel's recommendation. Council officers

Precinct	Precinct objective	Preferred land uses	recommend support & adoption of Panel's	
1. Clarke Road	To encourage the use of land for activities that are of net community benefit. To encourage land uses which are consistent with the ongoing management and monitoring of the former landfill site and which do not unreasonably affect the amenity of adjoining residents and users of the parkland.	Uses consistent with the purpose of the Green Wedge Zone and compatible with nearby public open space and residential uses and provide for a net community benefit, including but not limited to, solar farm and other infrastructure, open space and recreation.	adoption of Panel's recommendation.	
2. Hutton Road North	To allow for continued operation of the golf course and investigate whether the land should transition to an urban residential use	Recreation, or rural living in a park like environment.		
Overlay, with the f <i>The</i> veg	lause 3.0 of Schedule 1 to by adding an exemption fo ollowing: e removal, pruning, destruc etation at the Southern Me essary to undertake the re	Accept Panel's recommendation. Council officers recommend support & adoption of Panel's recommendation.		

Community Plan 'Imagine 2030' and Council Plan 2013-2017 – 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
- Outdoor Activity and Sports Recreation for everyone
- *Lifecycle and Social Support* The Generations supported

<u>Place</u>

- 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

- Jobs and Business Opportunities Prosperous and affordable
- Leadership by the Council The leading Council

Council Plan 2013-2017

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 healthy, active and safe community
- A city that celebrates its diversity with pride

<u>Place</u>

- An environmentally sustainable city
- A city planned for the future

<u>Opportunity</u>

- A thriving and resilient economy
- A Council that listens and leads

The strategies and plans that contribute to these outcomes are as follows:

- Greater Dandenong Planning Scheme
- Green Wedge Management Plan

Related Council Policies

N/A

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

The continued progression of Planning Scheme Amendment C143 has been budgeted for this financial year and considered as part of the Long Term Financial Strategy.

Consultation

Notification of the amendment was given in accordance with the requirements of the *Planning and Environment Act, 1987.*

All submitters to the amendment were invited to participate in the Panel Hearing process.

Conclusion

The Panel concluded that the Amendment, as exhibited, is well founded and is strategically justified subject to addressing the more specific issues raised in submissions as discussed in the Panel report.

The Panel has concluded that Amendment C143 is, as exhibited, is supported by, and implements the relevant sections of the State and Local Planning Policy Framework.

The Amendment is recommended to be adopted, subject to some changes as recommended by the Panel. Principally, this is to amend references to the Clarke Road and Hutton precincts identified in the *Green Wedge Management Plan* and local planning policy and adding an exemption for the Bunurong Memorial Park to the schedule to the Vegetation Protection Overlay.

All other elements of the exhibited Amendment are to remain unchanged.

These changes are considered to be acceptable and should be supported in order to continue to progress this significant amendment for Greater Dandenong.

Recommendation

That Council:

- 1. receives the Panel Report prepared in response to submissions made to Amendment C143 to the Greater Dandenong Planning Scheme and considers its recommendations in accordance with Section 27(1) of the *Planning and Environment Act 1987* as outlined in this report;
- 2. adopts the position recommendations of the Panel Report as set out in this report;
- 3. adopts Amendment C143 to the Greater Dandenong Planning Scheme in accordance with Section 29(1) of the *Planning and Environment Act 1987*, incorporating the changes to Amendment C143 recommended in this report;
- 4. forwards the revised Amendment C143 documentation to the Minister for approval in accordance with section 31(1) of the *Planning and Environment Act 1987*; and
- 5. advises all submitters accordingly.

MINUTE 58

Moved by: Cr Matthew Kirwan Seconded by: Cr Angela Long

That Council:

- 1. receives the Panel Report prepared in response to submissions made to Amendment C143 to the Greater Dandenong Planning Scheme and considers its recommendations in accordance with Section 27(1) of the *Planning and Environment Act 1987* as outlined in this report;
- 2. adopts the position recommendations of the Panel Report as set out in this report;
- 3. adopts Amendment C143 to the Greater Dandenong Planning Scheme in accordance with Section 29(1) of the *Planning and Environment Act 1987*, incorporating the changes to Amendment C143 recommended in this report;
- 4. forwards the revised Amendment C143 documentation to the Minister for approval in accordance with section 31(1) of the *Planning and Environment Act 1987*; and
- 5. advises all submitters accordingly.

CARRIED

OTHER

PLANNING SCHEME AMENDMENT C143 – GREEN WEDGE - ADOPTION

ATTACHMENT 1

GREATER DANDENONG PLANNING SCHEME AMENDMENT C143 GREEN WEDGE PANEL REPORT

PAGES 77 (including cover)

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

Planning and Environment Act 1987

Panel Report

Greater Dandenong Planning Scheme Amendment C143 Greater Dandenong Green Wedge Management Plan 2014

1 December 2016



ORDINARY COUNCIL MEETING MINUTES

2.5.6 Planning Scheme Amendment C143 - Green Wedge - Adoption 12 Dec 2016 (Cont.)

Planning and Environment Act 1987Panel Report pursuant to Section 25 of the ActGreater Dandenong Planning Scheme Amendment C1431 December 2016

David Merrett, Chair

J.M. Osbo

Jane Osborn, Member

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List of Abbreviations

CASS	Coastal Acid Sulphate Soils
DCPO4	Development Contributions Plan Overlay – Schedule 4
DPO14	Development Plan Overlay – Schedule 14
EPA	Environment Protection Authority
ESO3	Environmental Significance Overlay – Schedule 3
EVC	Ecological Vegetation Class
GWAZ	Green Wedge A Zone
GWMP	Greater Dandenong Green Wedge Management Plan 2014
GWZ	Green Wedge Zone
ICCD	Industrial and Commercial Change and Demand Final Strategy May 2016
KGC	Keysborough Golf Club
KSLG	Keysborough South Landowners Group
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
PPRZ	Public Park and Recreation Zone
PUZ1	Public Use Zone 1
SEGW	South East Green Wedge
SPPF	State Planning Policy Framework
SUZ6	Schedule 6 to the Special Use Zone
UGB	Urban Growth Boundary
VPO	Vegetation Protection Overlay



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Executive Summary

(i) Summary

Amendment C143 seeks to implement the recommendations of the City of Greater Dandenong Green Wedge Management Plan 2014. The Dandenong green wedge is a significant part of the Melbourne's South East Green Wedge that extends into the Cities of Kingston, Frankston and Casey. Apart from the Clarke Road precinct, it is contiguous with the green wedge areas outside the City of Greater Dandenong. The green wedge contains the following seven precincts:

- 1. Clarke Road
- 2. Hutton Road North
- 3. Keys Road
- 4. Bangholme Lowlands
- 5. Eastern Treatment Plant
- 6. Bangholme East
- 7. Lyndhurst.

More specifically, Amendment C143 proposes to retain the current planning scheme provisions for the Eastern Treatment Plant, Bangholme East and Lyndhurst precincts. The National Water Sports Centre in the Bangholme Lowlands precinct is to be rezoned to Public Park and Recreation Zone. The Hutton Road North and Keys Road precincts are to be rezoned to the Green Wedge A Zone with the current minimum subdivision areas of four and six hectares retained, respectively. Clause 22.02 is to be amended to refer to all precincts and update policy. A Vegetation Protection Overlay control is to be applied to all of the green wedge. This expires on 31 December 2018 to enable further assessments to be made and protect the many remnant trees.

A total of 75 submissions were received that raised the following issues:

- 37 supported the Amendment (with three submitters each submitting their support twice, albeit two of these submitters subsequently withdrew one of their duplicate supporting submissions)
- six supported the Amendment with changes
- seven stated no objections
- 16 objected to the Amendment (with one submitter providing two objections)
- seven made comment or asked questions about the Amendment
- two submissions were received in relation to Council's resolution on 14 June 2016 for changes to the Amendment (one submission was in support and one submission objected to Council's changes).

The Council resolution of 14 June 2016 supported:

- the removal of the Keysborough Golf Club land in the Hutton Road North precinct from the green wedge and its inclusion within the Urban Growth Boundary
- a minimum subdivision area of 0.2 hectare for the Keys Road precinct.

The key issues raised in submissions were:

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- Clarke Road precinct the need to provide greater flexibility in future land use for the precinct.
- Hutton Road North precinct modified its position to not pursue the alignment of the Urban Growth Boundary in Amendment C143 however for the Keysborough Golf Club site, the need to support its transition to urban residential uses and the deletion of the Vegetation Protection Overlay.
- Keys Road precinct allow a minimum subdivision area of 0.2 hectares for a low density residential development that will ensure the environmental and drainage constraints of the land can be addressed.
- Bangholme Lowlands precinct provide greater support and references to Cornish College as a key land use in the precinct and whether the National Water Sports Centre should be rezoned.
- Bangholme East precinct allow for new industrial development to occur in the Harwood Road North sub-precinct, allow for tourism uses and whether there should be a permit exemption for tree removal in the Vegetation Protection Overlay.
- Lyndhurst precinct whether urban uses should be allowed on land owned by the Melbourne Chevra Kadisha cemetery.

There were no submissions that raised concerns with the Eastern Treatment Plant precinct.

The Panel has considered all submissions and generally concludes Amendment C143 implements the vision and policy of the City of Greater Dandenong Green Wedge Management Plan 2014 and is supportive of State and Local policy for green wedge land.

Regarding submissions, the following is provided:

Clarke Road precinct

The Panel supports the need for greater flexibility in considering future land uses for the former resource extraction and landfill sites that are closed and undergoing rehabilitation.

Hutton Road North precinct

Based on the modified position put by the Keysborough Golf Club, the Panel accepted the need to make some reference to the potential of the site for urban residential uses. However, it does not accept the proposed words which, in the mind of the Panel, pre-empts any decision by Plan Melbourne Refresh process on whether the land should be within the Urban Growth Boundary. The Panel supports words that do not imply that this decision has been made.

Keys Road precinct

The Panel acknowledges that a development based on a 0.2 hectare minimum subdivision area has the capacity to address environmental and drainage constraints. However, the Panel is required to consider the strategic implications of this proposal first and has found:

• The Keysborough South Landowners Group proposal would be considered as a form of rural residential development. The Green Wedge A zone refers more specifically to rural living. The Panel has found the proposal would represent a low density residential development within the green wedge. This is inconsistent with State policy for the green wedges.

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- A lot yield of at least 1,100 lots and a future population of 2,500 to 3,000 people is significant by any measure and this should be supported by local policy and a housing strategy. The Panel has found this not to be the case. This represents a residential development in the green wedge which is not supported by State or Local policy.
- The quantum of fill that is proposed to re-engineer the landscape to address drainage is likely to challenge the ability to retain Aboriginal heritage (scar trees) and the many remnant Redgum trees.

Overall, the proposal fundamentally undermines the intent and purpose of green wedges.

Bangholme Lowlands precinct

The Panel has found that the Cornish College provides an important educational offering in the green wedge. However, there is no need for any more direct support or references to the College as the Special Use Zone has provisions that are tailored to support the future development of the school that will be guided by a master plan.

Bangholme East precinct

The Panel has accepted that there is enough industrial land available in Greater Dandenong for the foreseeable future, as concluded by the Industrial and Commercial Change and Demand Final Strategy May 2016. On this basis, it does not support the industrial development of the Harwood Road North sub-precinct.

The Panel supports the submission from Southern Metropolitan Cemeteries Trust to provide permit exemption of tree removal at Bunurong Memorial Park.

The Panel has found there is there is the ability to apply for a tourist/recreational use (or amusement park) under the provisions of the Green Wedge Zone.

Lyndhurst precinct

The Panel has not supported urban uses on the undeveloped portion of the Melbourne Chevra Kadisha cemetery.

(ii) Recommendation

Based on the reasons set out in this Report, the Panel recommends:

Greater Dandenong Planning Scheme Amendment C143 be adopted as exhibited subject to the following:

Greater Dandenong Green Wedge Management Plan 2014

- 1. Amend references to the Clarke Road precinct as contained in Appendix D.
- 2. Amend Figure 12 (page 77) for the Hutton Road North precinct as follows:

Precinct	Key constraints	Precinct objective	Preferred land uses
2. Hutton Road	Potential Coastal Acid Sulphate Soils		living in a park like

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		transition residentia	to an urban I use			
3.	Amend Page 10 Map 1, page 27 Scenario 1, page 28 scenario 3, page 63 Map 8, page 71 Hutton Road North precinct, page 71 Keys Road precinct and page 77 Figure 12 to replace references to 'rural residential' or 'rural residential living' with 'rural living'.					
4.	At page 10, insert the following text for Precinct 2 under the heading 'Preferred land use by precinct' on Map 1 (Spatial Elements): recreation, rural living in a park like environment.					
5.	sentence that complace" replace with:	•	fied a site in Hutton Road and in the iscussions with Council have taker wedge.			
6.		5	ntence: her the land should transition to ar			
Loc	al Planning Policy Fra	amework				
7.	Amend Clause 21.03 Wedge.	3, Strategic Framework Map,	by identifying the Dandenong Greer			
	 Amend Clause 21.04, Further Strategic Work to insert the following: Further investigation as to whether Precinct 2, Hutton Road North, should transition to an urban residential use. Amend Table 1 of Clause 22.02 by replacing references to the Clarke Road and Hutton 					
	•	s with the following:				
	Precinct	Precinct objective	Preferred land uses			
	1. Clarke Road	To encourage the use of land for activities that are of net community benefit. To encourage land uses which are consistent with the ongoing management and monitoring of the former landfill site and which do not unreasonably affect the amenity of adjoining residents and users of the parkland.	Uses consistent with the purpose of the Green Wedge Zone and compatible with nearby public open space and residential uses and provide for a net community benefit, including but not limited to, solar farm and other infrastructure, open space and recreation.			
	2. Hutton Road North	To allow for continued operation of the golf course and investigate whether the land should transition to an urban residential use	Recreation, or rural living in a park like environment			

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10. Amend Clause 3.0 of Schedule 1 to the Vegetation Protection Overlay, by adding an exemption for the Bunurong Memorial Park with the following:

The removal, pruning, destruction or lopping of planted vegetation at the Southern Metropolitan Cemetery which is necessary to undertake the requisite daily tasks.

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1 Introduction

1.1 Panel process

Greater Dandenong Planning Scheme Amendment C143 (the Amendment) was prepared by the Greater Dandenong City Council as Planning Authority. As exhibited, the Amendment proposes to introduce the recommendations of the City of Greater Dandenong Green Wedge Management Plan 2014 (GWMP).

The Amendment was prepared by Council and was authorised by the Department of Environment, Land, Water and Planning on 20 November 2015.

The Amendment was placed on public exhibition between 4 February and 7 March 2016, with 75 submissions received. 72 submissions were received during the exhibition of the Amendment with 3 late submissions received after exhibition closed. The submissions can be categorised as:

- 37 supported the Amendment (with three submitters each submitting their support twice, albeit two of these submitters subsequently withdrew one of their duplicate supporting submissions)
- six supported the Amendment with changes
- seven stated no objections
- 16 objected to the Amendment (with one submitter providing two objections)
- seven made comment or asked questions about the Amendment
- two submissions were received in relation to Council's resolution on 14 June 2016 for changes to the Amendment (one submission was in support and one submission objected to Council's changes).

Appendix A contains a list of submitters to the exhibited Amendment.

At its meeting of 14 June 2016, Council resolved to refer the submissions to a Panel. As a result, a Panel to consider the Amendment was appointed under delegation from the Minister for Planning on 25 July 2016 and comprised David Merrett (Chair) and Jane Osborn.

A Directions Hearing was held in relation to the Amendment on 18 August 2016. Following the Directions Hearing and on 5 October 2016, the Panel undertook an inspection of the Green Wedge area and its surrounds.

The Panel then met in the offices of Planning Panels Victoria on 10, 11, 13, 14, 17 and 18 October 2016 to hear submissions about the Amendment. Those in attendance at the Panel Hearing are listed in Appendix B.

Appendix C contains a list of documents tabled at the Hearing.

1.2 South East Green Wedge

The South East Green Wedge (SEGW) is one of 12 green wedges in Melbourne that designate non-urban areas outside of the Urban Growth Boundary. In one form or another they have played a role in metropolitan planning since the 1960's.

The SEGW spans the municipalities of Kingston, Greater Dandenong, Frankston and Casey.

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The Greater Dandenong component of the SEGW covers an area of 3,740 hectares (29 per cent of the municipality). It covers areas of Keysborough, Bangholme and Lyndhurst. Its context in south east Melbourne is shown in Figure 1.

Figure 2 shows the Dandenong part of the SEGW. It is in the following two parts:

- The main portion, which is to the south of the municipality and extends roughly from Hutton/Perry/Glasscocks Roads to Thompsons Road and is bound by the Mornington Peninsula Freeway to the west and the Westernport Highway to the east.
- The northern-most (and smaller) portion, which is centred around Clarke Road between Westall, Springvale and Heatherton Roads in Springvale South.

Most of the Greater Dandenong Green Wedge is in private ownership. It includes many facilities and land uses of strategic importance to the surrounding region and the wider metropolitan area, including:

- the Eastern Treatment Plant (ETP) and its related odour buffers
- areas of landscape and environmental significance
- areas with potential waste-water recycling
- designated odour and safety buffers near the Dandenong South industrial area
- locations with productive agriculture.

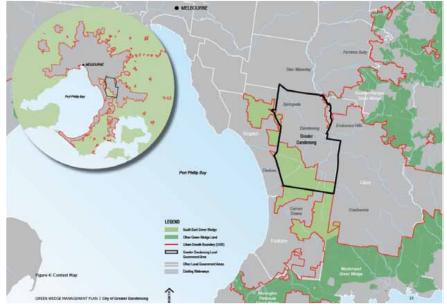
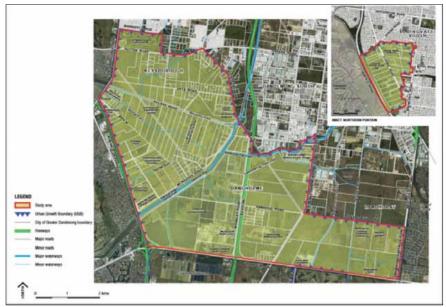


Figure 1 Greater Dandenong Green Wedge in south east Melbourne.

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Figure 2 Greater Dandenong Green Wedge

1.3 Overview of the Greater Dandenong Green Wedge Management Plan 2014

The GWMP was prepared by Planisphere and completed in 2014 after two years of preparation, consultation and drafting. Council adopted the GWMP on 8 December 2014.

The GWMP has drawn upon the following technical reports:

- Water issues and constraints, Alluvium, December 2013
- Environmental values and biodiversity, Biosis, July 2013
- Land use (Property economics), Urban Enterprise, August 2013
- Land use (Agricultural feasibility), RMCG, July 2013
- Access and movement, GTA Consultants, July 2012
- Aboriginal heritage assessment, Benchmark Heritage Management, 2013.

An Action Plan was completed in April 2015 that included recommendations to implement the recommendations of the GWMP in the Greater Dandenong Planning Scheme. It also contained many other non-planning related recommendations. Council advised these actions will be incorporated into its Annual Plan and the GWMP is expected to be reviewed in five years.

The project brief contained a direction that the GWMP was not to consider alterations to the Urban Growth Boundary (UGB).

The GWMP identified the following seven precincts (refer to Figure 3):

• 1 - Clarke Road precinct with a minimum subdivision area of four hectares

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- 2 Hutton Road precinct (including the Keysborough Golf Club KGC) with a minimum subdivision area of four hectares
- 3 Keys Road precinct (the subject of the submission from the Keysborough South Landowners Group KSLG) with a minimum subdivision area of six hectares
- 4 Bangholme Lowlands precinct with a minimum subdivision area of 40 hectares
- 5 Eastern Treatment Plant
- 6 Bangholme East precinct with a minimum subdivision area of 40 hectares
- 7 Lyndhurst precinct with a minimum subdivision area of 40 hectares.



Figure 3 Green Wedge management Plan – Spatial elements and precincts

The overarching vision for the green wedge as set out in the GWMP is:

The Greater Dandenong Green Wedge will provide a green, spacious relief from surrounding urban development. It will support a range of activities – agriculture, water treatment, recreation, education, and rural living – that are carefully located and designed to respect the important environmental, cultural heritage, water management, landscape, and amenity values and functions of the region.

The GWMP is structured around five key themes, being:

- Drainage & Water Management
- Natural Environment
- Land Use
- Transport & Access

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• Built Form & Heritage.

Each of the five themes has a sub-vision, under which sit the objectives and actions for achievement over the life of the GWMP.

Each of the five themes has a key priority for action over the next five years. These are:

- Drainage & Water Management improve flood and inundation management
- Natural Environment protect existing ecological values
- Land Use provide greater certainty to green wedge owners regarding preferred land uses
- Transport & Access optimise and improve the safety, function and efficiency of the movement and linkages to, from and through the Greater Dandenong Green Wedge
- Built Form & Heritage maintain open, landscape-dominated vistas throughout the Greater Dandenong Green Wedge.

The GWMP proposed the following three development scenarios:

- Maintain current management
- Improve the environment.
- Prioritise subdivision and development.

Scenario 1 - Maintain the current management

This is described as a 'business as usual' approach and would allow for the construction of an additional 43 dwellings under the existing zone provisions. This and the further development of urban uses to the north is *likely to result in increased flooding, water logging and water quality issues as well as declines in the condition of infrastructure, agricultural productivity and rural residential living.* The GWMP states:

The scenario would allow the Green Wedge to continue to provide relief from continuous development and to protect agricultural land and production, environmental and heritage assets, the Eastern Treatment Plant and the open landscape.¹

Scenario 2 - Improve the environment

This scenario would result in environmental improvements and restrict the possibility to develop existing lots where residential or other uses would be possible in the future and restricts further commercial or residential development and subdivision. It would result in improved ecological outcomes, visual amenity and flood storage capacity in the precinct, but may require the public purchase of land to facilitate this.

Increased minimum subdivision areas would be required or rezoning land to the Public Conservation and Resource Zone.

Scenario 3 - Prioritise subdivision and development

Rural residential development would be facilitated at a much increased level than currently possible. Subdivision lot sizes of one and five hectares were tested.

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¹ GWMP, page 27

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The one hectare subdivision size would result in an additional 1,200 dwellings, supported by 64 kilometres of new roads and 13 kilometres of upgraded existing roads.

The 5 hectare subdivision size would result in an additional 362 dwellings, supported by 57 kilometres of new roads and 26 kilometres of upgraded existing roads.

Both variations would result in significant increases in impermeable surfaces, leading to increased runoff and the need for retardation basins and drainage systems. The GWMP states it is likely to exacerbate flooding issues and notes that *allowing further subdivision*, *however, may not be considered in keeping with the role of the Green Wedge Zone*.

Preferred scenario

The preferred scenario is a combination of scenarios 1 and 2 to *ensure the area continues to provide relief from continuous development and, with investment for additional improvements, will also safeguard the values of the area including the protection of agricultural land and production, environmental and heritage assets, the Eastern Treatment Plant and the open landscape.*

The GWMP provides the basis for the Amendment.

1.4 Amendment description

The Amendment proposes to:

- amend Clause 21.02 (Municipal Profile) to update references to the Green Wedge
- amend Clause 21.03 (A Vision for Greater Dandenong) to update references and include a vision specific for the Green Wedge
- amend Clause 21.04 (Land Use) to include objectives and strategies relating to the Green Wedge
- amend Clause 21.05 (Built Form) to include objectives and strategies relating to the Green Wedge
- amend Clause 21.06 (Open Space and Natural Environment) to include objectives and strategies such as to protect and enhance ecological values of the Green Wedge
- amend Clause 21.07 (Infrastructure and Transportation) to reference the GWMP
- amend Clause 21.08 (Reference Documents) to list the GWMP as a Reference Document
- amend Clause 22.02 (Green Wedge Policy) to update the policy and reflect the key recommendations of the GWMP including revised green wedge precincts, precinct objectives and preferred land uses
- amend the Schedule to Clause 35.04 Green Wedge Zone (GWZ) to reflect the revised precincts
- rezone the Hutton Road and Keys Road precincts from GWZ to Green Wedge A Zone (GWAZ)
- rezone the National Water Sports Centre from GWZ and Public Use Zone 1 (PUZ1) to Public Park and Recreation Zone (PPRZ)
- insert the GWAZ into the Scheme with a Schedule nominating minimum subdivision sizes of four hectares and six hectares for the Hutton Road and Keys Road precincts, respectively

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- amend the Schedule to the PPRZ to list the National Water Sports Centre as being in Advertising Sign Category 3
- amend Schedule 3 to Clause 42.01 Environmental Significance Overlay (ESO3) to remove the permit exemption regarding the removal of all vegetation
- insert Clause 42.02 Vegetation Protection Overlay (VPO) into the Scheme together with Schedule 1 to introduce an interim vegetation protection control for native vegetation, particularly River Red Gums (over two metres in height or a single trunk circumference of greater than 0.5 metres at one metre height above ground level).

1.5 Planning history

Council referred to the South East Non-Urban Study Report 1997 that sought to:

- assess changes to land use within the SEGW
- develop policies which would guide the use and development of non-urban lands
- identify actions that would lead to sustainable land use and development in the SEGW.

To provide a holistic approach to the SEGW, four Councils (Kingston, Greater Dandenong, Casey and Frankston) entered a Memorandum of Understanding in 1998 to:

- resolve the 1997 study recommendations
- establish protocols for managing change
- preparing and implementing plans.

Since then an issues paper was prepared to collate base information to enable the preparation of a green wedge management plan for the SEGW. Despite this, a management plan for the entire SEGW was not prepared. Kingston and Greater Dandenong have prepared a GWMP for its areas, however Casey and Frankston have not and rely on planning policies to manage the green wedge.

The SEGW in Greater Dandenong has, over time, reduced in size to provide for residential and industrial development. The Panel was advised by Council that the Industrial 1 Zone on the east side of Perry Road was former green wedge land and the General Residential Zone in Keysborough South (located immediately north of the KGC and Hutton Road) was approved by Amendment C2 (in 2002) and C36 (in 2008).

In the Keys Road precinct, Schedule 16 to the Special Use Zone that applied at the time of the new format planning scheme in 1999, provided for a 2 hectare subdivision area. This is now the predominant lot size along Keys Road.

1.6 Council resolutions

Council has considered the GWMP, its related matters, submissions to the Amendment and individual requests that has guided the stance of submitters at the Hearing, on several occasions. Table 1 provides a summary.

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Table 1 Summary of related Council resolutions

Date	Resolution		
8 December 2014	 Part A – adopts GWMP, seek authorisation to prepare the Amendment Part B - commences the Industrial Change and Demand Study & Review of Commercial Zones project including for the Harwood Road North (Bangholme) area in mid-2015 		
23 November 2015	Council considered an officer report on the <i>Plan Melbourne Refresh Discussion</i> <i>Paper 2015</i> and resolved to: - support the Keysborough Golf Club's submission of 9 November 2015 to		
	Support the Reysborough Gon Club's Submission of 9 November 2013 to the Mayor and circulated to all Councillors that the City of Greater Dandenong make a submission to "Plan Melbourne Refresh", supporting the Club's request that it's land be considered for future urban use and included within the Urban Growth Boundary		
	 reaffirm its previous position on the Green Wedge land at Bangholme to include the land within the Urban Growth Boundary for future Employment land 		
	 as the Responsible Authority, agree to make a submission with the Keysborough Golf Club to the State Government asking it to initiate a process which considers the relocation of the Urban Growth Boundary to include the Keysborough Golf Club in a General Residential Zone and the previously identified land at Bangholme for future employment uses. 		
14 December 2015	Council considered a Notice of Rescission motion to the 23 November 2015 resolution based on the need for further community consultation. Ultimately, Council resolved to:		
	- Part A – the Council position on the status of the Bangholme Precinct now be that it remains in the Green Wedge		
	 Part B – supports the Keysborough Golf Club's submission of 9 November 2015 to the Mayor and circulated to all Councillors that the City of Greater Dandenong make a submission to "Plan Melbourne Refresh", supporting the Club's request that it's land be considered for future urban use and included within the Urban Growth Boundary 		
	 as the Responsible Planning Authority, agree to make a submission with the Keysborough Golf Club to the State Government asking it to initiate a process which considers the relocation of the Urban Growth Boundary to include the Keysborough Golf Club in a General Residential Zone 		
14 June 2016	In considering submissions, Council resolved to refer unresolved submissions to an independent panel, and:		
	4. in its presentation to the Panel, puts forward Council's view that since the Green Wedge Management Plan was adopted by Council in December 2014, Council has reconsidered its position in relation to elements of the Green Wedge Management Plan, and accordingly resolved with a 9:2 resolution of Council in January 2016, that Council supported the removal of the Keysborough Golf Club land from Green Wedge zoning and		

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Date Resolution		
recommended its inclusion within the Urban Growth Boundary		
	AND further advises the Panel, that notwithstanding Planning Officer views expressed in Attachment 2 that the one dwelling to 6 hectares be the default subdivisional size as expressed in the Green Wedge Management Plan, Council expresses its preparedness, subject to any recommendations by the Panel, to further amend the Green Wedge Management Plan to facilitate a less size-restrictive requirement for subdivision, than is presently required in the Green Wedge Management Plan, within the area recommended as being rezoned from Green Wedge to Green Wedge A	
	 supports the application for the Green Wedge A zone and a Schedule that applies a minimum subdivision area of 2,000 square metres to the Keys Road Precinct 	

In summary, the 14 June 2016 Council resolution differed from the officer recommendation in two respects, namely in relation to:

- The KGC, and particularly its inclusion within the GWAZ. The 14 June 2016 resolution notes Council's support for the inclusion of the Keysborough Golf Club land within the UGB.
- The Keys Road precinct and particularly the adoption of a minimum subdivision size of six hectares within the GWAZ. The 14 June 2016 resolution notes Council's support for the application of a minimum subdivision area of 2,000 square metres in respect of the Keys Road precinct. This was in response to a request put by the KSLG.

1.7 Procedural issues

Submitter 69 (KSLG) proposed to change the Amendment to provide for a 0.2 hectare (2000 square metres) minimum subdivision area in the Keys Road precinct, in lieu of the exhibited six hectares. As part of its submission, a Development Plan Overlay schedule (DPO14) and a Development Contributions Plan Overlay schedule (DCPO4) was circulated with evidence prior to the Hearing as a part of a suite of planning controls that could apply to guide the future rural residential development of the land. The DPO14 contained a detailed concept plan prepared by Mr O'Sullivan, from Human Habitats, which indicated a lot yield of 1,100 lots.

Submitter 52 (KGC) requested the Amendment be updated to be consistent with 14 December 2015 Council resolution that supported the golf club's future urban use and inclusion within the UGB. Ms Quigley QC, representing KGC, advised the Panel that it did not wish to pursue the UGB relocation in this Hearing as a submission had been lodged with the Plan Melbourne Refresh process.

The Panel raised the issue of the transformation of the Amendment and how to further consider:

- the reduced lot size, the DPO14 and DCPO4 for the Keys Road precinct
- the request to include the KGC² land within the UGB. This issue has been resolved as the submitter advised it would not be pursuing the location of the UGB in this Hearing.

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² The Panel assumes this request was for the whole of the Hutton Road precinct, not just the golf course.

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The Panel was concerned that these were significant changes that were put forward as a submission to, but not within, the exhibited Amendment. The Panel referred to the many submitters that supported the GWMP and had elected not to appear at the Hearing; which may be an indication of their expectation that what was exhibited would be approved. The Panel acknowledges that submitters should not assume what was exhibited will necessarily be approved. However, it does not agree with Ms Brennan SC that, if simply based on the decreased lot size, that further exhibition would not be required. The change in lot size from six hectares to 0.2 hectares is so significant that there would be very different forms of development as an outcome. This alone would warrant further exhibition and consultation with the community. Ms Brennan SC, representing the Keysborough South Landowners Group (KSLG) accepted that the community had not seen the DPO14 or the DCPO4 and that these should be the subject of further consultation. As a way forward Ms Brennan SC proposed that the Amendment be split into:

• Part 1 – the GWMP and the balance of the Amendment without the Keys Road precinct

• Part 2 – the Keys Road precinct.

Part B would be the subject of further exhibition once the proposed controls had been refined.

In response to the submissions from Ms Quigley QC and Ms Brennan SC, the Panel does not consider the Amendment would be transformed into another significantly different Amendment, as:

- the GWAZ was to be retained
- the GWAZ does not prohibit a smaller lot size than the default minimum
- the request for the Panel to consider a change to the Amendment is consistent with section 25(2) of the *Planning and Environment Act 1987* that allows a Panel to make any recommendation it thinks fit.

The Panel advised the parties at the Hearing that it did have difficulty in accepting the reduced lot size, the DPO14 and DCPO4 for the Keys Road precinct and that there would need to be further consultation with the community if the new controls were to be considered further by the Panel. However, the Panel considers it would only support the splitting of the Amendment if it thought that an appropriate strategic threshold had been met. This should not be a matter for another Hearing. The role of a future Hearing would be to consider how the land should be developed, not whether there is strategic basis for development of the type proposed. This strategic consideration is considered in Chapter 6.

1.8 Other post exhibition changes

Several parties proposed specific changes to the exhibited Amendment.

Table 2 summarises the changes sought.

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 Table 2
 Summary of changes requested to the Amendment

Party	Change sought		
Clarke Road Developments	Proposed changes to:		
	- GWMP to update the status and history of the land, identifying its key constraints and opportunities		
	 Clause 22.02 - Clause 22.02 – Green Wedge local planning policy 		
Keysborough Golf Club	Proposed changes to:		
	 the GWMP that reflect the current strategic intent for the KGC to be investigated further for its redevelopment potential for residential use and development 		
	- Clause 21.04 – Land use		
	- Clause 21.06 – Open space and natural environment		
	- Clause 22.02 – Green Wedge local planning policy		
	- delete the proposed VPO from the KGC		
Keysborough South Landowners Group			
Defenders of the South	Proposed changes to:		
East Green Wedge	- Clause 22.02-2		
	- GWMP		
Cornish College	Proposed changes to:		
	- Clause 21.02 – Municipal Profile		
	- Clause 21.03 – A Vision for Greater Dandenong		
	- Clause 21.04 – Land use		
	- Clause 22.02 – Green Wedge local planning policy		
	- Schedule 3 to the ESO – Eastern Treatment Plant buffer area		

These changes are discussed in more detail in Chapters 5 to 8.

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2 Identification of Issues

2.1 Summary of issues raised in submissions

The key issues raised in the submissions of the various parties are briefly summarised as follows:

(i) City of Greater Dandenong

The key issues for Council were:

- the need to implement the GWMP and Council's resolutions
- to support the further consideration of the 0.2 hectare minimum subdivision area for the Keys Road precinct. However, it is concerned over the extent of development indicated in the Human Habitats concept plan. Council would support a less detailed opportunities and constraints outline development plan appended to the proposed DPO14 that does not show lot layout or yield subject to further discussion with Council. Council supported the splitting of the Amendment to consider the Keys Road precinct further
- to support the proposed changes to the Hutton Road North precinct put forward by the KGC that identify the golf club as a site in transition and the subject of further investigation for residential use and development.

(ii) Keysborough South Landowners Group

The key issues for the KSLG were:

- to seek a change to the Amendment to allow for rural residential development at a subdivision minimum lot size of 0.2 hectare. The GWMP should refer to the further work required for the precinct
- to split the Amendment to allow for further consultation and consideration of the proposed reduced lot size and other proposed planning controls
- that rural residential development is appropriate for the Keys Road precinct and would assist in resolving issues related to drainage and stormwater management and flooding and effectively manage Aboriginal heritage, remnant native vegetation and amenity.

(iii) Keysborough Golf Club

The key issue for the KGC were to generally support the Amendment subject to changes to the GWMP and proposed controls to recognise the KGC is in transition and should be investigated for residential use and development.

The submitter advised the Panel it no longer sought a change in the UGB via this Amendment.

(iv) Defenders of the South East Green Wedge (DSEGW)

The key issue for the submitter were to generally support the Amendment subject to changes to the GWMP and planning controls that remove the reference to rural living as a preferred land use in the green wedge, reinforcing the need to preserve its open rural landscape and identifying the green wedge on the strategic framework map.

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(v) Clarke Road Developments

The submitter generally supported the Amendment subject to a change to allow greater flexibility in the future use of the land.

(vi) Madan Nominees

The key issues for the submitter were:

- to support the proposed change to the minimum subdivision area from six hectares to 0.2 hectares and the splitting of the Amendment to allow for the Keys Road precinct to be investigated further
- rural residential development of the Keys Road precinct can be serviced with reticulated services and allow for greater public access to the precinct.

(vii) Cornish College

The key issues for the submitter were to provide greater recognition for Cornish College in the Bangholme Lowlands precinct.

(viii) Campbell Constructions/M Guastella/L Bianco

The key issues for the submitters were:

- that the GWMP is unrealistic and should provide for industrial land use in the Bangholme East precinct
- the industrial land supply and demand analysis should have been completed prior to the GWMP.

(ix) Individual submitters

The key issues for the submitters were:

- support the Amendment
- generally support the Amendment but with a reduced lot size for the Keys Road precinct to 2 hectares, not 0.2 hectares
- support the proposal to reduce the lot size for the Keys Road precinct to 0.2 hectares.

2.2 Issues dealt with in this Report

The Panel considered all written submissions, as well as submissions presented to it during the Hearing. In addressing the issues raised in those submissions, the Panel has been assisted by the information provided to it as well as its observations from inspections of specific sites.

The approach of the Panel is to consider the planning context of the Amendment and then address each of the precincts, including the relevant submissions. This report deals with the issues under the following headings:

- Planning context
- Clarke Road precinct
- Hutton Road North precinct
- Keys Road precinct
- Bangholme Lowlands precinct

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- Bangholme East precinct
- Lyndhurst precinct.

There were no submissions on the Eastern Treatment Plant precinct that raised issues. The Panel, therefore, does not consider the GWMP or Amendment provisions that relate to this precinct further and supports the Amendment in respect of this precinct.

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3 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed the policy context of the Amendment and made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

3.1 Policy framework

3.1.1 State Planning Policy Framework (SPPF)

Council submitted that the Amendment is supported by the following clauses in the SPPF:

- Clause 11.04-7 (Green wedges) seeks to protect the green wedges of Metropolitan Melbourne from inappropriate development. The relevant strategies are:
 - ensure strategic planning and land management of each green wedge area to promote and encourage its key features and related values
 - support development in the green wedge that provides for environmental, economic and social benefits
 - consolidate new residential development within existing settlements and in locations where planned services are available and green wedge area values can be protected
 - plan and protect major transport facilities that serve the wider Victorian community, such as airports and ports with their associated access corridors
 - protecting important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula
 - protect areas of environmental, landscape and scenic value
 - protect significant resources of stone, sand and other mineral resources for extraction purposes.
- Clause 12.01-2 (Native vegetation management).
- Clause 12.04-2 (Landscapes).

The Panel considers the Amendment is consistent with these provisions. The proposal by the KSLG needs to be further considered in this respect.

3.1.2 Local Planning Policy Framework

Council submitted that the Amendment supports the following local planning objectives:

- Clause 21.05-1 (Urban design, character, streetscapes and landscapes).
- Clause 21.05-2 (Heritage).
- Clause 21.06-3 (Non-urban).
- Clause 21.07 (Infrastructure and transport).
- Clause 22.01 (Chain of parks).
- Clause 22.02 (Green wedge local planning policy).
- Clause 22.05 (Greater Dandenong gateways policy).

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Clause 22.02 seeks to:

- further the "Green Space" vision for Greater Dandenong's green wedge area, as defined in the Municipal Strategic Statement (MSS) at Clause 21.03-2
- give effect to and clarify Council's vision with respect to various strategic studies undertaken of the wider non-urban area and its components within Greater Dandenong
- recognise and implement the Memorandum of Understanding signed with adjacent municipalities containing the South East Non-Urban Area
- encourage sustainable land use practices and provide optimal long term planning solutions for the use and development of land
- give effect to the objectives and strategies in the MSS at Clause 21.06 at a more detailed level
- recognise the particular functions, characteristics and contributions of the various precincts identified within the area and provide for appropriate development within each precinct
- provide guidance to stakeholders about appropriate uses and forms of development which respond to the function and characteristics of each precinct
- provide a purpose and certainty to the uses of the land within identified precincts
- give effect to and clarify Council's vision with respect to various strategic studies undertaken of the wider non-urban area and its components within Greater Dandenong
- encourage sustainable land use and development practices within the policy area.

3.1.3 Other planning strategies or policies used in formulating the Amendment

Plan Melbourne, Melbourne's Metropolitan Planning Strategy, identifies the potential for the Green Wedge areas to enhance the food production capability of metropolitan Melbourne and protects significant water and sewage assets, including the Eastern Treatment Plant.

Plan Melbourne Refresh – Discussion Paper October 2015 does not propose to change how green wedges are addressed in the metropolitan strategy.

3.2 Planning scheme provisions

3.2.1 Zones

Most of Greater Dandenong's part of the SEGW is in the Green Wedge Zone. The key exceptions are:

- the Eastern Treatment Plant in the Public Use Zone 1 Service and utility (PUZ1)
- Cornish College in the Special Use Zone Schedule 6 (SUZ6)
- Chevra Kadisha cemetery in the Public Use Zone 5 Cemetery/crematorium (PUZ5).

The Amendment proposes to:

- rezone the Hutton Road North and Keys Road precincts to GWAZ with a minimum subdivision area of four and six hectares respectively
- rezone the National Water Sports Centre from Green Wedge Zone and Public Use Zone 1 to Public Park and Recreation Zone.

The GWZ seeks to:

• implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies

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- provide for the use of land for agriculture
- recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources
- encourage use and development that is consistent with sustainable land management practices
- encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses
- protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes
- protect and enhance the biodiversity of the area.

The current minimum subdivision area is 4 hectares for land in the Hutton Road North precinct and 6 hectares for land in all other precincts in the GWZ.

The GWAZ seeks to:

- implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies
- provide for the use of land for agriculture
- protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area
- ensure that use and development promotes sustainable land management practices and infrastructure provision
- protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes
- recognise and protect the amenity of existing rural living areas.

The GWAZ is not currently used in the Greater Dandenong Planning Scheme.

3.2.2 Overlays

The Amendment introduces an interim Vegetation Protection Overlay – Schedule 1 (Native vegetation in the main portion of the green wedge) control to all land in the green wedge. This is due to expire on 31 December 2018.

The Amendment amends the ESO3 (ETP buffer) to remove the permit exemption for removal of native vegetation. The extent of the buffer administered by the ESO3 is unchanged.

3.2.3 Particular provisions

Clause 57 (Metropolitan green wedge land) seeks 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
- protect productive agricultural land from incompatible uses and development
- ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land
- encourage the location of urban activities in urban areas

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- provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004
- provide deeming provisions for metropolitan green wedge land.

3.3 Ministerial Directions and Practice Notes

3.3.1 Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

- Ministerial Direction No 1 Potential Contaminated Land.
- Ministerial Direction No 9 Metropolitan Strategy.
- Ministerial Direction No 11 Strategic Assessment of Amendments.
- The Form and Content of Planning Schemes (s7(5)).

3.3.2 Planning Practice Notes

Council submitted the Amendment was consistent with the following practice notes:

- Planning Practice Note PPN31 Preparing a Green Wedge Management Plan.
- Planning Practice Note PPN42 Applying the Rural Zones.
- Planning Practice Note PPN62 Green Wedge Planning Provisions.

3.4 Discussion

The Panel concludes that the Amendment, as exhibited, is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework.

The Panel concludes that the Amendment is well founded and is strategically justified subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

The submissions from the KGC and the KSLG raised significant strategic issues that are addressed in Chapters 5 and 6, respectively.

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4 Clarke Road precinct

4.1 The issues

The Clarke Road precinct is isolated from the main part of the SEGW and was historically used for sand extraction and waste disposal. The precinct was rezoned to the GWZ in 2012 (Amendment C133).

The site has been actively remediated under a Pollution Abatement Notice since the closure of the waste disposal in 2003. Full remediation will take some years and it is expected that interim uses of the land are likely.

Clause 22.02, as exhibited, supports the following preferred future uses:

• Uses of benefit to the surrounding community (e.g. open space, recreation, infrastructure).

The GWMP refers to the potential of a solar farm or additional parkland. Ms Forsythe, on behalf of Clarke Road Developments and CRD Properties (Submitters 36 and 65), submitted that 'the more critical question is what it ought to transition to?'

4.2 Evidence and submissions

Clarke Road Developments and Earth Solutions Group/CRD Properties are the main landowners in the precinct. Ms Forsythe, barrister, represented the submitters at the Hearing and tabled evidence from:

- William Bromhead, Planning and Environment, from Ratio
- Sze-fai Pang, Environment, from Tonkin and Tonkin.

Ms Forsythe did not call the experts to provide oral evidence and their evidence was taken as read. This was based on Council's acceptance of proposed changes to the Clause 22.02 and the GWMP, as taken from Mr Bromhead's evidence statement.

Ms Forsythe submitted there should be added flexibility in considering the future use of the land. Ms Forsythe stated:

Given the combination of constraints on the site, and the desirability of finding an economic use for the land in the interim and long term, any local policy which seeks to further limit the range of appropriate uses ought to be very well justified. The GWMP appropriately recognises that the Clarke Road precinct has not been studied in the same way as the rest of the green wedge. It does not provide any strategic basis to limit the use of the site to uses that directly benefit the surrounding community.

...

The Council's original choice of words 'of benefit to the surrounding community' may have had the perhaps unintentional consequence of seeking to constrain the discretion otherwise available to a decision maker when considering the broader test of 'net community benefit'. Ms Riddle recognised that the choice of words was shaped by the solar farm proposal, and has

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appropriately recognised that the words should be broadened given the uncertainty about that proposal proceeding. $^{\rm 3}$

Mr Bromhead proposed the following changes:

<u>Clause 22.02</u>

Amend Table 1 for the Clarke Road precinct to:

Precinct objectives

- To encourage the use of the land for activities that are of net community benefit.
- To encourage land uses which are consistent with the ongoing management and monitoring of the former landfill site and which do not unreasonably affect the amenity of adjoining residents and users of the parkland.

Preferred land uses

 Uses consistent with the purpose of the Green Wedge Zone and compatible with nearby public open space and residential uses and provide for a net community benefit, including but not limited to, solar farm and other infrastructure, open space and recreation.

GWMP

- Amend Page 66, Former Landfill Site, last paragraph by stating:
 - Renewable energy is an example of an appropriate future use for the site, given the post closure land fill monitoring requirements ... (underline highlight the proposed change)

Ms Forsythe provided other changes to the GWMP that generally update references to the Clarke Road precinct, all of which have been accepted by Council.

4.3 Discussion

The changes are quite extensive, yet effectively only contemporises references to the precinct and reflect the changes proposed to Clause 22.02. These changes are contained in Appendix D. The Panel considers the proposed changes are relatively minor. Council has accepted the changes and the Panel agrees that there should be added flexibility in the consideration of future land uses, particularly considering the extended remediation period for the land.

4.4 Conclusions

The Panel concludes it is appropriate to amend Clause 22.02 and the GWMP as requested by the submitter.

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³ Ms Forsythe submission, paragraphs 17 and 19

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4.5 Recommendations

The Panel recommends:

Replace the Clarke Road precinct component of Table 1 to Clause 22.02 with the following:

Precinct	Precinct objective	Preferred land uses
1. Clarke Road	To encourage the use of the land for activities that are of net community benefit. To encourage land uses which are consistent with the ongoing management and monitoring of the former landfill site and which do not unreasonably affect the amenity of adjoining residents and users of the parkland.	Uses consistent with the purpose of the Green Wedge Zone and compatible with nearby public open space and residential uses and provide for a net community benefit, including but not limited to, solar farm and other infrastructure, open space and recreation.

Amend the Greater Dandenong Green Wedge Management Plan 2014 as contained in Appendix D.

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5 Hutton Road North precinct

5.1 The issues

The Hutton Road North precinct comprises 100 hectares of land. This accommodates the KGC (75 hectares) and the Aces Sporting Club (25 hectares).

Submitters 50, 51, 52, 54 and 56 relate to the KGC land and seek to change the Amendment to reflect the 14 June 2016 Council resolution (that is, Council supported the removal of the KGC land from Green Wedge zoning and recommended its inclusion within the UGB).

The KGC modified its position at the Hearing and now generally supports the Amendment subject to changes to the GWMP and proposed controls to recognise the KGC is in transition and should be investigated for residential use and development.

The KGC requested deletion of the proposed VPO1 on the KGC land.

The key issues for the Panel are:

- should the land be included in the Urban Growth Boundary?
- is the Green Wedge A Zone appropriate?
- is the application of the Vegetation Protection Overlay appropriate?
- should the land be identified for further investigation for urban residential uses?

5.2 What does the GWMP say?

The GWMP provides the basis for the land use and GWAZ for the precinct, as follows:

Like the Clarke Road precinct, this precinct should be recognised as a Green Wedge precinct in local planning policy as currently it is not mentioned.

The Keysborough Golf Club has shown interest in developing a golf and community multi-sport precinct within the Greater Dandenong Green Wedge. Preliminary discussions with Council have taken place regarding the concept and have identified a potential site as being directly adjacent from the current golf course on Hutton Road. Although the proposal is in its infancy and may require rezoning of part of the Golf Club land, it should be seen as an opportunity for consideration.

In the meantime, it is recommended that the area be rezoned to Green Wedge A Zone (GWAZ) to reflect its existing urban context with residential development to its north and south west. This zoning is more compatible with the surrounding uses. In particular, it will better protect the amenity of adjacent residential uses. No changes are recommended to the minimum lot size which allows for continued operation of the golf course, as well as other forms of recreation or rural residential living where the landscape dominates.⁴

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⁴ GWMP, page 71, section 5.4

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The GWMP Vision for the precinct is as follows:

Precinct	Key Constraints	Precinct Objective	Preferred Land Uses
2 Hutton Road North	Potential CASS	To allow for continued operation of the golf course, or an alternate recreational activity or rural residential living in a park-like environment	Open Space, recreation and rural residential

The GWMP ultimately supports the rezoning of the Hutton Road North precinct to GWAZ, maintaining the existing 4 hectare minimum subdivision area. The Amendment proposes the following for the Hutton Road North precinct:

- Recognition of the precinct through statement in policy 22.02 (Green Wedge Policy).
- Application of GWAZ with a Schedule to Clause 35.05 nominating a 4 hectare minimum subdivision area.
- Statement of objectives, preferred land uses and actions for future management for the precinct in the GWMP which is proposed as a reference document in Clause 21.08.
- Application of Schedule 1 of the VPO to the land.

5.3 Should the land be included in the Urban Growth Boundary?

5.3.1 Evidence and submissions

Submitters 50, 51, 52, 54 and 56 considered the Amendment should be consistent with the Council resolution to include the land in the UGB.

Ms Quigley QC clarified at the Hearing that the KGC did not wish to pursue the UGB realignment in this forum and that a submission had been made to the Plan Melbourne Refresh process.

Mr Rodda considered the GWMP should have the ability to consider the UGB alignment and stated:

In acknowledgement of the application of a permanent urban boundary around Melbourne, as proposed by Plan Melbourne 2014 and the Plan Melbourne Refresh document, in my view the Greater Dandenong GWMP should be updated to reflect Council's resolutions in relation to the KGC land and the potential need to alter the UGB.⁵

5.3.2 Discussion

Historically the KGC was part of a larger green wedge area in Greater Dandenong that included abutting land to the north and east where the land is now largely developed for residential purposes. The Clarke Road precinct of the GWMP is further to the north east of the site and separated by urban development. The broader context maps in Figures 1 and 4 to the GWMP show areas of SEGW land uses that are located to the west and north west in

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⁵ Rodda evidence statement, page 31, paragraph 116.

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the City of Kingston. While the KGC is not at the northern or western limit of the contiguous SEGW, it is set within an urban context to the north and east and has roads carrying substantial volumes of traffic to the south and west.

The Panel considers that any proposed inclusion of land within the UGB is a State and regional matter and must be considered in those wider contexts. Given these circumstances and the final position of the submitter, revisions or changes to the UGB cannot be recommended through this Panel process.

5.3.3 Conclusion

The Panel concludes it is not appropriate to consider the realignment of the UGB through Amendment C143.

5.4 Is the Green Wedge A Zone appropriate?

5.4.1 Evidence and submissions

Ms Quigley QC summarised the position of the Golf Club as follows:

While the Golf Club is looking to move to another site, it intends to remain in the municipality, and within the Green Wedge Zone. It is anticipated that the new Golf Club would be part of, or adjacent to, a larger multi-sport community facility on a site further to the south east on Pillars Road to the south.⁶

Ms Quigley QC submitted that the KGC considered either the GWAZ or the GWZ, for different reasons, would be appropriate for the land.

Mr Rodda considered the GWZ should be retained for the precinct while other processes relating to the location of the UGB occur. His reasoning was that:

- the rationale for the change of zone is unclear;
- since the preparation of the Management Plan the Council has refined its strategic vision for the Land which currently is not clearly reflected in the Management Plan or proposed planning scheme policy documents
- The Amendment documents should accurately reflect the strategic intent of the Land as per Council's resolution.⁷

In regard to this, Mr Rodda sought the deletion of the following statement from the GWMP:

Rezone the Hutton Road North Precinct to Green Wedge A Zone maintaining the existing 6ha minimum lot size $^{\rm 8}$

In summary Ms Riddle's evidence as relevant to this issue was:

• The rezoning of the land as proposed in the exhibited Amendment is considered appropriate having regard to the close proximity of the land to surrounding residential uses, and the purpose of the zone and types of uses that may be considered within the Green Wedge zone that are

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KGC submission, page 4, paragraph 13.

⁷ Rodda evidence statement, page 6

⁸ GWMP, Clause 5.7.

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incompatible with residential amenity. The uses that are prohibited by the change of zoning include:

- Abattoir, intensive animal husbandry, manufacturing sales, materials recycling, milk depot, place of assembly, refuse disposal, research and development centre, sawmill, solid fuel depot, transfer station and transport terminal⁹.
- It is recognised that the Keysborough Golf Club has been considering its future and whether it ought to relocate for some time. However, whether the proposed rezoning has an impact on a decision or ability to move is not of relevance to the GWMP or the exhibited version of the Amendment.¹⁰

Submissions 33 and 55 relate to the inappropriateness of rural residential uses in this precinct and a desire for the precinct to remain as open space or golf course.

Mr Thatcher, on behalf of Submitter 76 (Defenders of the South East Green Wedge) objected to the inclusion of rural living in the vision for the Green Wedge. In particular, the DSEGW do not support provisions that would allow new rural living in the Green Wedge A Zone as the zone is designed to *"recognise and protect the amenity of existing rural living areas"*.

5.4.2 Discussion

The KGC is in Keysborough South, bounded generally by Hutton Road to the south, Springvale Road to the west, Marriot Drive to the north and an area of residentially zoned land to the east.

The GWMP seeks to accommodate appropriate uses (golf course, rural residential) having regard to the green wedge location and the proximity to existing residential uses. The choice of the GWAZ, rather than the GWZ, reflects the proximity of residential uses and prohibits several uses with off-site amenity impacts. In addition, the GWAZ was selected to reflect the existing urban context of the land with residential development to the north and southwest.¹¹

The Panel acknowledges the developed residential land to the east and north of the site, with a link to open space to the north. Given the proximity of land used for residential purposes, and that the KGC land was not identified as highly suitable for agriculture, the Panel agrees with Ms Riddle's view that the GWAZ is more suitable than the GWZ in this case.

In response to the submission from DSEGW, the KGC currently has the ability to be subdivided to create 4 hectare rural living lots. A dwelling may be constructed on a lot subject to the provisions of the zone. The DSEGW does not support provisions that would allow **new** rural living in the GWAZ as the zone includes an objective *to recognise and protect the amenity of existing rural living areas*. This would effectively be a back zoning as the current subdivision potential of the land would be reduced. The Panel is of the view that the objective does not preclude subdivision but rather seeks to acknowledge that existing rural

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 ⁹ Riddle evidence statement, page 30, paragraph 122.
 ¹⁰ Riddle evidence statement, page 30, paragraph 127.

 ¹⁰ Riddle evidence statement, page 31, paragraph 127.
 ¹¹ GWMP, page 71

¹¹ GWMP, page 71.

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living areas need protection from unreasonable uses and inappropriate developments that would adversely impact the amenity of existing residents.

5.4.3 Conclusions

The Panel concludes that the GWAZ is appropriate for the subject site as:

- the zone provides for uses including rural living that would be compatible with the green wedge and proximate urban land uses
- there is an increased potential of adverse amenity issues for neighbouring properties if the land was in a GWZ than in a GWAZ
- the land fronting the western side of Springvale Road, opposite the Hutton Road North
 precinct in the City of Kingston is in a GWAZ which provides a consistent approach across
 municipal boundaries
- the current zone allows for rural living subdivision, the GWAZ retains this outcome and does not increase the potential lot yield.

5.5 Is the application of the Vegetation Protection Overlay appropriate?

5.5.1 Evidence and Submissions

The VPO1 applies to all the green wedge. It sets out the nature and significance of vegetation to be protected:

Indigenous and native vegetation and in particular River Red Gums, provide a rich and connected habitat for fauna which in turn supports the biodiversity of the broader area.

Due to the general lack of development in the Greater Dandenong Green Wedge since European settlement, there are some important vegetation and landscape features present.

Whilst the GDGW does not provide specific habitat corridor values, it does provide a stepping stone for more mobile fauna such as migratory birds.

The remaining significant vegetation provides both visual appeal as well as cultural and landscape value.

At Clause 2.0, the VPO1 has the following objectives:

- To protect existing ecological values
- To maintain the quality of the remaining fauna habitat in the Greater Dandenong Green Wedge and to create additional habitat and connectivity
- To ensure that vegetation remains a significant part of the character and visual amenity of the GDGW
- To promote the retention and establishment of vegetation

The GWMP, Clause 22.02, the GWAZ and the GWZ objectives support landscape values.

Mr Rodda, in respect to the proposed VPO1, states:

I note that the mapping contained within the adopted GWMP and the environmental values and biodiversity technical report prepared by Biosis Pty Ltd, forming part of the background documents to the adopted GWMP, identifies that the Golf Club land is largely free of any environmental

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constraints as it does not contain any remnant vegetation ... The mapping identifies one remnant tree and some waterbodies/wetlands within the Golf Club land.

The proposed application of the VPO1 to the Golf Club land would ideally be reviewed having regard to the rezoning potential of the land. Accordingly, having regard to the limited extent of biodiversity values shown for the Golf Club land in accordance with the mapping contained within the Greater Dandenong GWMP, any decision to apply the VPO should be made in conjunction with future investigation for the potential rezoning of the land.¹²

Council did not directly address the submission made by KGC that suggests deletion of the proposed VPO1 from Precinct 2 but submitted the following:

Council submits that the proposed VPO in the Exhibited Amendment is an interim control used by Council to protect native vegetation while Council undertakes further flora and fauna assessment within the Green Wedge. Schedule 1 to the VPO provides a sunset clause whereby the VPO will cease to have effect after 31 December 2018.

The VPO will be updated once the assessment of the flora and fauna is complete and Council has the results needed to formulate a position. Subject to the findings of the flora and fauna assessments, it is reasonable to assume however that these controls will become a permanent overlay within the Green Wedge. Provided there is an evidentiary basis for them, we do not think the desire to be free of controls is an adequate reason to avoid the controls.¹³

Mr Rodda's view was that there is very little vegetation that could be described as significant in terms of supporting biodiversity values identified in the GWMP and that this part of the green wedge is not distinguished as having high ecological and landscape interest value.

5.5.2 Discussion

The KGC contains many mature trees that include both native and exotic species. These trees also provide an aesthetically pleasing landscape when viewed from the surroundings and along Hutton Road. The Biosis background report noted that the site may contain an example of the Grassy Plains Woodlands EVC. The GWMP identified some scar trees on the site as having cultural heritage. The VPO1 statement of significance includes the contribution vegetation makes to cultural heritage.

The Panel agrees that the site is not typical of the open vistas and scattered native vegetation that are notable in other precincts of the green wedge. The landscape intent in the GWMP includes the opportunity for a green and spacious relief from surrounding urban development, and maintenance of open landscape vistas rather than significant landscapes as defined in other locations. Nevertheless, the Panel considers the VPO1 would be a suitable holding mechanism to protect all vegetation on the site, particularly considering its possible future residential development and the obvious challenges this may have for

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¹² Rodda evidence, paragraphs 156-157.

¹³ Council Part B submission, page 42, paragraph 190-191.

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vegetation retention. The Panel notes that the VPO1 is an interim control which expires on 21 December 2018.

There is a potential for the occurrence of Grassy Plains Woodland EVC that should be surveyed further. This is a further reason to apply the VPO1 so that these matters can be more fully considered.

The Panel considers the benefits of retaining vegetation goes beyond its EVC status, and more broadly to its landscape significance and its potential to provide for a different type of residential outcome.

5.5.3 Conclusions

The Panel concludes the VPO1 is appropriate to be applied to the land.

5.6 Should the land be identified for further investigation for urban residential uses?

5.6.1 Evidence and Submissions

Ms Quigley QC submitted that:

The Golf Club wishes to ensure that it is clear in both the Management Plan and the proposed planning scheme documents that:

- The land will remain part of the South Eastern Green Wedge for the time being;
- Its use is however in transition; and
- The land is to be investigated for its suitability for urban residential use in the near future.¹⁴

Ms Quigley QC provided a detailed history of strategic planning that has applied to the site since the introduction of the Victoria Planning Provisions. She concluded that:

It is apparent from the strategic history of the land and surrounding area that it has been considered:

- As part of the urban area for some time;
- That the urban boundary (whether or not this accords with the UGB) has been designated as Huttons Road; and
- That the Land is likely to have an urban use in future.¹⁵

Ms Quigley QC also referred to Mr Rodda's proposed changes to the management plan and planning scheme documents to better reflect the strategic intention for the KGC as follows:

Local Planning Policy Framework

The amendment of Clause 22.01 to include the Land should assist in providing a clear strategic direction for the Land. However as, as presently drafted, it also does not look beyond the short term (or interim) vision for the Land.

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¹⁴ KGC submission, page 2.

¹⁵ KGC submission, page 6, paragraph 25.

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It is submitted that it is important that Cl. 22.02 include potential use of the Land for residential development to ensure there is consistency between the Management Plan and the Planning Scheme, but also consistency with the longer strategic vision for the Land which has been contemplated for many years.

In addition, there are also changes proposed to Clauses 21.04 and 21.06 to reflect the short term and future intentions for the land as set out below.

GWMP

It is submitted that changes should properly be made to the following sections of the Management Plan to better reflect the current strategic intention for the Golf Club land:

- Page 10: revised text for Map 1 for the Preferred land use by precinct;
- Page 17: modification to the blue text box which refers to the UGB;
- page 60: revised Figure 11 that includes Golf Club In transition
- page 63: revised text for Map 8 with specific reference to the Golf Club;
- page 65: additional text to describe the short term and future term intention for the Land;
- page 71: revised text referring to the Hutton Road precinct which makes more accurate reference to the future of the Land;
- page 77: revised Figure 12 to update the Precinct Objective and Preferred Land Uses for the Land;
- page 78; add text to refer to investigation of the Land for residential development, reflecting the intention of a separate re-zoning process to be undertaken in the future;
- Page 81: revised text for Map 10 with specific references to the golf club; and
- Page 111: add text recognising the rezoning to GWAZ as an interim zoning whilst investigation of the Land for Residential development is undertaken.¹⁶

Mr Montebello submitted that, having considered Mr Rodda's evidence, Council supported the following approach:

The evidence concludes by stating that the GWMP and the Exhibited Amendment should be modified to reflect the opportunity for a review of the Keysborough Golf Club land in terms of the inclusion or otherwise in the green wedge area.¹⁷

Council generally supported further investigation of urban residential use and development for the KGC land in the GWMP, but did not accept some policy insertions and proposed alternative wording for some additional changes suggested by Mr Rodda and submitted by Ms Quigley QC.

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¹⁶ KGC submission, pages 9-10, paragraph 40.

¹⁷ Council Part B Submission, page 23.

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Ms Riddle accepted that the land had been shown on Keysborough South development proposals as in and out of the UGB at various times. Ms Riddle states:

It is recognised that the KGC has been considering its future and whether it ought to relocate for some time. However, whether the proposed rezoning has an impact on a decision or ability to move is not of relevance to the GWMP or the exhibited version of the Amendment¹⁸.

Submissions 50, 51, 52, 54 and 56 were made in support of the position of the Keysborough Golf Club. Submission 55 expressed the view that the KGC should continue to operate in the current location and the submission from DSEGW was opposed to rural living in the GWAZ.

Table 3 shows the proposed changes to the Clause 22.02 as recommended by Mr Rodda and submitted by Ms Quigley QC.

Table 3 KGC proposed changes to Clause 22.02

Precinct	Key Constraints	Precinct Objective	Preferred Land Uses
2 Hutton Road North	Potential CASS	To allow for continued operation of the golf course, or an alternate recreational activity or rural residential living in a park-like environment- <u>in the</u> short term investigate the transition to urban residential use	Open Space, recreation and rural residential Recreation in the short term. Investigate urban residential use

In response, Mr Montebello proposed the following in Table 4.

 Table 4
 Council supported modifications to Clause 22.02

Precinct	Key Constraints	Precinct Objective	Preferred Land Uses
2 Hutton Road North	Potential CASS	To allow for continued operation of the golf course, or an alternate recreational activity or rural residential living in a park like environment investigate the transition to urban residential use	Open Space, recreation and rural residential Recreation in the short term. Recreation, or rural residential living in a park like environment. Investigate urban residential use and development

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¹⁸ Riddle evidence statement, page 31, paragraph 127

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5.6.2 Discussion

This issue arises out of the KGC plan to move the golf club into a consolidated sporting precinct planned with Council south of Pillars Road in the Bangholme Lowlands precinct.

The Panel acknowledges the GWMP recognises the uncertainty for the continued use of the land as a golf links and accepts that the land may be in transition to other forms of use and development.

The issues identified for the precinct in the GWMP that would need to be dealt with through any potential 'investigation' process include:

- cultural heritage assessment (noting that although the KGC land is described as highly modified, there are some registered scar trees and a possible need for survey of the culturally sensitive area)
- vegetation (consideration of the possibility of Plains grassy woodland Ecological Vegetation Class (EVC) noted by Biosis and the landscape benefits of retaining vegetation)
- soil issues (potential CASS)
- drainage impacts (recent MW maps provided by Council show the potential for overland flows on this site).

The proposed residential zoning would also need to be considered in the light of relevant housing strategy.

If the KGC were to be included in the UGB through the Plan Melbourne Refresh process, then a rezoning to residential would still be required. As the Plan Melbourne Refresh is yet to make recommendations with respect to the KGC land, the Panel is not able to conclude that it should transition to urban uses, as requested by Ms Quigley QC. At best, the Panel can only support the need for further investigation based on <u>whether</u> it should transition to residential uses. This further investigation should include full consultation with Council and the community. An appropriate set of words for the Precinct Objective would be *"to undertake further investigation to determine whether the land should transition as an urban land use"*. This should not be repeated in the Preferred Land Uses as this would pre-empt the outcome of that investigation.

Given the vegetation present and the possible presence of EVCs, the Panel concurs with the view that, in the absence of a change to the UGB to allow for a different zone, 'rural living in a park-like environment' should remain as a preferred land use.

The reference to rural residential living in Table 1 of Clause 22.02 should be replaced with rural living to ensure there is a consistency with the use of rural living in the GWAZ objectives.

In respect of other proposed changes, the Panel provides the following:

LPPF

• supports the proposed changes to Clause 21.04 provided it uses the statement the Panel supports (i.e. investigate whether the land should transition to ...)

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- does not support the proposed change to the Strategic Open Space Framework or Strategic Open Space Connectivity Framework plans at Clause 21.06 as the golf club land is not public open space
- supports the proposed change to the Green Wedge Precincts plan at Clause 22.02 provided it uses the statement the Panel supports (i.e. investigate whether the land should transition to ...).

GWMP

 Page 10 - Mr Montebello submitted that Council supported "Recreation, investigate for urban residential use and development" but that the words "in the short term" and "in the medium to long term" should be deleted. Given the need for consistency with other Panel conclusions the following text insertion under the heading 'Preferred land use by precinct' is considered appropriate:

recreation, rural living in a park like environment, and further investigation to determine whether the land should transition to an urban residential use

- Page 17 Council did not agree to this proposed modification in their closing submission. The Panel has considered this earlier and does not support this proposed change
- Page 60 The Panel does not support this change as the move and the desired urban residential zoning have not yet commenced
- Page 63 Council did not support this change. The Panel agrees with Council and does not support this change as Map 8 is an existing conditions map and a basis for analysis rather than a map showing future actions for the GWMP
- Page 65 The Panel does not support the proposed change because it has already been recommended for an appropriate location in the precinct objectives. It is noted that Council did not support this change in relation to the second sentence
- Page 71 The Panel notes that the exhibited text expresses the possibility of achieving the objective for a multi-sport facility. The Panel considers this does not confirm that the site is 'in transition' as the outcome of any investigation into urban residential use is not yet known. There could be further change to the relocation plans for the Golf Club. In other words, being too specific about the future site is considered likely to reduce flexibility for the KGC. The Panel agrees that reference to having identified a site in Hutton Road should be deleted¹⁹. In the sentence that commences with *"Preliminary discussions with Council have taken place"* the words *"and have identified a potential site as being directly adjacent from the current golf course on Hutton Road"* should be replaced with *"and that a new site will be sought in the green wedge"*
- Page 77 The Panel has recommended that "further investigation to determine whether the land should transition to an urban residential use" be included as a precinct objective for Hutton Road North. The Panel has also recommended the retention of "recreation, rural living in a park-like environment" and the deletion of "Open Space" in the Preferred Land Uses. These recommendations are appropriate for the text in Figure 12
- Page 78 The Panel agrees that additional text should be added consistent with other findings in this report, but not referring to re-zoning, as follows:

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¹⁹ At the Hearing the Panel was advised this site was to the south of Pillars Road.

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Further investigation to determine whether the land should transition to an urban residential use

- Page 81 Map 10 (Land Use Strategy) shows lot sizes in relation to the proposed GWAZ schedule. Council did not support the proposed notation on Map 10. The Panel agrees that the proposed change would not be appropriate as there is no outcome of the further investigation of a different land use
- Page 111 Until the outcome of any investigation or the Plan Melbourne Refresh process is known, the GWAZ is the recommended zone. The Panel does not support the proposed change.

5.6.3 Conclusions

The Panel concludes that:

- it is appropriate for any further investigation of the land for residential uses should consider whether residential uses should occur and not seek to pre-empt any other separate process into the location of the UGB
- it is appropriate for any further investigation to include:
 - broad consultation
 - consideration of the objectives and values identified by the GWMP for this site are addressed including those for environmental and cultural heritage issues. This includes the landscape significance of existing vegetation
 - consideration of relevant planning policy including housing policy and the municipal housing strategy
- some of the proposed changes to the LPPF and GWMP are appropriate and others are not as they pre-empt the outcome of the Plan Melbourne Refresh process.

5.7 Recommendations

The Panel recommends:

Amend Clause 21.04, 'Further strategic work', to insert the following:

a) Further investigation as to whether the land in Precinct 2, Hutton Road North, should transition to an urban residential use.

Replace the Hutton Road North precinct components of Table 1 to Clause 22.02 and Figure 12 (page 77) of the Greater Dandenong Green Wedge Management Plan 2014 with the following:

Precinct	Precinct objective	Preferred land uses
2. Hutton Road	To allow for continued operation of the golf course and investigate whether the land should transition to an urban residential use	Recreation, or rural living in a park like environment

Amend the Greater Dandenong Green Wedge Management Plan 2014:

- a) at page 10, insert the following text for Precinct 2 under the heading 'Preferred land use by precinct' on Map 1 (Spatial Elements):
 - recreation, rural living in a park like environment

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- b) at page 71, delete the reference to having identified a site in Hutton Road and in the sentence that commences with "Preliminary discussions with Council have taken place" replace with:
- and that a new site will be sought in the green wedge
- c) at page 78, Action C1.1, insert at the end of the sentence:
 - Further investigation to determine whether the land should transition to an urban residential use.

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6 Keys Road precinct

6.1 The issues

The Keys Road precinct accommodates the following non-residential uses:

- Karinga Wholesale Nursery
- Gaelic Park
- White Eagle Soccer Stadium
- Boarding kennels
- Serbian Sports Club.

Submitter 69 (KSLG) comprises a group of six landowners that own 317.1 hectares of the 562 hectare precinct. KSLG requested a change to the Amendment to reduce the minimum subdivision area from six hectares to 0.2 hectares to facilitate rural residential development of the precinct. Initially it proposed the Rural Living Zone to support this outcome, however withdrew this request and now supports the GWAZ. A proposed DPO14 and DCPO4 were circulated with the evidence prior to the Hearing. These controls were not exhibited with the Amendment. To overcome this, Ms Brennan SC submitted that the Amendment should be split into Part A (the Amendment without the Keys Road precinct) and Part B (Keys Road precinct).

Submitter 59 (Madan Nominees) owns land in the south east of the precinct; much of which is within the Urban Floodway Zone and earmarked for a retarding basin to accommodate stormwater from the industrial precinct to the north east. The submission initially supported a minimum subdivision area of 0.4 hectares. However, Mr Woodman from Watsons on behalf of the submitter, after reviewing the material prepared by the KSLG supported the basis of its request for a minimum subdivision area of 0.2 hectares.

The following submissions were lodged late in response to the proposed 0.2 hectare minimum subdivision area proposed by the KSLG:

- Submission 28 (Alessio) supported the KSLG submission to create a rural residential development
- Submission 73 (Diaco) supported KSLG proposal
- Submission 75 (Parfrey) objected to the KSLG submission
- Submission 76 (Johnstone) objected to the KSLG submission.

Council now supports the 0.2 hectare minimum subdivision area for the precinct.

The key issue for the Panel is whether the proposal for a 0.2 hectare minimum subdivision area is consistent with State and Local planning policy. If this is the case, then the Panel will consider how this should be pursued. This matter is considered in Section 6.7, after the Panel has summarised the basis of the proposed development by the KSLG.

6.2 What does the GWMP say?

The precinct contains 95 lots, ranging in size from 1.4 hectares to 56.5 hectares. The majority of the smaller lots (approximately 2 hectares) are located along Keys Road and were approved under the provisions of the former Special Use Zone that provided a 2 hectare minimum subdivision area.

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The key issues and constraints of the precinct are:

Drainage and water management

- relatively low lying nature of the precinct, particularly north of Pillars Road that is within the Urban Floodway Zone (generally along the alignment of Mordialloc Creek)
- high water table
- limited flood storage capacity
- increased pollutants from urban development
- high infrastructure maintenance and repair costs
- increased severity of storm events and sea level rise (via Mordialloc Creek main drain) that may increase level of inundation
- presence of Coastal Acid Sulphate Soils (CASS).

Natural environment

• remnant vegetation patches along road reserves, however many remnant Red Gum trees are scattered across the precinct.

Land use

- rural living along Keys Road
- need to retain open landscape setting and avoid urban appearance of green wedge.

Built form and heritage

- contains significant areas of Aboriginal cultural heritage sensitivity
- contains one Aboriginal earth feature, four artefact scatters and 46 scarred trees
- contains the Holmwood Farm Complex and trees (Heritage Overlay 8 (HO8)), Glen Alvie Homestead (HO22) and Eversleigh Homestead (HO23).

The GWMP and the Amendment propose the following in relation to the precinct:

- Rezone the precinct from GWZ to GWAZ and retain the current minimum subdivision area of 6 hectares.
- Apply the VPO1 as an interim overlay control.
- Amending Clause 22.02 to refer to, amongst others, the preferred land uses as:

Open space, recreation, rural residential and less intensive agricultural uses (e.g. market garden)

The other proposed changes to the Local Planning Policy Framework (LPPF) are generic to all the green wedge and, therefore, applicable to the Keys Road precinct. Other more specific directions include the need to provide certainty to landowners (including addressing land banking) and to address the drainage constraints of the land.

6.3 What is proposed by the Keysborough South Landowners Group?

The KSLG submits that the development of the precinct for rural residential purposes is one, and perhaps the only way, to fully address the environmental constraints (particularly to improve flooding and inundation management) of the land. Ms Brennan SC called expert evidence from:

- Mr Phillip Borelli, planning
- Mr Alan Brennan, vegetation and ecology
- Mr Warwick Bishop, drainage

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- Mr Matt Ainsaar, land economics
- Mr Ryan O'Sullivan, urban design.

Ms Brennan SC submitted:

At present the Precinct is in a state of flux – there are many lots that are under-developed and in a "holding" state, the infrastructure is poor, there are flooding issues, existing vegetation is unprotected and there is limited public access into the Precinct except views from roads. The KSLG seeks certainty about the future of the Precinct. The Council agrees that it needs resolution.²⁰

A development that contained at least 1,100 lots would be required to provide funds to address the environmental constraints of the land and provide a reasonable economic return to the developer(s). A 0.2 hectare minimum subdivision area would be required to create this lot yield.

Mr O'Sullivan prepared a concept plan to show how the land could be developed. Figure 4 contains the concept plan which was initially proposed to be attached to the DPO14. This was prepared to indicate how the rural landscape could be retained by:

- limiting new subdivision to a minimum of 0.2 hectare lots
- limiting new subdivision where there is existing native vegetation or significant tree/s to a minimum of 0.4 hectare lots
- retaining existing housing
- retaining heritage areas
- having regard for cultural areas
- having regard for existing trees and vegetation
- retaining rural vistas at the major road interfaces surrounding the subject site.

To address drainage and stormwater issues, Mr Bishop prepared two plans that indicated the amount of fill that would be required to re-engineer the landscape. Figure 5 contains the fill plan from Mr Bishop's October 2015 report and Figure 6 is from a memo dated 20 September 2016 (appended to Mr Ainsaar's evidence). These plans indicate that:

- most, if not all, of the developable area would have some degree of fill
- the October 2015 plan indicates the fill depths would vary from 0.0-0.5 metres to greater than 3 metres
- the September 2016 plan indicates the fill depths would vary from 0.0-0.5 metres to 3.5-4.0 metres.

Mr Bishop indicated that the greater depths of fill could be reduced by increasing the number of internal drainage catchments that are considered.

Mr Ainsaar prepared a cost analysis for the land development. Based on a lot yield of 1,100 lots, Mr Ainsaar submitted that development cost per lot would be \$202,230; of which earthworks/fill would be nearly \$75,000. Estimated average selling price per lot would be \$818,182 which would result in an internal rate of return of 21 per cent.

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²⁰ KSLG submission, page 3, paragraph 13.

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Ms Brennan SC supported the LPPF changes, however considered, in addition to the DPO14 and the DCPO4, other changes were required to:

- amend the GWMP to update pages 29, 67-68, 71 and 78. These changes centred around the need for further investigation and amending the concerns expressed against the proposal
- insert a minimum subdivision area of 0.2 hectares with an average of 0.31 hectares in Schedule 1 of the GWAZ.



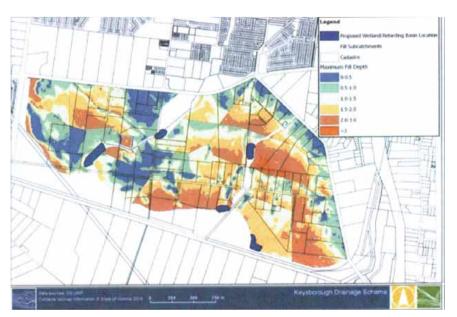
Figure 4 Keys Road precinct concept plan

6.3.1 Discussion

The Panel acknowledges the significant amount of information that has been prepared for, or on behalf of, the KSLG. The Panel considers that the flooding and drainage constraints of the precinct could be addressed if the land was developed as a low density residential estate; and this could result in an attractive precinct that provides greater public access to newly created open space areas.

However, as with all development, it is the strategic basis of what is proposed that must be considered first. If the Panel finds that an appropriate strategic threshold has not been met, then issues related to the KSLG submission and the proposed DPO14 and DCPO4 then fall away. If the Panel considers this threshold has been met, then the Panel will consider how the proposal should be further considered.

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Figure 5 Fill plan (October 2015)

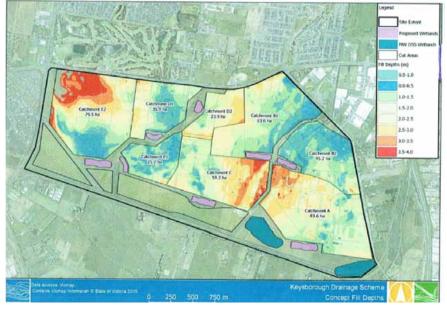


Figure 6 Fill plan (September 2016)

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6.4 What is meant by rural residential development?

6.4.1 Evidence and submissions

At the Hearing, the Panel noted the various references to rural residential and rural living in the GWMP, and referred to the evidence from Ms. Riddle and provisions of the Amendment and practice notes. The question the Panel put was whether these terms are interchangeable and essentially have the same meaning or contemplate quite different forms of development.

Ms Brennan SC submitted:

In response to the submissions of Council and the evidence of Ms Riddle, the Panel has raised the question of whether there is a difference between "rural living" and "rural residential" use.

In answer to this question, both Ms Riddle and Mr Montebello advised the Panel that from their point of view, the terms are interchangeable, and there is no substantive difference in the varying use of both the terms throughout the GWMP and the Amendment documentation. Ms Riddle confirmed that the GWMP had not been drafted with a distinction between the terms in mind and that it might have been "sloppy drafting".

KSLG agrees that the two terms are interchangeable and submits, that consistent with Council's explanation, the preferred use is rural residential as described in PPN37 "[r]ural residential development refers to land in a rural setting, used and developed for dwellings that are not primarily associated with agriculture. Some agriculture may take place on the land however it will be ancillary to the use for a dwelling. It is likely to be carried out for "lifestyle' reasons and unlikely to provide a significant source of household income. Rural residential land is typically also used for non-agricultural home occupation or for large gardens. These lots are larger than typical residential lots, but are usually too small for agricultural use."²¹

Mr Montebello agreed with this assessment.

6.4.2 Discussion

The Panel generally agrees with the submission of Ms Brennan SC that the terms are interchangeable. However, one is a more general reference (rural residential) and the other is more specific (rural living).

Both rural residential and rural living are not defined land use terms in Clause 74 of the planning scheme. Further clarity can however be found in the PPN37. Rural residential is an 'umbrella' term to define use and development that is contemplated by the Low Density Residential Zone, Rural Living Zone and the GWAZ. PPN37 addresses these zones.

The Panel accepts that there may have been some sloppy drafting of the GWMP that has resulted in the interchangeability of the terms. However, where there is a clear distinction is

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²¹ KSLG submission, page 14-15, paragraphs 64-66.

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in the zone that is chosen. In this Amendment, the GWAZ has a zone purpose that supports rural living areas:

To recognise and protect the amenity of existing rural living areas.

The Panel considers that, in the context of this Amendment, that the GWAZ refers to rural living areas in the context of protecting the amenity of existing areas and neither encourages or discourages new rural living areas. It is silent on other forms of rural residential development. This includes development that may appear more urban in style with smaller lot sizes and fully reticulated services.

6.4.3 Conclusion

The Panel concludes:

- rural residential is a generic term that refers to a wide range of development that is set in a rural setting and distinguishes between the type and scale of development mainly by minimum subdivision areas.
- the KSLG proposal could then be considered as a form of rural residential development.

6.5 Does the Green Wedge A Zone allow for rural living expansion?

An issue for the Panel is what is intended by the zone purpose 'to recognise and protect the amenity of existing rural living areas'.

6.5.1 Submissions

Ms Brennan SC submitted that:

In this case, it is clear from the Amendment itself, and supported by the GWMP and Ms Riddle, that the Precinct is appropriate for a re-zoning to GWZA (sic) in order to recognise and protect the existing rural living in the Precinct, and to encourage more rural residential development as a preferred land use outcome.

Mr Montebello, in response to the submission from the Defenders of the South East Green Wedge (DSEGW) that it doesn't allow for new rural living development, submitted:

The reference to existing rural living areas in the purpose of the Green Wedge A Zone could not reasonable be regarded as referring to only those dwellings that have been built. It refers to rural living areas not rural living dwellings. Rural living area is a much wider concept and refers to the area which includes land that is developed for rural living and rural living areas that currently do not have dwellings built on lots and other land available for development or subdivision. Accordingly, we do not support the basis underlying the suggested change.

6.5.2 Discussion

The GWAZ is not drafted to promote or encourage rural living use and development in the form that the LDRZ or RLZ do:

- LDRZ "To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater."
- RLZ "To provide for residential use in a rural environment."

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These are more proactive zone purposes that make it clear that future development is expected.

The Panel, however, considers there should be a wider reading than just the zone purpose to inform the type of development that is expected. The GWAZ does allow further subdivision and, as exhibited, lots of six hectares would create new rural living areas, particularly on the larger lots owned by the KSLG. The GWMP, as an investigation specifically into this green wedge, also refers to the role of 'rural residential' living in the precinct in the Keys Road precinct objective:

To recognise the ongoing role of the area as rural residential living, while ensuring development is sensitive to the rural, open character of the Green Wedge and manages drainage impacts.

This effectively reinforces the current provisions of the Clause 22.02 for the precinct that recognises this further development potential:

However, opportunities exist where large landholdings remain and subdivision potential allowed by the planning scheme has not been realised.²²

The Panel has concluded the use of the term 'rural residential' is a generic term that applies to a very wide array of development (from small low density residential lots at 0.2 hectare to rural living lots at 2 hectares and green wedge lots at 8 hectares²³). As the GWAZ specifically refers to rural living development, the Panel considers there is a need to provide a greater alignment of the GWMP with the GWAZ and supports the replacement of the term 'rural residential' with 'rural living' to ensure there is certainty about the type of development that is expected by the GWAZ.

6.5.3 Conclusion

The Panel concludes:

- it does not support the view of the DSEGW that the zone purpose does not allow for rural living expansion
- the GWAZ refer to rural living opportunities, not rural residential, within the Keys Road precinct provisions. The GWMP and LPPF should reflect this type of land use.

6.6 Is rural living development in green wedges supported by Local Planning Policy?

6.6.1 Discussion

The current policy for the Keys Road precinct (previously known as the Wetlands precinct) is to provide for rural living development at a 6 hectare minimum subdivision area. This has been translated into the Amendment with the retention of the same lot size control. On this basis, the Panel does not consider there needs to be further or enhanced strategic support through the Amendment to support this outcome as the status quo is maintained with minimum subdivision areas.

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²² Current Clause 22.02, Vision for the wetlands precinct, page 6.

²³ These are the default minimum subdivision areas.

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Any significant variation to this minimum subdivision area is an entirely different matter. This matter is considered further in Section 6.7.

6.6.2 Conclusions

The Panel concludes:

- there is no need to strategically justify an existing minimum subdivision area
- if this minimum subdivision area is significantly varied this should be the subject of further strategic justification.

6.7 Is a minimum subdivision area of 0.2 hectares appropriate?

6.7.1 Evidence and Submissions

Mr Montebello considered the Council resolution to support a 0.2 hectare minimum subdivision area was appropriate and consistent with local policy. Mr Montebello referred to PPN37 in demonstrating this consistency.

In summary, it was submitted:

<u>Strategy</u>

- Local policy seeks to provide a diversity of housing choice; an element of which is rural residential which is currently not provided in Greater Dandenong.
- The precinct has good access to services and infrastructure.

Housing need

- There is pent-up demand for rural residential as this will be a new element to the housing mix.
- The development would provide for single detached dwellings that is under provided in the market²⁴.

Location

• The precinct currently provides for rural residential uses along Keys Road and is relatively free of constraints.

Subdivision and design

• Council referred to Mr O'Sullivan's concept plan and associated analysis.

Ms Brennan SC supported the Council submission and submitted:

For the reasons outlined below, supported by the expert evidence of Mr Borelli, Mr Ainsaar, Mr Bishop, Mr Brennan and Mr O'Sullivan, KSLG submits that rural residential living with a lot size considerably smaller than 6ha is necessary to achieve the priority objectives of the GWMP and can remain compatible with maintaining the character of the green wedge. Indeed the KSLG submits that retention of the 6ha minimum lot size will confound any attempts to fix existing flooding problems, provide open space links or provide meaningful public access into the Precinct. A business as usual approach will see the Precinct and its values further decline. Hence, the Council's position

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²⁴ Mr Montebello referred to Housing Analysis prepared by SGS Economics and Planning that was submitted to Amendment C182 (new residential zones).

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with regard to this Amendment is sound. Subject to minor changes to the GWMP and the inclusion of a Development Plan Overlay (DPO) and Development Contribution Plan Overlay (DCPO) as attached to this submission at Attachments B - C, a reduced minimum lot size will result in a good planning outcome and achieve a net community benefit for the Precinct and the City of Greater Dandenong.²⁵

Ms Johnstone (Submitter 76), a landowner along Keys Road, did not support a 0.2 hectare minimum subdivision area, however proposed a 2 hectare lot size as this is generally the size of the smaller lots along Keys Road.

6.7.2 Discussion

All parties acknowledged that a minimum subdivision area of 0.2 hectare was a significant variation to the exhibited 6 hectares and that the development facilitated under this reduced minimum was, accordingly, markedly different.

The Panel has accepted that the development as contemplated under the concept plan would be attractive to the market and would address some of the environmental constraints of the land. However, the Panel has significant difficulty in accepting that a development of this scale in a green wedge is appropriate for reasons outlined in the following paragraphs:

A lot yield of at least 1,100 lots would provide for a new future population of 2,500 to 3,000 people that, by any measure, should be supported by local planning policy. There is no indication in the Greater Dandenong Planning Scheme that this precinct is to be developed at this scale or is specifically supported by a Housing Strategy. The Panel acknowledges Council's references to local policy, however, these are high level policy elements that lack any local direction to indicate the precinct could justify a new population of this size. All planning schemes in Victoria seek to increase housing diversity to meet community needs²⁶. The role of the Municipal Strategic Statement and local policy is to then demonstrate how this is to be achieved at the local level. In this instance, the Panel considers this is not the case.

A 1,100 lot development at 0.2 hectare is tantamount to residential development in SEGW. With a subdivision minimum area this small, it is a development that is more closely aligned with the Low Density Residential Zone (LDRZ), which does by its zone provisions, provide for fully reticulated development at this scale. The LDRZ is a residential zone, not a rural zone. The GWMP acknowledges the KSLG proposal is a low density residential development²⁷. Residential development in green wedges is only supported under State policy "within existing settlements and in locations where planned services are available and green wedge area values can be protected". The Panel interprets this as a reference to the many small settlements and towns that are located within green wedges around Melbourne. Development in these areas is generally supported and this is evidenced by the exemption from the core planning provisions of clause 57 for land that is zoned Low Density Residential, Township or another residential zone. The Panel does not consider this strategy can

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²⁵ KSLG submission, page 4, paragraph 18.

²⁶ Refer to Clause 16.01-4.

²⁷ GWMP, page 67.

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reasonably relate to the type of development envisaged by the KSLG as the existing area could not be defined as a settlement. The fact that services are available does not mean they are planned. There should be clear support in the LPPF for this outcome.

As the minimum subdivision area varies further from the existing or default control, there is an increasing disconnect between what the intent of the zone is and what is proposed to a point where, in this instance, the KSLG proposed a residential development that is inconsistent with the purpose of the GWAZ and the character it seeks to maintain.

The amount of fill that is proposed to support a more intense rural residential development is likely to challenge the ability to retain remnant Redgum trees and protect Aboriginal cultural heritage. No evidence was presented to demonstrate an appropriate outcome could be achieved, apart from deferring this to the development plan preparation phase.

The KSLG proposal fundamentally challenges the intent of the green wedges. The SEGW is unsurprisingly in an area with drainage constraints as it was historically a swamp. It also is not surprising that these areas have remained relatively undeveloped for many years. The role of the green wedges has been embedded in metropolitan planning since the 1960's. While the Panel agrees with the KSLG that green wedges are not intended to be static, there do need to be limits on development to protect the fundamental role of the green wedge. Otherwise they just become another development front as an extension of Melbourne's urban form.

There will always be an engineering solution to any land constraint. The KSLG proposes a full re-engineering of the landscape, with fill depths more than three metres in areas that would challenge the open rural landscape that is sought to be retained by the GWMP. The Panel appreciates the approach of the KSLG in proposing a development that will, in its mind, overcome the environmental constraints of the land. However, a balance must be achieved between the GWMP goal of addressing environmental constraints and the type of development that may be permitted. In this instance, the Panel does not consider the KSLG proposal is a balanced outcome. Other options should be considered (for example, through Melbourne Water) to address drainage constraints.

Whether a less intense rural living development could address the environmental constraints and limit the amount of fill should be considered. It is evident that other lot size options were not considered by the KSLG. At the Hearing the concept of a 2 hectare minimum subdivision area was put by the Panel as this was the prevailing subdivision lot size when most of the lots along Keys Road were developed. Larger lots may provide the ability to retard and treat stormwater on site, minimise fill, retain and protect remnant vegetation and Aboriginal cultural heritage and respect the open landscape character of the area. This may reduce development costs (fill is a significant cost element, fully reticulated services may not be required, less roads reduces costs) and may provide a more appropriate cost effective outcome. This investigation should include Council, the Environment Protection Authority (EPA) and Melbourne Water to consider the form of development that could occur within the industrial land buffer that affects the eastern part of the precinct and how drainage issues more broadly can be addressed.

The GWMP canvassed other scenarios that included 1 and 5 hectare minimum subdivision areas. It concluded they would:

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Exacerbate existing issues in the area as well as result in costly construction and maintenance of public infrastructure, and a vastly altered landscape.²⁸

The KSLG proposal is significantly more intense than even what the GWMP considered. The Panel considers the KSLG proposal will only further exacerbate the concerns expressed in the GWMP.

The Panel notes and supports the consideration of this issue from the GWMP where it states:

Residential development of the densities envisaged will change the appearance of the Greater Dandenong Green Wedge to a low density residential area;

The drainage infrastructure required and the additional elevated roads and other paved surfaces will be substantial, significantly altering the topography and form of the landscape;

The presence of Coastal Acid Sulfate Soils (CASS) may restrict any form of intensive development within this precinct and further investigation needs to be carried out to establish the location and potential risk of such soils;

There can be no certainty that drainage works for this part of the Green Wedge will not have further consequences for this precinct and other areas of the Greater Dandenong Green Wedge;

There is a precedent set for subdivision of one part that could lead to further pressure for subdivision of other parts, the cumulative effect of which would be unsustainable; and

Ongoing maintenance of infrastructure, such as roads and drains, will most likely fall to Council or other public bodies, and this could be a substantial burden.²⁹

The Panel considered the option of identifying the precinct for further investigation (at a larger minimum subdivision area), in a similar manner to how the Panel has addressed the Hutton Road North precinct. However, the Panel considers the Keys Road precinct has a different and more adverse set of circumstances. The environmental constraints are more significant and the precinct is larger and more central within the green wedge.

The Panel is not required to consider the KSLG request to split the Amendment to allow for the further consideration of the DPO14 and DCPO4 as it does not consider the KSLG proposal has met an appropriate strategic threshold to justify the proposal. The concept of splitting the Amendment based on a larger minimum subdivision area was considered by the Panel, however this should be considered in collaboration with Council and the community and exhibited as a proponent-led separate Amendment, if that did eventuate.

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²⁸ GWMP, page 29.

²⁹ GWMP, page 67-68.

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The Panel does not support any of the KSLG proposed changes to the GWMP and the Amendment documents as this was put forward based on the KSLG proposed lot size, not the exhibited lot size.

One suggested change that was supported by all parties was to identify the Dandenong Green Wedge on the Strategic Framework Map of Clause 21.03. The Panel supports this.

6.7.3 Conclusions

The Panel concludes:

- the KSLG proposal is not appropriate as:
 - it constitutes a residential development in the green wedge which is not supported by State or Local Planning Policy or the GWAZ and fundamentally undermines the intent of green wedges
 - it will result in a significant re-engineering of the landscape that would challenge the ability to retain remnant vegetation and protect Aboriginal cultural heritage
- the proposed DPO14 and DCPO4 are not appropriate as they relate to the KSLG development proposal, and not the exhibited Amendment
- any future investigation of rural living development with larger lot sizes should include Council, the EPA, Melbourne Water and the community and be the subject of a separate planning scheme amendment.

6.8 Recommendations

The Panel recommends:

Amend the City of Greater Dandenong Green Wedge Management Plan (page 10 Map 1, page 27 Scenario 1, page 28 scenario 3, page 63 Map 8, page 71 Hutton Road North precinct, page 71 Keys Road precinct and page 77 Figure 12) and Clause 22.02 to replace references to 'rural residential' or 'rural residential living' with 'rural living'.

Amend Clause 21.03, Strategic Framework Map, by identifying the Dandenong Green Wedge.

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7 Bangholme Lowlands precinct

7.1 The issue(s)

The Bangholme Lowlands precinct has the following constraints:

- Similar land banking and inertia to the Keys Road precinct.
- Land subject to inundation and poor drainage.
- Presence of CASS.
- The eastern and southern portions are within the ETP buffer.
- The eastern portion is within the Industrial 2 Zone buffer.

Many lots are two to six hectares in size and some are less than two hectares in size. The GWMP supports the use of the precinct for open space and recreation given the low-lying nature of the land and the propensity to flood. Maintaining the 40 hectare minimum subdivision area would continue to encourage lot consolidation, recreation and agricultural uses and protect the rural nature of the area.

The precinct accommodates the National Water Sports Centre, Cornish College, Willow Lane Equestrian Centre, Slovenian Association, Dog Obedience Club and a rural residential subdivision off McMahons Road. Patterson River forms the southern boundary of the precinct.

The two keys issues are:

- how the Amendment addresses the National Water Sports Centre
- how the Amendment addresses Cornish College.

7.2 Submissions

Cornish College

Mr Newman, on behalf of Cornish College (Submitter 26), submitted that Cornish College has experienced some resistance to its expansion from Council and Melbourne Water over the years.

A master plan was prepared to demonstrate how the school planned to expand its enrolment and facilities. This resulted in the preparation of Amendment C138 that rezoned Cornish College to the Special Use Zone – Schedule 6 (SUZ6) and introduced the master plan as an incorporated document in the planning scheme. An enrolment cap of 900 students was introduced (current enrolment is 623 students).

Amendment C139 will remove the master plan as an incorporated document and replace it as a concept plan in the SUZ6 to provide greater flexibility.

Mr Newman submitted the school generally supported the GWMP however proposed changes to the following parts of the Amendment to further recognise the presence of Cornish College within the precinct:

- Clause 21.02 Municipal profile
- Clause 21.03 A Vision for Greater Dandenong
- Clause 21.04 Land use
- Clause 22.02 Green wedge policy

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• Schedule 3 to the Environmental Significance Overlay – ETP buffer.

Council did not support the proposed changes and considered the use of the SUZ6 effectively provides the acknowledgement and protection for school use into the future as it has provisions that are drafted to specifically to the requirements of Cornish College.

National Water Sports Centre

Submitter 32 (Department of Environment, Land, Water and Planning, including Parks Victoria) supported the rezoning of the National Water Sports Centre (NWSC) to the Public Park and Recreation Zone. Submitter 23 (Melbourne Water) objected to the rezoning of the NWSC on the basis the ongoing management of the facility is in a state of flux and any rezoning should be considered after its management has been finalised.

Submitter 61 (Parfrey) was concerned the rezoning of the NWSC will facilitate the development of a water ski cable park by a private company.

Council did not support Submitter 61 or the Melbourne Water submission.

7.3 Discussion

Cornish College

The Panel acknowledges the steps the school has taken in establishing its presence in the precinct. Mr Newman admitted that several of the school concerns have been resolved by its rezoning to the SUZ6, the development of the master plan and the issue of planning permits for its expansion. The school now has the benefit of planning provisions that have been tailored to its needs and designed to implement the vision of the master plan. Clearly the school has been successful in re-establishing itself and is on a pathway to expansion.

The Panel does not, however, consider there is a need to further emphasise the presence of the school either in the GWMP or provisions of the LPPF. This may have been the case if the school remained in the GWZ. However, the SUZ6 now provides tailored provisions for the school and its future development.

National Water Sports Centre

The Panel could not obtain further details on the management issue at the NWSC as both submitters elected not to attend the Hearing. The Panel considers the management situation at the NWSC is a separate issue from what the zone should be. Both matters can be considered independently and should not unduly impact what is a strategic planning matter.

The PPRZ is the most appropriate zone as:

- it replaces two existing zones (GWZ and the Public Use Zone 1 PUZ1).
- the PUZ1 is for service and utility infrastructure. This is not the appropriate zone for a recreational facility.

One of the purposes of the PPRZ is 'to recognise areas for public recreation and open space'. The Panel considers this best fits the current use of the land. It is not uncommon for private businesses to operate from public land.

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7.4 Conclusions

The Panel concludes:

- it is not appropriate to enhance the presence of Cornish College in the GWMP or the LPPF as the existing SUZ6 provides tailored provisions for the school use and development
- the rezoning of the NWSC to the PPRZ is appropriate.

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8 Bangholme East precinct

8.1 The issues

The Bangholme East precinct has the following characteristics:

- Fully affected by the ETP buffer.
- Land subject to inundation and poor drainage.
- Scattered remnant Redgum trees in the north and south of the precinct.

The precinct accommodates the Willow Lodge Mobile Home Village, Dandenong Tourist Park, Bunurong Memorial Park and a rural living subdivision south of Harwood Road. The precinct is bound to the west by the Eastlink Freeway, to the east by the Frankston-Dandenong Road, Eumemmerring Creek to the north and Thompson Road to the south. The Eastern Contour Drain forms the southern boundary of the Willow Lodge Mobile Home Village.

The GWMP and the Amendment propose to retain the GWZ and the minimum subdivision area of 40 hectares.

Submitter 35 (Southern Metropolitan Cemeteries Trust), Submitter 37 (B and V Williams Trust), Submitter 58 (Mexin Australia), Submitter 67 (J Guastella), Submitter 68 (M Guastella), Submitter 71 (Campbell Constructions), Submitter 72 (Jayco Caravans) and Submitter 74 (Albadale) raised several concerns for land in the Bangholme East precinct.

The key issues for the Panel to consider are should the Amendment be changed to:

- provide for additional industrial employment land in the north of the precinct?
- provide additional emphasis for tourism related uses within the precinct?
- allow for a permit exemption for tree removal at the Bunurong Memorial Park?

8.2 Should the Amendment be changed to provide for additional industrial employment land in the north of the precinct?

8.2.1 Submissions

Submitter 37 (B and V Williams Trust) considered the Amendment should not proceed for land at 372-386 Frankston-Dandenong Road, Dandenong South until the land is investigated for industrial expansion or alternatively the land should be rezoned Comprehensive Development Zone to provide for local business activity centre. It considers the Plan Melbourne Refresh process should be finalised before the Amendment is approved.

Submitter 67 (J Guastella), Submitter 68 (M Guastella), Submitter 72 (Jayco Caravans) and Submitter 74 (Albadale) considered the sub-precinct bound by Harwood Road to the south, Eastlink to the west, Frankston-Dandenong Road to the east and Eumemmerring Creek to the north should be considered further for industrial and employment land development. The submitters state that their land is close to the Dandenong South National Employment Cluster therefore it would be appropriate for their land to support the expansion of employment opportunities within Dandenong South. Further, the land is of poor environmental quality particularly due to its interfaces with the ETP and surrounding industrial uses at the north and east boundaries.

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Council considered that it is not effective or orderly planning to delay the Amendment as Plan Melbourne is currently seeking feedback about the 'locking down' of a permanent UGB. Council needs to make considered and effective decisions about uses of land and Council's current position regarding the Bangholme East Precinct is that it is to remain in the Green Wedge.

Council referred to the Industrial and Commercial Change and Demand Final Strategy May 2016 (ICCD) that was prepared by SGS Economics and Planning. The ICCD found that there was a sufficient industrial land to meet demands to 2030 and:

- From Figure 83 it is apparent that at 2041, there will be an oversupply of IN1 land and an undersupply of IN2 and IN3 land.
- By 2041, it is expected that demand will have exceeded supply across three of the four zone types, (this includes the C2 zone) although the majority of oversupply in the IN1 zone should help to accommodate much of these needs. Given the fact that it is usually quite difficult to create more employment land without expansion to the green wedge, any decommissioning of existing employment lands should not be considered.³⁰

8.2.2 Discussion

The Panel has several difficulties with these requests.

While Council initially supported the rezoning of the Harwood Road North sub-precinct for industrial development and inclusion in the UGB, the Urban Growth Boundary Anomalies Advisory Committee ultimately found that it did not represent an anomaly and had more strategic considerations that should be considered further. The ICCD was completed after the preparation of the GWMP which was not ideal, however this report has now found that there is sufficient industrial land to 2030. It is not the role of this Panel to reconsider the findings of the ICCD as this was not part of the exhibited Amendment. The Panel therefore accepts Council's submission that there is sufficient industrial land in Dandenong South at present. This situation may change and the Panel notes that the GWMP is scheduled to be reviewed every 5 years.

There was no evidence presented to challenge the conclusion of the ICCD, apart from observations from Mr Guastella, a local commercial real estate agent, that there was a demand for land.

8.2.3 Conclusions

The Panel concludes that it is not appropriate to change the Amendment to facilitate industrial development of the Harwood Road North sub-precinct.

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³⁰ Council Part B submission, pages 27-28, paragraph 127.

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8.3 Should the Amendment be changed to provide additional emphasis for tourism related uses within the precinct?

8.3.1 Submissions

Submitter 58 (Mexin Australia) and Submitter 71 (Campbell Constructions) have an interest in land at 616 Frankston-Dandenong Road, Dandenong South which is proposed for an outdoor recreation facility (amusement park). The submitter proposes several changes to the GWMP and the Amendment to facilitate the tourism development of the land.

Council advised the preferred land uses for the Bangholme East precinct are open space and recreation and referred to page 76 of the GWMP as a demonstration that there is sufficient scope for the consideration of tourism related uses:

This Plan will provide certainty regarding the types of activities and associated development that can occur in the Greater Dandenong Green Wedge: agriculture and other rural uses, water treatment, rural living and low-scale community, institutional, recreational and tourism-related uses.

Council considered the vision does not need to include every use possible, this is the purpose of the 'preferred land uses' per precinct. An amusement park would be defined as an outdoor recreation facility which is nested under the Leisure and recreation land use group. The preferred land uses are open space and recreation.

8.3.2 Discussion and conclusion

The submitter did not elect to attend the Hearing and the Panel was not provided with further detail on the proposed amusement park. The Panel cannot consider the merits of this proposal and agrees with Council that there is sufficient scope within the Vision and the preferred land uses for the precinct to allow for the further consideration of this proposal. The GWZ and Clause 57 (Core planning provisions) do not prohibit an outdoor recreation facility.

The Panel does not consider there is a need to change the Amendment and agrees with Council's response to the submission.

8.4 Should the Amendment be changed to allow for a permit exemption for tree removal at the Bunurong Memorial Park?

8.4.1 Submissions and discussion

Submitter 35 (Southern Metropolitan Cemeteries Trust) owns and manages the Bunurong Memorial Park. It has requested the Amendment be changed to provide a permit exemption for tree removal in the proposed VPO1. Council has supported this exemption.

The Panel considers this is a logical permit exemption as most, if not all, of the vegetation at the cemetery is planted vegetation, and not remnant vegetation. There were no submissions that raised concern with this request. The Panel supports this submission.

8.4.2 Conclusions

The Panel concludes it is appropriate to change the Amendment to allow for a permit exemption for planted vegetation at the Bunurong Memorial Park in the VPO1.

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8.5 Recommendations

The Panel recommends:

Amend Clause 3.0 of Schedule 1 to the Vegetation Protection Overlay, by adding an exemption for the Bunurong Memorial Park with the following:

• The removal, pruning, destruction or lopping of planted vegetation at the Southern Metropolitan Cemetery which is necessary to undertake the requisite daily tasks.

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9 Lyndhurst precinct

9.1 The issues

The Lyndhurst precinct has the following characteristics:

- Land subject to inundation and poor drainage.
- Many scattered remnant Redgum trees.
- Is not affected by any buffers.
- Generally, the largest lots in the Greater Dandenong's green wedge.

The precinct accommodates the Melbourne Chevra Kadisha Cemetery, Silverdene cattle stud and plant nurseries. The precinct is bound by Frankston-Dandenong Road to the west, Glasscocks Road to the north, Dandenong Hastings Road to the east and Thompsons Road to the south. A developing industrial area lies to the north.

The GWMP and the Amendment proposes to retain the GWZ and the minimum subdivision area of 40 hectares. Preferred future uses are agriculture and other rural uses, open space and low scale community, institutional, recreational and tourism related uses.

9.2 Submissions

Submitter 25 (Melbourne Chevra Kadisha cemetery) requests that the cemetery land is identified as a site for potential residential/mixed use development and the preferred future land use allow for greater flexibility. This would enable funds to be available to address the poor drainage and flooding of the precinct.

Council submitted:

The Lyndhurst Precinct is considered to have the most opportunity for broad acre agriculture in the Green Wedge due to its retention of large lot sizes. The GWMP on page 74 states that 'the operators of the Chevra Kadisha Cemetery are seeking to develop other uses on their private land holdings. Although residential use and subdivision is not considered appropriate in the precinct...there may be opportunity to develop community facilities which are permissible under the GWZ reforms. New opportunities may exist for the development of low density tourism, recreational, institutional, cultural and other land intensive activities, which are in keeping with the rural and environmental character of the precinct.'

The precinct objective for the Lyndhurst Precinct 'to encourage agricultural and other rural uses, and to allow for appropriate low-scale community, institutional, recreational and tourism-related activities' is considered appropriate.³¹

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³¹ Council consideration of Submission 25.

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9.3 Discussion

The land that is referred to in the submission³² is currently used for agriculture (lettuce production) to the east of the cemetery. Glasscocks Road is unsealed. The Panel considers that out of all the precincts in the green wedge, the Lyndhurst precinct provides the greatest opportunity to achieve its vision and future preferred uses. The lot sizes are large, it is not affected by buffers and current uses are generally broadacre or more intensive forms of agriculture. If the Panel to support the potential of urban uses, it would fundamentally undermine the notion of green wedges.

The submitter did not attend the Hearing where issues could be further investigated. The Panel does not support the submission and supports the Council's desire to retain the existing planning provisions.

9.4 Conclusions

The Panel concludes it is not appropriate to facilitate urban uses within the Lyndhurst precinct.

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³² Reed Consulting submission on behalf of Chevra Kadisha.

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Appendix A Submitters to the Amendment

No.	Submitter
1	C. Francis
2	S. Argyropoulos
3	J. Smith
4	N. Wyndom
5	N. Springle
6	K. Reece
7	P. Dawson
8	R. Aldrick
9	K. Buckley
10	L. Moore
11	N. Morgan
12	B. Nichol
13	J. Spence
14	N. Bonne
15	V. Dews
16	R. Spence
17	N. Sullivan
18	D. Hall
19	E. James
20	T. O'Hanlon
21	T. Paterson
22	C. Hamilton
23	R. Clancy
24	S. Ross
25	S. North
26	M. Massey
27	South East Water Corporation
28	R. Alessio
29	T. Minifie
30	Environment Protection Authority Victoria

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31	R. Akers
32	Department of Environment, Land, Water and Planning - Port Phillip Region
33	Defenders of the South East Green Wedge
34	S. Tropeano
35	Southern Metropolitan Cemeteries Trust
36	Clarke Road Developments Pty Ltd
37	B and V Williams Family Trust
38	L. Albyati
39	S. Argyropoulos
40	A. Bell
41	K. Buckley
42	A. Hood
43	N. Kelly
44	J. Miller
45	M. Stricks
46	M. O'Sullivan
47	D. Robertson
48	V. H
49	A. Yaghobi
50	C. Dickinson
51	D. Healey
52	Keysborough Golf Club
53	A. Kyriakopoulos
54	J. Cockwell
55	D. Donohue
56	D. Langford
57	M. Puglisi
58	Mexin Australia
59	Madan Nominees
60	S. Mastrogiovanni
61	E. Parfrey
62	J. Spence
63	V. Dews

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64	J. Ridley and J Visser
65	Earth Solutions Group
66	M. Dalton
67	J. Guastella
68	KLM Spatial
69	Keysborough South Landowners Group
70	CFA South East Region
71	KLM Spatial
72	Jayco Caravans
73	A. Johnstone
74	Albadale Pty Ltd
75	E. Parfrey

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Appendix B Parties to the Panel Hearing

Submitter	Represented by
Greater Dandenong City Council	Mr Terry Montebello of the firm Maddocks Solicitors, who called the following expert witnesses:
	- Ms Lisa Riddle, planner, from Planisphere.
Clarke Road Developments	Ms Juliet Forsythe, barrister, instructed by Duffy and Simon solicitors who called evidence from:
Earth Solutions Group CRD Plant Hire	 Mr William Bromhead, planning and environment, from Ratio Ms Sze-fai Pang, environment, from Tonkin and Tonkin
Keysborough South Landowners Group	Ms Susan Brennan SC and Ms Jane Sharp, barrister instructed by Gadens, who called the following expert witnesses:
	 Mr Phil Borelli, planning, from SJB Planning Mr Allan Brennan, ecology, from Brett Lane and Associates Mr Warwick Bishop, drainage, from Water Tech Mr Matt Ainsaar, land economics, from Urban Enterprise Mr Ryan O'Sullivan, urban design, from Human Habitats
Keysborough Golf Club	Ms Michelle Quigley QC, instructed by Norton Rose Fulbright, who called the following expert evidence:
	Mr Andrew Rodda, planning, of Contour Consultants
Madan Nominees	Mr John Woodman of Watsons, who called the following expert evidence:
	Mr David Smith, infrastructure engineer, of Watsons
	Ms Nina Barich, drainage/stormwater engineer, of Incitus
Defenders of the Green Wedge	Mr Alan Thatcher
Cornish College	Mr Peter Newman of PLN Planning
Ms Elizabeth Parfrey	
Campbell Constructions	Mr Jose Virguez of KLM Spatial
Ms Maria Guastella	Mr Jose Virguez of KLM Spatial
Mr Laurie Bianco	Mr Jose Virguez of KLM Spatial
Mr Alan Hood	
Mr Dino Alessio	
Ms Amanda Johnstone	

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Appendix C Document list

No.	Date	Description	Presented by
1	10/10/2016	Part B Submission Greater Dandenong City Council	Terry Montebello of Maddocks
2	10/10/2016	Appendices to Part B Submission, Greater Dandenong City Council	Mr Montebello, Maddocks
3	10/10/2016	Submitter Map (Greater Dandenong City Council)	Terry Montebello, Maddocks
4	10/10/2016	A3 of Documents on Board, Zoning, Overlays, aerial photo flooding (Greater Dandenong City Council)	Terry Montebello, Maddocks
5	10/10/16	PowerPoint of Evidence	Lisa Riddle, Planisphere
6	11/10/16	Residential Zone Review, Julian Szafreniec, Greater Dandenong City Council	Terry Montebello, Maddocks
7	11/10/16	Consultant Project Brief for GWMP (Greater Dandenong City Council)	Mr Montebello, Maddocks
7A	11/10/16	Green Wedge Management Plan Steering Group, Greater Dandenong City Council	Terry Montebello, Maddocks
8	11/10/16	Defenders of the South East Green Wedge submission	Alan Thatcher
9	11/10/16	Cornish College	Peter Newman of PLN Planning
	11/10/16	Submission	Elizabeth Parfrey
11	11/10/16	Submission, Clarke Road properties	Juliet Forsythe of Counsel
11A	11/10/16	Evidence, William Bromhead, Ratio consultants	Juliet Forsythe of Counsel
11B	11/10/16	Evidence, Tonkin and Tonkin, Consultants	Juliet Forsythe of Counsel
12	13/10/16	Keysborough South Landowners Group submission	Susan Brennan SC
13	13/10/16	VCAT Decision	Susan Brennan SC
14	13/10/16	Scenarios	Susan Brennan SC
15	13/10/16	Larger scale plans	Susan Brennan SC
16	13/10/16	Keysborough South Green Wedge Precinct, Land Value and Rate Revenue, Urbis	Susan Brennan SC
17	13/10/16	Submission	Amanda Johnston

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No.	Date	Description	Presented by
18	14/10/16	Preliminary submission re Transformation	Michelle Quigley QC
19	14/10/16	Keysborough South Landowners Group closing submission	Susan Brennan SC
20	14/10/16	Lot Size	Susan Brennan SC
21	14/10/16	Historic Zoning – Special Use	Susan Brennan SC
22	14/10/16	Examples of rural residential development in green wedges	Susan Brennan SC
23	17/10/16	Submission on behalf of Maria Guastella, 544 Frankston – Dandenong Road	Jose Virguez, KLM Spatial
24	17/10/16	Submission on behalf of Campbell Constructions Pty Ltd, 626 Frankston – Dandenong Road	Jose Virguez, KLM Spatial
25	17/10/16	Submission on behalf of Albadale Pty Ltd, 720 Frankston – Dandenong Road	Jose Virguez, KLM Spatial
26	17/10/16	Keysborough Golf Club submission	Michelle Quigley QC
26A	17/10/16	Proposed planning scheme policy changes Keysborough Golf Club	Michelle Quigley QC
26B	17/10/16	Proposed Green Wedge Management Plan changes Keysborough Golf Club	Michelle Quigley QC
27	17/10/16	Greater Dandenong Amendments C2 and C5, the Keysborough Policy and Proposal	Michelle Quigley QC
28	18/10/16	Letter dated 30/7/13 re GWMP from Perry Town Planners	Jane Sharp of Counsel
28A	18/10/16	Letter dated 2/8/13 re GWMP from Perry Town Planners	Jane Sharp of Counsel
29	18/10/16	Suggested changes to Development Plan Overlay 14	Jane Sharp of Counsel
30	18/10/16	Memorandum from Warwick Bishop, Water Tech.	Jane Sharp of Counsel
31	18/10/16	Submission	Alan Hood
32	18/10/16	Submission	Dino Alessio
33	18/10/16	City of Greater Dandenong closing submission	Terry Montebello, Maddocks
33A	18/10/16	City of Greater Dandenong closing submission - Appendices	Terry Montebello, Maddocks

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Appendix D Clarke Road precinct – Panel supported changes to the Green Wedge Management Plan

Change # 1

CLARKE ROAD PRECINCT (p 29)

Note that scenarios for the Clarke Road precinct have not been assessed in a similar manner due to the Spring Valley Reserve being in public ownership and due to the fact that the former landfill site on Clarke Road is in its aftercare period and subject to the requirements of the EPA.

Change # 2

FORMER LANDFILL SITE (p66)

The former landfill on Clarke Road (in the northern portion of the Green Wedge) was historically used for natural resources extraction (sand mining) and subsequently for landfill. Filling at the landfill ceased in 2003.

The site is now in an 'aftercare period' and is managed under a Pollution Abatement Notice (PAN) issued by the EPA which outlines the site's ongoing environmental management and monitoring requirements.

The site is currently used for landfill gas extraction by the South East Regional Gas Alliance.

Spring Valley Reserve to the north-east of Clarke Road is also a former landfill site that has been converted into a reserve.

Change # 3

5.4 PRECINCTS (p 71)

1. CLARKE ROAD PRECINCT

The Clarke Road area is not currently recognised as a Green Wedge precinct in local planning policy. To provide future direction over the development in the Clarke Road Precinct, the area should be recognised within Clause 22.02, in both the general objectives and including it as a new precinct. This would include all land bounded by the UGB (including Spring Valley Reserve).

The key constraints of the land include:

- the ongoing rehabilitation of the former landfill site
- the presence of residential land to the north and south and any potential impacts on residents
- the presence of open space reserves to the east and west and any potential impacts of future use on the enjoyment of the users of the park.

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Key opportunities of the land include:

- it is located within an established urban areas of Melbourne with a wide variety of land uses on its doorstep
- it is not in a pristine environmental condition it is a former landfill site and therefore any future uses are not likely to impinge upon any sensitive environmental characteristic or function of the land
- it is in close proximity to residential land use in the surrounding areas of Dingley Village, Springvale South and Keysborough
- it is in close proximity to light industrial uses in the Fiveways Industrial Park Precinct (located on the north–eastern corner of Cheltenham Road and Springvale Road) and within easy driving distance of the large industrial areas of Dandenong South
- it is in proximity to a number of parks and golf courses including Kingswood Golf Club, Spring Park Public Golf Club and Southern Golf Club, Braeside Park Spring Valley Reserve, Tatterson Park and Braeside Park
- it is effectively an 'island site', so any future use of the land will not have direct abuttal to a sensitive use (other than the dwellings which exist at 90 and 94 Clarke Road and 224 and 226 Clarke Road)
- it has access along the entire length of its frontage to Clarke Road, with access also potentially being available from Spring Road and Rowan Road
- it has proximity to Westall Road including the proposed Dingley Arterial and the recently opened Dandenong bypass which provide ready access to major arterials of Melbourne
- it provides an opportunity for potential linkages and synergies with the Spring Valley Reserve and any existing or proposed open space on the western side of Westall Road
- it is a large site with a depth of 400 metres and a length of approximately 1.2 kilometres.

In summary, subject to an appropriate investigation of the impacts of any proposed use on nearby residents and users of the parkland and subject to the use(s) being consistent with the ongoing management of the former landfill, the site has attributes which lend it to a range of potential uses under the Green Wedge Zone.

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 cap 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.

It may be possible to establish interim uses prior to a long term use being established on the site. Changes in technology may open up a wider range of post landfill uses over time.

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Any future proposals for this site will need to respond to the ongoing management requirements outlined in the PAN and should result in a net community benefit. No changes are recommended to the minimum lot sizes.

Change # 4

VISION Cont ... page 77

Precinct	Key Constraints	Precinct Objective	Preferred Land Uses
1. Clarke Road	Previous land use	To encourage the use of land for activities that are of net community benefit. To encourage land uses which are consistent with the ongoing management and monitoring of the former landfill site and which do not unreasonably affect the amenity of adjoining residents and users of the parkland.	Uses consistent with the purpose of the Green Wedge Zone and compatible with nearby public open space and residential uses and provide for a net community benefit, including but not limited to, solar farm and other infrastructure, open space and recreation.

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3 NOTICES OF MOTION

3.1 Notice of Motion No. 2 - Advocating for Increased Police Resources in Greater Dandenong

Author:

Cr Tim Dark

Preamble

In order to combat the 28.7% increase over the last 12 months in the crime rate, including resources to address the rising problems of drug crime, addiction and access to rehabilitation beds for ice addicts, the following motion is proposed:

Motion

That the City of Greater Dandenong calls on the Minister for Police and the Government, including the Premier and Attorney General whose electorates are in the municipality, to provide increased police resources to the City of Greater Dandenong Police Service Area to combat increasing crime rates, including resources to address the rising problems of drug crime, addiction and access to rehabilitation beds for ice addicts.

MOTION

Moved by: Cr Roz Blades AM Seconded by: Cr Youhorn Chea

That the item be deferred.

LOST

For the Motion: Cr Roz Blades (called for the division), Cr Youhorn Chea, Cr Jim Memeti

Against the Motion: Cr Tim Dark, Cr Matthew Kirwan, Cr Angela Long, Cr Zaynoun Melhem, Cr Sean O'Reilly, Cr Maria Sampey, Cr Loi Truong

MONDAY 12 DECEMBER 2016

3.1 Notice of Motion No. 2 - Advocating for Increased Police Resources in Greater Dandenong (Cont.)

MINUTE 59

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

That the City of Greater Dandenong calls on the Minister for Police and the Government, including the Premier and Attorney General whose electorates are in the municipality, to provide increased police resources to the City of Greater Dandenong Police Service Area to combat increasing crime rates, including resources to address the rising problems of drug crime, addiction and access to rehabilitation beds for ice addicts.

CARRIED

Cr Roz Blades AM left the Chamber at 7:53pm.

3.2 Notice of Motion No. 3 - Supporting our Senior Residents Attend Cultural Events and Celebrations Located in Neighbouring Municipalities

Author:

Cr Maria Sampey

Preamble

The City of Greater Dandenong has a diverse range of senior citizen groups from a wide range of cultural backgrounds such as Cambodians, Vietnamese, Burmese, Italians, Greeks, Indians etc that use the Council halls and community centres. These organisations and residents from our City are also invited to participate, attend and support the same cultural groups in our neighbouring Councils if they are celebrating certain days like Mothers and Fathers' days, Easter and Christmas day celebrations.

At present the Community Response Grants Program rules state that "Applications will not be accepted for: Community events or celebrations taking place outside the City of Greater Dandenong".

By our cultural residents participating and supporting one another it is in line with Council's Community Wellbeing Plan encouraging social participation to stop isolation by our residents as per "5.3.3 Engage with culturally diverse communities to support and promote their strengths and facilitate social inclusion".

It also states in our Wellbeing Plan that specifically "*Physical activity, leisure and recreational opportunities improve health and wellbeing, encourage social interaction, and create healthier, more inclusive communities*".

Motion

That Council includes a new condition in the Community Response Grants Program rules which states that where at least 50 percent of expected attendees to a cultural event or celebration for seniors are from the City of Greater Dandenong, that cultural events or celebrations for seniors located in our neighbouring Councils (being the Cities of Casey, Frankston, Kingston, Knox and Monash) will be considered for funding by our Council. 3.2 Notice of Motion No. 3 - Supporting our Senior Residents Attend Cultural Events and Celebrations Located in Neighbouring Municipalities (Cont.)

MINUTE 60

Moved by: Cr Maria Sampey Seconded by: Cr Matthew Kirwan

That Council includes a new condition in the Community Response Grants Program rules which states that where at least 50 percent of expected attendees to a cultural event or celebration for seniors are from the City of Greater Dandenong, that cultural events or celebrations for seniors located in our neighbouring Councils (being the Cities of Casey, Frankston, Kingston, Knox and Monash) will be considered for funding by our Council.

CARRIED

3.3 Notice of Motion No. 4 - Transporting Senior Citizens on Weekly Shopping Trips

Author:

Cr Maria Sampey

Preamble

In November 2012 a Notice of Motion was supported by councillors that an additional bus with an assistance officer or "jockey" be added to the shopping transport program for those who needed help getting on and off the bus. Council also agreed to buy an additional 11 seater bus with a lift and cage to provide an extra shopping service to run at least once a week that could include shopping jeeps.

After this resolution was passed on 12 November 2012 an assistance officer or "jockey" was not employed and the service since 2012 has not been improved to cater for transporting more than nine people on weekly shopping trips in the last four years.

Motion:

That Council officers present to the next appropriate Council meeting a report that addresses all aspects of the implementation of Notice of Motion No. 2 supported by Councillors on 12 November 2012 relating to the Community Transport Shopping Trip Program and runs an extra bus service to allow more than the, at present, nine residents of which the present bus service only allows to participate and be taken on a weekly shopping trip. With our City being an ageing City the needs of our ageing residents need to be met to stop isolation and allow our residents to socialise with people on the bus and also will allow our elderly residents to be more independent rather than relying on continual family support to provide them with weekly transport to the shops.

MINUTE 61

Moved by: Cr Maria Sampey Seconded by: Cr Tim Dark

That Council officers present to the next appropriate Council meeting a report that addresses all aspects of the implementation of Notice of Motion No. 2 supported by Councillors on 12 November 2012 relating to the Community Transport Shopping Trip Program and runs an extra bus service to allow more than the, at present, nine residents of which the present bus service only allows to participate and be taken on a weekly shopping trip. With our City being an ageing City the needs of our ageing residents need to be met to stop isolation and allow our residents to socialise with people on the bus and also will allow our elderly residents to be more independent rather than relying on continual family support to provide them with weekly transport to the shops.

CARRIED

Cr Roz Blades AM returned to the Chamber at 7:58pm.

Cr Matthew Kirwan left the Chamber at 7:59pm.

Question Cr Maria Sampey

I attended the Annual General Meeting (AGM) of the Dandenong Benevolent Society as they are winding up their operation, and I asked various questions on the day which they could not answer. I sent the questions off to the relevant officer to have them answered by the organisation that has taken over which is the Springvale Learning and Activities Centre (SLAC), and the questions that have been responded to are marked confidential. I am not sure whether the questions have been submitted by SLAC or Council as I did want the questions answered by SLAC. Are these questions answered by SLAC or by Council?

Cr Matthew Kirwan returned to the Chamber at 8:01pm.

Response Mark Doubleday, Director Community Services

I will take that question on notice.

Comment Cr Maria Sampey

At tonight's briefing meeting, funding of SLAC was discussed via the community grants program.

<u>Comment</u> Cr Sean O'Reilly

Point of order. Councillor Sampey is referring to a discussion at a briefing meeting which I am sure that the content of the discussion would be confidential.

<u>Response</u> Mick Jaensch, Director Corporate Services

Council's Councillor Code of Conduct details that any matter that is discussed at any councillor briefing session is by its nature deemed to be not available for public circulation. In answer to the question posed by Councillor O'Reilly it does not matter whether the item was deemed formally by the Chief Executive Officer to be confidential or not, it is by its nature not something for public disclosure.

Comment Cr Maria Sampey

I would like to know how is the City of Greater Dandenong participating with regard to what is happening with the Dandenong Benevolent Society.

Response

Mark Doubleday, Director Community Services

It is a matter of public knowledge that the Benevolent Society has held an annual general meeting and has resolved its future and is in discussions with an alternative organisation about taking over the services that it was providing on a short term basis. Those discussions were part of a councillor briefing session before tonight's meeting, with a move to resolve a way forward in terms of the funding the Council provides to the Benevolent Society. The Benevolent society is going to wind up its affairs, so in terms of what is available to the community, the Benevolent Society have certainly made that very clear. I do not think there is any restriction in relation to that, and that further information can be provided to Council as soon as possible after the Christmas and New Year break.

Comment

John Bennie PSM, Chief Executive Officer

I think it is important to appreciate that service to the community is what is driving Council's interest in this matter, and particularly with the lead up to the Christmas period when there are so many people in this community in need, Council would be keen to see those services continue to the community. Putting that aside, Council will seek to formalise its position in this matter by bringing a report back to Council early in 2017 to endorse or confirm the interim arrangement that Council is likely to confirm in relation to these short term arrangements.

<u>Question</u> <u>Cr Maria Sampey</u>

One of the concerns that I have, and Councillor Kirwan was there at the meeting with me, was that they could not answer the question with regard to what happened with regard to the sale of the holiday house that they had. I have a concern in the way that they answered that it was the manager's superannuation fund. I would like to know why a not for profit organisation are getting superannuation?

<u>Comment</u> John Bennie PSM, Chief Executive Officer

In response, the society that Councillor Sampey is referring to is an incorporated association, who has reporting responsibilities to its members and Consumer Affairs Victoria, and not to this Council. I think that needs to be put into context in terms of this Council, unless there are any persons involved who are members, have no right or responsibility to secure such answers and make those public.

Question Cr Roz Blades AM

Yesterday I was having lunch in Los Vegas, and I went into a shop to buy my lunch and there in that shop in Las Vegas was Chobani yoghurt. I think that is fantastic, that a Dandenong product is over there being sold and being bought, all the different flavours, I think that is terrific.

There are a number of sporting groups on Wachter Reserve. That is only reflected at the front of the reserve, in Wahroonga Avenue, Keysborough. At the bottom of Wachter Reserve, there is a sign that says Wachter Reserve, it is very old, very sinewy and very used up. I would like some better signage

This question was taken on notice.

Question Cr Roz Blades AM

In regard to the 234 signatories that Council received a petition through on Change.org, in relation to this is, when Council have all of the relevant information, can Council forward that information through to Police High Command? It is not state government that determine how many police there are in a City, it is Police Command, that is who the information needs to go to. I also want to ensure that all pertinent and relevant agencies within the City of Greater Dandenong are consulted regarding this matter.

Response Jody Bosman, Director City Planning, Design and Amenity

Council officers will go through all of the issues and report back to Council early in the new year with the analysis after the discussion of those issues, and those areas where it might be pertinent to go back to Police High Command or any other agency would obviously come out of that. I can assure Councillors that officers will ensure all parties that need to be informed and consulted will be included.

ORDINARY COUNCIL MEETING MINUTES

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

Cr Roz Blades AM left the Chamber at 8:08pm.

<u>Comment</u> <u>Cr Zaynoun Melhem</u>

I would like to give a report on the last two weeks as I have had the opportunity to attend some magnificent events at the City of Greater Dandenong.

On Thursday 1 December 2016, I attended the Southern Migrant and Refugee Centre Annual General Meeting.

On Saturday 4 December 2016, I attended along with the Mayor, Councillor Memeti, Councillor Dark and Councillor Kirwan the Dandenong District Historical Society Christmas lunch where I met some fantastic people and got to learn about the beautiful history of this city.

On Tuesday 6 December 2016, I attended along with the Mayor, Councillor Memeti, Councillor Kirwan and Councillor Long the 2016 Greater Dandenong Business Grants Award presentation.

I have been able to meet some beautiful people in this City, like Mel, who is from the Spirit of Enterprise who explained the story and the beautiful history of refugees in this municipality, and I think we are very fortunate to have such a diverse municipality, and that is why I feel very privileged to sit here with everyone.

Being such a diverse Council, I would like to wish everyone a merry Christmas, or if you do not celebrate Christmas, happy holidays, and slip, slop, slap, and enjoy the special time with your family, and have a great new year's, and I hope everybody is safe on the roads and enjoys their time with their family, so happy holidays to everyone.

<u>Comment</u> <u>Cr Angela Long</u>

These are some of the events that I have attended since my last formal meeting.

On Wednesday 30 November 2016, I attended the farewell afternoon tea for Christalene Benjamin. She worked in Council's print shop and was an employee of Greater Dandenong for 21 years. I wish her all the best in her retirement. Later that evening, I attended the Greater Dandenong Chamber of Commerce Awards Night.

On Thursday 1 December 2016, I attended the Greater Dandenong Volunteer end of year appreciation lunch at the Sandown Greyhounds in Springvale. Without these volunteers Council would not be able to deliver a number of the services that they perform. Later that evening, I attended the Dandenong Stadium Advisory Board Meeting.

On Saturday 3 December 2016, I attended the Noble Park Returned and Services League (RSL) President's Appreciation Night.

On Sunday 4 December 2016, I attended the Shepley Oval past players day and reunion and family fun day.

On Tuesday 6 December 2016, I attended the Greater Dandenong Business Awards Grants. Later that evening I attended the end of year City of Greater Dandenong leadership celebration.

On Wednesday 7 December 2016, I attended the Italo-Spanish Club Christmas lunch.

On Thursday 8 December 2016, I attended the South East Business Network Christmas breakfast which two of the fellow councillors failed to attend, although we saved a seat for you, at Bunurong Memorial Park in Bangholme. Later that morning I attended the launch of the Lindsay Williams' interpretive sign, which is on a bench seat. Later that day, I attended the launch of the Fotheringham Reserve bushland signage.

Cr Roz Blades AM returned to the Chamber at 8:14pm.

<u>Comment</u> <u>Cr Matthew Kirwan</u>

Since the last Council meeting, these have been some of the following events and activities I have attended.

On Tuesday 29 November 2016, I attended the Annual General Meeting of South East Community Links.

On Wednesday 30 November 2016, I attended along with Councillor Sampey the Greater Dandenong Council Community Safety Advisory Committee.

On Thursday 1 December 2016, I attended my first meeting of the Metropolitan Local Government Waste Forum, of which I am the Council representative this year. Councillor Kelly was the previous Council representative and I have a lot to live up to in the fantastic job he did for this Council being that representative. Later that day I attended the Greater Dandenong Council Asylum Seeker and Refugee Advisory Committee.

On Saturday 3 December 2016, along with other councillors, I attended the Working Together to Deliver Leadership and Council Plan Program.

On Saturday 4 December 2016, I attended along with the Mayor, Councillor Memeti, Councillor Dark and Councillor Melhem the Dandenong District Historical Society Christmas lunch.

On Tuesday, 6 December I attended along with the Mayor, Councillor Memeti, Councillor Long and Councillor Melhem the 2016 Greater Dandenong Business Grants Award presentation. Later that evening, I attended along with many other Councillors the end of year Greater Dandenong Youth Leadership Celebration at The Castle. Council's youth programs are growing in number and in diversity and it was an impressive and enjoyable night. If the Director of Community Services could pass on to the staff the excellent work that they do with all those programs and with that event in particular.

On Thursday, 8 December I did forget a breakfast, as Councillor Long has mentioned. I thought I was returning to work on Monday 12 December 2016, so when I booked in for that breakfast I forgot to cancel as I resumed my fulltime job on Monday 5 December 2016.

On Thursday 8 December 2016, I was in the City, and I represented the Council at the Pokies Reform Briefing, by the Alliance for Gambling Reform. The chair of the Alliance, Councillor Geoff Lake, Councillor Susan Rennie and Tim Costello updated Councillors present on the activities of the Alliance, and they also mentioned that Greater Dandenong Council had recently joined as a leading financial partner of the Alliance. I wish I could have been in two places at the same time that morning, and I thank my ward colleagues and Councillor Long and the Mayor, Councillor Memeti, for launching the Fotheringham nature reserve trail. I wish I had been there, I initiated that project, and I think it is a fantastic outcome, and I thank both of you for your support. I believe there were a large amount of children there, and that it was a great event.

On Sunday 11 December 2016, I attended along with Councillor Dark, Councillor O'Reilly and Councillor Truong the annual general meeting of the South East Melbourne Vietnamese Associations Council (SEMVAC). Like Councillor Long and Councillor Melhem, I would like to wish all the residents of Greater Dandenong a fantastic Christmas and best wishes for the new year.

Question Cr Matthew Kirwan

Residents of King George Parade, Dandenong West, have been concerned for many years regarding two issues: The safety of the intersection with Princes Highway, and speeding along their street, and I have mentioned this in this chamber before as has Councillor Memeti. In terms of the intersection there has been a new development. Residents are particularly concerned that once the new, very large townhouse estate development that is near the intersection is completed, the issue of the intersections lack of safety will become more serious. This is due to the volume of traffic that this large townhouse development will cause and also the fact that many of these townhouses, being not just two bedroom but three bedroom, are likely to be occupied with families with young children. Residents would like that intersection signalised and they think the need for that has grown somewhat. Has this been raised with VicRoads recently, and if so, what was their response, and if not, could it be raised? I am aware in recent months of speed testing being done on King George Parade, and would like to know the results?

<u>Response</u>

Julie Reid, Director Engineering Services

The development at 227 Princes Highway, which you particularly refer to, Councillor Kirwan, is covered by a development plan which is a set of approved parameters for the development of the site. This plan allows much of the development to take place without upgrades to the intersection of King George Parade and Princes Highway. However, when the development wishes to provide access to the site from the Princes Highway service lane, safety improvements to the intersection must also be provided. The most common upgrades to intersections of this type are kerb works which simplify the intersection and restrict some movements to and from the service lane. Examples can be viewed along Princes Highway at Potter Street, Dandenong, or Russell Street in Springvale. Council are unaware of plans for any other alterations to this intersection. Any works other than safety treatments to accommodate

the new development site would be the responsibility of VicRoads. Turning to the traffic surveys, recent traffic surveys along King George Parade identify the 85 percentile speed was at 40 kilometres an hour, with traffic volumes at just above 1300 vehicles per day. As a collector road, which has a function of collecting traffic from Princes Highway and distributing it into local roads and vice versa, these results do not identify any significant concerns regarding speeding or volume issues at this point in time. Council will continue to monitor the situation.

Question Cr Matthew Kirwan

What was not clear from that answer, has there been a recent discussion with VicRoads about that intersection, and if not, can there be?

Response

Julie Reid, Director Engineering Services

I am not aware of that but am happy to follow that up and have a discussion with VicRoads about this issue.

Question Cr Matthew Kirwan

Another area of speeding concern is Woodlee Street, Dandenong, particularly where it intersects with Hopkins Street and Edward Avenue. Residents have reported to me in the last few weeks regular speeding along that stretch, from soon after Godfrey Crescent to David Street. This is an area close to Dandenong North Primary School, affecting those entering the school, but also children walking to the school. The nature of the intersection is causing a particular concern. Parked cars near both intersections of Hopkins Street/Charles Street with Woodlee Street, and Edward Avenue and Woodlee Street are disturbing the line of sight from Hopkins Street to Charles Street, and across from one side of Edward Avenue to the other side of Edward Avenue, because the streets do not directly go across, making the effect of speeding more serious. Can not only speeding tests be done for this stretch, but also a review of these blind spots at these two particular intersections, which may require some parking restrictions along Woodlee Street to be introduced near the intersection?

<u>Response</u>

Julie Reid, Director Engineering Services

The issue of vehicle speeds on Woodlee Street has previously been investigated, with traffic speed and volume data collected recently, in May 2016. The results identified the 85th percentile speed was slightly above 50 kilometres an hour, and volumes were in the order of 1000 vehicles per day. Although the speeds recorded slightly higher than the speed limit, they are not considered to be excessive at this point in time. With regards to the sightline issues, motorists are not permitted to park within 10 metres of intersections. This is a road rule motorists are expected to know, and does not need to be signed to be enforced. This rule exists for the reason of providing sufficient sight distance for approaching vehicles. Council will continue to patrol the area though its parking management officers, particularly near Dandenong North Primary School.

<u>Question</u> Cr Matthew Kirwan

How is the cost benefit analysis of making the Springvale Community Hub a six green star building progressing, and when can Councillors expect to be briefed on the outcome?

Response Julie Reid, Director Engineering Services

The data and information is progressing well. It is expected, as I mentioned before to Council, that Councillors will be briefed around about February 2017. The consultant team is currently working through the options as well as validating the associated costs.

Question Cr Matthew Kirwan

Referring back to some of Councillor Sampey's questions, and probably putting a more general comment on that, rather than specifically looking at concerns about a particular group, in the review of the community funding program, can officers investigate the governance requirements that Council expect of the organisations that it fund, and discuss that as a group of Councillors?

Response

Mark Doubleday, Director Community Services

Yes, Governance of organisations is a separate matter to a policy review, however how that relates and can certainly be an explored option for part of the process.

Question Cr Matthew Kirwan

In the concept planning of the Springvale Community Hub, it was explained to Councillors and members of the Springvale and District Historical Society that a successful model of a historical society working in a multipurpose building was the Geelong and District Historical Society. Councillors were told that they operated out of the new Geelong Library and Heritage Centre, and that was a good model for the Springvale and District Historical Society, operating out of a new Springvale Community Hub. It has come to my attention that the Geelong and District Historical Society do not use this facility for their operations at all, they continue to operate out of a separate building. Are officers aware of this, and can there be investigation of this discrepancy in the advice was received?

<u>Response</u>

Mark Doubleday, Director Community Services

Yes, that can certainly be followed up, and officers can find out what is going on and make it part of the process of the future work for the Springvale Civic site, or Library and Community Hub.

Question Cr Matthew Kirwan

In regard to the future of the Springvale and District Historical Society and how they can continue to operate successfully. When will the previously cancelled visit to the Geelong Library and Heritage Centre by Councillors and Historical Society members be rescheduled, and also when is the consultation with architects and the Springvale and District Historical Society expected to commence?

<u>Response</u>

Mark Doubleday, Director Community Services

My understanding is that the trip to Geelong was scheduled previously and was cancelled, so it can certainly be reorganised for as soon as possible after Christmas. If there is any delay for that, I am not aware of it, but there should be no reason for that, and it can certainly take place. In regards to the second part of the question, there is a process of doing a feasibility or a concept design at this stage, and as soon as a little bit more work is done, that process can start. Given that this is now literally a week and a half before Christmas, it will not be until mid to late-January, as I understand it.

Comment Cr Sean O'Reilly

I have attended many events since the last meeting and many have been mentioned, but as the year comes to a close, and this being the final Council meeting for the year, I am really excited on what next year will bring for the City of Greater Dandenong. If I can mention one thing in particular, and that is the revitalisation of Springvale in a number of aspects is something to look forward to, and in 12 months it will be seen, on the ground, that happening. Although it will take many years, it will become more and more visible within the next 12 months.

As far as being a re-elected Councillor, I do not want to run out of new ideas or new things to pursue, so a couple of things I will flag now, and the relevant directors might be interested. The first is that I will be interested in having a look at next year with the other Councillors' support is Council's planning permit process, whether that is efficient and quick as it could be. On the 'Know Your Council' website, it is one of the indicators that is quite different for this Council compared to its average, and I would like to look into that next year. The second one is merit reporting, Council is collecting a lot of data every day from different incidents logged and I will be interested whether Council is using the data, digging into it, and getting as much value from its own data to inform operations as can be.

Overall I think, Council is really doing well with rate capping but does need to look further at simplification and efficiencies constantly, and that is something that can be done in the new year. I am sure I am not the only one that feels this way when I say that I am tired, and I am looking forward to a break after a busy year, so I wish everybody a really good break. Merry Christmas, happy new year, and I also encourage residents that they drop into their local place of faith at least once over the holiday period to introduce themselves and see what is going on at their local place of faith, and we can all start 2017 anew.

<u>Comment</u> <u>Cr Loi Truong</u>

Last week I attended the Vietnamese Language School Awards.

On Saturday 10 December 2016, I attended the International Human Rights Day. The United Nations Human Rights Commission (UNHRC) is an organisation who provides all the needs for refugees in camps. They rely on the support from developed countries like the United States of America, Canada and Australia. The Vietnamese communities in capital cities, Perth, Brisbane, Melbourne and Sydney they fundraise and have collected over a million dollars for 2016 to support the UNHRC and I think that is very good. I hope that all communities continue to support them.

On Sunday 11 December 2016, I attended along with Councillor Dark, Councillor O'Reilly and Councillor Truong the annual general meeting of the South East Melbourne Vietnamese Associations Council (SEMVAC).

Comment Cr Youhorn Chea

On Tuesday 6 December 2016, I attended the 2016 Greater Dandenong Business Grants Award presentation.

On Wednesday 7 December 2016 I attended the Southern Metropolitan Cemeteries Trust meeting as that is the last meeting of the year.

I wish everyone a merry Christmas and happy new year, thank you.

<u>Comment</u> <u>Cr Jim Memeti, Mayor</u>

Over the last two weeks I attended four different citizenship ceremonies.

On Wednesday 30 November 2016, I attended the farewell afternoon tea for Christine Benjamin who worked for this Council for over 21 years.

On Thursday 1 December 2016, I attended the City of Greater Dandenong volunteers end of year appreciation event, it was over a couple of hundred volunteers that attended that lunch, and without the volunteers, there would be a lot of things that Council would not be able to do, so it is appreciated what they do for this City, and it was lovely to catch up with them as well. Later that day, I attended the Southern Migrant & Refugee Centre Annual General Meeting.

Later that evening, I attended an exhibition launch entitled '9 by 5' at the Walker Street Gallery in Dandenong. That was fantastic, they were 9 inch by 5 inch little boxes, and they started over a hundred years ago, and they used to make them out of cigar boxes and this tradition continues which is great.

On Friday 2 December 2016, I attended the Springvale Learning and Activities Centre, and Dandenong and District Benevolent Society combined courtesy meeting. It was good to attend and meet both parties, and hear how the handover was going to happen. The Springvale Learning and Activities Centre (SLAC) asked that the Dandenong Benevolent Society people who were working there and the volunteers to keep on supporting SLAC, which would be good.

On Saturday 3 December 2016, I attended the Councillor workshop, Working Together to Deliver Leadership and Council Plan Program which went very well.

On Sunday 4 December 2016, I attended the Dandenong & District Historical Society Christmas lunch. Later that day, I attended the Enterprise Migrant Hostel interpretive sign launch, on the corner of Buckingham and Windsor Avenues in Springvale.

On Tuesday 6 December 2016, I attended the 2016 Greater Dandenong Business Grants Awards presentation. That has been going on for a couple of years and there were five award winners this year, and each business gets approximately \$8000 in cash and \$2000 in promotion, which is fantastic for those businesses. Later that day, I attended the City of Greater Dandenong Young Leaders end of year celebration. I had not attended for a few years to see those young leaders and they are fantastic and they will be future leaders in the City of Greater Dandenong and it is great to catch up with them as well.

On Thursday 8 December 2016, I attended the Lindsay Williams interpretive signage launch in Springvale. Lindsay Williams was the Chief Executive Officer (CEO) of Springvale in the 1960s, and whilst he was CEO, the population grew from 18,000 to 75,000, so he would have had a big job ahead of him regarding all those residents who moved in and a City which was growing quickly. Later that day, I attended the Fotheringham Reserve bushland signage launch, which was fantastic to see the children of Dandenong West participate in that event. Fotheringham Reserve is a beautiful place, and I recommend if you have not been there lately to go down and have a look, the walk is fantastic, that was a really nice event. Later that day, I attended a book launch 'Tangled Twine' by author John Camillo, who is a resident of the City of Greater Dandenong, and he is a bit of a character, John, so it was a good read.

On Friday 9 December 2016, I attended the Noble Park Italian Elderly Citizens Club end of year celebrations.

I would like to wish everybody a merry Christmas on behalf of Councillors, staff and the organisation. I hope you all have a lovely time and a happy new year, and just make sure that we all come back safe, so if you are going to have a drink, do not drive. I am not saying do not party but be careful, we want to see everybody back in 2017.

Do not forget that on new year's eve there will be fireworks at Harmony Square from 9pm. If you are around the area, please pop in to see the fireworks at 9.30pm.

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

urse	Council provides funding for the Greater Dandenong Volunteer Resource Service to provide a range of training activities specifically for volunteers. The coordinator, Melissa Mahoney can be contacted on 9562 0414 or email info@gdvrs.org.au. SEMVAC might also be eligible for a grant for volunteer training through one of council's community Funding Support for volunteer training strongams. Council's community grants programs. Council's community grants programs. Council's community Prunding Support Officers, Monique O'Keeffe or Kali Sikiotis can be contacted on 8571 1432 or email commgrants@cgd.vic.gov.au. The Dandenong and Springvale Neighbourhood Houses can also provide Neighbourhood Houses can also provide evistomised volunteer training sessions. Please contract Robyn Coslovich at Dandenong Neighbourhood House on 9792 5298 or email info@dandenong Neighbourhood House on 9548 3972 or email coordinator@snh.org.au.	Council has 7 specialised community transport buses that can manage 9-10 passengers. The buses run to different locations (pool/library/a number of shopping centres/clubs and groups). The number of passengers on any particular run can vary with some trips booked out and others with vacancies. The capacity from each run can vary from week to week. Therefore waiting lists (2 on Parkmore run and 4 on the Oasis run) also vary with the potential of people being able to access due to
Summary of Response	Council provides funding for the Greater Dandenong Volunteer Resource Services to provide a range of training activities specifically for volunteers. The Coordinator, Melissa Mahoney can be contacted on 9562 0414 or email info@gdvrs.org.au. SEMVAC might also be eligible for a gra for volunteer training through one of Council's community Funding Support Ornoril's community Funding Support Ornoril's community Funding Support Council's community Funding Support Officers, Monique O'Keeffe or Kail Sikiot can be contacted on 8571 1432 or email commgrants@cgd.vic.gov.au. The Dandenong and Springvale Neighbourhood Houses can also provide customised volunteer training sessions. Please contact Robyn Coslovich at Dandenong Neighbourhood House on 9792 5298 or email info@dandenongh.org.au or Melanie Virtue at Springvale Neighbourhood House on 9548 3972 or email coordinator@shh.org.au.	Council has 7 specialised community transport buses that can manage 9-10 passengers. The buses run to different locations (pool/library/a number of shopping centres/clubs and groups). Th number of passengers on any particular run can vary with some trips booked out and others with vacancies. The capacity from each run can vary from week to week. Therefore waiting lists (2 on Parkmore run and 4 on the Oasis run) also vary with the potential of people being able to access due to
Date of Response	1/12/16	7/12/16
Responsible Officer	Director Community Services	Director Community Services
Subject & Summary of Question	Support for the South Eastern Melbourne Vietnamese Association Council (SEMVAC) I would like to let the Gallery know that the South Eastern Melbourne Vietnamese Association Council (SEMVAC) now has about 60,000 members and have recently opened their head office along Springvale Road in Springvale which is run by 15 volunteers working five days a week. Could Council provide support to the Association through the funding of allowances for the volunteers? Members of the Association have observed the operation of other association to try and learn from them however they need proper training. The volunteers are not equipped to train with their current workloads. Could Council organise training for members so they will understand how to complete forms such as Police Checks, welfare and community related matters?	28/11/16 Cr Maria Sampey City of Greater Dandenong Community CQT1 Bus Service Two years ago, Council purchased a bus to transport people to various community CQT Two years ago, Council purchased a bus to transport people to various community 0 Concentres and shopping trips. I was advised that the buses were always full and Council did not have enough buses. With regards to the service where Council arranged shopping trips to Parkmore, Capital Centre and Waverley Gardens shopping centres for the elderly citizens, were people being left behind because there was no room on the buses? What is the maximum number
Question Asked By	Cr Loi Truong	Cr Maria Sampey
Date of Council Meeting	28/11/16 CQT12	28/11/16 CQT1

COUNCILLORS' QUESTIONS TAKEN ON NOTICE AT COUNCIL MEETING 28 NOVEMBER 2016

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

City of Greater Dandenong

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Response	Summary of Response
		of people that a bus can take? Why were the Councillors not advised? With Dandenong being an ageing city, more and more elderly citizens will require this service due to death of a partner or no longer having the ability to drive. What is Council's long term plans to ensure everybody has access to this service? The fact that the bus is full should not disadvantage eligible passengers because their needs are as worthy as anybody elses. How many people are on the waiting list?			cancellations. In order to assist during the period leading up to Christmas and over the new year when demand is high for shopping, additional shopping trips have been added. This was possible due to many clubs and groups who normally utilise the buses having shut down for the holidays. A review of the bus service is underway and in particular is looking at how the current mix of services to seniors can be reconsidered to fund a bus wider number of seniors through a relevant and equitable service model. The recommendations about how best to deliver a specialist community transport service to the community into the future will be presented to Council in March/April 2017.
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At the Ordinary meeting of Council on Monday, 24 March 2014, Council resolved to change the way Councillor and public questions taken on notice are answered and recorded from 14 April 2014 meeting of Council onwards.

2/2

ORDINARY COUNCIL MEETING MINUTES

5 QUESTION TIME - PUBLIC

Question

Richelle McClelland, Keysborough

I wish to pose the question as to why no after hours parking inspectors are available to Somerfield Estate, Keysborough South. We have had ongoing issues for over 12 months now, with people continually parking illegally. We have several offences occur daily, parking over the crossovers, parking on nature strips, parking against solid white lines and right on corners as you enter the street. The worst time of the day is after hours and early in the morning, obviously when everyone is home from work and before work and weekends, not during usual operating hours of 9am to 5pm. Hence we are in need of an after hours parking inspector. There have been several near misses, and it is only a matter of time before something serious occurs, not to mention we have observed emergency services unable to enter our street due to cars illegally parked. I hope you will consider this and I look forward to your response.

Question Richelle McClelland, Keysborough

I wish to pose the question as to why Somerfield Estate, Keysborough South have no after hours parking inspectors. We have had parking issues within our estate for over 12 months now, and the issue has failed to be resolved.

Response Jody Bosman, Director City Planning, Design and Amenity

Since 1 January 2016, Council has received a total of 18 customer service requests for illegal parking in the residential estates east of Chapel Road. This represents less than 0.7 per cent of such requests received across the whole of the municipality over that time. In response to these requests, officers have conducted some 34 patrols of the area, leading to 22 official warnings and 18 parking infringements being issued. More recently, as a result of increases in staffing levels, officers have been instructed to implement proactive late evening and earning morning patrols of this area, in order to assess and action the levels of illegal parking that might be occurring.

Those patrols will now occur at least fortnightly, having commenced in September and will continue until reasonable levels of compliance are achieved. It should be noted that in response to requests from Council, officers are currently reviewing enforcement policy in relation to parking on nature strips in narrower streets within new subdivisions. That review may lead to relaxing of these restrictions in some areas to reduce on-road congestion and provide more flexible legal options for residents and their visitors. Residents will be provided with advice on any changes that may be adopted.

More broadly, in respect of road widths and the matter of on-street parking, officers are in the process of developing a report to respond to Notice of Motion No.97. The report will come to Council in early 2017, and will outline the Council's approach to the assessment of subdivisional roads within the city, and the standards set out in Council's design manual for subdivision of land, and in the estates section of the Greater Dandenong Planning Scheme.

5 QUESTION TIME - PUBLIC (Cont.)

Question Colin Riddiford, Dandenong North

I would like an answer to another of the City of Greater Dandenong's best kept secrets. I have lived in Dandenong for 52 and a half years and driven past the Oasis Pool at least once per week. Only after just having a knee replacement did my wife suggest to go to the hydrotherapy pool at Oasis to help exercise and relieve some pain. Is there any reason why places such as this and others cannot be heavily promoted within the city? It is also quite cheap to attend. How many other secrets are there? Maybe the Council can ask ratepayers -are there many others?

<u>Response</u>

Mark Doubleday, Director Community Services

I believe Mr Riddiford is in the gallery, so I, like you, have someone close to me who has had a knee replacement, or similar operation, and discovered a similar secret in our home town. Congratulations. Oasis may be extensive in time, but it certainly offers some good services, so it is good to hear, and the fact that it has been beneficial in relation to you is fantastic. Council will certainly pick up on how it can promote and continue to encourage others to utilise the benefits of the facility. The YMCA gets lots of feedback that it passes onto Council all the time, especially about this particular facility within the Aquatic Centre. It is much appreciated, much used, and much loved. Thank you very much.

<u>Question</u> Isaac

Has the Council considered Sandown Racecourse as a sporting complex, including AFL and soccer ground, or international events to host local jobs?

Response John Bennie PSM, Chief Executive Officer

Sandown Racecourse is a privately owned facility, owned by the Melbourne Racing Club and they are entirely responsible for what occurs at that facility, subject of course to planning approval and planning conditions.

It is extensive public knowledge at this stage that the Melbourne Racing Club intend to review their strategic plan for that site, and going through that process, there is no doubt that they will engage with the broader community, not just the Greater Dandenong community but the community of Melbourne at large, to consider options and activities for that future use, and I think it is through that process that views such as Isaac's can be incorporated, and I expect Melbourne Racing Club would be welcoming of views through that process.

6 URGENT BUSINESS

No urgent business was considered.

The meeting closed at 8.44 PM.

Confirmed: / /

CHAIRPERSON