

# **MINUTES**

# **ORDINARY COUNCIL MEETING**

MONDAY, 26 MARCH 2018

Commencing at 7:00 PM

**COUNCIL CHAMBERS** 

225 Lonsdale Street, Dandenong VIC 3175

# TABLE OF CONTENTS

ITEM		SUBJECT	PAGE NO
1	MEETI		9901
1.1	ATTEN	DANCE	9901
1.2	OFFER	RING OF PRAYER	9901
1.3	CONFI	RMATION OF MINUTES OF PREVIOUS MEETING	9901
1.4	ASSEM	IBLIES OF COUNCIL	9903
1.5	DISCLO	OSURES OF INTEREST	9905
2	OFFIC	ERS' REPORTS	9906
2.1	DOCUN	MENTS FOR SEALING	9906
	2.1.1	Documents for Sealing	9906
2.2	DOCUN	MENTS FOR TABLING	9908
	2.2.1	Petitions and Joint Letters	9908
2.3	STATU	TORY PLANNING APPLICATIONS	9917
	2.3.1	Planning Decisions Issued by Planning Minister's Delegate - February	
	2.3.2	Planning Delegated Decisions Issued February 2018	9918
	2.3.3	Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608)	0
	2.3.4	Town Planning Application - No. 86-92 Springvale Road, Springvale (Pla Application No. PLN17/0213)	-
2.4	POLICY	Y AND STRATEGY	10061
	2.4.1	Road Asset Management Plan	10061
	2.4.2	Group of Councils (GC) Planning Scheme Amendment: Licensed Pren (Packaged Liquor Outlets) Policy	

	2.4.3	Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) 10	)112
2.5	OTHER		)158
	2.5.1	Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment	)158
	2.5.2	List of Registered Correspondence to Mayor and Councillors	)169
	2.5.3	Report on Matters Discussed at Councillor Briefing Sessions - 26 February & 5 March 2018 10	)172
3	NOTIC	ES OF MOTION 10	175
4	_	RTS FROM COUNCILLORS/DELEGATES AND COUNCILLORS' TIONS	176
5	QUEST	TION TIME - PUBLIC	204
6	URGEN	NT BUSINESS 10	205

# 1 MEETING OPENING

#### 1.1 ATTENDANCE

#### **Apologies**

Nil.

#### **Councillors Present**

Cr Youhorn Chea (Chairperson) Cr Roz Blades AM, Cr Tim Dark, Cr Matthew Kirwan, Cr Angela Long, Cr Zaynoun Melhem, Cr Jim Memeti, Cr Sean O'Reilly, Cr Maria Sampey, Cr Heang Tak, Cr Loi Truong

#### Officers Present

John Bennie PSM, Chief Executive Officer; Jody Bosman, Director City Planning, Design and Amenity; Martin Fidler, Director Community Services; Mick Jaensch, Director Corporate Services; Paul Kearsley, Group Manager, Greater Dandenong Business; Charlie Taveira, Acting Director Engineering Services

#### 1.2 OFFERING OF PRAYER

All present remained standing as Ms Ursula Aruma from the Sri Sathya Sai Organisation, a member of the Greater Dandenong Interfaith Network, read the following prayer:

"Sai, thou art solace to the helpless; savior of the poor and protector of All. Sai is Peace, Sai is Universal, Sai is Righteousness. Sai is Christ, Sai is Nanaka, Sai is Hindu, Sai is Muslim, Sai is Truth, Sai is Vishnu, Sai is simple, loving and caring. Bless us all Sai, and answer our prayers. Strengthen our devotion and remove our sorrows. Shower us with Happiness and contentment. Bless all of us here today and the community of the City of Greater Dandenong to live in Peace and Harmony. Om Shanthi Om.

#### 1.3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of Council held 13 March 2018.

#### Recommendation

That the minutes of the Ordinary Meeting of Council held 13 March 2018 be confirmed.

## MINUTE 579

Moved by: Cr Zaynoun Melhem Seconded by: Cr Jim Memeti

That the minutes of the Ordinary Meeting of Council held 13 March 2018 be confirmed.

CARRIED

#### 1.4 ASSEMBLIES OF COUNCIL

The following assemblies of Council occurred in the period 8 March to 22 March 2018:

Date	Meeting Type	Councillors Attending	Topics Discussed & Disclosures of Conflict of Interest
8/03/18	Positive Ageing Advisory Committee	Roz Blades, Maria Sampey	- Positive Ageing Advisory Committee Meeting
9/03/18	Audit Advisory Committee	Youhorn Chea, Matthew Kirwan, Maria Sampey	- Audit Advisory Committee Meeting
13/03/18	Councillor Briefing Session	Roz Blades, Youhorn Chea, Tim Dark (part), Angela Long, Zaynoun Melhem, Jim Memeti (part), Sean O'Reilly, Maria Sampey (part), Loi Truong	<ul> <li>Fire at Council reserve over the weekend damaging 15 native trees (which will survive) but no other assets damaged.</li> <li>Recycling assistance package from the Government will be received until the end of June 2018 (CONFIDENTIAL).</li> <li>Councillor bus tours scheduled for later in the month.</li> <li>Community Support Grant request required for April function (before grants will be formally considered) – Cr Chea disclosed a conflict of interest in this item.</li> <li>Equipment available at the Jan Wilson Community Centre for users.</li> <li>Agenda items for the Council Meeting of 13 March 2018.</li> </ul>
19/03/18	Councillor Briefing Session	Roz Blades, Youhorn Chea, Tim Dark, Matthew Kirwan, Angela Long, Jim Memeti, Sean O'Reilly, Maria Sampey, Heang Tak	<ul> <li>Recent parking survey data, current management initiatives and future parking provisions for the Dandenong, Springvale and Noble Park activity centres (some information CONFIDENTIAL).</li> <li>Proposed Keysborough Community Hub update.</li> <li>AutumnFest and its promotion.</li> <li>Agenda items for the Council Meeting of 26 March 2018.</li> </ul>

#### Recommendation

That the assemblies of Council listed above be noted.

## **MINUTE 580**

Moved by: Cr Angela Long Seconded by: Cr Jim Memeti

That the assemblies of Council listed above be noted.

CARRIED

# 1.5 DISCLOSURES OF INTEREST

Nil.

## 2 OFFICERS' REPORTS

#### 2.1 DOCUMENTS FOR SEALING

## 2.1.1 Documents for Sealing

File Id:

Responsible Officer:

A2683601

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 26 March 2018 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 Mehmet Mustafaof and Nurcan Mustafaof concerning proposed building over an easement for a property in Ingrid Street, Dandenong.
- 2. A letter of recognition to Perry Bertram, Engineering Services for 40 years of service to the City of Greater Dandenong.
- 3. A letter of recognition to Nadine Cunningham, Corporate Services for 10 years of service to the City of Greater Dandenong; and
- 4. A Deed Agreement between the Greater Dandenong City Council and Hillside Street Pty Ltd for the proposed easement agreement off title for a property in Hillside Street, Springvale.

#### Recommendation

That the listed documents be signed and sealed.

#### MINUTE 581

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

That the listed documents be signed and sealed.

CARRIED

#### 2.2 DOCUMENTS FOR TABLING

#### 2.2.1 Petitions and Joint Letters

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

#### **Report Summary**

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

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

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

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

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

2.2.1 Petitions and Joint Letters (Cont.)

#### **Petitions and Joint Letters Tabled**

Council received no new petitions and no joint letters prior to the Council Meeting of 26 March 2018.

# *N.B:* A summary of the progress of ongoing change.org petitions has been provided in the attachment to this report.

#### Recommendation

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

#### MINUTE 582

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

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

CARRIED

2.2.1 Petitions and Joint Letters (Cont.)

DOCUMENTS FOR TABLING

PETITIONS AND JOINT LETTERS

# **ATTACHMENT 1**

# **PETITIONS AND JOINT LETTERS**

PAGES 7 (including cover)

Responsible Officer Response	Tabled at Council Meeting 29 January 2018.	Referred to Planning - Residential Amenity Unit 8 January 2018.	29/1/18 - Local Law officers have detailed future steps required to address this marter with the head	petitioner and adjoining properties.				
Status	Completed							
No of Petitioners	Signed by 17	residents.						
		A letter addressed to the President of the School Council Wooranna Park Primary School, Dandenong North.	I write to you behalf of all the residents regarding the nuisance of heavy traffic and excessive noise caused by all the hired/booked activities occurring during weeknights and weekends at the Terry O'Connor Centre.	We constantly struggle to get out of our driveways through the heavy traffic of vehicles that park and drive up and down Wondalga Avenue and Gibb Street Dandenong North as access to the Terry O'Connor Centre and that many of us residents have been subject to near incidents through these drivers not abiding by the road law.	We are only asking as residents and ratepayers to be able to safely and peacefully live in our own home and street.	In support of the above, I enclose a petition, footage and audio of the excessive noise and traffic for your perusal, seeking your attention that appropriate and due consideration is taken for a satisfactory outcome.	Please note that the City of Greater Dandenong Council has also been provided the above material.	

## City of Greater Dandenong ORDINARY COUNCIL MEETING MINUTES

Responsible Officer Response	Tabled at Council Meeting 13 March 2018.
Status	P rogress
No of Petitioners	Signed by 12 Keysborough residents.
Petition Text (Prayer)	Petition - Prayer letter         Residents of Keysborough have requested the following for Orlando Crescent in Keysborough:         1. Car parking bays on some nature strips.         2. Erection of play equipment.         3. Redesign of path inside park.         4. BBQ facilities.
Date Received	26/2/18

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

# City of Greater Dandenong

Officer Response			
Status	Complete 30/06/17	Complete 28/6/17	Complete 23/5/17
No of Co- Signatures	Currently 111 signatories.	Currently 92 signatories.	Currently 1305 signatories.
nissions Content	( <i>Via Change.org</i> ) Begin detailed design of an integrated, intergenerational Keysborough South Community Hub. Keysborough South needs Council to urgently start the detailed design of community hub to meet the needs of all ages and interests in a population of over 10,000 residents and still growing.	( <i>Via Change.org</i> ) Additional early learning services required for Keysborough by 2018. Residents of Keysborough request that Greater Dandenong Council, deliver on the promise to establish a new maternal and child health centre and kindergarten to meet the growing needs of our community by 2018.	( <i>via Change.org</i> ) Cranbourne Pakenham Loop Train Line Extension including Koo-Wee- Rup & Phillip Island. Build a 3 platform station to allow a V-line train to connect Phillip Island – Cranbourne & Pakenham – Koo-Wee-Rup – Melbourne City.
Other/Submissions Date Content Received	June 2017	April 2017	April 2017

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

## **City of Greater Dandenong** ORDINARY COUNCIL MEETING MINUTES

1

2.2.1 Petitions and Joint Letters (Cont.)

Other/Submissions

ORDINARY COUNCIL MEETING MINUTES

#### 2.2.1 Petitions and Joint Letters (Cont.)

Officer Response	
Status 0	
No of Co- Signatures	
Content	
Date Received	

#### City of Greater Dandenong

Other/Submissions

ORDINARY COUNCIL MEETING MINUTES

#### 2.2.1 Petitions and Joint Letters (Cont.)

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2.2.1 Petitions and Joint Letters (Cont.)

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#### 2.3 STATUTORY PLANNING APPLICATIONS

#### 2.3.1 Planning Decisions Issued by Planning Minister's Delegate - February 2018

File Id:

qA280444

Responsible Officer:

Director City Planning, Design and Amenity

#### **Report Summary**

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

No decisions were reported for the month of February 2018.

#### Recommendation

That the report be noted.

#### **MINUTE 583**

Moved by: Cr Jim Memeti Seconded by: Cr Heang Tak

That the report be noted.

CARRIED

#### 2.3.2 Planning Delegated Decisions Issued February 2018

File Id:	qA280
Responsible Officer:	Director City Planning, Design and Amenity
Attachments:	Planning Delegated Decisions Issued February 2018

#### **Report Summary**

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

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in February 2018.

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

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

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

#### Recommendation

That the items be received and noted.

#### MINUTE 584

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

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

CARRIED

STATUTORY PLANNING APPLICATIONS

PLANNING DELEGATED DECISIONS ISSUED – FEBRUARY 2018

# **ATTACHMENT 1**

# PLANNING DELEGATED DECISIONS ISSUED FEBRUARY 2018

PAGES 11 (including cover)

City of Greater Dandenong

Planning Delegated Decisions Issued from 1/02/2018 to 28/02/2018

## ORDINARY COUNCIL MEETING MINUTES

# 2.3.2 Planning Delegated Decisions Issued February 2018 (Cont.)

Application ID	VicSmart	VicSmart Property Address	Applicant	Description	Notes	Authority Decision		Date	Ward
PLN 09/0320.02	° N	2-4/44-48 Mils Road DANDENONG VIC 3175	Cozee's Bins C/- Cameron Gentle Hansen Partnership Pty Ltd	AMENDMENT TO Material Recycling	Amend endorsed plans to extend the operation and use of the business into the larger portion of the existing building	Delegate	AmendPerm 21/02/2018 RedGum	21/02/2018	RedGum
PLN11/0939.01	° N	5 Greaves Street DANDENONG VIC 3175	DENONG Masood Shinwari	Amendment to Planning Permit PLN11/0939 by way of amending Condition 15 to revise operator details - DECLARED AREA	Amend permit condition 15 to allow another client operate from the business	Delegate	AmendPerm 27/02/2018 RedGum	27/02/2018	RedGum
PLN13/0769.03	°N	5 Newson Street KEYSBOROUGH VIC 3173	Abbotcrest Pty Ltd C/ Reeds Consulting Pty Ltd	AMENDMENT TO: Subdivision x 29 - SPEAR	Residential	Delegate	AmendPerm 21/02/2018 RedGum	21/02/2018	RedGum
PLN14/0657.01	No	72 King Street DANDENONG VIC 3175	Kostic & Associates P/L	AMENDMENT TO Multi Dwelling Development x 5 (Double Storey) New	Amend endorsed plans to reflect what was constructed on site	Delegate	AmendPerm 26/02/2018 RedGum	26/02/2018	RedGum

1/03/2018

Application ID	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Date	Ward
PLN 15/0199.03	ž	754-768 Princes Highway SPRINGVALE VIC 3171	Doz Holdings Pry Ltd C/o - Ratio Consultants	To amend Planning Permit PLVIS:0193.01 issued on the PLVIS:0193.01 issued on the 2019/2016 under Section 72 of the Planning and Environment Act 1887, by way of the following: Amend permit preamble to allow use of the land for a medical centre, irestricted recreation facility (Gym) in addition to the approved uses (supermarket, restricted retail premises & service station), Amend plans to include construction of Buildings and Works (additional first floor within the existing building and additional shop). Further reduce a parking equirements (medical centre requirements (medical centre and Alteration to a road in a Road Zone, Category 1 (intensification of use).	Ameind conditions for construction of buildings and carparking, loading bay and bicycle parking requirements.	Delegate	AmendPerm	23/02/2018	Lightwood
PLN15/0828.01	° Z	76 Stanley Road KEYSBOROUGH VIC 3173	Bayland Property Group	AMENDMENT TO Development of the land for 18 dwellings	Amend plans to show utility meters, removal of storage sheds, removal of pergolas, hip roofs to flat roofs and amend materials/finishers	Delegate	AmendPerm	22/02/2018	RedGum
PLN16/0014.02	° Z	7 Bazalgette Crescent DANDENONG SOUTH VIC 3175	KLM Spatial Pty Ltd	Amendment to Planning Permit PLN16/0014: The use and development of the land for industry and a reduction of car parking	AMENDMENT TO endorsed plans, permit preamble, Condition 7 and reduction in car parking	Delegate	AmendPerm	14/02/2018	RedGum
PLN 16/0040	° Z	39-49 Smeaton Avenue DANDENONG SOUTH VIC 3175	MPTX Property Trust T/A Logis Properties Pty Ltd	Signage	Industrial 1 Zone; printed banner 11,100mm x 2700mm.	Delegate	Plan Permit	12/02/2018	RedGum
MLASZL			2				1/03/2018	018	

Application ID	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Date	Ward
PLN16/0231.01	°2	Logis 233-267 Greens Road DANDENONG SOUTH VIC 3175	BASF Australia Ltd	Amendment to PLN16/0231 by way of amending the permit preamble and endorsed plans to allow for Industry	Amend endorsed plans to show spray booth and amend permit preamble to include paint testing	Delegate	AmendPerm	20/02/2018	RedGum
PLN 16/0701	° N	12A Jessie Street NOBLE PARK VIC 3174	KMT Design Group	Alterations and additions to the existing dwelling and to construct one (1) single storey dwelling to the rear of the site the rear of the site	Neighbourhood Residential Zone 1, 787.14sqm	Delegate	PlanPermit	16/02/2018	Paperbark
PLN16/0839	o	4 Balmoral Avenue SPRINGVALE VIC 3171	Bien Vu	Sell and consume liquor on the premises (Restaurant and Café License)	Commercial 1 Zone, 89.32sqm	Delegate	Withdrawn	28/02/2018	Lightwood
PLN16/0921.02	°Z	259-265 Perry Road KEYSBOROUGH VIC 3173	Frasers Property Australia	AMENDMENT TO: Buildings and Works (Warehouse) x4, reduction of car parking and display of business identification signage.	Amend permit preamble from Delegate warehouse to industrial warehouse	Delegate	AmendPerm	09/02/2018	RedGum
PLN 16/0941.01	°N N	1 Endeavour Court DANDENONG SOUTH VIC 3175	Stephen D'Andrea Pty Ltd	AMENDMENT TO Buildings and Works (Warehouse)	Amend permit to allow increase in building height and changes to the facade	Delegate	AmendPerm	27/02/2018	RedGum
PLN16/0951	°Z	17-19 Podmore Street DANDENONG VIC 3175	Sylvester Kroyherr	Buildings and Works	Industrial 1 Zone, 1808sqm	Delegate	PlanPermit	20/02/2018	RedGum
PLN17/0087	°Z	1/67 Glendale Road SPRINGVALE VIC 3171	Claude Bai	Development of the land for four (4) double storey dwellings	General Residential Zone 1, 865.40sqm	Delegate	PlanPermit	15/02/2018	Lightwood
PLN17/0211.01	°Z	13-37 Lonsdale Street DANDENONG VIC 3175	Harding Architects Pty Ltd	AMENDMENT TO: Development of alterations and additions to the existing motor vehicle sales and advertising signage	Amend endorsed plans to increase building setback, reduction in building height and reduction in floor level	Delegate	AmendPerm	09/02/2018	RedGum
PLN17/0234	°Z	1 Vardon Street SPRINGVALE VIC 3171	AMS Pty Ltd	Subdivision x 5 (SPEAR)	Residential	Delegate	PlanPermit	16/02/2018	Lightwood

1/03/2018

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Application ID	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Date	Ward
PLN17/0294	°N N	5 Sharon Road SPRINGVALE SOUTH VIC 3172	Frank Cassar	Development of the land for three (3) dwellings (two double storey dwellings and one single storey dwelling to the rear)	General Residential 1 Zone, 697.27sqm	Delegate	PlanPermit	28/02/2018	Lightwood
PLN17/0313.01	°N N	6 Quinn Street DANDENONG VIC 3175	Stephen D'Andrea Pty Ltd	AMENDMENT TO Buildings and Works (Warehouse)	Amend a permit to allow for a licensed motor car trading business and to allow for business signage	Delegate	AmendPerm	28/02/2018	RedGum
PLN17/0331	No	80 Colemans Road DANDENONG SOUTH VIC 3175	Beacon Town Planning Pty Ltd	Development of the land for sixteen (16) warehouses.	Industrial 1 Zone, 3426sqm, warehouse x 16	Delegate	PlanPermit	05/02/2018	RedGum
PLN 17/0366	Ž	21 French Street NOBLE PARK VIC 3174	Crystal Design & Building Consultant	To develop the land for five (5) new double storey dwellings	The proposal fails to comply with Clause 15 (Environment and Heriagop), Clause 21.05-01 (Urban design), Clause 22.09-33, Clause 32.08-4, Clause 52.08, Clause 52.06, Clause 55	Delegate	Refusal	27/02/2018	Paperbark
PLN17/0408	°N N	96 Assembly Drive DANDENONG SOUTH VIC 3175	Phil Bernardo Drafting Pty Ltd	Buildings and Works (Warehouse and Ancillary Office)	Commercial 2 Zone, 2914sqm, warehouse and ancillary office	Delegate	PlanPermit	23/02/2018	RedGum
PLN17/0434	No	17-19 Podmore Street DANDENONG VIC 3175	Sylvester Kroyherr	Use and development of the site for materials recycling and a reduction of the statutory car parking requirement	Industrial 1 Zone, car dismantling facility	Delegate	PlanPermit	20/02/2018	RedGum
PLN17/0450	0 N	2 Elka Road SPRINGVALE SOUTH VIC 3172	Tai Lam Thai	Development of the land for two (2) double storey dwellings	General Residential 1 Zone, 531sqm	Delegate	PlanPermit	13/02/2018	Lightwood
PLN17/0459	° Z	49 James Street DANDENONG VIC 3175	ARPC Pty Ltd	Development of the land for three (3) dwellings comprising two (2) double storey dwellings to the front/centre of the site and one (1) single storey dwelling to the rear	General Residential 1 Zone, 734sqm	Delegate	Plan Permit	23/02/2018	RedGum

1/03/2018

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1/03/2018

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#### 2.3.2 Planning Delegated Decisions Issued February 2018 (Cont.)

Application ID	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Date	Ward
PLN17/0490	°Z	22 Taranto Drive NOBLE PARK VIC 3174	Prestigious Millennium Design Pty Ltd	Development of the land for a single storey dwelling to the rear of an existing dwelling and alterations to the existing dwelling	Residential Growth Zone, 665sqm	Delegate	PlanPermit	27/02/2018	Paperbark
PLN17/0513	oZ	16 Henry Street NOBLE PARK VIC 3174	Strait-Line Builders & Drafters Pty Ltd	Development of the site for ten (10) double-storey dwellings	Residential Growth 1 Zone, 1970sqm	Delegate	DON	26/02/2018	Paperbark
PLN17/0521	oZ	5 Eckford Street DANDENONG VIC 3175	Ramesh Arulanandham C/- Jaview Mercado J&MMDesigns	Development of the land for three (3) dwellings (two (2) double storey and one (1) single storey to the rear)	Residential Growth 1 Zone, 697.88sqm	Delegate	PlanPermit	27/02/2018	RedGum
PLN 17/0563	0 Z	1/16 Brooklyn Avenue DANDENONG VIC 3175	Adex Design & Drafting	Buildings and Works (Ceiling Space)	Under Clause 33.014, a permit is not required as the proposal does not result in an increase in floor area for the building.	Delegate	NotRequire	27/02/2018	RedGum
PLN17/0588	°N N	43 French Street NOBLE PARK VIC 3174	Westurban Group C/- Charis Lu	Development of the land for seven (7) double storey dwellings	General Residential 1 Zone, 1513.05sqm	Delegate	DON	16/02/2018	Paperbark
PLN 17/0604.01	Ŷ	65 Hudson Court KEYSBOROUGH VIC 3173	Quality First Designs Pty Ltd	AMENDMENT TO Buildings and Works (Warehouse)	Amend Permit to delete Condition 1.1 and 1.2 relating to all side and rear boundary fencing to be 1.8m high chain wire fence and an underground rainwater tank	Delegate	AmendPerm	20/02/2018	RedGum
PLN17/0619	oZ	77 Clow Street DANDENONG VIC 3175	C/- Floarea Dimitrovici Dimitrovici Pty Ltd	Development of the land for a second dwelling	General Residential 1 Zone, 843sqm	Delegate	PlanPermit	27/02/2018	RedGum
PLN17/0636	oZ	139 Chapel Road KEYSBOROUGH VIC 3173	Interactive 3D Solution	Building Extension (other than a dwelling) (Education Facility)	General Residential 2 Zone, 7110sqm	Delegate	PlanPermit	15/02/2018	RedGum
PLN17/0646	Ŷ	35 Union Grove SPRINGVALE VIC 3171	Thi Hgoc Lan Vu C/o Dino Design	The development of the land for four (4) double storey dwellings	Residential Growth 1 Zone, 556.80sqm	Delegate	Plan Permit	22/02/2018	Lightwood

# 2.3.2 Planning Delegated Decisions Issued February 2018 (Cont.)

Application ID	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Date	Ward
PLN17/0657.01	° N	283-293 Perry Road KEYSBOROUGH VIC 3173	Quality First Designs Pty Ltd	AMENDMENT TO: Buildings and Works (Warehouse)	Delete permit conditions 1.2 underwater rain tank and 1.3 design detail to surfaces, colour & textures to blank eastern wall	Delegate	AmendPerm	16/02/2018	RedGum
PLN17/0665	°Z	49-97 Lightwood Road SPRINGVALE VIC 3171	Rhino Signmakers Jayden Murphy	To display a Business Identification Floodlit Sign	Special Use 1 Zone, x1 Business Identification Sign	Delegate	PlanPermit	13/02/2018 Lightwood	Lightwood
PLN17/0675	°N N	3/7-9 Brough Street SPRINGVALE VIC 3171	Jump! Swim Schools Pty L:td	The use of the land for an indoor recreational facility	Commercial 2 Zone, 5529.1300sqm	Applicant	Withdrawn	02/02/2018	Lightwood
PLN17/0686	°N N	1579 Heatherton Road DANDENONG NORTH VIC 3175	Dandenong Club C/- Round6 Architects	Extension to the existing building associated with the Restaurant	General Residential 1 Zone, 10.96sqm	Delegate	PlanPermit	14/02/2018	RedGum
PLN17/0687	No	68 Illawarra Crescent DANDENONG NORTH VIC 3175	Mersada Mesic	Development of the land for two (2) double storey dwellings	Neighbourhood Residential 1 Zone, 539.85sqm	Delegate	PlanPermit	01/02/2018	Silverleaf
PLN17/0714	°N N	15 Fifth Avenue DANDENONG VIC 3175	Sabashan Manmatharajah C/- J&MM Designs	Development of the land for one (1) double storey dwelling and one (1) single storey dwelling to the rear	Residential 1 Zone, 624.29sqm	Delegate	PlanPermit	19/02/2018	RedGum
PLN17/0745	°N N	275-281 Perry Road KEYSBOROUGH VIC 3173	Frasers Property Australia	Development of the land for two (2) warehouses with ancillary offices, the arection of business identification signage and a reduction in the car parking requirements.	Industrial 1 Zone, 20620sqm, Delegate warehouse x2	Delegate	PlanPermit	28/02/2018	RedGum
PLN17/0770	°Z	41 Fairview Street SPRINGVALE VIC 3171	Jingwei Wang	Use the site for the purpose of Motor Vehicle Sales	Industrial 1 Zone, motor vehicle sales	Delegate	PlanPermit	01/02/2018	Lightwood
PLN17/0771	°z	1 Balmoral Avenue SPRINGVALE VIC 3171	New Achievement	Display of advertising signs (Business Identification & Internally Illuminated)	Commercial 1 Zone, business identification sign	Delegate	Plan Permit	28/02/2018	Lightwood
MLASZL			9				1/03/:	1/03/2018	

# 2.3.2 Planning Delegated Decisions Issued February 2018 (Cont.)

Application ID	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Date	Ward
PLN17/0781	Ŷ	28-52 Smeaton Avenue DANDENONG SOUTH VIC 3175	Stephen D'Andrea Pty Ltd	Development of the Land for Fifty-Two (52) Warehouses	Industrial 3 Zone, 12444sqm, warehouse x52	Delegate	PlanPermit	16/02/2018	RedGum
PLN17/0790	Ŷ	16 Bazalgette Crescent DANDENONG SOUTH VIC 3175	Qanstruct	Development of the land for a Warehouse, display internally illuminated business identification signage and a reduction of the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme	Industrial 3 Zone, 13427sqm, Delegate warehouse	Delegate	Plan Permit	21/02/2018	RedGum
PLN17/0796	õ	Springvale Exchange & Cmts 18-26 Warwick Avenue SPRINGVALE VIC 3171	Charter Keck Cramer	Subdivision x2 SPEAR	Commercial	Delegate	PlanPermit	22/02/2018	Lightwood
PLN17/0815	° Z	6 Hopkins Street DANDENONG VIC 3175	Vergi Refikoglu C/ Design M Drafting	Development of the land for the construction of two (2) dwellings (comprising one (1) double storey dwelling to the front of the site and one (1) single storey dwelling to the treat)	General Residential 1 Zone, 703sqm, multi dwelling development	Delegate	PlanPermit	28/02/2018	RedGum
PLN17/0834	°Z	921 Taylors Road DANDENONG SOUTH VIC 3175	Genfac Properties Pty Ltd	Development of the Land for Two (2) Warehouses and to Reduce the Car Parking Requirements PRIORITY PAID	Industrial 1 Zone, 10010sqm, Delegate warehouse x2	Delegate	PlanPermit	19/02/2018	RedGum
PLN17/0835	°Z	16 Jamieson Way DANDENONG SOUTH VIC 3175	Genfac Properties Pty Ltd	Buildings and Works (Warehouse) and reduction to the car parking requirement PRIORITY PAID	Industrial 1 Zone, 2240sqm, warehouse	Delegate	PlanPermit	20/02/2018	RedGum
PLN17/0836	No	Plaza Centre Management 23-55 McCrae Street DANDENONG VIC 3175	Retpro Management Pty Ltd C/- Andrea Pagliaro Urbis Pty Ltd	The display of internally illuminated business identification and directional signage	Comprehensive Development 2 Zone, internally illuminated sign	Delegate	PlanPermit	06/02/2018	RedGum
PLN17/0858	°Z	137 Princes Highway DANDENONG VIC 3175	APP Property & Infrastructure Specialists C/- Brett Lucy	The display of internally illuminated business identification signage	Resigneital Growth 1 Zone, business identification	Delegate	PlanPermit	19/02/2018	RedGum
PLN17/0865	° Z	2-8 Pickett Street DANDENONG VIC 3175	Reeds Consulting Pty Ltd	Subdivision x 1 (Easement Creation) SPEAR DECLARED AREA	Commerical	Delegate	Plan Permit	07/02/2018	RedGum
MLASZL			7				1/03/	1/03/2018	

1/03/2018

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#### 2.3.2 Planning Delegated Decisions Issued February 2018 (Cont.)

Application ID	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Date	Ward
PLN17/0867	°Z	327 Gladstone Road DANDENONG NORTH VIC 3175	Ashdev Pty Ltd	Signage for Medical Centre	Neighbourhood Residential 1 Zone, business identification	Delegate	PlanPermit	09/02/2018	Silverleaf
PLN17/0871	No	200 Greens Road DANDENONG SOUTH VIC 3175	Zinfra	Alteration of access to a road in a Road Zone, Category 1 and associated works	Industrial 2 Zone	Delegate	PlanPermit	23/02/2018	RedGum
PLN17/0874	No	1/2-4 Peace Street SPRINGVALE VIC 3171	Urban Edge Consultants Pty Ltd	Use of the Land for Industry (Food & Beverage Production)	Industrial 1 Zone, food manufacturing	Delegate	PlanPermit	27/02/2018	Lightwood
PLN17/0877	No	1579 Heatherton Road DANDENONG NORTH VIC 3175	The Dandenong Club	Signage (Business Identification)	General Residential 1 Zone, business identification signage	Delegate	PlanPermit	16/02/2018	RedGum
PLN17/0881	°N N	36 Healey Road DANDENONG SOUTH VIC 3175	JSNJ Investments	Subdivision x2 SPEAR	Industrial	Delegate	PlanPermit	07/02/2018	RedGum
PLN17/0882	°Z	259-265 Perry Road KEYSBOROUGH VIC 3173	Quality First Designs Pty Ltd	Development of the land for six (6) Warehouses	Industrial 1 Zone, 2293sqm, warehouse x6	Delegate	PlanPermit	27/02/2018	RedGum
PLN17/0883	°Z	120 Greens Road DANDENONG SOUTH VIC 3175	Elgas Ltd	Development of the land for an industrial building and reduction in car parking	Industrial 1 Zone, 1350sqm, shed	Applicant	Withdrawn	16/02/2018	RedGum
PLN17/0885	o	2/84 Clow Street DANDENONG Ioannis Mavrelis VIC 3175	Ioannis Mavrelis	Construction of buildings and works (rear deck and verandah)	Buildings and works not required for this permit due to the floor level not more than 800mm above ground level.	Delegate	NotRequire	19/02/2018	RedGum
PLN17/0888	°Z	58 Brindley Street DANDENONG SOUTH VIC 3175	Stephen D'Andrea Pty Ltd	Development of the Land for a Warehouse	Industrial 3 Zone, 1779sqm, warehouse	Delegate	Plan Permit	19/02/2018	RedGum

Page 9927

#### 2.3.2 Planning Delegated Decisions Issued February 2018 (Cont.)

Application ID	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Date	Ward
PLN18/0003	0 N	1/444-446 South Gippsland Highway DANDENONG SOUTH VIC 3175	Intercross Christian Centre	Signage (LED scrolling advertising)	Commercial 1 Zone, Signage (LED scrolling advertising)	Applicant	Withdrawn	20/02/2018	RedGum
PLN18/0005	° Z	6 Newcomen Road SPRINGVALE VIC 3171	Ly Luy LL Enterprise Pty Ltd	The display of business identification signage	Commercial 1 Zone, 1058sqm, existing spraybooth flue and business identification signage	Delegate	Plan Permit	27/02/2018	Lightwood
PLN18/0006	No	3 Ericksen Street SPRINGVALE VIC 3171	Nobelius Land Surveyors Pty Ltd	Subdivision x3 SPEAR	Residential	Delegate	PlanPermit	22/02/2018	Lightwood
PLN18/0014	°Z	15 Menzies Avenue DANDENONG NORTH VIC 3175	Calvin Raven Pty Ltd	Subdivision x 4 SPEAR	General Residential 1 Zone, Residential	Delegate	PlanPermit	15/02/2018	RedGum
PLN18/0016	oN	1/320-326 Cheltenham Road KEYSBOROUGH VIC 3173	Owners Corp - 527932	The display of a floodlit business identification panel sign	Multi Use Zone, business identification sign	Delegate	PlanPermit	28/02/2018	Paperbark
PLN18/0022	oN	34 Hemmings Street DANDENONG VIC 3175	B R Smith & Associates Surveyors	Subdivision x3 SPEAR	Residential	Delegate	PlanPermit	14/02/2018	RedGum
PLN18/0024	° Z	5 Union Grove SPRINGVALE VIC 3171	Nobelius Land Surveyors Pty Ltd	Subdivision x3 SPEAR	Residential	Delegate	PlanPermit	22/02/2018	Lightwood
PLN18/0029	oN	Municipal Office & Library 225 Lonsdale Street DANDENONG VIC 3175	Glossop Town Planning	The display of internally illuminated and non-illuminated business identification signage DECLARED AREA	Signage (Business Identification)	Delegate	PlanPermit	26/02/2018	RedGum
PLN 18/0034	Yes	80-86 Frankston Dandenong Road DANDENONG SOUTH VIC 3175	Tract Consultants Pty Ltd	Buildings and Works (Warehouse) VICSMART	Industrial 1 Zone, 5946sqm, building and works (warehouse)	Delegate	Plan Permit	8102/2018	RedGum
MLASZL			6				1/03/2018	2018	

#### 2.3.2 Planning Delegated Decisions Issued February 2018 (Cont.)

Application ID	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Date	Ward
PLN 18/0035	°N N	243-47 Fiveways Boulevarde KEYSBOROUGH VIC 3173	Area Specialist	The display of internally illuminated business identification signage	Commercial 2 Zone, business identification sign	Delegate	PlanPermit	28/02/2018	Paperbark
PLN 18/0037	°N N	42-48 Granito Court DANDENONG SOUTH VIC 3175	CRA Survey Pty Ltd	Subdivision x 2 SPEAR	Industrial	Delegate	PlanPermit	22/02/2018	RedGum
PLN18/0038	Yes	6 Kirribilli Avenue KEYSBOROUGH VIC 3173	Carson Development Consultants P/L	Subdivision Boundary Re-Alignment x 2 SPEAR VICSMART	Residential	Delegate	PlanPermit	07/02/2018	Paperbark
PLN18/0040	No	19 Stephenson Street SPRINGVALE VIC 3171	Nobelius Land Surveyors Pty Ltd	Subdivision x 3 SPEAR	Residential	Delegate	PlanPermit	26/02/2018 Lightwood	Lightwood
PLN 18/0045	°N N	20 Glenelg Street DANDENONG NORTH VIC 3175	M J Reddie Surveys Pty Ltd	Subdivision x2 SPEAR	Residential	Delegate	PlanPermit	26/02/2018	Silverleaf
PLN18/0051	No	28 Raymond Street NOBLE PARK VIC 3174	Nacha Moore Land Surveyors Pty Ltd	Subdivision x4 SPEAR	Residential	Delegate	PlanPermit	28/02/2018	Paperbark
PLN18/0081	Yes	2/10-20 Summit Road NOBLE PARK NORTH VIC 3174	Signal & Hobbs	Buildings and Works (Alterations to Warehouse) VICSMART	Commercial 2 Zone, 411sqm, repaint facade, refurbish office/amenities & provide shading devices	Delegate	PlanPermit	27/02/2018	Silverleaf
17					(actions) to volution and cast				
MLASZL			10				1/03/	1/03/2018	

# 2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608)

File Id:	329130
Responsible Officer:	Director City Planning, Design and Amenity
Attachments:	Submitted plans

#### **Application Summary**

Applicant:	Liquor Plan
Proposal:	The use and development of land for Industry (microbrewery) and Manufacturing Sales, the sale and consumption of liquor, and to provide car parking spaces on another site
Zone:	Industrial 1 Zone
Overlay:	No overlays applicable
Ward:	Red Gum

The application proposes the use and development of land for Industry (microbrewery) and Manufacturing Sales, the sale and consumption of liquor, and to provide car parking spaces on another site.

A permit is required pursuant to:

- Clause 33.01-1: A planning permit is required for the use of the land for Industry and Manufacturing Sales.
- Clause 33.01-4: A planning permit is required to construct a building or construct or carry out works.
- Clause 52.06-3: A planning permit is required to provide some or all of the car parking spaces required under Clause 52.06-5 on another site.
- Clause 52.27: A planning permit is required to use land to sell or consume liquor.

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

2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

#### **Assessment Summary**

The application is for the use and development of land for Industry (microbrewery) and Manufacturing Sales, the sale and consumption of liquor, and to provide car parking spaces on another site.

The proposal will include an area for beer production to the rear of the building as well as an area to the front of the site for the sale and on-site consumption of the manufactured product, tastings and food consumption.

The proposal includes adequate car parking between the subject site as well as the adjoining site at 1 Bennet Street, which is under same ownership. However, to limit car parking conflicts between the subject site and surrounding industrial land (including 1 Bennet Street), a condition of permit will be required to manage car parking conflict between the existing industrial land use and the proposed manufacturing sales use (condition 2).

The use has been assessed against the relevant decision guidelines and is considered appropriate for the industrial area and surrounding, noting that it is unlikely to result in adverse amenity impact to the surrounds. The proposed buildings and works are considered appropriate, as they are internal only (first floor mezzanine/administration space), and will not result in a change to the existing building form.

#### **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 the State and Local policy as well as the purpose of the zones which applies to the subject site. This report recommends that the application be supported, and that a **Permit** be granted subject to conditions as set out in the recommendation.

2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

#### Subject Site and Surrounds

#### Subject Site

- The subject site is located on Bennet Street, Dandenong within an established industrial area. The site is irregular in shape, with an east-west orientation. The subject site is relatively flat.
- The existing building is of standard proportions, with an adequate front setback, consistent with those along Bennet Street. The existing building has a total area of approximately 770sqm.
- The existing building is currently vacant but previously used for warehouse purposes.
- The subject site is currently accessed via a single 6.4m wide crossover, providing access to seven (7) existing car parking spaces.
- There is no significant vegetation on the subject land, with the exception of some small shrubbery within the front setback area.
- The subject site is not encumbered by any easements, covenants or Section 173 Agreements.

#### Surrounding Area

- The broader surrounding area is characterised by a mixture of residential development to the north, industrial to the west and south and public recreation to the west.
- The industrial land is of an older stock, with a mixture of building sizes, mostly of standard building proportions.
- The subject site is located opposite the Bennet Street reserve, used for public recreation.
- The subject site is located nearby to a number of transportation links, including bus routes along Bennet Street and railway stations at Dandenong and Yarraman.
- The abutting allotment at No. 1 Bennet Street is under the same ownership of the subject site, and used for warehouse purposes.

2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

#### Locality Plan



#### Background

#### **Previous Applications**

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

- 1996/466: A permit was granted on 23/10/1996 for automotive dismantling and salvaging.
- PLN07/0615: An application for a take away food van was withdrawn on 12/10/2007.

### Subject Application

### Proposal

<u>Use:</u>

The application proposes the use and development of land for Industry (microbrewery) and Manufacturing Sales.

The Greater Dandenong Planning Scheme defines Industry as *land used for* (among other things) *any process of manufacture*. The definition also says that *if on the same land, it also includes storing goods used in the operation or resulting from it, providing amenities for people engaged in the operation, selling by wholesale, goods resulting from the operation and accounting or administration in connection with the operation.* 

The Greater Dandenong Planning Scheme defines Manufacturing Sales as land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.

Pursuant to Clause 52.10, the industrial use of food and beverage production (other than those specifically listed) is a Note 1 use thus triggering a use permit for Industry (and referral to the EPA pursuant to Clause 66 of the Planning Scheme).

Therefore, it is considered that the proposed use of the land is for industry and manufacturing sales.

The industrial component of the site (the manufacturing of beer) will operate from the hours of 7am to 4pm Monday to Thursday and 7am to 12pm on Friday, noting that some processes that do not require human activity (i.e. fermentation) will continue outside of these hours.

The manufacturing sales use, which includes the sale and consumption of liquor will operate from 3pm to 9pm on Thursday, 12pm to 11pm on Friday and 12pm to 6pm on Saturday and Sunday.

At any given time, there will be a maximum of three staff on the site, operating both land uses.

Whilst patrons will have the option of drinking the brewed product alone, food will also be available for consumption on the premises at all times during the licensed trading hours, with seating available both indoors and outdoors (via a portable outdoor seating area). A total of 75 patrons maximum are proposed.

The microbrewery will involve the production and kegging of craft beer, with the main ingredients being grains, water, hops year and carbon dioxide. The specific industrial process for the use of land is broadly summarised as follows:

Grains delivered to the site.

- Grains are milled (crushed) using a small electric mill.
- The milled grains are infused with water in a 1,000L vat for 60 minutes to be turned into a mash.

- The mash is placed into a 1,000L boiler for 60-90 minutes.
- Hops are added into the mixture.
- The mixture is chilled to a required temperature based on certain recipes.
- The mixture is transferred to a primary fermenter vat, where the primary fermentation occurs. This takes approximately 3 to 5 days.
- The mixture is transferred to a secondary fermenter vat where secondary fermentation occurs. This takes approximately 14 days.
- Carbon dioxide is added to the mixture.
- The finished beer is kegged and then sold onsite or distributed as necessary.

The applicant has indicated that approximately 1,400L to 2,100L of beer would be produced on a weekly basis, which equates to about 72,800L to 109,200L annually.

### Development:

The proposed buildings and works are internal only and include the construction of a 37sqm mezzanine space for storage and administration purposes. This is an addition to an existing 57sqm mezzanine area (total sqm area of mezzanine is therefore 94sqm).

Whilst not a planning permit trigger, an internal party wall will be installed within the existing building to separate the proposed use to the northern portion of the building.

This will result in a total gross floor area of the site is approximately 479sqm (including the mezzanine area) and when divided between the two uses it is recognised that the Industry component will afford approximately 319sqm in area and the Manufacturing Sales component will afford 160sqm in area.

### Car parking:

Car parking rates are set out at Clause 52.06-5, which will be discussed further in the assessment section of this report. It is noted that car parking numbers are to be determined based on the areas set aside for each individual use.

The subject site (including both buildings) has a total capacity for eight car parking spaces provided externally. It is proposed as part of this application to revise the car parking layout for the proposed building to include only two (2) car parking spaces and a shared area with the remaining space removed to make way for the outdoor seating area. A condition of permit, should one be granted, will require that the outdoor seating area be removed from the car parking spaces whilst the industry use is in operation.

When in operation, the use will be allocated a total of four (4) car parking spaces with two provided external and two provided internal. During manufacturing sale hours, two (2) staff vehicles will be parked internally, with one (1) staff vehicle to be parked externally. As noted below, there are still adequate spaces available on the site at the adjoining 1 Bennet Street.

The applicant has indicated that car parking can be provided on the adjacent site at 1 Bennet Street (under same ownership) to cater for the shortfall arising from the proposed use and development, which is discussed further below. Council's Transport Planning department have not raised concern with this arrangement, subject to conditions of permit, which will be discussed later in this report.

### Loading and unloading:

A 5m (I) by 2.4m (w) loading and unloading area will be provided internally to the building. The applicant has indicated within the submitted Traffic and Parking Management Plan that typical commercial vehicles to access that site will be Light Commercial Vehicles (two axle rigid vehicles with cab chassis construction and a gross vehicle mass between 1.5 to 4 tonnes).

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

### Victorian Charter of Human Rights and Responsibilities

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

### **Financial Implications**

No financial resources are impacted by this report.

### Planning Scheme and Policy Frameworks

The proposal requires a planning permit under the following clauses of the Greater Dandenong Planning Scheme:

- Clause 33.01-1: A planning permit is required for the use of the land for Industry and Manufacturing Sales.
- Clause 33.01-4: A planning permit is required to construct a building or construct or carry out works.
- Clause 52.06-3: A planning permit is required to provide some or all of the car parking spaces required under Clause 52.06-5 on another site.
- Clause 52.27: A planning permit is required to use land to sell or consume liquor.

The relevant controls and policies are as follows:

### Zoning Controls

The subject site is located within the Industrial 1 Zone, as is the surrounding area. 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 and Clause 33.01-4, a permit is required for the use and development of the land for Industry and Manufacturing Sales.

### **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:

- To provide for the fair, orderly, economic and sustainable use, and development of land.
- To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- 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.
- To protect public utilities and other facilities for the benefit of the community.
- To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).
- 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 and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

### 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. 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 has a broad and robust economic base. Reported annual construction costs in the industrial/commercial/retail sector, exceeded \$190 million in the year to June 2006. In 2006, 48,000 residents of Greater Dandenong were in paid work, with manufacturing.

Industry ranges from small-scale light industries in older established areas, to newer, general industrial estates, with large allotments and purpose-built factories. 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. Greater Dandenong's large industrial areas house some key national and international organisations. New 'high tech' industry is steadily replacing the traditional heavy industry upon which the region depended in the post-war period.

### Clause 21.04 – Land Use

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

"Social issues – Local retail centres can act as a focus for local communities helping strengthen local connections. Entertainment and associated uses are important in maintaining local cultural vitality but need to be managed to avoid late night disturbances to surrounding residents, and inadequate provision of car parking."

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

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

**Clause 22.03 Built form.** Clause 23.03 Urban design in commercial and industrial areas is of relevance to the application which incorporates the following objectives:

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

The policy sets out a number of matters to be taken into account when considering an application for use and development. This will be further discussed below.

### 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 demands 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 asafe 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 the land for Industry:

• 2.9 spaces to each 100 square metres of net floor area.

The table at Clause 52.06-5 specifies that the following car parking rate is required for the use of the land for manufacturing sales:

• 4 spaces to each 100 square metres of leasable floor area.

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.

### Clause 52.10 – Uses with Adverse Amenity Potential

The purpose of this provision is to define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

The use of land for food or beverage production (other than those listed within the group) is a Note 1 use, meaning that the threshold distance is variable, dependent on the processes to be uses and the materials to be processed or stored.

In accordance with Clause 66 of the Planning Scheme, a Note 1 use within an Industrial zone requires referral to the EPA, which has been undertaken as part of this application.

### Clause 52.27 – Licensed Premises

The purposes of this provision are:

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

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

#### **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 and in particular the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Clause 65 outlines the requirements that the responsible authority must consider when determining the application.

### **Restrictive Covenants**

The site is not encumbered by any Restrictive Covenants, Section 173 Agreements or other relevant title instruments.

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

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

### Diversity (Access & Equity)

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

### **Community Safety**

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

### Safe Design Guidelines

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

### Referrals

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

<b>Referral Authority</b>	Referral Type	Comments
EPA	Determining (Section 55)	No objection subject to planning permit conditions
Victoria Police	Comment only	No objection

### <u>Internal</u>

The application was internally referred to:

Department	Comments	
Transport Planning	No objection subject to planning permit conditions, including a restriction on the hours of operation of the manufacturing sales component is required on weekdays to minimise car parking conflict between 1 and 5 Bennet Street	
Waste and Cleansing	No objection subject to planning permit conditions	
Community Services	No objection subject to planning permit conditions	

The comments provided have been considered in the assessment of the application.

### 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 one (1) sign on the subject site facing Bennet Street.

The notification has been carried out correctly. A Statutory Declaration was received on the 06/12/2017.

No objections have been received to date.

### Assessment

The proposal has been assessed against the relevant provisions of the State and Local Planning Policy Framework, the zoning of the land and the relevant particular provisions of car parking, uses with adverse amenity potential and licenced premises and the decision guidelines of Clause 65, and of particular relevance those pertaining to loading and unloading of vehicles.

### <u>Use</u>

To determine the suitability of the use, the Decision Guidelines at Clause 33.01-2 of the Greater Dandenong Planning Scheme (Industrial 1 Zone) need to be considered. The decision guidelines are in in **bold italics** (followed by a town planner's response):

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

The application has been considered against the relevant State and Local policies as relevant, noting that the proposal is generally consistent with these policies, specifically those pertaining to Industry.

Broadly, the proposal seeks to provide an industrial/retail use that provides a net benefit to the community by way of employment opportunities, industrial diversity and entertainment, without compromising the local amenity of the existing industrial area or nearby residential land uses.

# 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 regards to any comments or directions of the referral authorities

The subject site is located approximately 110m from the nearest residential land along Railway Parade to the north.

The industrial process as described in this application indicates that the operation of the brewery is relatively low-intensity, involving primarily the crushing, milling and boiling of grains, the mixing of product and then fermentation, which is unlikely to result in offsite emissions relating to odour, noise, dust and the like.

The use of land for the production of beer is therefore considered to be relatively innocuous and unlikely to impact the nearby residential land through offsite emissions such as odour, light, noise or the like. The application was referred under Section 55 to the EPA who has not raised any concerns with the proposed use.

With regards to manufacturing sales component, the primary concern would be in relation to noise emission and anti-social behaviour. Noting this, any permit granted will limit such behaviours through appropriate conditions, with the AMP endorsed, and any recommendations and policies outlined to be adhered to.

### The effect that nearby industries may have on the proposed use

Given that the industrial component of the use will operate internally and primary in brewing vats for processing of beer, the risk of inter-industry conflict from offsite emissions is low to none.

In addition to the above, as the manufacturing sales component of the use operates primarily outside of the standard industrial hours, it is considered that the risk of inter-industry conflict from offsite emissions is also low to none.

### The drainage of the land

The subject site is located within an established industrial estate and has previously been developed for such purposes. It is considered that drainage has previously been considered, however standard drainage conditions will be applied to any permit granted nonetheless.

### The availability of and connection to services

The subject site is located within an established industrial estate. It is considered that services are available and can be or are already connected to the subject site.

### The effect of traffic to be generated on roads

The proposed use has considered the required car parking rates for Industry and Manufacturing Sales outlined at Clause 52.06-5 and seeks to provide car parking both on the subject site and on the adjacent site at 1 Bennet Street. In addition, an adequate area for the loading and unloading of goods associated with the use has been provided within the confines of the building.

Whilst the proposed use will generate additional car and commercial vehicle movements to the site and in effect the surrounding road networks, it is considered that sufficient car parking and loading and unloading area has been made available for the proposed use to limit the impact of traffic to the surrounding road networks.

Further discussion of car parking and the provisions of Clause 52.06 will be provided below.

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

As noted above under the proposal section of this report, part of this application seeks to divide the existing building through the installation of a party wall. This is not a permit trigger, but necessary to disclose due to car parking considerations and the like.

The other portion of the building (not required for the proposed use) will continue to function as normal, noting that the land is currently used for industrial purposes (various manufacturing, machinery hire and the like). The same is said of the land at 1 Bennet Street, in which the proposal will benefit from the sites car parking facilities, but the land and building itself will continue to function as normal.

2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

It is noted that both sites are under same ownership, but appear to operate independently.

### **Development**

To determine the suitability of the use, the Decision Guidelines at Clause 33.01-4 of the Greater Dandenong Planning Scheme (Industrial 1 Zone) need to be considered. The decision guidelines are in in *bold italics* (followed by a town planner's response):

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

The application has been considered against the relevant State and Local policies. As the proposed works are internal to the building and not visible external alterations, it is considered that the proposal is consistent with these policies, specifically those pertaining to development and built form.

### Any natural or cultural values on or near the land

No natural or cultural heritage sites located on or near the subject site.

### Streetscape character

The streetscape character is not subject to change, noting that no external buildings and works are proposed as part of this application, with the exception of a moveable outdoor seating area.

### Built form

The proposed development includes the construction of an internal 57sqm mezzanine floor area internal to the building. The proposed development will not alter the external form of the site and is not considered to be of concern.

#### Landscaping treatment

Existing landscaping will be maintained as part of this proposal, which includes a number of small shrubs along the front property boundary within a garden strip.

The provisions of Clause 22.03 nominate this site within 'Area 2' which requires a 6m landscape strip. The proposal fails to meet this policy preference which has a far reduced landscaped strip.

Whilst the proposal does not meet the Clause 22.03 policy preferences, the existing landscape strip on the site is of a size to allow adequate planting and is considered to be characteristic of the surrounding industrial tenancies particularly fronting Bennet Street which can be described as having small or no landscape strip. This is likely due to changes over time that is typical of mature industrial estates.

#### Interface with non-industrial areas

The site has an interface with the Bennet Street reserve, located within the Public Park and Recreation Zone. Given that no external works are proposed to the site, the interface between the two zones will not change through this application.

### Parking and site access

All matters pertaining to car parking have been assessed under the Car Parking section of this report. Site access will remain as is, with no concerns identified.

### Loading and services areas

A 5m (I) by 2.4 m (w) loading area is proposed within the confines of the building, suitable for a Light Commercial Vehicle. This area is considered to be adequate for the small-scale use and will be discussed further below within the loading and unloading section of this report.

### Outdoor storage

Outdoor storage is not proposed as part of this application, with all loading and unloading to be undertaken inside. Should a permit be granted, a condition of permit will ensure that loading and unloading be undertaken within the dedicated loading and unloading area.

It is noted that an outdoor seating area is proposed as part of the use. The outdoor area will be located within the site frontage directly adjacent the building frontage, to allow for outdoor service.

The outdoor seating area is temporary and will be removed during the operation of the industrial use and used only during the hours of manufacturing sales.

### Lighting

A standard condition of permit, should one be granted, will require the provision of external lighting for safety and visibility.

### Stormwater discharge

The subject site is located within an established industrial estate and has previously been developed for such purposes. It is considered that stormwater discharge has previously been considered, however standard stormwater conditions will be applied to any permit granted nonetheless.

### Car Parking

Car parking provisions are provided under Clause 52.06 of the Planning Scheme. Specifically, the rates for the proposed uses are under Clause 52.06-5, and are identified as follows:

- 2.9 spaces to each 100 square metres of net floor area (Industry).
- 4 spaces to each 100 square metres of leasable floor area (Manufacturing Sales).

As noted above under the proposal description, a gross floor area of 319sqm (307sqm minus loading bay) is set aside for industry and 160sqm set aside for manufacturing sales. As such, the following car parking spaces are required for the use:

2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

- Industry: 307 x 2.9 / 100 = 8.903 (rounded down to 8); and
- Manufacturing sales: 160 x 4 / 100 = 6.4 (rounded down to 6).

Based on the above, a total of 14 car parking spaces are required for the proposed use. Given that a maximum of 4 car parking spaces are allocated to this site, a reduction of 10 car parking spaces would normally be sought.

However, as noted within this application, the end operator seeks to utilise the car parking spaces within the adjoining allotment at 1 Bennet Street (under same ownership) to allow some of the required car parking spaces to be provided on another site.

To determine the suitability of the car parking arrangement, the Decision Guidelines at Clause 52.06-7 of the Planning Scheme (Car Parking) need to be considered with respect to an application to allow some of the required car parking spaces to be provided on another site. The decision guidelines are in **bold italics** (followed by a town planner's response):

### The proximity of the car parking on the alternative site to the subject site

The car parking spaces are located directly adjacent the subject site at 1 Bennet Street. The existing car parking at 1 Bennet Street already includes a stairwell access and gate between the two sites for access purposes as they are under same ownership, allowing free and convenient movement between the two sites with no restriction. A condition of permit will require appropriate directional signage to guide customers to and from each site.

### The likelihood of the long term provision and availability of the car parking spaces

Given that the properties are under the same ownership, the proposed arrangement could continue in perpetuity. However, should the site at 1 Bennet Street be purchased or leased and a new operator or use be established, this would most likely compromise the arrangement, noting that for the proposed microbrewery use the offsite car parking spaces are an absolute necessity and required for the grant of this permit. A condition of permit will therefore require that a Section 173 Agreement be prepared to establish car parking spaces on the adjoining site in common ownership, ensuring car parking in perpetuity.

# Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan

Not applicable as the location of the car parking spaces is not subject to any local policy or incorporated plan.

Council officers have also considered a number of other matters with respect to car parking which are summarised below:

• The distinction between manufacturing sales and restaurant and the required car parking rates.

- The remaining spaces available for the existing warehouse building to the southern side of the land.
- The remaining spaces available for the existing industrial building at 1 Bennet Street.
- The hours of operation on Friday, from 12pm, and the comments made by Council's Transport Planning department.

Firstly, whilst the proposed manufacturing sales component of the land is arranged in a manner that could be considered to present as a restaurant, it must be made clear that the use constitutes manufacturing sales as defined under Clause 74 of the Planning Scheme which is *land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.* The reason this distinction is necessary is to ensure that the correct car parking rate applies for the manufacturing sales component, being 4 spaces per 100sqm of net floor area (requiring a total of 6 spaces), instead of the much more demanding rate for a restaurant at a rate of 0.4 spaces per patron (requiring a total 30 spaces).

Secondly, Council must ensure that the remaining car parking spaces available for the existing building to the southern side of the land are adequate long term. In this instance, whilst the car parking is in common property, the location of the spaces provided an informal arrangement of four (4) car parking spaces to each building. Whilst the building is currently vacant, it was previously used for a longstanding warehouse, requiring 13 spaces in total under the current Clause 52.06-5 provisions. Whilst the four (4) spaces available would not be in accordance with the current rates outlined at Clause 52.06-5, the southern building would maintain the previous car parking provision on a pro-rata basis.

Thirdly, Council must ensure that when approval is sought to allow spaces to be provided within another site, that the site in question has the capacity to house the additional spaces in light of their own car parking provisions. In this instance, the site at 1 Bennet Street is being utilised as a warehouse (as evident in a site inspection undertaken on the 20/02/2018), and as such incurs a car parking requirement of 35 car parking spaces (based on a net floor area of approximately 2,200sqm). The site currently affords 44 spaces, resulting in an excess of 9 in total. Whilst the land at 1 Bennet Street cannot accommodate the reduction required at 5 Bennet Street in totality, it is clear that there are sufficient car parking availabilities on the land, particularly during Manufacturing Sales hours of operation (where inter-industry parking conflicts are minimised) to ensure that parking is available for the proposed microbrewery at all times. In addition, the Section 173 Agreement proposed, plus the revised car parking allocation plan would seek manage car parking on the land, to ensure the long term availability of these spaces in perpetuity.

Lastly, Council's Transport Planning department have raised some concern with respect to the Friday operation from 12pm, which may conflict with the car parking availabilities on the land at 1 Bennet Street. Planning officers agree with this proposition, noting that there would likely be a crossover of operating hours between the two uses. However, as noted above, there are 9 excess spaces available for the use which can be utilised by the microbrewery, limiting the inter-industry conflict. In addition, photos by the applicant have indicated that vehicles parked at 1 Bennet Street disperse between from 12pm onward, which would provide further availabilities and overflow car parking on the site. As such, Council find that a starting time at 1pm on Friday would be adequate, ensuring that spaces

2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

are available for the microbrewery use. In addition, the Section 173 Agreement proposed would manage the car parking and use on the land, to ensure the long term availability of these spaces in perpetuity.

### Loading and Unloading

Loading and unloading is considered under the decision guidelines Clause 65.01, noting that Clause 52.07 was removed from the Planning Scheme pursuant to Amendment VC142. The decision guideline is written as:

• The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

As noted above, a 5m (I) by 2.4 m (w) loading area is proposed within the confines of the building, suitable for a Light Commercial Vehicle. This area is considered to be adequate for the small-scale use.

The loading and unloading times described within the Traffic and Parking Management Plan (7am to 4pm Mon – Wed; 7am – 3pm Thur; and 7am to 12pm Fri) are outside of any manufacturing sales hours to minimise conflict with pedestrians and customer vehicles.

During these times, parking spaces will be available and the accessway will remain relatively clear to allow vehicles to exit the site in a forwards direction.

### Licensed Premise

To determine the suitability of the sale and consumption of liquor, the Decision Guidelines at Clause 52.27 of the Greater Dandenong Planning Scheme (Licensed Premise) need to be considered. The decision guidelines are in in **bold italics** (followed by a town planner's 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 meet the community's needs for accessible entertainment facilities located within the municipality.

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

The surrounding area is characterised primarily by a mixture of industrial uses to the south and east and residential uses to the north (approximately 100m). As the proposal is to allow the sale and consumption of liquor within the confines of the building and outdoor seating area no liquor will be permitted to be consumed within the public domain or outside of the site boundary.

The applicant 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. This seeks to minimise any anti-social behaviour that can be caused through intoxication. It is noted that the AMP was revised through the applications further information process, to reflect concerns raised by Council's Community Services department.

The revised AMP and documentation has been reviewed by Council's Community Services department who have provided general support of the AMP subject to planning permit conditions. The AMP, once endorsed, will form part of this permit, with any performance review measures outlined within the AMP to be strictly adhered to.

### The impact of the hours of operation on the amenity of the surrounding area

The applicant submits seeks to serve alcohol within the following hours as identified below:

Thursday	3:00pm to 9:00pm
Friday	12:00pm to 11:00pm
Saturday and Sunday	12:00pm to 6:00pm
ANZAC day, Good Friday and Christmas Day	No hours specified

The proposed hours of operation are considered to be in-line with the trading hours identified by the VCLGR for a wine and beer producer's licence. The above hours of operation are considered to be acceptable. A condition of permit will restrict hours of operation in line with the Council officers recommendation (see car parking assessment above for further matters pertaining to Friday hours).

Council's Community Services department have reviewed the submitted material, and have not raised concern with respect the hours of operation proposed for the sale and consumption of liquor, subject to permit conditions restricting hours of operation for Anzac day to between 12:00pm and 6:00pm with no trading on Good Friday and Christmas day.

#### The impact of the number of patrons on the amenity of the surrounding area

The application proposes a total of 75 patrons, which is consistent with the seating plan provided with the application and the relevant building code requirements for patrons. As noted above, the AMP details house policy to manage any anti-social behaviour to limit amenity impacts to the surrounding industrial and residential area further north.

Council's Community Services department have reviewed the submitted material, and have not raised concern with respect to the total number of patrons provided as part of this application.

### The cumulative impact of any existing licensed premises and the proposed licence premises on the amenity of the surrounding area

In accordance, with DPCP Practice Note 61 "Licensed Premises: Assessing 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 licensed premises.

As the proposed hours of operation do not exceed 11pm, there is no trigger for the provisions of a cumulative impact assessment.

### <u>Signage</u>

No signage is proposed as part of this application and would be subject to separate planning approvals.

### 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, overlays and Clause 65.

Overall it is considered that the proposed use, development and sale and consumption of liquor are appropriate having regard to the site's location within a newly established industrial estate within an Industrial 1 Zone.

### Recommendation

That Council resolves to Grant a planning permit in respect of the land known and described as 5 Bennet Street, DANDENONG VIC 3175 for the use and development of land for Industry (Microbrewery) and Manufacturing Sales, the sale and consumption of liquor, and to provide car parking spaces on another site in accordance with the plans submitted with the application subject to the following conditions:

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and 3 copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - 1.1. A revised red line area to exclude all toilet areas.
  - **1.2.** The point-of-sale location/s for off-premises alcohol sale within the red line area.
  - 1.3. A revised car parking allocation plan (including the table descriptions) to only allow the allocation of ten (10) car parking spaces to the land at 1 Bennet Street for the approved use of land. Any reference to Manufacturing Sales (Taverns and Restaurants) must be deleted.

- 2. Before the use and/or development starts, the owner must enter into an agreement under section 173 of the Planning and Environment Act 1987 with the Responsible Authorityto provide for the following:
  - 2.1. The use of land at 5 Bennet Street ,DANDENONG VIC 3175 (Lot 1 TP 145027) may only be used for a microbrewery as detailed within PLN17/0608 so long as the following requirements are met:
    - 2.1.1. 1 Bennet Street, DANDENONG VIC 3175 (Lot 3 PS066772) and 5 Bennet Street, DANDENONG VIC 3175 (Lot 4 PS066772) are in common ownership.
    - 2.1.2. 1 Bennet Street, DANDENONG VIC 3175 (Lot 3 PS066772) is utilised for a warehouse or other such use which generates a car parking requirement equal to or less than the statutory rate of a warehouse as detailed within the Greater Dandenong Planning Scheme.
    - 2.1.3. The ten (10) car parking spaces as detailed within the endorsed plans of Planning Permit PLN17/0608 remain available during the operating hours of microbrewery.

The owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).

- 3. Before the approved development is occupied, a Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to an approved by the Responsible Authority. The WMP must include details of the collection and disposal of waste and recyclables associated with the land to the satisfaction of the Responsible Authority. The WMP must provide for the following:
  - 3.1. The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority.
  - 3.2. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours.
  - 3.3. Designation of methods of collection including the need to provide for private services or utilisation of council services.
  - 3.4. Appropriate areas of bin storage on site and areas of waste bin storage on collection days;
  - 3.5. Details for best practice waste management once operating.

When approved, the WMP will be endorsed and will form part of this permit. The provisions, requirements and recommendations of the endorsed WMP must be implemented and complied with to the satisfaction of the Responsible Authority.

- 4. Except with the prior written consent of the Responsible Authority, the layout of the use, buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.
- 5. Once the approved development has started, it must be continued and completed in accordance with the endorsed plan/s, to the satisfaction of the Responsible Authority.
- 6. Except with the prior written consent of the Responsible Authority, the approved use must not commence and the land must not be occupied until all buildings and works and conditions of this permit have been complied with.
- 7. Malt must not be manufactured on site at any time to the satisfaction of the Responsible Authority.
- 8. The outdoor seating area must be located internally at all times during Industry hours of operation.
- 9. Operation of the outdoor seating area must comply with all Council by-laws.
- 10. Food may only be served in conjunction with the tastings, and must not be served separately to the tastings, to the satisfaction of the Responsible Authority.
- 11. Except with the prior written consent of the Responsible Authority, the sale of liquor may only occur between the following hours:
  - 11.1. 3:00pm to 9:00pm: Thursday
  - 11.2. 1:00pm to 11:00pm: Friday
  - 11.3. 12:00pm to 6:00pm: Saturday and Sunday
  - 11.4. 12:00pm to 6:00pm: ANZAC day
- 12. Except with the prior written consent of the Responsible Authority, no more than seventy five (75) seats (internal and external seating) may be made available at any one time to patrons.
- 13. The use must comply with the endorsed Alcohol Management Plan at all times.

- 14. The operator or security staff of the premises must take reasonable steps to ensure that patrons leaving the premises act in an orderly manner and to the extent reasonably practicable must discourage patrons from loitering within the vicinity of surrounding residences.
- 15. External sound amplification equipment and loud speakers must not be used for the purpose of announcement, broadcast, playing of music or similar purpose.
- 16. All rubbish from the premises must be immediately collected and disposed of in an appropriate receptacle to the satisfaction of the Responsible Authority.
- 17. The amenity of the area must not be detrimentally affected by the use of land , including through the:
  - 17.1. Transportation of materials, goods or commodities to or from the land
  - 17.2. Appearance of any building, works or materials
  - 17.3. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, girt or oil
  - 17.4. Presence of vermin
  - 17.5. Adverse behaviour of patrons to or from the land; or
  - 17.6. In any other way.
- 18. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.
- 19. Except with the prior written consent of the Responsible Authority, gaming machines, amusement machines, or similar must not be installed or used on the premises.
- 20. The licensed area shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority and VCGLR (Victorian Commission for Gambling and Liquor Regulation).
- 21. The provisions, requirements and recommendations of the endorsed Alcohol Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 22. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.

- 23. The connection of the internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of the Responsible Authority.
- 24. A directional sign to the satisfaction of the Responsible Authority must be provided directing drivers to the areasset aside for car parking. The sign must be clearly visible and at all times maintained to the satisfaction of the Responsible Authority.
- 25. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.
- 26. The site operator must endeavour to prevent site bound commercial vehicles queuing on arrival along the public access road. Accordingly, access driveways/roadways/aisles providing access to loading areas on-site must not be gated during operating hours or feature control points (i.e. boom gates, guardhouse or similar) without suitable queuing space on site, all to the satisfaction of the Responsible Authority.
- 27. Loading and unloading on the site must be in accordance with the endorsed Traffic and Parking Management Plan.
- 28. At all times, the landscaping must be maintained to the satisfaction of the Responsible Authority.
- 29. The car parking area must be lit if in use during hours of darkness. All lights must be designed, fitted with suitable baffles and located to prevent any adverse effect outside the boundaries of the land to the satisfaction of the Responsible Authority.

**EPA Conditions 30-35** 

- 30. Effective noise levels from the use of the premises must comply with the requirements of the *State Environment Protection Policy (Control of Nosie from Commerce, Industry and Trade) No. N-1* and the requirements of the *State Environment Protection Policies (Control of Music Noise from Public Premises) No. N-2.*
- 31. Offensive odour must not be discharged beyond the boundaries of the premises.
- 32. Stormwater contaminated with liquor or solid waste, must not be discharged beyond the boundary of the premises.
- 33. Wastewater generated at the premises must be connected to a reticulated sewer under a Trade Waste Agreement.
- 34. No litter is to be deposited beyond the boundary of the premises.
- 35. 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 347.1 Bunding Guidelines 2015* or as amended.

### **EPA Conditions End**

- 36. This permit will expire if one of the following circumstances applies:-
  - 36.1. the development or any stage of it does not start within two (2) years of the date of this permit, or
  - 36.2. the development or any stage of it is not completed within four (4) years of the date of this permit, or
  - 36.3. the use does not start within one (1) year of the completion of the development, or
  - 36.4. the use is discontinued for a period of two (2) years.

### Planning Permit Notes:

- A Building Approval may be required prior to the commencement of the approved use and/or development/works.
- Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.
- Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.
- The applicant must obtain the relevant licence from the Liquor Licensing unit of Consumer Affairs Victoria prior to the sale and/or consumption of liquor from the premises.

### EPA Notes:

- In accordance with the Environment Protection (Scheduled Premises and Exemptions) Regulations 2017 -D09 - Beverage Manufacturing, all beverage manufacturing or processing works; except wineries processing less than 300 tonnes per year of grapes and retaining all wastes onsite, require a works approval to be issued by EPA before works can commence.
- EPA is able to grant works approval exemptions for some activities that are eligible for an exemption under the Environment Protection (Scheduled Premises) Regulations 2017. EPA may also grant a works approval exemption under the Environment Protection Act 1970 in certain circumstances.

- The proponent will need to complete the 'Pathways' form found on EPA's website (http://www.epa.vic.gov.au/business-and-industry/forms/licence-and-works-approval-forms) and discuss the proposal with our Development Assessment Unit to determine the appropriate approvals pathway.
- Should the proponent have any queries with respect to works approvals or the 'Pathways' form they should contact the EPA Development Assessment Unit.

### **MINUTE 585**

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 5 Bennet Street, DANDENONG VIC 3175 for the use and development of land for Industry (Microbrewery) and Manufacturing Sales, the sale and consumption of liquor, and to provide car parking spaces on another site in accordance with the plans submitted with the application subject to the following conditions:

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and 3 copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - 1.1. A revised red line area to exclude all toilet areas.
  - **1.2.** The point-of-sale location/s for off-premises alcohol sale within the red line area.
  - 1.3. A revised car parking allocation plan (including the table descriptions) to only allow the allocation of ten (10) car parking spaces to the land at 1 Bennet Street for the approved use of land. Any reference to Manufacturing Sales (Taverns and Restaurants) must be deleted.

- 2. Before the use and/or development starts, the owner must enter into an agreement under section 173 of the Planning and Environment Act 1987 with the Responsible Authorityto provide for the following:
  - 2.1. The use of land at 5 Bennet Street ,DANDENONG VIC 3175 (Lot 1 TP 145027) may only be used for a microbrewery as detailed within PLN17/0608 so long as the following requirements are met:
    - 2.1.1. 1 Bennet Street, DANDENONG VIC 3175 (Lot 3 PS066772) and 5 Bennet Street, DANDENONG VIC 3175 (Lot 4 PS066772) are in common ownership.
    - 2.1.2. 1 Bennet Street, DANDENONG VIC 3175 (Lot 3 PS066772) is utilised for a warehouse or other such use which generates a car parking requirement equal to or less than the statutory rate of a warehouse as detailed within the Greater Dandenong Planning Scheme.
    - 2.1.3. The ten (10) car parking spaces as detailed within the endorsed plans of Planning Permit PLN17/0608 remain available during the operating hours of microbrewery.

The owner must pay for all reasonable costs (including legal costs) associated with preparing, reviewing, executing and registering the agreement on the certificate of title to the land (including those incurred by the Responsible Authority).

- 3. Before the approved development is occupied, a Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to an approved by the Responsible Authority. The WMP must include details of the collection and disposal of waste and recyclables associated with the land to the satisfaction of the Responsible Authority. The WMP must provide for the following:
  - 3.1. The collection of waste associated with the uses on the land, including the provision of bulk waste collection bins or approved alternative, recycling bins, the storage of other refuse and solid wastes in bins or receptacles within suitable screened and accessible areas to the satisfaction of the Responsible Authority.
  - 3.2. Commercial waste bins being placed or allowed to remain not in view of the public, and receptacles not emitting any adverse odours.
  - 3.3. Designation of methods of collection including the need to provide for private services or utilisation of council services.
  - 3.4. Appropriate areas of bin storage on site and areas of waste bin storage on collection days;
  - 3.5. Details for best practice waste management once operating.

When approved, the WMP will be endorsed and will form part of this permit. The provisions, requirements and recommendations of the endorsed WMP must be implemented and complied with to the satisfaction of the Responsible Authority.

- 4. Except with the prior written consent of the Responsible Authority, the layout of the use, buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.
- 5. Once the approved development has started, it must be continued and completed in accordance with the endorsed plan/s, to the satisfaction of the Responsible Authority.
- 6. Except with the prior written consent of the Responsible Authority, the approved use must not commence and the land must not be occupied until all buildings and works and conditions of this permit have been complied with.
- 7. Malt must not be manufactured on site at any time to the satisfaction of the Responsible Authority.
- 8. The outdoor seating area must be located internally at all times during Industry hours of operation.
- 9. Operation of the outdoor seating area must comply with all Council by-laws.
- 10. Food may only be served in conjunction with the tastings, and must not be served separately to the tastings, to the satisfaction of the Responsible Authority.
- 11. Except with the prior written consent of the Responsible Authority, the sale of liquor may only occur between the following hours:
  - 11.1. 3:00pm to 9:00pm: Thursday
  - 11.2. 1:00pm to 11:00pm: Friday
  - 11.3. 12:00pm to 6:00pm: Saturday and Sunday
  - 11.4. 12:00pm to 6:00pm: ANZAC day
- 12. Except with the prior written consent of the Responsible Authority, no more than seventy five (75) seats (internal and external seating) may be made available at any one time to patrons.
- 13. The use must comply with the endorsed Alcohol Management Plan at all times.

- 14. The operator or security staff of the premises must take reasonable steps to ensure that patrons leaving the premises act in an orderly manner and to the extent reasonably practicable must discourage patrons from loitering within the vicinity of surrounding residences.
- 15. External sound amplification equipment and loud speakers must not be used for the purpose of announcement, broadcast, playing of music or similar purpose.
- 16. All rubbish from the premises must be immediately collected and disposed of in an appropriate receptacle to the satisfaction of the Responsible Authority.
- 17. The amenity of the area must not be detrimentally affected by the use of land , including through the:
  - 17.1. Transportation of materials, goods or commodities to or from the land
  - 17.2. Appearance of any building, works or materials
  - 17.3. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, girt or oil
  - 17.4. Presence of vermin
  - 17.5. Adverse behaviour of patrons to or from the land; or
  - 17.6. In any other way.
- 18. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.
- 19. Except with the prior written consent of the Responsible Authority, gaming machines, amusement machines, or similar must not be installed or used on the premises.
- 20. The licensed area shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority and VCGLR (Victorian Commission for Gambling and Liquor Regulation).
- 21. The provisions, requirements and recommendations of the endorsed Alcohol Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 22. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.

- 23. The connection of the internal drainage infrastructure to the Legal Point of Discharge must be to the satisfaction of the Responsible Authority.
- 24. A directional sign to the satisfaction of the Responsible Authority must be provided directing drivers to the areasset aside for car parking. The sign must be clearly visible and at all times maintained to the satisfaction of the Responsible Authority.
- 25. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.
- 26. The site operator must endeavour to prevent site bound commercial vehicles queuing on arrival along the public access road. Accordingly, access driveways/roadways/aisles providing access to loading areas on-site must not be gated during operating hours or feature control points (i.e. boom gates, guardhouse or similar) without suitable queuing space on site, all to the satisfaction of the Responsible Authority.
- 27. Loading and unloading on the site must be in accordance with the endorsed Traffic and Parking Management Plan.
- 28. At all times, the landscaping must be maintained to the satisfaction of the Responsible Authority.
- 29. The car parking area must be lit if in use during hours of darkness. All lights must be designed, fitted with suitable baffles and located to prevent any adverse effect outside the boundaries of the land to the satisfaction of the Responsible Authority.

**EPA Conditions 30-35** 

- 30. Effective noise levels from the use of the premises must comply with the requirements of the *State Environment Protection Policy (Control of Nosie from Commerce, Industry and Trade) No. N-1* and the requirements of the *State Environment Protection Policies (Control of Music Noise from Public Premises) No. N-2.*
- 31. Offensive odour must not be discharged beyond the boundaries of the premises.
- 32. Stormwater contaminated with liquor or solid waste, must not be discharged beyond the boundary of the premises.
- 33. Wastewater generated at the premises must be connected to a reticulated sewer under a Trade Waste Agreement.
- 34. No litter is to be deposited beyond the boundary of the premises.
- 35. 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 347.1 Bunding Guidelines 2015* or as amended.

### **EPA Conditions End**

- 36. This permit will expire if one of the following circumstances applies:-
  - 36.1. the development or any stage of it does not start within two (2) years of the date of this permit, or
  - 36.2. the development or any stage of it is not completed within four (4) years of the date of this permit, or
  - 36.3. the use does not start within one (1) year of the completion of the development, or
  - 36.4. the use is discontinued for a period of two (2) years.

### Planning Permit Notes:

- A Building Approval may be required prior to the commencement of the approved use and/or development/works.
- Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.
- Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.
- The applicant must obtain the relevant licence from the Liquor Licensing unit of Consumer Affairs Victoria prior to the sale and/or consumption of liquor from the premises.

### EPA Notes:

- In accordance with the Environment Protection (Scheduled Premises and Exemptions) Regulations 2017 -D09 - Beverage Manufacturing, all beverage manufacturing or processing works; except wineries processing less than 300 tonnes per year of grapes and retaining all wastes onsite, require a works approval to be issued by EPA before works can commence.
- EPA is able to grant works approval exemptions for some activities that are eligible for an exemption under the Environment Protection (Scheduled Premises) Regulations 2017. EPA may also grant a works approval exemption under the Environment Protection Act 1970 in certain circumstances.

- The proponent will need to complete the 'Pathways' form found on EPA's website (http://www.epa.vic.gov.au/business-and-industry/forms/licence-and-works-approval-forms) and discuss the proposal with our Development Assessment Unit to determine the appropriate approvals pathway.
- Should the proponent have any queries with respect to works approvals or the 'Pathways' form they should contact the EPA Development Assessment Unit.

CARRIED

2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

### STATUTORY PLANNING APPLICATIONS

### TOWN PLANNING APPLICATION – NO. 5 BENNET STREET, DANDENONG (PLANNING APPLICATION NO. PLN17/0608)

### **ATTACHMENT 1**

### SUBMITTED PLANS

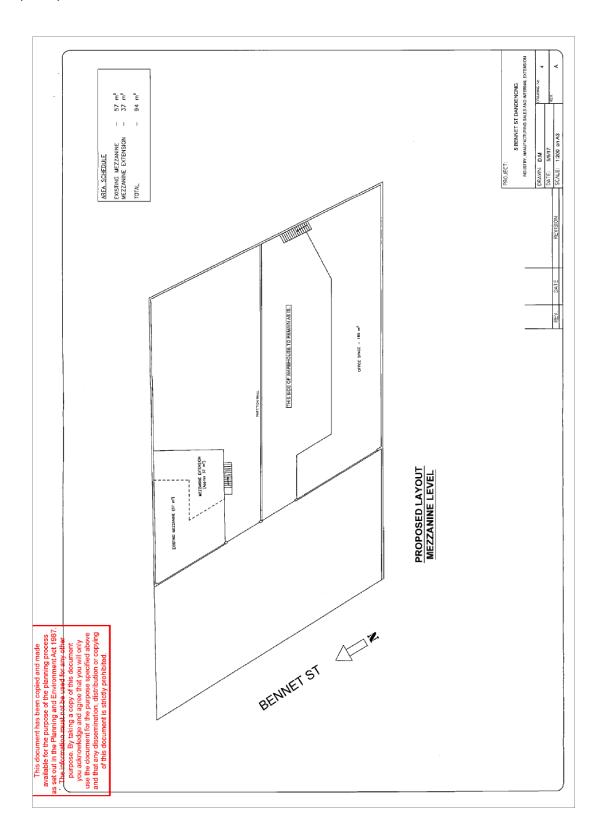
PAGES 10 (including cover)

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

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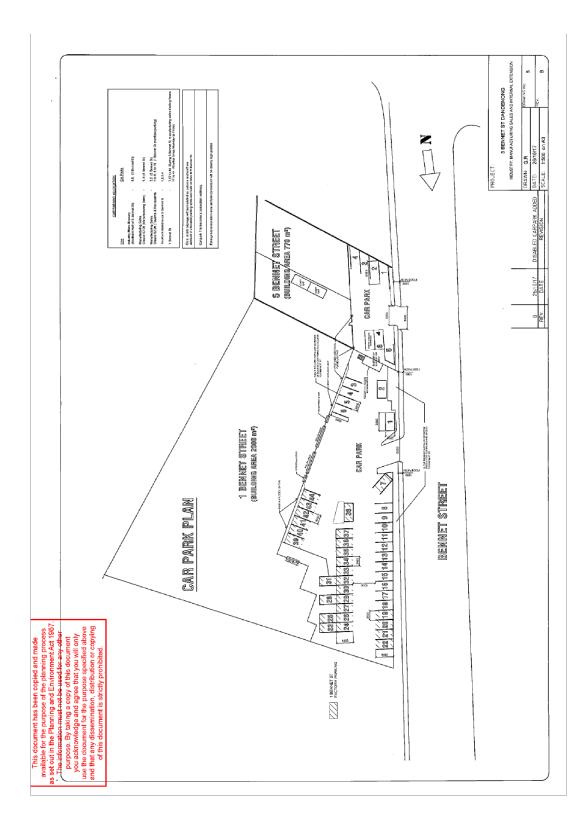
2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)



ORDINARY COUNCIL MEETING MINUTES

2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)



ORDINARY COUNCIL MEETING MINUTES

## 2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

Alcohol Management Plan	Response		
The AMP should demonstrate that the licensee will take the appropriate steps to manage the risks associated with the sale and consumption of alcohol. As appropriate to the	This Alcohol Management Plan (AMP) relates to the licensed Manufacturing sales use at 5 Bennet Street, Dandenong 3175 (Lot 4 PS 066772) ("the licensed premises").		
type of licence and the impact it may have, the AMP should include details of the following:	It is anticipated that it would be endorsed under the associated planning permit to allow the use of the land for the sale of liquor on the premises for consumption on and off the premises ("the permit").		
	It is also a necessary management strategy for the operation of the licensed premises. The AMP is intended to allow the licensed premises to provide a good standard of service to customers while maintaining a good standard of amenity for any neighbouring residents, with minimal disturbance, particularly from noise from the premises itself or from customers leaving the premises.		
	Current and future operators will abide by, and have ownership, of the Plan. The AMP will form the basis of the sustainable business operation of the licensed premises, allowing the licensed premises operator/permit holder/licensee, neighbours and the Greater Dandenong City Council (the Responsible Authority) to coexist peacefully.		
Any existing planning permit allowing the current use of land	This AMP will be lodged as part of an application for a permit. PLN17/0608		
Type of premises	Manufacturing sales with provision of liquor, including on-premises consumption with food and drink on the premises		
The type of licence being applied for or to be amended, with regard given to the type of licences available from the VCGLR	Wine and beer producer's		
Proposed number of patrons	There will be a maximum of 75 patrons on the licensed premises at any one time.		
Proposed security arrangements	There will be an onsite manager responsible for security at all times on the premises when liquor is served.		
Whether amplified (or live) music is proposed to be played on the premises	No music other than lightly amplified background music is proposed.		
Reasons for wanting or amending the licence	To be able to serve liquor in association with the use of land for beer manufacturing		
Strategies to address the Cumulative Impact of your premises	There are seven other licensed premises within 500m of the site, but all are both well separated from the site and each other and of a low intensity.		
Strategies to manage compliance, behavioural and amenity risks (see the following page for further details)	See below.		
Any other documents you believe will support your proposal and assist Council's assessment	Please see the LiquorPlan letter submitted with the application.		
COMPLIANCE RISKS			
Compliance risks are related to the legal obligations of licensees to comply with Victorian State Law regarding the sale and consumption of liquor in accordance with the			
Liquor Control Reform Act 1998 and the Planning and Environment Act 1987. You should consider how you are going to achieve compliance with these laws and explain strategies in your written Alcohol			

## 2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

	5 Bennet Street, Dandenong 3175 (Lot 4 PS 066772)
Management Plan. Consider the following strategies to manage risks:	
Strategies:	
<ul> <li>How will you ensure that you do not supply alcohol to someone who is intoxicated (drunk)?</li> </ul>	All patrons to whom liquor is to be supplied will be assessed for signs of intoxication as per RSA training. This will include that all staff serving liquor will check patrons for signs of intoxication (eg a noticeable change of behaviour, slurring or mistakes in speech, excessively loud behaviour, clumsiness, confusion/delays in responding, substantial smell of liquor etc) before serving them.
<ul> <li>What procedures will you put in place to ensure that staff can verify proof-of- age?</li> </ul>	Anyone who looks under 25 years old will be asked for ID if liquor is to be served to them.
<ul> <li>What system will you put in place to identify people that may be underage (under 18 years) as they enter the premises?</li> </ul>	
<ul> <li>How will you prevent alcohol from being supplied to someone under 18 years of age?</li> </ul>	Liquor will not be supplied to people known or suspected to be under 18 years of age.
<ul> <li>What relevant training will you require staff and volunteers to take to ensure the Responsible Service of Alcohol (RSA)?</li> </ul>	All staff serving liquor will hold current RSA certificates.
<ul> <li>How will you document the start and finish dates for RSA induction, refresher training and employment details for each member of staff or volunteer, including managers and security staff?</li> </ul>	A register of staff RSA training will be actively maintained, and staff will be notified of any changes to liquor licensing requirements at staff meetings and/or upon induction of new staff.
<ul> <li>How will you ensure that any RSA training remains up to date and does not expire after three years?</li> </ul>	
<ul> <li>How will you ensure that staff and volunteers stay up to date with any changes to liquor licensing?</li> </ul>	
<ul> <li>Where will you display the required posters and signage to reduce potential risks and raise awareness about the responsible service of alcohol? (see VCGLR website for details)</li> </ul>	Relevant signage asking patrons to prevent/minimise any disturbance will be displayed in the patron areas, toilets and car parking areas.
<ul> <li>What will you do to comply with the standards of Department of Justice, Design Guidelines for Licensed Premises? (available at www.justice.vic.gov.au/) Best Practice Strategies:</li> </ul>	The layout of the licensed premises is generally in accordance with this document, to the extent that it is relevant to an outer-suburban Manufacturing sales use.
	Internally, there will be two main patron areas near the front of the site, entries/exits and toilets will be easily accessible to all patrons; externally, the location of car parking close to the front of the building will allow for adequate supervision.
<ul> <li>Work with all authorities to comply with regulations and permit conditions.</li> </ul>	The licensee/permit holder will work in a positive manner with all authorities to comply with regulations and permit conditions.
<ul> <li>Be an active member of the Local Liquor Licensees Forum.</li> </ul>	The licensee/permit holder will be an active member of the Local Liquor Licensees Forum.
<ul> <li>Support programs that raise awareness among young people and their parents about the harms associated with underage drinking.</li> </ul>	Programs that raise awareness among young people and their parents about the harms associated with underage drinking will be supported.

#### Alcohol Management Plan 5 Bennet Street, Dandenong 3175 (Lot 4 PS 066772)

ORDINARY COUNCIL MEETING MINUTES

## 2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

	Alconol Management Plan 5 Bennet Street, Dandenong 3175 (Lot 4 PS 066772)
Behavioural risks are concerned with individual or group behaviour that impacts	
directly on the safety and comfort of patrons,	
customers and staff in and around licensed	
premises. You should consider how you are	
going to manage behavioural risks and	
explain your strategies in your written Alcohol	
Management Plan. Consider the following strategies to manage risks:	
<ul> <li>What House Policies will you develop and where will you display these?</li> </ul>	House Policies will include:
	Signage at key internal, entry and exit points of House Policies; the Redline with a statement that 'alcohol is not to be consumed in the car park' and 'the safety and amenity of people and property surrounding the venue is to be respected at all times' and 'the safety and amenity of people and property surrounding the venue is to be respected at all times'.
	Staff members will use their best endeavours to ensure that customers on the premises will conduct themselves in a quiet and orderly manner, without causing a nuisance to the amenity of the area by noise and/or boisterous behaviour.
	Staff members will also use all reasonable and practical methods to ensure that customers leave the premises in a quiet and orderly manner at all times the use is operating and immediately after the hours of operation.
	A clearly visible sign will be displayed at the entrance/exit of the premises. The sign will ask customers to leave in a quiet and orderly manner at all times. Staff members will reinforce this message.
	The licensed premises operator/permit holder or a current staff member at a management level will ensure that a copy of this Plan is made available to any person freely and without charge.
	A phone number of the licensed premises operator/permit holder or a current staff member at a management level will be provided upon request to any neighbour, to facilitate any complaint, at any time during the trading hours or within half an hour afterwards, about noise and/or other disturbances associated with the licensed premises.
<ul> <li>How will you ensure free water is readily available at all times?</li> </ul>	Drinking water will be freely provided to all patrons at all times during the licensed hours.
<ul> <li>How will you avoid incidents involving broken glass (e.g. use polycarbonate or tempered glassware)?</li> </ul>	While normal glassware will be used, given the nature of the licensed premises (Manufacturing sales, unlike a Hotel, Tavern or Nightclub attracting a wider and potentially more volatile range of patrons), there are unlikely to be any significant incidents involving broken glass that would warrant special attention.
AMENITY RISKS	
Amenity risks are associated with the external	
impacts of licensed premises on other	
surrounding land uses. You should consider how you are going to manage amenity risks	
and explain your strategies in your written	
Alcohol Management Plan. Consider the	
following strategies to manage risks:	
Strategies:	
What strategies will you use to control	As the licensed premises will be surrounded by industrial, public open
<ul> <li>What strategies will you use to control amenity and noise impacts from indoor and outdoor areas of the premises?</li> </ul>	As the licensed premises will be surrounded by industrial, public open space, or transport uses and well-separated (about 115m) from the

Alcohol Management Plan Bennet Street, Dandenong 3175 (Lot 4 PS 066772)

### 2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

Alcohol Management Plan 5 Bennet Street, Dandenong 3175 (Lot 4 PS 066772)

•	How will you ensure that deliveries and waste management do not negatively affect the area? (e.g. truck engines, glass bottles tipped into dumpsters, rubbish removal)?	nearest residential area will ensure that, even with some noise being generated, only reasonable amenity impacts on the area will occur.
•	How will you work with all authorities to reduce alcohol-related impacts in public spaces and the broader community?	The permit holder will cooperate fully with all authorities to reduce alcohol-related impacts in public spaces and the broader community
•	How will you ensure that you comply with times defined in Council by-laws and permit conditions regarding hours allowed for alcohol service and drinking in outdoor areas of the premises?	The permit, the licence, this AMP and other relevant regulator documents will be kept on the licensed premises for easy reference.
•	What strategies will you use to ensure that no-one leaves the licensed area with alcohol (unless there is an off- licence permit)?	The relevant licence will allow patrons to leave the licensed area with alcohol (in sealed containers).
•	What will you do to comply with Council's Footpath Activity Guidelines for alfresco dining?	NA – no footpath trading is proposed
•	How will you minimise noise impacts on surrounding properties (complying at a minimum with the conditions in the State Environmental Protection Act, N1/N2)?	The area in which liquor will be consumed will be a substantial distance from the nearest residential or other sensitive uses.

ORDINARY COUNCIL MEETING MINUTES

#### 2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

bstruction to onsite/onstreet traffic during commercial vehicle

purpose, by taking a copy of this document ou acknowledge and agree that you will only the document for the purpose specified above that any dissemination, distribution of this document is strictly prohibited.

#### reversina

As the only commercial vehicles to enter the site would be Light Commercial Vehicles (LCVs) there will be enough room for vehicles to exit the site safely without reversing onto Bennet Street. This also includes that when the Industry use is operating (ie when commercial vehicles will be most likely to access the site, the outdoor service area will not be operating) and vehicles will be able to use part of this area to turn around.

Largest commercial vehicles to access 5 Bennet Street for the proposed Industry or Manufacturing sales uses

LCVs - Any two axle rigid vehicle with a cab chassis construction, with a gross vehicle mass of 1.5 -4.5 tonnes.



Typical LCVs



Typical 4.5 tonne truck (with some dimensions)

Maximum number of commercial vehicles likely to access site on a daily basis

2-4 commercial vehicles per week (ie less than an average of one per day)

Measures to prevent site bound commercial vehicles queueing on arrival along Bennet Street

As there will only be a small amount of deliveries, there is highly unlikely to be any issue of having vehicles queuing. It is also estimated that 80% of deliveries will be by either van or utility, so even if two vehicles were to arrive at the same time there would be enough room to accommodate both vehicles at 5 Bennet Street.

Loading and unloading times

Monday to Wednesday 7am-4pm; Thursday 7am-3pm; and Friday 7am-12pm

Pedestrian movement between the adjoining sites, and required directional signage

Pedestrians will directly access each site via the designated access point across the common boundary

There will be clear signage at 1 Bennet Street to guide pedestrian access to 5 Bennet Street. This will include signage in the garden bed in front of car spaces 8-17 (northwest past of 1 Bennet Street) and near car spaces 1-6 (southern end of 1 Bennet Street). There will also be signage at 5 Bennet Street to guide patrons back to the carparking at 1 Bennet Street.

Prepared by: LiquorPlan Dated: 30 October 2017

ORDINARY COUNCIL MEETING MINUTES

#### 2.3.3 Town Planning Application - No. 5 Bennet Street, Dandenong (Planning Application No. PLN17/0608) (Cont.)

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this ado contype is Jstrictly probibited try (microprewery), use of land for Manufacturing sales (liquor brewed on the on of liquor under a (Wine and beer producer) licence to be issued under site), use of land for the sale and consumpt the Liquor Control Reform Act, construction of building and works (internal extension to existing building), and partprovision on another site of associated car parking requirements

Manufacturing sales (including sale and consumption of liquor)

Waste volume calculation (based on City of Melbourne waste management standards)

Land use	Garbage	Recycling	
"Restaurant" (land use most similar to the proposed Manufacturing sales) with 130m2 patron area	660/100m2/trading day	200/100m2/trading day	
Total daily waste	858L/trading day	260L/day	
Total weekly waste	3432/week (four trading day week)	1040/week (four trading day week)	

Although liquor sold will be overwhelmingly sold from a keg (ie on-tap, not from a bottle, stubby or can), the Wine and beer producers licence also allows the sale of "any liquor" for consumption on the premises; any empty bottles or cans will be placed in a bag and deposited into the recycling bin quietly so as not to cause disturbance to the neighbourhood, to the satisfaction of the Responsible Authority. There will be 2 bins (660L each) onsite: one for general waste; the other recycling. Bins will be kept clean.

Bin storage location - next to designated loading area in northern half of 5 Bennet Street; waste collection location designated loading area in northern half of site; waste collection contractor - private contractor; and waste collection frequency - bins will be collected once per week.

#### Industry (microbrewery)

All solid wastes will be recycled (except for some fine particles below) This includes that all spent grain will be picked up (from the 5 Bennet Street northern loading bay) by a local farmer to use for cattle feed and hop solids and yeast trub from fermenters will be captured in a plastic vessel and sent offsite as compost.

Regarding waste to go down the sewer the following information has be provided by a brewing consultant.

The following example is for producing 24 kegs per week which would be full capacity, so realistically it would be less than this majority of the time.

24 keas per week would be discharging approximately the following to waste.

- 2000L water

- 10L Sodium Hydroxide Concentrate (caustic soda)
- 360ml Peracetic acid sanitiser.
- 20 kg fine hop and grain particles

These figures are all maximum estimates.

Notes on cleaning chemicals used:

Sodium hydroxide and peracetic acid are very common and used in mast food, dairy and beverage Industries. One is an acid and the other a base so and as they are used one after the other they will neutralise each other when discharged to the sewer, so if the pH of the cleaning wastes were to be tested, they would be quite neutral

Sodium hydroxide separates in water to sodium cations (positively charged sodium atoms) and hydroxide anions (negatively charged oxygen and hydrogen atoms), which ultimately decrease the acidity of the water. Sodium hydroxide does not accumulate in the food chain

Perocetic Acid is quite environmentally friendly - its breakdown products are acetic acid (same acid found in vinegar at 5% level) and hydrogen peroxide that breaks down to O2 and H2O. Disposal in municipal sewer system may have a positive effect due to oxidation capabilities (Arturo-Schaan et al, 1996 Current Microbiology 32: 43-47). The acetic acid and sodium hydroxide will neutralise each other in the sewer, thus balancing pH back to neutral.

Prepared by: LiquorPlan Dated: 1 November 2017

File Id:	123645
Responsible Officer:	Director City Planning, Design and Amenity
Attachments:	Submitted Plans Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

#### **Application Summary**

Applicant:	Sunview Land Pty Ltd
Proposal:	Buildings and works for a four (4) storey building including forty one (41) dwellings and one (1) food and drink premises and alteration of access to a road in a Road Zone Category 1.
Zone:	Residential Growth Zone (Schedule 1) (C182 – Residential Growth Zone (Schedule 3)
Overlay:	No overlays
Ward:	Lightwood

This application is brought before the Council as it has been called in for determination by two Ward Councillors.

The application proposes buildings and works for a four (4) storey building including forty one (41) dwellings and one (1) food and drink premises and alteration of access to a road in a Road Zone Category 1.

A permit is required;

- Pursuant to Clause 32.07-5 (Residential Growth Zone) of the Greater Dandenong Planning Scheme, a planning permit is required to construct two or more dwellings on a lot.
- Pursuant to Clause 52.29 (Land Adjacent to a Road Zone Category 1) of the Greater Dandenong Planning Scheme, a planning permit is required to alter access to a road in a Road Zone Category 1.

It is noted that the subject application was submitted on 4 April 2017 and as such the application meets the transitional provisions of Amendment VC136. Therefore the application is not required to meet Clause 55.07- Apartment Developments.

#### **Objectors Summary**

The application was advertised to the surrounding area through the erection of a notice on-site notices and the mailing of notices to adjoining and surrounding owners and occupiers. One (1) objection was received to the application. Issues raised generally relate to matters of:

- Lack of privacy
- Negative effect on house and land values
- Damp problems from lack of sunlight
- Legal issues with tree which has grown roots though plumbing
- Boundary fence technicalities.
- Heat generated and radiated from such a large structure.
- Height and length of the building is too big. 'Trapped' feeling.
- Future problems that neighbours are not aware of.

### **Assessment Summary**

The subject site is located within an established residential area and is well suited for higher density housing given that the site is located within close proximity of community facilities, complementary land uses and close to public transport.

It is noted that the proposal is affected by the '**seriously entertained' Amendment C182 (part 2)**, which for this particular site, seeks to change the zone from the Residential Growth Zone – Schedule 1 (RGZ1) to the Residential Growth Zone – Schedule 3 (RGZ3). The proposal is not consistent with the design guidelines set out in the amended Clause 22.09 in planning scheme amendment C182 (part 2). In particular, the height of the building is four (4) storeys, which is inconsistent with the preferred maximum height proposed by the amended Clause 22.09 in Planning Scheme Amendment C182 (part 2). These details will be outlined later in the report.

The proposal also is inconsistent with Clause 52.06 of the Greater Dandenong Planning Scheme as it provides for an unacceptable car parking layout plan which does not allow for easy and efficient use. This will be further discussed later in the report.

### **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 overall subject site comprises of four (4) allotments including numbers 86-92 Springvale Road (Lot 2 LP37047, L1 TP429276, L2 LP61047 and L3 LP61047). The subject site is located on the corner of Springvale Road and Stephenson Street.

The overall subject site has the following characteristics:

- The subject site is irregular in shape with a total area of 2120 square metres.
- The site has a frontage to Springvale Road (eastern boundary) of approximately 76.6 metres, a frontage to Stephenson Street (southern boundary) of approximately 28 metres, a western boundary of 75 metres and a northern boundary of 29 metres.
- The site is generally flat.
- Each of the four allotments contain single storey dwellings with associated outbuildings and a mix of exotic vegetation.
- 86-90 Springvale Road each has access off Springvale Road via a single crossover while 92 Springvale Road has access of Stephenson Street via a single crossover.
- 86 Springvale Road contains an easement along its southern and western boundaries
- 88 Springvale Road contains an easement along its southern boundary.

#### Surrounding Area

Surrounding land on the north, west and south is used for residential purposes. To the east is Springvale Road, a Road Zone Category 1. On the eastern side of Springvale Road is a row of double storey attached town houses and a strip of commercial shops.

Immediately to the north (at 84 Springvale Road) is a single storey building used as a medical centre with associated car parking and minimal vegetation.

The surrounding residential land comprises of single storey detached dwellings on a lot, double storey detached dwellings on a lot, single and double storey multi dwelling developments and double storey attached townhouses .

It is noted that land at No. 1A Whitworth Avenue contains an older style double storey apartment building, Nos. 85-89 Springvale Road contain double storey attached town houses and 91-133 Springvale Road contain single storey shops fronting Springvale Road.

There is a bus stop on Springvale Road adjacent to the subject site.

The subject site is within the study area of the Springvale Activity Centre (current reference document), and is approximately 290 metres north of the Springvale Activity Centre boundary as defined in the draft amended Springvale Activity Centre Structure Plan.

#### Locality Plan



Subject site=



#### Background

#### Previous Applications

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

#### Proposal

The application proposes buildings and works for a four (4) storey building including forty one (41) dwellings and one (1) food and drink premises and alteration of access to a road in a Road Zone Category 1.

The basement level will consist of car parking (6 visitor spaces, 41 resident spaces; 14 of which are in a tandem arrangement), bicycle parking and storage areas.

The ground floor will consist of vehicle access off Stephenson Street via a double crossover, car parking to the eastern side of the site (2 spaces for the food and drink premises, 1 visitor space and 7 resident spaces, 1 disabled space), bicycle parking, bin storage area, 72 square metre food and drink premises on the south eastern corner, 1 dwelling on the north western corner with ground level secluded private open space and 7 dwellings with access off Springvale Road. It is to be noted that the 7 dwellings fronting Springvale Road are proposed to be used as SOHO (small office home office), therefore, these 7 dwellings with access off Springvale Road include a home office space at ground floor with kitchen, living and bedrooms on the first floor.

The first floor will consist of 16 dwellings (7 of which are part of the ground level SOHO). 15 dwellings are 2 bedroom and 1 dwelling is 1 bedroom. All incorporate balcony private open space areas.

The second floor will consist of 14 dwellings, all of which are 2 bedroom. All incorporate balcony private open space areas.

The third floor will consist of 9 dwellings. 2 are 2 bedroom and 7 are 3 bedroom. All incorporate balcony private open space areas. The third floor also includes a communal open space area with seating and landscaping.

The building will be setback 2 metres form the eastern boundary (frontage to Springvale Road), 4 metres from the southern boundary (frontage to Stephenson Street), 3 metres from the western boundary and 2.6 metres from the northern boundary.

The building will have an overall height of 12.8 metres.

A 1.5 metre high front fence is proposed along the eastern boundary (frontage to Springvale Road) adjacent to the 7 dwellings fronting Springvale Road.

The building will be constructed with a mix of materials and surface finishes, including textured precast concrete panels, acrylic render finish, Alucobond cladding and perforated metal panels.

A landscape plan has been proposed, showing a mix of species planted around all boundaries of the subject site.

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

#### Victorian Charter of Human Rights and Responsibilities

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

#### **Financial Implications**

No financial resources are impacted by this report.

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

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

- Pursuant to Clause 32.07-5 (Residential Growth Zone) of the Greater Dandenong Planning Scheme, a planning permit is required to construct two or more dwellings on a lot.
- Pursuant to Clause 52.29 (Land Adjacent to a Road Zone Category 1) of the Greater Dandenong Planning Scheme, a planning permit is required to alter access to a road in a Road Zone Category 1.

Note: The use and development of the land for a food and drink premise does not require a planning permit in the Residential Growth Zone. This will be further discussed in the assessment section of this report.

The relevant controls and policies are as follows:

#### Zoning Controls

The subject site is located in a Residential Growth Zone, as is the surrounding area. The site is located on a Road Zone Category 1.

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 types in locations offering good access to services and transport including activity centres and town centres.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
- To ensure residential development achieves design objectives specified in a schedule to this zone.
- 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 32.07-5, a planning permit is required to construct two or more dwellings on a lot. The development must meet the requirements of Clause 55.

Transitional provisions at Clause 32.07-5 state that Clause 55 of the scheme, as in force immediately before the approval date of Amendment VC136, continues to apply if the application for a planning permit was lodged before that date. Planning Scheme amendment VC136 was approved on 13 April 2017. The application as lodged on 4 April 2017, therefore, transitional provisions apply and the proposal must meet the requirements of Clause 55 as in force immediately before 13 April 2017.

Note: The use and development of the land for a food and drink premise does not require a planning permit in the Residential Growth Zone. This will be further discussed in the assessment section of this report.

#### **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 Settlement** states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, amongst others.

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

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

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

Housing is the focus of Clause 16 and includes the following provisions:

- Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.
- New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.
- Planning for housing should include providing land for affordable housing.

**Clause 16.01-2 Location of residential development** includes an objective that aims 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.

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

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

#### Local Planning Policy Framework

A **Vision for Greater Dandenong** is outlined at **Clause 21.03**. Included in the vision are the following points of relevance:

- A municipality where, central Dandenong, major activity centres, other neighbourhood and local centres function as activity centres where high quality, appropriate, high to medium housing exists in harmony with a thriving and well-managed retail and commercial sector.
- A municipality where, housing diversity and choice is promoted in its various attractive neighbourhoods.

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

**Clause 21.04 Land Use** contains the following objectives and strategies which are of relevance to the current application:

1. To encourage and facilitate a wide range of housing types and styles which increase diversity and cater for the changing needs of households.

1.1. Encourage a mix of housing types that better reflects the cross section of the community in Greater Dandenong.

1.3. Encourage the provision of housing that is adaptable to support the needs of the changing needs of present and future residents.

2. To respect and improve residential environments.

2.1. Strongly encourage new residential development to make a positive contribution to the identified future character of each residential Future Change Area.

2.2 Encourage developments to exceed minimum compliance with the requirements of Clauses 54, 55 and 56, where appropriate and identified.

2.2. Encourage new residential development that incorporates adequate space for the planting and the long term viability and safe retention of canopy trees.

**Clause 21.05 Built Form** contains the following objectives and strategies which are of relevance to the current application:

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 regards for the surrounding environment and built form.

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.

2.5. Recognising valued existing neighbourhood character and promoting desired future character as defined in the Residential Development and Neighbourhood Character Policy at Clause 22.09.

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.

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.

8.2. Encourage landscaping that integrates canopy trees and an appropriate mix of shrubs and ground covers and complements and integrates with existing or proposed landscaping in public areas.

**Clause 22.04 – Urban Design in Activity Centres** applies to all retail and commercial activity centers in the City, including the Dandenong CAD, Noble Park, Springvale and Parkmore, as well as local shopping centres. The objectives of this Clause are:

To ensure that the design of buildings and works in each activity centre:

- Reflects the distinctive qualities of Greater Dandenong.
- Improve the appearance and amenity of each centre through high quality contemporary urban design and active street frontage, which promotes a sense of place, community identity and a safe environment. Improves community.
- Provide quality pedestrian access and movement.
- Incorporates landscaping to soften built form.

The Clause sets out a number of matters which need to be considered including Design theme, Pedestrian environment, Street context and façade design, Building bulk, height and alignment, Landmarks and corner buildings and Energy efficiency. These matters have been included under the provisions in the scheme relating to the individual activity centres and design guidelines for relevant uses.

**Clause 22.09 Residential Development & Neighbourhood Character Policy** sets out Council policy for future residential development within the municipality, identifying which areas are suitable to undergo varied levels of change.

Relevant details from that policy include the following:

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

- Use quality, durable building materials that are integrated into the overall building form and façade; and
- Minimise the visual dominance of vehicle accessways and storage facilities, such as garages, car ports and basement entrances.

Clause 22.09-3.1 provides overarching design principles which consider matters such as: safety, landscaping, car parking, setbacks, front boundary and width, private open space, bulk and built form, site design, materials and finishes, domestic services normal to a dwelling, building services and internal amenity.

The subject site is within the 'Substantial Change Area' with specific design principles listed in Clause 22.09-3.2.

**Clause 22.10 Springvale Activity Centre Local Planning Policy** – provides a number of Policy Objectives under different themes as they relate to the Centre. The relevant ones include:

#### Subdivision and Consolidation

- To encourage the consolidation of appropriate sites where development outcomes respect the character of the activity centre and where it assists in the establishment well designed mixed-use developments.
- To ensure lots integrate and reflect the rhythm and scale of adjoining lots.

#### Transport

• To improve walking and cycling links within the centre.

#### Built Form

- To provide appropriate higher density housing options to support the commercial component of the centre.
- To reduce visual clutter and promote consistent design form.
- To encourage the use of high quality building materials and finishes on the exterior of all new development.

At Clause 22.10-3, the following relevant Local Planning Policy provisions are outlined in relation to retailing, housing, accessibility, car parking, urban and open space, environment and community infrastructure.

The subject site is noted in Map 1 at Clause 22.10 as 'higher density residential focus'.

The City of Greater Dandenong has prepared a Springvale Activity Centre Structure Plan to guide future land use and development over the next 20 years. This new structure plan will replace the Springvale Activity Centre Structure Plan 2010 (reference document to Clause 22.10). The Plan was adopted by Council 24 July 2017. The subject site is not within the activity centre boundary in the new Springvale Activity Centre Structure Plan.

#### 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.

Pursuant to Clause 52.06-3 a planning permit is required to reduce (including reducing to zero) the number of car parking spaces required under Clause 52.06-5.

The proposal provides the required number of car parking spaces and therefore, no reduction is sought.

Clause 52.29 Land Adjacent to a Road Zone Category 1 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.

Pursuant to Clause 52.29 a planning permit is required to create or alter access to a road in a Road Zone Category 1. An application under this clause must be referred to the Roads Corporation.

The proposal includes the deletion of three crossovers to Springvale Road and the construction of a new double crossover off Stephenson Street, therefore, a planning permit is required for alteration of the access and the application must be referred to Vic Roads.

#### **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**

Planning Scheme Amendment C182 (part 1) was approved on 21 December 2017. Planning Scheme Amendment C182 (part 2) is still considered to be a 'seriously entertained' proposal. Planning Scheme Amendment C182 (part 2) proposes to rezone some land, including the subject site, to Residential Growth Zone Schedule 3. It also makes changes to Clause 22.09 to reference the Residential Growth Zone Schedule 3 and provide specific design guidelines for development within the Residential Growth Zone Schedule 3.

#### **Restrictive Covenants**

There are no restrictive covenants or Section 173 Agreements registered on title.

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

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

#### **Diversity (Access & Equity)**

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

#### **Community Safety**

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

#### Safe Design Guidelines

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

#### Referrals

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

External Referrals	Advice/Response/Conditions
Vic Roads	No objections (no conditions)

#### Internal

The application was internally referred to the following Council Departments for their consideration:

Council Referrals	Advice/Response/Conditions	
Strategic Planning	Objection to the proposal	
Asset Planning	No objection subject to conditions	
Civil Development	No objection subject to conditions	
ESD/ Sustainability	No objection subject to conditions	
Transport Planning	No objection subject to conditions	
Urban Design	No objection subject to conditions	
Waste Management	No objection	
Arborist	No objection	

The comments provided have been considered in the assessment of the application.

#### 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 3 signs on site, with 1 facing Stephenson Street and 2 facing Springvale Road.

The notification has been carried out correctly.

Council has received 1 objection to date.

The location of the objector is shown in Attachment 2.

#### Consultation

A consultative meeting was not required to be held.

#### Summary of Grounds of Submissions/Objections

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

#### • Lack of privacy

The proposal meets the requirements for overlooking as set out in Standard B22 (overlooking) in Clause 55.04-6 of the Greater Dandenong Planning Scheme. In particular, the western elevation first and second floor balconies and windows are screened to 1.7 metres above floor level. The third floor balconies are setback and incorporate a wide planter box to restrict overlooking down into neighbouring private open space. It is considered that the proposal satisfies the standard and objective for overlooking in Clause 55.04-6 of the Greater Dandenong Planning Scheme.

#### • Negative effect on house and land values

Property prices are not a planning consideration.

#### • Damp problems from lack of sunlight

The proposal meets the requirements for Standard B17 (side and rear setbacks), Standard B19 (daylight to existing windows), Standard B20 (north facing windows) and Standard B21 (overshadowing private open space) in Clause 55 of the Greater Dandenong Planning Scheme. Therefore, it is considered that the proposal is acceptable in relation to maintaining sunlight availability to neighbouring properties.

#### • Legal issues with tree which has grown roots though plumbing

Tree roots growing through plumbing are a civil matter to be dealt with by the relevant parties and are not matters to be resolved through a planning permit application.

#### Boundary fence technicalities.

Boundary fencing is controlled by the Fences Act 1968. Boundary fencing disputes are a matter to be dealt with by the relevant parties and not a matter which can be considered through a planning permit application. The proposed plans show a 2 metre high pailing fence located on the north and west property boundaries. This is considered to be acceptable.

#### • Heat generated and radiated from such a large structure.

The proposal meets the requirements of Standard B9 (permeability) in Clause 55.03-4 of the Greater Dandenong Planning Scheme and provides for deep soil areas along side boundaries to accommodate landscaping, including canopy trees. The proposal has also been designed with light colours, which have less heat absorbency than dark colours. An Environmental Sustainability Design Assessment has been conducted and is considered acceptable. Therefore, it is not considered that the proposal will result in an unreasonable amount of heat generation.

#### • Height and length of the building is too big. 'Trapped feeling'.

The proposal meets the requirements for Standard B8 (site coverage), Standard B17 (side and rear setbacks) in Clause 55 of the Greater Dandenong Planning Scheme. It is considered that the length of the building is appropriate having regard to the location of the site, consolidation of allotments and compliance with state and local policy in relation to increasing density in strategic locations. It is suggested that vertical design elements could be incorporated into the western elevation to break up the mass of the development and more successfully integrate the proposed built form massing with the finer grained built forms along Whitworth Avenue and Stephenson's street. This can be achieved through permit conditions if a permit is issued. However, it is considered that the height of the building is unacceptable given the requirements set out in Clause 22.09 in planning scheme amendment C182 (part 2). This will be further discussed below.

#### • Future problems that neighbours are not aware of.

The proposal has been assessed against the requirements of the Greater Dandenong Planning Scheme to ensure appropriate development for the site and surrounds. Future unknown problems are not able to be considered through a planning permit application.

#### Assessment

#### <u>Use</u>

The use of the land for a food and drink premises does not require a planning permit in the Residential Growth Zone, subject to conditions. The conditions include the following:

- The land must be located within 100 metres of a commercial zone or Mixed Use Zone and must adjoin, or have access to, a road in a Road Zone.
- The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.
- The leasable floor area must not exceed 100 square metres.

The site is within 32 metres of a Commercial Zone (strip shops fronting Springvale Road at 91-135 Springvale Road), has a street frontage to Springvale Road and has a floor area of 71.2 square metres. Therefore, a planning permit is not required for the use of the land for a food and drink premises as proposed.

The use of the land for a dwelling does not require a planning permit in the Residential Growth Zone.

The layout of the proposal includes 7 dwellings with a ground level 'home office' component (SOHO style). The applicant has advised that it is intended that these areas will be used for 'Home Based Business' within the meaning of the Greater Dandenong Planning Scheme. Under the provisions of the Residential Growth Zone, a planning permit is not required for the use of the land for Home Based Business. The definitions set out in Clause 74 of the Greater Dandenong Planning Scheme specifically require Home Based Business to be carried out in a dwelling by a resident of the dwelling. Therefore, as proposed, the home office component must not be used or leased separately from the dwelling.

The layout of these SOHO style dwellings present concerns with the likely future use. The ground level home office components of the building are separately accessible from the remainder of the dwellings (both from an internal hallway at ground level and externally from Springvale Road.). At ground level, these spaces would present as an 'office' and could easily be separated from the dwellings. The layout of the building would easily enable the home office spaces to be separately leased and used as 'office' within the meaning of the Greater Dandenong Planning Scheme. 'Office' use attracts a greater car parking requirement and is prohibited in the Residential Growth Zone where the leasable floor area would be more than 250 square metres.

It is considered that the layout of the proposal easily enables the ground level office spaces to present as, and be used separately as, 'office' use within the meaning of the Greater Dandenong Planning Scheme, where the leasable floor area would be 363 square metres. In addition, office use attracts a greater car parking requirement of  $((363 \text{sqm}/100)) \times 3.5)$  12 car parking spaces which are unable to be provided on site.

Therefore, from a practical point of view, due to the separately accessible nature of the office components, concern is raised in relation to the likely future use, the subsequent impact on car parking and the potential for a greater amount of Council resources to be utilised in ensuring ongoing compliance with the Greater Dandenong Planning Scheme.

#### **Development**

#### Assessment of the Development against the SPPF

The subject site is located within an established residential area and is well suited for the development of higher density housing given that the site is located in Springvale within easy walking distance of many community facilities and public transport and is also noted at Clause 22.10 to be in an area designated for Higher Residential Densities and at Clause 22.09 within the area for Substantial Change.

The proposal also seeks to reduce pressure on the urban fringe by providing forty one (41) dwellings where previously only four (4) existed through the redevelopment of the site, thereby ensuring that the housing required for the growing population is facilitated, in accordance with the strategies of **Clause 11.02 Urban Growth**.

At **Clause 15 Built Environment and Heritage**, concern is raised regarding the proposed built form and how the proposal facilitates the preferred future neighbourhood character of the area, particularly in relation to the amended local policy at Clause 22.09 in Planning Scheme Amendment C182 (part 2). This topic will further be explored within the Clause 22.09 (C182 part 2) assessment, to further expand upon these concerns.

The proposal provides a development of an increased housing density to meet the growing communities' needs for new housing, close to the Springvale Activity Centre, close to jobs, transport and services in accordance with the Objectives of **Clause 16 – Housing**.

#### Assessment of the Development against the MSS and LPPF

It is clear that the proposed redevelopment of the site, with a high density residential development, is facilitating the **Vision for Greater Dandenong (Clause 21.03)** and furthermore within the Strategic Framework Map the site is designated for preferred higher density residential development (substantial change).

Whilst the development of the site for higher density residential development is not contested, the design of the proposal is of concern with respect to:

The proposal not being consistent with the preferred future character of the area and not appropriately integrating with the surrounding environment- specifically in relation to the amended local policy at Clause 22.09 in Planning Scheme Amendment C182 (part 2)

As a result of the above concerns, the proposal is not considered to be an appropriate response to **Clause 21.05-1 Urban design, character, and streetscapes**.

#### Assessment of the Development against the Residential Growth Zone and Clause 55

As required by the Residential Growth Zone that applies to this site, the proposed development has been assessed against the provisions of Clause 55 of the Greater Dandenong Planning Scheme and Schedule 1 to the Residential Growth Zone. In accordance with the transitional provisions at Clause 32.07-5, the proposal has been assessed against the requirements of Clause 55 as they existed before the approval date of Planning Scheme Amendment VC136. An assessment against Clause 55 is included at Attachment 5. The proposal fails to meet a number of standards and objectives of Clause 55 as discussed below.

## Clause 55.02-1 (Neighbourhood character) and 55.02-2 (Residential Policy) of the Greater Dandenong Planning Scheme

Relevant Objective(s) of Clause 55.02-1:

- To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- To ensure that development responds to the features of the site and the surrounding area.

Relevant Objective(s) of Clause 55.02-2:

- 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, including the Municipal Strategic Statement and local planning policies.
- To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

The development, as illustrated throughout this report within the Clause 22.09 assessment, fails to contribute to the preferred future character of the area when having regard to the amended local policy set out in planning scheme amendment C182 (part 2) and is therefore considered to be an inappropriate design response for the site.

#### Clause 55.03-1 (Street Setback) of the Greater Dandenong Planning Scheme

Relevant Objective(s) of Clause 55.03-1

• To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. Standard B6 requires the setback from Springvale Road to be 5 metres and the setback from Stephenson Street to be 3 metres. The proposal is setback 2 metres from Springvale Road and 3 metres from Stephenson Street.

It is considered that the reduced setback to Springvale Road is appropriate given its location on a Road Zone Category 1. In addition, the subject site is directly opposite a row of attached townhouses at 85-89 Springvale Road which also feature a 2 metre setback from Springvale Road.

Furthermore, the reduced setback to Springvale Road allows for the additional space to be provided alongside and rear boundaries to soften the built form when viewed from neighbouring properties.

As required by the policy at Clause 22.09, the proposal provides for a consolidation of allotments to increase development potential, increase residential density and achieve an improved design outcome.

#### Clause 55.05-4 (Private Open Space) of the Greater Dandenong Planning Scheme

Relevant Objective(s) of Clause 55.05-4

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

The proposal meets the requirements of Standard B28 for all dwellings as required by the Residential Growth Zone Schedule 1. The Residential Growth Zone Schedule 3 (in Planning Scheme Amendment C182 (part 2)) sets out a varied standard for private open space. The varied standard requires balconies to have a minimum dimension of 10 square metres with a minimum dimension of 2 metres. The proposal complies with the varied standard for all dwellings, except dwelling Apt.2. Dwelling Apt.2 has a balcony area of 10 square metres with 8.2 square metres having a minimum dimension of 2 metres. While dwelling Apt2 does have the required area of 10 square metres, it does not have a minimum dimension of 2 metres for the entirety of the area. This variation is considered acceptable in this instance as it is only one of the 41 dwellings which does not meet the standard. In addition, it is only a small variation on the standard and a communal open space area has been provided on the top floor, providing for additional open space for use by residents. It is considered that adequate space has been provided for the recreational and service needs of residents.

#### Assessment of the Development against Clause 22.09

The proposed development has been assessed against Clause 22.09 of the Greater Dandenong Planning Scheme. The proposal meets the design guidelines set out in Clause 22.09 of the Greater Dandenong Planning Scheme (full assessment at Attachment 3), however, does not meet the design guidelines set out in Clause 22.09 as amended in planning scheme amendment C182 (part 2). This will be further discussed below.

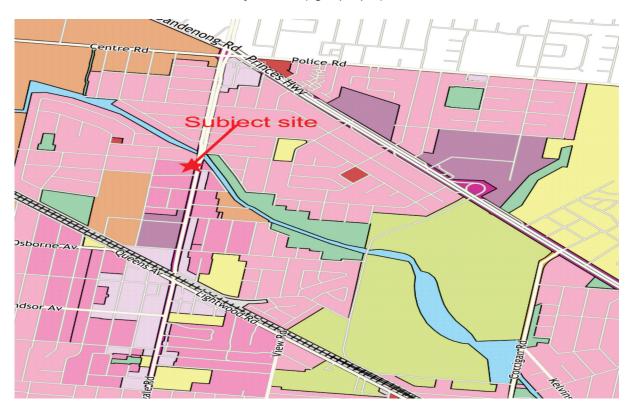
## Assessment of the Development against Planning Scheme Amendment C182 (part 2) Clause 22.09 and Schedule 3 to the Residential Growth Zone

The proposal does not meet the requirements set out in Clause 22.09 as proposed in Planning Scheme Amendment C182 (part 2) (full assessment included at the end of Attachments 3). Planning Scheme Amendment C182 was adopted by Council on 22 August 2016. As mentioned above, Planning Scheme Amendment C182 (part 1) was approved by the Minister on 21 December 2017. Planning Scheme Amendment C182 (part 2) has not yet been approved by the Minister and remains a seriously entertained document. Pursuant to Section 60(1A)(h) of the *Planning and Environment Act 1987*, Council, before deciding on an application, if the circumstances appear to so require, may consider any <u>amendment</u> to the planning scheme which has been adopted by a planning authority but not, as at the date on which the application is considered, approved by the Minister or a planning authority.

ORDINARY COUNCIL MEETING MINUTES

### 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

The subject site is proposed to be rezoned to Residential Growth Zone Schedule 3. The purpose of the Residential Growth Zone Schedule 3 is to achieve a transition in built form with high density residential developments of up to four (4) storeys in the Residential Growth Zone Schedule 1 and 2 stepping down to residential developments of up to three (3) storeys in the Residential Growth Zone Schedule 3 as the distance from the core of the Activity Centre increases. As seen in the zoning map below, the subject site is located near the edge of the Residential Growth Zone (dark pink), a significant distance from the core of the Activity Centre (light purple).



Clause 22.09 as set out in planning scheme amendment C182 (part 2) specifies design principles for building height in the Residential Growth Zone Schedule 3 to be up to three (3) storeys, including ground level.

As the proposal is for a four (4) storey development and the site is located on the edge of the Residential Growth Zone, a significant distance from the Activity Centre core, it is considered that the proposal does not meet the requirements for Clause 22.09 as set out in planning scheme amendment C182 (part 2) as it does not provide a transition between the development envisaged by the Residential Growth Zone Schedules 1 and 2 (up to four (4) storeys) and the General Residential Zone (up to two (2) storeys).

#### Assessment of the Development against Clause 52.06 Car parking

The proposal provides for forty one (41) dwellings plus one (1) food and drink premises. The car parking required by Clause 52.06-5 of the Greater Dandenong Planning Scheme is set out in the table below:

	Quantity	Required car parking	Proposed car parking
1 bedroom dwellings	1	1	1
2 bedroom dwellings	33	33	33
3 bedroom dwellings	7	14	14 (7 in tandem arrangement)
Dwelling visitor spaces	41 dwellings	8	8 (includes 1 disabled space)
Food and drink premises	72sqm	2	2

As shown in the table above, the proposal complies with the requirements of Clause 52.06-5 of the Greater Dandenong Planning Scheme.

Clause 52.06-9 of the Greater Dandenong Planning Scheme sets out design standards for car parking areas. The proposal meets all of the design standards accept for the passing area and the width of the access way at ground level (full assessment at Attachment 4). The layout of the basement includes 14 spaces in tandem arrangement. While these spaces strictly meet size requirements for car parking spaces, the quantity of tandem spaces in a basement which does not meet the minimum accessway width requirements or passing area at the entrance, creates concerns for the efficiency and use of the car park. The failure to provide the appropriate accessway width and passing area, together with the layout and number of the tandem spaces in the basement level is considered to be unacceptable to ensure the ease and safety of its users.

In addition, a discussed above, the design presents some concern with the likely future use of the SOHO style dwellings and its the potential for a higher requirement for car parking.

#### Assessment of the Development against Clause 52.34 Bicycle facilities

The proposal provides for 41 dwellings plus one food and drink premises. The bicycle facilities required are set out in the table below;

	Required	Provided
Dwelling		
Employee/resident 1 per 5 dwellings	8	20 (total)
Visitor/shopper 1 per 10 dwellings	4	20 (total)
Food and Drink		
Employee/resident 1 to each 300sqm	0	20 (total)
Visitor/shopper 1 to each 500sqm	0	20 (total)

As shown in the table above, the proposal complies with the requirements of 52.34 of the Greater Dandenong Planning Scheme.

#### <u>Signage</u>

No signage is proposed.

#### Vegetation & Tree Impact (Site & Surrounds)

All vegetation on the subject site is proposed to be removed. An extensive landscape plan has been provided to show how landscaping will be integrated into the site.

It is noted that all four allotments are currently in different ownership and all are below 0.4 hectares. Therefore, in accordance with the exemptions listed in Clause 52.17-7 of the Greater Dandenong Planning Scheme, a planning permit is not required for native vegetation removal. In addition, there are no vegetation protection overlays on the site, therefore a planning permit is not required for non-native vegetation removal.

#### Aboriginal Cultural Heritage Sensitivity

The site is within an area of Aboriginal Cultural Heritage Sensitivity. The applicant has submitted an approved Cultural Heritage Management Plan (CHMP number 15097, Approved on 10 November 2017).

#### Easements

86 Springvale Road contains an easement along its southern and western boundaries. Melbourne Water and Council's building department have provided written consent to build over this easement.

88 Springvale Road contains an easement along its southern boundary. The applicant has received advice form Council's Building Department noting that consent has not been given to build over this easement because it is unclear if there is an asset within this easement. The applicant has advised that they will complete further investigation and if there is a physical asset within the easement, they will relocate the asset at their own cost. This is considered reasonable and could be addressed through a permit condition if a permit were to be issued.

#### Assessment against Clause 52.29 Land Adjacent to a Road Zone Category 1.

The subject site adjoins Springvale Road to the west which is a Road Zone Category 1 (RDZ1).

The existing 3 single crossovers to Springvale Road will be removed and the curb be reinstated. The 1 existing crossover off Stephenson Street will be removed and a new double crossover will be constructed for vehicular access to the proposed development.

The application was referred to VicRoads which had no objection to the proposal subject to conditions requiring redundant crossovers to be removed and the area reinstated to the satisfaction of and at no cost to the Roads Corporation.

#### 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, Clause 52.06, Clause 55 and Clause 65.

An assessment of the proposal against the changes applicable to the site through Planning Scheme Amendment C182 (part 2) has also been undertaken.

It has been demonstrated through the assessment within this report that while some insufficiencies can be addressed through permit conditions, the proposed building height is not an appropriate response to proposed Planning Scheme Amendment C182 (part 2) of the Greater Dandenong Planning Scheme. In addition, further inadequacies are evident with the layout of the SOHO style dwellings presenting future compliance issues and increasing pressure on the car parking in a basement car park which fails to meet minimum accessway widths and features a high number of tandem spaces. Therefore it is recommended that the application be refused.

#### Recommendation

That Council resolves to Refuse to grant a planning permit in respect of the land known and described as Lot 2 LP37047, L1 TP429276, L2 LP61047 and L3 LP61047, 86-92 Springvale Road, Springvale for the purpose of buildings and works for a 4 storey building including 41 dwellings and 1 food and drink premises and alteration of access to a road in a Road Zone Category 1 for the following reasons:

- 1. The proposal fails to meet the objectives of Clause 15 Built Environment and Heritage regarding the proposed built form, the amenity impacts it will have on adjoining properties and how the proposal facilitates the preferred future neighbourhood character of the area.
- 2. The proposal fails to comply with the following Standards and Objectives of Clause 55:
  - Clause 55.02-1 Standard B1 Neighbourhood Character
  - Clause 55.02-2 Standard B2 Residential Policy.
- 3. The proposal does not meet following design principles of Clause 22.09 contained within the requirements of Planning Scheme Amendment C182;
  - Building height.
- 4. The layout of the SOHO style dwellings could easily enable the ground level office space to be used as 'office' use, which is prohibited.
- 5. The proposal fails to meet the purpose of Clause 52.06 to provide a car parking layout which enables easy and safe vehicle access and circulation within the car parking area.

#### MINUTE 586

Moved by: Cr Sean O'Reilly Seconded by: Cr Heang Tak

That Council resolves to <u>issue a Notice of decision</u> to grant a planning permit in respect of the land known as and described as Lot 2 LP37047, L1 TP429276, L2 LP61047 and L3 LP61047, 86-92 Springvale Road, Springvale for the purpose of buildings and works for a 4 storey building including 41 dwellings and 1 food and drink premises and alteration of access to a road in a Road Zone Category 1 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, but modified to show:

- Notations on the plans to indicate that all screens used to 1.1 prevent overlooking are permanent, fixed and, if perforated panels are used, have a maximum 25 percent openings.
- 1.2 Lighting of communal spaces including main entrances, car parking areas and communal open space with sensor-lights. All lights must be designed, fitted with suitable baffles and located to prevent any adverse effect outside the boundaries of the land to the satisfaction of the Responsible Authority.
- 1.3 Architectural fins or other vertical design element incorporated into the western elevation to break up the mass of the development and more successfully integrate the proposed built form massing with the finer grained built forms to the west. The width of the access way in the ground level car parking 1.4
- area widened to 5.8 metres and the changes absorbed within the building envelope (ie, setbacks to remain the same)
- 1.5 A passing area to be provided at the vehicular entrance to the site. The passing area must be 7 metres long x 6.1 metres wide. 1.6 All resident visitor car parking spaces to be located on the ground level. As a result, 6 SOHO car parking spaces will need
  - to be relocated to the basement.

All to the satisfaction of the Responsible Authority. Prior to the endorsement of plans under Condition 1, an additional landscape plan for the communal open space and balcony planter boxes on Level 3 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:

- Legend of all plant types, surfaces, materials and landscape 2.1 items to be used;
- 2.2 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;
- All to the satisfaction of the Responsible Authority.
- The layout of the site, and the size of the proposed buildings and works as 3. shown on the endorsed plan, shall not be altered or modified (whether or not in order to comply with any Statute, Statutory Rule or Local Law or for any other reason) without the prior consent of the Responsible Authority. Prior to the occupation of the dwelling(s) hereby permitted, all landscaping 4. as shown on the endorsed plans, including trees, shrubs and lawn, shall be planted and thereafter maintained, to the satisfaction of the Responsible Authority.

2.

- 5. The dwelling(s) hereby approved must not be occupied until all buildings and works and the conditions of this permit have been complied with, unless with the written consent of the Responsible Authority.
- 6. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.
- 7. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority.
- 8. All piping and ducting above the ground floor storey of the building, except for downpipes and spouting, shall be concealed to the satisfaction of the Responsible Authority.
- 9. Standard concrete vehicular crossing(s) must be constructed to suit the proposed driveway(s) in accordance with the Council's standard specifications and any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.
- 10. Letterboxes and all other structures (including fencing and landscaping) should be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points in accordance with the Greater Dandenong Planning Scheme Clause 52.06-8.
- 11. Service units, including air conditioning/heating units, must not be located on any of the balcony areas or where they will be visible from any public area.
- 12. The obscure glazing to the windows shown on the endorsed plans must be through frosted glass or similarly treated glass, and thereafter maintained to the satisfaction of the Responsible Authority. Adhesive film or the like that can be removed must not be used.
- 13. All screens marked on the endorsed plan shall be maintained by the owner of the land to the satisfaction of the Responsible Authority.
- 14. The development is to be constructed in accordance with the approved sustainability management plan (prepared by Sustainability House, Reference SH92935, dated 29 August 2017). Any alterations to the approved sustainability management plan must not occur without written consent from the responsible authority.
- 15. Prior to the occupation of the development, a report from the author of the ESD report, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must confirm that all measures specified in the ESD report have been implemented in accordance with the approved plans.
- 16. Prior to the issue of a Certificate of Occupancy, the Owner of the land must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 which provides that:
  - 16.1 all waste generated by the use of the land will be managed in accordance with the waste management plan for the land approved by the Responsible Authority;

- 16.2 the Owner acknowledges and agrees that the City of Greater Dandenong is under no obligation to enter the land for the purpose of collecting waste 16.3 the Owner acknowledges and agrees that, despite the waste collection arrangements that apply to the land, the Owner remains liable to pay the relevant waste collection levy. 17. The agreement must be recorded against the certificate of title to the land prior to the issue of a Certificate of Occupancy for any building constructed pursuant to this permit. The form and content of the agreement must be to the satisfaction of the Responsible Authority, and all costs relating to the preparation and registration of the agreement on title must be met by the permit holder. An application must be made to the Registrar of Titles to register the Section 173 agreement on the title to the land under Section 181 of the Act. 18. Before the development commences, the owner must conduct further site investigation to determine if a physical asset is located within the easement on Lot 2 LP 37047, 86 Springvale Road. If a physical asset is present, it must be relocated to the satisfaction of the Responsible Authority at the cost of the owner. 19. Before the Certificate of Occupancy is issued, the car parking spaces must be clearly labelled or signposted to ensure that drivers can identify which car parking spaces are allocated the dwellings. 20. Before the development commences, Lot 2 LP37047, L1 TP429276, L2 LP61047 and L3 LP61047 must be consolidated under the Subdivision Act 1988 as
- evidenced by the certification of a plan by the Responsible Authority and the registration of such a plan by the Registrar of Titles.
- 21. All activities carried out on the site must comply with the approved Cultural Heritage Management Plan

### VicRoads Conditions:

22. All disused or redundant vehicle crossings along Springvale Road must be removed and the area reinstated to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the buildings or works hereby approved.

### **Permit Expiry:**

- 23. This permit will expire if:-
  - 23.1 The development or any stage of it does not start within two (2) years of the date of issue of this permit, or
  - 23.2 The development or any stage of it is not completed within four (4) years of the date of issue of this permit.

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

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

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

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

#### Permit Notes

- A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.
   Approval of any retention system within the property boundary is required
- by the relevant building surveyor.
- 3. Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.
- 4. This permit is issued on the basis that consent from the the relevant Authority can be granted in relation to building over easements. If consent from the relevant Authority can not be obtained, this permit can not be acted upon.
- 5. The above property is subject to uncontrolled overland flow across the frontage of the property.

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

The minimum finished floor level of the proposed development is RL48.00m to AHD.

- 6. As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise on site verification should be undertaken by the applicant.
- 7. A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings. You may be required to apply for a Asset Protection Permit from Council's engineering services. Queries regarding engineering requirements can be directed to Council's general phone number on 8571 1000.

#### VicRoads Notes

8. The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

### MINUTE 587

Moved by: Cr Angela Long Seconded by: Cr Loi Truong

That Cr Matthew Kirwan be granted an extension of time of two minutes to speak against the alternate motion.

CARRIED

### MINUTE 588

Moved by: Cr Jim Memeti Seconded by: Cr Maria Sampey

That Cr Tim Dark be granted an extension of time of two minutes to speak in support of the alternate motion.

CARRIED

### MINUTE 589

Moved by: Cr Tim Dark Seconded by: Cr Zaynoun Melhem

That Cr Sean O'Reilly be granted an extension of time of two minutes to speak in support of the alternate motion.

#### CARRIED

### **CARRIED (REFERS TO MINUTE #586)**

For the Motion: Cr Roz Blades AM, Cr Youhorn Chea, Cr Tim Dark, Cr Jim Memeti, Cr Zaynoun Melhem, Cr Sean O'Reilly, Cr Maria Sampey, Cr Heang Tak, Cr Loi Truong

Against the Motion: Cr Angela Long, Cr Matthew Kirwan (called for the Division)

2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION - NO. 86-92 SPRINGVALE ROAD, SPRINGVALE (PLANNING APPLICATION NO. PLN17/0213)

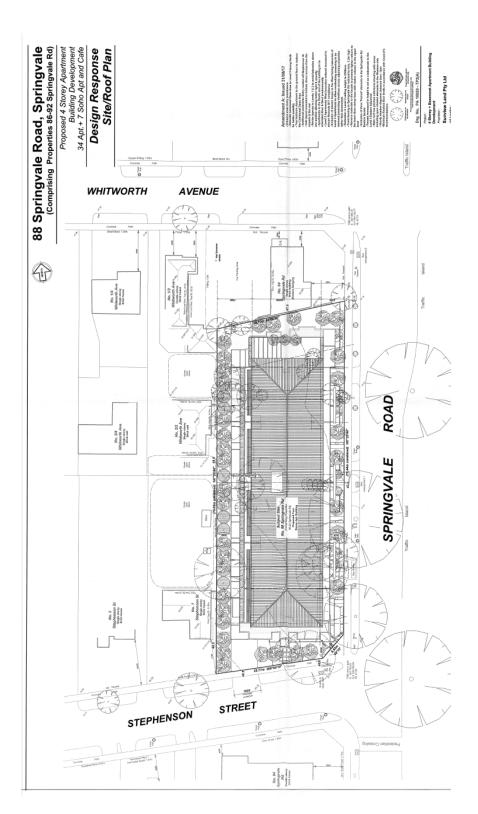
## **ATTACHMENT 1**

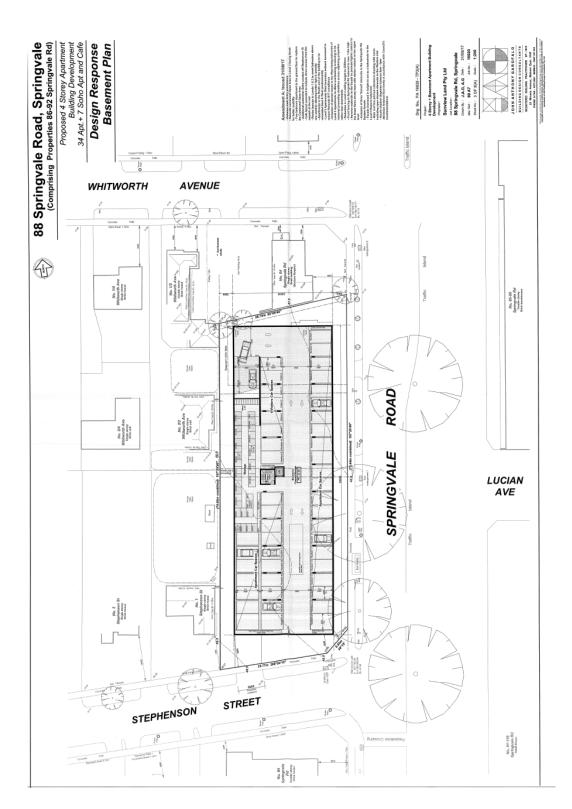
## SUBMITTED PLANS

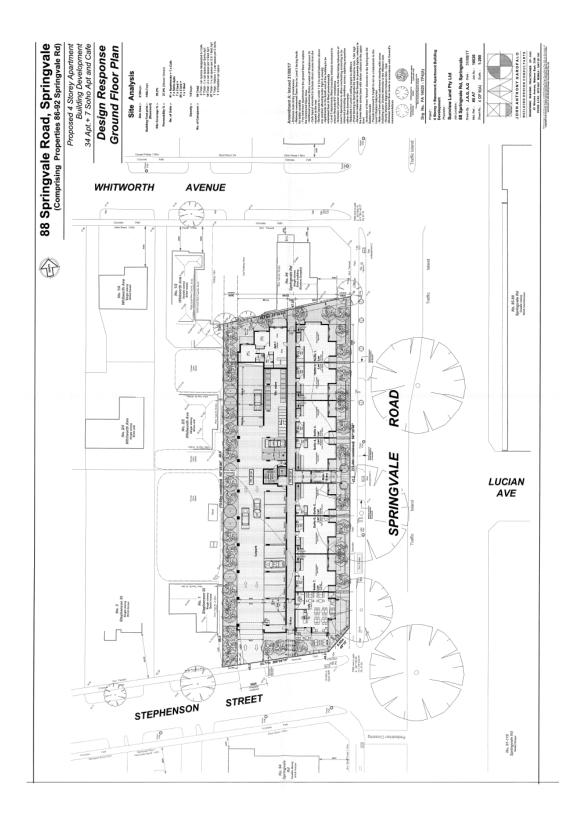
PAGES 11 (including cover)

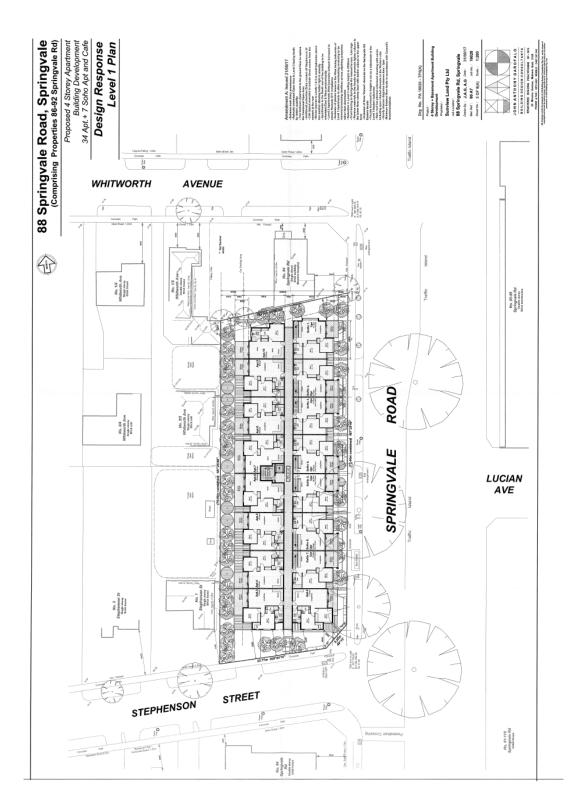
If the details of the attachment are unclear please contact Governance on 8571 5235.

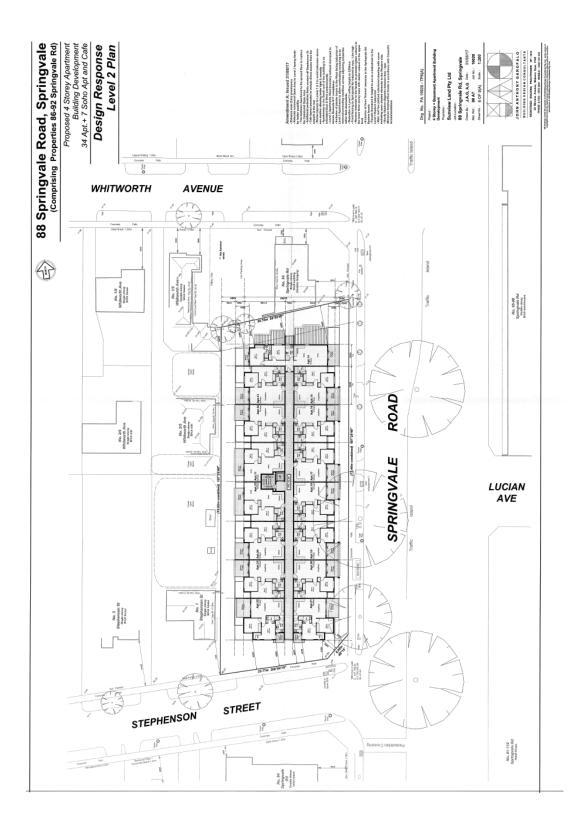


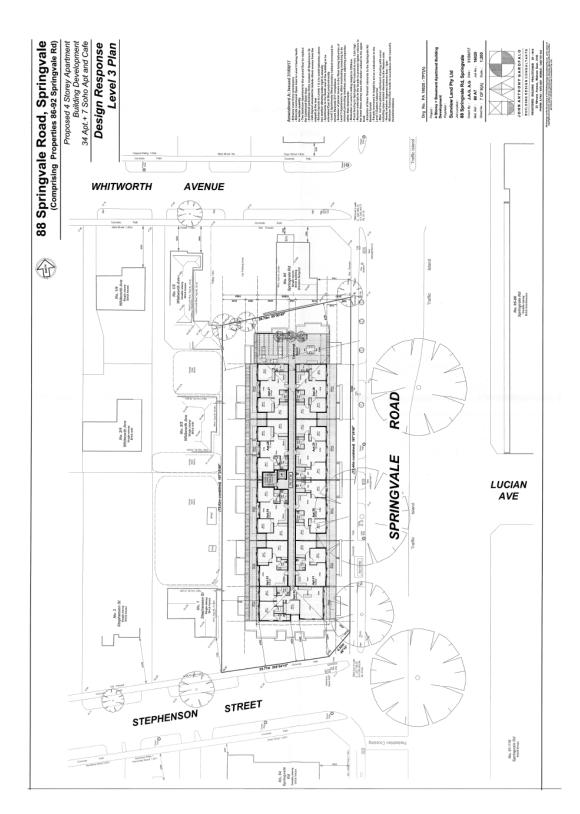


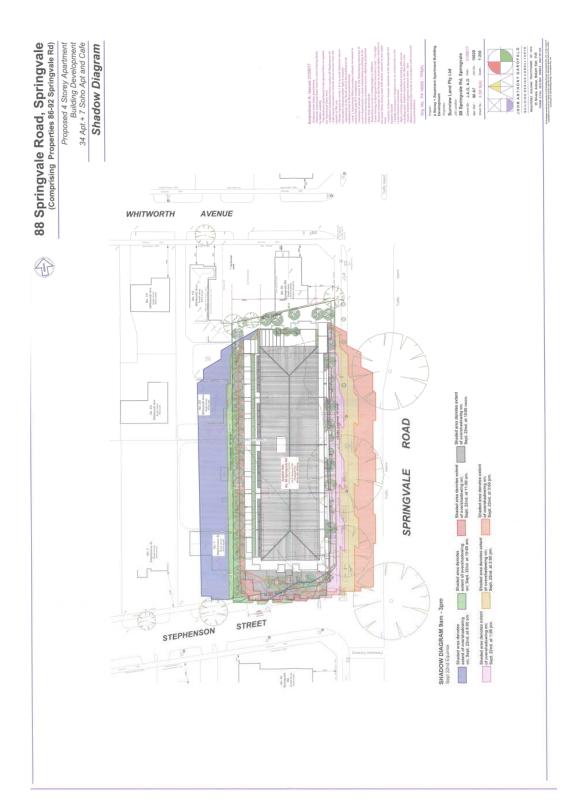


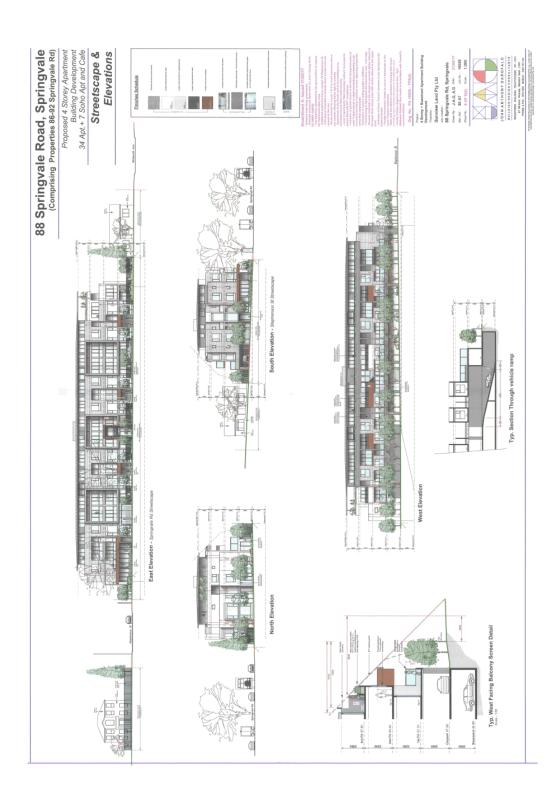


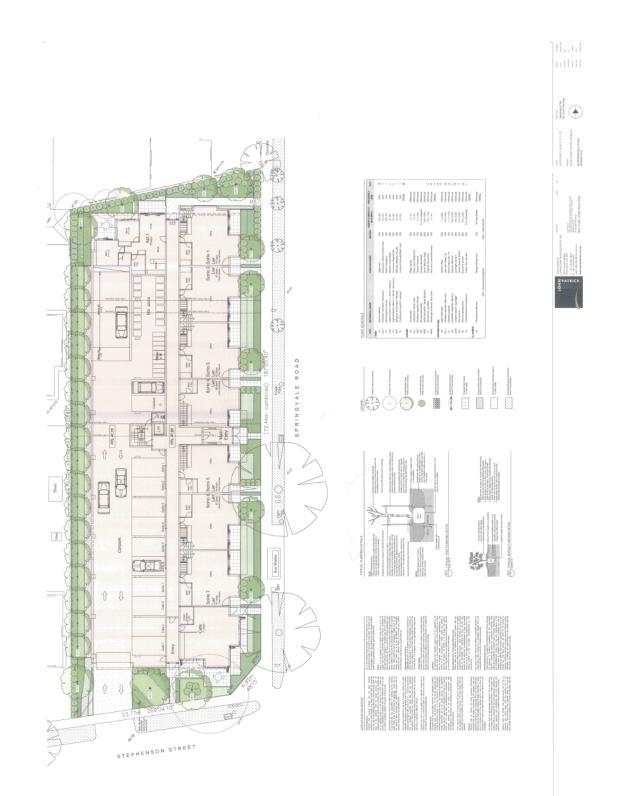












2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION - NO. 86-92 SPRINGVALE ROAD, SPRINGVALE (PLANNING APPLICATION NO. PLN17/0213)

## ATTACHMENT 2

## LOCATION OF OBJECTORS

PAGES 2 (including cover)

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



Location of objector:

2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### STATUTORY PLANNING APPLICATIONS

### TOWN PLANNING APPLICATION - NO. 86-92 SPRINGVALE ROAD, SPRINGVALE (PLANNING APPLICATION NO. PLN17/0213)

## ATTACHMENT 3

### **CLAUSE 22.09 ASSESSMENT**

INCLUDING ASSESSMENT AGAINST CLAUSE 22.09 AS PROPOSED IN PLANNING SCHEME AMENDMENT C182

PAGES 7 (including cover)

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

Assessment against Clause 22.09		
The subject site is located within the 'Substantial Change' area at Clause 22.09-3.5 Map 1 – Future Change Areas.		
Clause 22.09 requires all residential developments to be assessed against the design principles, in addition to those specific to each future Change area.		
The overarching Des	ign Principles at Clause 22.09-3.1 are as follows:	
Objective	Design Principle	Response
Safety	<ul> <li>To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:</li> <li>Incorporate active frontages including ground floor habitable room windows.</li> <li>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.</li> <li>Use semi-transparent fences to the street frontage.</li> <li>Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.</li> <li>Ensure that all main entrances are visible and easily identifiable from the street.</li> <li>Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.</li> </ul>	<ul> <li>Complies         <ul> <li>Passive surveillance of street is provided through a significant number of habitable room windows and balconies fronting both street frontages.</li> <li>Lighting can be required through permit conditions.</li> <li>A low front fence is provided to Springvale Road.</li> <li>All main entries are visible and easily identifiable from the street.</li> <li>Non habitable rooms are away from street frontages.</li> </ul> </li> </ul>
Landscaping	<ul> <li>Residential development should:</li> <li>Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.</li> <li>Provide substantial, high quality landscaping along vehicular accessways.</li> <li>Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.</li> <li>Planting trees that are common to and perform well in the area.</li> <li>Avoid the removal of existing mature trees by incorporating their retention into the site design.</li> <li>Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</li> <li>Ensure that landscaping also addresses the Safety Design Principles.</li> <li>Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.</li> <li>Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.</li> </ul>	<ul> <li>Complies</li> <li>Sufficient space is provided for quality landscaping along all boundaries.</li> </ul>
	Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.	

Car parking	The existing level of on-street car parking should	✓ Complies
	be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.	Only one double crossover proposed. Car parking is well integrated and
	On-site car parking should be:	recessed from the front boundary line.
	<ul> <li>well integrated into the design of the building,</li> <li>generally hidden from view or appropriately screened where necessary,</li> <li>located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level,</li> </ul>	
	Where car parking is located within the front setback it should be:	
	<ul> <li>fully located within the site boundary; and</li> <li>capable of fully accommodating a vehicle between a garage or carport and the site boundary.</li> </ul>	
	Developments with basement car parking should consider flooding concerns where applicable.	
Setbacks, front boundary and width	Residential developments should:	✓ Complies
	<ul> <li>Provide a front setback with fence design and height in keeping with the predominant street pattern.</li> <li>Maintain the apparent frontage width pattern.</li> <li>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.</li> <li>Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.</li> </ul>	The front setback to Springvale Road is 2 metres. A low front fence has been proposed. This is considered reasonable given the location of the site on a Road Zone Category 1 and opposite a row of attached townhouses which also feature a 2 metre setback to Springvale Road. In addition, a landscape plan has been provided shown substantial landscaping within the front setback.
Private open space	All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.	✓ Complies Private open spaces provided are large, useable and easily accessible from the main living areas. Private open space is located to
	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.	maximise solar access.
	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.	
Bulk & Built Form	All residential developments should respect the dominant façade pattern of the streetscape by:	✓ Complies
	<ul> <li>Using similarly proportioned roof forms, windows, doors and verandahs; and</li> </ul>	The three course rectangular frames on the eastern elevation of the three-storey

	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.	podium provide some vertical modulations and relief, which break the north-south length of this massing. This built form modulation assists with the development's integration into the streetscape's surrounding finer grained scale of existing built forms.
	<ul> <li>The development of new dwellings to the rear of existing retained dwellings is discouraged where:</li> <li>The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or</li> <li>The retention of the existing dwelling detracts from the identified future character.</li> </ul>	It is suggested that vertical design elements could be incorporated into the western elevation to break up the mass of the development and more successfully integrate the proposal built form massing with the finer grained built forms along Whitworth Avenue and Stephenson's street.
	<ul> <li>On sites adjacent to identified heritage buildings infill development should respect the adjoining heritage by:</li> <li>Not exceeding the height of the neighbouring significant building;</li> <li>Minimising the visibility of higher sections of the new building; and</li> <li>Setting higher sections back at least the depth of one room from the frontage.</li> </ul>	Balconies have been designed to reduce the need for screening where possible, including a planter box techniquest for the communal open space area, which meets Standard B22, however, does not require screens.
Site Design	Residential development should:	✓ Complies
	<ul> <li>Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.</li> <li>Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance.</li> <li>Ensure that building height, massing and articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.</li> <li>Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.</li> <li>Provide suitable storage provisions for the management of operational waste. Appropriately locate suitable facilities to encourage public transport use, cycling and walking.</li> </ul>	The proposal meets the requirements of Standard B22 (overlooking), Standard B17 (side and rear setbacks), Standard B19 (daylight to existing windows) and Standard B20 (north facing windows) and Standard B21 (overshadowing private open space) The proposal makes appropriate use of solar energy through location of north facing windows and balconies with northern access. The proposal incorporates appropriate ground level setbacks to accommodate boundary landscaping. A bin storage area has been provided within the ground level car parking area. Bicycle parking has been provided within the car parking area.
Materials & Finishes	<ul> <li>Residential development should:</li> <li>Use quality, durable building materials and finishes that are designed for residential purposes.</li> <li>Avoid the use of commercial or industrial style building materials and finishes.</li> <li>Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials.</li> <li>Use a consistent simple palette of materials, colours, finishes and architectural detailing.</li> <li>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</li> </ul>	<ul> <li>Complies         Materials and colours schedule has been provided. Materials are high quality materials typically seen in apartment building development.     </li> </ul>

	endure for the life of the building.	
Domestic services normal to a dwelling and Building services	<ul> <li>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:</li> <li>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.</li> <li>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.</li> </ul>	✓ Complies Location of air conditioning units has not been shown, however, permit conditions can ensure that they are not visible from the street.
Internal Amenity	<ul> <li>Residential development should:</li> <li>Ensure that dwelling layouts have connectivity between the main living area and private open space.</li> <li>Be designed to avoid reliance on borrowed light to habitable rooms.</li> <li>Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.</li> <li>Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 &amp; 7, 55.05-3, 4 &amp; 5.</li> </ul>	✓ Complies Layout provides good connectivity between living areas a SPOS areas. No borrowed light is proposed. Where possible, balconies reduce the need for screening.

Assessment Table for Clause 22.09-3.3 Substantial change areas		
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.	<ul> <li>✓ Complies Proposed housing type is high density.</li> </ul>
Building Height	The preferred maximum building height for land within the: □ RGZ1 and RGZ2 is up to 4 storeys, including ground level.	<ul> <li>✓ Complies</li> <li>4 Storey proposed.</li> </ul>
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 amenity 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.	<ul> <li>Complies Building bulk and height is relatively uniform throughout the length of the site, well articulated building elevations are provided and sufficient ground level setbacks with deep soil areas are provided to allow for substantial landscaping to soften the built form.</li> <li>The building portrays a high standard of design through variation of forms and materials, texture, openings and the inclusion of vertical design elements. The proposal meets the standards in Clause 55 in relation to overlooking, overshadowing and sunlight to windows, therefore, it is considered that there proposal does not result in unreasonable amenity impacts.</li> </ul>
Site design	High density residential developments should provide safe and innovative communal open spaces.	The communal open space provided is north facing with planter box style treatment to prevent overlooking. Therefore, it is considered that the communal open space is acceptable.

#### Assessment against Clause 22.09 as set out in Planning Scheme Amendment C182 (part 2)

Planning Scheme Amendment C182 (part 2) seeks to make changes to Clause 22.09-3.3. In addition, the amendment seeks to rezone the subject site to Residential Growth Zone Schedule 3. Assessment against the amended Clause 22.09-3.3 as set out in Planning Scheme Amendment C182 (part 2) is below.

	Assessment Table for Clause 22.09-3.3 Substantial change areas		
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 Proposed housing type is high density.	
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.	DOES NOT COMPLY 4 Storey proposed.	
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 amenity 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.	<ul> <li>Complies Building bulk and height is relatively uniform throughout the length of the site, well articulated building elevations are provided and sufficient ground level setbacks with deep soil areas are provided to allow for substantial landscaping to soften the built form.</li> <li>The building portrays a high standard of design through variation of forms and materials, texture, openings and the inclusion of vertical design elements. The proposal meets the standards in Clause 55 in relation to overlooking, overshadowing and sunlight to windows, therefore, it is considered that there proposal does not result in unreasonable amenity impacts.</li> </ul>	
Site design	High density residential developments should provide safe and innovative communal open spaces.	The communal open space provided is north facing with planter box style treatment to prevent overlooking. Therefore, it is considered that the communal open space is acceptable.	

2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION - NO. 86-92 SPRINGVALE ROAD, SPRINGVALE (PLANNING APPLICATION NO. PLN17/0213)

### **ATTACHMENT 4**

## **CLAUSE 52.06 ASSESSMENT**

PAGES 4 (including cover)

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

Car Parking Assessment Table for Clause 52.06		
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.	<ul> <li>Car parking for residents should be provided as follows:</li> <li>One space for each one or two bedroom dwelling.</li> <li>Two spaces for each three or more bedroom dwelling, with one space under cover.</li> <li>Studies or studios that are separate rooms must be counted as bedrooms.</li> <li>One space for visitors to every 5 dwellings for developments of 5 or more dwellings</li> </ul>	<ul> <li>Complies         <ol> <li>and 2 bedroom dwellings= 34</li> <li>bedroom dwellings= 14</li> </ol> </li> <li>Therefore:48 spaces, plus 8 visitor spaces are required.</li> <li>Food and drink premises= 72sqm         <ol> <li>Therefore, 2 spaces are required.</li> </ol> </li> <li>Number of spaces required: 58         <ol> <li>Number of spaces proposed: 58</li> </ol> </li> </ul>
Design Standard 1 Accessways The provision of car parking should meet the design requirements of this Clause.	<ul> <li>Accessways should:</li> <li>Be at least 3 metres wide.</li> <li>Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.</li> <li>Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.</li> <li>Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.</li> </ul>	<ul> <li>Complies</li> <li>The accessway is a minimum of 3m wide.</li> <li>Turning circle diagrams have been provided to show that cars can enter and exit in a forward direction.</li> </ul>
	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 6.1 metres wide and 7 metres long if the	<ul> <li>Complies Cars can exit forwards.</li> <li>Does not comply Passing area of 6.1 metres x 7 metres</li> </ul>
	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 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.	is not provided. The accessway is 5.75 metres in width. ✓ Complies

Car Parking Assessment Table for Clause 52.06		
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.	<ul> <li>Minimum car park and accessway dimensions:</li> <li>Parallel – 2.3m x 6.7m with a accessway width of 3.6m</li> <li>45 degrees – 2.6m x 4.9m with a accessway width of 3.5m</li> <li>60 degrees – 2.6m x 4.9m with a accessway width of 4.9m</li> <li>90 degrees – 2.6m x 4.9m with a accessway width of 6.4m</li> <li>(refer to the table in 55.06 for more details)</li> </ul>	Does not comply Car parking spaces are 2.8 metres x 4.9 metres. Therefore, access way width is required to be 5.8 metres. At basement level, the access way is 6 metres in width. At ground level, the accessway width is 5.4 metres.
	A building may project into the space if it is at least 2.1 metres above the space.	- N/A
	<ul> <li>Car spaces in garages, carports or otherwise constrained by walls should:-</li> <li>Single garage 3.5m x 6m</li> <li>Double garage 5.5m x 6</li> <li>Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space</li> </ul>	Additional 500mm has been provided for the tandem spaces.

Car Parking Assessment Table for C	lause 52.06	
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 (20%) Longer than 20 metres 1:6 (16.7%)	✓ Complies Ramp grade is 1:8 and 1:4.5
Design Standard 4 Mechanical parking	<ul> <li>Mechanical parking may be used to meet the car parking requirement provided:</li> <li>At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.</li> <li>Car parking spaces that require the operation of the system are not allocated to visitorsunless used in a valet parking situation.</li> <li>The design and operation is to the satisfaction of the responsible authority.</li> </ul>	- N/A No mechanical parking proposed.
Design Standard 5 Urban Design	Ground level car parking, garage doors and accessways should not visually dominate public space.	✓ Complies The accessway on the Stephenson Street frontage is not considered to visually dominate the streetscape. The accessway is a small percentage of the frontage at ground level.
	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.	✓ Complies While the western wall of the car parking area at ground level is open, there is a 3 metre wide deep soil area available for landscaping. The landscape plan submitted with the application shows that this strip will be planted with Lightwood Trees which can grow to 10 metres.
Design Standard 6 Safety	Car parking should be well lit and clearly signed.	Complies     Permit conditions can require lighting     within the car parking area.
	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.	- N/A - N/A
	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

2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### STATUTORY PLANNING APPLICATIONS

### TOWN PLANNING APPLICATION - NO. 86-92 SPRINGVALE ROAD, SPRINGVALE (PLANNING APPLICATION NO. PLN17/0213)

## **ATTACHMENT 5**

## **CLAUSE 55 ASSESSMENT**

INCLUDING ASSESSMENT AGAINST SCHEDULE 3 TO THE RESIDENTIAL GROWTH ZONE AS PROPOSED IN PLANNING SCHEME AMENDMENT C182 (PART 2)

PAGES 26 (including cover)

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

## 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

#### Clause 55.02-1 Neighbourhood character objectives

Standard B1	The design response must be appropriate to the neighbourhood and the site. The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.	* Standard not met It is considered that the proposal is not an appropriate response to the preferred neighbourhood character, specifically in relation to the height of the building being inconsistent with the design guidelines set out in Clause 22.09 as proposed in planning scheme amendment C182 (part 2). This will be further discussed in the Clause 22.09 (C182 part 2) assessment.
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme. The neighbourhood and site description. The design response.	
Objectives	To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area.	★ Does not comply It is considered that the proposal is not an appropriate response to the preferred neighbourhood character, specifically in relation to the height of the building being inconsistent with the design guidelines set out in Clause 22.09 as proposed in planning scheme amendment C182 (part 2). This will be further discussed in the Clause 22.09 (C182 part 2) assessment.

#### Clause 55.02-2 Residential policy objectives

Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the SPPF and the LPPF, including the MSS and local planning policies.	★ Standard not met It is considered that the proposal is not an appropriate response to the preferred neighbourhood character, specifically in relation to the height of the building being inconsistent with the design guidelines set out in Clause 22.09 as proposed in planning scheme amendment C182 (part 2). This will be further discussed in the Clause 22.09 (C182 part 2) assessment.
Decision Guidelines	The SPPF and the LPPF including the MSS and local planning policies.	_
	The design response.	
Objectives	To ensure that residential development is provided in accordance with any policy for housing in the SFFP and the LPPF, including the MSS and local planning policies. To support medium densities in areas where development can take advantage of pubic and community infrastructure and services.	* Does not comply It is considered that the proposal is not an appropriate response to the preferred neighbourhood character, specifically in relation to the height of the building being inconsistent with the design guidelines set out in Clause 22.09 as proposed in planning scheme amendment C182 (part 2). This will be further discussed in the Clause 22.09 (C182 part 2) assessment.

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

#### Clause 55.02-3 Dwelling diversity objective

Standard B3	<ul> <li>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</li> <li>Dwellings with a different number of bedrooms.</li> <li>At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>	<ul> <li>Standard met</li> <li>33 x two bedroom dwellings</li> <li>1 x one bedroom dwelling</li> <li>7 x three bedroom dwellings.</li> </ul>
Objective	To encourage a range of dwellings sizes and types in developments of ten or more dwellings.	

#### Clause 55.02-4 Infrastructure objectives

Standard B4	Development should be connected to reticulated services,	✓ Standard met
Standard D4	including reticulated sewerage, drainage, electricity and gas, if available.	Development can be suitably accommodated into infrastructure of the established area.
	Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.	✓ Standard met Development can be suitably accommodated into infrastructure of the established area.
	In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.	✓ Standard met Development can be suitably accommodated into infrastructure of the established area.
Decision	The capacity of the existing infrastructure.	
Guidelines	In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the SEPP (Waters of Victoria) under the EPA 1970.	
	If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.	
Objectives	To ensure development is provided with appropriate utility services and infrastructure.	
	To ensure development does not unreasonably overload the capacity of utility services and infrastructure.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

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

Standard B5	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	✓ Standard met Footpaths have been provided from the street to the front porch of the dwellings fronting Springvale Road at ground level. One double crossover is proposed off Stephenson Street. It is considered that the location of the one crossover is appropriate to maintain local accessibility. It is considered that local accessibility is improved with the removal of crossovers off Springvale Road.
	Developments should be oriented to front existing and proposed streets.	✓ Standard met Ground level entries front Springvale Road. A large number of habitable room windows and balconies front the streets. The ground level food and drink premises includes large windows on both Springvale Road and Stephenson Street frontages.
	High fencing in front of dwellings should be avoided if practicable.	✓ Standard met A low 1.5 metre high fence is proposed along the Springvale Road boundary.
	Development next to existing public open space should be laid out to complement the open space.	✓ Standard met The site is not adjacent to existing public open space.
Decision Guidelines	Any relevant urban design objective, policy or statement set out in this scheme.	
	The design response.	
Objective	To integrate the layout of development with the street.	

Standard B6	Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone:		* Standard not met. Variation required. Setback from Springvale Road required: 5 metres. Provided: 2 metres	
	<u>RGZ</u> : 5 metres or as per Table B1, whichever is the lesser. Table B1 Street setback			
	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	Setback from Stephenson Street required:
	There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable	3 metres. Provided: 4 metres
	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable	
	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable	
	The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.	
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.			It is considered that the reduced setback to Springvale Road is appropriate given its location on a Road Zone Category 1, directly opposite a row of attached townhouses at 85-89 Springavle Road which also feature a 2 metre setback from Springvale Road. As required by the policy at Clause 22.09, the proposal provides for a consolidation of allotments to increase development potential, increase residential density and achieve an improved design outcome.
	The design response.			
	Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.			
	The visual impact of the building when viewed from the street and from adjoining properties.			
	The value of retaining vegetation within the front setback.			
			In addition, the reduced setback to Springvale Road allows for the additional space to be provided along side and rear boundaries to soften the built form when viewed from neighbouring properties.	
Objective	To ensure that the setbac existing or preferred neig use of the site.			As outlined above, it is considered that the variation is acceptable to still meet the objective.

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

#### Clause 55.03-2 Building height objective

Standard B7	The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. <u>RGZ</u> : 13.5 metres <u>discretionary</u> maximum (refer Clause 32.07-8 for details)	✓ Standard met Maximum building height is 12.8 metres.
	If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.	N/A
	Changes of building height between existing buildings and new buildings should be graduated.	✓ Standard met The proposal provides for some graduation between the proposed building and the building to the north (at 84 Springvale Road). The Second floor is stepped back and the third floor roof form is stepped back further.
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
	Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.	
	The design response.	
	The effect of the slope of the site on the height of the building.	
	The relationship between the proposed building height and the height of existing adjacent buildings.	
	The visual impact of the building when viewed from the street and from adjoining properties.	
Objective	To ensure that the height of buildings respects the existing or preferred neighbourhood character	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

#### Clause 55.03-3 Site coverage objective

Standard B8	The site area covered by buildings should not exceed:	✓ Standard met
	<ul> <li>The maximum site coverage specified in a schedule to the zone, or</li> </ul>	Site coverage proposed: 69.2%
	<ul> <li>If no maximum site coverage is specified in a schedule to the zone, 60 per cent.</li> </ul>	
	<u>RGZ1</u> : 70%	
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
	The design response.	
	The existing site coverage and any constraints imposed by existing development or the features of the site.	-
	The site coverage of adjacent properties	
	The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.	
Objective	To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	

#### Clause 55.03-4 Permeability objectives

Standard B9	<ul> <li>The site area covered by the pervious surfaces should be at least:</li> <li>The minimum areas specified in a schedule to the zone, or</li> <li>If no minimum is specified in a schedule to the zone, 20 per cent of the site.</li> <li><u>RGZ1</u>: 20%</li> </ul>	✓ Standard met Permeability proposed: 27.9%
Decision Guidelines	The design response. The existing site coverage and any constraints imposed by existing development. The capacity of the drainage network to accommodate additional stormwater. The capacity of the site to absorb run-off. The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.	
Objectives	To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

## Clause 55.03-5 Energy efficiency objectives

Standard	Buildings should be:	✓ Standard met
B10	<ul> <li>Oriented to make appropriate use of solar energy.</li> <li>Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> </ul>	The shape of the allotment does limit the ability to achieve north facing windows and balconies to all dwellings, however, it is considered that the proposal has made appropriate use of solar energy where possible. All dwellings, where not achieving north facing windows, have access to some northern light with windows and balconies facing east or west. In addition, the applicant has provided an ESD report which has been assessed by Council's ESD officers and considered to be acceptable.
	Living areas and private open space should be located on the north side of the development, if practicable.	✓ Standard met Where possible, living areas and private open space is located on the north.
	Developments should be designed so that solar access to north-facing windows is maximised.	✓ Standard met North facing windows have been maximised.
Decision Guidelines	The design response.	
Guidennes	The size, orientation and slope of the lot.	
	The existing amount of solar access to abutting properties.	
	The availability of solar access to north-facing windows on the site.	
Objectives	To achieve and protect energy efficient dwellings and residential buildings.	
	To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.	

## Clause 55.03-6 Open space objective

Standard B11	<ul> <li>If any public or communal open space is provided on site, it should:</li> <li>Be substantially fronted by dwellings, where appropriate.</li> <li>Provide outlook for as many dwellings as practicable.</li> <li>Be designed to protect any natural features on the site.</li> <li>Be accessible and useable.</li> </ul>	✓ Standard met The proposed communal open spaces is located on the northern side of the top floor. While the space is not fronted by dwellings, it does provide for a north facing space and provides an unroofed area which allows the built form to be graduated between the four storey component and the single storey building on the neighbouring lot to the north. In addition, the space provides a planter box screening technique to limit views into neighbouring secluded private open space.
Decision Guidelines	Any relevant plan or policy for open space in the SPPF and the LPPF, including the MSS and local planning policies. The design response.	
Objective	To integrate the layout of development with any public and communal open space provided in or adjacent to the development.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.03-7 Safety objective

Standard B12	Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.	<ul> <li>Standard met</li> <li>Entrances are visible with appropriate shelter and are visible from the road frontage or internal driveway.</li> <li>Standard met</li> </ul>
	Planting which creates unsafe spaces along streets and accessways should be avoided.	A landscaping plan has been provided and the areas set aside for landscaping do not appear to create unsafe areas.
	Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.	✓ Standard met Permit conditions can required CCTV and lighting within the car parking area.
	Private spaces within developments should be protected from inappropriate use as public thoroghfares.	<ul> <li>✓ Standard met</li> <li>Private spaces are fenced.</li> </ul>
Decision Guidelines	The design response.	
Objectives	To ensure the layout of development provides for the safety and security of residents and property.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.03-6 Landscaping objectives

Standard	The landscape layout and design should:	✓ Standard met
B13		
	<ul> <li>Protect any predominant landscape features of the neighbourhood.</li> </ul>	A landscape plan has been provided showing a significant amount of vegetation along side and rear boundaries. A 3 metre deep soil area has been
	<ul> <li>Take into account the soil type and drainage patterns of the site.</li> </ul>	provided along the northern and western boundaries to allow for future growth of canopy trees.
	<ul> <li>Allow for intended vegetation growth and structural protection of buildings.</li> </ul>	
	<ul> <li>In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> </ul>	
	<ul> <li>Provide a safe, attractive and functional environment for residents.</li> </ul>	
	Development should provide for the retention or	✓ Standard met
	planting of trees, where these are part of the character of the neighbourhood.	The landscape character of the area features a mix of exotic plans, including some canopy trees. The proposal has provided for the replanting of a mix of vegetation, including canopy trees.
	Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made	✓ Standard met
	The landscape design should specify landscape	✓ Standard met
	themes, vegetation (location and species), paving and lighting.	Landscape plan has been provided.
	Development should meet any additional landscape	✓ Standard met
	requirements specified in a schedule to the zone. RGZ1:	Only one double crossover proposed on the Stephenson Street frontage, therefore, 70% of ground
	"70% of ground level front setback planted with	level front setback and side and rear boundaries is
	substantial landscaping and canopy trees."	planted with substantial landscaping and canopy trees.
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
	Any relevant plan or policy for landscape design in the SPPF and the LPPF, including the MSS and local planning policies.	
	The design response.	
	The location and size of gardens and the predominant plant types in the neighbourhood.	
	The health of any trees to be removed.	
	Whether a tree was removed to gain a development advantage.	
Objectives	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.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.03-9 Access objective

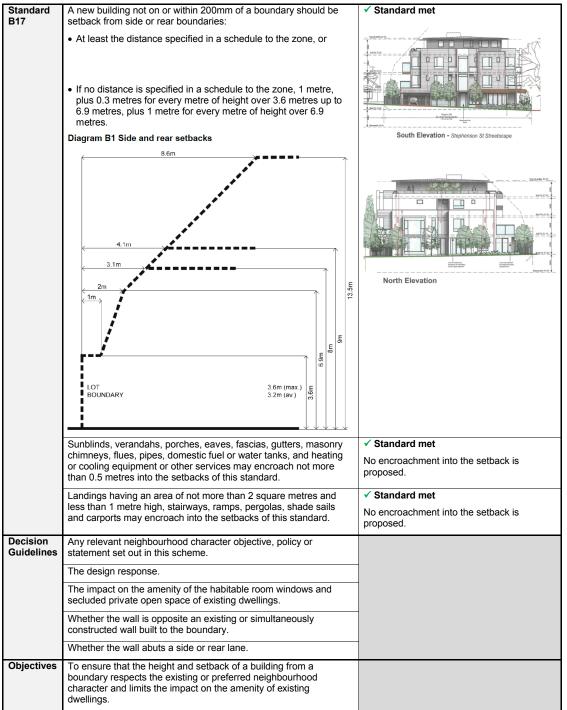
Standard B14	The width of accessways or car spaces should not exceed:	✓ Standard met
	• 33 per cent of the street frontage, or	24% of Stephenson Street frontage is access way.
	• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.	
	No more than one single-width crossover should be provided for each dwelling fronting a street.	✓ Standard met
		One double width crossover provided for the development.
	The location of crossovers should maximise retention	✓ Standard met
	of on-street car parking spaces.	Only one crossover proposed to maximise on street parking.
	The number of access points to a road in a Road Zone should be minimised.	✓ Standard met
		No access points to the Road Zone. Three are removed.
	Developments must provide for access for service, emergency and delivery vehicles.	✓ Standard met
Decision	The design response.	
Guidelines	The impact on neighbourhood character.	
	The reduction of on-street car parking spaces.	
	The effect on any significant vegetation on the site and footpath.	
Objectives	To ensure the number and design of vehicle crossovers respects the neighbourhood character.	

### Clause 55.03-10 Parking location objectives

Standard B15	Car parking facilities should: • Be reasonably close and convenient to dwellings and residential buildings.	✓ Standard met Car spaces are in basement with lift and stair access to dwellings.
	<ul> <li>Be secure.</li> <li>Be well ventilated if enclosed.</li> </ul> Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.	✓ Standard met Car parking is in basement.
Decision Guidelines	The design response.	
Objectives	To provide convenient parking for residents and visitors vehicles. To protect residents from vehicular noise within developments.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

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



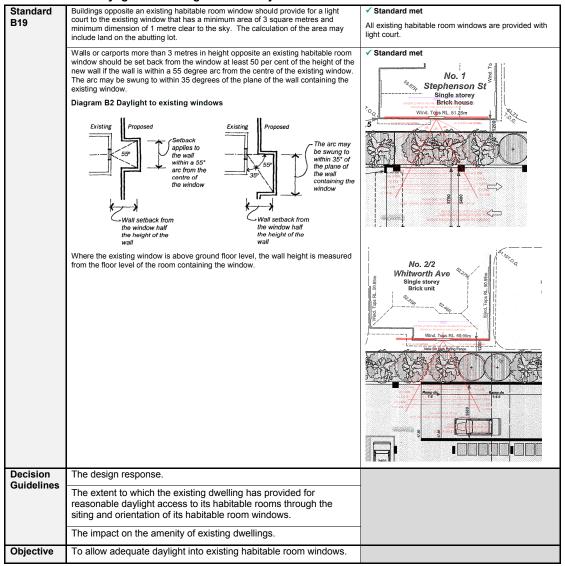
# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.04-2 Walls on boundaries objective

04		( Other densities of
Standard B18	A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:	✓ Standard met No walls on boundaries proposed.
	<ul> <li>For a length of more than the distance specified in the schedule to the zone; or</li> </ul>	
	<ul> <li>If no distance is specified in a schedule to the zone, for a length of more than:</li> </ul>	
	<ul> <li>10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> </ul>	
	<ul> <li>Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports,</li> </ul>	
	whichever is the greater.	
	A new wall or carport may fully abut a side or rear	✓ Standard met
	boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property.	No walls on boundaries proposed.
	A building on a boundary includes a building set back	✓ Standard met
	up to 200mm from a boundary.	No walls on boundaries proposed.
	The height of a new wall constructed on or within 200	✓ Standard met
	mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.	No walls on boundaries proposed.
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
	The design response.	
	The extent to which walls on boundaries are part of the neighbourhood character.	
	The impact on the amenity of existing dwellings.	
	The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.	
	The orientation of the boundary that the wall is being built on.	
	The width of the lot.	
	The extent to which the slope and retaining walls or fences reduce the effective height of the wall.	
	Whether the wall abuts a side or rear lane.	
	The need to increase the wall height to screen a box gutter.	
Objectives	To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	

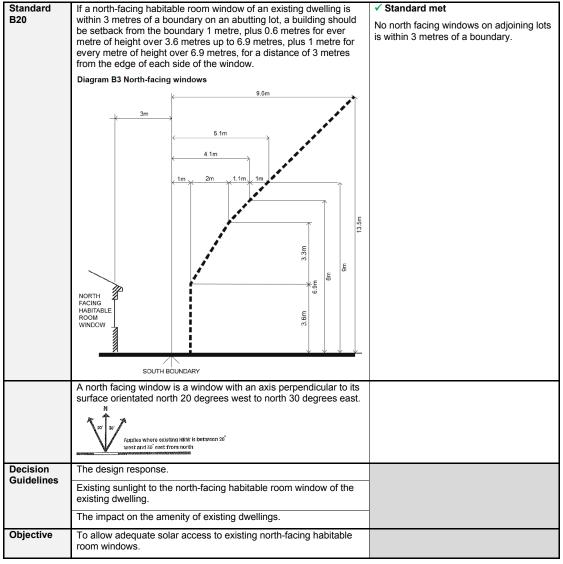
# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

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



# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

#### Clause 55.04-4 North-facing windows objective



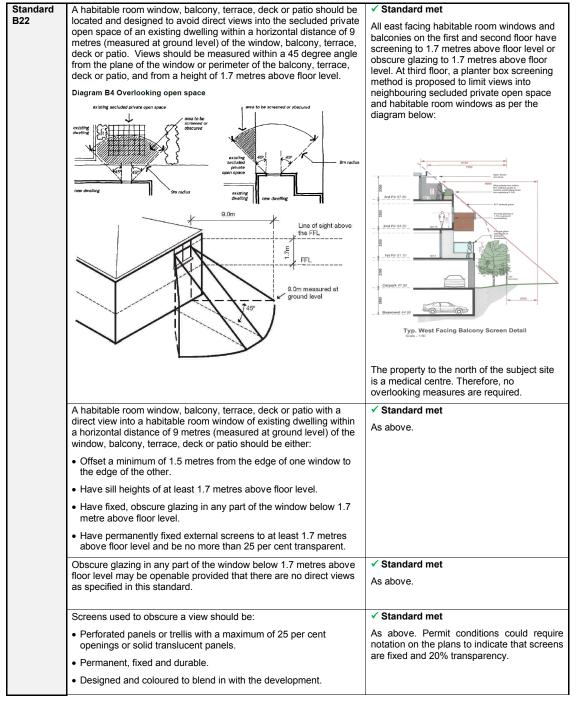
# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.04-5 Overshadowing open space objective

Standard B21	Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.	✓ Standard met Shadow diagrams provided show that neighbouring dwelling secluded private open space is not unreasonably reduced. The shadow diagram shows that between 9 and 10 am, the dwellings at 1 Stephenson Street and 2-2 Whitworth Avenue experience some shadow, however, it is negligible by 10am. Between 10am and 3pm, no overshadowing occurs. Therefore, the standard is met.
	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.	✓ Standard met
Decision Guidelines	The design response.	
Guidelineo	The impact on the amenity of existing dwellings.	
	Existing sunlight penetration to the secluded private open space of the existing dwelling.	
	The time of day that sunlight will be available to the secluded private open space of the existing dwelling.	
	The effect of a reduction in sunlight on the existing use of the existing secluded private open space.	
Objective	To ensure buildings do not significantly overshadow existing secluded private open space.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

#### Clause 55.04-6 Overlooking objective



# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

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

### Clause 55.04-7 Internal views objective

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

### Clause 55.04-8 Noise impacts objectives

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

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.05-1 Accessibility objective

Standard B25	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	✓ Standard met The proposed entry will include a small step, easily accessible to people with limited mobility. Amenities are provided at ground floor.
Objective	To encourage the consideration of the needs of people with limited mobility in the design of developments.	

### Clause 55.05-2 Dwelling entry objective

Standard B26	<ul> <li>Entries to dwellings and residential buildings should:</li> <li>Be visible and easily identifiable from streets and other public areas.</li> <li>Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul>	✓ Standard met Entries visible from street with appropriate sheltered areas provided.
Objective	To provide each dwelling or residential building with its own sense of identity.	

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

Standard	A window in a habitable room should be located to	✓ Standard met	
	<ul> <li>face:</li> <li>An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</li> <li>A verandah provided it is open for at least on third of its perimeter, or</li> <li>A carport provided it has two or more open sides and is open for at least on third of its perimeter.</li> </ul>	All habitable rooms have windows to an outdoor space clear to the sky meeting the minimum dimensions.	
Decision Guidelines	The design response.	-	
	Whether there are other windows in the habitable room which have access to daylight.		
Objective	To allow adequate daylight into new habitable room windows.		

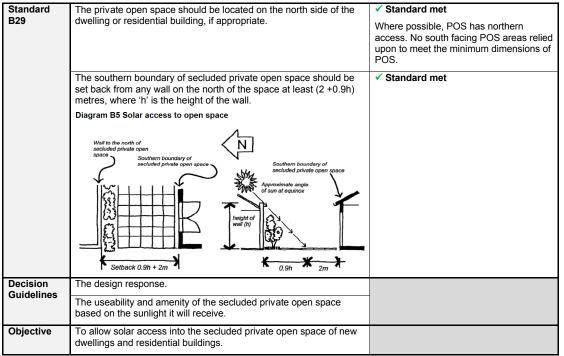
# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.05-4 Private open space objective

Standard B28	<ul> <li>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</li> <li><u>RGZ1</u>: None specified</li> <li>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</li> <li>An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or</li> <li>A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.</li> <li>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</li> </ul>	<ul> <li>✓ Standard met</li> <li>✓ Standard met</li> <li>Dwelling SoHo 1-7: POS is balcony of 10sqm east facing.</li> <li>Dwelling Apt 1: POS is ground level 69sqm with 34.3 sqm SPOS with min dimension of 3m.</li> <li>Dwelling Apt 2: POS is balcony of 10sqm, with 8.2sqm having min dimension of 2m. east facing.</li> <li>Dwelling Apt 3: POS is balcony of 14.6sqm, west facing.</li> <li>Dwelling Apt 4-5, 8-9: POS is balcony of 10.5 sqm west facing.</li> <li>Dwelling Apt 10: POS is balcony of 11.5 sqm east facing.</li> <li>Dwelling Apt 10: POS is balcony of 11.5 sqm east facing.</li> <li>Dwelling Apt 14: POS is balcony of 11.5 sqm east facing.</li> <li>Additional balcony of 4.1 sqm provided off the bedroom, west facing.</li> <li>Dwelling Apt 15-20: POS is balcony of 10sqm east facing.</li> <li>Additional 3.6sqm south facing balcony provided.</li> <li>Dwelling Apt22: POS is balcony of 11.82sqm west facing. Additional 3.6sqm south facing balcony provided.</li> <li>Dwelling Apt 23-24: POS is balcony of 10.5sqm west facing.</li> </ul>
		Dwelling Apt 25 &11: POS is balcony of 10.5 sqm west facing. Dwelling Apt 12-13: POS is balcony of 10.5 sqm west facing. Dwelling Apt. 26-34: POS is balcony of at least 22 sqm east or west facing.
Decision Guidelines	The design response.	
Guideimes	The useability of the private open space, including its size and accessibility.	
	The availability of and access to public or communal open space.	
	The orientation of the lot to the street and the sun.	
Objective	To provide adequate private open space for the reasonable recreation and service needs of residents.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

#### Clause 55.05-5 Solar access to open space objective



#### Clause 55.05-6 Storage objective

Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	✓ Standard met Storage spaces shown in basement.
Objective	To provide adequate storage facilities for each dwelling.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.06-1 Design detail objective

Standard	The design of buildings, including:	✓ Standard met with conditions.
B31	<ul> <li>Façade articulation and detailing,</li> <li>Window and door proportions,</li> <li>Roof form, and</li> <li>Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.</li> </ul>	The three course rectangular frames on the eastern elevation of the three-storey podium have provided some vertical modulations and relief, which have broken the north-south length of this massing. This built form modulation assists with the development's integration into the streetscape's surrounding finer grained scale of existing built forms It is suggested that vertical design elements could be incorporated into the western elevation to break up the mass of the development and more successfully integrate the proposed built form massing with the finer grained built forms along Whitworth Avenue and Stephenson's street. This can be achieved through permit conditions if a permit is issued.
	Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.	✓ Standard met
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. The effect on the visual bulk of the building and	
	whether this is acceptable in the neighbourhood setting.	
	architectural standard.	
Objective	To encourage design detail that respects the existing or preferred neighbourhood character.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.06-2 Front fences objective

Standard B32	dwelling or residential buildi properties. A front fence within 3 metres The maximum height spece <u>All schedules to all resid</u> "Maximum 1.5 metre heig 1 1.2 metre maximum height smaximum height specified Table B3 Maximum front fence height Street Context	ight in streets in Road Zone Category Int for other streets" pecified in a schedule to the zone, the I in Table B3. eight Maximum front fence height	<ul> <li>✓ Standard met         Low 1.5 metre high fence along             Springvale Road boundary.         </li> <li>✓ Standard met         Low 1.5 metre high fence along             Springvale Road boundary.     </li> </ul>
	Streets in a Road Zone, Category 1 Other streets	2 metres 1.5 metres	
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. The setback, height and appearance of front fences on adjacent properties. The extent to which slope and retaining walls reduce the effective height of the front fence. Whether the fence is needed to minimise noise intrusion.		
Objective	To encourage front fence de preferred neighbourhood ch	esign that respects the existing or aracter.	

### Clause 55.06-3 Common property objectives

Standard B33	Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management.	<ul> <li>Standard met</li> <li>Common areas are delineated by paving, landscaping and fencing and built form.</li> <li>Standard met</li> <li>Common areas are delineated by paving.</li> </ul>
		Common areas are delineated by paving, landscaping, fencing and built form and appear to be capable of efficient management.
Objectives	To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.	
	To avoid future management difficulties in areas of common ownership.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

### Clause 55.06-4 Site services objectives

Standard B34	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.	✓ Standard met
	Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	✓ Standard met Bin area proposed within the car parking area at ground level. Mail box proposed at the main entry off Springvale Road.
	Bin and recycling enclosures should be located for convenient access by residents.	<ul> <li>✓ Standard met</li> <li>As above.</li> </ul>
	Mailboxes should be provided and located for convenient access as required by Australia Post.	<ul> <li>✓ Standard met</li> <li>As above.</li> </ul>
Decision Guidelines	The design response.	
Objectives	To ensure that site services can be installed and easily maintained.	
	To ensure that site facilities are accessible, adequate and attractive.	

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

Assessment against C182	(part 2) - Schedule 3 to the	Residential Growth Zone
Requirement of Clause 55	Requirement	Response
Minimum Street Setback	As per B6 or 5 metres,	Standard not met. Variation required.
Standard B6	whichever is lesser	Setback from Springvale Road required: 5 metres. Provided: 2 metres
		Setback from Stephenson Street required: 3 metres. Provided: 4 metres
		It is considered that the reduced setback to Springvale Road is appropriate given its location on a Road Zone Category 1, directly opposite a row of attached townhouses at 85-89 Springavle Road which also feature a 2 metre setback from Springvale Road.
		As required by the policy at Clause 22.09, the proposal provides for a consolidation of allotments to increase development potential, increase residential density and achieve an improved design outcome.
		In addition, the reduced setback to Springvale Road allows for the additional space to be provided along side and rear boundaries to soften the built form when viewed from neighbouring properties.
Site coverage Standard B8	Maximum of 70%	✓ Complies Site coverage proposed: 69.2%
Landscaping Standard B13	70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees.	✓ Complies 70% landscaping in the front is proposed. Side and rear provided with substantial landscaping as shown on the landscape plan.
Private Open Space Standard B28	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 living room.	<ul> <li>Standard not met. Variation required.</li> <li>Dwelling SoHo 1-7: POS is balcony of 10sqm east facing.</li> <li>Dwelling Apt 1: POS is ground level 69sqm with 34.3 sqm SPOS with min dimension of 3m.</li> <li>Dwelling Apt 2: POS is balcony of 10sqm, with 8.2sqm having min dimension of 2m. east facing.</li> <li>Dwelling Apt 3: POS is balcony of 14.6sqm, west facing.</li> <li>Dwelling Apt 4-5, 8-9: POS is balcony of 10.5 sqm west facing.</li> <li>Dwelling Apt 6-7: POS is balcony of 11.5 sqm west facing.</li> <li>Dwelling Apt 10: POS is balcony of 11.5 sqm east facing.</li> <li>Dwelling Apt 14: POS is balcony of 11.5 sqm east facing.</li> <li>Dwelling Apt 14: POS is balcony of 10.5 sqm east facing.</li> <li>Dwelling Apt 15-20: POS is balcony of 10sqm east facing.</li> <li>Dwelling Apt 21: POS is balcony of 13.3sqm east facing.</li> <li>Additional 3.6sqm south facing balcony provided.</li> <li>Dwelling Apt 23-24: POS is balcony of 10.5 sqm west facing.</li> <li>Dwelling Apt 25 &amp;11: POS is balcony of 10.5 sqm west facing.</li> <li>Dwelling Apt 25 &amp;11: POS is balcony of 10.5 sqm west facing.</li> <li>Dwelling Apt 25 &amp;11: POS is balcony of 10.5 sqm west facing.</li> </ul>
		While dwelling Apt2 does have the required area of POS, it does not have 10 square metres with a minimum dimension of 2 metres. However, this is

# 2.3.4 Town Planning Application - No. 86-92 Springvale Road, Springvale (Planning Application No. PLN17/0213) (Cont.)

		considered acceptable in this instance as it is only one of the 41 dwellings which does not meet the standard, it is only a small variation on the standard and a communal open space area has been provided on the top floor, providing for some additional open space for use by residents. It is considered that adequate space has been provided for the recreational and service needs of residents.
Front fence height Standard B32	Maximum 1.5 metre height if streets in Road Zone Category 1 1.2 metre maximum height for other streets	✓ Complies Low 1.5 metre high open fence proposed to a Road Zone Category 1.

# 2.4 POLICY AND STRATEGY

## 2.4.1 Road Asset Management Plan

File Id:

Responsible Officer:

Attachments:

A4507675

Director Engineering Services

Proposed amended Road Management Plan 2017-21

# **Report Summary**

Council considered the results of a review of the City of Greater Dandenong's Road Management Plan (*RMP*) at its meeting on the 13 June 2017. The review was a requirement of the *Road Management Act 2004* and the *Road Management (General) Regulations 2016*. The review report and recommended changes are included in the Council minutes for the meeting on 13 June 2017.

As a result, Council resolved to give notice of a proposed amendment to the current RMP and advise that any person who was aggrieved by the proposed amendment could make a submission to Council.

The RMP provides Council with a legal "policy defence" against civil liability claims associated with the management of the City's road and road related infrastructure. In short, the RMP details how and by what standards and priorities Council will inspect, repair and remove hazards on its public roads in the context of available budgetary and other resources.

No public submissions were received as a result of giving public notice of the proposed amended RMP.

Council's insurers have however, now provided new information which needs to be considered prior to Council considering the final adoption of the amended RMP. As a result, further changes to the proposed RMP are recommended and an updated proposed RMP is presented to Council for consideration and giving public notice (attached).

Council's legal advisors have advised that it would be prudent for Council to give public notice of the updated proposed RMP and invite any further submissions. This will ensure that Council has fully complied with the legislative requirements to amend the RMP and will give certainty to the final plan when adopted by Council.

# **Recommendation Summary**

This report recommends that Council:

- determines its intention and gives notice to amend the current RMP in accordance with the updated proposed RMP.
- considers any submissions received prior to Council making a decision on whether to adopt or not adopt the proposed amendment to the RMP.

# Background

The *Road Management Act 2004* (*the RM Act*) establishes a legislative scheme to allow each road authority to determine its own framework, priorities and standards for the care and management of public roads and road related infrastructure under its administration by the use of an appropriate Road Management Plan.

The Road Management Plan (*RMP*) provides Council with a legal "policy defence" against civil liability claims associated with management of the City's road and road related infrastructure. In short, the RMP details how and by what standards and priorities Council will inspect, repair and remove hazards on its public roads in the context of available budgetary and other resources.

In accordance with section 54(5) of the RM Act and regulations 8 and 9 of the *Road Management (General) Regulations* 2016, all Councils as municipal road authorities are required to conduct and complete a review of their RMP's within 6 months of a general election or by the next 30 June whichever is later (*review*).

A review of the current City of Greater Dandenong's Road Management Plan was undertaken in February 2017 pursuant to the requirements of section 54(5) of the Act and regulations 8 and 9 of the *Road Management (General) Regulations 2016*. A review report including recommended changes was prepared and provided to Council on the 13 June 2017 to consider. The review report and recommended changes are included in the Council minutes for the meeting on 13 June 2017.

Council resolved the following at its meeting on the 13 June 2017.

## That Council:

- 1. endorses that the current Road Management Plan (RMP) will remain in place until such time that the new and revised RMP takes affect later in the year.
- 2. notes the report of the RMP review (review) prepared in accordance with the requirements of section 54(5) of the Road Management Act 2004 (Act) and regulations 8 and 9 of the Road Management (General) Regulations 2016 (Regulations) summarising the findings and conclusion of the review (review report).
- 3. directs that the review report be made available for copying or inspection at the place(s) where Council's RMP may be inspected or obtained in accordance with section 55(1)(b) of the Act and on the Internet website maintained by Council.
- 4. in accordance with the findings and conclusion of the review report, determines the intention to amend the RMP in the manner recommended by the review report (proposed amendment of the road management plan) and as detailed in Attachments 1, 2 and 3 attaching to this resolution.

- 5. directs that public notice of the proposed amendment of the RMP be given in the "The Age" in accordance with the requirements of regulation 10 of the Regulations; and
- 6. directs that any submissions received in respect of the proposed amendment of the RMP are to be referred to Council for consideration prior to Council making a final decision on whether or not to adopt the proposed amendment of the RMP.

A "Notice of Proposed Amendment to the Road Management Plan" was subsequently given in the Victoria Government Gazette on the 24 August 2017 and in The Age newspaper on the 24 August 2017 advising that any person who was aggrieved by the proposed amendment could make a submission to Council by 5 pm on 25 September 2017. The "Notice of Proposed Amendment to the Road Management Plan", the review report and the proposed amended RMP were made available for copying and inspection at Councils offices and on Councils website.

As a result of giving the public notice and inviting submissions on the proposed amended RMP, no public submissions were received.

Since the public notice period ended, Council's insurers have however, now provided new information in relation to Council's RMP which needs to be considered prior to Council considering the final adoption of the amended RMP.

Council's insurers undertake a bi-annual assessment and audit of Council operations in relation to Public and Professional Liability and the results of these assessments may influence Council's insurance premiums. Council's RMP and its compliance (or non-compliance) with the standards and specifications set out in the adopted RMP are included in these assessments by Council's insurers.

As a result of the new information from Council's insurers, further changes to the proposed RMP are being recommended and an updated proposed RMP is presented to Council for consideration and giving of further public notice (attached).

In summary, the further amendments to the originally proposed amended RMP relate to: -

1. Ensuring that intervention levels are for hazards rather than routine maintenance;

2. Specifying specific time frames for some intervention levels rather than referring to the annual programs;

3. Ensuring that the RMP is in line with recent court decisions relating to RMP's and the RM Act and;

4. Alignment of some intervention levels to "similar" industry standards

The specific further changes which are now being proposed to the Road Management Plan previously endorsed by Council are contained in the Appendices to the Plan and they relate to the standards which Council will set in relation to specified intervention levels for the inspection, repair and hazard removal along roadways, pathways and other infrastructure under the administration of Council.

Council's insurers have further reviewed the updated proposed RMP and are satisfied with the changes.

Advice from Council's legal advisors has indicated it would be prudent for Council to again give public notice of the updated proposed RMP and invite any submissions. This will ensure that there is no doubt about the legitimacy of Council making further changes to the proposed RMP after the original public notice of the proposed amendment was given and it is otherwise considered appropriate to do so.

## Council Plan 2017-21

The Council Plan 2017-2021 describes the kind of future the Council is working towards and how Council will do this over the next four years. This report is consistent with the following goals:

### <u>Place</u>

- Infrastructure that supports people and business; and
- Assets planned to meet future community needs

Council's broad approach in seeking to fulfil its long-term obligations to facilitate acceptable services for the community is to plan and develop service strategies.

In relation to infrastructure asset services, these strategies include: Asset Management Strategy, Public Transport Strategy, Integrated Transport Strategy, Bicycle Shared Use Network Plan, Access and Mobility Plan, RCD Urban Master Plan and Environmental Strategy.

The proposed Road Management Plan (and the further amendments being recommended) complements these existing strategies.

## **Related Council Policies**

Council has an Asset Management Policy. It sets the corporate framework for managing the City's infrastructure. This is achieved by implementing best-practice asset management methodology across its asset portfolio to ensure that infrastructure assets are usable, accessible and safe.

## Victorian Charter of Human Rights and Responsibilities

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

## **Financial Implications**

There are no financial implications associated with this report.

Council's funding of its road and road related infrastructure renewal and hazard removal has increased over the past three years. Based on Council's current asset management information, Council is fully funding the asset renewal and hazard removal requirements of its road and road related infrastructure assets. In this respect, the implementation of the intervention levels contained in the updated proposed amended RMP will be funded within the current and future budget projections within Council's long term financial strategy.

Inspection and response standards contained in the updated proposed amended *City of Greater Dandenong Road Management Plan* have been based on an approach that aims to balance customer expectations with sustainable financial management and sound risk management practice.

## Consultation

The Engineering Services Units, Regulatory Services Units, Risk Management and OHS Units and other relevant officers were consulted regarding the review of the RMP and further comments received from Council's insurers. Legal input has included advice from Macquarie Local Government Lawyers, Michael Beasley Law and the MAV legal team. Their advice has been considered in the development of this report and the proposed revised RMP.

Information gained from external and internal sources, including historic knowledge of demand, risk and customer expectation has guided the development of the inspection and response standards. Council otherwise recognises the need to continually review and alter these standards as the need arises, and subject to funding sustainability.

## Conclusion

The updated proposed amended RMP will ensure that the performance of Council's road management functions constitute an appropriate level of service, that is fit for purpose and accessible, responsive and sustainable. It is therefore concluded that the revised proposed RMP will service the community better and should therefore be released for public exhibition for at least 28 days in accordance with the legislative requirements.

## Recommendation

## That Council:

- 1. in accordance with the further changes being made to the proposed road management plan of Council (RMP) and after having originally given public notice of the initial proposed amended RMP, determines its intention to further amend the road management plan in the manner indicated in the updated proposed RMP as attached to this report (proposed further amendment of the road management plan;
- 2. directs that further public notice of the updated proposed amendment of the road management plan be given in the "Victoria Government Gazette" and "The Age" in accordance with the requirements of Regulation 10 of the Road Management (General) Regulations 2016;
- 3. directs that the proposed amended RMP be made available to the public for copying and inspection at Council's office and online on Council's Internet website; and
- 4. directs that any submissions received in respect of the proposed further amendment of the road management plan are to be referred to Council for consideration prior to Council making a final decision on whether or not to adopt the proposed further amendment of the road management plan.

## Cr Zaynoun Melhem left the Chamber at 7:35pm.

# MINUTE 590

Moved by: Cr Roz Blades AM Seconded by: Cr Tim Dark

## That Council:

- 1. in accordance with the further changes being made to the proposed road management plan of Council (RMP) and after having originally given public notice of the initial proposed amended RMP, determines its intention to further amend the road management plan in the manner indicated in the updated proposed RMP as attached to this report (proposed further amendment of the road management plan;
- 2. directs that further public notice of the updated proposed amendment of the road management plan be given in the "Victoria Government Gazette" and "The Age" in accordance with the requirements of Regulation 10 of the Road Management (General) Regulations 2016;

- 3. directs that the proposed amended RMP be made available to the public for copying and inspection at Council's office and online on Council's Internet website; and
- 4. directs that any submissions received in respect of the proposed further amendment of the road management plan are to be referred to Council for consideration prior to Council making a final decision on whether or not to adopt the proposed further amendment of the road management plan.

CARRIED

Cr Jim Memeti left the Chamber at 7:37pm.

POLICY AND STRATEGY

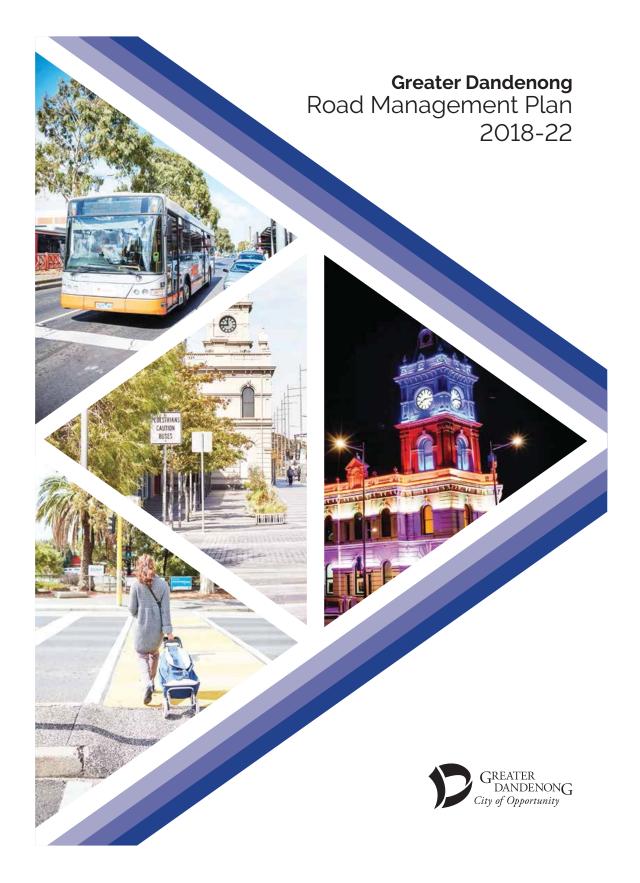
ROAD ASSET MANAGEMENT PLAN

# **ATTACHMENT 1**

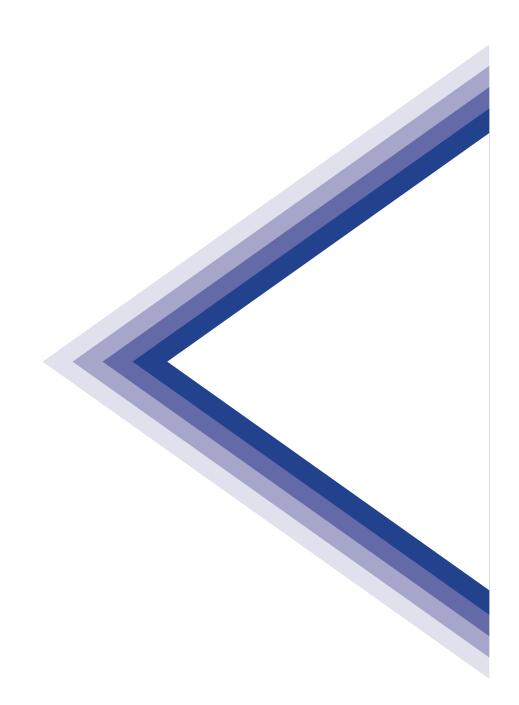
# PROPOSED AMENDED ROAD MANAGEMENT PLAN 2017-21

PAGES 25 (including cover)

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



2.4.1 Road Asset Management Plan (Cont.)



ORDINARY COUNCIL MEETING MINUTES

# 2.4.1 Road Asset Management Plan (Cont.)

# Table of Contents

City of Greater Dandenong Road Management Plan2
Glossary of Terms3
1.0 Introduction
1.1 Background5
1.2 Purpose
1.3 Key stakeholders
1.4 Public Roads Register
1.5 Obligations of road users7
1.6 Delegations7
2.0 Road Management System8
2.1 Regulations and Code of Practice8
2.2 New subdivisional roads8
2.3 Registration of public roads9
2.4 State roads9
2.5 Municipal roads9
2.6 Demarcation of Responsibilities10
2.0 Road Management System10
2.7 Performance Review11
3.0 Inspection Standards and Service Level12
3.1 Proactive Inspections12
3.2 Reactive Inspections13
3.3 Exceptional Circumstances14
3.0 Inspection Standards and Service Level14
4.0 References15
4.1 Definitions15
Appendix 1: Intervention Levels16
Appendix 2 - Hierarchies

Road Management Plan 2018-22 1



### City of Greater Dandenong Road Management Plan

The City of Greater Dandenong manages, in accordance with this Road Management Plan (**Road Management Plan** or **RMP**), the roads (including any ancillary areas) for which it has responsibility pursuant to the Road Management Act 2004 (**Road Management Act** or **RMA**).

Council's responsibility under the Act also extends to the management of roads, such as service roads and dedicated parking lanes alongside declared arterial roads, for which the Council is also the responsible road authority.

The City of Greater Dandenong's *'Register of Public Roads'* (available at Council's offices during normal working hours) provides additional details of each of the roads for which Council is responsible, however, the Register is not an 'incorporated document'in this Road Management Plan.

This Road Management Plan also includes the following:

• City of Greater Dandenong's 'Road Management System', which sets out details of the management system to be implemented by Council in the discharge of its duty to inspect, maintain and repair public roads pursuant to the Road Management Act 2004 (As 'incorporated documents' in this Road Management Plan), Council's Road Hazard Intervention Standards, which are the standards (dealing with intervention levels and response timelines) in accordance with which Council will perform its road management functions (Appendix 1 to this Road Management Plan (and being Tables 1, 2 and 3 respectively)).

The City of Greater Dandenong's Road Management Plan has been prepared in accordance with Division 5 of Part 4 of the *Road Management Act* 2004.

Council appreciates information from the public regarding any road or traffic hazards. The 24 hour contact phone number is 03 8571 1000.

Notwithstanding that this Road Management Plan is a publicly available document, any queries in relation to or requests to view this Road Management Plan should be directed to:

Manager Infrastructure Services and Planning 225 Lonsdale Street DANDENONG VIC 3175

Further information is also available on Council's website at greaterdandenong.com

2 Greater Dandenong

# Glossary of Terms

Unless the context or subject matter requires otherwise, the following terms in this road management plan have the following meanings:

Term	Definition
Arterial roads	Freeways, highways & declared main roads which are managed by the State Government through VicRoads.
Code of Practice	Code of Practice for Road Management Plans (13 September 2004).
	Supporting document to the legislation, which provides practical guidance to a road authority in the making of a RMP.
Consent applications	Applications made by other road authorities, private contractor and utilities companies to perform works on Council-managed roads.
'Exceptional Circumstances' clause	A clause included in the RMP that describes the conditions under which a Council can suspend its maintenance and inspection responsibilities under the RMP due to the occurrence of events outside their control.
	The 'Exceptional Circumstances' clause also details the process for reinstating the RMP.
Hazard/defect description	Refers to a change to the road or footpath surface that introduces a hazard to public safety. Common terminology includes: pothole, lift, shove, lip, crazing, depression, etc.
Infrastructure and works managers	Staff of road authorities that are responsible for the management and maintenance and hazard response of roads as determined by the classification system within the Road Management Act 2004 and as contained in the Roads Register.
Intervention level	The size of a defect at which the road authority has determined that the defect will be rectified.
Level of Service	Describes the outputs or objectives an organisation or activity intends to deliver to its customers.
Municipal roads	Roads for which Council is the responsible road authority.
Non-road	Includes infrastructure in, on, under, or over a road, which is not road infrastructure.
infrastructure	The RMA provides examples of non-road infrastructure that includes: gas pipes, water and sewerage pipes, cables, electricity poles, bus shelters, rail infrastructure, public telephones, mail boxes, road side furniture and fences erected by utilities or providers of public transport.
Other roads	Include roads in State reserves, and roads on private property.
	Council is not responsible for the care and maintenance of these roads.
Path or pathway	The definition of pathway provided in the RMA captures both 'footpaths' and 'shared pathways' as outlined below:
	It includes a footpath, bicycle path or other area constructed or developed by a responsible road authority for use by members of the public other than with a motor vehicle but does not include any path:
	(a) which has not been constructed by a responsible road authority;
	or
	(b) which connects to other land.
Proactive Condition inspections (Mode 3)	Inspections conducted to assess the life of the road and footpath network and to prioritise major works.
Proactive inspections (Mode 1)	Inspections performed as part of a scheduled program, according to the classification of roads, which is based on the road classification, volume of traffic etc., for the purpose of identifying defects above intervention and to provide a record that the road has been inspected

Road Management Plan 2018-22 3

# Glossary of Terms

Term	Definition
Public Road Register	List of roads within a municipality that a council is responsible for. Council is required to keep a register under s.19 of the RMA.
Reactive inspections (Mode 2)	Inspections performed in response to a customer request or notification about the condition of the road, in order to assess whether the road contains a RMP hazard that has reached the relevant intervention level.
Responsible road authority	The organisation responsible for the management of the road, as determined under s.37 of the RMA.
Road	Includes a street; right of way; cul de sac; by-pass; bridge or ford; footpath; bicycle path or other land or works forming part of the road.
Road infrastructure	The infrastructure which forms part of a roadway, pathway or shoulder, including:
	<ul> <li>Structures forming part of the roadway, pathway or shoulder; and the road-related infrastructure;</li> </ul>
	<ul> <li>Materials from which a roadway, pathway or shoulder is made; such as asphalt, bitumen, gravel, lane markers and lines.</li> </ul>
Road Management Act (RMA)	Road Management Act 2004 (Vic)
	The Act provides a statutory framework for the management of the road network in Victoria.
Road Management Plan (RMP)	A policy document developed by a Council to assist in the management of its road- related duties and responsibilities, as defined in the RMA.
Road related infrastructure	Infrastructure which is installed by the relevant road authority for road related purposes to $-\!\!-$
	Facilitate the operation or use of the roadway or pathway; or
	<ul> <li>Support or protect the roadway or pathway.</li> </ul>
	Examples: Traffic islands, traffic management signage, traffic control sign, traffic light, kerb and channel, a bridge, culvert or ford, road drain or embankment, a noise wall, gate, post or board installed on the road reserve.
Road reserve	All of the area of land that is within the boundaries of a road.
Roadside	Any land that is within the boundaries of a road (other than the shoulders of the road) which is not a roadway or a pathway and includes the land on which any vehicle crossing or pathway which connects from a roadway or pathway on a road to other land has been constructed.
Timelines	In determining timelines, the City takes into consideration factors including finances and resources available. Timelines are goals only where the City endeavours to achieve such timelines "as soon as reasonably practicable" thereafter.

4 Greater Dandenong

# 1.0 Introduction

#### 1.1 Background

This Road Management Plan is a policy document of the Council which:

- describes the public road assets and the road and road-related infrastructure within road reserves for which Council is responsible
- outlines Council's road management system, sets intervention levels, inspection and response standards and maintenance and repair standards and
- sets out the review, audit and amendment processes the Council will implement to ensure that its responsibilities under the *Road Management Act* 2004 are met in a timely and efficient manner.

Council, as a road authority (and as a defence to any proceedings for damages against Council resulting from the performance or non-performance of a road management function in respect of a public road) is entitled to rely on and prove a defence that Council had taken such care as in all the circumstances was reasonably required to ensure that the relevant part of a public road was not dangerous for traffic (defence).

For the purposes of the defence, Council may rely on a policy which is reasonably based, and which has otherwise been complied with. This Road Management Plan is, and comprises, that policy.

The implementation and management of this Road Management Plan is otherwise, and separately, consistent with Council's various other strategic and corporate plans and policies.

However and notwithstanding Council's other strategic and corporate plans and policies, this Road Management Plan is and at all times remains a stand-alone and all-encompassing policy document of Council (for the inspection, repair and maintenance of public roads, paths and road and road-related infrastructure within the municipality of the City of Greater Dandenong) and without recourse to any other policy, practice, or procedure of Council in relation to the performance or non-performance of Council's public road, path and road infrastructure management functions. If, and to the extent, any other policy, practice or procedure of Council:

- requires (or purports to require) any act, matter or thing to be done by or on behalf of the Council in relation to the performance or non-performance of Council's public road, path and road infrastructure management functions and
- adopts (or purports to adopt) a standard which is or may be in conflict, or inconsistent, with the standards specified in, and by, this Road Management Plan (other standards)

the standards specified by this Road Management Plan prevail over the other standards to the extent of such conflict or inconsistency, and the other standards are of no force or effect.

This Road Management Plan (in relation to the construction, inspection, maintenance and repair of those public roads within the municipal district of the City of Greater Dandenong for which Council is the responsible road authority (including in relation to suitable prioritisations for the maintenance and repair of road infrastructure on public roads)) is a policy document of the Council and is based substantially on financial, economic, political, social or environmental considerations.

Council formally records that the funding which it has provided to implement this Road Management Plan has been substantially influenced by (and the Council has expressly taken into account) *budgetary allocations and the constraints which they entail in terms of the allocation of Council resources.* 

The City has a substantial network of variously classified roads and the following infrastructure may be impacted by the requirements of the Act:

- 669km of sealed roads
- 8km of unsealed roads
- 1,136km of paths

Note: these figures are accurate as at 30 June 2016.

The City's financial resources available to assist it to meet compliance with the *Road Management Act* and this Road Management Plan are approximately \$5.4M per annum (based on the 2016-17 financial year), although these figures are subject to change annually.

Road Management Plan 2018-22 5

# 1.0 Introduction

#### 1.2 Purpose

In accordance with section 50 of the *Road Management Act* 2004, the purpose of this Plan is to:

- establish a management system for the road management functions of the Council which is based on policy and operational objectives and available resources and
- specify the relevant standards in relation to the discharge of duties in the performance of those road management functions.

This Road Management Plan sets out the management system that Council proposes to implement in the discharge of its statutory duty to inspect, maintain and repair public roads for which Council is responsible.

This Plan also reflects the 'local government charter' and the purposes and objectives of Council as specified under sections 3A and 3C of the *Local Government Act* 1989. Other legislation which also relates to this Plan includes the *Road Safety Act* 1986 and the *Transport Act* 1983.

With respect to the discharge by Council of its duties under the *Road Management Act* 2004, and otherwise in accordance with this Road Management Plan, Council records that it considers, for the purposes of section 39 of the Act, it has adopted and made a reasonable policy decision in relation to the management of public roads in the municipal district (policy decision).

Council considers that the policy decision is otherwise one which accords to the requirements of section 103(b) of the Act, which relevantly provides that:

If for the purposes of any proceeding ... an act or omission which is in accordance with a policy determined by the relevant road authority under section 39 does not constitute a wrongful exercise or failure unless the policy is so unreasonable that no road authority in the road authority's position acting reasonably could have made that policy."

### 1.3 Key stakeholders

In preparing this Road Management Plan, Council has considered the interests of key stakeholder groups in the community (as both users of the road network and affected by the network) including:

- the community in general (for recreation, sport, leisure, education and business)
- residents and businesses adjoining the road network
- pedestrians
- users of a range of miscellaneous smaller, lightweight vehicles such as bicycles, motorised buogies, wheelchairs and prams
- vehicle users using motorised vehicles such as trucks, buses, commercial vehicles, cars and
- motor cyclestourists and visitors to the area
- utilities as described in section 3 of the *Road*
- Management Act 2004
- school, bus and public transport operators
- emergency agencies including the Police, Fire Brigade, Ambulance & the Vic SES
- Council as the responsible road authority
- State and Federal Government that periodically provide support funding to assist with management of the network;and
- Parks Victoria.

### 1.4 Public Roads Register

The Register of Public Roads (which determines the public roads which Council must inspect, maintain and repair) must include:

- the name of each public road
- the date on which the road became a public road
- if a public road ceases to be a public road, the date on which the road ceased to be a public road
- the classification, if any, of the public road
- the reference to any plan or instrument that fixes or varies the boundaries of a public road
- any ancillary areas and
- a reference to any arrangement under which road management functions are transferred to or from another road authority.

### 1.5 Obligations of road users

All road users have separate obligations with respect to their use of a road which is set out in section 17A of the *Road Safety Act* 1986 as follows:

- A person who drives a motor vehicle on a highway must drive in a safe manner having regard to all the relevant factors including (without limiting the generality) the:
  - (a) physical characteristics of the road
  - (b) prevailing weather conditions
  - (c) level of visibility
  - (d) condition of the motor vehicle
  - (e) prevailing traffic conditions
  - (f) relevant road laws and advisory signs
  - (g) physical and mental condition of driver.
- (2) A road user other than a person driving a motor vehicle must use a highway in a safe manner having regard to all the relevant factors.
- (3) A road user must:
  - have regard to the rights of other road users and take reasonable care to avoid any conduct that may endanger the safety or welfare of other road users
  - (b) have regard to the rights of the community and infrastructure managers in relation to road infrastructure and non-road infrastructure on the road reserve and take reasonable care to avoid any conduct that may damage road infrastructure and non-road infrastructure on the road reserve
  - (c) have regard to the rights of the community in relation to the road reserve and take reasonable action to avoid conduct that may harm the environment of the road reserve.

In addition, Council's *Local Law No. 3 of 4, 2011 Road Management and Asset Protection* regulates activity in or on a road reserve. Specifically, the local law seeks (with appropriate requirements and penalties) to:

- prevent accidents and damage by regulating the growing of vegetation on land
- provide for the naming of roads and display of property numbers
- prevent the leaving of shopping trolleys in public places
- regulate the placing of signs and goods on roads
- regulate street trading
- regulate street collecting
- regulate busking on roads and in public places

- regulate soliciting trade on roads and in public places
- · regulate the use of toy vehicles
- regulate the establishment of outdoor eating facilities, including sale or consumption of alcohol
- regulate the repair of vehicles and prohibit the deposit of spoil on roads
- prohibit the abandoning of vehicles and provide for the impounding of abandoned and derelict vehicles
- regulate the operation and use of motorised vehicles
- secure the physical assets of Council
- · regulate the use of roads by heavy vehicles
- provide for and regulate the construction of vehicle crossings and
- regulate other activities on roads, including circuses, festivals, events, carnivals and other public gatherings.

### **1.6 Delegations**

Under Council's Instrument of Delegation to Members of Council Staff No.7, the Chief Executive Officer has delegated various functions under the *Road Management Act* 2004 and the relevant Regulations and Codes of Practice made under that Act to respective Council officers. This allows Council, through various responsible members of staff, to respond quickly to technical and administrative matters under the Plan.



Road Management Plan 2018-22 7

## 2.0 Road Management System

The Road Management plan is one of the supporting documents of the Road Management System. This system also includes the asset management of the roads and related infrastructure. Policies are also incorporated into the system to ensure the roads are managed for optimal benefit of the community.

## Development of standards and guidelines and the Road Management Plan

The Road Asset Management Plan (RAMP) provides for the asset lifestyle management of the road network and includes the demand and risk analysis for the provision of the road network as well as 10 yeah planning for the acquisition, renewal, upgrade, expansion, maintenance and disposal programs for the assets. The RAMP is updated on a four year cycle, and the 10 year plans are updated yearly. In particular this includes the maintenance programs, which are created to preserve the road infrastructure, in order to optimise the life of the assets in a cost effective way. Condition inspections inform the decision making and updates to these programs.

Each road, path and bridge has a hierarchy allocated to them and had been established based on their level of importance and risk exposure. These assets are held in Council's Asset System. The details of the roads are published in the Register of Public Roads and a set of performance targets, standards and guidelines are updated in line with the regular updates of the RAMP.

The maintenance programs that are established in the RAMP identity maintenance to extend the life of the asset, these can include;

- Routine maintenance
- Periodic maintenance
- Road Rehabilitation

Key risks, priorities, hazards and defects not dealt with as part of the above maintenance programs are detailed in the Road Management Plan which identifies defects or hazards generated by the age, usage and or weather or other conditions. Standards and guidelines are created to allow council to respond within the financial, economic, political, social or environmental considerations.

#### Implementing the Road Management Plan

The Road Management plan is implemented through the inspection regime in Section 3 and the Intervention Levels and response times in Appendix 1.

### 2.1 Regulations and Code of Practice

During the review and preparation of this Road Management Plan, Council has taken into consideration the relevant regulations made under the *Road*  Management Act 2004, other relevant statutory rules and the guidelines set out in the relevant Codes of Practice, and it will continue to have regard to these regulations, rules and codes (as they may change from time to time) in the performance of Council's road management functions.

The following Codes of Practice and Regulations that relate to this Road Management Plan are set out below and can be viewed via the VicRoads website at www.vicroads.vic.gov.au

- Code of Practice No. S 201 Road Management Plans
- Code of Practice No. S 267 Operational Responsibility for Public Roads
- Code of Practice No. S 269 Management of Infrastructure in Road Reserves
- Code of Practice No. S 351 for Worksite Safety-Traffic Management
- Road Management (General) Regulations 2016Road Management (Works and Infrastructure)
- Regulations 2015
- Road Safety Road Rules 2009 and

Road Safety (Traffic Management) Regulations 2009.
 Section 24(4) of the Road Management Act 2004 also provides that –

A Code of Practice cannot—

- (a) impose a duty on any person or
- (b) direct how any matter or thing is to be done or
- (c) create an enforceable legal right or
- (d) impose any liability or penalty.

### 2.2 New subdivisional roads

Roads created due to subdivision developments or changes in the existing road network are incorporated on a regular basis into Council's Register of Public Roads by Council's Asset Management Coordinator.

Until a subdivisional road under the *Subdivision Act* 1988 is adopted as a public road on Council's Register of Public Roads (on the basis that Council has determined that the road is 'reasonably required for general public use'), Council in the exercise of its discretions over public highways does not assume responsibility for the inspection, maintenance and repair of those roads.

Council's current policy and practice is not to adopt a new subdivisional road as a 'public road' until the date of practical completion of the approved subdivision works. The date of practical completion will be followed with the

issue of the statement of compliance and is to be agreed to in writing by Council's delegated officer when the subdivisional works are considered satisfactory, on which date the whole of the works are considered to have entered into the maintenance period. The maintenance period shall be not less than three months.

### 2.3 Registration of public roads

Council's Register of Public Roads lists those municipal roads which Council considers are public roads and for which the City of Greater Dandenong is the coordinating and responsible road authority.

Council's Register of Public Roads is compiled (and roads are registered on the Register) in accordance with the principles outlined in the City of Greater Dandenong's Roads Register Guidelines. These Guidelines assist Council in determining whether a road is 'reasonably required for general public use' within the meaning of section 17(3) of the *Road Management Act* 2004. They are set out in **Appendix 2** to this Road Management Plan.

### 2.4 State roads

The following state roads within the municipality are managed by VicRoads, Council retains responsibility for nature strips, outer separators and service roads (if any) on **Declared Arterial Roads** unless otherwise agreed with VicRoads.

Freeways located in the City of Greater Dandenong are:

- EastLink (Police Road to Thompsons Road)
- Monash Freeway (Dandenong Creek to Police Road)
- Mornington Peninsula Freeway (Thompson Road to Springvale Road) and
- South Gippsland Freeway (South Gippsland Hwy to Princes Hwy).

**Declared Arterial Roads** located in the City of Greater Dandenong are:

- Centre Road (Springvale Road to Westall Road)
- Chandler Road (Cheltenham Road to Princes Highway)
- Cheltenham Road (Foster Road to Springvale Road)
- Dandenong Hastings Road (Thompson Road to Princes Highway)
- Elonera Road (Princes Highway to Meredith Street)
- Foster Street (Thomas Street to Clow Street)
- Dandenong By Pass (Springvale Road to South Gippsland Highway)
- Frankston Dandenong Road (Princes Highway to Thompsons Road)



• Greens Road (Perry Road to South Gippsland Highway)

- Heatherton Road (Westall Road to Dandenong Creek)
- Hutton Road (Perry Road to Springvale Road)
- Jacksons Road (Police Road to Elonera Road)
- Lonsdale Street (South Gippsland Highway to Clow Street)
- Police Road (Springvale Road to EastLink)
- Pound Road (South Gippsland Highway to South Gippsland Freeway)
- Princes Highway (Westall Road to Clow Street)
- South Gippsland Highway (Princes Highway to South Gippsland Freeway)
- Springvale Road (Princes Highway to Mornington Peninsula Freeway);
- Stud Road (Dandenong Creek to Clow Street)
- Thompson Road (Dandenong Hastings Road to Mornington Peninsula Freeway)
- Westall Road (Heatherton Road to Princes Highway)
   and
- Westall Road Extension South Bound (Heatherton Road to Springvale Road).

### 2.5 Municipal roads

Within the City of Greater Dandenong, Council is the coordinating road authority for municipal roads and VicRoads is the coordinating road authority for State roads (freeways and declared arterial roads).

A municipal road is any road which is not a State road, including any road which:

- is a road referred to in section 205 of the *Local Government Act* 1989 or
- is a road declared by VicRoads to be a municipal road under section 14(1)(b) of the Road Management Act 2004 or
- is part of a Crown land reserve under the *Crown Land (Reserves) Act* 1978 and Council is the relevant Committee of Management.

Road Management Plan 2018-22 9

## 2.0 Road Management System

### 2.6 Demarcation of Responsibilities

### State roads

A **freeway** is a road that is declared to be a freeway under section 14 of the *Road Management Act* 2004. The main function of these roads is to form the principal routes for the movement of goods and people. VicRoads is the coordinating and responsible road authority in respect of freeways.

An **arterial road** is a road that is declared to be an arterial road under section 14 of the *Road Management Act* 2004. Arterial roads are roads previously classified by VicRoads as a declared main road or State highway. VicRoads is the coordinating and responsible road authority in respect of declared arterial roads. Council may also be responsible on declared arterial roads in both urban and rural areas for any part of the roadway not used by through traffic (e.g. dedicated parking lanes), any service roads, the outer separators (the median strip between the roadway and service road), any pathways and the roadside nature strips in urban areas.

The *Road Management Act* 2004 and the Ministerial Code of Practice – 'Operational Responsibility for Public Roads' provide clarity and practical guidance in relation to the demarcation of responsibilities between Council and VicRoads in respect of freeways and declared arterial roads.

#### **Boundary roads**

The City of Greater Dandenong is bounded by four municipalities; City of Monash, City of Casey, City of Frankston and City of Kingston.

Council's maintenance responsibilities in respect of boundary roads are in accordance with the Boundary Agreements which apply to these municipalities, copies of which can be viewed at Council's offices during normal working hours.

#### **Private roads**

There are many roads in the City of Greater Dandenong that are linked to Council's road network but which are not registered as public roads on Council's Roads Register or are otherwise considered to be private roads. Under section 107 of the *Road Management Act* 2004, Council does not have a statutory duty or a common law duty to perform road management functions in respect of a public highway which is not a public road or in respect of a private road.

#### **Bus bays**

Any paved area (including pavement markings) or unsealed area where buses pull over is maintained by the relevant road authority with operational responsibility for the through carriageway in accordance with the service levels for the abutting roadway.

#### **Rail tracks**

Primary control of road-rail crossings rests with the appropriate rail authority. Road / Rail Safety Interface Agreements (**RSIA**) between Public Transport Safety Victoria and the City of Greater Dandenong have been signed in respect of all road rail crossings within the City. These agreements set out the responsibility of each authority at each crossing.

A list of road rail crossings subject to RSIA's is kept by VicTrack.

#### Bridges

The City of Greater Dandenong is responsible for the inspection, maintenance and repair of all road bridges, including pathways on bridges on municipal roads within the City.

#### Utility assets

Non-road infrastructure assets located within a road reserve are not the responsibility of Council but are the responsibility of the person or body (utility provider) that is in charge of the provision, installation, maintenance or operation of the non-road infrastructure asset.

Non-road infrastructure assets within a road reserve include gas pipes, water and sewerage pipes, cables, electricity poles and cables, public telephones and mail boxes.

However, the majority of water hydrants in road reserves are maintained by Council. Pursuant to section 36 of the *Country Fire Authority Act* 1958, the Country Fire Authority may require Council to provide additional water hydrants at any place in or near a public street or road within Council's municipal district.

The Ministerial Code of Practice – 'Management of Infrastructure in Road Reserves' identifies benchmarks of good practice for utility providers and Council who are expected to work together cooperatively to facilitate the installation, maintenance and operation of non-road infrastructure assets within road reserves.

#### Vehicle crossings

Vehicle crossings are considered private property, and therefore any damage to them is the responsibility of the benefiting property owner. However, Council remains responsible for any section of the crossover that is used by the general public as a footpath or a modified section of kerb and channel that forms part of the



drainage network. This section of footpath is subject to the same inspection and maintenance standards applied to the wider public footpath.

Vehicle crossings must comply with Council's specifications and standards. These specifications and standards can be accessed either online at **greaterdandenong.com** or upon request at Council's offices during normal working hours.

Proposed new and altered crossings to properties adjoining arterial roads require a planning permit pursuant to the *Planning and Environment Act* 1987 before any works can commence.

#### Consent to perform works in road reserves

Any person who wishes to undertake works in a road reserve must obtain the consent of the relevant coordinating road authority unless they are exempted under the *Road Management (Works and Infrastructure) Regulations* 2015.

For works on municipal roads in Council's municipal district, advice and application forms are available either on line at **greaterdandenong.com** or upon request at Council's offices during normal working hours.

#### Assets on public roads managed by the Council

Road infrastructure on public roads in Council's municipal district for which the Council is responsible pursuant to the *Road Management Act* 2004 includes:

- road surface, pavement and earth formation
- surface drainage systems including kerb and channel
- footpaths, shared paths, bicycle paths and parking areas and
- bridges and large culverts.

### 2.7 Performance Review

Reviewing of road infrastructure performance will ordinarily follow the delivery of Council's maintenance program. Periodic reviews of the Road Management Plan are also undertaken to assess that the maintenance and renewal program have delivered the expected benefits to road users and stakeholders. This phase also involves the taking into account of any external factors that are likely to influence the next road management program system cycle.

This is achieved using the following processes:

- reviewing road infrastructure performance, which aims to determine whether road infrastructure performance gaps have been adequately addressed. The outputs of road infrastructure condition surveys and maintenance inspection records are used to assist with these reviews
- reviewing road infrastructure maintenance strategies, which aims to determine whether the objectives of road infrastructure maintenance strategies have been achieved. This review is to be conducted every four years and may also involve an assessment as to whether there is a need to update road infrastructure maintenance strategies
- assessing changes in local or regional influences, which involves the continuous monitoring of factors that may affect future maintenance demands. These factors may include changes in weather patterns, changes in traffic loading, availability of maintenance materials, changes in land use, changes in the Victorian and Council's municipal economy etc.

Road Management Plan 2018-22 11

## 3.0 Inspection Standards and Service Level

#### General

The main reasons for the inspection of road assets (including bridges, footpaths, cycle paths and shared paths) are to:

 identify any hazard and act accordingly, in the interests of public safety, to minimise any risk of injury to the asset user and

The Council and the community collectively identify any road asset defects. Inspections of road assets are performed in two modes as follows:

- Proactive Inspection and
- Reactive Inspection

### 3.1 Proactive Inspections

Proactive Inspections identify any hazards generated by usage and / or weather or other conditions. Trained works officers are best placed to identify any hazards and document routine maintenance response actions during visual routine inspections. Defects found during these inspections are checked against the maintenance intervention levels for the appropriate asset classification. Where response actions are appropriate, they are scheduled for repair and / or replacement where reasonably practicable. Hazards identified upon inspection will be made safe using temporary or permanent safety measures or warnings as per the timeframes in Appendix 1.

#### Network Proactive Inspection Frequency

Road Classification	Network Inspection Frequency Timeline
Declared Arterial (Urban & Rural) (Note: Sections under Council's responsibility)	100% of network every 6 months
Unclassified Arterial (Urban & Rural)	100% of network every 6 months
Collector (Urban & Rural)	100% of network every 12 months
Local (Urban & Rural)	100% of network every 18 months
Lanes	100% of network every 24 months
Path Classification	Network Inspection Frequency Timeline
Special Risk Zones	100% of network every 12 months
	Note: only paths within road reserve
Other Paths	100% of network every 4 years
	Approximately 25 % of network each year
	Note: only paths within road reserve
Bridge Classification	Network Inspection Frequency Timeline
All classification of bridges.	Twice yearly with a maximum interval of 6 months. Inspection shall also be carried out after flooding or bushfire events as soon as reasonably practicable.

Note: All bridge inspections are to be in accordance with Level 1 - Routine Maintenance Inspection to VicRoads standards.

Pits inspections, during a proactive road inspection are for the Pit mouth only. Critical Pits are inspected for Blockages under a separate inspection program detailed in the Stormwater Asset Management Plan.

The scheduling of Proactive Inspections in accordance with inspection intervals is the responsibility of the Manager, Infrastructure Services and Planning. The inspections are carried out by asset inspection staff or contractors. Inspection data is collected during the inspection and imported into a maintenance management system for the generation of works instructions and ultimately the completion of action, reporting and recording.

12 Greater Dandenong



### 3.2 Reactive Inspections

Reactive Inspections are initiated by the community who notify Council of a concern or hazard with respect to a road asset. Trained works officers are best placed to identify any hazards and document response actions during visual inspections. Where response actions are appropriate, they are scheduled for repair. Hazards identified upon inspection will be made safe using temporary or permanent safety measures or warnings as per the timeframes in Appendix 1.

Network Reactive Inspection Frequency for Sections under Council's Responsibility

All Road Classifications	Network Inspection Frequency Timeline
Inspect Customer Requests	2 working days
Attend Safety Call Outs	4 hours

Note: Pits inspections, during a reactive road inspection are for both the Pit mouth and pit blockages. Critical Pits are inspected for Blockages under a separate inspection program detailed in the Stormwater Asset Management Plan

Road Management Plan 2018-22 13

## MONDAY, 26 MARCH 2018

## 3.0 Inspection Standards and Service Level

### 3.3 Exceptional Circumstances

Council will make every effort to meet its commitments under the Road Management Plan. However, there may be situations or circumstances that affect Council's business activities to the extent that it cannot deliver on the service levels of the Road Management Plan. These include but are not limited to natural disasters, such as fires, floods, or storm; or, a prolonged labour or resource shortage, due to a need to commit or redeploy Council staff and/or equipment elsewhere.

In the event that the Chief Executive Officer of Council has considered the impact of such an event on the limited financial and other resources of Council and Council's other competing priorities and budgetary constraints (whether or not in conjunction with Council), and has determined that any standards of, or requirements in, the Road Management Plan cannot be adequately met, then pursuant to and reliant on the principles set out in Section 83 of the *Wrongs Act* 1958 and otherwise, they will write to the Council's officer in charge of its Road Management Plan and inform them that some, or all, of the timeframes and response times are to be suspended until further notice.



Section 83 of the Wrongs Act 1958 provides -

## 83 Principles concerning resources, responsibilities etc. of public authorities

In determining whether a public authority has a duty of care or has breached a duty of care, a court is to consider the following principles (amongst other relevant things):

- (a) the functions required to be exercised by the authority are limited by the financial and other resources that are reasonably available to the authority for the purpose of exercising those functions
- (b) the functions required to be exercised by the authority are to be determined by reference to the broad range of its activities (and not merely by reference to the matter to which the proceeding relates)
- (c) the authority may rely on evidence of its compliance with the general procedures and applicable standards for the exercise of its functions as evidence of the proper exercise of its functions in the matter to which the proceeding relates.

Once the scope of the event/s have been determined, and the resources committed to the event response have been identified, then there will be an ongoing consultation between Council's CEO and Council's officer responsible for the Road Management Plan, to determine which parts of Council's Road Management Plan are to be reactivated, and when.

Council statements to residents about the suspension or reduction of the services under the Road Management Plan will include reference to how the work that will be done has been prioritised, and the period for which it is likely to be affected.

14 Greater Dandenong



- Bridge Inspection Manual, VicRoads and
- Bridge Maintenance Repair and Strengthening Manual, VicRoads.
- City of Greater Dandenong Local Law No. 3 of 4 2011
- City of Greater Dandenong Long-Term Financial Strategy
- City of Greater Dandenong Plan and Annual Budget
- Code of Practice No. S 201 Road Management Plans
- Code of Practice No. S 267 Operational Responsibility for Public Roads 2004
- Code of Practice No. S 269 Management of Infrastructure in Road Reserves 2016
- Corporate Service Charters
- Country Fire Authority Act 1978
- Crown Land Act 1978
- Imagine 2030 Community Plan
- Local Government Act 1989
- MAV Road Management Plan Guidance Document May 2016

- Planning and Environmental Act 1987
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015
- Road Management Act 2004
- Road Safety Act 1986
- Subdivision Act 1988
- Transport Act 1983
- Wrongs Act 1958

### 4.1 Definitions

Unless the context or subject matter otherwise requires (including in relation to the Glossary set out in this Road Management Plan), the terms used in this Road Management Plan have the same meaning as the definitions included in the *Road Management Act* 2004, the relevant Regulations and Codes of Practice made under the *Road Management Act* 2004, the *Local Government Act* 1989 or as defined by AustRoads.

Road Management Plan 2018-22 15

## Appendix 1: Intervention Levels

### Hazard Intervention Levels

Hazard Description	Intervention Level	Timelines
Pavements		
Pavement or Surface Hazard		
Damaged Road (Sealed)	Potholes in traffic lane of a sealed pavement greater than 200mm in diameter and greater than 50mm deep or edge of sealed drop off on unsealed shoulders greater than 50mm for greater than 25m	10 Working Days
Damaged Road (Unsealed)	Potholes in traffic lane of an unsealed pavement greater than 300mm in diameter and greater than 50mm deep or edge of sealed drop off on unsealed shoulders greater than 50mm for greater than 100metres	20 Working Days
Damaged Line-marking	Missing or illegible linemarking on thorough traffic and bicycle lanes of the lane road, and shared pathways	30 Working Days
Dbstructions and Substances in Traffic Lanes	Materials fallen from vehicles, dead animals, wet clay and other slippery substances, hazardous materials, or objects, accumulation of dirt or granular materials on the traffic lane	4 Hours
Drainage Hazard		
Damaged Pit Lids	Damaged that significantly undermines the structural integrity of the Pit Lid or surrounds or grates in pedestrian areas or traffic lanes	30 Working Days
Missing Pit Lids	Missing drainage lids, or grates in pedestrian areas or traffic lanes	4 Hours
Blocked Pits and Pit Entries	Pit mouth is 100% blocked or pit is greater than 40% blocked or obstructed	30 Working Days
Damaged Kerb and Channel	Damaged where water is ponding to be a depth of greater than 100mm or Kerb is significantly displaced more than 100mm from it;s intended alignment road	60 Working Days
Roadsides		
legetation Hazard		
īrees	Hanging branches and fallen branches/entire trees on or over traffic lanes	4 Hours
/egetation	Trees, Shrubs and grasses tat have grown to restrict design sight distance to intersections or restrict viewing of safety signs ** where they become substantially ineffective	20 Working Days
Road Reservation Vegetation Selaed)	Vegetation clearance no less than 4.1m in height, over traffic lanes and the trafficable portion of shoulder.	20 Working Days
	Vegetation not to protrude over the edge of the road seal unless signed otherwise.	
	Vegetation cleared as far as reasonably practicable and all tree pruning shall be in line with AS 4373-2007 Pruning of Amenity Trees	
Road Reservation Vegetation Unsealed)	Vegetation clearance no less than 4.1m in height, over traffic lanes and the trafficable portion of shoulder. Vegetation not to protrude over the edge of the road formation unless signed otherwise.	20 Working Days
	Vegetation cleared as far as reasonably practicable and all tree pruning shall be in line with AS 4373-2007 Pruning of Amenity Trees	
Path Vegetation	Vegetation clearance less than 3.0m in height, over a pedestrian/bicycle path. Vegetation not to protrude more than 300mm horizontally over the path edge, unless otherwise signed. Vegetation cleared as far as reasonably practicable and all tree pruning shall be in line with AS.4373-2007 Pruning of amenity trees.	20 Working Days
Roadside Hazards		
Damaged Safety Sign* Standard**)	Sign is missing or illegible	10 Working Days
Damaged Safety Sign *	Sign is missing or illegible	30 Working Days
Non Standard***)		

16 Greater Dandenong

Hazard Description	Intervention Level	Timelines
Damaged Safety Barriers	Missing or damaged making them substantially ineffective	20 Working Days
Damaged Local Area Traffic Management Devices	Missing or damaged making them substantially ineffective	60 Working Days
Non Operational Traffic Signals	Traffic Signals that are non operational	4 Hours
Damaged Structures^	Visible damage likely to affect road user or public safety	10 Working Days
Damaged Path	Pavement is vertically displaced greater than 25mm or horizontally displaced greater than 30mm or depression greater than 50mm over 1 metre	10 Working Days

\* Safety Signs: are roads signs that provides the driver with advice on the safe use of the road. For example a regulatory, warning sign or hazard marker.

\*\* Standard Safety Signs: High use safety signs\*\* that are kept in stock as per the Standard Sign Register. This register is not an

 incorporated document\* in the Road Management plan. The manual may be viewed or a copy obtained from the City of Greater Dandenong Website (www.greaterdandenong.com.au)

\*\*\* Non Standard Safety Signs: Safety signs that are not on the Standard Sign Register. This may include modifications to standard safety signs.

^ Structures: Bridges, culverts or other designated structures (eg retaining walls, lighting structures) which have been assigned an asset number in Council's Asset Register

Note 1: Hazard removal work may include the provision of traffic control (including the installation of warning signs and other traffic management devices), installation of barricading or repair of the hazard. The choice of response will be determined by the availability of resources and considered in the context of other competing priorities



## Appendix 2 - Hierarchies

#### Road Hierarchy and Classification for Municipal Roads

Based on factors such as historical functionality, traffic volumes, traffic type and accessibility, Council has developed a road hierarchy for the municipal road network within Council's municipal district. The level of service provided to a particular road will depend on its road hierarchy classification.

Road Hierarchy

Road Hierarchy	Classification Responsibility	Description
Declared Arterial Roads (Urban)	VicRoads / Council	Roads of which the main function is to form the principal network of roads to cater for through traffic movements across and around the metropolitan area.
		(Council's responsibility is restricted to the nature strip, outer separator and service road (if any) unless otherwise agreed with VicRoads).
Declared Arterial Roads (Rural)	VicRoads / Council	Roads of which the main function is to form the principal network of roads to cater for through traffic movements across and around the metropolitan area.
		(Council's responsibility is restricted to the nature strip, outer separator and service road (if any) unless otherwise agreed with VicRoads).
Unclassified Arterial Roads (Urban)	Council	Roads that supplement the declared arterial road network in providing for through traffic movements. Roads that have an identifiable origin and destination (e.g. suburbs, industrial areas or places of significance). Includes Trunk Collector Road
Unclassified Arterial Roads (Rural)	Council	Roads that supplement the declared arterial road network in providing for through traffic movements. Roads that have an identifiable origin and destination (e.g. suburbs, industrial areas or places of significance). Includes Trunk Collector Road.
Collector Roads (Urban)	Council	Non-arterial roads that distribute traffic between the arterial road network and local roads and provide access to abutting properties.
Collector Roads (Rural)	Council	Non-arterial roads that distribute traffic between the arterial road network and local roads and provide access to abutting properties.
Local Roads (Urban)	Council	Roads, streets or courts of which the role is to provide access to abutting residential, commercial or industrial properties and lanes. Includes Access Street and Access Place.
Local Roads (Rural)	Council	Roads, streets or courts of which the role is to provide access to abutting residential, commercial or industrial properties and lanes. Includes Access Street and Access Place.
Lanes	Council	Roads of which the sole purpose is to provide access to the rear of a property. Includes Access Lane. The minimum width for laneway is 5.5m. Provision of new access to properties on laneways less than 5.5m in width is not supported.

18 Greater Dandenong

ORDINARY COUNCIL MEETING MINUTES

### 2.4.1 Road Asset Management Plan (Cont.)

### Pathway Hierarchy (includes footpaths, cycle paths and shared paths)

Footpaths, cycle paths and shared paths have been grouped into the following classifications:

Path Hierarchy	Description
Pedestrian Malls - SRZ	Premium quality paving in pedestrian malls that cater for high volumes of pedestrian traffic and are typically found in major central shopping areas.
Central Business District Footpaths - SRZ	High quality, aesthetically pleasing pavings for medium to high volumes of pedestrian traffic and are typically found in central business districts.
Local Shopping Centre Footpaths- SRZ	Good quality fully formed areas to cater for medium to high volumes of pedestrian traffic and are typically found in local shopping centres.
Elderly Facilities - SRZ	Paths where it has been identified that there is an increased risk due to either the concentration or level of mobility of pedestrian users eg: pedestrian malls, Central Business District (CBD), local shopping centres and elderly facilities.
Residential Footpaths	Formed and sealed paths catering for low volumes of pedestrians. Typically found in residential areas and may also be found in reserves and walkways between reserves, residential streets and schools.
Industrial / Commercial Footpaths	Paths used for short travel distance in industrial and commercial areas. Generally installed where a significant amount of pedestrian traffic can be demonstrated.
Regional Cycle Paths / Shared Paths (within road reserve only)	Paths that provide an alternative to the road system when travelling between key locations within the municipality and other neighbouring municipalities. These paths also encourage recreation/fitness rides in a safe environment.
Local Cycle Paths / Shared Paths (within road reserve only)	Paths that provide an alternative to the road system when travelling locally. These paths also encourage recreation/fitness.

Note: All footpath function classification with suffix of SRZ represent a Special Risk Zone.

The City of Greater Dandenong has a number of these pathways in various locations. A map showing the location of pathways included in this hierarchy is kept by the Council and can be viewed at Council's offices during normal working hours.



## Appendix 2 - Hierarchies

### Bridge Hierarchy (includes underpasses)

Bridges (including underpasses) have been grouped into the following classifications:

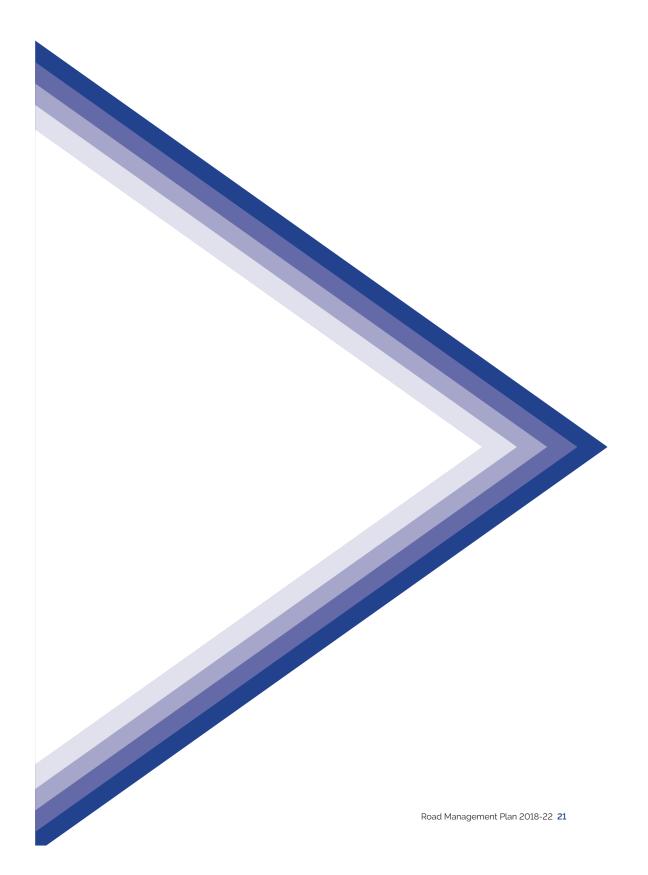
Bridge Hierarchy

Bridge Hierarchy	Classification Responsibility	Description
Declared Arterial Road Network Bridges	VicRoads / Council	Bridges on roads of which the main function is to form the principal network of roads to cater for through traffic movements across and around the metropolitan area.
		(Council's responsibility is restricted to the nature strips, footpaths and pedestrian barriers (if any) unless otherwise agreed with VicRoads).
Unclassified Arterial Road Network Bridges	Council	Bridges on roads that supplement the declared arterial road network in providing for through traffic movements. Roads that have an identifiable origin and destination (e.g. suburbs, industrial areas or places of significance). Includes the Trunk Collector Road.
Collector / Local Road Network Bridges	Council	Bridges on non-arterial roads that distribute traffic between the arterial road network and local precincts, and provide access to abutting properties.
Pedestrian / Cyclist Bridges	Council	Bridges carrying pedestrians and / or cyclists. These bridges would normally link footpaths, cycle paths and shared paths on either side of crossings.
Underpasses	Council	Bridges that allow pedestrians and cyclists to underpass road and similar structures.
Local Access Road Network Bridges	Council	Bridges on roads, streets or courts of which the role is to provide access to abutting residential, commercial or industrial properties and lanes. Includes the Access Street and Access Place.



ORDINARY COUNCIL MEETING MINUTES

## 2.4.1 Road Asset Management Plan (Cont.)





File Id:	A4850912
Responsible Officer:	Director City Planning, Design and Amenity
Attachments:	Draft Licensed Premises (Packaged Liquor Outlets) Policy

## **Report Summary**

The South East Melbourne Councils Group (SEMCG) have completed a research project that provided evidence to better understand the relationship between packaged liquor outlet density and increases in alcohol-related harm. The project focused on links between alcohol sale and use, and family and public realm violence.

The research assisted the SEMCG to develop a range of responses to reduce alcohol-related impacts from packaged liquor, ranging from advocacy strategies to recommendations to State Government for amendments to the planning scheme and new local planning policies.

The purpose of this report is to seek authorisation to undertake a Group of Councils (GC) Planning Scheme Amendment to introduce a local policy into each SEMCG council's Planning Scheme, including the City of Greater Dandenong Planning Scheme, to reduce harm associated with packaged liquor outlets.

## **Recommendation Summary**

This report recommends that Council seek authorisation from the Minister for Planning to prepare a GC Amendment to the Planning Schemes of all participating Councils within the SEMGC associate Councils. Subject to authorisation from the Minister for Planning, this report also recommends Council gives notice of the GC Amendment to all relevant parties in the manner as required by the *Planning and Environment Act 1987* and regulations.

Further, the report seeks approval for Council officers to be authorised to make minor changes to the amendment documentation, as recommended by the SEMCG Working Group, in response to any further updated legal or planning advice, prior to seeking authorisation.

## Background

The SEMCG consists of the seven Chief Executive Officers and Mayors from the Shires of Bass Coast, Cardinia and Mornington Peninsula, and the Cities of Greater Dandenong, Casey, Kingston and Frankston.

The South East Melbourne (SEM) region of Melbourne has a population of 750,000 adults and represents some of the most socially and environmentally diverse, economically significant, and rapidly growing areas of Melbourne. While these are positive attributes, the region's municipalities also experience significant levels of alcohol-related harm.

Victoria Police data highlights that these municipalities experience some of the highest levels of alcohol-related harm in Victoria, particularly in respect to family violence where statistics continue to increase.

Off-premises outlets (i.e. packaged liquor outlets) now significantly outnumber on-premises venues in the region and Australian research highlights that packaged liquor outlet density is contributing to higher levels of alcohol consumption, particularly in the home and other private and public settings.

In 2013-14, a SEMCG Consortia Working Group was established to investigate links between licensed premises outlet density, particularly packaged liquor outlets, and alcohol-related harms. The project was tasked with developing strategies that would assist to reduce alcohol-related harm in the home (i.e. family violence), in and around licensed premises and associated public places.

The Consortia Working Group is comprised of representatives from each Council and includes officers from strategic, statutory, social planning, community development, community safety, and health promotion service areas.

The project is the first of its type in Australia where detailed consideration has been given towards better understanding at a localised level of the correlations between packaged alcohol and increase in alcohol related crime and violence. Participating Councils have partnered with agencies and academia to explore these issues and develop appropriate responses.

### SEMGC Phase 1

Phase 1 of the project is now complete and a number of reports have been produced. These involved the appointment of expert consultants from a range of fields including land use and social planning, economic analysis, and spatial mapping, social planning, demography.

Key stakeholders from Victoria Police, Ambulance Victoria, Turning Point Drug and Alcohol Research and the Department of Justice also partnered in and supported the project.

The purpose of the SEMCG Phase 1 research was to develop sound evidence on the extent to which the sale of alcohol for consumption off the premises (i.e. packaged liquor) is a determinant of the social, economic, and physical health and wellbeing of a community. The research aimed to provide an insight into the relationship between packaged liquor licences, other types of liquor licences and the role of Local Government, including the following:

- Alcohol sales and consumption patterns across the SEMCG region.
- Factors that could escalate the vulnerability of SEMCG communities to alcohol-related harm due to any increases in the number of packaged liquor outlets across the region, e.g. population growth, socio-economic and demographic profiles, and similar.
- Factors that are contributing to the increase in applications for packaged liquor licences.
- The relationship between alcohol consumption and discretionary spending, particularly in relation to basic needs such as food, health and housing.
- The relationship between the location of packaged liquor outlets, alcohol-related incidents, and family violence and public realm violence.

Phase 1 of the project also reviewed the current legislative framework, focusing on the role of Local Government in liquor regulation, and making a number of recommendations for legislative change and advocacy.

Research on alcohol use highlights that approximately 80% of alcohol consumed in Australia is sold at packaged liquor outlets, and this proportion has steadily increased over time (Livingston 2013).

The density of packaged liquor outlets in Victoria has grown steadily since the early 2000s, as have rates of alcohol-related harm among both adults and young people: 'These broadly correlated trends are consistent with the substantial international research literature linking the density of alcohol outlets in a neighbourhood to the rate of alcohol-related problems experienced in that neighbourhood.' (Livingston p5, 2013).

Livingston's study also identified that:

- In an average Melbourne postcode, a 10% increase in packaged liquor outlet density is likely to lead to approximately a:
  - 1% increase in assaults recorded by the Victoria Police.
  - 0.5% increase in hospitalisations due to assault.
  - 3.3% percent increase in family violence incidents recorded by the Victoria Police.
  - 1.9% increase in hospitalisations due to alcohol-specific chronic disease.
- In disadvantaged suburbs, a 10% increase in packaged liquor outlets is likely to lead to a 2% increase in assaults and 12% increase in family violence.

Further academic evidence has also found that:

- Packaged liquor outlets have been found to be consistently associated with violence in suburban areas (Livingston, 2008).
- Major changes in the retail availability of alcohol have been found to change drinking behaviour. Increases in supply have been shown to lead to increases in consumption while, conversely, decreased supply has reduced risky drinking behaviour (Livingston, 2013).
- Increasing regular strength beer sales in a given geographical area is associated with a greater rate of increase in assaults in private premises compared with those on licensed premises (Chikritzhs et al, 2007).

On completion of Phase 1 of the project, it was identified that including additional councils on the project could strengthen the research findings by providing more opportunities to applying a planning policy. As a result, the Cities of Knox and Maroondah have joined the SEMGC.

## Legislative and Policy Gaps

The project research identified legislative and policy gaps that impede Councils' ability to reduce harm associated with packaged liquor.

The regulation of liquor sales and consumption in Victoria is primarily directed by the *Liquor Control Reform Act 1998* and the *Planning and Environment Act 1987*.

The *Liquor Control Reform Act 1998* regulates the sale and consumption of liquor through the issuing of liquor licences. The Act aims to minimise harm and ensure that the supply of liquor contributes to, and does not detract from, the amenity of community life.

The *Planning and Environment Act 1987* provides a framework for the use, development and protection of land in Victoria. In determining planning permit applications, responsible authorities have an obligation to consider any significant social and economic effects of a proposed use or development.

The Victoria Planning Provisions include State-standard strategies and provisions that apply to every planning scheme in the State. They include a provision relating to Licensed Premises (Clause 52.27) which seeks to ensure that licensed premises are appropriately located and that their impact on the amenity of the surrounding area is considered in decision-making. A planning permit is required for many types of licensed premises, including packaged liquor licenses.

The Licensed Premises provisions require the cumulative impact of certain threshold numbers of licensed premises to be taken into account when making a decision. However, the decision guidelines focus on the amenity rather than social or economic impacts of licensed premises.

Practice Note 61 was prepared by the Department of Environment, Land, Water and Planning to advise how to assess applications under Clause 52.27, predominantly focusing on on-premises liquor licences and provides very little guidance on packaged liquor outlets.

In conclusion it was determined that existing policy and regulations provide insufficient basis for community health, wellbeing and safety to be considered in the assessment of licensed premises. Considerations are currently limited to the amenity of the area surrounding the application site.

Assessment guidelines are geared towards inner city on-premises venues. Several current planning considerations are irrelevant or ill-fitted to packaged liquor outlet proposals, and creating an evidentiary link between a proposed outlet and its potential harm as a basis for refusal is extremely challenging.

It is therefore considered that the existing planning framework for assessing packaged liquor outlets needs development.

## SEMGC Phase 2

Phase 2 of the project is currently underway and activities include:

- Updating datasets and spatial mapping into the project evidence-base for the Cities of Knox and Maroondah.
- Preparation of a planning scheme amendment to introduce a local planning policy into each planning scheme to address the identified policy gaps.
- Advocacy for improvements to State policy frameworks (e.g., advocating for change to the Victoria Planning Provisions across all Planning Schemes in Victoria).
- Development of decision-making guidelines, tools and mapping solutions to support Council staff dealing with liquor licence and planning permit applications.

## Proposal

The proposed GC amendment seeks to introduce a new local planning policy into the Local Planning Policy Framework to provide new policy considerations for the assessment of planning applications for liquor licences for packaged liquor outlets.

Key considerations of the policy include:

- Ensuring cumulative impact of packaged liquor floorspace is assessed.
- Managing the location, floor area and type of packaged liquor outlets so as to avoid and mitigate potential amenity impacts.
- Ensuring the assessment of amenity impacts from packaged liquor outlets includes consideration of community health, wellbeing and safety.
- Minimising the potential for transferred alcohol-related harm associated with off-premises consumption of products purchased from packaged liquor.
- Directing large-format packaged liquor outlets, i.e. 'warehouse-sized' sales style, into higher order activity centres (where they are accessible but not convenient), and discouraging stand alone packaged liquor outlets in out-of-centre locations.
- Discouraging packaged liquor outlets in areas of highest social disadvantage, and to discourage outlets in proximity to sensitive land uses, e.g. schools, health and youth services that provide drug, alcohol or mental health treatment.

- Requiring a Social Impact Assessments to be included as part of the application assessment process where packaged liquor outlets are large format, e.g. where the proposed net floorspace is greater than 1,000m2 or would result in an oversupply of packaged liquor floorspace in a local area (Meaning, over the metropolitan standard of 80m2 of packaged liquor floor space per 1,000 adults).
- Changes to the referral and notice provisions at Clause 66.06 to require the referral of applications for a packaged liquor licence to Victoria Police and the Victorian Commission for Gambling and Liquor Regulation (VCGLR).

The proposed local policy will ensure applicants submit more detailed information to Council, which may include a social impact assessment and other locational considerations.

This will support decision-making, to determine whether a new packaged liquor outlet would increase the incidence of alcohol-related harm when assessing cumulative impact of the new proposal and other packaged liquor outlets within the context of the local area.

Overall, the proposed local policy and other associated documents seek to provide Council with an improved decision-making framework for determining the necessity for a packaged liquor outlet, which will support a more rigorous assessment process when applications present a higher risk of alcohol-related harm.

# Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

### Community Plan 'Imagine 2030'

People

- *Pride* Best place best people
- *Cultural Diversity* Model multicultural community
- Outdoor Activity and Sports Recreation for everyone
- *Lifecycle and Social Support* The generations supported

### <u>Place</u>

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

## ORDINARY COUNCIL MEETING MINUTES

## 2.4.2 Group of Councils (GC) Planning Scheme Amendment: Licensed Premises (Packaged Liquor Outlets) Policy (Cont.)

- Appearance of Places Places and buildings
- *Travel and Transport* Easy to get around

## **Opportunity**

- Jobs and Business Opportunities Prosperous and affordable
- *Tourism and visitors* Diverse and interesting experiences
- Leadershipby the Council The leading Council

## Council Plan 2017-21

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following goals:

### People

- A vibrant, connected and safe community
- A creative city that respects and embraces diversity

### <u>Place</u>

- A healthy, liveable and sustainable city
- A city planned for the future

### **Opportunity**

- A diverse and growing economy
- An open and effective Council

Various Commonwealth and Victorian strategies and plans that support the principles of this proposed planning scheme amendment include the:

- National Drug Strategy 2017-2026
- Ministerial Drug and Alcohol Forum: 2017 draft National Alcohol Strategy 2018-2026
- National Preventative Health Taskforce: Australia the Healthiest Country by 2020
- Reducing the Alcohol and Drug Toll: Victoria's Plan 2013-2017
- Victorian Planning and Environment Act 1987, Section 4(1)
- Victorian Planning Provisions, Clause 52.27 Licensed Premises
- Victorian Liquor Control Reform Act 1998
- Practice Note 61 Licensed Premises: Assessing Cumulative Impact 2011
- Victorian Local Government Act 1989
- Victorian Public Health and Wellbeing Act 2008

- Building Act 1993
- Australian Building Code 2016
- Disability Discrimination Act 1992

## **Related Council Policies**

Council policies or codes of practice that affect the decision of this report and are relevant to this process include:

- City of Greater Dandenong Council Plan 2017-2021
- City of Greater Dandenong Community Wellbeing Plan 2017-21
- City of Greater Dandenong Community Safety Plan 2015-22
- City of Greater Dandenong Alcohol Management Policy 2013-17 (under review)
- City of Greater Dandenong Planning Scheme
- City of Greater Dandenong Local Law No.2 Municipal Amenity, Clause 33 and 34
- City of Greater Dandenong Local Law No.3 Road Management and Asset Protection, Clause 16 and 17
- City of Dandenong Local Law No.4 Municipal Places, Clause 7 and 9
- City of Greater Dandenong Footpath Activity Code of Practice, March 2013.

## 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**

A financial contribution and officer time will be required from each participating Council, to equally share project costs. Undertaking this amendment as a combined process with a number of other Councils and the sharing of relevant resources, will significantly reduce the overall cost of the amendment.

Resource requirements are in accordance with existing budgetary allocations.

## Consultation

The SEMCG Consortia Working Group meets regularly in order to progress project tasks and discuss issues and outcomes. Other agencies have attended these meetings including:

- Victoria Police
- Ambulance Victoria
- VEDA Applied Credit
- Medicare Locals
- Department of Health and Human Services
- Department of Justice and Regulation
- Department of Environment, Land, Water and Planning
- Turning Point Alcohol and Drug Centre
- Deakin University
- Swinburne University.

The SEMCG Consortia has met with the Department of Environment, Land, Water and Planning (DELWP) on several occasions to discuss project recommendations and how to effectively address gaps in alcohol-related planning at the local and State levels.

A formal notification process will be undertaken as part of the GC Planning Scheme Amendment process in accordance with the *Planning and Environment Act, 1987*.

### Conclusion

The purpose of this report is to seek authorisation to undertake a Group of Councils (GC) Planning Scheme Amendment to introduce a local policy into the Greater Dandenong Planning Scheme to reduce harm associated with packaged liquor outlets.

The research undertaken recommends that Councils need stronger policy support in their planning schemes to be able to effectively achieve this.

The GC Planning Scheme Amendment will ensure that the research can be translated into a planning solution which provides Councils with an opportunity to better consider and address the cumulative impacts that arise from the density of packaged liquor outlets in sensitive community locations.

The successful implementation of a local planning policy will provide greater guidance to planners when considering applications for packaged liquor licences, ensuring more informed decision-making which takes into consideration the safety, amenity, health and wellbeing of communities.

## Recommendation

That:

- 1. Council seeks authorisation from the Minister for Planning to prepare a GC Planning Scheme Amendment to the Planning Schemes of all participating Councils within the SEMGC and partner Councils;
- 2. subject to receiving authorisation of the Minister for Planning, Council exhibits the GC Planning Scheme Amendment in accordance with the *Planning and Environment Act, 1987*;
- 3. following the exhibition period of the GC Planning Scheme Amendment, a report is provided to Council on the submissions received, with recommendations on the way forward; and
- 4. Council officers be authorised to make minor changes to the amendment documentation, as recommended by the SEMCG Working Group, in response to any further updated legal or planning advice, prior to seeking authorization.

## MINUTE 591

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

### That:

- 1. Council seeks authorisation from the Minister for Planning to prepare a GC Planning Scheme Amendment to the Planning Schemes of all participating Councils within the SEMGC and partner Councils;
- 2. subject to receiving authorisation of the Minister for Planning, Council exhibits the GC Planning Scheme Amendment in accordance with the *Planning and Environment Act, 1987*;
- 3. following the exhibition period of the GC Planning Scheme Amendment, a report is provided to Council on the submissions received, with recommendations on the way forward; and
- 4. Council officers be authorised to make minor changes to the amendment documentation, as recommended by the SEMCG Working Group, in response to any further updated legal or planning advice, prior to seeking authorization.

CARRIED

Cr Jim Memeti returned to the Chamber at 7:39pm.

Cr Zaynoun Melhem returned to the Chamber at 7:40pm.

## POLICY AND STRATEGY

## GROUP OF COUNCILS (GC) PLANNING SCHEME AMENDMENT: LICENSED PREMISES (PACKAGED LIQUOR OUTLETS) POLICY

## **ATTACHMENT 1**

## DRAFT LICENSED PREMISES (PACKAGED LIQUOR OUTLETS) POLICY

PAGES 5 (including cover)

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

[INSERT PLANNING SCHEME NAME] PLANNING SCHEME

### 22.XX LICENSED PREMISES (PACKAGED LIQUOR OUTLETS) POLICY

### --/--/20---

This policy applies to all applications for a new packaged liquor premises, the expansion of a licensed area for a packaged liquor premises, or the extension of trading hours of an existing packaged liquor premises, where a permit is required pursuant to Clause 52.27.

#### 22.XX-1 Policy basis

Packaged liquor premises can make a positive contribution to local economies and provide a source of employment.

However, the *Addressing the Cumulative Impacts of Outlet Density and Alcohol-Related Harms: Final Report* found a range of factors that are leading to negative impacts on communities from package liquor outlets, including:

Increasingly, Australians are purchasing alcohol from packaged liquor outlets for consumption away from licensed premises;

- Nearly 80% of liquor consumed in Australia is purchased at packaged liquor outlets and this proportion is increasing;
- Changes in the availability of liquor influence drinking behaviour;

Increasing the density of packaged liquor outlets has been shown to contribute to higher levels of assault, risk-taking behaviour and binge drinking;

Outlet density also contributes to less visible harms including family violence, child abuse and chronic disease.

Packaged liquor presents particular management challenges because it is consumed away from the place of purchase. Harms associated with excessive consumption may be transferred a considerable distance and affect individuals in their homes, residential neighbourhoods and public spaces.

The density of licensed premises has traditionally been used as an indicator of harm. This measure is of limited use when it comes to packaged liquor outlets as they vary significantly in floorspace - one large-format liquor outlet may sell more liquor on a weekly basis than several small bottle shops.. The density of packaged liquor floor space therefore represents a better indicator of the availability of packaged liquor than the number of outlets.

Planning can play an important role in avoiding and mitigating amenity impacts associated with packaged liquor outlets by ensuring they are appropriately located.

### 22.XX-2 Objectives

To ensure the cumulative impact of packaged liquor floorspace is assessed.

- To manage the location, floor area and type of packaged liquor outlets so as to avoid and mitigate potential amenity impacts.
- To ensure that the assessment of amenity impacts from packaged liquor outlets includes consideration of health, and safety.
- To minimise the potential for alcohol-related transferred harm associated with off premises consumption of products purchased from packaged liquor outlets.

#### 22.XX.3 Definitions

### Amenity includes health and safety.

**Large format** means a packaged liquor outlet with a net floor area of more than 1,000sqm. **Net floor area** has the same meaning as at Clause 72 except in the case of a drive-through bottle shop where it includes any external or covered licensed area from which packaged liquor may be purchased.

### ORDINARY COUNCIL MEETING MINUTES

## 2.4.2 Group of Councils (GC) Planning Scheme Amendment: Licensed Premises (Packaged Liquor Outlets) Policy (Cont.)

[INSERT PLANNING SCHEME NAME] PLANNING SCHEME

**Packaged liquor outlet** means a licensed premises that includes floor space dedicated to the sale of packaged liquor for consumption off the premises. It includes at bottle shop and drive-through sales area. It excludes over the bar sales of packaged liquor from a premises with a general or club licence.

Socio-economically disadvantaged area means a statistical area that is within the most socioeconomically disadvantaged 20 per cent as defined by the Australian Bureau of Statistics SEIFA index of relative disadvantage.

**Surrounding area** extends to the projected retail catchment of the packaged liquor outlet that is the subject of the application.

**Transferred harm** refers to adverse impacts of excessive alcohol consumption of packaged liquor that occur away from the packaged liquor premises.

(Projected) Retail catchment refers to the area from which a retailer is likely to draw its customers.

#### 22.XX-4 Policy

### Location

It is policy to:

Direct large-format packaged liquor outlets to higher-order activity centres.

Avoid the establishment of large-format packaged liquor outlets in neighbourhood and local activity centres. [Municipalities may specify centres here]

Discourage stand-alone packaged liquor outlets in out-of-centre locations.

#### Cumulative impacts

It is policy to:

Ensure that the total net floor area of packaged liquor outlets within an activity centre (including the net floor area of the proposed outlet) is proportionate to the role and function of that centre (as determined by the SPPF and LPPF).

Discourage the oversupply of packaged liquor floorspace within any part of the projected retail catchment of a proposed packaged liquor outlet.

Discourage disproportionate concentrations of packaged liquor floor space from being located in proximity to disadvantaged communities, including communities experiencing high rates of alcohol-related violence.

#### Alcohol-sensitive areas

It is policy to discourage the location of packaged liquor outlets within 400m walking distance of alcohol-sensitive uses, including:

Socio-economically disadvantaged areas.

Land that is used for health services and hospitals, including those facilities that provide drug, alcohol or mental health treatment or rehabilitation services.

Land that is predominantly used by persons under 18 years of age (other than dwellings), including land used for a playground, child care centre, pre-school, education centre (other than tertiary education),

#### Management

It is policy to:

Require that all land used as a packaged liquor outlet be operated with a management plan that adopts best practice by giving regard to the following:

[INSERT PLANNING SCHEME NAME] PLANNING SCHEME

- The Guidelines for Responsible Liquor Advertising and Promotions published by the Victoria Commission for Gambling and Liquor Regulation (VCGLR).
- $\circ$  ~ The operation of Closed Circuit Television Cameras (CCTV).
- o Crime Prevention for Environmental Design (CPTED) principles.

Limit trading hours of packaged liquor outlets to no earlier than 9:00AM and no later than 9:00PM  $% \mathcal{M}$ 

### 22.XX-5 Application requirements

All applications that are subject to this policy should include the following information:

A written submission including:

- A description of the proposed use including the net floor area and the hours of operation;
- A written description of the site context;
- A map showing the projected retail catchment area of the proposed packaged liquor outlet and a written justification for the boundaries thereof;
- An estimate of the total net floor area of all packaged liquor outlets within the projected retail catchment (including the net floor area of the proposed outlet);
- The number and type of licenced premises in the surrounding area. A written response to the Decision Guidelines set out in Clause 22.XX-6.

Applications that meet the following criteria should include a Social Impact Assessment: All applications for large format packaged liquor outlets;

All applications where the proposed packaged liquor outlet results in a net packaged liquor floor space density of greater than 80sqm per 1,000 adults within any part of the projected retail catchment of the proposed outlet.

A Social Impact Assessment should include the following information, which may be waived or reduced if in the opinion of the Responsible Authority it is not necessary:

All applicable alcohol-related harm and crime data in relation to the site and the surrounding area;

The views of local health and community support service providers;

The diversity of licensed premises available in the surrounding area;

Assessment against any relevant considerations contained within the Municipal Public Health and Wellbeing Plan regarding community health, amenity and safety.

#### 22.XX-6 Decision guidelines

Before deciding on an application, the following matters should be considered in addition to the decision guidelines at Clauses 52.27 and 65:

The objectives and policies of this Clause;

- The impact of the licensed premises on the amenity of the surrounding area, including the health and safety of the community;
- The proximity to alcohol-sensitive uses and areas;
- The impact of the hours of operation on the amenity of the surrounding area, taking into account the hours of operation of nearby licensed premises;
- The cumulative impact of the total amount of available net floor space of packaged liquor outlets on the amenity of the projected retail catchment, including the health and safety of the community:

The susceptibility of the population in the retail catchment to alcohol-related harm;

Local Planning Policies - Clause 22

Page 3 of 4

[INSERT PLANNING SCHEME NAME] PLANNING SCHEME

The appropriateness of the type and scale of the packaged liquor outlet in the context of the metropolitan and local activity centre hierarchy and the existing role of the relevant centre; and

The views of Victoria Police and Ambulance Victoria

### 22.XX-7 Reference documents

South East Melbourne Councils Alliance (2015) Addressing the Cumulative Impacts of Outlet Density and Alcohol-Related Harms: Final Report. South East Melbourne Councils Alliance (2017) Addendum to the report Addressing the Cumulative Impacts of Outlet Density and Alcohol-Related Harms: Final Report. Knox City Council, Knox Alcohol Policy Direction Paper, (Date). [Delete if not Knox City Council] [Note: Insert reference to SGS report once it's available]

## 2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement)

File Id:

Responsible Officer:

Attachments:

Director Community Services

Library Strategy 2018-2023 Library Strategy 2018-2021 – Action Plan Summary of Submissions and Responses

## **Report Summary**

The Library Strategy provides direction for the future library service in the City of Greater Dandenong. It aims to provide a vision for Council's library service over the coming years, and is accompanied by a three year Action Plan.

The draft Library Strategy 2018-23 and Action Plan 2018-21 were publicly exhibited for comment from 4 December 2017 until 5 January 2018. During this time submissions were received and reviewed. A summary of the submissions and relevant amendments are noted in Attachment 3. The amendments have been incorporated into a revised Library Strategy 2018-2023 and Action Plan 2018-2021 which is now presented for Council endorsement.

### **Recommendation Summary**

This report recommends that Council endorses the Library Strategy 2018-2023 and Action Plan 2018-2021.

### 2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) (Cont.)

## Background

The success of the Dandenong Library and development of the new Springvale Library as part of the Springvale Community Precinct has provided the opportunity to create a new vision and strategy for the Library Service. This will ensure that the Library Service will continue to meet the needs of the community now and into the future.

The Library Strategy provides a five year strategic direction for Library Services in the City of Greater Dandenong. The strategy provides a new vision for Library Services and a summary of the key strategic directions that Council will pursue in order to achieve its goals for the delivery of best practice Library Services to Greater Dandenong residents.

The strategic objectives of the Library Service are built on five key themes:

- 1) Engagement
- 2) Literacy and lifelong learning
- 3) Spaces
- 4) Collections and technology
- 5) Leading library.

The Library Strategy 2018-23 and Action Plan 2018-21 outline strategic priorities, timeframes and identify indicators that will allow Council to know when it has achieved its goals. The Action Plan will be reviewed in three years.

### Proposal

During the public exhibition period, the draft Library Strategy and Action Plan were made available on Council's website and circulated to stakeholders, with hard copies of the documents made available at Council's libraries and Customer Service Centres. The exhibition period was promoted through local media, Council's website, libraries, Customer Service Centres and directly to stakeholders.

A total of 10 submissions were received during the public exhibition period and all submissions have been considered prior to finalising the document for Council endorsement.

A summary document (Attachment 3 - Summary of Submissions and Response) briefly outlines each submission. Council officers have reviewed each submission for relevance and consistency with the strategic priorities and where necessary have made appropriate amendments in response to each submission. These amendments are noted in bold text in the attachment. Where a submission does not result in the Strategy or Action Plan being amended an explanation is provided.

It is proposed that Council endorse the Library Strategy 2018-2023 and Action Plan 2018-2021 with these amendments made. As new developments or community interests emerge over coming years the review of the Action Plan should capture new or revised actions to respond to these emerging needs.

#### Community Plan 'Imagine 2030' and Council Plan 2017-2021 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

#### Community Plan 'Imagine 2030'

People

- *Pride* Best place best people
- *Cultural Diversity* Model multicultural community
- Lifecycle and Social Support The generations supported

#### <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

#### **Opportunity**

- Education, Learning and Information Knowledge
- Jobs and Business Opportunities Prosperous and affordable
- *Leadershipby the Council* The leading Council

#### Council Plan 2017-2021

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following goals:

#### <u>People</u>

- A vibrant, connected and safe community
- A creative city that respects and embraces diversity

#### <u>Place</u>

- A healthy, liveable and sustainable city
- A city planned for the future

#### **Opportunity**

• A diverse and growing economy

The strategies and plans that contribute to these outcomes are as follows:

- Children's Plan 2015-2019
- Create and Connect: Arts Culture and Heritage Strategy 2016
- Community Wellbeing Plan

#### **Related Council Policies**

- Community Engagement Policy
- Diversity Access and Equity Policy
- Cultural and Heritage Collection Policy

#### 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**

The Library Strategy will have longer term financial implications including future capital investment in infrastructure as well as operations. These will be considered as part of the long term financial plan and annual budget processes.

#### Consultation

To develop the Library Strategy and Action Plan community engagement was undertaken in 2016 involving the following activities:

- Consultation with the general public through online and physical surveys
- Council Website
- Social Media
- E-news
- City of Greater Dandenong Children's forum
- Meetings with members of local groups, schools, networks and organisations
- Key contacts across the City of Greater Dandenong organisation.

The City of Greater Dandenong has also undertaken a wide range of research to ensure that its future directions are consistent with leading practice in Victoria and Australia.

The Library Strategy and Action Plan were placed on public exhibition for a period of 28 days, during which time members of the community and stakeholders were encouraged to provide feedback on the documents' content. The exhibition period was promoted through local media, Council's website, libraries, Customer Service Centres and directly to stakeholders. There were 10 submissions received from the public exhibition phase. All feedback has been considered prior to finalising the document for Council's endorsement.

#### Conclusion

The Library Strategy and Action Plan are important documents for Council and the community as they provide a range of actions to support Council's progression towards its overall vision for the community. The Strategy reflects local priorities for Library Services, and is based on broad research and community consultation.

The submissions that have been received have been considered and as a result changes have been considered and amendments made to the final documents for Council endorsement.

The endorsed Library Strategy 2018-2023 and Action Plan 2018-2021 will be professionally designed and published electronically as well as being made available in hard copy at local libraries and customer service centres.

#### Recommendation

#### That Council:

- 1. endorses the Library Strategy 2018-2023 and Action Plan 2018-2021; and
- 2. arranges a public launch of the Library Strategy 2018-2023 and Action Plan 2018-2021.

#### **MINUTE 592**

Moved by: Cr Roz Blades AM Seconded by: Cr Tim Dark

#### That Council:

- 1. endorses the Library Strategy 2018-2023 and Action Plan 2018-2021; and
- 2. arranges a public launch of the Library Strategy 2018-2023 and Action Plan 2018-2021.

CARRIED

POLICY AND STRATEGY

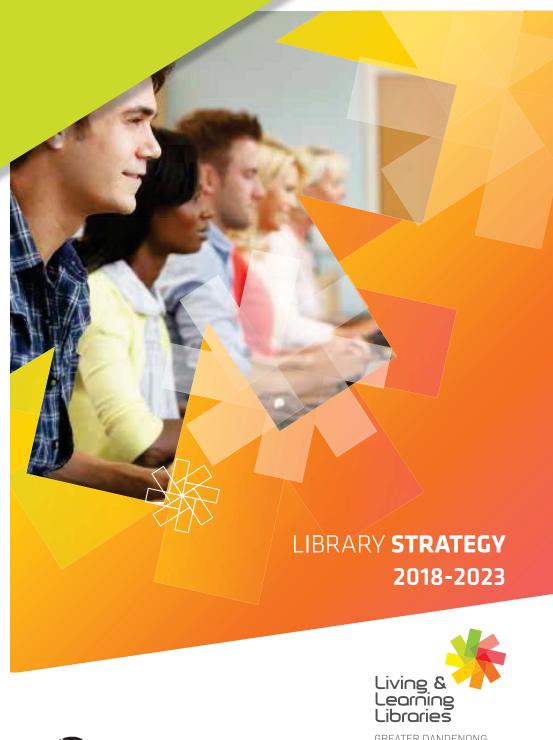
#### LIBRARY STRATEGY 2018-2023 AND ACTION PLAN 2018-2021 (ENDORSEMENT)

#### **ATTACHMENT 1**

#### LIBRARY STRATEGY 2018-2023

PAGES 16 (including cover)

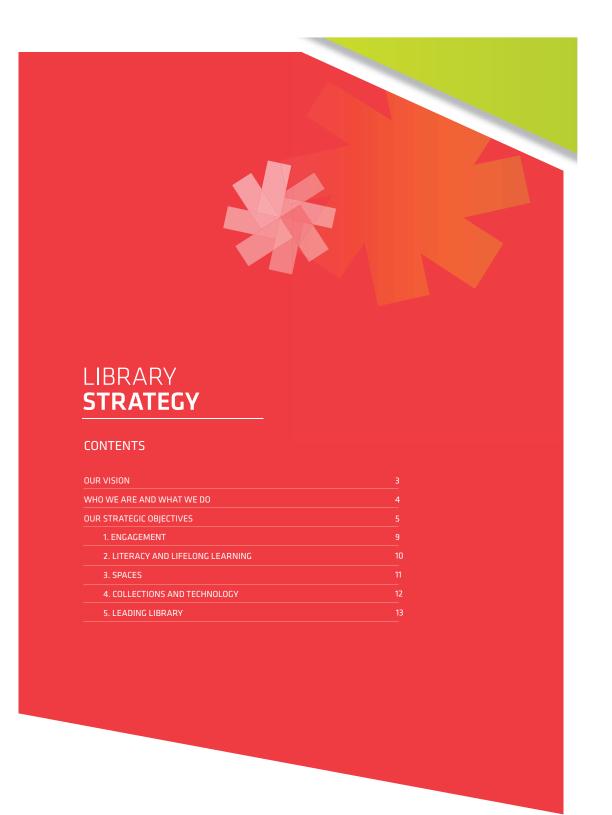
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imagine, explore, discover



2 LIBRARY STRATEGY



### Connecting community to learn, engage and inspire

#### Message from the Mayor and Councillors

The City of Greater Dandenong is committed to delivering excellence in library services, now and into the future.

We know that libraries make a vital contribution to the social, cultural, economic and educational development of our community.

The Library Strategy will guide the work of the library service into the future with a focus on our vision for connecting community to learn, engage and inspire.

The new strategy builds on the achievements of the previous strategic plan. Our libraries will continue to inspire and provide opportunities for everyone to learn, participate and engage in a variety of programs and services.

Our Library Service has one of the highest membership rates in Victoria. The Library Strategy redefines our role and approach to delivering services, spaces and programs in the longer term. Our new library in Dandenong and the development of a new community hub in Springvale, together with our online and outreach services, reflect our commitment to engage and connect with our community.

The Library Service will continue to evolve in line with our objective as a leading library providing contemporary and innovative collections and resources, spaces and programs that support literacy, lifelong learning and digital engagement.

Delivery against Library Strategy will be reviewed annually for achievement against objectives and to ensure that it continues to respond to community feedback, trends and needs.

We look forward to the exciting years ahead, continuing to strive in the delivery of excellence in library services.

LIBRARY STRATEGY 3

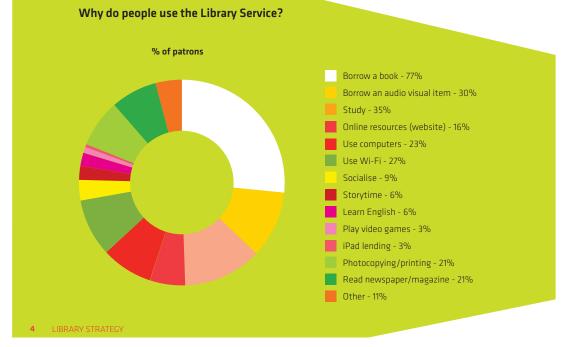
#### WHO WE ARE AND WHAT WE DO

The City of Greater Dandenong library service is highly valued in the community. It is widely used for a wide range of purposes including borrowing books and multimedia items, reading newspapers and magazines, studying, accessing public computers, free Wi-Fi, socialising, participating in children's reading programs and accessing English language assistance.

Library buildings themselves are highly valued community spaces, providing a friendly, comfortable, safe and welcoming atmosphere.

#### Key attributes of the City of Greater Dandenong library service include:

- Delivered online, at Springvale and Dandenong branch libraries and via an extensive outreach service
- 83,000 members, representing 53% of the population
- 1.2 million visits to the two branch libraries each year
- 430,000 visits to the virtual library or website each year
- Over 900,000 loans of print and non-print material each year
- 100,000+ reference enquiries of library staff annually
- Over 65 public access computers and devices available.
- Of every \$1 invested there is a benefit cost ratio of 4.3 (SG5 Economics + Planning 2018)







Our strategic objectives are focused on the future across five core themes that provide the framework for realising our vision.

#### ENGAGEMENT

The Library is a gathering place where everyone feels welcome. We actively engage with our community and promote learning, participation and engagement in a contemporary library environment.



#### LITERACY AND LIFELONG LEARNING

We provide pathways for literacy, lifelong learning and a love of reading for all age groups.

#### SPACES

We provide flexible and accessible Library spaces where everyone feels welcome.



#### **COLLECTIONS AND TECHNOLOGY**

We provide current and relevant collections and resources to support literacy, lifelong learning and digital engagement.

#### **LEADING LIBRARY**

We provide excellent customer service, adapt to new and changing needs, and engage and develop a skilled and responsive staff.

The Library strategy is supplemented with a three year action plan which is available at www.greaterdandenonglibraries.com

LIBRARY STRATEGY 5



The City of Greater Dandenong is committed to genuine community engagement to inform responsible decision making that will benefit the community.

The Community Engagement Policy and Framework provided guidance for a consultation process that informed the development of the strategy. Community engagement was undertaken in 2016 involving the following activities:

- Consultation with the general public through online and physical surveys
- Council Website
- Social Media
- E-news
- City of Greater Dandenong Children's forum
- Meetings with members of local groups, schools, networks and organisations
- Key contacts across the City of Greater Dandenong organisation

The City of Greater Dandenong has also undertaken a wide range of research to ensure that its future directions are consistent with leading practice in Victoria and Australia.



#### STRATEGY **STRUCTURE**

The City of Greater Dandenong Library Strategy is presented as two documents:

- A Strategy that outlines the longer term vision and strategic directions for Library Services for the City of Greater Dandenong.
- An Action Plan with a set of specific, targeted and measurable initiatives that will be implemented over an initial three-year period 2018-2021.

This approach enables Council to retain flexibility and responsiveness to the changing environment and identify opportunities, funding and priorities each year to achieve the intended outcomes of the strategy.

The strategy will inform the annual budget and business plans for the City of Greater Dandenong. Implementation of the strategy will be reported through quarterly reporting and an Annual Report. A new action plan will be developed after three years (2021).

#### PLANNING **CONTEXT**

#### Strategic Framework

The City of Greater Dandenong has developed a strategic framework to inform how the Council's strategic plans and policies are created and implemented in an integrated way – with the Council Plan sitting at the centre. The Imagine 2030 Community Plan guides the vision for the City of Greater Dandenong. It establishes the strategic framework and the key priority areas for the municipality – People, Place and Opportunity.



#### COMMUNITY PLAN 2017-21

The Council Plan 2017-2021 identifies the vision and strategic direction for the City of Greater Dandenong. It outlines six strategic objectives that sit under the key priority area, as illustrated:



People	Place 文	Opportunity 🔆
A vibrant, connected and safe community • Community safety • Learning and literacy • Community participation • Health and wellbeing	A healthy, liveable and sustainable city • Parks, reserve and sportsgrounds • Environmental sustainability • Roads, traffic and parking • Trees and our natural environment • Streetscapes and public places	A diverse and growing economy <ul> <li>Jobs and business</li> <li>Tourism and visitation</li> <li>Activity centre revitalisation</li> <li>Investment</li> </ul>
A creative city that respects and embraces its diversity • Cultural diversity • Community arts • Cultural heritage • Positive ageing • Access and equity	A city planned for the future • Urban design • Asset management • Residential, commercial and industrial development • Place making • Transport advocacy	<ul> <li>An open and effective Council</li> <li>Advocacy and community engagement</li> <li>Transparency and accountable decision making</li> <li>Digital innovation and leadership</li> </ul>

The Library Strategy responds to the objectives of the Council Plan, including those relating to a vibrant, connected and safe community, a creative city that respects and embraces diversity, a city planned for the future and a diverse growing economy.

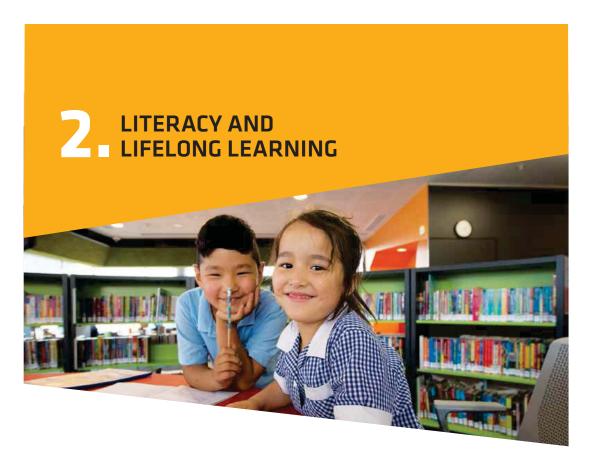
#### **Other Plans**

The Library links to a range of other City of Greater Dandenong strategies and plans, including:

- Council Plan 2017-2021
- Community Wellbeing Plan 2017-21
- Arts and Cultural Heritage Strategy
- Children's Plan 2015-2019
- Community Development Framework 2015
- Community Engagement Framework
- Community Hub Framework







We provide pathways for literacy, lifelong learning and a love of reading for all age groups.

#### We will:

- Provide programs and services to build digital literacy for all ages, increase access to information, support the exploration of new technologies and inspire further learning.
- 2. Support and empower families to encourage and develop literacy in their children.
- Provide resources and programs to support the development of skills to encourage literacy, lifelong learning and creativity.
- Support local students of all ages to develop their skills and knowledge through access to resources, spaces and learning opportunities.

- Increase in Library program attendance 5% per annum (Benchmark 2015/16 - 26,441)
- Increase in the overall satisfaction rate for Library programs by 3% (Benchmark 2015/16 – 90%)





We provide flexible and accessible Library spaces where everyone feels welcome.

#### We will:

- Provide flexible, inclusive, welcoming multi-purpose spaces to cater for a broad range of programs and services.
- 2. Adopt a planned approach in keeping the library service and spaces up-to-date.
- 3. Explore innovative models for providing accessible library spaces.

- Increased Library user satisfaction in the look and feel of Library spaces and facilities functionality (Benchmark: 2015/16 - 85%)
- Increase in library membership to 60% following the opening of the Springvale Community Hub (measured as a proportion of the CGD population) (Benchmark 2015/16 - 53%)
- Increase number of physical visits to libraries by 5% per annum (Benchmark 2015/16 –1.242 million. Allows for the opening of Springvale Community Hub)



#### COLLECTIONS AND TECHNOLOGY

We provide current and relevant collections and resources to support literacy, lifelong learning and digital engagement.

#### We will:

- Monitor and plan for a changing community to ensure our collections and resources are relevant to current and emerging communities.
- 2. Provide access to digital resources that may not be readily available to the broader community.
- 3. Seek innovative ways to promote our collections and online resources.
- 4. Provide digital and creative spaces that connect users with learning opportunities.
- Provide opportunities for the community to engage with the City's local history through access to resources and digitised images and the promotion of historical societies.

- Increase in satisfaction rate of the collection as measured through the Annual Library Customer Satisfaction Survey by 3% (Benchmark: 2016 - 71%)
- Collection turnover rates increased (Number of times an item has been lent per annum) (Benchmark: 15/16 - 6.2)
- Currency of the physical collection 5 years and under maintained (Benchmark 2015/16 – 85%)
- Level of relevant community LOTE (Languages other than English) resources - number of language collections maintained (Benchmark: 2015/16 - 16)
- Increase in the utilisation of e-resources 3% per annum (Unique hits – database count/e-book download) (Benchmark: 2015/16 – 73,000)
- Increase in satisfaction rate for the Libraries' website as measured through the Annual Library Customer Satisfaction Survey by 5% (Benchmark: 2015 - 65% [website survey]
- Increase in satisfaction rate for public access PCs / Internet services by 5% (Benchmark: 2016 - 61% [Internet speed / computer availability])





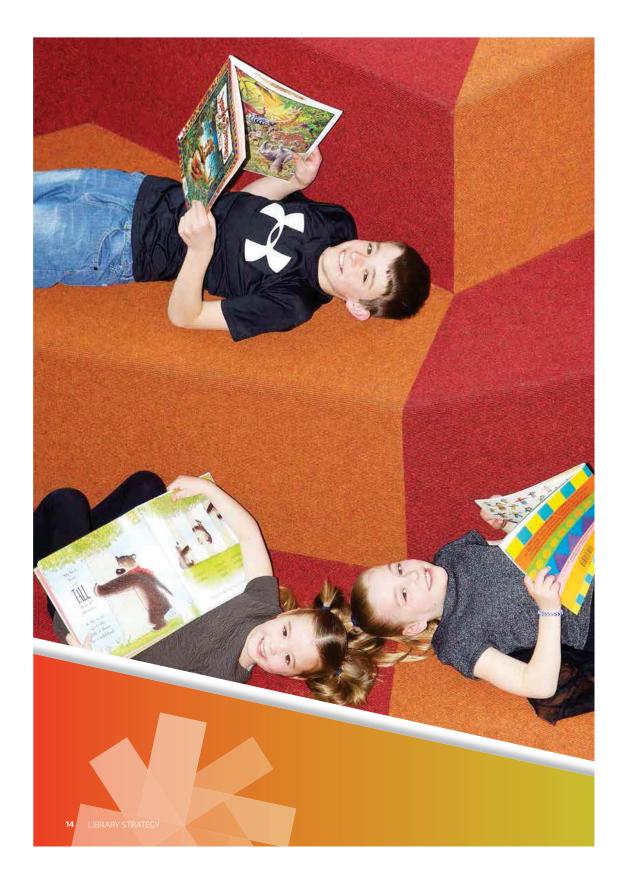
We provide excellent customer service, adapt to new and changing needs, engage and develop a skilled and responsive staff.

#### We will:

- 1. Continuously review and improve library service delivery.
- Build on our existing volunteer services by developing increased and meaningful opportunities for volunteering.
- Seek to identify innovative and appropriate partnerships and sponsorships to broaden our service offering.
- 4. Direct staff resources to best meet identified community needs and emerging trends.
- 5. Seek to inspire and develop our staff in alignment with the library vision and our strategic priorities.

- Overall customer satisfaction level increased as measured by the Annual Library Satisfaction Survey by 3%. (Benchmark: 2016 – 91%)
- Helpfulness of staff rating as measured through the Annual Library Customer Satisfaction survey increased by 3% (Benchmark: 2015/16 – 86%)
- Number of volunteer hours per year at least maintained (Benchmark: 2015/16 – 350)
- Measurement of staff engagement as measured through the Staff Engagement Survey increased by 3% (Benchmark - 2014 - 86%)







POLICY AND STRATEGY

#### LIBRARY STRATEGY 2018-2023 AND ACTION PLAN 2018-2021 (ENDORSEMENT)

#### ATTACHMENT 2

#### LIBRARY STRATEGY –ACTION PLAN 2018-2021

PAGES 17 (including cover)

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



# ENGAGEMENT

The Library is a gathering place where everyone feels welcome. We actively engage with our community and promote learning, participation and engagement in a contemporary library environment.

 Priority actions:

 1.1
 Connect people to library resources, Council and community information through a responsive service.

	ACTIONS	TIMELINE
1.1.1	Provide multiple access options to the library service, including online, two library branches and through the outreach model	Year 1-3
1.1.2	Promote the library service widely to the entire Greater Dandenong population in multiple languages and through various channels such as social media, local media, community and volurteer groups, schools, agencies and services	Year 1
1.1.3	Provide library programs that celebrate and strengthen the overall identity of the city and provide opportunity for community engagement	Year 1-3
1.1.4	Review current practices to identify further opportunities to better cater for the needs of older residents	Year 1-3
1.1.5	Review current practices to identify further opportunities to better cater for the needs of people with a disability	Year 1-3
1.1.6	Opening of new Springvale Library as part of the Springvale Community and Learning Hub	Year 3
1.1.7	Connect the community to Council and community information and services Eg. Council services, community consultations, community groups and services	Year 1-3
	community groups and services	

## LIBRARY STRATEGY ACTION PLAN 2

2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) (Cont.)

**City of Greater Dandenong** 

# TIMELINE Year 1-3 Year 1-3 Year 1-3 Provide inclusive and relevant outreach programs and services that actively engage the community in library services beyond the library buildings Provide opportunities to access and engage with the Library Service through a web platform, social media outlets and related Ensure all library services are accessible for people of all backgrounds, language spoken and literacy capacity

Provide the broadest possible opportunity for Library users to experience the library through digital and print resources and in a range of community languages. 1.2

technology

1.2.1

1.2.2

1.2.3

ACTIONS

Deliver a dynamic library service that responds to community feedback, trends and needs. 1.3

	ACTIONS	TIMELINE
1.3.1	Evaluate the outcomes of Library delivered programs to ensure they meet stated objectives	Year 1-3
1.3.2	1.3.2 Provide multiple options where Library users can provide regular feedback on programs, resources, technology and spaces	Year 3
1.4 Seek to	1.4 Seek to engage people not currently using the library service.	

1 Naac 4'I	1.4 DEEK LO ENISASE PEOPRE HOLLUMENTLY USING THE HOLARY SERVICE.	
	ACTIONS	TIMELINE
1.4.1	Develop strategies to engage under-serviced members sectors of the community through activities and programs and the outreach service	Year 1-3
1.4.2	Review demographic data with usage trends to identify changes in the community and ensure current and future needs are met	Year 1
1.4.3	Engage with community members not using the Library Service to determine how their needs could be met	Year 1
1.4.4	Investigate options to expand outreach services to Adults	Year 2

2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) (Cont.)

**City of Greater Dandenong** ORDINARY COUNCIL MEETING MINUTES

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LIBRARY STRATEGY ACTION PLAN

#### City of Greater Dandenong ORDINARY COUNCIL MEETING MINUTES

#### 2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) (Cont.)

1.5 Deve	1.5 Develop effective partnerships with relevant stakeholders to complement our service offering to the community.	
	ACTIONS	TIMELINE
1.5.1	Proactively identify opportunities to connect library users into other services, programs and activities delivered by Council	Year 1-3
1.5.2	Develop and foster strong networks and partnerships with other service providers, schools, volunteer groups and support agencies throughout the City of Greater Dandenong	Year 1-3
1.5.3	Investigate partnership opportunities with education, lifelong learning institutions and agencies to promote pathways to further learning and employment opportunities	Year 1-3
1.5.4	Expand access to Victorian state-wide public library collections through partnerships and collaborative arrangements	Year 1-3
1.5.5	Contribute proactively to the further development of collaborative projects and initiatives within the public library sector	Year 1-3
1.5.6	Investigate and implement a Youth engagement plan	Year 1-2
1.5.7	Joint programs developed and delivered through the Libraries	Year 1-3



Z - LITERACY AND LIFELONG LEARNING

We provide pathways for literacy, lifelong learning and a love of reading for all age groups.

Priority actions: 2.1 Provide progra	Priority actions: 2.1 Provide programs and services to build digital literacy for all ages, increase access to information, support the exploration of new technologies and inspire further leaming.	inspire further learning.
	ACTIONS	TIMELINE
1.1.2	Deliver Digital literacy programs to cater to all abilities and all ages	Year 1-3
2.1.2	Trial "drop-in" Technology assistance service to help Library supported technology related queries	Year 1
2.1.3	Strengthen opportunities for library users to engage in the practice of making digital art and skills development, particularly in areas such as computer gaming, animation, 3D printing, film making and other digital art forms	Year 1-3
2.1.4	Promote cyber safety to the community through programs, services and resources	Year 1-3
2.1.5	Work in partnership with government agencies and services to provide "e-gov" drop-in assistance and advice to the community through the Libraries	Year 1-3
2.1.6	Explore opportunities to deliver 24/7 access to digital literacy learning tools	Year 1-3
2.1.7	Develop an annual program plan that assists in the development of literacy, creativity and inspires further learning	Year 1-3

LIBRARY STRATEGY ACTION PLAN

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#### **City of Greater Dandenong** ORDINARY COUNCIL MEETING MINUTES

2.2

#### 2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) (Cont.)

2.2 Suppoi	2.2 Support and empower families to encourage and develop literacy in their children.	
	ACTIONS	TIMELINE
2.2.1	Promote family literacy through the Communities for Children partnership with Mission Australia and participating schools	Year 1-2
2.2.2	Participate in state-wide and national initiatives that promote literacy and reading	Year 1-3
2.2.3	Continue to develop and deliver Early Years literacy program through Outreach Services to Playgroups, Kindergartens, School Communities, Maternal Child Health Centres and other service providers	Year 1-3
2.2.4	Implement and deliver 1000 Books Before School program	Year 1-3
2.2.5	Participate in annual Summer Reading Club for Primary aged school children	Year 1-3
2.2.6	Implement Youth Reading and Literacy Program	Year 1-3
2.2.7	Evaluate Early Years literacy programs annually with state-wide Quality Framework indicators	Year 1-3



3 Provide	Provide resources and programs to support the development of skills to encourage literacy, lifelong learning and creativity.	
	ACTIONS	TIMELINE
2.3.1	Create a reading culture by promoting the importance and enjoyment of reading in enhancing literally individual wellbeing.	Year 1-3
2.3.2	Work with Council's Economic Development Unit to provide programs and services to support local business people and small business enterprises	Year 1-3
2.3.3	Support residents to navigate pathways to education, training, employment and the job placement sector through services and programs	Year 1-3
2.3.4	Explore opportunities for staff at the City of Greater Dandenong Libraries to provide assistance to residents in everyday activities linked to language, literacy and learning	Year 1-3
2.3.5	Develop and implement Readers' Advisory services and programs	Year 2-3
2.3.6	Provide Language and Literacy Services through the Libraries	Year 1-3
2.3.7	Continue to develop and deliver Learning Help for Adults drop-in program through the Libraries	Year 1-3
2.3.8	Expand artists and writers in residence opportunities to enable library users to engage with artists and artists with each other	Year 1-3
2.3.9	Offer programs that support and celebrate writing and spoken word as an art-form	Year 1-3
2.3.10	Participate in Emerging Writers' and Melbourne Writers' Festivals and related programs	Year 1-3

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2.4 Support local students of all ages to develop their skills and knowledge through access to resources, spaces and learning opportunities.

	ACTIONS	TIMELINE
2.4.1	Work with local schools in developing library resources to support local students	Year 1-3
2.4.2	Work with local schools to support families and students as they transition through the school system	Year 1-3
2.4.3	Develop homework help support through the Libraries and online through online tutoring programs and other relevant resources	Year 2
2.4.4	Provide spaces for group work and study through the Libraries	Year 1-3
2.4.5	Trial VCE English Collection and complete evaluation	Year 1



	ACTION	TIMELINE
3.1.1	Create dynamic, engaging, vibrant and interesting spaces and places within the library service to enhance visitor experiences that are fit for purpose and enhance community wellbeing	Year 1-3
3.1.2	Work closely with Council departments and public libraries to provide more integrated services to library users	Year 1-3
3.1.3	Plan and incorporate suitable spaces and facilities into the design and construction of the new Springvale Library	Year 3
3.2 Adopt	3.2 Adopt a planned approach in keeping the library service and spaces up-to-date.	
	ACTIONS	TIMELINE
3.2.1	Future proof library buildings to ensure they have the flexibility to address the evolving information, learning and reading literacy needs of the community	Year 3

	ACTIONS	TIMELINE
3.2.1	Future proof library buildings to ensure they have the flexibility to address the evolving information, learning and reading literacy needs of the community	Year 3
3.2.2	Continue to investigate leading edge libraries, lifelong learning and service centres to design buildings and spaces that encourage the general community to enter, gather, participate and feel inspired	Year 1-3
3.2.3	Increase access to small group bookable meeting spaces	Year 3

#### 2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) (Cont.)

ORDINARY COUNCIL MEETING MINUTES

**City of Greater Dandenong** 

**-IBRARY STRATEGY ACTION PLAN** 

	ACTIONS	TIMELINE
3.3.1	Investigate options and make recommendations on opening hours 24/7 options for accessing Library Services	Year 3
3.3.2	Investigate options and make recommendations on automated / kiosk type services, and alternate service outlets in suitable locations through-out the city	Year 2

Explore innovative models for providing accessible library spaces.

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ORDINARY COUNCIL MEETING MINUTES

An collections and relevant collections and resources to support literacy, lifelong learning and digital engagement.         We provide current and relevant collections and resources to support literacy, lifelong learning and digital engagement.         Priority actions:         1. Monter tends: and a plan for changing community to ensure our collections and resources are relevant to current and emerging communities.         Annon         Annon         Annon         Annon         Beview Community Language collection (Languages other than English) Code of Practice         Annon         Annon         Annon         Beview Community Languages other than English) Code of Practice         Annon         Beview Community Languages other than English) Code of Practice         Annon         Beview Community Languages other than English) Code of Practice         Annon         Beview Community Languages other than English) Code of Practice         Annon         Beview Community Languages other than English) Code of Practice         Annon         Beview Community Languages other than English) Code of Practice         Annon         Beview Community Languages other than English) Code of Practice         Annon         Beview Community         Beview Community Languages other than English) Code of Practice
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# LIBRARY STRATEGY ACTION PLAN

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MONDAY, 26 MARCH 2018

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	ACTIONS	TIMELINE
4.2.1	Provide access to "high-end" public computer facilities and other technology devices	Year 1-3
4.2.2	Develop library facilities so that they have adequate spaces and infrastructure to facilitate wireless internet access	Year 2
4.2.3	Review future requirements for Dandenong Library for Council's Capital Improvement Program	Year 2
4.2.4	New Springvale Library opened with increased access and infrastructure to wireless internet facilities	Year 3

4.3 Seek innovative ways to promote our collections and online resources.

	ACTIONS	TIMELINE
4.3.1	Investigate innovative approaches to collection and resource promotion both in house, online and through social media	Year 2
4.3.2	Conduct review to identify future Library Management System needs	Year 1



#### **City of Greater Dandenong**

#### ORDINARY COUNCIL MEETING MINUTES

TIMELINE Year 1-3

Provide digital and creative spaces that connect users with learning opportunities.

4.4

ACTIONS

4.4.1	Provide flexible and informal Library 'Makerspace' areas and related technology, programs and resources	Year 1-3
4.4.2	Provide new technology discovery opportunities through the Dandenong Library and new Springvale Library	Year 1-3
4.5 Provide c promotic	Provide opportunities for the community to engage with the City's local history through access to resources and digitised images and the promotion of historical societies.	
	ACTIONS	TIMELINE
4.5.1	Maintain information and resources relating to the history and memory of Greater Dandenong and inclusive of the local Indigenous community	Year 1-3
4.5.2	Increase community engagement with Council's heritage and cultural collection and develop pathways to collections of volunteer historical societies	Year 1-3
4.5.3	Proactively support the capture, preservation and presentation of local history and heritage in formats that are secure and protected	Year 1-3
4.5.4	Provide resources, technology and programs where people can discover and record their own histories and stories	Year 1-3
4.5.5	Promote the digital heritage portal (eHive)	Year 1-3
4.5.6	Implement interpretive displays at Heritage Hill, Libraries and/or the Civic Offices	Year 1-3
4.5.7	Promote and provide access to heritage collection and library resources for family history research	Year 1-3
4.5.8	Undertake digitisation project	Year 1-3
		LIBRARY STRATEGY ACTION PLAN 13

2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) (Cont.)

#### City of Greater Dandenong

#### ORDINARY COUNCIL MEETING MINUTES

2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (I	Endorsement) (Cont.)
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We provic	We provide excellent customer service, adapt to new and changing needs, and engage and develop a skilled and responsive staff.		
<b>Priority actions:</b> 5.1 Continuously I	<b>ority actions:</b> Continuously review and improve library service delivery.		
	ACTIONS	TIMELINE	
5.1.1	Review and enhance service model so that we continue to meet community needs	Year 3	
5.1.2	Develop and implement a staff training and development plan	Year 1	
5.1.3	Regularly seek library user feedback on the quality of library services	Year 1-3	
5.2 Build	Build on our existing volunteer services by developing increased and meaningful opportunities for volunteering.		
	ACTIONS	TIMELINE	
5.2.1	Increase community engagement in Library Services through providing a wide range of volunteering opportunities through the Libraries	Year 1-3	
5.2.2	Investigate options to promote Libraries as a career choice through providing volunteer and work placement opportunities for young people	Year 3	

# 14 LIBRARY STRATEGY ACTION PLAN

#### MONDAY, 26 MARCH 2018

#### **City of Greater Dandenong**

#### ORDINARY COUNCIL MEETING MINUTES

TIMELINE

Seek to identify innovative and appropriate partnerships and sponsorships to broaden our service offering.

ACTIONS

5.3

2.4.3 Library Strategy	2018-2023 and Action Plan 2018-2	2021 (Endorsement) (Cont.)

5.3.1	Seek partnership opportunities to increase program and service offerings through the Libraries	Year 2
5.3.2	Seek grant funding, philanthropic and sponsorship opportunities to deliver new Library programs and services	Year 1-3
5.4 Direct s	Direct staff resources to best meet identified community needs and emerging trends.	
	ACTIONS	TIMELINE
5.4.1	Develop and implement a training and development plan for library staff to support them in developing skills for future library services	Year 1
5.4.2	Foster and encourage collaboration and a co-operative team environment	Year 1-3
5.4.3	Investigate and implement "entry-level" employment opportunities	Year 2
5.5 Seek to	Seek to inspire and develop our staff in alignment with the library vision and our strategic priorities.	
	ACTIONS	TIMELINE
5.5.1	Create and sustain a safe and positive customer-focused workplace culture	Year 1-3

LIBRARY STRATEGY ACTION PLAN

Year 1-3

Provide professional learning and career development opportunities for Library staff

5.5.2

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MONDAY, 26 MARCH 2018

	GREATER DANDENONG City of Opportunity
<section-header></section-header>	imagine, explore, discover
	Living & Learning Libraries GREATER DANDENONG

POLICY AND STRATEGY

# LIBRARY STRATEGY 2018-2023 AND ACTION PLAN 2018-2021 (ENDORSEMENT)

# **ATTACHMENT 3**

# SUMMARY OF SUBMISSIONS AND RESPONSES

PAGES 7 (including cover)

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

	Summary of Submission	Policy YES	Policy/Plan YES NO	Response
SUBM	SUBMISSION 1: Resident			
	I like that engagement has been prioritised. Dandenong / Springvale are such a unique geographical area. I particularly enjoy participating in groups so I meet people different and similar to myself.		0 N	<ol> <li>Comment is noted and included in the Library Services Action Plan 2018-2021 (draft)</li> <li>Action 1.1.3 Provide library programs that celebrate and strengthen the overall identity of the city and provide opportunity for community engagement</li> </ol>
0.	Advise the specifics on how to engage 'hard to reach' sectors of the community.	Yes		<ol> <li>The following amendment has been made to the Library Services Action Plan 2018-21 (draft)</li> <li>Action 1.4.1 the term "hard-to-reach" has been replaced with "underserviced."</li> </ol>
<ul> <li>3. I wc</li> <li>3. I wc</li> <li>9 arr</li> <li>9 the the the the the the the the the the</li></ul>	I would enjoy meeting people around ideas relating to the basics of everyday life, i.e. food preparation, gardening and faith. J like: the monthly Art Series to extend to 8.30pm (the 8pm finish prevents completion). The Library to offer increased number of volunteer finish prevents of the increased number of volunteer An increase in groups to engage around ideas of "favourites" words, food, art, T.V., films, books	Yes		<ol> <li>This is to be incorporated into the annual program planning process The following amendment has been made to the Library Services Action Plan 2018.</li> <li>(draft)</li> <li>draft)</li> <li>Action has been developed under 2.1.7 Develop an annual programs plan that assists participants to develop literacy, creativity and to inspire further learning.</li> </ol>

Summary of Submission	Amendment to Policy/Plan YES NO	nent to 'Plan NO	Response
SUBMISSION 2: Resident			
Could the Council consider a bus trip for Seniors perhaps twice a year under "Engagement?" A monthly itinerary of courses could be used on show in the library or printed in local newspapers.		°Z	Comment is noted and included in the Library Services Action Plan 2018-2021 (draft) Action 1.1.4 Review current practices to identify further opportunities to better cater for the needs of older residents Action has been developed under 2.1.7 Develop an annual programs plan that assists participants to develop literacy, creativity and to inspire further learning.
SUBMISSION 3: Resident	-	_	
I like to meet with the other ladies in the Knitwork group.		No	Comment is noted
SUBMISSION 4: Resident			
<ol> <li>How are the satisfaction figures arrived at? People in Keysborough have no access to a library – so not consulted. Figures are unreliable</li> </ol>		Q	<ol> <li>Comment is noted The satisfaction rates used in the survey were based on a survey conducted in 2016. The survey was sent online to at least 2500 Keysborough residents.</li> </ol>
<ol><li>Keysborough (missing from the Strategy). Use Council depot at Parkmore as a drop off point.</li></ol>			<ol><li>The following amendment has been made to the Library Services Action Plan 2018-21 (draft)</li></ol>
			Action 3.3.2 Investigate options and make

Page 3

Summary of Community Submissions and Responses Library Strategy and Action Plan

Page 4

# 2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) (Cont.)

Summary of Submission	Amenal Policy YES	Amenament to Policy/Plan YES NO	Response
			recommendations on automated / kiosk type services and alternate service outlets throughout the City.
SUBMISSION 5: Resident			
I love the mobile (outreach) service and would like to have the same continued		No	Comment is noted and included in the Library Services Action Plan 2018-2021 (draft)
			Action 1.2.2 Provide inclusive and relevant outreach programs and services that actively engage the community in library services beyond library buildings. Action 1.4.4 Investigate options for expanding outreach services to Adults.
SUBMISSION 6: Stakeholder			
I like how there is a major emphasis on community engagement and shared spaces. Many of the families that I work with miss this sense of community and belonging that they had in their country of birth. I feel it's essential to people's wellbeing to provide such a space. Covered most important tasks.			Comment is noted and included in the Library Services Action Plan 2018-2021 (draft) Action 2.3.3 Support residents to navigate pathways to education, training, employment and the ich placement
There could be a larger focus on supporting adults to join the	Yes		sector through services and programs.

ORDINARY COUNCIL MEETING MINUTES

Summary of Submission	Amendl Policy YES	Amendment to Policy/Plan YES NO	Response
workforce or become educated in job opportunities that are available to them. Thanks for all the great work!			
SUBMISSION 7: Stakeholder			
11 in anno 11 in ann an traininn an trainn an			The following amendment has been made to the Library Services Action Plan 2018-21 (draft)
Greater Dandenong needs more than 2 libraries - every other council in Melbourne has several libraries servicing their	Yes		Action 3.3.2 Investigate options and make recommendations on automated / kiosk type services and alternate service outlets throughout the City.
citizents. New libriaries need to be built in growing areas particularly Noble Park, Keysborough and Dandenong North. This is increase accessibility for all who live in Greater		_	Outreach Services are specifically addressed in:
Dandenong.			Action 1.2.2 Provide inclusive and relevant outreach programs and services that actively engage the community in library services beyond library buildings. Action 1.4.4 Investigate options for expanding outreach services to Adults.
SUBMISSION 8: Stakeholder			
I can see elements of the vision throughout ( <i>Connecting</i> community to learn, engage and inspire) relating to learning and anorements. Nacate to have more in the Streteory that	Yes		The following amendment has been made to the Library Services Strategy 2018-23 (draft)
connects to "Inspire."			Priority action 2.1 Provide programs and services to build digital literacy, increase access to information,

Page 5

Summary of Community Submissions and Responses Library Strategy and Action Plan

		support the use of new technologies and to inspire further learning. Action 2.1.7 Develop an annual programs plan that assists participants to develop literacy, creativity and to inspire further learning.
SUBMISSION 9: Stakeholder	-	
Library as a recreational space is missing – reading for Yes enjoyment		Recreation with the outcome of community and individual wellbeing has been considered. The following amendment has been made to Library Services Action Plan 2018-21 (draft)
		Action 2.3.1 Create a reading culture by promoting the importance and enjoyment of reading in enhancing literacy and individual wellbeing.
		Action 3.1.1 Create dynamic, engaging vibrant and interesting spaces and places within the library service to enhance visitor experiences that are fit for purpose and enhance community wellbeing.
SUBMISSION 10: Stakeholder	-	
Doesn't include the economic Value of the Library Service Yes		The following amendment has been made to the Library Services Strategy 2018-23 (draft)
		This information has recently been updated through a

ORDINARY COUNCIL MEETING MINUTES

# 2.4.3 Library Strategy 2018-2023 and Action Plan 2018-2021 (Endorsement) (Cont.)

Response	State Library of Victoria study and will be incorporated on page 4 of the Library Strategy. For every dollar invested in the Library Service there is a benefit cost ratio of 4.3.
Amendment to Policy/Plan YES NO	
Summary of Submission	

Page 7

Summary of Community Submissions and Responses Library Strategy and Action Plan

# 2.5 OTHER

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment

File Id:	A4800715
Responsible Officer:	Director City Planning, Design and Amenity
Attachments:	Notice of Motion No. 103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Minute No 1504 – CM 22 August 2016)

## **Report Summary**

Council endorsed Notice of Motion (No.103) in August 2016 which requested Council officers to prepare a report in relation to the appropriateness of including mandatory height limits in the General Residential Zone (GRZ) and Residential Growth Zone (RGZ); as well as amending Schedule 2 to the GRZ.

Accordingly, an assessment has been undertaken to consider mandatory height limits in the GRZ and RGZ and the advantages and disadvantages of removing or amending the GRZ2.

### **Recommendation Summary**

This report recommends that Council does not pursue additional mandatory height controls in the GRZ and RGZ to those currently contained within the Greater Dandenong Planning Scheme, and also does not pursue the removal or amending of the GRZ2. Instead, it is recommended that Council continue to apply the *Greater Dandenong Planning Scheme* in its current form, and in particular *Clause 22.09 Residential Development and Neighbourhood Character* policy and the *Keysborough South Stages 2 and 3 Development Plan* to achieve appropriate and strategically planned built form outcomes.

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

# Background

At its meeting on 22 August 2016, Council resolved to adopt Amendment C182 to the Greater Dandenong Planning Scheme in the form as recommended by the Panel and forward Amendment C182 to the Minister for Planning for approval. After considerable delay, Amendment C182 was approved in part, and gazetted on 21 December 2017.

In accordance with the Panel's recommendations, Amendment C182 made minor changes to the General Residential Zone Schedule 2 (GRZ2) and did not introduce mandatory height limits to the GRZ or RGZ. As a result, Notice of Motion (No. 103) requested:

- a. a study be undertaken to examine the potential of developing appropriate strategic justification for mandatory height limits in the General Residential Zone and Residential Growth Zone and if strategic justification is considered possible, develop the justification for mandatory height limits in the General Residential Zone and/or the Residential Growth Zone; and
- b. a study be undertaken outlining the advantages and disadvantages regarding abolishing or modifying the GRZ2 that applies to residential land in Keysborough South and the Meridian Estate and replacing it with the GRZ1.

The following provides an assessment of each element of the Notice of Motion:

### Mandatory Height Limits

Council originally sought to introduce mandatory height limits for both the GRZ and RGZ via Amendment C182. On 10 August 2015, the Minister for Planning authorised Council to exhibit the amendment subject to removing the proposed mandatory height limits for the RGZ and that "the heights referred to must be discretionary". Similarly, the Minister's authorisation to exhibit the amendment cautioned Council about the use of mandatory height limits in the GRZ and the need to identify "strong characteristics within a neighbourhood... to justify the mandatory height". Council adhered to the condition of authorisation in relation to the RGZ, but proceeded to exhibit mandatory height limits in the GRZ. Ultimately, the proposed mandatory height limit in the GRZ was not supported by the Planning Panel nor approved by the Minister for Planning.

### Amendment VC110

On 27 March 2017, Amendment VC110 implemented the Victorian Government's response to the recommendations of the Managing Residential Development Advisory Committee. The Amendment changed the *Victoria Planning Provisions* (VPP) and all planning schemes in Victoria to improve housing capacity and choice while continuing to protect and respect the openness and character of established urban areas throughout Melbourne and Victoria. Various changes were made, including, but not limited to:

- revision of the purposes of the RGZ to better reflect its role and purpose by specifying a preferred height of up to four storeys for a dwelling or residential building; and
- introduction of a mandatory default maximum building height requirement to the GRZ of 11 metres and 3 storeys for a dwelling or residential building.

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

As part of the changes introduced by VC110, mandatory height limits can now only be introduced in the RGZ, where the height limits proposed are higher than 13.5 metres. Council's cannot seek to introduce a mandatory height limit that is 13.5 metres or lower in the RGZ.

With regard to the GRZ, a mandatory height limit of 11 metres now applies throughout Victoria, which is 2 metres higher than the 9 metres originally sought by Council via Amendment C182. Again, Councils can now only seek to introduce a mandatory height limit that is greater than 11 metres. Councils can no longer seek to introduce a mandatory height limit that is 11 metres or less.

Given that Councils can no longer seek to reduce the mandatory height limits to less than 13.5 metres and 11 metres in the RGZ and GRZ respectively, it is not considered appropriate to pursue additional studies for further mandatory height limits, as these increase height limits would result in development that would be contrary to the revised Clause 22.09 *Residential Development and Neighbourhood Character* local policy.

### Amending the General Residential Zone Schedule 2

## Introduction of Schedule 2 to the General Residential Zone

In 2013, Amendment C175 implemented the Victorian Government's reformed residential planning zones by replacing the former zones (Residential 1, 2 and 3) with the Residential Growth Zone (RGZ), General Residential Zone (GRZ) and Neighbourhood Residential Zone (NRZ).

The reformed zones enabled Council to transfer local policy requirements to schedules to the new zones. *Clause 22.09 Residential Development and Neighbourhood Character Policy* in the *Greater Dandenong Planning Scheme* previously specified the dimensions of private open space that medium to high density housing should provide. As such, the private open space requirements, (among other things) were transferred into the schedules to the new zones.

At this time, the Keysborough South and Meridian Estate areas were exempt from the policy as they were new/future development areas, and two schedules to the General Residential Zone were introduced to differentiate the applicable requirements and recognise the different vision for these new estates. Schedule 1 applies to the majority of residential land in Greater Dandenong, while Schedule 2 applies to residential land in Keysborough South and the Meridian Estate in Dandenong South. The differences between Schedule 1 and 2 are outlined further below.

### Keysborough South Development Plan Overlay (DPO5) and Approved Development Plan

In 2008, Amendment C36 rezoned the Keysborough South land from Farming Zone to Residential 1 Zone and included the land in Schedule 5 to the Development Plan Overlay and Development Contributions Plan Overlay. The amendment also introduced a significant public open space requirement equivalent to 20 per cent.

Schedule 5 to the Development Plan Overlay includes a range of development principles to guide the Development Plan including the creation of "a network of wetlands, flora and fauna habitat corridors and generous areas of linked open space".

ORDINARY COUNCIL MEETING MINUTES

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

In considering Amendment C36, the Planning Panel concluded that "

land ownership in the C36 area is fragmented and the Panel recognises the challenge this has presented to achieve a planning framework with broad acceptance. The achievement of a 'Green Vision' for the locality has underpinned strategic planning support for urban conversion of the land and the associated rezoning to Residential 1. The framework proposed  $\Box$  particularly the integrated approach to drainage, public open space provision and protection of native vegetation  $\Box$  will implement that 'Green Vision'. It is noted that it is the public realm that has the primary role in realising the vision for the locality and planning policy would support more intensive forms of development in private space within that green environment

". In other words, the Panel determined that given the generous extent of public open space provision the area was able to accommodate a range of housing types and sizes.

The *Keysborough South Development PlanStages 2 and 3* was subsequently prepared and approved in 2009, based on various development principles and objectives including:

- To establish or contribute to a sense of place and local identity, and to develop and enhance neighbourhood character.
- To provide, where market demand exists, a diverse range of housing types to accommodate a variety of household types and sizes, now and into the future.
- To establish residential development patterns which support the viability of local activity centres, community facilities and public transport and services.

Moreover, the Development Plan provides a clear expectation to the market as to the type of housing to be expected by recognising that due to substantial areas of public open space there was an opportunity for a variety of lot sizes that allow for medium density, terrace/cottage type densities as well as conventional density housing.

Difference between Schedule 1 and Schedule 2 to the General Residential Zone (GRZ)

ORDINARY COUNCIL MEETING MINUTES

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

The difference between Schedule 1 and Schedule 2 to the GRZ is limited to the private open space requirements, such that as a result of the changes implemented via Amendment C182, residential developments should now provide:

One dwelling on a lot requiring a planning permit (A17)	GRZ1	GRZ2
Minimum area of Private open space	80sqm or 20% of lot but not less than 40sqm	80sqm or 20% of lot but not less than 40sqm
Minimum area secluded Private open space	25sqm	25sqm
Minimum dimension of Private open space	5m	3m
	GRZ1	GRZ2
Minimum area of Private open space	50sqm	40sqm
Minimum area secluded Private open space	30sqm	25sqm
Minimum dimension of Private open space	5m	5m

It should be noted that all developments within both the GRZ1 and GRZ2 which propose to provide balconies as private open space, are now required to provide bigger balconies with a minimum area of 10 square metres (increased from 8 square metres) and minimum width of 2 metres (increased from 1.6 metres).

As shown above, new dwellings in the GRZ2 area generally need to provide less private open space as a consequence of benefitting from significant public open space provision as by the Panel in reviewing Amendment C36.

It is estimated that approximately 6.5ha of vacant land in Keysborough South is without a current planning permit. This represents 2.65 per cent of the initial 245.166ha development.

With regard to the Meridian Estate, this area was master planned by VicUrban (the predecessor to Places Victoria) to incorporate a mixture of lot shapes and sizes to meet a range of future housing needs. The estate includes 1.7 hectares of open space, constituting 9.4% of the total site, including informal public open spaces and linkages to the Dandenong Creek open space corridor.

As with Keysborough South, the substantial public open space areas enabled the mix of dwelling types and sizes, while still ensuring residents have access to considerable open space areas.

As such, given the original strategically strong justification for the private open space area requirements currently existing, and the substantial areas of public open space in both areas, it is not considered that Council could reasonably justify or develop an alternative strategic position. Therefore, it is not deemed appropriate or necessary to revise the planning provisions which apply to this area.

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

# Proposal

It is proposed that no further strategic work regarding mandatory height limits in the RGZ and GRZ be undertaken at this time given the current format of the Victorian Planning Provisions, and in particular the changes introduced by Planning Scheme Amendment VC110. It is also proposed that the GRZ2 not be deleted or amended given the strategically sound justification originally utilised for its creation.

# Community Plan 'Imagine 2030' and Council Plan 2017-2021 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

### Community Plan 'Imagine 2030'

### <u>Place</u>

- Sense of Place One city many neighbourhoods
- Appearance of Places Places and buildings

### **Opportunity**

• Leadershipby the Council – The leading Council

### Council Plan 2017-2021

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following goals:

### <u>Place</u>

- A healthy, liveable and sustainable city
- A city planned for the future

The strategies and plans that contribute to these outcomes are as follows:

- Greater Dandenong Planning Scheme
- Greater Dandenong Housing Strategy 2014-2024

### Victorian Charter of Human Rights and Responsibilities

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

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

## **Financial Implications**

There are no financial implications associated with this report.

### Consultation

No consultation was undertaken in relation to this report.

### Conclusion

In conclusion, it is recommended that Council does not pursue additional mandatory controls in the GRZ and RGZ to those currently contained within the Greater Dandenong Planning Scheme, and also does not pursue the removal or amending of the GRZ2. Instead, it is recommended that Council continue to apply the *Greater Dandenong Planning Scheme* in its current form, and in particular *Clause 22.09 Residential Development and Neighbourhood Character* policy and the *Keysborough South Stages 2 and 3 Development Plan* to achieve appropriate and strategically planned built form outcomes.

### Recommendation

That Council:

- 1. does not pursue additional mandatory controls in the General Residential Zone and Residential Growth Zone;
- does not pursue the removal or amending of the General Residential Zone Schedule
   and
- 3. continues to apply the *Greater Dandenong Planning Scheme* in its current form, and in particular *Clause 22.09 Residential Development and Neighbourhood Character* policy and the *Keysborough South Stages 2 and 3 Development Plan* to achieve appropriate and strategically planned built form outcomes.

# MINUTE 593

Moved by: Cr Matthew Kirwan Seconded by: Cr Roz Blades AM

That the item be deferred for further consideration.

CARRIED

ORDINARY COUNCIL MEETING MINUTES

2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

OTHER

# RESPONSE TO NOTICE OF MOTION NO. 103 – FURTHER STRATEGIC WORK FOLLOWING ON FROM THE C182 PLANNING SCHEME AMENDMENT

# **ATTACHMENT 1**

# NOTICE OF MOTION NO. 103 – FURTHER STRATEGIC WORK FOLLOWING ON FROM THE C182 PLANNING SCHEME AMENDMENT (MINUTE NO. 1504 – CM AUGUST 2016)

PAGES 4 (including cover)

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

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

City of Greater Dandenong ORDINARY COUNCIL MEETING MINUTES

MONDAY, 22 AUGUST 2016

### **3 NOTICES OF MOTION**

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

The guidelines for submitting a notice of motion to a Council meeting are included in the current Meeting Procedure Local Law.

### 3.1 Notice of Motion No. 103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment

Author:

Cr Matthew Kirwan

#### Preamble

The C182 Planning Panel Report prepared by Planning Panels Victoria stated that mandatory height limits were not supported in either the General Residential Zone and Residential Growth Zone due to lack of strategic justification being provided by Greater Dandenong Council. Mandatory height limits has been the Council preferred position as it would give certainty to residents, developers and Council planning officers alike and would prevent local policy being overruled by VCAT. For example without mandatory height limits, local policy that in a Residential Growth Zone up to four storey apartments be allowed on major roads but that three storeys be the limit for residential streets can be challenged at VCAT. Similarly in the General Residential Zone there is a risk that there will be three storey townhouse developments proposed. The urgency of Council developing a strategic justification is to prevent these larger amounts of storeys being permitted in inappropriate locations.

Also, the C182 Planning Scheme Amendment did not consider the rising concern among residents in the new estates of Keysborough regarding particularly dense townhouse developments. The new estates of Keysborough are in the General Residential Zone Schedule 2. C182 makes changes to the General Residential Zone – Schedule 1 that due to an increase in the open space provision would result in less dense townhouses as a generalisation. These changes to Schedule 1 were not made to Schedule 2. The following motion asks that either abolishing or modifying Schedule 2 of the General Residential Zone be explored to achieve less dense townhouses in this area.

ORDINARY COUNCIL MEETING MINUTES

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

#### City of Greater Dandenong ORDINARY COUNCIL MEETING MINUTES

MONDAY, 22 AUGUST 2016

3.1 Notice of Motion No. 103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

### Motion

That:

- 1. Council considers an allocation in the 2017/18 budget for further work in relation to the following:
  - a) a study being undertaken to examine the potential of developing appropriate strategic justification for mandatory height limits in the General Residential Zone and Residential Growth Zone and if strategic justification is considered possible, develop the justification for mandatory height limits in the General Residential Zone and/or the Residential Growth Zone; and
  - b) a study being undertaken outlining the advantages and disadvantages regarding abolishing or modifying the GRZ2 zone used for the new estates of Keysborough and the Meridian Estate and replacing it with the GRZ1 zone and if strategic justification is considered possible undertake relevant work required to abolish or modify the GRZ2;
- 2. if the above work proceeds, report to Council with officer recommendations before April 2018 in time for consideration of any potential Planning Scheme Amendments resulting from these studies to be potentially funded in the 2018/19 draft budget if they are agreed justified and worthwhile by Council.

### **MINUTE 1504**

Moved by: Cr Matthew Kirwan Seconded by: Cr Jim Memeti

### That:

- 1. Council considers an allocation in the 2017/18 budget for further work in relation to the following:
  - a study being undertaken to examine the potential of developing appropriate strategic justification for mandatory height limits in the General Residential Zone and Residential Growth Zone and if strategic justification is considered possible, develop the justification for mandatory height limits in the General Residential Zone and/or the Residential Growth Zone; and
  - a study being undertaken outlining the advantages and disadvantages regarding abolishing or modifying the GRZ2 zone used for the new estates of Keysborough and the Meridian Estate and replacing it with the GRZ1 zone and if strategic justification is considered possible undertake relevant work required to abolish or modify the GRZ2;

# 2.5.1 Response to Notice of Motion No.103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

City of Greater Dandenong ORDINARY COUNCIL MEETING MINUTES

MONDAY, 22 AUGUST 2016

3.1 Notice of Motion No. 103 - Further Strategic Work Following on from the C182 Planning Scheme Amendment (Cont.)

2. if the above work proceeds, report to Council with officer recommendations before April 2018 in time for consideration of any potential Planning Scheme Amendments resulting from these studies to be potentially funded in the 2018/19 draft budget if they are agreed justified and worthwhile by Council.

CARRIED

# 2.5.2 List of Registered Correspondence to Mayor and Councillors

File Id:	qA283304
Responsible Officer:	Director Corporate Services
Attachments:	Correspondence Received 19 February – 2 March 2018

### **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 19 February – 2 March 2018.

### Recommendation

That the listed items provided in Attachment 1 for the period 19 February – 2 March 2018 be received and noted.

# **MINUTE 594**

Moved by: Cr Tim Dark Seconded by: Cr Roz Blades AM

That the listed items provided in Attachment 1 for the period 19 February – 2 March 2018 be received and noted.

CARRIED

2.5.2 List of Registered Correspondence to Mayor and Councillors (Cont.)

OTHER

# LIST OF REGISTERED CORRESPONDENCE TO MAYOR AND COUNCILLORS

# **ATTACHMENT 1**

# CORRESPONDENCE RECEIVED 19 FEBRUARY - 2 MARCH 2018

PAGES 2 (including cover)

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

Objective connected. collaborative. community. Correspondences addressed to the Mayor and Councillors received between 19/02/2018 & 02/03/2018 - for information only - total = 2

	0
User Assigned Community Services	Mayor & Councillors Office
Objective ID A4841699	A4848918
Date Created 26-Feb-17	1-Mar-18
correspondence Name Letter of acknowledgement from Federal Minister for Communications regarding Mayor's letter requesting additional restrictions on gambling promotions during sporting events.	Letter of acknowledgement from State Minister for Planning regarding Mayor's letter regarding Melbourne's South East Airport Proposal.

# 2.5.3 Report on Matters Discussed at Councillor Briefing Sessions - 26 February & 5 March 2018

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 February and March 2018.

## **Recommendation Summary**

This report recommends that the information contained within it be received and noted.

### 2.5.3 Report on Matters Discussed at Councillor Briefing Sessions - 26 February & 5 March 2018 (Cont.)

### Item **Briefing Session** 1 Councillors and Council officers briefly discussed the following 26 February 2018 topics: a) Discussion on the impacts of China's recent announcement to ban the importing of recyclable waste on Greater Dandenong's own recycling activities and costs (CONFIDENTIAL). b) Hockey Victoria activity in Greater Dandenong. c) Agenda items for the Council meeting of 26 February 2018. 2 City of Celebration Tag Line Workshop 5 March 2018 Councillors discussed the pros and cons of altering the CGD tagline "City of Opportunity" to "City of Celebration" as proposed by a Council resolution made on 29 January 2018. Community Engagement Policy Review 3 5 March 2018 Councillor feedback was sought on the draft Community Engagement Policy prior to presentation at an upcoming Council meeting. 4 City Deals 5 March 2018 Councillors were presented with details regarding a new approach in Australia bringing together the three levels of government to create place-based partnerships. Councillors were advised of the development of a masterplan with Development Victoria on land related to the location of the proposed stadium on the south side of Dandenong station. 5 Councillors and Council officers briefly discussed the following 5 March 2018 topics: a) Funding received for employment of indigenous officer. b) Further public consultation required for Road Management Plan. c) Success of Sustainability Festival held at Dandenong Market over the weekend. d) Agenda items for the Council meeting of 13 March 2018.

# Matters Presented for Discussion

### 2.5.3 Report on Matters Discussed at Councillor Briefing Sessions - 26 February & 5 March 2018 (Cont.)

# Apologies

- Councillor Maria Sampey submitted an apology for the Councillor Briefing Session on 26 February 2018.
- Councillor Zaynoun Melhem did not attend the Councillor Briefing Session on 26 February 2018.
- Councillor Zaynoun Melhem submitted an apology for the Councillor Briefing Session on 5 March 2018.

## 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 1(a) by the Chief Executive Officer under Sections 77 and 89 of the *Local Government Act 1989* remains confidential until further advisement unless that information is the subject of a subsequent Council report.

# **MINUTE 595**

Moved by: Cr Tim Dark Seconded by: Cr Roz Blades AM

### 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 1(a) by the Chief Executive Officer under Sections 77 and 89 of the *Local Government Act 1989* remains confidential until further advisement unless that information is the subject of a subsequent Council report.

CARRIED

# **3 NOTICES OF MOTION**

Nil.

## Question Cr Loi Truong

Residents have asked me if a disabled parking permit issued by this Council is valid outside the City of Greater Dandenong?

### Response Jody Bosman, Director City Planning, Design & Amenity

Disabled permits that are issued in Victoria are obviously good for the state of Victoria and while each state has its own protocols and own systems, there is a general acceptance and acknowledgment between the states that they are recognised across the country. So for example, a permit issued here would be recognised and could be used in Sydney and thus able to be used anywhere.

## Question Cr Sean O'Reilly

I have attended quite a few functions but I am sure they will be mentioned by other Councillors so I will just raise one issue of importance tonight. Following the bus tour Councillors attended last week where we viewed all the great work, infrastructure, new facilities and parks that Council is currently undertaking or will be undertaking over the forthcoming period. We were shown a block of toilets at Parkfield Reserve, Noble Park and this was a block of toilets that were individual. In other words, there were not a whole lot of toilets in one room, but each toilet had its own four walls, and was lockable. What other Councillors and I noticed was that these toilets were gender assigned. Some were for male, some were for female and some were for disabled. As Councillors we had a discussion on potentially what facilities we might have at the Springvale Civic Centre and I asked Council officers why at Parkfield Reserve the new toilets were male, female and disabled. The Council officers said because there had been very strong opposition to any form of unisex non-gender assigned toilets. I thought that this needs to be followed through and investigated with feedback sought from the community. I placed a poll on my Facebook page last Friday lunchtime because I thought that potentially unisex toilets could be better utilised in busy events. When attending busy events, many times you see queues of women looking extremely uncomfortable and that offends me as a man. Most of the time the men are straight through, in and out, whereas women have to suffer in public in a gueue. Is that equality in the modern age man? I would say most of us would agree it is not. The poll was placed on Councillor Sean O'Reilly's Facebook page and I thought I might receive a bit of interest. However, thanks to my Councillor colleagues, Councillor Dark and Councillor Kirwan for getting the ball rolling by sharing in their respective groups, and Councillor Sampey who was a bit late to the party but nevertheless better late than never. We got the ball rolling and before we knew it the poll had gone viral, and it has now been going since Friday. The poll now has had 162,000 views and 15,500 votes where people have made a definite choice. They have wanted to exercise their democratic right using Facebook to put their view forward and make many comments, over 1400 comments. It has been an extremely interesting exercise in garnering opinion via social media. The poll has been shared hundreds of times on Facebook pages across the world, some of them with names like the 'North Carolina Redneck Coalition' and the 'Left Leaning Liberal Patriots' to name just

two. I am quite proud that a poll about toilets in Greater Dandenong has garnered worldwide attention and discussion. The world cares about us and the world cares about our toilets. More importantly so what it sends to us is that we hae got to get our toilets right. There was even an allegation that Russian hackers had tried to influence the outcome. I felt strange waking up in the morning realising that overseas hundreds of votes were being cast while I was sleeping. The poll outcome has swung left and right and between progressives and conservatives. It now appears to be closer to 60 per cent that have voted for no change and the other 40 per cent saying they would like a change regarding the toilet assignment. After that preamble I would now like the objective and professional opinion of our acting director of engineering. Do Council have a policy on toilet allocation currently? Could we have a policy or should we have a policy that can be worked out with further public consultation? I do not suggest that my poll on Facebook should be the start and end of it. Certainly we want to make sure that we get it right and several people that have commented are certainly saying that they think it is very important and that we should get it right. Also taking into account the now legal status of gender non-binary individuals people that could be accommodated in any toilet allocation policy changes.

### <u>Response</u>

## Charlie Taveira, Acting Director Engineering Services

The first question, how does Council determine the assignment of public toilets and toilet facilities? Council currently has no policy position on the assignment of public toilet facilities. Question 2, can Council go through a process to rethink how the assignment of toilet facilities is done? The development of a public toilet policy strategy could address some of the number of these issues. Due to the range of issues to be covered, the need for a data collection and the high level public consultation, the cost to have a specialist consultant to deliver this piece of work could be in the order of \$80,000. This would need to be considered in the current budget process as a late budget Councillor bid. The third question, what consideration has been given to the allocation of unisex toilets due to the legal recognition of gender non-binary individuals? No consideration has been given to the allocated to address demand and family requirements, such as the use of specialist accessible toilets and changing places facilities where the user needs assistance.

### Question Cr Roz Blades AM

Can I just clarify the consultation on this issue is going to cost Council \$80,000?

### Response Charlie Taveira, Acting Director Engineering Services

Yes, that is correct.

## <u>Comment</u> <u>Cr Jim Memeti</u>

A function that I attended over the last fortnight was a Monash Children Hospital fundraiser held by Mr Lim from Lim's Pharmacy in Springvale. The event covers all the Monash hospitals and includes Dandenong Hospital so it was great to attend that and raise some money for those hospitals. I also

attended a function with the Premier celebrating Diversity Week. It was great to be there and the colour in the room from so many people from so many countries in one room celebrating our diversity which is fantastic and as we all know the City of Greater Dandenong is the most multicultural City in Australia. It was great to attend that event.

## <u>Question</u> <u>Cr Jim Memeti</u>

I was in the Dandenong Market the other day and three elderly ladies approached me and said, "Jim, what are you doing about this bus stop on Hammond Road, on the intersection of closer to Kirkham Road and Hammond Road, Dandenong." There is a bus stop there but no bus seating. There is one further up on Hammond Road next to Dalgety Street but on the busiest intersection in Dandenong South on the corner of Kirkham Road and Hammond Road there is no bus seating. These three elderly ladies tell me they catch the bus every day and they were telling me that there are more than three of them waiting for a bus. There is probably about eight or nine senior citizens waiting for the bus and they would really like to have a seat where they could sit for while they are waiting for the bus. Can officers investigate the installation of a seat at the bus stop for all these senior citizens to sit on while they are waiting for the bus?

### Response Charlie Taveira, Acting Director Engineering Services

Yes, officers will investigate and advise.

# <u>Question</u> Cr Jim Memeti

Tatterson Park, Keysborough is fantastic with over \$11 million dollars spent but people in the community ask me when is the synthetic pitch going to be ready?

### Response Charlie Taveira, Acting Director Engineering Services

I will take that question on notice.

## Question Cr Jim Memeti

Over the last couple of weeks I have had more people call me than normal about the dangerous speed levels on the Dandenong Bypass. Motorists there are either speeding very quickly or sometimes what they call 'dragging' each other which means that they are racing each other and when they do that they are very loud. I am concerned that some of the residents said that it is not good that is is happening on the Dandenong Bypass. Can this be investigated? I know Council probably cannot do much but we need to pass on the message to Victoria Police. I have said to the local residents that they also should be calling Victoria Police but we will do our bit as well.

### Response Charlie Taveira, Acting Director Engineering Services

I will take that question on notice.

### Cr Maria Sampey left the Chamber at 8:06pm.

### Comment Cr Matthew Kirwan

The following were some of my activities over the last two weeks:

On Thursday 15 March 2018, I chaired the Greater Dandenong people seeking asylum employment working group. Later that afternoon I attended the launch of the Greater Dandenong Council's reconciliation action plan along with the Mayor, Councillor Chea, Councillor Blades and Councillor Long. It was a joyous event and I thank all the officers, particularly Leanne Pearson, Engagement Officers, Aboriginal and Torres Strait Islander Communities who was the driving force behind both the plan and the organisation of the event. In the evening I attended the well-attended AGM of the Dandenong Agricultural and Pastoral Society along with Councillor Long.

On Saturday 17 March 2018, I took part in a tour with other Councillors of the Dandenong Market. Later that afternoon I visited the Harmony Festival organised by the Springvale Neighbourhood House right here in Harmony Square, Dandenong.

On Wednesday 21 March 2018, Councillor Long and I met with Keys Road residents about their issues with traffic in Keys Road, and thanks to Councillor Long for initiating that meeting.

On Thursday 22 March 2018, I went on the capital improvement tour program bus tour. It was great to have a look at the City Improvement Projects being delivered in Greater Dandenong, and those planned to come.

On Saturday 24 March 2018, I attended along with other Councillors the Stand for Burma Rohingya fundraiser which raised money for mobile medical clinics in Burma. The crisis in Burma has displaced about a million Rohingyans across south-east Asia with many atrocities committed by the Burmese military forces, leading to there being a huge need for medical care. Well done to Kuranda Sayet and his team for a successful fundraiser, which I understand this afternoon has raised \$25,000 so far.

On Sunday 26 March 2018, I joined with friends of Fotheringham Reserve and a Council officer for a review of the recently installed nesting boxes in the reserve and they are doing this in conjunction with a local university. The hour I was there was uneventful. I later learned that after I left they found eight nesting boxes that were actually full and working. Although this occurred after I left it was great to join the friends of Fotheringham Reserve which are local Greater Dandenong residents volunteering

on that project with Council officers and the local university. Later that day I visited the very well-attended family fun day in Lois Twohig Reserve, Dandenong North. Thanks to Colin Riddiford and the Dandenong North Junior Football Club, and Deal Real Estate for a great community event.

I would like to comment a little bit on what Councillor O'Reilly said about unisex toilets and it is a fantastic poll and it is great reading all the comments. One thing I think is worth pointing out is that the unisex toilets, which I think are a good idea, but the design that we have picked in Greater Dandenong is, as Councillor O'Reilly said, to have separate bathrooms. I think there is a misconception about unisex toilets and about how they are structured. These are separate discrete toilets. Interestingly, I do not think it is that controversial in Greater Dandenong and I want to say why. When I went to Lois Twohig Reserve yesterday I had a look at the almost new toilet blocks that were put there. There was two unisex toilets. I then went down to Menzies Avenue and Councillor Memeti and Councillor Long and I have been involved a lot in the improvements to the Menzies Avenue reserve. I had a look at that toilet block aand that is unisex. I wanted to check on that. I went further down Gladstone Road to Hemmings Park and saw the new block that has been built there and that is unisex. I can honestly say I have not had any complaints about those new toilet blocks. In fact, people have said how safer they are, how much newer they are and how they are a good idea.

### Question Cr Matthew Kirwan

Can we please have an update on the status of C182 Part 2, and we talked a lot about that earlier, but in terms of how that is progressing. For the benefit of those watching in the gallery or via the webcast a summary of what C182 Part 2 is about would be beneficial as context.

### Cr Maria Sampey returned to the Chamber at 8:11pm.

### <u>Response</u>

### Jody Bosman, Director City Planning, Design & Amenity

Planning scheme Amendment C182 Part 2 relates to the residential areas of Greater Dandenong that are proposed to be rezoned to residential growth zone Schedule 3, as part of Council's planning scheme Amendment C182. The Minister for Planning approved C182 Part 1 in December 2017 which included all of the proposed changes to the residential areas of Greater Dandenong, excluding the areas proposed to be rezoned to residential growth zone Schedule 3. In approving Part 1, the minister advised Council that further work was required in relation to Part 2. In terms of the current status of Part 2, Council is still awaiting a response from the Mayor's letter to the Minister for Planning which was sent back in January 2018. This letter sought clarification from the minister in relation to what further work Council should now undertake in relation to the proposed residential growth zone Schedule 3. In other words, we still have no idea of what the minister was actually asking for. Officers have sought an update from the officers on a number of occasions since January. However we are

yet to receive a clear response. Officers have a meeting scheduled with the officers in early April and it is hoped that either a response to the Mayor's letter or a time frame for a response will be provided within that time.

## Question Cr Matthew Kirwan

Have we got the local Member of Parliament involved in this? As well as different arguments about that change we have this bizarre thing at the moment that from C182 we have areas that we want to rezone RGZ3 that are on the planning scheme as RGZ1 and areas of residential growth zone Schedule 2 that are further away. It has created this bizarre outcome in certain neighborhoods. Have we tried to get the local member involved to wrap this up?

### <u>Response</u>

## Jody Bosman, Director City Planning, Design & Amenity

I will have to check to what extent we have communicated with our local member but I think the amount of pressure that we are applying directly through to the minister's office via the minister's own staff that the minister cannot be anything but absolutely aware of the needs of this Council and its community in bringing this to finality as soon as possible. We will have a look to what extent we can use the local member and to what extent we might already have and I will come back to all Councillors with a communique in that regard.

### Question Cr Matthew Kirwan

I had a Dandenong resident come to me, concerned about Gilbert Lane, Dandenong which runs between Thomas Street and Mason Street in central Dandenong. This resident was concerned that it was dangerous for pedestrians to access it as it is a two way lane despite the narrowness and poor sight lines. Pedestrians use it daily as it provides pedestrian access to the Mason Street car park a car park that we are promoting more widely now. If you can get safely to your car but the lane is also problematic as traffic jams and near misses can occur as drivers use it both to enter the Mason Street car park from Thomas Street but also exit. My question is for all the reasons of pedestrian safety, traffic safety and traffic movement. The resident suggested that Council make Gilbert Lane one way and having experienced these issues myself I knew exactly what the resident was talking about. Can it please be considered?

### <u>Response</u> <u>Charlie Taveira, Acting Director Engineering Services</u>

I will raise this matter with our traffic engineers. We will investigate the matters further and we will come back to you once the investigation is complete.

### Question Cr Matthew Kirwan

I raised in this Chamber previously about the need for more litter bins in Lonsdale Street and I am very pleased that this review was done and we now have more litter bins in Lonsdale Street. A different amenity concern has been raised with me increasingly in recent months and that is the amount of disability car parks in central Dandenong particularly near the corner of Clow Street and Lonsdale Street, near the Albion Hotel and also outside of Young Uncles in Thomas Street. When those people have raised those specific locations they have said there is a shortage in their mind of disability disabled car spaces in general. Often with disabled car spaces you have people in wheelchairs but you also have older residents who are often reticent to visit central Dandenong. They have disabled stickers because they are mobility impaired and this is an important issue for all the mobility impaired. Can a review be undertaken to see if more disabled car spaces are needed at that particular location or those particular locations but in general in central Dandenong?

### **Response**

### Charlie Taveira, Acting Director Engineering Services

Within the greater area of Greater Dandenong in question particularly to the west of Lonsdale Street, accessible or disabled parking is currently provided at around three times more than the rates recommended in the Australian standards and guidelines. Each of the locations mentioned in the question have several accessible parking spaces available at very close proximity. These parking bays are used relatively well with some capacity for high usage. In addition to this, drivers with disabled parking permits may park in other general parking spaces for double the posted time limit. If any residents have any difficulty using or identifying these bays I would like to encourage them to contact Council's traffic engineers directly for further information.

### Question Cr Matthew Kirwan

In terms of the use of other car spaces by people with disability stickers, how is that promoted to those disability sticker holders?

### <u>Response</u>

### Charlie Taveira, Acting Director Engineering Services

I do not believe we conduct any promotion within Council but I believe this forms part of the road safety rules of Victoria.

### Question Cr Matthew Kirwan

Is there a way that we can promote that to older residents in the municipality, maybe through our community care newsletter and other sources as it my not be well known?

### Response Charlie Taveira, Acting Director Engineering Services

I think it is heavily promoted through the city magazine and on the parking meters themselves.

### Question Cr Matthew Kirwan

My next question is has been commented to me by local residents in that part of Dandenong West closest to the Dandenong Central Business District and what I am talking about is the area surrounded by Railway Parade, Pickett Street, Hemmings Street, Potter Street, Princes Highway and Robinson Street, have been experiencing some significant demographic change. Once apartments in the area were mainly occupied by young men. Now, many families are moving into those apartments. However what has been commented to me by residents in that area is often multiple families are moving into two bedroom apartments leading to significant overcrowding and that is putting pressure on parking, traffic and also open space like Hemmings Park. On a hot summer's night the park is often very crowded, not by visitors but families in nearby crowded apartments escaping the hot weather because these are often very old 1970s apartments, and using Hemmings Park. What information do officers have about overcrowding in this area? Is it illegal? Is there an enforcement role by Council or by the state government and in general, either enforcement or just the issue of so much impact of so much overcrowding on those families themselves? Is anyone addressing the issue and if so, how?

# <u>Response</u>

# Jody Bosman, Director City Planning, Design & Amenity

Councillor, regulatory services is not aware of any specific incidents of overcrowding. If Councillors or residents are concerned about particular properties, they should contact our customer service team and provide details of the address and the nature of the concern. There are controls in several different Acts of parliament that could be used to manage such issues depending upon the specific circumstances of the given situation. Increases in the number of families using Council's recreational facilities such as Hemmings Park is an issue that should be applauded and that we see as a positive outcome. These spaces are designed for just that purpose and increased use of them creates feelings of connectedness in the community as well as improving both real and perceived levels of safety at these facilities.

### Question Cr Matthew Kirwan

The residents who brought up about how extensively Hemmings Park was used were just as excited as you are. They were saying that it highlighted the shortage of open space in that area given such a large population not because they did not like Hemmings Park being used. In terms of State Acts

of parliament that can be used to regulate that situation, are they all enforceable by Council officers or is that really considered our role or are there state bodies that are meant to be regulating and even monitoring this matter?

### Response Jody Bosman, Director City Planning, Design & Amenity

I assume that if we are talking about monitoring those within buildings not the open space the Acts of parliament I was referring to are those in respect of overcrowding within open space and there are a number of agencies that are involved and the Acts of parliament are not all enforceable by Council or Council officers. Very often when we deal with these issues depending on the specifics involved, we work together and in collaboration with other agencies either separately when we are dealing with them or go out in a team to deal with these. This is why it is important to know the specifics because depending on what those specifics are we would either act as just Council in terms of its powers or in consultation and collaboration with other agencies where they might have supplementary or additional powers where we can work together in bringing the matter under control.

### Question Cr Matthew Kirwan

In terms of strategic planning then in terms of the issue of multiple families occupying small apartments, what should we be doing in terms of a strategic planning sense about the issue that because of housing affordability this is becoming more common?

### Response Jody Bosman, Director City Planning, Design & Amenity

This Council has a very good municipal housing strategy. It has a number of tools within its toolkit in addressing affordability and social housing. That is the strategic planning document and what takes us forward. Within that, we look at everything from inclusionary zoning to the use of air rights. In terms of controlling the number of people that actually occupy a building, this takes us back to the question I have just answered. It depends on the specifics, whether it is the building code, various health regulations or legislation related to rooming houses or boarding houses. We have to deal with those in terms of the specifics. The issue of affordable and social housing is one that is not easily dealt with just in terms of a planning scheme amendment or some form of policy. The City of Greater Dandenong has a well received and well recognized document or strategy that deals with it on a multi pronged approach and in fact deals with it across Council where every single one of the directorates involved in Council has contributed to and is involved in that strategy.

### Question Cr Matthew Kirwan

I have received resident feedback that the new outdoor smoking laws are not being followed particularly on weekends. What has been officers' general experience with both the nature of and enforceability of the new outdoor smoking laws? How are we finding that many outdoor cafes are following the new laws by making their outdoor areas non-eating? Is that what is generally occurring? Once this is done, is this even being followed up in practice and enforced, particularly on weekends? This is coming from complaints from residents that are quite multiple, that outdoor eating opportunities are

being reduced by the laws but also that it is not working in practice. I can relate to these complaints, as I came across a café in Springvale South recently on a weekend that had signs up saying no outdoor eating due to smoking but continue to serve food to customers regardless.

### Response Jody Bosman, Director City Planning, Design & Amenity

I think it is important before I go into the actual answer that I had here, Councillor, is that one may serve certain types of food and drink and still have a smoking environment and not all food and drink consumption is prohibited at a non-smoking table. Council's environmental health officers will conduct some proactive weekend patrols in relation to the tobacco legislation as the festival and events season comes to a close over the next few weeks. At this time, officers are not aware of any significant volume of complaints to these matters and I can assure you that I personally am very, very passionate about making sure that the smoking legislation or the no smoking legislation is enforced and we have not really come across anything extraordinary. By and large the vast majority of proprietors and customers are abiding by the legislation. If Councillors or residents are concerned about particular businesses they should contact our customer service team and provide specific details of the address and the nature of the concern. We will be able to target those particular premises by having officers visit them. However, the experience of officers to date has been surprisingly good in terms of the degree of compliance across the board and across the municipality in complying with the new legislation.

### Question Cr Matthew Kirwan

I have certainly learnt something from this question because I thought it was all outdoor eating was prohibited if it is a smoking area. Do you know offhand what the exceptions are or can you get back to me with those?

### Response Jody Bosman, Director City Planning, Design & Amenity

For example, you could have your coffee and if your pie was prepared as a snack or a packet of chips and a pie that was heated in a microwave, that does not constitute a meal that has been prepared and served at a table, so you would be able to. That is what you want to call an exception to that scenario. I am happy to circulate to all Councillors a very brief summary of what is in and what is out when it comes to what may be or may not be consumed at a table where it is in a designated non-smoking area.

## Question Cr Matthew Kirwan

In our Greater Dandenong cycling strategy, one of the high priority projects was on road bicycle lanes between Murray Road and Heatherton Road and Dandenong Road. I understand the solution that was recently consulted on will be to create on road bicycle lanes on both sides of Gladstone Road, but also allow car parking on those bicycle lanes as well. If built this way, I anticipate complaints from cyclists that we are creating bicycling lanes that are not very effective because cyclists will have to keep on riding around parked cars. Instead of allowing bicycle lanes with car parking, my question

is why not have car parking allowed uninhibited on one side of the road by a bicycle lane and an unimpeded bicycle lane on the other side of Gladstone Road and not allow parking, separating both modes of transport. So my question is why has that not been considered as a solution?

#### Response Charlie Taveira, Acting Director Engineering Services

The purpose of the proposed pavement markings on Gladstone Road is to visually narrow the road for through vehicular traffic, with the additional benefit of providing an area for cyclists to use. Visually narrowing the road can result in reduced vehicle speeds which can improve safety for all road users. Other configurations were also considered, including the option that you have suggested, with each presenting their own advantages and disadvantages. The option of a wide bicycle lane which continues to allow parking was identified as the most suitable, as it allows for retention of the on street parking along both sides of the road, whilst providing sufficient space for cyclists to safely pass parked vehicles. Additionally this treatment has been used successfully on other roads within the municipality. For example, Browns Road in Noble Park. Council traffic engineers are confident it will deliver similar positive outcomes for Gladstone Road users.

### Cr Tim Dark left the Chamber at 8:27pm.

#### Question Cr Matthew Kirwan

The Shire of Strathbogie is a small rural Council in northeast Victoria. By small, I mean about 10,000 people. I read recently that they had recently launched a solar bulk buy program, called Bogie Bulk Buy in response to feedback from residents, seniors in particular, of increasing costly power bills and a reluctance in some cases by those older residents in the Shire of Strathbogie to turn their heaters on in winter. They have been able to create this program by partnering with the Yarra Energy Foundation, a non profit organization founded by the City of Yarra a number of years ago. My notice of motion calling for the investigation of solar savers including in its scope an analysis of similar programs. My question is are we already looking at programs like Bogie Bulk Buy, either as part of the response to that notice of motion, or separately, and if not, can we?

#### Response Jody Bosman, Director City Planning, Design & Amenity

The Council report to Response of Notice of Motion Number 31 is proposing to cover the solar bulk buy programs in general as an alternative to solar savers program. It will highlight that a solar bulk buy program has been made available by other Councils for residents who are eligible for the solar savers program. It will also highlight a version of the solar bulk buy program run by Positive Charge on behalf of several Councils. We have chosen to review this version as it is used by multiple councils. In terms of the Bogie Bulk Buy program, we have not reviewed this at this time. This is one of a large

number of programs run by individual Councils. We are concentrating rather on one that is done by a number of Councils. Instead we have chosen to review the alternative program, as I said, that has been reviewed and used by most Councils.

#### Cr Tim Dark returned to the Chamber at 8:31pm.

#### Question Cr Matthew Kirwan

At the Council meeting on Monday 29 January 2018, Council resolved to participate in a process with interested regional Councils in partnership with the Metropolitan Waste and Resource Recovery Group, for the contracting of advanced waste and resource recovery technologies as an alternative to landfill. Advanced waste and resource recover technologies is a broad term and covers mechanical and biological options. One of the most well known types of advanced waste and recovery resource technology is waste energy via incineration, and that is the one across Victoria that is attracting the most interest. As spoken by me on the night, I had a number of questions at the Council meeting on Monday 29 January 2018, but in other forms stated at Council meetings last year and forwarded by me as the waste delegate to the Metropolitan Waste and Resource Recovery Group in February this year. I have had three shots at these questions, trying to get it out of the Metropolitan Waste and Resource Recovery Group either directly or through our officers. Three of the core questions were:

a) Arguably one of the challenges with the waste energy plan is that emissions can only be profiled once the input material, that is the feed stock, has been determined in detail. So you need to have a pretty good idea of the percentages of plastic, paper, wood being burnt before the emissions can accurately be determined. Until then, is it not difficult to make any public health assessments about possible emissions?

b) How will the waste energy plants reduce greenhouse gases and thus be considered green energy. That is often a claim from waste energy plants. Does it not depend on how the emissions are measured? Some argue that CO2 produced by burning via mass like paper and wood should not be included when calculating greenhouse gas emissions from incineration because those emissions would have occurred anyway in the natural environment, but if left to decompose naturally, those emissions would likely occur over many decades and not several hours.

c) Is there a serious risk that building waste energy plants reduces the level of recycling?

It was very interesting when I was reading about the Metropolitan Waste Resource and Recovery Group's own presentation on waste energy that was made to industry, that between 2015 and 2042 there is a projected 63 per cent increase in population matched by a 63 per cent projected increase in waste. Does this not indicate that the Metropolitan Waste Resource and Recovery Group are anticipating no progress whatsoever in terms of reducing the amount of waste we produce by better recycling and resource recovery?

These are the three questions I have been trying to find out the answers about waste energy plants. So my questions tonight are:

a) Have answers been obtained to these questions and if so, when do we expect them?

b) What is the status of the Metropolitan Waste Resource and Recovery Group advance wastes and resource recovery technologies tender and when is a Memorandum Of Understanding (MOU) expected to come to this Council at a Council meeting for us to endorse?

c) If we have not got the answers to these questions now, will the Metropolitan Waste Resource and Recovery Group provide these answers to these important questions before they ask us to sign an MOU?

# <u>Response</u>

# Charlie Taveira, Acting Director Engineering Services

Today Council officers have not received a response from the Metro Waste Group relating to your questions but we will follow them up as a matter of urgency tomorrow. In regards to your question (b) Council formally supported Council officers' participation in the initial southeast advanced place and resource recovery technologies procurement process and officers involvement into the Metro Waste Group's working group at its meeting on 29 January 2018. An MOU has since been signed, reflecting of this commitment. A second MOU formally committing Council to attend the process in partnership with the southeast and metropolitan councils and the Metro Waste Group is expected to be received in late April this year. This MOU will signal our intent to participate in this tender process. This MOU will be formally presented to Council for approval.

### Question Cr Matthew Kirwan

Has the Metropolitan Waste and Recovery Group, before they present that second MOU to a Council meeting for adoption, have they committed to obtaining answers to those questions?

### <u>Response</u>

### Charlie Taveira, Acting Director Engineering Services

I will take that question on notice and respond with a consolidated response to you once we receive that response from the Metro Group.

### Cr Matthew Kirwan left the Chamber at 8:37pm.

#### Comment Cr Angela Long

These are some of the events that I have attended since my last formal meeting:

On Wednesday 14 March 2018, I attended the Watersports Centre in Bangholme where the Premier Daniel Andrews announced funding of \$3 million for the improvement of the road and bike paths. He also announced a further \$50,000 would be going to the water cable park for the purchase of another six all ability chairs, so that anyone with a disability can enjoy the sport of water skiing. At the moment they have only one all ability chair.

On Thursday 15 March 2018, I attended the launch of the Greater Dandenong first reconciliation plan in the Library. That evening I attended the 147th Annual General Meeting of the Dandenong Agricultural and Pastoral Society, where Alan Collier was elected president.

On Saturday 17 March 2018 I attended the Premier's gala dinner to celebrate Cultural Diversity Week.

On Sunday 18 March 2018, I attended the Annual General Meeting of the Noble Park RSL.

On Tuesday 20 March 2018, I attended the launch of the Peregrine Falcons African womens team at the Dandenong basketball stadium. Last year there was a launch of the Black Rhinos which is an African mens basketball team and in their first year they played in the grand final. They were defeated but what a great effort for them and I wish them well for the coming season.

On Wesnesday 21 March 2018, I represented the Mayor in the grand opening of the new Good Start early learning centre play group.

On Thursday 22 March 2018, I attended the staff memorial day here in Dandenong.

On Friday 23 March 2018, I attended the Greater Dandenong Chamber of Commerce breakfast where the guest speaker was David Corduff, an ambassador for Beyond Blue. Later that day I attended the Dandenong West community festival, celebrating Cultural Diversity Week. Later that night I attended the Victorian Sunday Cricket Association presentation night in Brighton.

On Saturday 24 March 2018, I attended the Stand for Burma fundraising dinner hosted by the Australian Rohingya Welfare Association. They were raising money for a mobile medical clinic for the people of Burma.

On Sunday 25 March 2018, I attended the second annual North Dandenong Junior Football Club family day Easter egg hunt at Lois Twohig Reserve, Dandenong North.

#### Cr Matthew Kirwan returned to the Chamber at 8:39pm.

#### <u>Question</u> <u>Cr Zaynoun Melhem</u>

During the past couple of weeks I attended a couple of events, including the family fun day hosted by Del Real Estate at the Dandenong North junior footy club. It was a fantastic event where they had an Easter egg hunt for the children. I believe they got attendance up by about 150 to 200, compared to the year before. This was all to create awareness for the Dandenong North junior footy club where they currently have two teams. Their Auskick team is currently starting to get some good traction but we are hoping in the next two to three years we can get quite a large number of attendance and try to grow that team and promote that team. I know Colin is doing a great job with that, along with fellow community members at the footy club. I would like to just see how Council thinks they can contribute and maybe assist the club with next year and potentially getting around to schools and helping promote the footy club, because we have got fantastic facilities, two great ovals, lots of space, and I feel like it is not being utilized as good as it can be. The people at the junior footy club are very dedicated and are very passionate about it.

#### **Response**

### Martin Fidler, Director Community Services

We are very pleased to say that we are working closely with the football club looking at sports development and AFL development right across not only the Dandenong North area, but right across the municipality. We have a sports development officer who is working with the club and liaising with the AFL. We are promoting as much as we can through Council newsletters, City magazine and our website. So we are working very closely with clubs trying to increase the profile. We have some fantastic facilities that we want to encourage people to use and it will be a real key focus of promoting AFL development in this municipality over the next 12 months.

### <u>Question</u> <u>Cr Zaynoun Melhem</u>

Another question that I have asked previously in Council meetings is in regards to speeding on Brady Road, Noble Park. I was also asked the question that in regards to the potential of a wombat crossing, like they have in Menzies Avenue that has recently been installed. I discussed it with Councillor Kirwan and he said they have been really effective. What is the likelihood and the process of potentially putting some wombat crossings in for Brady Road, as it is quite a busy activity centre with quite high speeds through there, just to make it a bit safer for the community.

### Response Charlie Taveira, Acting Director Engineering Services

I will take that question on notice.

#### <u>Question</u> <u>Cr Zaynoun Melhem</u>

In regards to Councils tree policy I know as a part of that strategy we are removing quite a number of trees and obviously replanting new ones. There are some trees that as part of Council's strategy over a certain amount of years will be looking to remove those trees. Often with that I find that the trees are not being removed. Maybe they will be pruned and trimmed back. Why can't Council remove these trees if they are going to be removed in the future anyway?

#### Response Charlie Taveira, Acting Director Engineering Services

I will take that on question on notice.

## Question Cr Maria Sampey

Councillors' were handed this security threat letter tonight and on reading it I am concerned that it is blasé. It does not really address the situation as far as I am concerned. It states that when necessary during an emergency evacuation Councillors and Executive - please stand and leave the chamber. But then further down it states: "Door locked internally so that no members of the public can follow." I have a concern with regard to the public. It needs to state what sort of security threat and surely the public are entitled to some sort of protection. This states the the public cannot enter and the doors are locked so the public cannot enter. It does not appear to be thorough and I am concerned about the way that this has been given to all Councillors. Can somebody let me know why the public are not considered important?

# <u>Response</u>

# John Bennie PSM, Chief Executive Officer

There is absolutely nothing blasé about emergency evacuation procedures in this building or this organization. I think the question may require some clarification. We are best to take it on notice and we are best to speak to Councillors again about the intent of it. It was advice that was targeted specifically at Councillors for their evacuation in the first instance. We do have other standing procedures in place that give consideration to the public. If they are not known to you or anybody else it iss clear that we need to do some further work in communicating those as well.

### <u>Comment</u> <u>Cr Maria Sampey</u>

It needs to state whether it is a fire and what is done for a fire or if someone is in the Chamber with a gun, how do you deal with that? So do we go away and the public is just exposed to it. We need to be specific.

#### Question Cr Roz Blades AM

Residents are concerned about a particular street in Keysborough where an 11 square house behind them was demolished and replaced by a 48 square house. They are worried about their privacy. They have three lower large windows overlooking their back yard, alfresco, plus a second storey, five windows and a back balcony also looking into their private alfresco areas. The residents concerned have tried to contact the builder in question but they are not getting very far with that.

#### Response Jody Bosman, Director City Planning, Design & Amenity

If Councillor Blades can forward the inquiry to me I will investigate further.

# Comment Cr Roz Blades AM

So there has been a fair bit go on in the last couple of weeks and there has been some mention made of the Peregrine Falcons and the Black Rhinos. If people are not aware of what they are, these are social cohesion programs set up at the Dandenong Basketball Association for many in the Sudanese community who might otherwise be in trouble with law enforcement agencies. The Council has worked with state government and Afri-Aus Care in order to promote these programs. They have been very successful. It means young people are being mobilized. They are playing basketball and they are keeping out of harms way. It has been a very valuable program for the Council to be involved with Councillor Chea you spoke of that yourself, along with our state member of parliament, Gabrielle Williams. It is a well-supported program and I know they are looking to work with Council a bit more.

The reconciliation plan launch has also been mentioned this evening. That was also a very successful launch by the Council of the first Aboriginal reconciliation plan further cementing this Council's views and relationship with our local and outside of original community. I did not mention this at the last Council meeting but the Mayor, Councillor Chea hosted an International Womens Day function right here at the chamber where over 100 women attended from all the different nationalities and we had some excellent speakers at that.

Richard Lim hosted the Monash Children's Hospital fundraiser and even though it was for Monash kids, we all substantially contributed with raffle tickets because we are all family people. It did represent all of the hospitals in the southern region and that included Dandenong Hospital. As well as being a regional hospital it looks after all of us as well.

#### Question Cr Roz Blades AM

The Rotary Club of Noble Park Keysborough have asked me about planting trees. The world president of Rotary is from the state of Victoria. He has got a mandate worldwide. He wants more trees planted. Can we assist the Noble Park Keysborough Rotary Club in planting some trees? Can we work with them on which parks either they or we would like them planted in, and can we supply the trees as well?

### <u>Response</u>

# Charlie Taveira, Acting Director Engineering Services

Yes, certainly if you can forward us on the details please Councillor and we will work with the Rotary Club.

### Question Cr Roz Blades AM

At the last Council meeting I asked a bit about food waste. I read out the appalling statistics of food waste and I have received an answer back as to who does what in terms of food waste in Greater Dandenong. Is some way that the Council can contribute to that? Council support organisations like Avocare and SecondBite who provide waste food to people without it but is there some more input that council can have?

### <u>Response</u>

### Martin Fidler, Director Community Services

I have had a conversation with my colleague Julie Reid, Director Engineering Services about this and apparently we are doing a significant amount of work across this area already. I will have to take that question further on notice, Councillor Blades. The response that I have given you is quite detailed into where the large supermarket chains currently provide food and including some of the bakeries and smaller food outlets as well. In terms of Council's response, I believe we are doing quite a lot in that space and I will talk to my colleague about that and provide a response.

#### Question Cr Roz Blades AM

Maybe I can have a meeting and a further chat to you about that.

#### Question Cr Roz Blades AM

There is a rumour travelling around which I think is incorrect that there is not going to be a linking up of the Leonard Avenue and Ian Street project as far as Skyrail is concerned. As I said, I think this is incorrect. Can we please put on our website the correct and up to date and factual information about this so that the community is aware of it?

#### **Response**

# Jody Bosman, Director City Planning, Design & Amenity

I think Council's website which has links through to the LXRA, all the factual information is already there. Programs of works and what is happening is already there. Where these rumours come from and how they get any form of traction, Councillor, I have no idea. All I can assure you is that the work to create the link road between Leonard and Ian Street is currently under way and scheduled to be completed by the end of August. What concerns me is if we respond to every rumour that goes about then all we will be doing is using our website to respond to it. I would rather not put something on our website and rather leave the facts that are on there to speak for themselves.

#### Comment Cr Roz Blades AM

I will have a chat to you about that as well because I think the link road of Leonard Avenue and Ian Street is a huge topic for discussion in Noble Park and in Paperbark Ward and as a Councillor I am being asked about it all the time. I agree that we should not respond to every rumour but this is a definite concern and I think we need to respond to it.

### Question Cr Roz Blades AM

Some residents in Noble Park have received notification of a planning application. Some residents have not received notification. If you could advise how many residents around the area have been notified and I am only asking because there is a huge amount of flats.

### **Response**

### Jody Bosman, Director City Planning, Design & Amenity

The application is out on notification at the moment. It has probably been out for about a week now. I will check to what extent that public notification has been posted and get back to you with that.

### Question Cr Roz Blades AM

Council has master plans happening in Paperbark Ward of Wachter Reserve and Parkfield Reserve. So at AutumnFest can we get some master planning forms out with the Council ambassadors walking around? It might be a good opportunity if we spoke to the people who attended and Paperbark residents on that about what ideas they have on Wachter Reserve. It would seem an opportunity too good to miss with all of the residents there.

#### Response Jody Bosman, Director City Planning, Design & Amenity

I know that there has already been a fair degree of community consultation. I think you have been part of that Councillor, but we will investigate AutumnFest and what we can do to have somebody out there further engaging. I think it is an idea worth following up.

# <u>Comment</u> <u>Cr Heang Tak</u>

Further from what Councillor Blades said about the Skyrail a few months ago we would get stuck in traffic driving on Heatherton Road or on Lightwood Road from Springvale and then have to wait for boom gates at Noble Park and then at the Corrigan Road, Heatherton and Chandler Road. Travelling from Springvale the council meeting today I arrived earlier as I was not stuck in traffic on Heatherton Road.

I think it can go without saying the fundraising for the Monash Children's Hospital organized by Lim Pharmacy and many other community leaders, we saw the auction went well with support from all the community groups. The auction was conducted in three languages - Cambodian, Vietnamese and also Chinese. I was not sure whether the lady who spoke in Chinese spoke in three or four Chinese dialects so she received a lot of attention and of course it raised a lot of funding that Monash Children's Hospital needs. Congratulations to Mr Richard Lim and also to those who assisted in organizing this fantastic fundraising.

### Comment Cr Roz Blades AM

As much as it is lovely having Russian hackers and people in Russia and all over the world talking about what we are going to be doing about toilets, I am very concerned about \$80,000 on a consultation. I hope that is incorrect but as long as we are not going to do that as there are better things we can spend that money on.

#### <u>Comment</u> <u>Cr Tim Dark</u>

Councillor Blades, I could not agree more, \$80,000 for a consultation for changing a few things is unbelievable. Over the last fortnight I have attended a couple of events.

One was the Stand for Burma fundraising dinner at the Bosnian centre on Springvale Road, which I attended with yourself, Councillor Long, Councillor Kirwan and Councillor O'Reilly, a very well attended event. People came from all over metropolitan Melbourne, from Taylors Lakes, Werribee, Altona, Tarneit, all the way across to the southeast suburbs to turn out to ensure the fundraising for what was quite a worthy cause.

I also attended the Afghan New Year Festival at the Springvale Town Hall with the Mayor, Councillor Chea. That was a very, very well attended event, lots of live music, a TV show and TV presentations.

I also represented the Mayor at the Nauru Festival at Dandenong Park yesterday on Sunday. We had fantastic weather although we were all worried on Saturday night looking at the weather forecast. It was going to be raining and we were going to be washed out and strangely enough it turned out to be fantastic. Except for the drink fountain which they had installed actually burst off and we had to have the police come and try and cap it off and that was quite a bit entertaining to see what ended up flooding half of Dandenong Park. But nonetheless they were able to stop it, so great work by them.

I also attended the annual Councillor bus tour and this year was the most entertaining bus ride ever. We went around looking at several different areas, key projects within the City of Greater Dandenong in all four wards, and we get to Paperbark Ward which last year, as Councillor Blades will be able to testify, we had nothing in Paperbark Ward. We pulled up at Parkfield Reserve at these brand new toilets, and they were fantastic toilets. There were quite a few in a row, well set to the side and a very modern architectural deisgn. It was good and we were all extremely excited that Paperbark Ward is finally getting something and then all of a sudden the conversation was had that we need to look at changing how they are labelled. And lo and behold it spiraled out of control. We now have ended up with surveys on Facebook which mind you, Councillor O'Reilly, I will give you a running update which I just checked. There are three days left, so if everybody on social media following my webcast and here, I will encourage you to jump on vote. So far there are approximately 15,000 votes. Of those 15,000, 6100 are for changing it to a unisex gender neutral, some sort of design spectrum on that one, and 9100, making a majority for this kind of thing, for the traditional separate male and female. Before Councillor O'Reilly jumps up and says, "Oh well, you know, there is people from Arizona, from Texas," also I have seen Roz Ward is the creator of the Safe Schools program, also was liking in the gender neutral column. Also many residents within the City of Greater Dandenong, quite a few in Paperbark Ward, quite a few in Redgum Ward, were commenting, saying that they have deep concerns over changing bathrooms to unisex, that there are significant issues around people being approached in bathrooms, kids going in them. So it was good to see that there is still quite a strong City of Greater Dandenong presence being involved. On top of that as well, there were a couple of very interesting media releases that came out during the week, one from the Coalition, since we are talking about state government announcements, that Matthew Bligh will, if he is elected in November, hopefully which by any luck at this current rate will happen, that he will look at revising how the renewable energy project has been ascertained to ensure we can ensure the cost of living.

To keep to a local issue and I know that everybody has to be excited by this, this week the Ombudsman released a report, thanks to the Liberal and Greens Coalition, they have grouped up in the Legislative Council to refer a huge matter to the Ombudsman regarding the red shirts scandal which has recently been tabled, and it was tabled by the Ombudsman and it was accepted and put through and there has been lots of information that has come out. From the Ombudsman's report, I might say, the southeast is well and truly the melting pot of rorts for the Labor Party.

#### <u>Comment</u> <u>Cr Youhorn Chea, Mayor</u>

This is not relevant to the agenda.

### Question Cr Sean O'Reilly

There is absolutely no relevance to Council or City of Greater Dandenong matters at all.

# <u>Question</u> <u>Cr Tim Dark</u>

With regards to cars speeding in Sunnyvale Crescent, Keysborough, a resident has contacted me about a caravan that is parked out on the street to slow down cars that have been speeding and zig zagging through Sunnyvale, as a shortcut to get from Cheltenham Road to the Bypass. Apparently the resident has written to the City of Greater Dandenong a couple of times regarding some sort of speed treatments and has been advised needs to move the caravan to avoid a fine. Can the resident be advised regarding the caravan being parked on the side of the road is a hazard and are there some traffic treatments that could be installed?

#### Response Charlie Taveira, Acting Director Engineering Services

We will investigate both matters.

#### <u>Comment</u> <u>Cr Youhorn Chea, Mayor</u>

I will table my Council report for the Minutes of this meeting.

We have almost a new year every month in our Council. On Saturday 24 March 2018, I attended the Afghan New Year Festival hosted by the Afghan Australian Philanthropy Association in Springvale Town Hall. In February we celebrated the Chinese Lunar New Year and in March the Afghan New Year. Next month in April we celebrate the Cambodian New Year. I think that this Council is the festival Council.

### Wednesday, 14 March 2018

Childrens Advisory Meeting

- Ministerial Funding Announcement: \$3m for improvements to road/bike path infrastructure
- Noble Park Community Forum

# Thursday, 15 March 2018

- Community Leadership Awards hosted by Hon Mark Dreyfus QC
- Launch of the City of Greater Dandenong's first Reconciliation Action Plan

### Saturday, 17 March 2018

• Premier's Gala Dinner to celebrate Cultural Diversity Week

# Tuesday, 20 March 2018

- Keysborough Senior Citizens 37th Birthday celebration
- Launch of the Peregrine Falcons (African Women's Basketball Team)

# Friday, 23 March 2018

- Dandenong West Community Festival
- Monash Children's Hospital Charity Dinner hosted by Lim's Pharmacy

### Saturday, 24 March 2018

- Stand for Burma event hosted by the Australian Rohingya Welfare Association
- Afghan New Year Festival hosted by the Afghan Australian Philanthropic Association
   Sunday, 25 March 2018
- Walk for Justice for Refugees
- Monday, 26 March 2018
- Springvale Rise Primary School Assembly

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.

Questic			Responsible	Date of	
Asked By Subject	Subject	Subject & Summary of Question	Kesponsible Officer	uate or Response	Summary of Response
Cr Jim Memeti <b>Truck Parking</b> I have already to you, so we we What is the size What is the size What is the size allowed to P properties? If the tonnes or 5 ton be illegally park correct?	Truck P. I have al to you, s What is t are allow propeation tonnes o be illegal correct?	Truck Parking I have already passed on some details to you, so we will follow that up as well. What is the size limit, where they can or are allowed to have them on the properties? If they are bigger than 3 tonnes or 5 tonnes I believe they may be illegally parked on the street, is that correct?	Director City Planning, Design and Amenity	19/3/18	The maximum weight for a truck to be parked in a residential street or on a residential property is 4.5 tonnes GVM, or 7.5 metres in length. A permit may be issued for a larger truck where it is parked on a residential property, however permits are not issued for larger trucks to park in residential streets. As such, any truck exceeding 4.5 tonnes or 7.5 metres in length that is parked on a residential street would be doing so illegally. I can also confirm that officers have spoken to the relevant resident regarding this matter.
Cr Matthew Advoca Kinwan My final without be likely the foru attende one-pac safety feedbac of the or it was ir it was ir it was ir deas because because becaut the	Advoca My final without be likely the foru attende on the or feedbac safety feedbac it was ir it was ir it was ir it was ir dea it w blunt the with the with the there.	Advocacy Effort Summary My final substantive is question is without notice so I can understand it will be likely taken on notice. It relates to the forum that Councillor Blades and I attended on Saturday. I spoke to our one-page summary of our community safety plan and I got two bits of feedback about that one-page summary of the community safety plan. One that it was incredibly clear and they love the idea it was all on page so the format and ease of reading, particularly because it was and not different levels of English. They were really pleased with the communication approach there. What they said to me was quite blut they said: "vellook these are all bound those the Council nor doing with	Director Community Services	26/03/18	The 'Safe and Harmonious Greater Dandenong Community Safety Plan 2015-22' identifies ways the City of Greater Dandenong can improve community safety outcomes for everyone who lives, works or visits our city. Council continues to advocate for changes that can achieve a safe and harmonious community, reduce the risk of crime and anti-social behaviour, of safety. A one page summary about CGD advocacy successes and continued efforts around law enforcement and
uncillors/Delegates & Councillors	& Councillors	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	ce.		1/5

COUNCILLOR QUESTIONS TAKEN ON NOTICE

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

ORDINARY COUNCIL MEETING MINUTES

Summary of Response		After speaking with relevant agencies including Translating and Interpreting Service (TIS) and the Southern Migrant and Refugee Centre, Council officers can confirm that there has been no recent withdrawal of federal funding for language services that would impact our local community. TIS provided information that the Australian Department of Social Services has recently expanded eligibility criteria for the provision of language services for Medicare holders, pharmaceutical practitioners and real estate agents. In late November 2017, SBS restructured ths non-English services with 12 languages services being removed, and an additional 7 being added. This was in response to a review of the network's programming against selection criteria following the 2016 Census data	At the Autumn Festival on 8 April and	2/5
Date of Response		26/03/18	20/3/18	
Responsible Officer		Director Community Services	Director	Q
Subject & Summary of Question	community safety, but the thing we want to know about is that Councillor Kirwan you are talking about we are advocating for more police numbers, we are advocating for a police station in Keysborough South". They wanted to know about our advocacy efforts, that is what they wanted a one-page summary about. Can we review our materials to supplement that summary of the community safety plan with a summary of our advocacy around law	Language Service Funding Can we check with the relevant agencies about whether the Federal Government has withdrawn funds for language services? 1 would like the matter confirmed as if it is the case it might be necessary for us to lobby the Federal Government.	Autumn Fest Promotion	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice
Question Asked By		AM AM	Cr Roz Blades	Councillors/Delegates &
Date of Council Meeting	3	13/03/18 CQT14	13/03/18	Reports from C

**City of Greater Dandenong** 

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Response	Summary of Response
CQT17	AM	Autumn Fest is coming up on 8 April 2018 and we have an excellent leaflet saying 'City of Celebration'. I wonder if these could be on display in the Council tent? We have a tent with Council information that we supply to the community. I think it would be a good idea to have these on display as well.	Community Services		at all future Council events, teardrop banners and promotional flyers for the <i>City of Celebration</i> will be on display in the Council Information tent.
13/0318 CQT18	Cr Tim Dark	<b>Traffic Island</b> Regarding the temporary island on Corrigan Road, Noble Park it is currently sitting in the middle of the road there was a keep left sign which has since been knocked off and you can tell by the substantial damage to it that a lof of vehicles have run into it or hit it. It is starting to disintegrate quickly so I would like to know when that will be removed?	Director City Planning, Design & Amenity	19/3/18	The traffic island in Corrigan Road, located just to the north of Craven Street, was installed on a temporary basis only early in 2017 by the Level Crossing Removal Project – Caulifield to Dandenong. The island was installed to provide a protected point of pedestrian crossing for Corrigan Road away from the level crossing area itself. The LCRP-CTD commenced works just this moming, 19 March 2018, to remove the level crossing and rebuild Corrigan Road at this location. These works will be completed within the next forthight and it's understood this will include removal of the temporary island.
13/03/18 CQT19	Cr Tim Dark	<b>Development Plans</b> Regarding the Keysborough Park Primary School site which is an old site of the school that used to be there. I believe that has been sold and the site at the moment has got a chain-link fence. It looks quite ugly in terms of what the older Keysborough area should look like. Could we please have an update on if they plan on submitting any applications, who the purchaser is, if we know, and what their designs or plans are?	Director City Planning, Design & Amenity	20/3/18	Council received a planning application and development plan application for this site in August 2017, which proposed the development of 42 double storey dwellings, comprising of a mix of detached and semi-detached dwellings on lots varying from 220 to 571 square metres (most lots are in the 220 to 350 square metre range). This site is located in the Neighbourhood Residential Zone, which seeks to encourage development that is in keeping with
Reports from	Councillors/Delegates	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	8		3/5

Page 10201

Date of					
Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Response	Summary of Response
					the existing character of the area. Council officers refused the development plan on the grounds that the form and intensity of the development was inconsistent with the established neighbourhood character, to the detriment of the wider area. The applicant has subsequently appealed this decision to VCAT, and a hearing is scheduled in April 2018. The planning application remains on hold while the outcome of the development plan is finalised. The applicant is Ausco Investment Group Pty Ltd.
13/03/18 CQT22	Cr Tim Dark	Diversity Council of Australia Membership There has been quite a lot of media coverage over the last week particularly around a document produced by the Diversity Council of Australia which was targeted and then which was then adopted by Qantas. Which was an extremely politically correct document saying that they would prefer their staff do not refer to people as husband and wife, they do not refer to people as mum and dad, that they use the terms parther, spouse or parents. Not only that but that they would the terms of guys, love, honey, darling and then avoid the terms of chairman and then avoid the terms of chairman and then avoid the terms of chairman and then avoid the terms of the terms of guys. Jove, whole of State Local Government organisations that are members of this Diversity Council of Australia. Just want to confirm whether we could find out whether the City of	Director Community Services	16/03/18	I can confirm that Council is not a member of the Diversity Council of Australia.
Reports from (	Councillors/Delegates 8	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	8		4/5

4/5

# At the Ordinary meeting of Council on Monday, 24 March 2014, Council resolved to change the way Councillors and Public questions taken on notice are answered and recorded from 14 April 2014 meeting of Council onwards. Summary of Response Date of Response Responsible Officer Greater Dandenong is also a member of this organisation? Subject & Summary of Question Question Asked By Date of Council Meeting

ORDINARY COUNCIL MEETING MINUTES

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

5/5

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

# 5 QUESTION TIME - PUBLIC

## <u>Question</u> <u>Minwen Wu, Dandenong</u>

The world's first and largest smart bike sharing company, Mobike, is coming to Melbourne local Councils in mid-2018 or so. Last year when I shared articles about Mobike on Facebook, some Dandenong residents were fascinated with it. I heard that Mobike Australia's PR head is coming to Melbourne after Easter. I wish council to actively explore the possibility, the possible opportunity of having Mobike services in CGD and I am happy to assist in whichever way it is appropriate.

# This question was paraphrased by the Chief Executive Officer.

#### Response Paul Kearsley, Group Manager Greater Dandenong Business

These are share bikes and we have been approached by a number of other operators as well, and I can meet with the Mobike Company as well. From a Council point of view we are trying to take this on board with regards to a regional approach so there has been a meeting held at the City of Knox in the last couple of months. I think one of our traffic engineers may have attended and I would have to follow up with that. As you probably understand, there are some concerns and I think we will be leaning on the inner city Councils and the City of Melbourne who have had them for longer and have probably developed sort of an operating model of how they can function within cities. They do cause some concern with regards to people just being able to drop their bikes in the middle of nowhere and leave them. I think you have probably seen numerous news stories on those. So we are very keen to see how they could work in this city, but it is something that we will take on board and I am happy to provide a response to the questioner at that time.

# **6 URGENT BUSINESS**

No urgent business was considered.

The meeting closed at 9.07PM.

Confirmed: / /

**CHAIRPERSON**