



**GREATER
DANDENONG**
City of Opportunity

AGENDA

MONDAY 25 JANUARY 2021

COUNCIL MEETING

Commencing at 7:00 PM

Statement - Coronavirus (COVID-19)

At the time of printing this Agenda
the Council Meeting to be held on Monday 25 January 2021 will be
open to the public but will be subject to density quotients.

If we are unable to accommodate you indoors, you will still be able
to watch the webcast live on the Urban Screen in Harmony Square.

To view the webcast and stay informed of the status of Council
Meetings please visit Council's website.

COUNCIL CHAMBERS

225 Lonsdale Street, Dandenong VIC 3175

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1 MEETING OPENING

1.1 ATTENDANCE

Apologies

1.2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND

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

1.3 OFFERING OF PRAYER

As part of Council's commitment to recognising the cultural and spiritual diversity of our community, the prayer this evening will be offered by Reverend Deacon George Piech Meat from St Mary's Catholic Church.

1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Meeting of Council held 14 December 2020.

Recommendation

That the minutes of the Meeting of Council held 14 December 2020 be confirmed.

1.5 DISCLOSURES OF INTEREST

Any interest that a Councillor or staff member has deemed to be significant and has disclosed as either a material or general interest is now considered to be a conflict of interest. Conflict of Interest legislation is detailed in Division 2 – Conflicts of Interest: sections 126, 127, 128, 129 & 130 of the Local Government Act 2020. This legislation can be obtained by contacting the Greater Dandenong Governance Unit on 8571 5216 or by accessing the Victorian Legislation and Parliamentary Documents website at www.legislation.vic.gov.au.

If a Councillor discloses any interest in an item discussed at any Council Meeting (whether they attend or not) they must:

- complete a disclosure of interest form prior to the meeting.
- advise the chairperson of the interest immediately before the particular item is considered (if attending the meeting).
- leave the chamber while the item is being discussed and during any vote taken (if attending the meeting).

The Councillor will be advised to return to the chamber or meeting room immediately after the item has been considered and the vote is complete.

1.6 ADOPTION OF AUDIT AND RISK COMMITTEE MEETING MINUTES

The Audit and Risk Committee held a meeting on 3 December 2020. Minutes of this meeting are presented to Council for adoption.

Recommendation

That the unconfirmed minutes of the Audit and Risk Committee meeting held on 3 December 2020 be adopted.

| Item | Topic |
|------|--|
| 1 | The Risk Management report was tabled to the Committee providing an update on several aspects of risk, including the status of Council's insurances and claims. A further update was provided on the status of actions within Councils Fraud and Corruption Control Action Plan. |
| 2 | An update on the Financial Impacts of Covid-19 2020-21 Mid-Year Budget Review was tabled and discussed. |
| 3 | Councils Internal Auditor Crowe presented a status update on the Internal Audit program, which included a progress report and a summary of recent reports and publications which may have an impact on local government. Crowe tabled an Internal Audit Report on a review of Parking Infringements and Ticketing and Councillor Expenses for the Audit and Risk Committees consideration. |
| 4 | The outcomes of the 1 July 2020 – 30 September 2020 financial report were tabled. |
| 5 | A status update report was presented to the Committee on a recent IT Penetration Test. A report was also presented on Climate Change Risk to the Audit and Risk Committee. |
| 6 | The Audit and Risk Committee received a follow up report in respect of Internal Audit Risk Recommendations. |
| 7 | Paul Kearsley (Director Business Engineering and Major Projects) provided a Directorate overview on key risks for the Directorate |
| 8 | Jody Bosman (Director City Planning Design and Amenity) provided an update on progress to implement the outcomes of recent internal audit on Climate Change. |

2 OFFICERS' REPORTS - PART ONE

2.1 DOCUMENTS FOR SEALING

2.1.1 Documents for Sealing

File Id: A2683601

Responsible Officer: Director Corporate Services

Report Summary

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

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

Recommendation Summary

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

2.1.1 Documents for Sealing (Cont.)

Item Summary

There are three [3] items being presented to Council's meeting of 25 January 2021 for signing and sealing as follows:

1. A letter of recognition to Niki Zivanovic, Corporate Services for 20 years of service to the City of Greater Dandenong;
2. A letter of recognition to Anita Yang, Community Services for 10 years of service to the City of Greater Dandenong; and
3. A letter of recognition to Tasneem Ally, Community Services for 10 years of service to the City of Greater Dandenong.

Recommendation

That the listed documents be signed and sealed.

2.2 DOCUMENTS FOR TABLING

2.2.1 Documents for Tabling

| | |
|----------------------|-----------------------------|
| File Id: | qA228025 |
| Responsible Officer: | Director Corporate Services |

Report Summary

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

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

Recommendation Summary

This report recommends that the listed items be received.

2.2.1 Documents for Tabling (Cont.)

List of Reports

| Author | Title |
|--|------------------------------------|
| Federation of Community Legal Centres (Victoria) Inc | Annual Report 2019-20 |
| Local Government Inspectorate | Annual Report 2019-2020 |
| Scouts Victoria – Report to Victoria 2020 | Annual Report 2020 |
| Springvale Monash Legal Service Inc | Financial Report for EY 30/06/2020 |
| Wintringham | Annual Review 2019-2020 |
| Metropolitan Fire Brigade (MFB) | Annual Report 2019-2020 |

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

Recommendation

That the listed items be received.

2.2.2 Petitions and Joint Letters

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

Report Summary

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

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

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

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

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

2.2.2 Petitions and Joint Letters (Cont.)

Petitions and Joint Letters Tabled

Council received no new petitions and one joint letter prior to the Council Meeting of 25 January 2021.

- A joint letter was received from thirteen Dandenong residents requesting Council to install speed humps and street signs along Allan Street, Dandenong to reduce speeding and ensure the safety of nearby residents and their families. This joint letter has been forwarded to the relevant Council Business Unit/s for action.

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

Recommendation

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

2.2.2 Petitions and Joint Letters (Cont.)

DOCUMENTS FOR TABLING

PETITIONS AND JOINT LETTERS

ATTACHMENT 1

PETITIONS AND JOINT LETTERS

PAGES 5 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

2.2.2 Petitions and Joint Letters (Cont.)

| Date Received | Petition Text (Prayer) | No. of Petitioners | Status | Responsible Officer Response |
|---------------|---|--------------------|-----------|--|
| 11/01/21 | <p>Joint Letter – Request for Speed Humps & Street Signs to Reduce Speeding:</p> <p>I am a resident of Allan street, Dandenong, Vic 3175. I have been living in this neighbourhood for over 5 years now and when I first started my search for a new house, I absolutely fell in love with so many things which this street and this neighbourhood provided. The calmness, yet the very aliveness of the street with the neighbours and their kids socialising, exercising, running, and playing outside. All without ever feeling any risk or fear of being in the street to do any of the things mentioned.</p> <p>Although, this changed a little while back when the bridge connecting Allan street and Morwell avenue was constructed. I should mention, we have no opposition or problem with the construction of the bridge as we all are aware of the shortcut which it creates and the ease of travel it provides for many households on both sides of the bridge. Rather, the main problem which has been created ever since the bridge came about to be is the 'wannabe race-track drivers' that travel down our street. Time and time again, we as adults and parents worry every time that our children are outside, and we hear a car speed down the road as if they are in a video game. With no consideration for the law, the fact that this is a street and not a freeway, that there are other people that also live on this street and especially that there are kids clearly everywhere, crossing the street and playing in the park that's located literally off the street.</p> <p>Before crossing the bridge onto Allan street there are some speed bumps and speed signs on Morwell avenue, and they have proven to be rather effective as can be seen if one was to travel down the street. It is as soon as the drivers pass over the bridge and onto Allan street, and they see a straight road without any speed bumps or speed signs, that they suddenly forget about all the basic road rules and see the street as one long landing strip which they feel the need to accelerate down at full speed. Hence putting at risk, the safety and lives of all the other drivers on the road and especially any and all the people that are crossing the road on foot, playing in the park and walking down the sidewalk. Moreover, this has also created a fear and a risk for us and every other family on the street. Each time we need to drive out our cars from our garage or driveways, out onto the street, we have to almost hold our breath to make sure that there isn't a maniac driver driving at full speed which would ram into the side of our exiting cars. Not to mention the unnecessary and unwelcome noise that they create when they rev their engines at any times of the day.</p> | 13 | Completed | <p>Tabled at Council Meeting 25 January 2021</p> <p>11/01/2021 Responsible Officer – Director Business, Engineering & Major Projects. (Attn: Transport Team)</p> <p>11/01/2021 Acknowledgement Email sent to the head petitioner by Governance.</p> <p>19/01/2021 Response by Transport Department to the head petitioner. Dear</p> <p>RE: Request for speed humps and speed signs on Allan Street, Dandenong</p> <p>I am responding to your customer request 1599151 and the joint letter received by Council on 11 January 2021 from yourself and your neighbours.</p> <p>Council has completed traffic counts on Allan Street for the last few years. Whilst the results of these counts show a significant increase in traffic volumes over this period, they do not show an issue with speed along the road.</p> |

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

ORDINARY COUNCIL MEETING - AGENDA

2.2.2 Petitions and Joint Letters (Cont.)

| Date Received | Petition Text (Prayer) | No. of Petitioners | Status | Responsible Officer Response |
|---------------|---|--------------------|--------|---|
| 11/01/21 | <p>• (Continued)</p> <p>After speaking to countless neighbours also living on this street, it has become clear that they too all share this same sentiment and fear for their kids and loved ones. Therefore, we humbly request the council to take action regarding this, be it that speed bumps and speed signs are installed along the street and/or other actions are taken that may be seen fit for this situation by the council/experts.</p> <p>Please see the next page for signatures from the numerous other residents on this street who also have the same concern and who wish to see a resolve to this serious problem.</p> <p>Kind regards</p> | | | <p>Council's Local Area Traffic Management program prioritises traffic management improvements (such as speed humps) for roads across the municipality, many of which do not have any traffic management devices. Given the existing traffic management devices and layout of Allan Street, this road will not be a high priority for new local traffic management devices compared to other roads within the municipality.</p> <p>The description of your concerns indicates hoon behaviour may be occurring by some drivers. If this is the case, Council suggest contacting Victoria Police as the responsible authority for enforcing hoorn behaviour. Alternatively, you can report your concerns to Crime Stoppers Victoria. They will ask the information required to assist police in their enforcement tasks and can be done anonymously if desired.</p> <p>Please feel free to contact me if you have any questions or wish to discuss further on 8571 [redacted] or [redacted]@cgd.vic.gov.au</p> <p>Yours sincerely</p> |

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

2.2.2 Petitions and Joint Letters (Cont.)

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

2.2.2 Petitions and Joint Letters (Cont.)

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2.3 STATUTORY PLANNING APPLICATIONS

2.3.1 Planning Decisions Issued by Planning Minister's Delegate - November and December 2020

| | |
|----------------------|--|
| File Id: | qA280444 |
| Responsible Officer: | Director City Planning Design & Amenity |
| Attachments: | Planning Declared Area Delegated Decisions - December 2020 |

Report Summary

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

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in December 2020. No decisions were reported for the month of November 2020.

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

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

Recommendation

That the items be received and noted.

2.3.1 Planning Decisions Issued by Planning Minister's Delegate - November and December 2020 (Cont.)

STATUTORY PLANNING APPLICATIONS

**PLANNING DECISIONS ISSUED BY PLANNING MINISTER'S DELEGATE –
DECEMBER 2020**

ATTACHMENT 1

**PDA DELEGATED DECISIONS ISSUED
DECEMBER 2020**

PAGES 2 (including cover)

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

2.3.1 Planning Decisions Issued by Planning Minister's Delegate - November and December 2020 (Cont.)

City of Greater Dandenong

PDA Delegated Decisions Issued 01/12/2020 to 31/12/2020

| Application ID | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Notified | Ward |
|----------------|---|----------------------|---|---|-----------|-----------|-------------------|-----------|
| PDA19/0005.01 | 153 Foster Street DANDENONG VIC 3175 | SJB Planning Pty Ltd | AMENDMENT TO: Mixed Use Development (5 storey) containing a children's court and office, with an associated reduction in car parking requirement | Amend permit preamble to include a waiver of visitor bicycle parking, and related revisions to the endorsed plans Comprehensive Development Zone 2, 1116sqm | Delegate | AmendPerm | 10/12/2020 | Dandenong |
| Total : | | | | | | | 1 | |

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04/01/2021

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020

| | |
|----------------------|--|
| File Id: | qA280 |
| Responsible Officer: | Director City Planning Design & Amenity |
| Attachments: | Planning Delegated Decisions Issued November 2020 Planning Delegated Decisions Issued December 2020 |

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 November 2020 and December 2020.

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

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

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

Recommendation

That the items be received and noted.

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

STATUTORY PLANNING APPLICATIONS

**PLANNING DELEGATED DECISIONS ISSUED – NOVEMBER TO
DECEMBER 2020**

ATTACHMENT 1

**PLANNING DELEGATED DECISIONS ISSUED
NOVEMBER 2020**

PAGES 9 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

City of Greater Dandenong

Planning Delegated Decisions Issued from 01/11/2020 to 30/11/2020

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|-----------|----------|--|-------------------------------|---|--|-----------|-----------|---------------|--------------------|
| PLA20/0266 | PInAppAnd | No | 88 Ordish Road DANDENONG SOUTH VIC 3175 | Cleanaway Solid Waste Pty Ltd | AMENDMENT TO Planning Permit PLN16/0904, which allows to construct building and works and use part of the site for the purposes of an (Industry (Transfer Station) with a reduction in the car parking requirement under Clause 52.06 (Car Parking) of the Greater Dandenong Planning Scheme. The amendment seeks to amend the endorsed plans. (PLN16/0904) | Amend endorsed plans to include a building addition to house a de-packaging facility, canopy and additional/reallocated car parking spaces | Delegate | AmendPerm | 20/11/2020 | Dandenong |
| PLA20/0279 | PInAppAnd | No | 25 Francesco Drive DANDENONG NORTH VIC 3175 | Kostic & Associates Pty Ltd | AMENDMENT TO: Development of the land for two (2) double storey dwellings | Amend permit condition 1.8 to comply with Standard B22 for overlooking | Delegate | AmendPerm | 24/11/2020 | Dandenong North |
| PLA20/0287 | PInAppAnd | No | 11 Windsor Avenue SPRINGVALE VIC 3171 | Springvale Dental Group | AMENDMENT TO planning permit 374/90, which allowed for the construction of works and to use them for the purpose of a medical centre for two (2) practitioners, in accordance with the plans to be submitted pursuant to conditions (a) hereof (374/90) | Amend permit preamble, delete Condition K regarding number of practitioners and amend Condition L relating to hours of operation | Delegate | AmendPerm | 20/11/2020 | Springvale Central |
| YMANOU | | | | 1 | | | | | 04/01/2021 | |

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|------------|----------|---|---|---|---|-----------|-----------|---------------|------------------|
| PLA20/0290 | P/InAppAmd | No | 247/263 Greens Road DANDENONG SOUTH VIC 3175 | Logie Property Investments Pty Ltd | AMENDMENT TO: To construct, erect and display the following: Two (2) free-standing externally illuminated pylon signs. Two (2) free-standing internally illuminated pylon signs. One (1) free-standing electronic / internally illuminated pylon sign. Twenty-eight (28) internally illuminated business identification signs; and Four (4) non-illuminated business identification signs. All in accordance with the endorsed plans (PLN20/0230) | Amend permit preamble and amend Condition 2 regarding Section 173 Agreement | Delegate | AmendPerm | 23/11/2020 | Dandenong |
| PLN14/0501.01 | P/InAppAmd | No | 3-5 Hammond Road DANDENONG VIC 3175 | My Elusive Design | This permit application seeks to amend the permit PLN14/0501 pursuant to s.72 of the Planning and Environment Act by way of the following: To amend the preamble. To delete a condition of permit and To amend the plans endorsed to the permit DECLARED AREA | No response to further information request | Delegate | Lapsed | 09/11/2020 | Dandenong |
| PLN15/0391.01 | P/InAppAmd | No | 108 Police Road SPRINGVALE VIC 3171 | Blueprint Building Designers & Consultants | The preamble of Permit PLN15/0391 is proposed to be changed from: 'Construction of a three storey building consisting of four new dwellings (existing retail at ground level)'; to 'Construction of a two storey building consisting of two new dwellings (existing retail at ground level) and a reduction to the car parking rate' under this amended application (PLN15/0391.01) | Amend permit to allow the construction of a two (2) storey building consisting of two (2) new dwellings instead of a three (3) storey building consisting of four (4) new dwellings | Delegate | AmendPerm | 19/11/2020 | Springvale North |
| YMANOU | | | | | 2 | | | | 04/01/2021 | |

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|------------|----------|--|---|--|--|-----------|-----------|---------------|-------------------|
| PLN15/0517.01 | P/InAppAmd | No | 82 Noble Street NOBLE PARK VIC 3174 | Strait-Line Builders & Drafters Pty Ltd | AMENDMENT TO: Alterations and additions to the existing single storey dwelling to the rear and construction of one (1) double storey dwelling to the front. AMENDED PREAMBLE TO READ: Development of the land for one (1) double storey dwelling and one (1) single storey dwelling to the rear | Amend permit to allow changes to dwelling | Delegate | NOD | 26/11/2020 | Springvale South |
| PLN15/0588.02 | P/InAppAmd | No | 52-54 Thomas Murrell Crescent DANDENONG SOUTH VIC 3175 | Haulaway Services Pty Ltd | AMENDMENT TO: Use & Development (Transfer Station) Building Extension and a Reduction of the Car Parking Requirement | Amend permit preamble to include additional address, delete permit Condition 8 re hours of operation, delete Condition 9 re number of staff on premises and delete Condition 32 re consolidation of lots | Delegate | AmendPerm | 23/11/2020 | Dandenong |
| PLN17/0401.02 | P/InAppAmd | No | 185 Chapel Road KEYSBOROUGH VIC 3173 | Daisel Pty Ltd | This permit application seeks to amend Permit PLN17/0401.01 pursuant to Section 72 of the Planning and Environment Act 1987 by the way of the following. Amend plans endorsed under the Permit. Amend other documents endorsed under the Permit | Amend permit preamble and Condition 2, 5, 10, 11 and 18 to allow changes to wording in the permit and endorsed plans | Delegate | AmendPerm | 12/11/2020 | Keysborough South |
| PLN19/0491.01 | P/InAppAmd | No | 245 Perry Road KEYSBOROUGH VIC 3173 | Aduro Australia Pty Ltd | AMENDMENT TO: The development of the land for twelve (12) warehouse buildings in stages, a reduction to the car parking requirements pursuant to Clause 52.06, the creation of a reserve, and the lopping of native vegetation | Amend permit to allow changes to conditions and endorsed plans | Delegate | AmendPerm | 18/11/2020 | Keysborough South |
| PLN19/0553 | P/InApp | No | 21 Camellia Avenue NOBLE PARK NORTH VIC 3174 | Derek Farrington | Development of the land for three (3) dwellings comprising two (2) double storey dwellings and one (1) single story dwelling to the rear | General Residential 1 Zone, 863sqm | Delegate | NOD | 19/11/2020 | Noble Park North |
| PLN19/0570 | P/InApp | No | 30 MacPherson Street DANDENONG VIC 3175 | VKAS Design Group Pty Ltd | Development of the land for four (4) dwellings comprising three (3) double storey dwellings and one (1) single storey dwelling | General Residential 1 Zone, 978sqm | Delegate | NOD | 11/11/2020 | Dandenong |

04/01/2021

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YMANOU

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|----------|----------|---|--|--|--|-----------|------------|---------------|--------------------|
| PLN19/0634 | P/nApp | No | 3 Lexton Avenue DANDENONG VIC 3175 | Derek Farrington | Development of the land for three (3) dwellings (two (2) double storey dwellings and one (1) single storey dwelling to the rear) | No response to further information | Delegate | Lapsed | 26/11/2020 | Yarraman |
| PLN20/0040 | P/nApp | No | 30 Healey Road DANDENONG SOUTH VIC 3175 | Victorian Wreckery Pty Ltd | Use of the Site for Materials Recycling (Motor Vehicles) | Industrial 1 Zone, car wrecking | Delegate | NOD | 23/11/2020 | Dandenong |
| PLN20/0049 | P/nApp | No | 29 Mickle Street DANDENONG SOUTH VIC 3175 | Bright Star Scrap Metal Cr-St-wise Pty Ltd | Use of the land for materials recycling and to reduce the car parking requirement | Industrial 1 Zone, metal recycling centre | Delegate | PlanPermit | 11/11/2020 | Dandenong |
| PLN20/0106 | P/nApp | No | 17 Main Street SPRINGVALE VIC 3171 | P L Group Pty Ltd | Development of the land for two (2) double storey dwellings | General Residential 1 Zone, 717sqm | Delegate | PlanPermit | 20/11/2020 | Springvale North |
| PLN20/0117 | P/nApp | No | 16-18 Glomar Court DANDENONG SOUTH VIC 3175 | Archiden Architecture | Use of Part of the Land for Manufacturing & Sales of Trailers & for a Transfer Station and to Reduce the Car Parking Requirements all in accordance with the endorsed plans. | Industrial 1 Zone, trailer (production, storage & restricted retail) and scrap recycling | Delegate | PlanPermit | 26/11/2020 | Dandenong |
| PLN20/0128 | P/nApp | No | 533-551 Frankston Dandenong Road DANDENONG SOUTH VIC 3175 | Stephen D'Andrea Pty Ltd | Development of the land for a warehouse (Building 1) | Industrial 1 Zone, 25010sqm | Delegate | PlanPermit | 27/11/2020 | Dandenong |
| PLN20/0132 | P/nApp | No | 895 Heatherton Road SPRINGVALE VIC 3171 | Roke Design Studio | Development of the land for six (6) double storey dwellings and to alter access to a Road Zone Category 1 road | No response to further information request | Delegate | Lapsed | 11/11/2020 | Springvale Central |
| PLN20/0139 | P/nApp | No | 533-551 Frankston Dandenong Road DANDENONG SOUTH VIC 3175 | Stephen D'Andrea Pty Ltd | Development of the land for a warehouse | Industrial 1 Zone, 25010sqm | Delegate | PlanPermit | 27/11/2020 | Dandenong |
| PLN20/0145 | P/nApp | No | 93 Callender Road NOBLE PARK VIC 3174 | Anu Design | Development of the land for one (1) double storey dwelling and one (1) single storey dwelling | General Residential 1 Zone, 673sqm | Delegate | PlanPermit | 23/11/2020 | Yarraman |
| PLN20/0151 | P/nApp | No | 29/191-195 Greens Road DANDENONG SOUTH VIC 3175 | Taar-Qeel Pty Ltd | Use of the land for car sales and development of the land for a mezzanine | Industrial 1 Zone | Delegate | PlanPermit | 12/11/2020 | Dandenong |

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ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|----------|----------|--|------------------------------|--|--|-----------|------------|---------------|--------------------|
| PLN20/0163 | PInApp | No | 9 Rylands Road DANDENONG VIC 3175 | Sen Xiang Zhang | Development of the land for four (4) dwellings (three (3) double storey dwellings and one (1) single storey dwelling) | General Residential 1 Zone, 1007sqm | Delegate | NOD | 19/11/2020 | Yarraman |
| PLN20/0206 | PInApp | No | 7 Taronga Court NOBLE PARK VIC 3174 | Andrea Vafeas | Development of the land for two (2) double storey dwellings | Neighbourhood Residential 1 Zone, 590sqm | Delegate | NOD | 19/11/2020 | Noble Park |
| PLN20/0232 | PInApp | No | 19 Masters Street DANDENONG VIC 3175 | Karim Mohammad | The development of the land for seven (7) double storey dwellings | Residential Growth 1 Zone, 1389sqm | Delegate | NOD | 25/11/2020 | Dandenong |
| PLN20/0244 | PInApp | No | 71 Waterview Close DANDENONG SOUTH VIC 3175 | Frank Palangio | Construction of two (2) warehouses | Commercial 2 Zone, 571.42sqm | Delegate | PlanPermit | 26/11/2020 | Dandenong |
| PLN20/0252 | PInApp | No | 20 Claremont Crescent KEYSBOROUGH VIC 3173 | KMT Design Pty Ltd | Development of the land for two (2) dwellings comprising one (1) new double storey dwelling to the side of an existing dwelling and alterations and additions to the existing dwelling | Neighbourhood Residential 1 Zone, 921sqm | Delegate | PlanPermit | 26/11/2020 | Noble Park |
| PLN20/0267 | PInApp | No | 5 Dobson Court DANDENONG NORTH VIC 3175 | Legacy Developments | Development of the land for two (2) double storey dwellings | General Residential 1 Zone, 787sqm | Delegate | PlanPermit | 04/11/2020 | Dandenong North |
| PLN20/0288 | PInApp | No | 468-472 Princes Highway NOBLE PARK NORTH VIC 3174 | A Three Design Management | Buildings and Works (Awning) & Signage | Commercial 2 Zone, 3300sqm (whole site), construction of awning and installation of external signage | Delegate | PlanPermit | 27/11/2020 | Noble Park North |
| PLN20/0300 | PInApp | No | 30 Buckingham Avenue SPRINGVALE VIC 3171 | PAJ Liquor Licensing | Use of the land for the sale and consumption of liquor (Restaurant and Café Licence) | Commercial 1 Zone, 45 patrons at a time | Delegate | PlanPermit | 23/11/2020 | Springvale Central |
| PLN20/0303 | PInApp | No | 31 Theodore Avenue NOBLE PARK VIC 3174 | DHHS | Development of two (2) single storey dwellings | General Residential 1 Zone, 643sqm | Delegate | PlanPermit | 11/11/2020 | Noble Park |
| PLN20/0317 | PInApp | No | 1/60 Clow Street DANDENONG VIC 3175 | Mina Mosaad | Buildings and Works (Alterations to a Dwelling) DECLARED AREA | No response to further information request | Delegate | Lapsed | 02/11/2020 | Dandenong |

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ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|----------|----------|---|---------------------------------|--|---|-----------|------------|---------------|-------------------|
| PLN20/0319 | P/nApp | No | 27 College Crescent KEYSBOROUGH VIC 3173 | Yun Lou | Development of the land for two (2) double storey dwellings | General Residential 1 Zone, 533sqm | Delegate | PlanPermit | 26/11/2020 | Keysborough |
| PLN20/0334 | P/nApp | No | 2/136-138 Stud Road DANDENONG VIC 3175 | Fredman Malina Planning Pty Ltd | Extension to a dwelling on a lot less than 300 square metres | General Residential Zone 1, 137sqm | Delegate | NOD | 27/11/2020 | Clelland |
| PLN20/0342 | P/nApp | No | 68-78 Ventura Place DANDENONG SOUTH VIC 3175 | Primewest Funds Ltd | Buildings and Works (Pump Room) | Industrial 1 Zone, 660sqm, a new pump room and water tank | Delegate | PlanPermit | 20/11/2020 | Dandenong |
| PLN20/0348 | P/nApp | No | 8/49-54 Douglas Street NOBLE PARK VIC 3174 | Enebet Belay Mekonnen | Use the land for the purpose of a Place of Assembly (Shisha Lounge) and a reduction in the car parking requirement associated with a Place of Assembly | Commercial 1 Zone, Shisha Lounge | Applicant | Withdrawn | 05/11/2020 | Noble Park |
| PLN20/0355 | P/nApp | No | 11 Anthony Street DANDENONG NORTH VIC 3175 | Rasouk Louli | Development of the land for two (2) dwellings (comprising one double storey dwelling and one single storey dwelling) | No response to further information request | Delegate | Lapsed | 23/11/2020 | Clelland |
| PLN20/0362 | P/nApp | No | 41-43 Boileau Street KEYSBOROUGH VIC 3173 | Squareback | Buildings and works comprising an extension to the existing building and construction of a carport and to reduce the car parking requirements | Industrial 1 Zone, 190sqm & reduction in car parking requirements | Delegate | PlanPermit | 27/11/2020 | Keysborough |
| PLN20/0370 | P/nApp | No | 40 Swift Way DANDENONG SOUTH VIC 3175 | YBYM Holdings Pty Ltd | Development of the land for an extension (mezzanine) to an existing warehouse and a reduction in the car parking requirements | Industrial 1 Zone | Delegate | PlanPermit | 23/11/2020 | Dandenong |
| PLN20/0373 | P/nApp | No | 38 Herbert Street DANDENONG VIC 3175 | Informe Global | Display of three (3) business identification signs | No response to further information request | Delegate | Lapsed | 25/11/2020 | Clelland |
| PLN20/0378 | P/nApp | No | 25-31 Bowman Lane KEYSBOROUGH VIC 3173 | Homeworks | Extension to an existing dwelling | Green Wedge Zone | Delegate | PlanPermit | 20/11/2020 | Keysborough South |
| PLN20/0386 | P/nApp | No | 59-61 Jellicoe Street NOBLE PARK VIC 3174 | Architekton Ltd | Development of the land for six (6) dwellings in two stages | No response to further information request | Delegate | Lapsed | 23/11/2020 | Yarraman |

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2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|------------|----------|--|---|--|---|-----------|-------------|---------------|-------------------|
| PLN20/0389 | P/nApp | No | 173-213 Clarke Road SPRINGVALE SOUTH VIC 3172 | Japara Property Holdings Pty Ltd | To display internally illuminated and business identification signage | General Residential 1 Zone, business identification | Delegate | Plan/Permit | 24/11/2020 | Springvale South |
| PLN20/0407 | P/nApp | No | Ian Tattersall Leisure Park 400 Cheltenham Road KEYSBOROUGH VIC 3173 | Bortoli Wellington Pty Ltd | The creation of easements E-1 and E-2 The removal of a drainage easement | Mixed Use Zone, General Residential 2 Zone & Public Park & Recreation Zone, | Delegate | Plan/Permit | 24/11/2020 | Keysborough South |
| PLN20/0426 | P/nApp | No | 11 Fisher Crescent DANDENONG NORTH VIC 3175 | Vicland Surveying | Subdivision of the land into four (4) lots SPEAR | Residential | Delegate | Plan/Permit | 23/11/2020 | Clelland |
| PLN20/0437 | P/nApp | No | 91 Colemans Road DANDENONG SOUTH VIC 3175 | Dale Grant Building Design & Documentation Pty Ltd | Buildings and Works (Warehouse) | Industrial 1 Zone, 2706sqm, warehouse and ancillary office and associated hard surfacing | Delegate | Plan/Permit | 26/11/2020 | Dandenong |
| PLN20/0438 | P/nApp | No | 295-301 Greens Road KEYSBOROUGH VIC 3173 | FL Property Investments Pty Ltd | Removal of easement E- 6 SPEAR | Industrial | Delegate | Plan/Permit | 26/11/2020 | Keysborough South |
| PLN20/0439 | P/nApp | No | 185-195 Frankston Dandenong Road DANDENONG SOUTH VIC 3175 | Stephen D'Andrea | Building and works for warehouse extensions with car parking reduction along a Road Zone Category 1 | Industrial 1 Zone, 2153sqm, extension to existing warehouse | Applicant | Withdrawn | 23/11/2020 | Dandenong |
| PLN20/0446 | P/nApp/Vic | Yes | 83 Assembly Drive DANDENONG SOUTH VIC 3175 | Strait-Line Builders & Drafters Pty Ltd | Construction of a mezzanine VICSMART | Commercial 2 Zone, second storey extension above existing office | Delegate | Plan/Permit | 10/11/2020 | Dandenong |
| PLN20/0448 | P/nApp | No | 81 Chandler Road NOBLE PARK VIC 3174 | Nobelius Land Surveyors Pty Ltd | Subdivision of the land into three (3) lots SPEAR | Residential | Delegate | Plan/Permit | 11/11/2020 | Yarraman |
| PLN20/0460 | P/nApp/Vic | Yes | 2/33-35 Smith Road SPRINGVALE VIC 3171 | Urbourne Architecture | The construction of a canopy to an existing building VICSMART | Commercial 2 Zone, 23sqm, canopy over existing balcony | Delegate | Plan/Permit | 10/11/2020 | Springvale North |
| PLN20/0464 | P/nApp | No | 186 Outlook Drive DANDENONG NORTH VIC 3175 | Ale Cafe and Associates | Subdivision of the land into two (2) lots SPEAR | Residential | Delegate | Plan/Permit | 26/11/2020 | Dandenong North |
| PLN20/0494 | P/nApp/Vic | Yes | 15-17 Marni Street DANDENONG SOUTH VIC 3175 | Lakeside Building Consultants Pty Ltd | Development of the land for a storage shed VICSMART | Industrial 1 Zone, Storage Shed | Delegate | Plan/Permit | 25/11/2020 | Dandenong |

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ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|-----------|----------|---|---|--|-------------|-----------|------------|---------------|----------|
| PLN20/0498 | PInAppVic | Yes | 1 Hirnbeck Court NOBLE PARK VIC 3174 | Kumudunie Ramiya Kanthi & Wasan Naomi Liyanage | Subdivision of the land into two (2) lots SPEAR VICSMART | Residential | Delegate | PlanPermit | 25/11/2020 | Yarraman |
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2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

STATUTORY PLANNING APPLICATIONS

**PLANNING DELEGATED DECISIONS ISSUED – NOVEMBER TO
DECEMBER 2020**

ATTACHMENT 2

**PLANNING DELEGATED DECISIONS ISSUED
DECEMBER 2020**

PAGES 10 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

City of Greater Dandenong

Planning Delegated Decisions Issued from 01/12/2020 to 31/12/2020

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|-----------|----------|--|--|---|---|-----------|-----------|---------------|--------------------|
| PLA20/0265 | PinAppAmd | No | 131-149 National Drive DANDENONG SOUTH VIC 3175 | Pellicano Investments Pty Ltd | AMENDMENT TO: Development of the land for two (2) warehouse buildings with a reduction of the car parking requirement (PLN19/0645) | Amend permit to decrease size of warehouses from 12891sqm to 11085sqm | Delegate | AmendPerm | 18/12/2020 | Dandenong |
| PLA20/0270 | PinAppAmd | No | 246 McMahens Road BANGHOLME VIC 3175 | Lisa Morton C/- Southern Planning Consultants | Amendment to Planning Permit PLN18/0109 issued for the development of the land for one (1) single storey dwelling and the removal of native vegetation; to now include the development of the land for the extension to an existing outbuilding (back room), horse shelters, arena and earthworks associated with the existing dwelling | Amend permit to allow update to preamble and changes to endorsed plans | Delegate | AmendPerm | 07/12/2020 | Keysborough South |
| PLA20/0282 | PinAppAmd | No | 393-399 South Gippsland Highway DANDENONG SOUTH VIC 3175 | Stephen D'Andrea | AMENDMENT TO: The development of the land for six (6) warehouse buildings and the creation of access to a road in a road zone, category 1 (PLN19/0520) | Amend permit to allow change of use for boat sales, with associated display and servicing and minor buildings and works | Delegate | AmendPerm | 16/12/2020 | Dandenong |
| PLA20/0285 | PinAppAmd | No | 63A Regent Avenue SPRINGVALE VIC 3171 | Enstrata Pty Ltd | AMENDMENT TO: The construction of two (2) double storey dwellings (PLN16/0016) | Amend permit to allow a 1.2m high transparent metal fence and sliding gate | Delegate | AmendPerm | 23/12/2020 | Springvale Central |
| PLA20/0294 | PinAppAmd | No | 185-195 Frankston Dandenong Road DANDENONG SOUTH VIC 3175 | Stephen D'Andrea | AMENDMENT RECEIVED: Permit PLN18/0598.01, which allowed for Buildings and Works and alteration to a road in a Road Zone Category 1 The amendment seeks to amend the endorsed plans. (PLN18/0598.01). | Amend permit to allow extension of warehouses 2, 3 and 4 | Delegate | AmendPerm | 23/12/2020 | Dandenong |

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ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|------------|----------|--|--|--|---|-----------|-----------|---------------|------------------|
| PLA20/0296 | P/InAppAmd | No | Mt Hira College 185 Perry Road KEYSBOROUGH VIC 3173 | MSM & Associates Pty Ltd | AMENDMENT TO: Use and development of part of the land for the purpose of a child care centre; To construct alterations and additions to an existing function centre and caretaker's house; Works associated with a new car parking area and front fencing (PLN15/0792) | Amend permit condition 7 to allow changes to the child care centre operating hours | Delegate | AmendPerm | 18/12/2020 | Keyborough South |
| PLN03/0180.03 | P/InAppAmd | No | 536-540 Springvale Road SPRINGVALE SOUTH VIC 3172 | LeaDesign Pty Ltd | This application seeks to amend Permit No. PLN03/0180.02 pursuant to Section 72 of the Planning and Environment Act 1987 by the way of the following: Amend Condition 18. Amend the plans endorsed to the Permit | No response to further information request | Delegate | Lapsed | 03/12/2020 | Springvale South |
| PLN15/0254.01 | P/InAppAmd | No | Service Station 158-164 Stud Road DANDENONG VIC 3175 | Metasite Pty Ltd | This permit application seeks to amend the permit and plans endorsed to PLN15/0254 pursuant to s 72 of the Planning and Environment Act by the way of the following: To amend conditions of permit To amend the plans endorsed to the permit | Amend permit Condition 7 relating to hours of operation, delete permit Condition 1 relating to submission of plans, delete Condition 38 relating to no trailers for hire and amend endorsed plans to reflect proposed changes | Delegate | AmendPerm | 30/12/2020 | Cleeland |
| PLN16/0899.02 | P/InAppAmd | No | 796-798 Princes Highway SPRINGVALE VIC 3171 | Australia HDZ Development Pty Ltd Cr. Fd Architects Pty Ltd | Use and staged development of the land for a medical centre and childcare centre, reduction in car parking requirements and alteration of access to a road in Road Zone, Category 1 | Amend endorsed plans and amend permit to allow staged development | Delegate | AmendPerm | 21/12/2020 | Springvale North |
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ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|-----------|----------|--|---|---|--|-----------|------------|---------------|--------------------|
| PLN17/0102.04 | PInAppAnd | No | 1626-1638 Centre Road SPRINGVALE VIC 3171 | Springvale Business Park Pty Ltd C/- ProUrban Advisory Planning & Management | AMENDMENT TO: Use of the land for warehousing within thirty (30) metres of a residential zone, an office, and a food and drink premise, building and works in association with warehousing, an office and a food and drink premise, removal of native vegetation under Clause 52.17, a reduction of car parking and alteration of access to a road in a road zone, Category 1 under Clause 52.25. | Amend permit preamble and Condition 3, 55 and 57 and amend endorsed plans | Delegate | AmendPerm | 23/12/2020 | Springvale Central |
| PLN20/0044 | PInApp | No | 29 Podmore Street DANDENONG VIC 3175 | Change Of Plan | Use part of the land for Car Sales in conjunction with the existing Materials Recycling (Motor Vehicle Recycling). | Industrial 1 Zone, motor vehicle sales | Delegate | PlanPermit | 01/12/2020 | Dandenong |
| PLN20/0064 | PInApp | No | 245 Perry Road KEYSBOROUGH VIC 3173 | Aduro Australia (Vic) Pty Ltd | Subdivision of the land into five (5) lots and creation of easements SPEAR | Industrial | Delegate | PlanPermit | 18/12/2020 | Keysborough South |
| PLN20/0127 | PInApp | No | 108-110 Westall Road SPRINGVALE VIC 3171 | Builtmodern Pty Ltd | Development of the land for six (6) double storey dwellings and basement level car parking, and alteration of access to a Road Zone, Category 1 | General Residential 1 Zone, 1200sqm | Delegate | PlanPermit | 11/12/2020 | Springvale North |
| PLN20/0129 | PInApp | No | 101 Ordish Road DANDENONG SOUTH VIC 3175 | AMA Group Solutions | Use and development of the land for the purpose of Industry (Motor Repairs) | Industrial 2 Zone, Motor Vehicle Repairs | Delegate | PlanPermit | 15/12/2020 | Dandenong |
| PLN20/0141 | PInApp | No | Factory 4/10-36 Abbots Road DANDENONG SOUTH VIC 3175 | Goodman Property Services (Aust) Pty Ltd | Development of the land for earthworks, three (3) warehouses, use and development of the land for a food and drink premises and office, removal of native vegetation, reduction to the car parking requirements of Clause 52.06, removal of restrictive covenants, removal of easements, creation of drainage and sewer easements and associated works. | Industrial 1 Zone, 31097sqm, construction of 3 warehouses and ancillary offices | Delegate | PlanPermit | 07/12/2020 | Dandenong |
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ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|----------|----------|---|------------------------------------|--|---|-----------|------------|---------------|--------------------|
| PLN20/0164 | PInApp | No | 6 Cordon Court KEYSBOROUGH VIC 3173 | Dharam Pal | Development of the land for one (1) single storey dwelling to the rear of an existing, and construct and carry out works to the existing dwelling. | Neighbourhood Residential 1 Zone, 710sqm | Delegate | PlanPermit | 18/12/2020 | Keysborough |
| PLN20/0176 | PInApp | No | 199 Chapel Road KEYSBOROUGH VIC 3173 | Breese Pitt Dixon Pty Ltd | Removal and Creation of easements SPEAR | Residential | Delegate | PlanPermit | 15/12/2020 | Keysborough South |
| PLN20/0200 | PInApp | No | 20 Elm Grove SPRINGVALE VIC 3171 | ABS Design & Construction Services | Development of the land for three (3) double storey dwellings | Residential Growth 1 Zone, 664sqm | Delegate | PlanPermit | 18/12/2020 | Springvale Central |
| PLN20/0202 | PInApp | No | 27 Union Road DANDENONG SOUTH VIC 3175 | Vinh Vo | Construct buildings and works and a reduction in the car parking requirement associated with a Warehouse under Clause 52.06 of the Greater Dandenong Planning Scheme | Industrial 3 Zone, 610sqm | Delegate | PlanPermit | 22/12/2020 | Dandenong |
| PLN20/0242 | PInApp | No | 46 Baldwin Avenue NOBLE PARK VIC 3174 | SJ Design | Development of the land for one (1) single storey dwelling to the rear of an existing single storey dwelling | General Residential 1 Zone, 636sqm | Delegate | PlanPermit | 07/12/2020 | Noble Park |
| PLN20/0251 | PInApp | No | Willow Lodge 418 Frankston Dandenong Road BANGHOLME VIC 3175 | Palm Lake Works Pty Ltd | Buildings and Works | Green Wedge Zone & Urban Floodway Zone, 1218sqm, extension of clubhouse | Delegate | PlanPermit | 03/12/2020 | Keysborough South |
| PLN20/0253 | PInApp | No | 10 Baldwin Avenue NOBLE PARK VIC 3174 | Westurban Group | Development of the land for two (2) single storey dwellings | General Residential 1 Zone, 724sqm | Delegate | PlanPermit | 08/12/2020 | Springvale Central |
| PLN20/0260 | PInApp | No | 1 Boyd Court DANDENONG NORTH VIC 3175 | Victorian Drafting & Design | Development of the land for two (2) double storey dwellings on a lot | General Residential 1 Zone, 580sqm | Delegate | PlanPermit | 22/12/2020 | Clelland |
| PLN20/0265 | PInApp | No | 23 Sheares Street DANDENONG VIC 3175 | Arkham Design Pty Ltd | Development of the land for four (4) double storey dwellings | General Residential 1 Zone, 994sqm | Delegate | NOD | 22/12/2020 | Clelland |
| PLN20/0270 | PInApp | No | 19 Wedge Street DANDENONG VIC 3175 | Yasin Rahimi | Development of the land for one double storey dwelling to the rear of an existing single storey dwelling | General Residential 1 Zone, 684sqm | Delegate | PlanPermit | 15/12/2020 | Dandenong |
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ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|----------|----------|---|---------------------------------------|--|--|-----------|------------|---------------|--------------------|
| PLN20/0274 | PInApp | No | 52 Gray Street SPRINGVALE VIC 3171 | Nobelius Land Surveyors Pty Ltd | The subdivision of the land for (Boundary Re-Alignment) SPEAR | Residential | Delegate | PlanPermit | 21/12/2020 | Springvale North |
| PLN20/0285 | PInApp | No | 87 Cleland Street DANDENONG VIC 3175 | AustChina Medical Pty Ltd | Development of the land for ten (10) dwellings. | The proposal fails to satisfy State Planning Policy Framework, Clause 21.05 (Built Form), Clause 32.08 (Garden Requirements), Clause 22.09 (Design Principles) & Clause 55 (Objectives & Standards) | Delegate | Refusal | 18/12/2020 | Dandenong |
| PLN20/0289 | PInApp | No | 59 Festival Crescent KEYSBOROUGH VIC 3173 | Con Tsourounakis | Development of the land for two (2) double storey dwellings | Proposal fails to comply with Clauses 15.01-1S and 15.01-2S (Urban Design Objectives), Clause 21.05-1 (Urban Design, Character, Streetscapes and Landscapes), Schedule 1 to the Neighbourhood Residential Zone, Clauses 22.09-3.1 and 22.09-3.4 (Design Guidelines) and various standards of Clause 55 | Delegate | Refusal | 21/12/2020 | Keysborough |
| PLN20/0311 | PInApp | No | 100 Buckley Street NOBLE PARK VIC 3174 | Racquelyn Isip | Development of the land for five (5) double storey dwellings on a lot, construction of a front fence exceeding 1.2 metres in height, and a reduction in the car parking requirements | General Residential 1 Zone, 996sqm | Delegate | NOD | 31/12/2020 | Noble Park |
| PLN20/0313 | PInApp | No | 1037 Heatherton Road NOBLE PARK VIC 3174 | ABS Design & Construction Services | Development of the land for four (4) dwellings, (three double storey dwellings and one single storey dwelling to the rear and to create or alter access to a Road Zone Category 1) | Proposal fails to comply with Clause 15.01-1S (Urban Design Objectives), Clause 21.05-1 (Urban Design, Character, Streetscapes and Landscapes), Schedule 1 to the General Residential Zone, Clauses 22.09-3.1 and 22.09-3.3 (Design Principles) and various standards of Clause 55 | Delegate | Refusal | 21/12/2020 | Springvale Central |
| PLN20/0344 | PInApp | No | 8/3 Cubitt Way DANDENONG SOUTH VIC 3175 | Dynamic Body Bliss | Use of the land for a restricted recreation facility (gymnasium) | Industrial 3 Zone, indoor women's gymnasium and fitness facility | Delegate | PlanPermit | 17/12/2020 | Dandenong |

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ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|----------|----------|---|---|---|--|-----------|------------|---------------|--------------------|
| PLN20/0345 | PInApp | No | 6-8 Waterview Close DANDENONG SOUTH VIC 3175 | B.R.C Nominees Pty Ltd C/- Russell Hocking | Buildings and Works (Warehouse) | Commercial 2 Zone, 1610.3sqm, extension to the existing warehouse and construction of ancillary office | Delegate | PlanPermit | 03/12/2020 | Dandenong |
| PLN20/0350 | PInApp | No | 1/58 Greens Road DANDENONG SOUTH VIC 3175 | John McCaffrey | To display one (1) non-illuminated free-standing business identification sign and three (3) non-illuminated business identification signs | Industrial 1 Zone, promotional signage | Delegate | PlanPermit | 22/12/2020 | Dandenong |
| PLN20/0369 | PInApp | No | 32 Atlantic Drive KEYSBOROUGH VIC 3173 | Universal Athlete Centre Keysborough Pty Ltd | Use of the land for a restricted recreation facility (gym) | Industrial 1 Zone, Gymnasium | Delegate | PlanPermit | 21/12/2020 | Keysborough South |
| PLN20/0376 | PInApp | No | 5 Trevelthick Road SPRINGVALE VIC 3171 | Arie Cafe and Associates | Subdivision of the land into five (5) lots SPEAR | No response to further information request | Delegate | Lapsed | 31/12/2020 | Springvale North |
| PLN20/0379 | PInApp | No | 165-167 Lonsdale Street DANDENONG VIC 3175 | A1 Office | • Buildings and works comprising alterations to facades of an existing building • To display business identification signage, business identification-above-verandah signage, business identification-externally illuminated signage and business identification-electronic-promo tion signage DECLARED AREA | Comprehensive Development 2 Zone, business identification | Delegate | PlanPermit | 30/12/2020 | Dandenong |
| PLN20/0385 | PInApp | No | 1/237-243 Frankston Dandenong Road DANDENONG SOUTH VIC 3175 | Slattery Auctions Victoria Pty Ltd | Use of land for an Auction House and to create or alter access to a Road Zone Category 1 | No response to further information request | Delegate | Lapsed | 17/12/2020 | Dandenong |
| PLN20/0395 | PInApp | No | 427-441 Springvale Road SPRINGVALE VIC 3171 | AMS Pty Ltd | Removal of part of easement E-1 and creation of easement E-2 | Residential | Delegate | PlanPermit | 23/12/2020 | Springvale Central |
| PLN20/0397 | PInApp | No | 1 Page Court DANDENONG NORTH VIC 3175 | Marcin Wasilewski | Development of the land for two (2) dwellings (one double storey dwelling to the side of an existing single storey dwelling) and alterations and additions to the existing dwelling | General Residential 1 Zone, 606sqm | Delegate | PlanPermit | 17/12/2020 | Cleeland |
| YMANOU | | | | | 6 | | | | 04/01/2021 | |

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|-------------|----------|--|--|--|--|-----------|------------|---------------|-------------------|
| PLN20/0412 | P/InApp | No | 3 Kitchen Road DANDENONG SOUTH VIC 3175 | Safety Steel Structures Pty Ltd | Building and Works (Canopy Extension) | Industrial 1 Zone, 440sqm | Delegate | PlanPermit | 07/12/2020 | Dandenong |
| PLN20/0416 | P/InApp | No | 28 Aspen Circuit SPRINGVALE VIC 3171 | Fabian De Rango Architects | Construction of a mezzanine | Industrial 1 Zone & Urban Floodway Zone, 92sqm | Delegate | PlanPermit | 02/12/2020 | Springvale North |
| PLN20/0418 | P/InApp | No | 48 Assembly Drive DANDENONG SOUTH VIC 3175 | DIADEM | To display an internally illuminated sign and directional signage | Commercial 2 Zone, Directional business identification | Delegate | PlanPermit | 07/12/2020 | Dandenong |
| PLN20/0420 | P/InApp | No | 1-11 Knowles Road DANDENONG SOUTH VIC 3175 | Stephen D'Andrea | Building and Works (Warehouse) | Commercial 2 Zone, 3025sqm, warehouse and ancillary office | Delegate | PlanPermit | 23/12/2020 | Dandenong |
| PLN20/0431 | P/InApp | No | First Floor 11-13 Langhorne Street DANDENONG VIC 3175 | Melbourne International Graduate College C/- Al Republic Pty Ltd (Project Designer) | To reduce the car parking requirements associated with an Education Centre (DECLARED AREA) | Comprehensive Development 2 Zone, reduce number of car parking spaces by 15 | Delegate | PlanPermit | 18/12/2020 | Dandenong |
| PLN20/0435 | P/InApp | No | 2/60 Amberley Crescent DANDENONG SOUTH VIC 3175 | Ariel Furniture | To display business identification signage | Industrial 1 Zone, Business identification | Delegate | PlanPermit | 21/12/2020 | Dandenong |
| PLN20/0443 | P/InApp | No | 382 Greens Road KEYSBOROUGH VIC 3173 | 382 Greens Road Pty Ltd c/- KLM Spatial | Subdivision x 3 SPEAR | Industrial | Delegate | PlanPermit | 29/12/2020 | Keysborough South |
| PLN20/0461 | P/InApp | No | 189 Bangholme Road BANGHOLME VIC 3175 | Quality First Designs Pty Ltd | Buildings and Works (Warehouse x 2) and associated use and car parking reduction | Industrial 3 Zone, 9572sqm, development of 2 double storey warehouses and associated use and car parking reduction | Delegate | PlanPermit | 16/12/2020 | Keysborough South |
| PLN20/0462 | P/InApp | No | 4 Kleine Street NOBLE PARK VIC 3174 | Bao & Liu Pty Ltd | Development of the land for three (3) double storey dwellings | General Residential 1 Zone, 729sqm | Applicant | Withdrawn | 10/12/2020 | Noble Park |
| PLN20/0474 | P/InApp/Vic | Yes | 2/42-52 Thomas Street DANDENONG VIC 3175 | Con Tsourounakis | To reduce the car parking requirements VICSMART (DECLARED AREA) | Comprehensive Development 2 Zone, reduction in car parking requirements for an education centre | Delegate | PlanPermit | 22/12/2020 | Dandenong |
| PLN20/0493 | P/InApp | No | 18-24 Evolution Drive DANDENONG SOUTH VIC 3175 | Alta Architecture Pty Ltd | Buildings and Works (Mezzanine) | Industrial 1 Zone, 42sqm, office extension and construction of mezzanine | Delegate | PlanPermit | 18/12/2020 | Dandenong |
| YMANOU | | | | | | | | | 04/01/2021 | |

ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Planning Delegated Decisions Issued November 2020 and December 2020 (Cont.)

| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|-----------|----------|--|---|--|--|-----------|------------|---------------|--------------------|
| PLN20/0502 | PInApp | No | 21 Hughes Crescent DANDENONG NORTH VIC 3175 | 360 Land Solutions | Subdivision of the land into two (2) lots SPEAR | Residential | Delegate | PlanPermit | 22/12/2020 | Cleeland |
| PLN20/0504 | PInAppVic | Yes | 1/8 Burrows Avenue DANDENONG VIC 3175 | MG Land Surveyors | Subdivision of the land into two (2) lots SPEAR VICSMART | Residential | Delegate | PlanPermit | 14/12/2020 | Cleeland |
| PLN20/0505 | PInAppVic | Yes | 83 Springvale Road SPRINGVALE VIC 3171 | Nilsen Noel & Holmes (Surveyors) Pty Ltd | Subdivision of the land into two (2) lots adjacent to a road in a Road Zone Category 1 SPEAR VICSMART | Residential | Delegate | PlanPermit | 17/12/2020 | Springvale North |
| PLN20/0506 | PInAppVic | Yes | 13 Gove Street SPRINGVALE VIC 3171 | Sut Chuen Kwok | Subdivision of the land into two (2) lots SPEAR VICSMART | Residential | Applicant | Withdrawn | 15/12/2020 | Springvale North |
| PLN20/0509 | PInApp | No | 7 Charlotte Street SPRINGVALE SOUTH VIC 3172 | Nobellus Land Surveyors Pty Ltd | Subdivision of the land into two (2) lots SPEAR | Residential | Delegate | PlanPermit | 23/12/2020 | Springvale South |
| PLN20/0520 | PInAppVic | Yes | 241 Perry Road KEYSBOROUGH VIC 3173 | Stephen D'Andrea | Buildings and Works (Warehouse x 2) VICSMART | Industrial 1 Zone, 650sqm | Delegate | PlanPermit | 17/12/2020 | Keysborough South |
| PLN20/0527 | PInAppVic | Yes | 26 Ash Grove SPRINGVALE VIC 3171 | Margaret Edna Grigg | Subdivision of the land into two (2) lots SPEAR (VICSMART) | Residential | Delegate | PlanPermit | 15/12/2020 | Springvale Central |
| PLN20/0548 | PInAppVic | Yes | 2 Diwai Close NOBLE PARK NORTH VIC 3174 | Calvin Raven Pty Ltd | Subdivision of the land into two (2) lots SPEAR (VICSMART) | Residential | Delegate | PlanPermit | 23/12/2020 | Noble Park North |
| PLN20/0549 | PInApp | No | 221 Gladstone Road DANDENONG NORTH VIC 3175 | R D Carter & Associates Pty Ltd | Subdivision of the land into two (2) lots SPEAR | Residential | Delegate | PlanPermit | 23/12/2020 | Dandenong North |
| PLN20/0558 | PInApp | No | 12 Jellicoe Street NOBLE PARK VIC 3174 | Amanda Kate Barca Favoloro | Development of the land for a front fence exceeding 1.2 metres | A permit is not required for the construction of a 1.8m boundary fence for a single dwelling on a lot | Delegate | NotRequire | 22/12/2020 | Yarraman |

04/01/2021

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| Application ID | Category | VicSmart | Property Address | Applicant | Description | Notes | Authority | Decision | Decision Date | Ward |
|----------------|----------|----------|---|-------------------|---|--|-----------|------------|---------------|-----------|
| PLN20/0561 | PIAApp | No | 88 Ordish Road DANDENONG SOUTH VIC 3175 | Cleanaway Pty Ltd | The development of the land to construct a building or to construct or carry out works to an existing industry facility (transfer station) and to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5. | Industrial 2 Zone, 799sqm, alterations to warehouse and construction of dangerous goods shed | Delegate | PlanPermit | 24/12/2020 | Dandenong |

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04/01/2021

YMANOU

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278)

| | |
|----------------------|--|
| File Id: | 154550 |
| Responsible Officer: | Director City Planning Design & Amenity |
| Attachments: | Plans endorsed to Planning Permit PLN19/0065 Locations of Objectors |

Application Summary

| | |
|------------|--|
| Applicant: | JS & HA Pty Ltd |
| Proposal: | Amend Conditions 7 and 8 of Planning Permit PLN19/0065 |
| Zone: | Mixed Use Zone |
| Overlay: | No overlays affect this site |
| Ward: | Yarraman |

The application proposes to amend Conditions 7 and 8 of Planning Permit PLN19/0065.

Conditions 7 and 8 currently read as follows:

7. The approved use must only operate between the hours of 5:15am to 8:00am and 5:30pm to 7:15pm on Mondays to Fridays, and only between the hours of 7:00am to midday Saturday and Sunday.

8. No more than eighteen (18) persons may be present on the site at any one time.

Conditions 7 and 8 are proposed to be amended to read as follow:

7. The approved use must only operate between the hours of 5:15am to 10:30am and 4:30pm to 7:15pm on Mondays to Fridays, and only between the hours of 7:00am to midday Saturday and Sunday.

8. No more than twenty-nine (29) persons comprising twenty-seven (27) patrons and two (2) staff may be present on the site at any one time.

The applicant has applied for an amendment to Planning Permit PLN19/0065 under Section 72 of the *Planning and Environment Act 1987*. Pursuant to Section 72(1) *a person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.*

This application has been brought to a Council meeting as it has received six (6) objections. Three (3) of the objections are from 409-415 Princes Highway, Noble Park.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)**Objectors Summary**

The application was advertised to the surrounding area through the erection of a notice on-site and the mailing of notices to the adjoining and surrounding owners and occupiers. Six (6) objections were received to the application. Issues raised generally include:

- Adverse car parking detriment to the surrounding streets;
- Borrowed car parking from surrounding properties not being appropriate; and
- Adverse noise impacts.

Assessment Summary

The application has been assessed against the relevant policies under the Greater Dandenong Planning Scheme pertaining primarily to amenity impacts of car parking and noise. Overall, it is considered that the proposed amendments to the existing restricted recreation facility will provide a net-community benefit to the wider region and further complement the mixed-use functionality of the locality without resulting in unacceptable offsite amenity impacts from noise or traffic congestion.

Whilst the site is not afforded with any allocated parking spaces, it has been determined that the parking spaces available (on the Princes Highway service road and wider road network) are sufficient to cater for the increase in number of patrons and hours of operation subject to conditions being imposed on any permit issued.

Recommendation Summary

As assessed, the proposal is consistent with and appropriately responds to the provisions of the Greater Dandenong Planning Scheme. The proposal appropriately responds to strategic policy for a restricted recreation facility with this report recommending that the application be supported, and a **Notice of Decision** (which provides appeal rights to objectors) to grant an amended permit be issued containing the conditions as set out in the recommendation.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)**Subject Site and Surrounds****Subject Site**

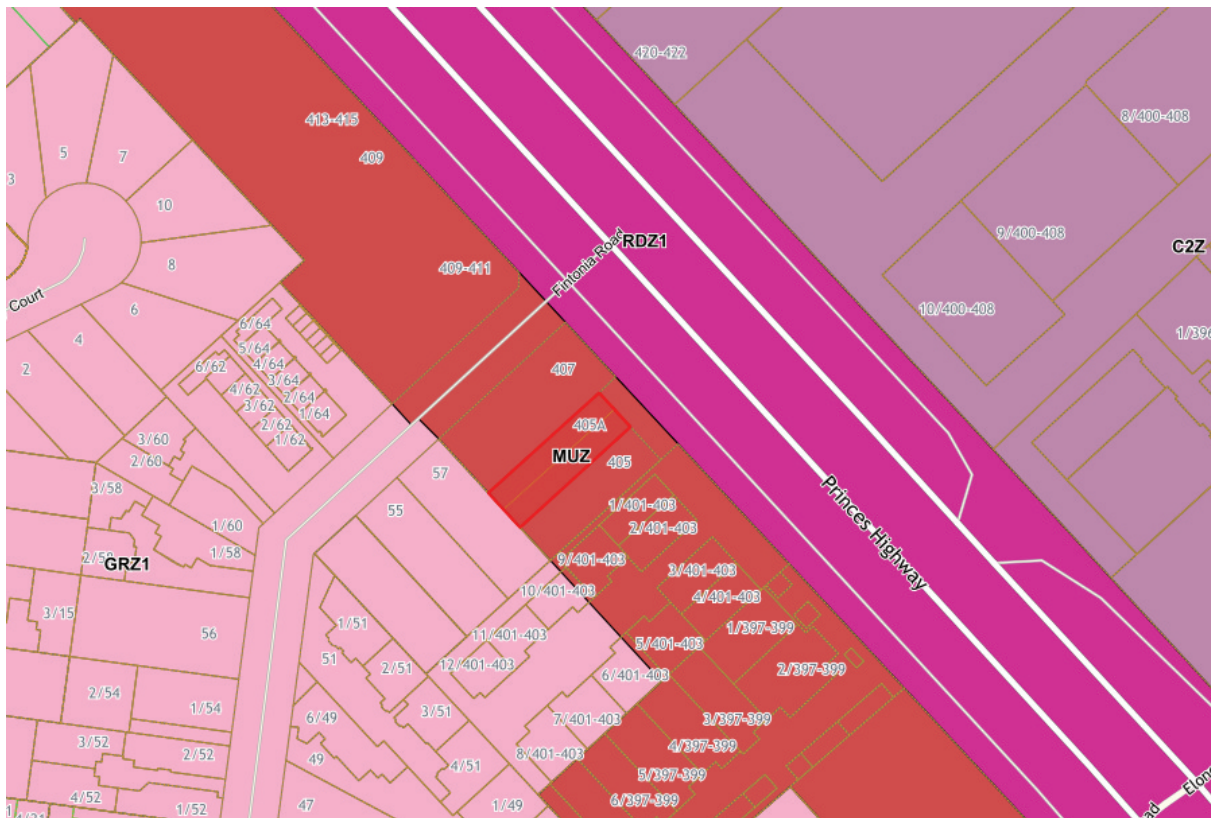
- The site is rectangular in shape and oriented to the Princes Highway.
- The site is located on the southern side of the Princes Highway which is a Road Zone, Category 1.
- There is an existing building on the site with an approximate area of 370sqm.
- The existing building is constructed to all boundaries except at the rear, which includes a small service yard area.
- Pedestrian access to the site is via the service road which runs parallel to the Princes Highway.
- The site does not have on-site car parking.
- To the front of the site and the adjoining land at 405 Princes Highway, there are five (5) 90 degrees angled car parking spaces available for public use and timed for 1 hour parking.

Surrounding Area

- The site is located within a mixed use area bounded by residential properties to the south and Princes Highway to the north. The mixed use area to the east and west is generally used for commercial purposes.
- Adjoining to the south-east is a Place of Assembly; adjoining to the north-west is a vacant retail premises and adjoining to the south-west is a vacant residential property.
- There is a large mature tree located on the nature strip separating the service road and Princes Highway to the front of the building.
- The surrounding buildings along the service road and Princes Highway are typically commercial style buildings with incorporated business colours and large business identification signs on building parapets, doors and windows.
- 46 on-street car parking spaces are constructed within 300m of the site.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

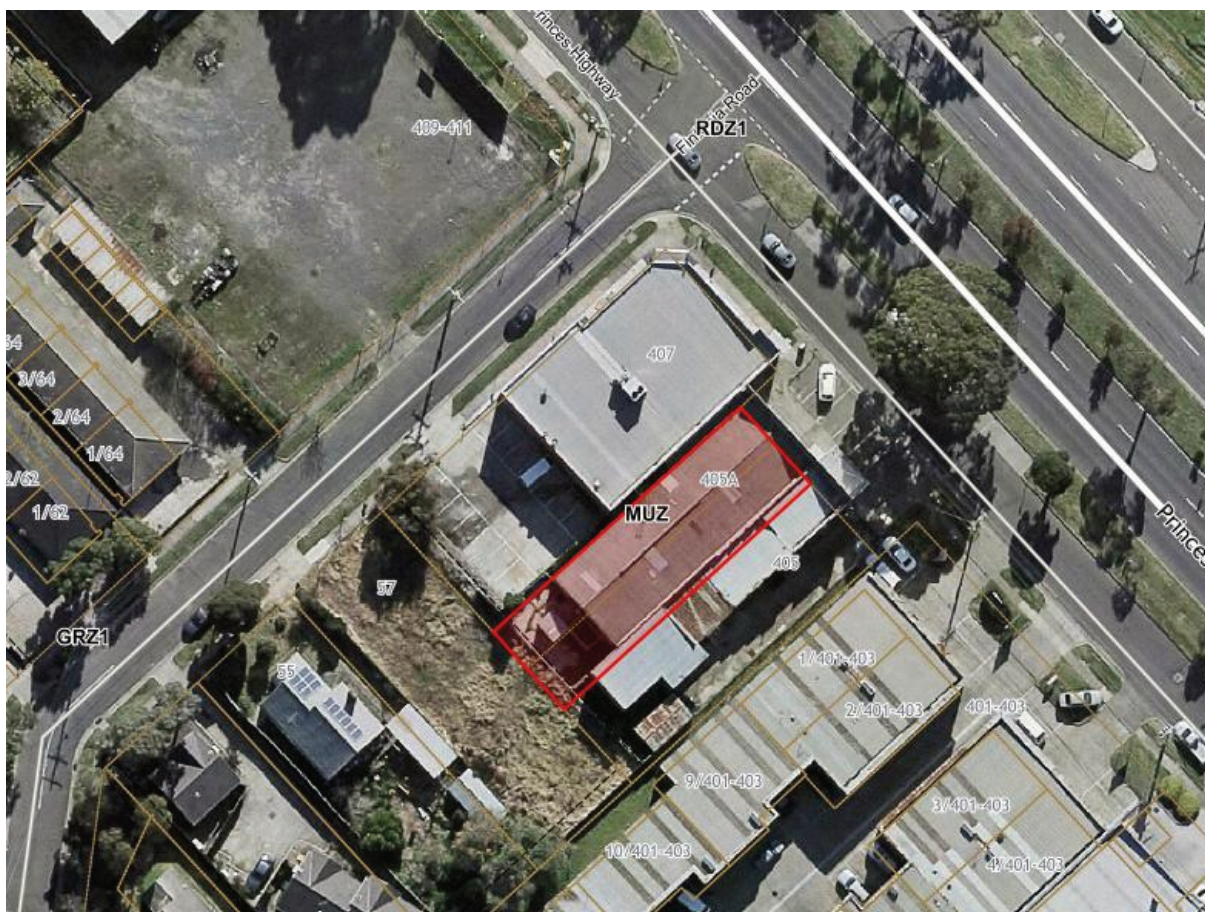
Locality Plan



p Subject Site Melway Map 80H12 North é

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

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



Background

Previous Applications

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

- Planning Permit PLN10/0016 was issued on 12 March 2010 to erect and display a non-illuminated business identification sign.
- Planning Permit PLN16/0081 was issued on 12 June 2016 for the development of the site for the purpose of a Restricted Recreation Facility (Gymnasium), to display one (1) internally illuminated business identification sign and alter access to a road in a Road Zone, Category 1. No evidence has been provided to demonstrate that this use ever commenced, and as such the permit has expired.
- Planning Application PLN19/0065 was submitted on 13 March 2019 to use the land for a restricted recreation facility and alteration to a road in a Road Zone, Category 1. The application was advertised and four (4) objections were received. Two (2) objections were subsequently withdrawn. Council resolved to issue a Notice of Decision to grant a permit at a Council Meeting

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

on 24 June 2019. The Notice of Decision was issued on 26 June 2019. An Application for Review was submitted by the objectors to the Victorian Civil and Administrative Tribunal (VCAT). A Hearing was held on 3 March 2020 and VCAT ordered that a permit be granted on 19 March 2020. A year after application a permit was subsequently issued on 20 March 2020 for:

- Use of the land for restricted recreation facility;
- Display of business identification signage; and
- Alteration to a road in a Road Zone Category 1.

Proposal

The application proposes to amend Conditions 7 and 8 of Planning Permit PLN19/0065.

Conditions 7 and 8 currently read as follow:

7. The approved use must only operate between the hours of 5:15am to 8:00am and 5:30pm to 7:15pm on Mondays to Fridays, and only between the hours of 7:00am to midday Saturday and Sunday.

8. No more than eighteen (18) persons may be present on the site at any one time.

Conditions 7 and 8 are proposed to be amended to read as follow:

7. The approved use must only operate between the hours of 5:15am to 10:30am and 4:30pm to 7:15pm on Mondays to Fridays, and only between the hours of 7:00am to midday Saturday and Sunday.

8. No more than twenty-nine (29) persons comprising twenty-seven (27) patrons and two (2) staff may be present on the site at any one time.

As there are no proposed amendments to the endorsed plans, a copy of the endorsed site plan and elevation plan to Planning Permit PLN19/0065 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

The applicant has applied for an amendment to Planning Permit PLN19/0065 under Section 72 of the *Planning and Environment Act 1987*. Pursuant to Section 72(1) *a person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.*

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in a Mixed Use Zone, as is the surrounding area to the east and west. Land to the south is a General Residential Zone – Schedule 1. The site adjoins a Road Zone Category 1 to the north. Land opposite the site is a Commercial 2 Zone.

The purpose of the Mixed Use Zone outlined at Clause 32.04 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

Pursuant to Clause 32.04-2, a Restricted Recreation Facility is a Section 2 (permit required) use.

Overlay Controls

No overlays affect the subject site or surrounding area.

Planning Policy Framework

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

- (a) To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- (c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*
- (e) To protect public utilities and other facilities for the benefit of the community.*
- (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.*

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

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

Clause 11 – Settlement 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 11.02-1S – Supply of Urban Land contains the objective to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Economic Development is outlined at Clause 17 of the Scheme. Clause 17.02-1S - '**Business**' has the following objective:

- *'To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services.'*

Transport is outlined at Clause 18 of the Scheme. Clause 18.02-4S – '**Car Parking**' has the following objective:

- *'To ensure an adequate supply of car parking that is appropriately designed and located'.*

Local Planning Policy Framework

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

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

- *Greater Dandenong is a net provider of jobs, with a resident workforce of 53,000, and local businesses providing approximately 74,000 jobs. Greater Dandenong businesses provide the third highest number of jobs in metropolitan Melbourne, with the employment sector largely orientated towards manufacturing occupations. Within the metropolitan Melbourne area, Greater Dandenong is ranked – in terms of job stock – first in manufacturing, second in storage, third in road transport and fourth in wholesale trade.*

Greater Dandenong's vision is outlined at **Clause 21.03**. Amongst others, the vision is that Greater Dandenong will be:

- *a healthy community that embraces a sense of pride and belonging and works together to achieve an economically, socially and environmentally sustainable future.*
- *a well-balanced satisfied community, which has easy and equitable access to services important to people's everyday life.*

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

Particular Provisions

Clause 52.06 Car parking

The purpose of this provision are:

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

Pursuant to Clause 52.06-3, a planning permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

Clause 52.29 Land Adjacent to a Road Zone Category 1

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 for to alter access to a road in a RDZ1.

Clause 52.34 – Bicycle Facilities

The purposes of this provision are:

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

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

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

General Provisions

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

Restrictive Covenants

The subject site is affected by Registered Covenant 1184341 which outlines that no excavation is to be carried out on the land which would remove earth, stone, clay, gravel or sand unless for the purpose of excavating the foundations of any buildings to be erected on the land.

The proposal is not contrary to this restriction.

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

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

Diversity (Access & Equity)

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

Community Safety

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

Safe Design Guidelines

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

Referrals

External

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

- Transport for Victoria – No objection, no conditions.

Internal

The application was internally referred to Council's Transport Unit for their consideration. The comments provided have been considered in the assessment of the application.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

- Transport Planning – No objection subject to conditions.

Advertising

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

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

The notification has been carried out correctly.

Council has received six (6) objections to date.

It is noted that three (3) of the objections are from 409-415 Princes Highway, Noble Park.

The locations of the objectors are shown in Attachment 2.

Consultation

The application received six (6) objections which meets the threshold to conduct a consultative meeting. However, as the proposal does not relate to a residential development, a consultative meeting is not required to occur. In addition, due to the current COVID-19 pandemic, consultative meetings are not being held to ensure compliance with State and Federal Government guidelines.

Summary of Grounds of Submissions/Objections

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

- **That the proposal would result in adverse car parking detriment to the surrounding properties**

An assessment found that the existing on-street car parking could cater for the increase of an additional eleven (11) persons. This will be further discussed in the assessment section of this report. This will be further discussed in the assessment section of this report.

- **That the use of borrowed car parking from the surrounding properties is not appropriate.**

Whilst the applicant has submitted written consent from three (3) of the surrounding properties to use their car parking spaces, the assessment of this application does not rely on the 'borrowed' car parking. The existing on-street parking is adequate to cater for the proposed increase number of persons. This will be further discussed in the assessment section of this report.

- **That the proposal would result in additional noise**

The existing conditions 1 to 5 require the use of the land to comply with the endorsed acoustic report. These conditions are adequate and will continue to apply to any amended permit to be granted.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

The proposed additional hours are from 8am to 10:30am and 4:30pm to 5:30pm Monday to Friday. It is considered that the additional hours would not result in adverse noise detriment to the surrounding properties as these are general business hours.

The assessment section of this report recommends that signs be provided within the premises advising patrons not to park within the surrounding residential streets to limit noise to the residential streets.

Subject to the above condition, it is considered that the proposed amendments would not result in adverse noise detriment to the surrounding residential developments.

Assessment

The application has been assessed against all relevant provisions of the Greater Dandenong Planning Scheme. It is considered that the proposal is appropriate and can be supported, subject to permit conditions limiting the number of persons permitted to a lesser extent than proposed by the applicant.

Use

The land is used as a restricted recreation facility which has been established under Planning Permit PLN19/0065 issued on 20/3/2020.

The proposed amendments would not alter the use of the land as a restricted recreation facility.

Development

No buildings or works are proposed under this proposed amendment.

Proposed Amendments to Conditions

As the site has already been granted a permit under Planning Permit PLN19/0065 on 20/3/2020 for the use of the land for a restricted recreation facility, the use of the land and the conditions on the current permit are not required to be further considered. The consideration under this proposed amendment is limited to whether the proposed amendments to Conditions 7 and 8 are appropriate.

Conditions 7 and 8 currently read as follow:

7. The approved use must only operate between the hours of 5:15am to 8:00am and 5:30pm to 7:15pm on Mondays to Fridays, and only between the hours of 7:00am to midday Saturday and Sunday.

8. No more than eighteen (18) persons may be present on the site at any one time.

Conditions 7 and 8 are proposed to be amended to read as follow:

7. The approved use must only operate between the hours of 5:15am to 10:30am and 4:30pm to 7:15pm on Mondays to Fridays, and only between the hours of 7:00am to midday Saturday and Sunday.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

8. No more than twenty-nine (29) persons comprising twenty-seven (27) patrons and two (2) staff may be present on the site at any one time.

The proposed amendment to Condition 7 would result in an increase of:

- Two and a half (2.5) additional hours from 8am to 10.30am on Monday to Friday;
- One (1) additional hour from 4:30pm to 5:30pm on Monday to Friday; and
- No change on Saturday and Sunday.

The proposed amendment to Condition 8 would result in an increase of eleven (11) persons on the site.

The considerations under this application include:

- Whether the proposed increase hours of operation is appropriate; and
- Whether the additional eleven (11) persons on the site is appropriate.

Proposed increase hours of operation:

The additional hours from 8am to 10:30am and 4:30pm to 5:30pm Monday to Friday are typical business hours, noting that this site is situated in a commercial area. It is considered that the additional hours would not result in adverse noise detriment to the surrounding properties, and that there is sufficient car parking available in the surrounding area during these times (as discussed below).

Proposed additional eleven (11) persons

The current Condition 8 allows a maximum of eighteen (18) persons on the site. The proposed amendment is to increase the number of persons permitted to twenty-nine (29), an increase of eleven (11) persons. Therefore, car parking for the additional eleven (11) persons must be considered.

The Table to Clause 52.06-5 (Number of car parking spaces required under Table 1) contains car parking requirements for different uses. A restricted recreation facility is not listed in the Table to Clause 52.06-5, thus, car parking for the amendments must be to the satisfaction of the Responsible Authority.

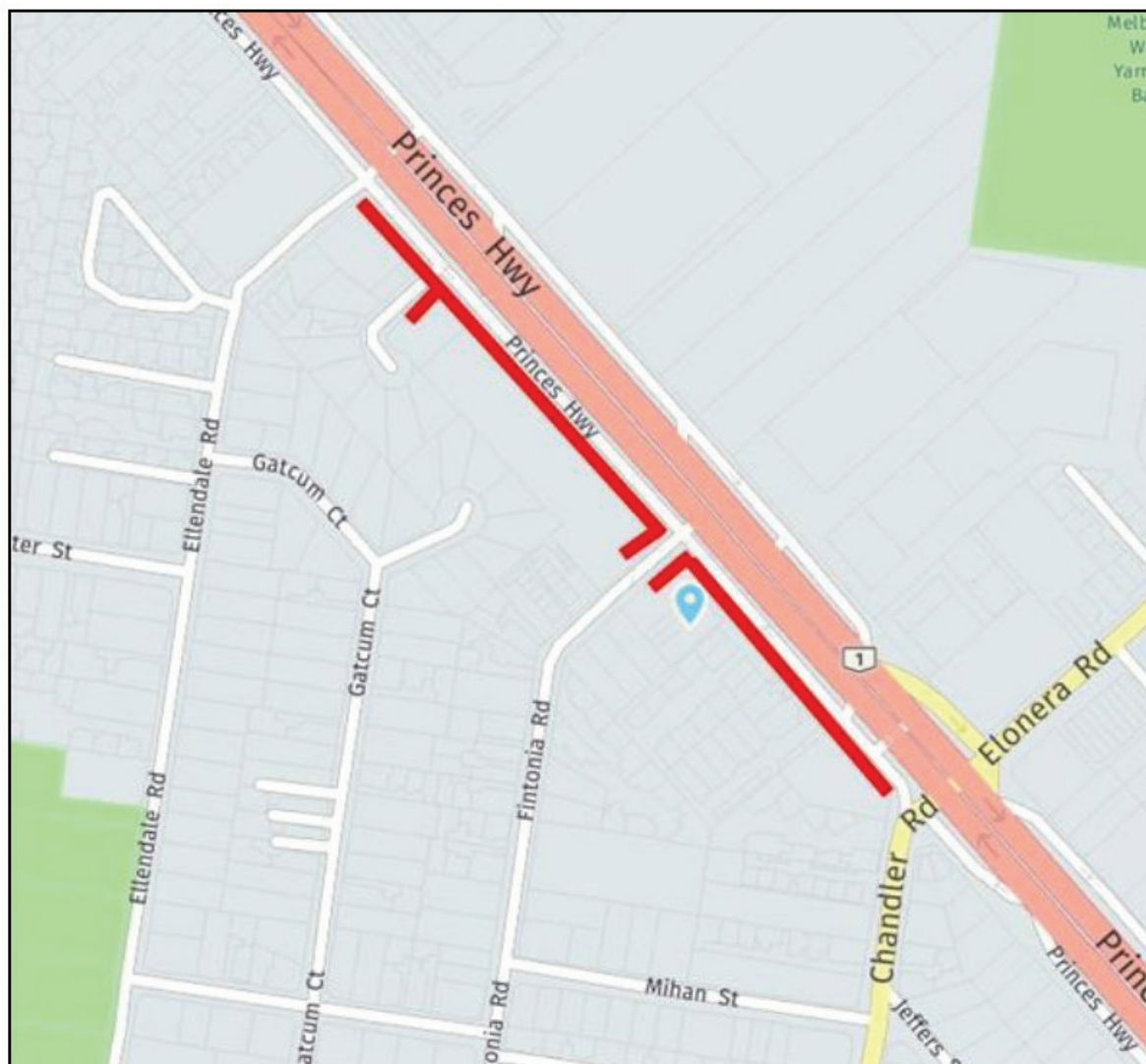
A traffic report has been submitted with the application. Although the parking survey from the traffic report was carried out in November and December 2019, it is considered that the information remains relevant today. Due to the COVID 19 pandemic, it is considered that any traffic survey carried out since its onset is likely to be less accurate. Thus, it is not considered necessary to carry out a further traffic survey.

Whilst there are four (4) bus lines along Princes Highway, the traffic report submitted with the application envisages that most patrons would arrive by car as a driver or passenger.

The subject site has no on-site car parking space. A parking demand survey within the traffic report submitted by the applicant identified a total of 46 on-street car parking spaces available within 300 metres of the site, with 5 of those constructed immediately outside of the frontage of the application's premises.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

The below map identifies the area included in the parking demand survey.



Surveyed Parking Area: Subject Site 405A Princes Highway, Noble Park

The parking demand survey shows that on a typical weekday, there are a minimum of 34 available car spaces between 6am to 7pm within the surveyed areas. On a typical Saturday, there are a minimum of 30 available car spaces within the survey area. Council's Transport Planning Unit has not raised any issue with the parking survey provided.

Council's Transport Planning Unit advise that VCAT has considered rates of between 0.3 to 0.9 per person for a gymnasium and suggested a rate of 0.5 per person for this site.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

Based on the rate of 0.5 car space per person, the approved use and proposed amendment would generate the following number of car parking demand:

Approved use of eighteen (18) persons:

- $0.5 \times 18 = 9$

Proposed additional eleven (11) persons:

- $0.5 \times 11 = 5.5$ (rounded down to 5)

Total of 14 car parking spaces required.

In addition to the available on-street parking, the hours of operation of the surrounding business should also be taken into consideration. A search of the surrounding properties together with information submitted by the applicant show the hours of operation of some of the surrounding businesses as below:

| Address | Hours of operation |
|---|--|
| 405 Princes Highway, Noble Park | Unoccupied building |
| Electrolux, 1/401-403 Princes Highway, Noble Park | Monday to Friday: 9am to 7pm Saturday: 8am to 3pm Sunday: 10am to 3pm |
| Appliance Spares Warehouse 2/401-403 Princes Highway in Council's records) | Monday to Friday: 7am to 5:30pm Saturday: 9:30am to 1pm Sunday: Closed |
| Jeff's Service Centre, 3/401-403 Princes Highway, Noble Park | Monday to Saturday: 8am to 6pm Sunday: closed |
| U-select Memorials, 1/397 Princes Highway, Noble Park | Monday to Friday: 9am to 5pm Saturday & Sunday: Closed |
| One Stop Render Warehouse, 2/397 Princes Highway, Noble Park | Monday to Friday: 6am to 6pm Saturday: 6:30am to 5:30pm |

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

| | |
|--|---|
| | Sunday: Closed |
| Hertz, 391-395 Princes Highway, Noble Park | Monday to Friday: 8am to 5pm Saturday & Sunday: 8am to 12pm |
| Flames Lounge Cafe 407 Princes Highway, Noble Park | Monday to Thursday: 2pm to 11pm Friday to Saturday: 2pm to 12am Sunday: 2pm to 11pm |
| Noble Park Trucks 409-425 Princes Highway, Noble Park | Not in operation. The site is under development for showrooms, offices and warehouses. |

Taking into consideration the hours of operation of the surrounding businesses, the number of car parking spaces within 300m and the parking demand survey, Council officers are supportive of twenty-nine (29) persons on Monday to Friday from 5:15am to 10:30am based on existing and potential land uses around the site. In particular, the Flame Café which is permitted up to 48 patrons (note this site has seventeen (17) on site car spaces), does not be operating during this time.

From 4:30pm onwards, the majority of businesses would be in the process of closing. After 5:30pm, the majority of businesses in the vicinity will not be operating. Therefore, it is considered appropriate to support a maximum of twenty-nine (29) persons between 4.30pm and 7.15pm Monday to Friday.

On Saturday and Sunday between 7am and midday, some businesses in the vicinity do not operate on Saturday and most businesses do not operate on Sunday. It is also noted that the Flame Café does not operate between 7am and midday.

Having considered the availability of on-street car parking, the likely car parking required for the increase in patron numbers, and the hours of operation of gymnasium is outside normal business hours of most of the existing businesses in the area, it is recommended that Conditions 7 and 8 should be amended as follow:

7. The approved use must only operate between the hours of:

Monday to Friday:

- 5:15am to 10:30am; and
- 4:30pm to 7:15pm.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

Saturday and Sunday
- 7am to midday.

Unless with the further written consent from the Responsible Authority.

8. No more than twenty-nine (29) persons may be present on the site at any one time.

The applicant has also submitted written consent from three (3) of the surrounding properties for the use of their car parking spaces. However, this has not been taken into consideration as the available on-street parking is adequate to cater for the proposed hours of operation and number of persons permitted subject to the conditions above.

Noise

The existing conditions 1 to 5 require the use of the land to comply with the endorsed acoustic report. These conditions will continue to apply to any amended permit to be granted.

The proposed additional hours are from 8am to 10:30am and 4:30pm to 5:30pm Monday to Friday. It is considered that the additional hours would not result in adverse noise detriment to the surrounding properties as these are within general business hours.

However, it is considered that the proposed addition of eleven (11) persons to the already approved eighteen (18) persons from 5:15am to 8am may result in additional early morning noise to the residential streets. It is recommended that a new condition (Condition 14) be included requiring the operator to erect signs advising patrons not to park within the surrounding residential streets.

Subject to the above conditions, it is considered that the proposal would not result in adverse noise detriment to the surrounding properties.

Amendments to Conditions 14 and 15

As a result of the inclusion of a new Condition 14 as above, the current Conditions 14 and 15 (Expiry of permit) would require to be renumbered to Conditions 15 and 16.

Clause 52.29 (Land Adjacent to a Road Zone Category 1)

The subject site adjoins a service road to Princes Highway. Princes Highway is a Road Category 1.

The application was referred under Section 55 to Transport for Victoria (formerly VicRoads) who has no objection to the proposed amendments.

It is considered that the proposal would not result in significant traffic to the area and would not adversely affect the operation of Princes Highway.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)**Bicycle Facilities**

Clause 52.34-1 (Provision of bicycle facilities) states that a new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. Bicycle facilities are required to be rounded to the nearest whole number.

A restricted recreation facility is not listed in the Table to Clause 52.34-5 (Bicycle Spaces). The submitted traffic report considered the use to be similar to a 'Minor Sports and Recreation Facility' use. Therefore, the bicycle parking requirements for 'Minor Sports and recreation facility' would be used as a guide.

Minor Sports and Recreation Facility requires the following number of bicycles:

- Employee: 1 space per 4 employees
- Visitor: 1 space to each 200 square metres of net floor area.

The existing building area is 370sqm and there are a maximum of 2 employees on the site at any one time. The approved use would require 3 bicycle spaces. The endorsed plans of Planning Permit PLN19/0065 show a bike storage area which could accommodate 4 bicycle spaces, exceeding the requirements.

The proposed amendments would not increase the number of employees nor would it increase the floor area of the building. Thus, the proposed amendments do not require additional bicycle space.

Conclusion

It is recommended that the following amendments to the permit be made:

| Permit detail | Recommendation |
|-------------------|---|
| Permit preamble | No change |
| Permit conditions | <p>Amend the following conditions:</p> <p>7. The approved use must only operate between the hours of:</p> <p>Monday to Friday</p> <ul style="list-style-type: none">• 5:15am to 10:30am; and• 4:30pm to 7:15pm. <p>Saturday and Sunday</p> <ul style="list-style-type: none">• 7am to midday. <p>Unless with the further written consent from the Responsible Authority.</p> |

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

| | |
|----------------|--|
| | <p>8. No more than twenty-nine (29) persons may be present on the site at any one time.</p> <p>14. The operator of this permit must erect a prominent notice at each entry and exit point of the building requesting patrons not to park within the surrounding residential streets, to the satisfaction of the Responsible Authority.</p> <p>15. This permit as it relates to use will expire if the use does not commence within two (2) years after the issue date of this permit.</p> <p>In accordance with section 69 of the <i>Planning and Environment Act 1987</i>, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.</p> <p>16. This permit will expire 15 years after the date of this permit for signage hereby permitted.</p> <p>In accordance with section 69 of the <i>Planning and Environment Act 1987</i>, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.</p> |
| Endorsed plans | No change |
| Permit notes | No change |

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

| Date amended: | Brief description of amendments |
|---------------------------|---|
| [insert date of approval] | <p>Amendments to Permit pursuant to Section 72 of the <i>Act</i> as follow:</p> <ul style="list-style-type: none"> Condition 7: Amended by altering the hours of operation. Condition 8: Amended by increasing the number of persons permitted from eighteen (18) to twenty-nine (29). New Condition 14 included to the permit. The current Conditions 14 and 15 (Expiry of permit) renumbered to Conditions 15 and 16. |

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)**Recommendation**

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 405A Princes Highway, Noble Park, VIC 3174 (Lot 1 LP 66803), for the:

- Use of the land for restricted recreation facility;
- Display of business identification signage; and
- Alteration to a road in a Road Zone Category 1.

In accordance with the plans submitted with the application subject to the following conditions:

1. Before the use commences, and if the acoustic report at condition 2 identifies any internal attenuation works are required, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and an electronic copy provided (unlocked PDF). When the plans are endorsed they will then form part of the permit. The plans must be substantially in accordance with the plans assessed by the Council but modified to show:
 - (a) all internal noise attenuation works required by the acoustic report at condition 2 of this permit.

Acoustic measures

2. Before the use commences, an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to and approved by the responsible authority. Such report must assess whether SEPP N-1 and N-2 will be exceeded based on the operation of the use, including the playing of music. If the report identifies that there is an actual exceedance of either SEPP or a likelihood that either SEPP will be exceeded, the report must identify measures to ensure compliance with the SEPPs. Such measures must not include any external buildings or works to the existing building and must be internal measures.

All of this must be done to the satisfaction of the responsible authority.

3. Before the use commences, the attenuation measures specified in the acoustic report approved under condition 2 must be installed to the satisfaction of the Responsible Authority.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

4. The use approved under this permit must, at all times, comply with the noise levels specified in the State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade) No. N-1 and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.
5. At any reasonable time, the responsible authority may require an acoustic report to be prepared by a suitably qualified acoustic engineer that identifies whether SEPP N-1 and N-2 requirements are met. If the report identifies that the use is operating such that the either of the SEPP levels are exceeded, the report must identify measures to ensure compliance with the SEPPs. Such measures must not include any external buildings or works to the existing building and must be internal measures and these must be implemented.

All of this must be done to the satisfaction of the responsible authority.

General

6. The use as shown on the endorsed plans must not be altered without the further written consent of the responsible authority.
7. The approved use must only operate between the hours of:

Monday to Friday
 - 5:15am to 10:30am; and
 - 4:30pm to 7:15pm.

Saturday and Sunday
 - 7am to midday.

Unless with the further written consent from the Responsible Authority.
8. No more than twenty-nine (29) persons may be present on the site at any one time.
9. The amenity of the area must not be adversely affected by the use as a result of the:
 - (a) transport of materials, goods or commodities to or from the land.
 - (b) Appearance of any building, works, stored goods, or materials.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

- (c) Emission of noise, artificial light, vibration and waste products.
- (d) Adverse behaviour of patrons to or from the land.
- (e) In any other way.

Signage

- 10. The location, type and dimensions of the sign(s), including the words, colours and supporting structure shown on the endorsed plans must not be altered without the written consent of the responsible authority.
- 11. The signage must not:
 - (a) dazzle or distract drivers due to its colouring.
 - (b) Be able to be mistaken for traffic signals because it has, for example, similar colours, red circles, octagons, crosses or triangles.
 - (c) Be able to be mistaken as an instruction to drivers.

All to the satisfaction of the responsible authority.

12.



The signage must not be internally or externally illuminated, animated or electronic and no flashing or intermittent lights should be displayed.

- 13. The sign shall be constructed and maintained to the satisfaction of the responsible authority.

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)**Parking signs**

14. The operator of this permit must erect a prominent notice at each entry and exit point of the building requesting patrons not to park within the surrounding residential streets, to the satisfaction of the Responsible Authority.

Expiry of permit

15. This permit as it relates to use will expire if the use does not commence within two (2) years after the issue date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

16. This permit will expire 15 years after the date of this permit for signage hereby permitted.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

Note

This Permit has been issued at the direction of the Victorian Civil and Administrative Tribunal - Order dated 19 March 2020.

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

| Date amended: | Brief description of amendments |
|---------------------------|--|
| [insert date of approval] | <p>Amendments to Permit pursuant to Section 72 of the Act as follow:</p> <ul style="list-style-type: none">• Condition 7: Amended by altering the hours of operation.• Condition 8: Amended by increasing the number of persons permitted from eighteen (18) to twenty-nine (29).• New Condition 14 included to the permit.• The current Conditions 14 and 15 (Expiry of permit) renumbered to Conditions 15 and 16. |

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 405A PRINCES HIGHWAY, NOBLE
PARK (PLANNING APPLICATION NO. PLA20/0278)**

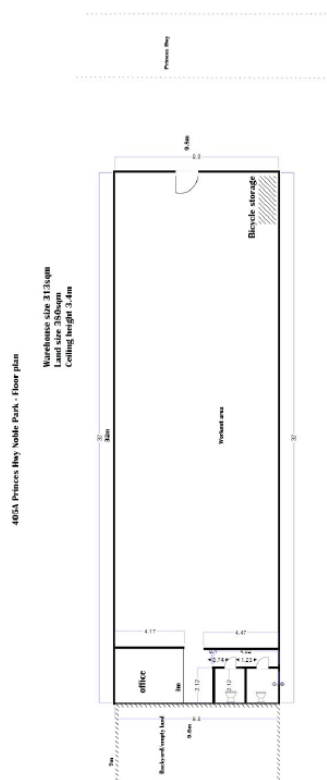
ATTACHMENT 1

**PLANS ENDORSED TO PLANNING PERMIT
PLN19/0065**

PAGES 3 (including cover)

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

PLANNING & ENVIRONMENT ACT/1987
GREATER DANDENONG PLANNING SCHEME
Endorsed Plan under Planning Permit PLN19/0065
Date: 15/06/2020 Sheet: 1 of 37
Greater Dandenong City Council



ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

PLANNING & ENVIRONMENT ACT 1987
GREATER DANDENONG PLANNING SCHEME
Endorsed Plan under Planning Permit PLN19/0065
Council Delegate: Tony Casciere
Date: 15/06/2020 Sheet: 2 of 37
Greater Dandenong City Council



2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 405A PRINCES HIGHWAY, NOBLE
PARK (PLANNING APPLICATION NO. PLA20/0278)**

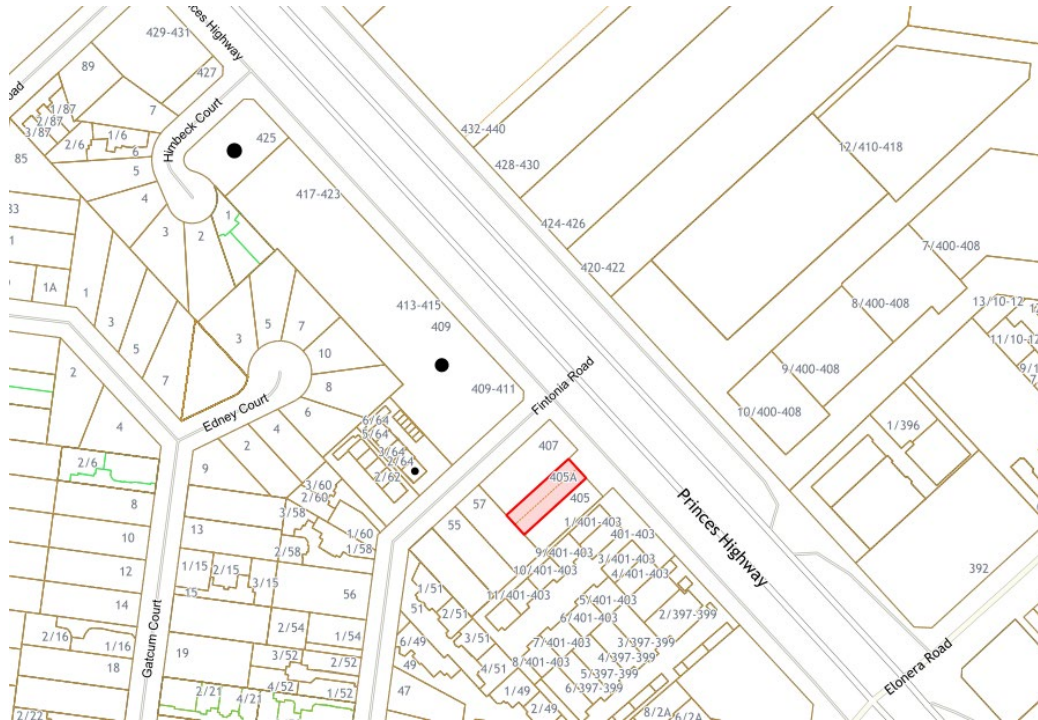
ATTACHMENT 2

LOCATIONS OF OBJECTORS

PAGES 2 (including cover)

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

2.3.3 Town Planning Application – No. 405A Princes Highway, Noble Park (Planning Application No. PLA20/0278) (Cont.)



Subject Site



LOCATION OF OBJECTOR

MELWAY MAP REF: 80 – H12

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136)

| | |
|----------------------|--|
| File Id: | 305005 |
| Responsible Officer: | Director City Planning Design & Amenity |
| Attachments: | Submitted Plans Location of Objectors Clause 22.09 Assessment Clause 55 Assessment Clause 52.06 Assessment |

Application Summary

| | |
|------------|---|
| Applicant: | Bala Family Property Pty Ltd, C/- Millar Merrigan |
| Proposal: | Development of the land for three (3) double storey dwellings and to subdivide the land into three (3) lots |
| Zone: | General Residential Zone Schedule 1 |
| Overlay: | Design and Development Overlay Schedule 3 |
| Ward: | Cleeland |

The application proposes the development of the land for three (3) double storey dwellings and to subdivide the land into three (3) lots. This application has been brought to a Council meeting as it has received three (3) objections.

A permit is required pursuant to:

- Clause 32.08-3 (General Residential Zone) for the subdivision of the land.
- Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.

Objectors Summary

The application was advertised to the surrounding area through the erection of one (1) on-site notice facing Herbert Street and the mailing of notices to adjoining and surrounding owners and occupiers. Three (3) objections were received to the application. Issues raised generally relate to matters of:

- Negative impact on the amenity of the adjoining dwelling;
- Double storey dwellings to the rear are inconsistent with the Design Guidelines of Clause 22.09.

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Assessment Summary**

The site is located within an established residential area and is well suited for medium density housing given that the site is zoned for incremental change and is located within the Principal Public Transport Network area (PPTN).

The proposal seeks to provide a medium density development which is generally consistent with the emerging pattern of development and surrounding neighbourhood character. It is considered that the development is site responsive and would contribute positively to the surrounding area.

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

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

Recommendation Summary

As assessed, the proposal is consistent with and appropriately responds to the provisions of the Greater Dandenong Planning Scheme. The proposal appropriately responds to strategic policy for residential development in the area with this report recommending that the application be supported, and a **Notice of Decision** (which provides appeal rights to objectors) to grant a permit be issued containing the conditions as set out in the recommendation.

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

Subject Site and Surrounds

Subject Site

- The subject site is located to the north side of Herbert Street.
- The site is rectangular in shape with a frontage of 16.09 metres, a depth of 50.29 metres.
- The overall site area is 809 square metres.
- The existing single storey brick dwelling has a front setback of 8.8 metres from the street frontage. A detached garage and two sheds are located along the eastern boundary. Access to the site is via a single crossover adjacent to the eastern side of the site. In terms of topography, the site has a moderate slope towards the rear boundary and there is a small number of non-significant trees and shrubs across the site.
- There is a 2.44m wide drainage and sewerage easement (identified as E-1) located along the northern boundary.

Surrounding Area

- The subject site is located within an established residential area.
- A shopping strip is located directly opposite the site on the southern side of Herbert Street.
- There are a number of medical centres located along Stud Road which is approximately 130 metres to the west of the subject site.
- The surrounding land on the northern side of Herbert Street and within the adjoining streets to the north and east are zoned General Residential Zone 1. Existing development within this immediate area consists of a mixture of single and double storey dwellings with older housing stock slowly being replaced with multi-dwelling developments predominately double storey in height.
- On the southern side of Herbert Street, the zoning changes to General Residential Zone 3 and contains a number of multi-unit developments which are double storey in height.
- To the west (approx. 150m on western side of Stud Road) the zoning changes to Residential Growth Zone 2 and contains a number of multi-unit developments which are double and triple storey in height.
- To the south west (approx. 490m) the zoning changes to Comprehensive Development Zone 2 and consists of a mixture of commercial and residential purposes.
- The built form of the surrounding area generally consists of the use of brick, render and weatherboard for external materials, informal landscaping within front setbacks and rear yards, garages and outbuildings provided with minimal setbacks from side and/or rear boundaries, as well as multi-unit developments having minimal setbacks from side and rear boundaries.
- Robert Booth Reserve is located approximately 465m to the west of the subject site.
- Bus route 901 between Frankston and Melbourne Airport runs along Stud Road and is located approximately 150m to the west of the subject site.
- Bus route 862 between Chadstone Shopping Centre and Dandenong runs along Ross Street and is located approximately 400m to the east of the subject site.
- The Dandenong train station is located approximately 1450 metres towards the south west of the site.

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

Locality Plan



Background

Previous Applications

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

Planning Permit PLN07/0405 was issued on 13 February 2008 for 'The development of the land comprising the construction of a single-storey dwelling to the rear of an existing single-storey dwelling'. The permit was not actioned and has since expired.

Planning application PLN19/0577 was for the development of three double storey dwellings and the subdivision of the land. The application was subsequently withdrawn by the applicant.

Subject Application

Proposal

The application proposes the development of three (3) double storey dwellings and the subdivision of the land into three (3) lots.

The details of the proposal are as follows:

| | |
|---------------------|----------------------------|
| Type of proposal | Multi-dwelling development |
| Number of dwellings | Three (3) dwellings |
| Levels | Double storey |

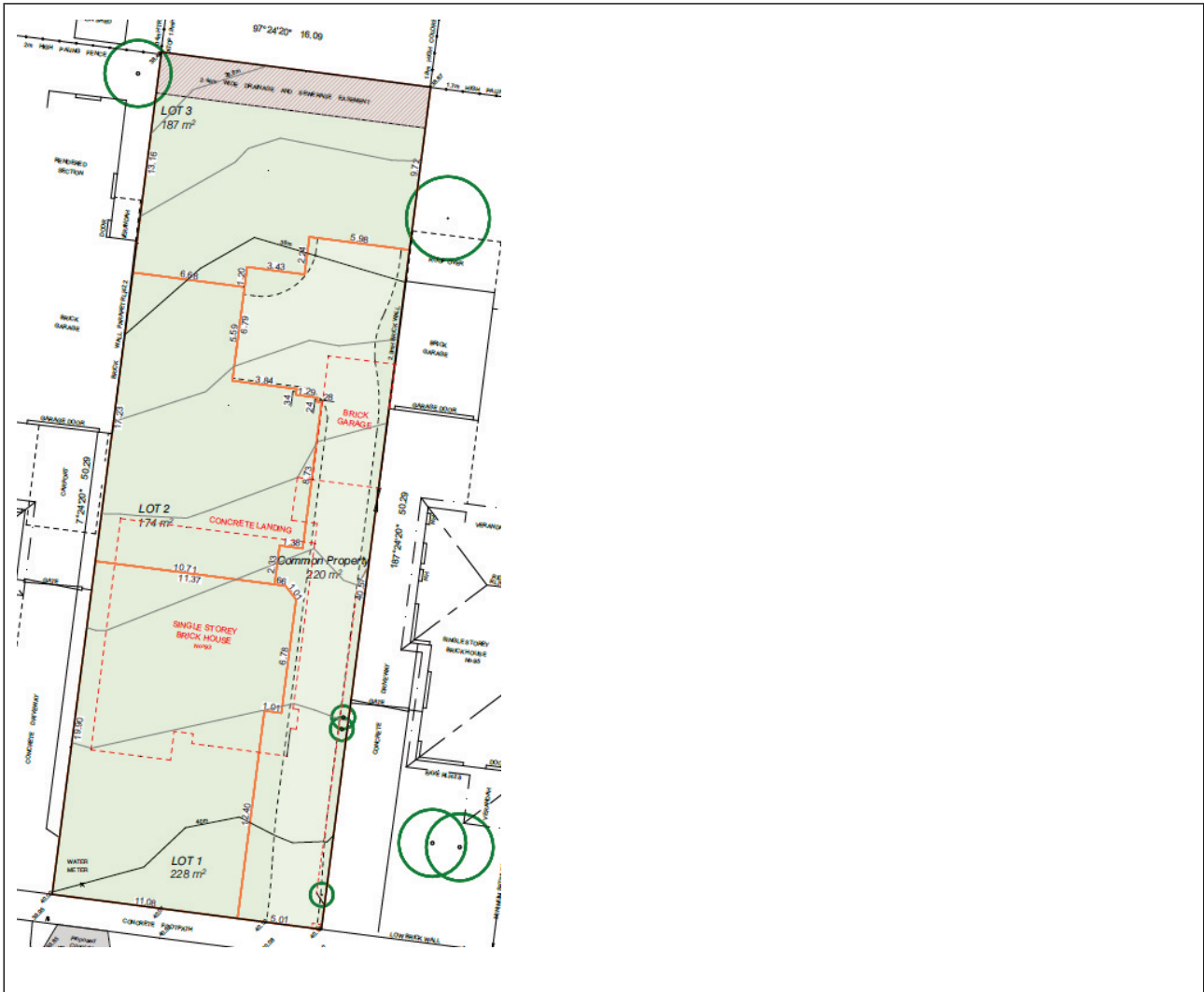
2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | |
|---------------------------------------|--|
| Height | Maximum height of 7.6 metres |
| Orientated to | Dwelling 1 is orientated towards Herbert Street. Dwelling 2 and 3 orientated towards shared driveway |
| External materials | Ground floor: Face brickwork and render First floor: Horizontal woodgrain cladding and render |
| Setbacks | South (front): 7.7 metres minimum setback West (side): 1.85 metre minimum setback and walls on boundaries North (rear): 3.2 metres minimum setback East (side): 4.0 metres minimum setback and wall on boundary |
| Private open space type | Ground floor private open space for each dwelling. <u>Dwelling 1:</u> Total POS: 43sqm plus 80sqm of front yard; SPOS: 30sqm with minimum dimension of 5.1m and convenient access to SPOS from living area. <u>Dwelling 2:</u> Total POS: 66sqm; SPOS: 50sqm with minimum dimension of 5.0m and convenient access to SPOS from living area. <u>Dwelling 3:</u> Total POS: 87sqm; SPOS: 37sqm with minimum dimension of 5.8m and convenient access to SPOS from living area. |
| Number of bedrooms per dwelling | Dwelling 1 has two bedrooms. Dwellings 2 and 3 both have three bedrooms. |
| Number of car parking spaces required | One (1) car parking space required for each one or two bedroom dwelling. Two (2) car parking spaces required for each three or more bedroom dwelling. A total of five (5) car parking spaces are required for the dwellings. |
| Number of car parking spaces provided | A total of five (5) car parking spaces are provided for the development. |

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | |
|----------------------|--|
| Type of car parking | Dwelling 1 is provided with a single car garage. Dwellings 2 and 3 are provided with a double car garage. |
| Access | Two crossovers are proposed to be connected to Herbert Street. A new single width crossover is to be located to the southwest corner of the lot to be utilised by Dwelling 1. The existing single width crossover located to the southeast corner of the lot will be retained to be utilised by Dwellings 2 and 3. |
| Front fence | No front fence is proposed. |
| Garden area required | 283.15 square metres or 35% |
| Garden area provided | 284.1 square metres or 35.1% |
| Other | The application also proposes the subdivision of the land into three (3) lots plus common property: Lot 1: 228sqm Lot 2: 174sqm Lot 3: 187sqm Common Property: 220sqm |

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)



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

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

No financial resources are impacted by this report.

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

Planning Scheme and Policy Frameworks

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

- Under 32.08-3 (General Residential Zone) for the subdivision of the land.
- Under Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in a General Residential Zone – Schedule 1, as is the surrounding area.

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

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

Pursuant to Clause 32.08-3 a permit is required to subdivide the land.

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

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

- Standard B6 (Minimum Street Setback) – As per B6 or 7.5 metres, whichever is the lesser;
- Standard B9 (Permeability) – Minimum of 30%;
- Standard B13 (Landscaping) – 70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees;
- Standard B28 (Private Open Space) – An area of 50 square metres of ground level, private open space, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres, and a minimum dimension of 5 metres and convenient access from a living room; or

-a balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; or

-a rooftop area of 10 square metres with a minimum width of 2.0 metres and convenient access from a living room; and

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- Standard B32 (Front Fence Height) – Maximum 1.5 metre height in streets in Road Zone Category 1, 1.2 metre maximum height for other streets.

Overlay Controls

The subject site is located in Design and Development Overlay – Schedule 3, as is the surrounding area.

The purpose of the Design and Development Overlay outlined at Clause 43.02 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

Design and Development Overlay Schedule 3 relates to Dandenong Hospital Flight Path Protection. Pursuant to Point 2.0 of the Schedule, a planning permit is not required to construct a building or to construct or carry out works, which have a height of less than 62.9m above the Australian Height Datum (AHD). As the maximum height of the development is less than 62.9m above AHD, planning permission under the Design and Development Overlay – Schedule 3 is not required.

Planning Policy Framework

The **Operation of the Planning Policy Framework** outlined at Clause 71.02 seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

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

State Planning Policy Framework

Clause 11 Settlement

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

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

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Clause 15 Built Environment and Heritage

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

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

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

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

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

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

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

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

Clause 16 Housing

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

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These objectives are reinforced by a number of sub-clauses, including **Clause 16.01-1S (Integrated housing)**, which seeks to promote a housing market that meets community needs, and **Clause 16.01-1R (Integrated housing – Metropolitan Melbourne)**, which has a strategy to allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

Clause 16.01-2S (Location of residential development) promotes new housing in designated locations that offer good access to jobs, services and transport, while **Clause 16.01-2R (Housing opportunity areas – Metropolitan Melbourne)** seeks to facilitate increased housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs, public transport and with appropriate infrastructure

Clause 18 Transport

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

Local Planning Policy Framework

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

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

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

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

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

Clause 21.04-1 Housing and community

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

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

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

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

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

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

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

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

Clause 22.09-3.4 (Incremental Change Areas) provides design principles, some of which also relate to the variances to the requirements of standards to Clause 55 under the schedule to the General Residential Zone. The guidelines are as follows:

- *Preferred housing type – The preferred housing type for the Incremental Change Area is medium density.*
- *Building Height – The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.*
- *Landscaping – Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties.*
- *Setbacks, front boundary and width – Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carport and garages in the street.*
- *Private Open Space – Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.*
- *Bulk – Residential development should:*
 - *Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;*
 - *Provide separation between dwellings at upper level;*

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

- *Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;*
- *Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.*
- *The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.*
- *Two storey dwellings to the rear of a lot may be considered where:*
 - *The visual impact of the building bulk does not adversely affect the identified future character of the area;*
 - *Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties;*
 - *The building bulk does not adversely affect the planting and future growth of canopy trees to maturity;*
 - *Sufficient side and rear boundary landscaping can be provided to screen adjoining properties;*
 - *Upper storey components are well recessed from adjoining sensitive interfaces.*
 - *Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.*

An assessment against Clause 22.09 is included as Attachment 3.

Particular Provisions

Clause 52.06 Car Parking

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

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

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

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

The table at Clause 52.06-5 outlines the car parking rates for dwellings as follows:

- One (1) car parking space to each one (1) or two (2) bedroom dwelling; and
- Two (2) car parking spaces to each three (3) or more bedroom dwelling; and
- One (1) visitor car space is required for visitors to every five (5) dwellings for developments of (5) or more dwellings (*not required to be provided when the site is located within the PPTN*).

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

An assessment against Clause 52.06 is included as Attachment 5.

Clause 53.01 Public Open Space Contribution and Subdivision

Clause 53.01 needs to be considered to determine whether the proposed subdivision will require a contribution to the Council for public open space.

Pursuant to Clause 53.01-1, a subdivision is exempt from a public open space requirement if:

- It is one of the following classes of subdivision:
 - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
 - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.
- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.
- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

As the application would result in the creation of three lots on the site, the proposed subdivision does not meet the exemptions of when a public open space contribution is not required. Therefore, a public open space contribution will be required to be paid.

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

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

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

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The purposes of this clause are:

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

A development:

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

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

An assessment against Clause 55 is included as Attachment 4.

Clause 56 Residential Subdivision

Pursuant to Clause 56 of the Greater Dandenong Planning Scheme, the provisions of this clause apply to an application:

- *To subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.*

The purposes of this clause are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To create liveable and sustainable neighbourhoods and urban places with character and identity.*
- *To achieve residential subdivision outcomes that appropriately respond to the site and its context for:*
 - *Metropolitan Melbourne growth areas.*
 - *Infill sites within established residential areas.*
 - *Regional cities and towns.*
- *To ensure residential subdivision design appropriately provides for:*
 - *Policy implementation.*
 - *Liveable and sustainable communities.*
 - *Residential lot design.*
 - *Urban landscape.*
 - *Access and mobility management.*

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- *Integrated water management.*
- *Site management.*
- *Utilities.*

The proposed subdivision of the land has been assessed as part of this proposal.

General Provisions

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

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

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

Diversity (Access & Equity)

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

Community Safety

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

Safe Design Guidelines

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

Referrals

External

Pursuant to Section 55 of the Planning and Environment Act 1987, the application was externally referred to the following Referral Authorities for the purposes of the proposed subdivision of the land. The comments provided have been included as conditions of the permit (if issued):

| | |
|----------------------|--|
| South East Water | No objections, subject to conditions on permit |
| Melbourne Water | No objections, no conditions |
| Zinfra/United Energy | No objections, subject to conditions on permit |

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| | |
|----------------------|--|
| Comdain | No objections, subject to conditions on permit |
| Fire Rescue Victoria | No objections, subject to conditions on permit |

Internal

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

| | |
|--------------------|--|
| Asset Planning | No objections, subject to conditions on permit |
| Civil Development | No objections, subject to conditions on permit |
| ESD | No objections, subject to conditions on permit |
| Transport Planning | No objections, subject to conditions on permit |

Advertising

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

- Sending notices to the owners and occupiers of adjoining and surrounding land.
- Placing one (1) sign on site facing Herbert Street.

The notification has been carried out correctly.

Council has received three (3) objections to date.

The location of the objectors is shown in Attachment 2.

Consultation

The application received three (3) objections which is less than the required threshold to conduct a consultative meeting.

Summary of Grounds of Submissions/Objections

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

- **Negative impact on the amenity of the garage/dependent persons accommodation of the adjoining dwelling:**

The property adjoining the subject site to the west has a garage constructed along part of the dividing boundary with the rear section of this structure setback approximately 1.6 metres from the dividing boundary. The objections received to the application have identified that the rear part of the garage has been converted into dependent person's accommodation for a family member. Concerns have been raised as to the impact of the development on the solar access to habitable windows and

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

regarding overshadowing for this structure. The submitted plans do not identify that the rear of the garage is utilised in this way but does show a window and door which face the subject site. In the assessment of the proposed development, it is assumed that this a habitable room window based on the objections received.

The development has been assessed against the requirements of Standard B10 – Energy Efficiency (Clause 55.03-5), Standard B17 – Side & Rear Setbacks (Clause 55.04-1) and Standard B19 – Daylight to Existing Windows (Clause 55.04-3), and meets these requirements. The provision of suitable setbacks from boundaries enables sufficient solar access to adjoining habitable room windows, including to the garage location on the property to the west. An assessment of the shadow diagrams submitted identifies that the proposal meets the provisions of Standard B21 – Overshadowing Open Space (Clause 55.04-5) as the development would only overshadow the adjoining property to the west at 9am on 22nd September. Therefore, the proposal is considered to be an acceptable response for this site which would have minimal impact on the amenity of neighbouring properties.

- **The rearmost dwelling should be single storey:**

The proposed development is for three double storey dwellings. There is an emerging composition of multi-unit developments in the immediate surrounding area including within Herbert Street, as well as to the south of the subject site along Sunnyside Avenue and to the north of the site along Grace Avenue which includes multiple multi-unit developments containing a double storey dwelling to the rear.

The proposed development including the double storey built form of Dwelling 3 is consistent with this existing neighbouring character of the area. In addition, the development has been assessed against the provisions of Clause 22.09 – Residential Development and Neighbourhood Character Policy including the design guidelines for when a double storey dwelling to the rear of a site can be supported. Previous VCAT decisions have also established that double storey dwellings to the rear may be acceptable in certain circumstances, including when appropriate setbacks are provided at the upper floor level.

The proposed double storey dwelling to the rear has been suitably setback at ground and first floor level from the side and rear boundaries to reduce the visual impacts of the development from neighbouring properties. The first floor of Dwelling 3 would be well recessed from adjoining sensitive interfaces and the dwelling does not adversely impact the amenity of neighbouring properties through overlooking or overshadowing.

The proposal subsequently meets the design guidelines of Clause 22.09 for when a double storey dwelling to the rear of the site can be supported and the development is also representative of the existing multi-unit composition in the surrounding area.

This matter is further discussed in the Assessment section below.

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Assessment

The subject site is located within an established residential area and is well suited for medium density housing given that the site is located within easy walking distance of community facilities and public transport options and is located within the Principal Public Transport Network.

The design of the dwellings is in keeping with the neighbourhood character and the first floor setbacks and separation between dwellings limit visual bulk impacts on adjacent properties and on the streetscape. The development is for three double storey dwellings, which is consistent with the existing neighbourhood character of the area.

As required by the residential zone that applies to this site, the proposed development has been assessed against the following provisions of the planning scheme:

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

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

Use

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

Planning Policy Framework / Local Planning Policy Framework

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

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

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

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

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

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The design of the dwellings are considered in keeping with the neighbourhood character by way of ground and first floor setbacks, separation between dwellings, and capacity for landscaping and canopy tree planting throughout the site.

The proposal is located within an area subject to incremental change as demonstrated by the approval of recent double and single storey detached dwellings of a similar scale and massing located within the surrounding residential area. The proposal's compliance with Clause 22.09 and Clause 55 (subject to conditions) ensures that the development would achieve the objectives set out in Clause 15.01 and Clause 21.05-1.

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

Clause 22.09 – Residential Development and Neighbourhood Character Policy

An assessment against the design principles of Clause 22.09 is included at Attachment 3 of this report. This proposal provides a design response which is consistent with the preferred character envisaged by Clause 22.09, except in the following instances under Clause 22.09-3.1:

Safety

Relevant Design Principle:

- *Maximise the number of habitable room windows on all levels of residential buildings that overlook the public realm, streets, laneways, internal accessways and car parking areas.*

The location and sill height of ground floor habitable room windows of Dwelling 1 would provide limited views of accessway for Dwellings 2 and 3. The two windows on the eastern elevation opposite the study nook and the kitchen/dining area which face the accessway have a sill height of approximately 1.7m above FFL. If a permit is granted, a condition could be included which would require both of these windows to have a sill height of 1.4m above FFL. This will enable views from both habitable areas of Dwelling 1 to have views of the second accessway for the development.

Car Parking

Relevant Design Principles:

- The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.
- On-site car parking should be:
 - *Well integrated into the design of the building;*
 - *Generally hidden from view or appropriately screened where necessary;*
 - *Located to the site or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level.*

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The proposal includes the provision of two accessways for the development with the garage of Dwelling 1 located to the front of the site and the garages for Dwellings 2 and 3 located to the rear. This design element results in two crossovers proposed on a lot width of 16.09 metres. Due to the site's proximity to the intersection with Sunnyside Avenue, there is limited opportunity for on-street parking directly in front of the site as the space available would not safely accommodate a vehicle. Therefore, the provision of two crossovers is unlikely to result in the loss of any on-street car parking spaces.

The location of the garage for Dwelling 1 aligned with the front of the dwelling is not an unusual design element in the surrounding area, particularly for multi-unit developments. This is evident at No. 1/85, 1/103 and 1/113 Herbert Street and No. 2/11A Ross Street (which faces Herbert Street) having a garage or carport which is aligned with the dwelling façade.

As discussed in the Clause 55 assessment later on in this report, the provision of two crossovers enables 68% of the front setback to be available for planting, which is a very minor variation on the 70% sought. However, the front setback does provide ample space for the provision of three canopy trees, as well as a climbing trellis to the front of Dwelling 1 and multiple shrubs and ground covers, which will assist in reducing any dominance of the accessways and garage of Dwelling 1 when viewed from Herbert Street.

Bulk & Built Form

Relevant Design Principles:

- *Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.*
- *The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.*
- *Two storey dwellings to the rear of a lot may be considered where:*
 - *The visual impact of the building bulk does not adversely affect the identified future character of the area;*
 - *Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties;*
 - *The building bulk does not adversely affect the planting and future growth of canopy trees to maturity;*
 - *Sufficient side and rear boundary landscaping can be provided to screen adjoining properties;*
 - *Upper storey components are well recessed from adjoining sensitive interfaces.*

Dwelling 3 is located to the rear of the site and is proposed to be double storey. It is considered that a double storey dwelling to the rear of the site is appropriate within this site context. The subject site is located in an area that has a number of single dwellings on a lot with minimal side and rear setbacks (including from garages and outbuildings), as well as a number of single and double storey multi-unit developments. This includes the adjoining property to the west at 91 Herbert Street which has a shed

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setback approximately 1.4m from the rear boundary and the garage is setback 2.9 metres. The properties at 85, 87, 89 and 97 Herbert Street have rear setbacks which range between approximately 1.6m and 2.5m. The recently approved development at 12 & 14 Grace Avenue for eight dwellings includes a rear setback of 1.4 metres. This proposal will enable the maximising of landscaping opportunities by providing appropriate side and rear setbacks to allow for planting along these boundaries to assist in reducing any visual impact of the development from adjoining properties.

The multi-unit developments within the immediate site context which include a double storey dwelling to the rear are located at 97 and 103 Herbert Street and at 107 Herbert Street (currently under construction) which have first floor minimum side setbacks which range between 2.0m to 5.2m and first floor minimum rear setbacks which range between 2.4m to 5.5m. Under this proposal, Dwelling 3 is proposed to have a minimum ground floor setback from a side boundary of 1.8m and a ground floor rear setback of 3.2m. The minimum first floor side setback is proposed to be 2.3m and the minimum first floor rear setback is proposed to be 4.0 metres.

The first floor components of the development will have a limited visual impact on neighbouring interfaces due to the proposed first floor setback and the provision of screen planting along boundaries, and will provide limited opportunity for overlooking or overshadowing. Therefore, the proposed double storey dwelling to the rear is an appropriate response to the context of the site, as well as addressing the design principles for when a double storey dwelling to the rear can be supported.

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

A Clause 55 Assessment is attached to this report at Attachment 4. Standards that warrant further consideration are discussed as follows:

Clause 55.03-8 – Landscaping objective (Standard B13)**Relevant objective:**

- *70% of ground level front setback, side and rear setbacks, planted with substantial landscaping and canopy trees.*

The proposed development results in 68% of the front setback being available for planting, which is a minor variation on the 70% sought. The submitted landscape plan shows that a substantial level of planting is proposed within the front setback to provide an appropriate level of landscaping. This includes the planting of three canopy trees, a climbing trellis along the front of Dwelling 1 and the provision of a grasscrete strip within the accessway of Dwelling 1. In order to meet this objective, a condition could be included on the permit requiring a grasscrete strip to be provided along the shared accessway for Dwellings 2 and 3 to be aligned with the grasscrete strip for Dwelling 1. This would result in approximately 70.5% of the front setback being available for planting.

Clause 55.04-6 – Overlooking objective (Standard B22)**Relevant objective:**

- *A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal*

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distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

Bedroom 1 of Dwelling 3 has views of the private open space area of the dwelling to the east and the sill height of the window has not been notated on the elevations of the dwelling. The window appears to be a highlight window but as the height has not been notated, a condition will be included on the permit (if issued) ensuring the height of the window is shown in accordance with Standard B22.

Environmentally Sustainable Development

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

The provided BESS score complies with a score of 51% for best practice encompassing the full life of the build and identifying the methods used for the best environmental performance outcome. Having regard to the sites opportunities and restraints, the proposal has included the necessary water tanks, and roof catchment areas, sufficient energy star ratings for fixtures, heating and cooling systems and the addition of double glazed habitable room windows.

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

| BESS Information Summary Dwelling Type: Non-residential | | Project Overall Score: 51% | | |
|--|--------------|---|----------------------|--------------------------|
| | | Fail | Best Practice | Design Excellence |
| | | (<49%) | (50-69%) | (>70%) |
| BESS Category | Score | Initiatives | | |
| Management | 0% | | | |
| Water | 50% | | | |
| | | Rainwater tank capacity of 3,000L per unit connected to toilet flushing | | |
| | | High WELS star rated water fittings, fixtures and appliances. | | |
| | | Potable water consumption reduced by 31% compared to same building following minimum standards. | | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|-----------------------------------|------|--|
| | | Water-smart landscape design. |
| Energy | 50% | |
| | | High efficiency heating, cooling and hot water systems specified. |
| | | High efficiency reverse cycle heating/cooling and refrigerative space air conditioning specified with 4 star energy rating. |
| | | Average preliminary NatHERS rating of 6 stars (modelling to be provided and validated) |
| | | Estimated greenhouse gas emissions reduced by 50% compared to compared to same building following minimum standards |
| Stormwater | 100% | |
| | | Stormwater design meets industry best practice requirements though incorporation of rainwater collection and re-use, permeable paving, and bioretention. |
| Indoor Environment Quality | 80% | |
| | | Design achieves natural cross-flow ventilation. |
| | | Double glazing specified to all main windows. |
| | | Predominant north-facing living rooms. |
| Transport | 50% | |
| | | 1 bicycle space per dwelling. |
| Waste | 0% | |
| Urban Ecology | 38% | |
| | | 20% of the site that is landscaped. |
| | | Landscape plan includes dedicated vegetable gardens. |
| Innovation | 0% | |

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Subdivision

The proposal was assessed against the decision guidelines of all relevant Clauses of the Greater Dandenong Planning Scheme and considered to be generally in accordance. It is considered that the proposed three (3) lot subdivision is appropriate for the subject site and surrounding area and will not compromise the purpose of the zone.

As the proposed subdivision is a part of a development application, an assessment against Clause 56 – Residential Subdivision is not necessary.

Pursuant to Clause 53.01-1, the proposed subdivision is for three lots with common property and therefore, a public open space contribution is required. A condition has been included to require a public open space contribution to be paid to Council before the Statement of Compliance is issued.

Before deciding on an application to subdivide land, the Responsible Authority must also consider the design and siting of buildings having regard to safety and the risk of spread of fire, pursuant to Clause 65.02. To address this matter, it is deemed necessary for a Building Regulation 231 Statement to be provided by the applicant prior to Certification as evidence that the development meets Building Regulation requirements in regard to fire safety. This is to be included as a condition of permit.

In addition, conditions related to telecommunications services will be placed on the permit as required under Clause 66.01-1 – Mandatory Conditions for Subdivision Permits.

Conclusion

The proposal is generally consistent with the provisions of the Greater Dandenong Planning Scheme, including the zoning requirements, local policy direction, application of Clauses 22.09, 52.06 and 55, and the decision guidelines of Clause 56 and 65, and is therefore recommended for approval, subject to conditions.

Recommendation

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as No. 93 Herbert Street DANDENONG VIC 3175 (Lot 8 LP 43926) for the purpose of the ‘Development of the land for three (3) double storey dwellings and the subdivision of the land into three (3) lots’ 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 must generally be in accordance with the plans submitted and assessed with the application but modified to show:**
 - 1.1. The east-facing ground floor windows of Dwelling 1 to have a sill height of 1.4m above FFL;**

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- 1.2. The maximum height of the 'proposed low paling fence' along the eastern and western boundary to be notated as being 900mm within the visual splay areas;
- 1.3. The bin storage area for Dwelling 2 relocated from the deck to another location within the SPOS area;
- 1.4. The sill height of the east-facing window for Bedroom 1 of Dwelling 3 to be notated as 1.7m in accordance with Standard B22 - Overlooking;
- 1.5. Updated subdivision documents including a fully dimensioned subdivision plan and owner's corporation schedule, prepared by a suitability qualified land surveyor;
- 1.6. The capacity (3,000L) of rainwater tank to each dwelling to be notated on all relevant plans in accordance with the approved Sustainable Design Assessment (SDA);
- 1.7. If dishwashers are part of the base building, details are to be provided on all relevant plans in accordance with the approved Sustainable Design Assessment (SDA);
- 1.8. Any other changes resulting from the updated Sustainable Design Assessment (SDA) as required under Condition 8;
- 1.9. The location of all external lighting motion sensors;
- 1.10. A landscape plan in accordance with Condition 2.

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

2. Before the approved development starts, and before any trees or vegetation are removed, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions and 3 copies must be provided. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:
 - 2.1. Plans to accord with Condition 1 of this permit;
 - 2.2. The site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;
 - 2.3. Details of the proposed layout, type and height of fencing;

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- 2.4. Legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**
- 2.5. A plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities;**
- 2.6. At least one (1) advanced canopy tree with a minimum planting height of 1.5 metres within the rear secluded open space areas of each dwelling and three (3) within the front yard (suitably spaced to ensure each tree can reach maturity);**
- 2.7. Any paving or deck areas within the secluded open space area of the proposed dwellings on a permeable base;**
- 2.8. The protection of the tree on the abutting property to the east, along with tree protection zone requirements as required by Condition 3;**
- 2.9. A grasscrete strip within the shared accessway for Dwellings 2 and 3 to be aligned with the grasscrete strip within the accessway for Dwelling 1.**

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

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

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

- 3. Before the approved development starts, all existing vegetation shown on the endorsed plans on the abutting property at No. 95 Herbert Street must, to the satisfaction of the Responsible Authority, be suitably marked in a “Tree Protection Zone” with the Tree Protection Zones:**

- 3.1. Adequately protected from damage during construction;**
- 3.2. For each tree to be retained being defined at a diameter as stipulated in the Arboricultural Assessment Report, prepared by DB Horticulture, Dated 17/06/2020.**
- 3.3. Having fencing at least 1.2 metres high and constructed of steel pickets and orange safety mesh or similar. The Tree Protection Fence must remain in place until construction is completed;**

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

- 3.4. Having the ground surface covered by a 150mm deep layer of mulch before the development starts, and this must be watered regularly.**

All to the satisfaction of the Responsible Authority.

- 4. Any building footings located within the Tree Protection Zone must be constructed using a tree sensitive design, (e.g. A pier and beam with the beam at grade, screw piles, a waffle pad or a slab without an edge beam). The locations of all pier holes within the Tree Protection Zone must be identified and hand dug under the supervision of a qualified Arborist to the satisfaction of the Responsible Authority.**
- 5. Except with the prior written consent of the Responsible Authority and under the supervision of a consulting qualified Arborist, the following must not occur within the Tree Protection Zone:**
- 5.1. Vehicular or pedestrian access;**
- 5.2. Trenching or soil excavation; and**
- 5.3. Storage or dumping of tools, equipment or waste, including stockpiled soil and building debris;**

All to the satisfaction of the Responsible Authority.

- 6. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.**
- 7. Except with the prior written consent of the Responsible Authority, the approved building must not be occupied until all buildings and works and the conditions of this permit have been complied with.**
- 8. Prior to construction of the development, the applicant is to submit a revised Sustainable Design Assessment (SDA) to the satisfaction of the responsible authority. The revised SDA must be generally in accordance with the SDA (prepared by Frater Consulting, dated 19 September 2019) but modified to include:**
- 8.1. Submission of a completed energy model as per the commitments made in the energy section of the SDA and BESS report.**
- 8.2. The Dishwasher Water Efficiency specifies 5 Star WELS. Whilst this is commended, it is not evident in the SDA or plans that dishwashers will form part of the base building. If dishwashers are not part of the base building, the applicant should select "default or unrated". If dishwashers are part of the base building, this should be listed on the town planning drawings.**

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

- 9. The provisions, recommendations and requirements of the endorsed SDA must be implemented and complied with to the satisfaction of the Responsible Authority. The endorsed SDA must not be altered without the prior written consent of the Responsible Authority.**
- 10. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 11. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority. All existing vehicle crossing will need to be removed and reinstated with kerb in accordance with Council Standards prior to issuing of an Occupancy Permit.**
- 12. Collected stormwater must be retained onsite and discharged into the drainage system at pre development peak discharge rates as stated in the Legal Point of Discharge approval letter. Approval of drainage plan including any retention system within the property boundary is required prior to issuing of an Occupancy Permit.**

Prior to the drainage plans being approved, a drainage approval fee will need to be paid.
- 13. Before the approved building is occupied, all piping and ducting above the ground floor storey of the building, except downpipes, must be concealed to the satisfaction of the Responsible Authority.**
- 14. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
- 15. Before the approved building are occupied, the development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.**
- 16. Before the approved building is occupied, the obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass. Adhesive film or similar removable material must not be used.**

All glazing must at all times be maintained to the satisfaction of the Responsible Authority.
- 17. Before the approved building is occupied, all boundary walls in the development must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

18. Letterboxes and all other structures (including visually obstructive fencing and landscaping) should be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points in accordance with Dandenong Planning Scheme Clause 52.06-9.

Subdivision Conditions:

19. Prior to Certification of the Plan of Subdivision, the owner must provide evidence from a qualified building surveyor that the buildings are in conformity with relevant Building Regulations to the satisfaction of the Responsible Authority. This includes, but is not limited to, the fire rating of any structure or windows on or near proposed boundaries of the lots.
20. The subdivision as shown on the endorsed plans must not be altered, unless with the written consent of the Responsible Authority.
21. Prior to the Statement of Compliance of the Plan of Subdivision, the owner of the land must either:
- 21.1. Complete the development of all the land in the subdivision in accordance with Planning Permit No. PLN20/0136 or any amended or subsequent permit; or
 - 21.2. Complete all common property, including drainage retention system, access provisions to each lot and enter into an agreement under Section 173 of the Planning & Environment Act 1987 with the Responsible Authority to provide for:
 - 21.2.1 The development of all the land in the subdivision to be in accordance with Planning Permit No. PLN20/0136 or any amended or subsequent permit;
 - 21.2.2 The owner to cover all costs relating to the preparation and registration of the Agreement (including costs incurred by the Responsible Authority);
- All to the satisfaction of the Responsible Authority.
22. Prior to the issue of the Statement of Compliance, the owner of the land is required to pay to the Responsible Authority the sum of 5% of the site value of all the land in the subdivision (as valued by Council) as an Open Space Contribution.
23. The owner of the land must enter into an agreement with:
- 23.1. A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

- 23.2. a suitably qualified person for the provision of fibre-ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**
- 24. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:**
 - 24.1. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
 - 24.2. A suitably qualified person that fibre-ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**
- 25. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.**
- 26. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.**
- 27. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.**
- 28. Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways and other matters in accordance with the powers of Melbourne Water Corporation under the Water Act 1989.**
- 29. Provision must be made for the drainage of each lot shown on the approved Plan of Subdivision in accordance with plans and specifications to be submitted to and approved by the Responsible Authority, prior to occupation of the site, all to the satisfaction of the Responsible Authority.**

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

Fire Rescue Victoria Condition:

- 30. The subdivision as shown on the endorsed plans must not be altered without the consent of Fire Rescue Victoria.**

Multinet Condition:

- 31. A Statement of Compliance be obtained from Multinet Gas prior to the Plan of Subdivision being released from the Titles Office.**

South East Water Conditions:

- 32. The owner of the subject land must enter into an agreement with South East Water for the provision of drinking water supply and fulfil all requirements to its satisfaction.**
- 33. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.**
- 34. All lots shown on the Plan of Subdivision must be included in the Owners Corporation schedule.**
- 35. Prior to certification, the Plan of Subdivision must be referred to South East Water, in accordance with Section 8 of the Subdivision Act 1988.**

United Energy Conditions:

- 36. The plan of subdivision submitted for certification must be referred to United Energy Distribution Pty Ltd in accordance with Section 8 of the subdivision Act 1988.**
- 37. The applicant must enter into an agreement with United Energy Distribution Pty Ltd for the extension, upgrading or rearrangement of the electricity supply to lots on the plan of subdivision. A payment to cover the cost of such work will be required.**

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

Expiry Conditions:

Development:

38. This permit will expire if:

- 38.1. The development or any stage of it does not start within two (2) years of the date of this permit, or**
- 38.2. The development or any stage of it is not completed within four (4) years of the date of this permit.**

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

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

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

Subdivision:

39. This permit will expire if the Plan of Subdivision is not certified within two (2) years from 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 for the certification of the Plan of Subdivision only.

The certified plan is valid for 5 years from the date of certification.

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.

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Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.

Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.

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

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

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

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

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

The minimum finished floor level of the proposed development are as follows:

Dwelling 1 40.10m

Dwelling 2 39.70m

Dwelling 3 39.10m

All levels are to be AHD.

For subdivisions without existing infrastructure on the street where an extension is required to the existing telecommunications network (such as new poles, lines, pits, towers or satellite dishes), the Australian Communications and Media Authority (ACMA) has a list of carriers (owners of a telecommunications network) that can provide written confirmation to a council that all lots are connected to or ready for connection to telecommunications services at <http://www.acma.gov.au/Industry/Telco/Carriers-and-service-providers/Licensing/register-of-licensed-carriers-licensing-acma>

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For subdivisions with existing infrastructure on the street where lots have access to and can connect to the existing telecommunications network on an adjoining street through the installation of a starter conduit or lead-in connection only, a telecommunications network or service provider can also be a person or organisation that is qualified to install the starter conduit or lead-in connections and supporting infrastructure (usually through lead-in conduit or lead-in trenching) from the existing telecommunications network to a new lot or multi-lot building. To determine if your cabler is registered, please consult:

<http://www.acma.gov.au/theACMA/Library/Corporate-library/Forms-and-registers/is-your-cabler-registered>

In relation to providing pit and pipe design and build fibre ready services the NBN Co has provided a list of some of the pit and pipe suppliers and manufacturers at

<http://www.nbnco.com.au/assets/documents/pit-and-pipe-supplier-list.pdf>

If you have a condition on your permit requiring the owner to enter into agreements with telecommunication and fibre ready services, the owner/developer should enter into these agreements as soon as possible; the agreement can take weeks to be processed and this may delay statement of compliance being issued. The statement of compliance will not be issued unless evidence of this agreement is provided from the authorised utility company; any submission from a contractor in relation to lead-ins in established areas must include documentation such as plans, photos of the lead-ins, and the registered person's qualifications.

The following South East Water agreement options are available:

(1) Application to enter into a Development Agreement-Works – If South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development.

(2) Application for Notice of Agreement Subdivision-Non Works – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (i.e. subdivision prior to building).

(3) Plumbing Industrial, Commercial, Units & Private Water application – If South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the building/s (i.e. building prior to subdivision).

To lodge an application visit: . www.southeastwater.com.au.

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 93 HERBERT STREET,
DANDENONG (PLANNING APPLICATION NO. PLN20/0136)**

ATTACHMENT 1

SUBMITTED PLANS

PAGES 8 (including cover)

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

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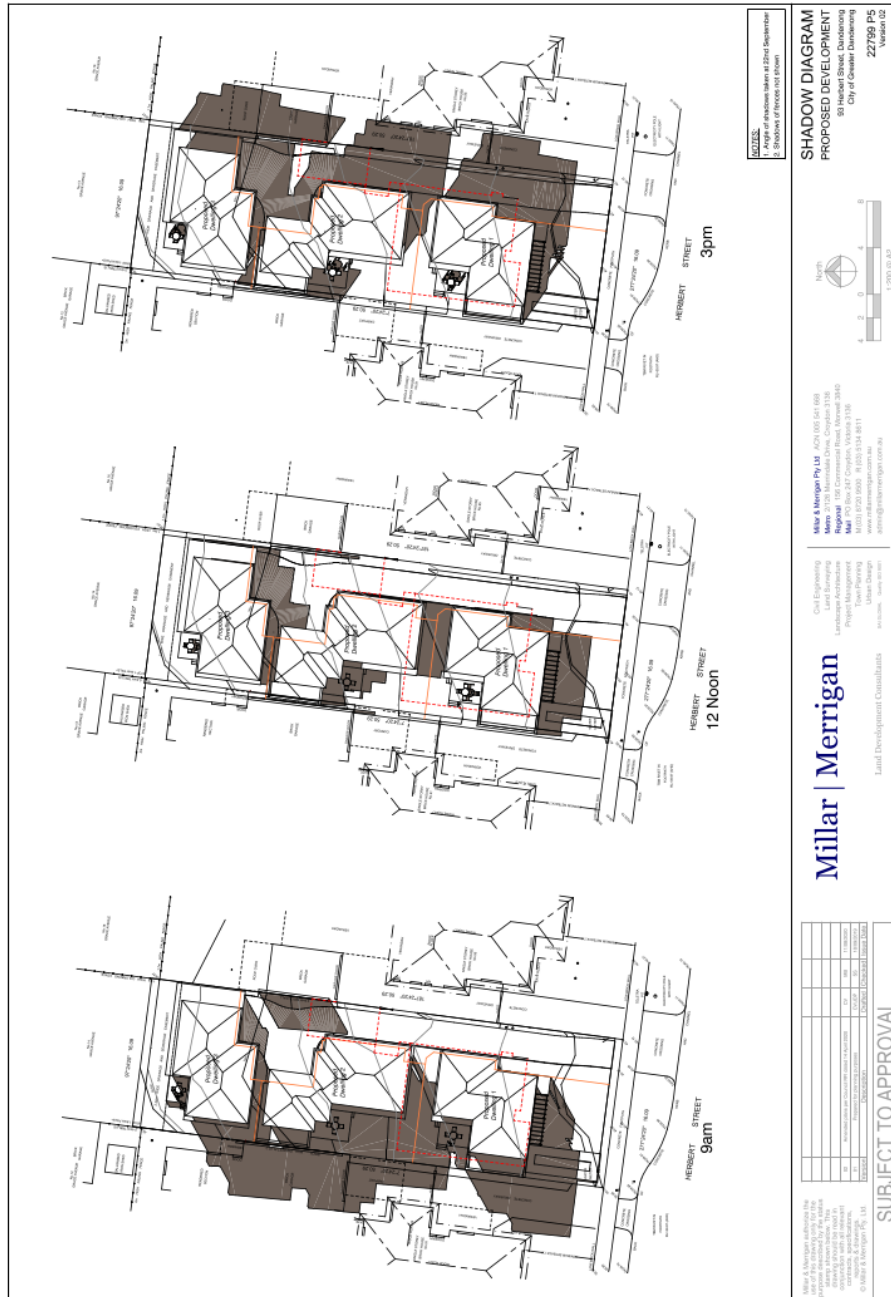
ORDINARY COUNCIL MEETING - AGENDA

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

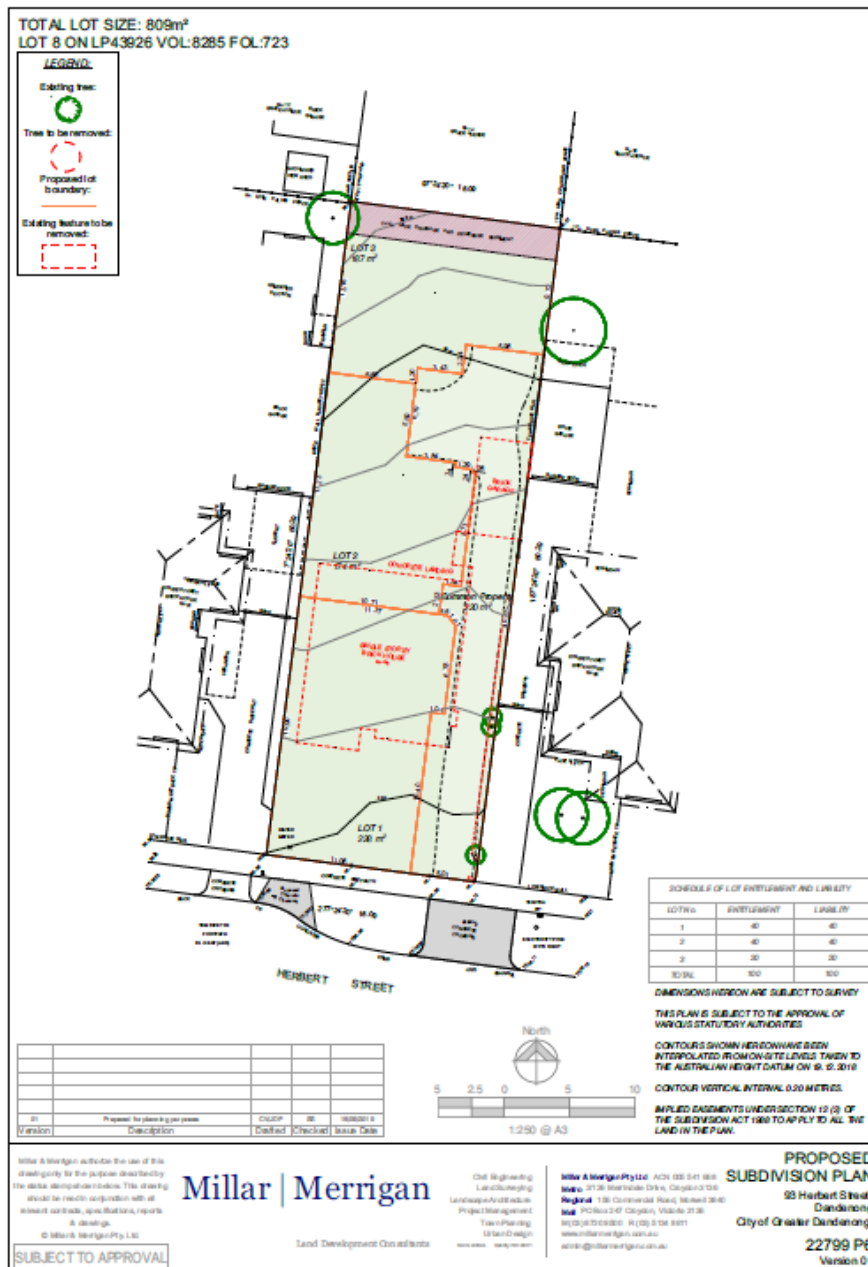


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STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 93 HERBERT STREET,
DANDENONG (PLANNING APPLICATION NO. PLN20/0136)**

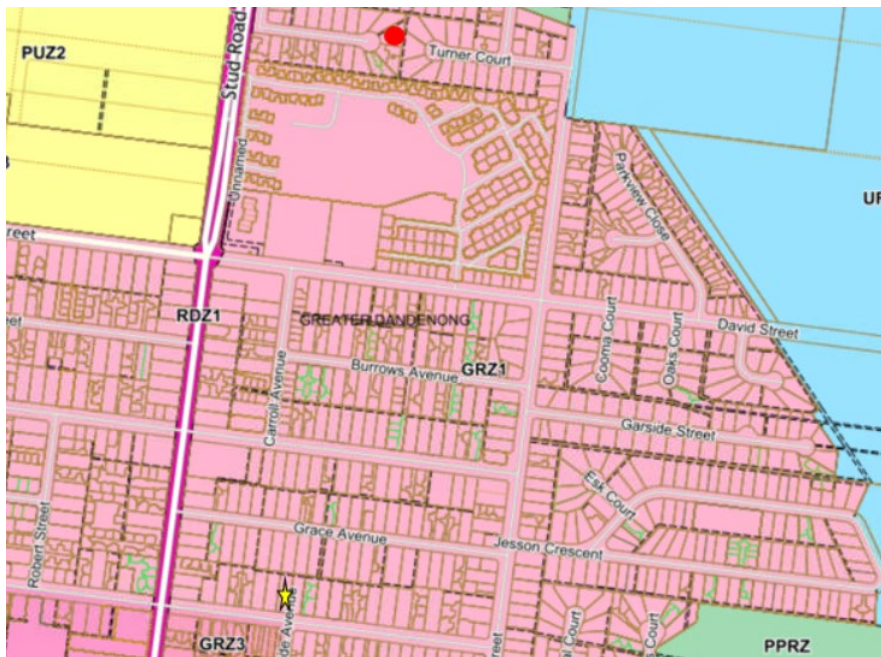
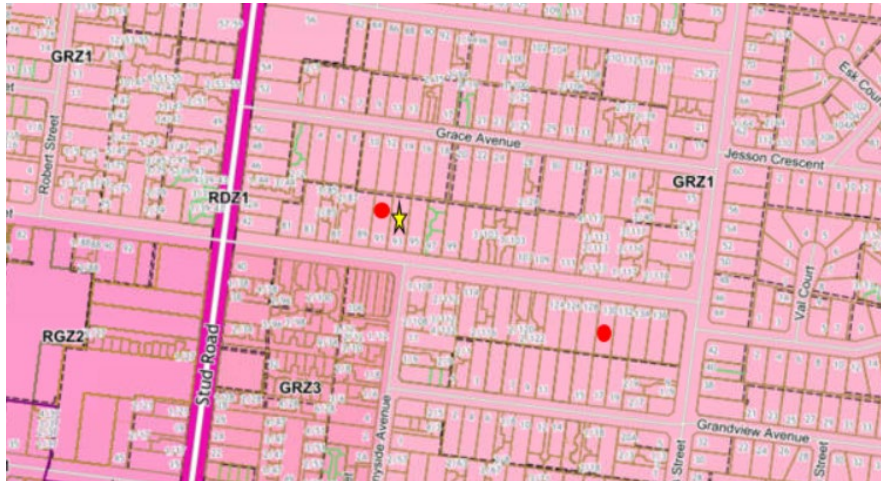
ATTACHMENT 2

LOCATION OF OBJECTORS

PAGES 2 (including cover)

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

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)



★ Subject Site

● Location of Objector

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 93 HERBERT STREET,
DANDENONG (PLANNING APPLICATION No. PLN20/0136)**

ATTACHMENT 3

CLAUSE 22.09 ASSESSMENT

PAGES 10 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Assessment Table for Clause 22.09****Clause 22.09-3.1 Design Principles for all residential developments**

| Title /Objective | Principles | Principle met/Principle not met/NA |
|------------------|---|---|
| Safety | To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that: | |
| | Incorporate active frontages including ground floor habitable room windows. | <p>✓ Principle met</p> <p>Each dwelling provided with ground floor habitable room windows.</p> |
| | Maximise the number of habitable room windows on all levels of residential buildings that overlook the public realm, streets, laneways, internal access ways and car parking areas. | <p>✗ Principle not met – can be met via permit condition, if issued</p> <p>Dwelling 1 has limited views of the shared accessway for Dwellings 2 and 3 due to the proposed sill height of two ground floor windows. A condition will be included on the permit requiring the sill height of these two windows to be 1.4 metre to enable views of the shared accessway from the study nook and kitchen/dining area of the dwelling.</p> <p>The number of habitable room windows of the first floor of Dwelling 1 and of both the ground and first floors of Dwellings 2 and 3 which overlook the public realm, car parking areas and shared accessway is considered appropriate.</p> |
| | Use semi-transparent fences to the street frontage. | <p>✓ Principle met</p> <p>No front fence proposed.</p> |
| | Light communal spaces including main entrances and car parking areas with high mounted sensor-lights. | <p>✓ Principle met</p> <p>Bollard lighting provided down the shared accessway and security lighting provided to the front porch and garage of each dwelling.</p> |

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|-------------|--|---|
| Landscaping | Ensure that all main entrances are visible and easily identifiable from the street. | ✓ Principle met The entrance to Dwelling 1 is visible from Herbert Street and the entrances to Dwellings 2 and 3 are visible when travelling down the shared accessway. |
| | Locate non-habitable rooms such as bathrooms, away from entrances and street frontage. | ✓ Principle met |
| | Residential development should: | |
| | Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries. | ✓ Principle met Shrubs and trees proposed to be planted within the front setback, along the accessways and along the side and rear boundaries to assist in screening views of the development from neighbouring sensitive interfaces. |
| | Provide substantial, high quality landscaping along vehicular accessways. | ✓ Principle met |
| | Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area. | ✓ Principle met Three canopy trees proposed to be planted within the front setback and one canopy tree proposed within the rear yards of Dwellings 1 and 3, as well as two canopy trees proposed to be planted within the rear yard of Dwelling 2. |
| | Planting trees that are common to and perform well in the area. | ✓ Principle met |
| | Avoid the removal of existing mature trees by incorporating their retention into the site design. | ✓ Principle met |
| | Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties. | ✓ Principle met Three canopy trees are proposed to be planted in the front setback of the development, as well as a number of shrubs and groundcovers and a climbing trellis to the front of Dwelling 1. The submitted landscape plan also shows an appropriate level of planting of groundcovers, shrubs and trees throughout the site which will assist in softening the built form of the development when viewed from Herbert Street and from adjoining properties. |

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|-------------|--|---|
| | Ensure that landscaping also addresses the Safety Design Principles. | ✓ Principle met |
| | Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity. | ✓ Principle met |
| | Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces. | ✓ Principle met |
| | Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks. | ✓ Principle met |
| | A water tank to be provided for each dwelling. | ✓ Principle met |
| Car parking | The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres. | ✗ Principle not met – considered acceptable |
| | | Two crossovers proposed on a lot width of 16.09m. The provision of two crossovers will result in the loss of the restricted on-street parking area directly in front of the site but this area is small and unable to safely accommodate a vehicle. As the site is located in the PPTN and there are a number of restricted on-street car spaces within Herbert Street, as well as unlimited on-street car spaces within the surrounding area, this is considered acceptable. |
| | On-site car parking should be: <ul style="list-style-type: none"> Well integrated into the design of the building. Generally hidden from view or appropriately screened where necessary, Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. | ✓ Principle met |
| | Where car parking is located within the front setback it should be: <ul style="list-style-type: none"> Fully located within the site boundary; and Capable of fully accommodating a vehicle between a garage or carport and the site boundary. | ✓ Principle met |
| | Developments with basement car parking should consider flooding concerns where applicable. | N/A |
| | | No basement car parking is proposed. |

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|------------------------------------|--|--|
| Setbacks, front boundary and width | Residential developments should: Provide a front setback with fence design and height in keeping with the predominant street pattern. | ✓ Principle met No front fence proposed which is consistent with the area. |
| | Maintain the apparent frontage width pattern. | ✓ Principle met Frontage width pattern maintained. |
| | 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. | ✓ Principle met The ground floor setbacks for the development are consistent with the prevailing setbacks within the area which are often minimal. Planting can be accommodated within the POS areas including the provision of at least one canopy tree for each dwelling within the rear yard. |
| | Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting. | N/A |
| Private open space | All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area. | ✓ Principle met Each dwelling is provided with a SPOS and overall POS areas which are of a good quality due to the size and the ability for site services to be located outside the SPOS area. |
| | Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space. | ✓ Principle met |
| | Private open space should be positioned to maximise solar access. | ✓ Principle met Each dwelling is provided with a POS area which receives northern daylight. |
| | 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. | ✓ Principle met N/A |

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|-------------------|--|---|
| Bulk & Built Form | All residential developments should respect the dominant façade pattern of the streetscape by: <ul style="list-style-type: none"> Using similarly proportioned roof forms, windows, doors and verandahs; and Maintaining the proportion of wall space to windows and door openings. | <p>✓ Principle met</p> <p>A variety of different residential types can be found within the surrounding area including single and double storey brick and weatherboard dwellings, as well as single and double storey multi-unit developments. This development will have a similar built form to other dwellings in the area due to the choice of external colours and materials, roof form, window sizes, setbacks from boundaries and the provision of a double storey dwelling to the rear.</p> |
| | Balconies should be designed to reduce the need for screening from adjoining dwellings and properties. | <p>N/A</p> <p>The dwellings are not provided with balconies.</p> |
| | The development of new dwellings to the rear of existing retained dwellings is discouraged where: <ul style="list-style-type: none"> The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or The retention of the existing dwelling detracts from the identified future character. | <p>N/A</p> |
| | On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by: <ul style="list-style-type: none"> Not exceeding the height of the neighbouring significant building; Minimising the visibility of higher sections of the new building; and Setting higher sections back at least the depth of one room from the frontage. | <p>N/A</p> <p>The site is not adjacent to any heritage buildings.</p> |
| Site Design | Residential development should: | |
| | Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties. | <p>✓ Principle met</p> |
| | Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance | <p>✓ Principle met</p> <p>The development is constructed of face brickwork, render and cladding, materials suitable for adequate thermal performance.</p> |
| | Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening. | <p>✓ Principle met</p> |
| | Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees. | <p>✓ Principle met</p> |

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ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|---|--|---|
| | Provide suitable storage provisions for the management of operational waste | ✓ Principle met Bin storage located within SPOS areas. |
| | Appropriately located suitable facilities to encourage public transport use, cycling and walking. | ✓ Principle met |
| Materials & Finishes | Residential development should: | |
| | Use quality, durable building materials and finishes that are designed for residential purposes. | ✓ Principle met Proposed materials are face brickwork, render and horizontal timber cladding which are typical of materials generally used in the wider area. |
| | Avoid the use of commercial or industrial style building materials and finishes. | ✓ Principle met No commercial or industrial style building materials and finishes proposed. |
| | Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials. | ✓ Principle met |
| | Use a consistent simple palette of materials, colours finishes and architectural detailing. | ✓ Principle met |
| | Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building. | ✓ Principle met |
| Domestic services normal to a dwelling and Building services | In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should: | |
| | Ensure that all domestic and building services are visually integrated into the design of the building and appropriately positioned or screened so as to not be seen from the street or adjoining properties. | ✓ Principle met |
| | Be designed to avoid the location of domestic and building services: <ul style="list-style-type: none"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. | ✓ Principle met |
| Internal Amenity | Residential development should: | |
| | Ensure that dwelling layouts have connectivity between the main living area and private open space. | ✓ Principle met Each dwelling has connectivity between the main living area and private open space. |
| | Be designed to avoid reliance on borrowed light to habitable rooms. | ✓ Principle met No borrowed light relied upon |

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ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|--|---|-----|
| | Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening. | N/A |
| | Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 & 7, 55.05-3, 4 & 5. | N/A |

| Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ) | | |
|---|--|--|
| Titles & Objectives | Principles | Principle met/Principle not met/N/A |
| Preferred housing type | The preferred housing type for the Incremental Change Area is medium density. | ✓ Principle met Medium density proposed. |
| Building Height | The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level. | ✓ Principle met Each dwelling is proposed to be double storey. |
| Landscaping | Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties | ✓ Principle met |
| Setbacks, front boundary and width | Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street. | ✓ Principle met The development is able to provide sufficient landscaping opportunities in the front setback. The provision of three canopy trees within the front yard of Dwelling 1 demonstrates that the opportunity for landscaping within the front boundary is acceptable as the areas can comfortably accommodate three canopy trees and other landscaping to ensure this is the dominant feature of the development. |
| Private open space | Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing. | ✓ Principle met SPOS areas provided to side or rear of each dwelling. |
| Bulk & Built | Residential development should: | |

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ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|-------------|---|--|
| Form | Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape; | <p>✓ Principle met</p> <p>The proposed development is an appropriate response to the built form in the area through its use of ground and first floor setbacks, roof form and external colours and materials. The provision of landscaping within the front setback and along boundaries also assists in providing a suitable response.</p> |
| | Provide separation between dwellings at the upper level; | <p>✓ Principle met</p> <p>The development proposes separation at first floor of 4.1m between Dwellings 1 and 2 and separation of 2.6m between Dwellings 2 and 3.</p> |
| | Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space; | <p>✓ Principle met</p> <p>The proposed rear setback of the development of 3.2 metres is consistent with neighbouring properties which have already limited a spine of open space in the area through the provision of sheds, garages and outbuildings which are close to the rear boundary. Multi-unit developments at 85, 87, 97 and 103 Herbert Street have also contributed to the limited spine of open space within the neighbouring properties. In addition, a planning permit has recently been issued for the development of the properties to the rear at 12 & 14 Grace Avenue for eight dwellings (PLN20/0102). The ground floor rear setback approved under this permit was 1.4 metres, less than the ground floor rear setback under this proposal (and still being compliant).</p> |
| | Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot. | <p>✗ Principle not met – considered acceptable</p> <p>Dwelling 3 is proposed to be double storey and is located to the rear of the lot.</p> |

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|--|---|--|
| | <p>The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.</p> <p>Two storey dwellings to the rear of a lot may be considered where:</p> <ul style="list-style-type: none"> • The visual impact of the building bulk does not adversely affect the identified future character of the area; • Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties; • The building bulk does not adversely affect the planting and future growth of canopy trees to maturity; • Sufficient side and rear boundary landscaping can be provided to screen adjoining properties; • Upper storey components are well recessed from adjoining sensitive interfaces. <p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p> | <p>✓ Principle met</p> <p>Dwelling 3 is considered to be an appropriate response to the context of the site. There are a number of multi-unit developments within the immediate surrounding area which include a double storey dwelling to the rear with similar ground and first floor setbacks, size of the first floor and opportunity for screen planting along side and rear boundaries. The first floor components of the development will have a limited visual impact on neighbouring interfaces due to the proposed first floor setback and the provision of screen planting along boundaries, limited opportunity for overlooking or overshadowing.</p> <p>✓ Principle met</p> |
|--|---|--|

Note: Other requirements also apply. These can be found at the schedule to the applicable zone.

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

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 93 HERBERT STREET,
DANDENONG (PLANNING APPLICATION No. PLN20/0136)**

ATTACHMENT 4

CLAUSE 55 ASSESSMENT

PAGES 27 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Assessment Table - Two or More Dwellings on a Lot and Residential Buildings (Clause 55)****Clause 55.02-1 Neighbourhood character objectives**

| Title & Objective | Standard (Summarised) | Standard Met/Standard Not Met/NA |
|-------------------|--|---|
| Standard B1 | The design response must be appropriate to the neighbourhood and the site. | <p>✓ Standard met</p> <p>The development is considered to be appropriate to the area through the proposed ground and first floor setbacks from the side and rear boundaries, the level of proposed landscaping across the site and the use of similar external colours and materials and roof form.</p> <p>The subject site is located in an area which includes a number of multi-unit developments which have minimal side and rear setbacks for dwellings and garages/outbuildings. This includes the adjoining property to the west at 91 Herbert Street which has a shed setback approximately 1.4m from the rear boundary and the garage is setback 2.9 metres. The properties at 85, 87, 89 and 97 Herbert Street have rear setbacks which range between approximately 1.6m and 2.5m. The recently approved development at 12 & 14 Grace Avenue for eight dwellings includes a rear setback of 1.4 metres.</p> <p>The multi-unit developments which include a double storey dwelling to the rear at 97 and 103 Herbert Street and at 107 Herbert Street (currently under construction) have first floor minimum side setbacks which range between 2.0m to 5.2m and first floor minimum rear setbacks which range between 2.4m to 5.5m.</p> <p>The proposed development responds to the existing character of the area through its provision of a double storey dwelling to the rear which has similar ground and first floor setbacks from side and rear boundaries which are consistent with multi-unit development within the area as outlined above. Dwelling 3 is proposed to have a minimum ground floor setback from a side boundary of 1.8m and a ground floor rear setback of 3.2m. The minimum first floor side setback is proposed to be 2.3m and the minimum first floor rear setback is proposed to be 4.0 metres.</p> <p>See Clause 22.09 Assessment for further discussion.</p> |

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|----------------------------|---|--|
| | The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site. | ✓ Standard met See Clause 22.09 Assessment for further discussion. |
| Decision Guidelines | Any relevant neighbourhood character objective, policy or statement set out in this scheme. The neighbourhood and site description. The design response. | |
| Objectives | To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area. | |

Clause 55.02-2 Residential policy objectives

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

Clause 55.02-3 Dwelling diversity objective

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|------------------------------|---|---|
| Standard B3 | Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. | N/A Three dwellings are proposed. |
| Objective | To encourage a range of dwellings sizes and types in developments of ten or more dwellings. | |

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.02-4 Infrastructure objectives**

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

Clause 55.02-5 Integration with the street objective

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|----------------------------|--|--|
| Standard B5 | <p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p> <p>Developments should be oriented to front existing and proposed streets.</p> <p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p> | <p>Standard met Each dwelling is accessible by vehicles and pedestrians.</p> <p>Standard met Dwelling 1 faces Herbert Street and Dwellings 2 and 3 face the internal accessway.</p> <p>Standard met No front fence proposed.</p> <p>N/A The site is not next to public open space.</p> |
| Decision Guidelines | <p>Any relevant urban design objective, policy or statement set out in this scheme.</p> <p>The design response.</p> | |

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| Objective | To integrate the layout of development with the street. | | | | | | | | | | | | | | | | | |
|--|--|--|--|---------------------|--|---|--|--|----------------|--|---|----------------|---|--|----------------|--------------------------|---|--|
| Clause 55.03-1 Street setback objective | | | | | | | | | | | | | | | | | | |
| Title & Objective | Standards | Standard Met/Standard Not Met/NA | | | | | | | | | | | | | | | | |
| Standard B6 | <div>Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone:</div> <div>GRZ: 7.5 metres or as per Table B1, whichever is the lesser.</div> <div>Table B1 Street setback</div> <table><thead><tr><th>Development context</th><th>Minimum setback from front street (metres)</th><th>Minimum setback from a side street (metres)</th></tr></thead><tbody><tr><td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td><td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td><td>Not applicable</td></tr><tr><td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td><td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td><td>Not applicable</td></tr><tr><td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td><td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td><td>Not applicable</td></tr><tr><td>The site is on a corner.</td><td><div>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.</div><div>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.</div></td><td><div>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.</div><div>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.</div></td></tr></tbody></table> | | | Development context | Minimum setback from front street (metres) | Minimum setback from a side street (metres) | There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner. | The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. | Not applicable | There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner. | The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. | Not applicable | There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner. | 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets. | Not applicable | The site is on a corner. | <div>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.</div> <div>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.</div> | <div>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.</div> <div>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.</div> |
| Development context | Minimum setback from front street (metres) | Minimum setback from a side street (metres) | | | | | | | | | | | | | | | | |
| There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner. | The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. | Not applicable | | | | | | | | | | | | | | | | |
| There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner. | The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. | Not applicable | | | | | | | | | | | | | | | | |
| There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner. | 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets. | Not applicable | | | | | | | | | | | | | | | | |
| The site is on a corner. | <div>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.</div> <div>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.</div> | <div>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.</div> <div>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.</div> | | | | | | | | | | | | | | | | |
| | | <div>✓ Standard met</div> <div>Dwelling 1 is setback 7.7 metres.</div> | | | | | | | | | | | | | | | | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)


| | |
|----------------------------|---|
| Decision Guidelines | Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots. The visual impact of the building when viewed from the street and from adjoining properties. The value of retaining vegetation within the front setback. |
| Objective | To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. |

Clause 55.03-2 Building height objective

| Standards | | Standard Met/Standard Not Met/NA |
|------------------------------|--|---|
| Title & 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. GRZ: 11 metres / 3 storeys <u>mandatory maximum</u> (refer Clause 32.08-9) | Standard met Double storey Dwelling 1 – maximum 7.6m Dwelling 2 – maximum 7.6m Dwelling 3 – maximum 7.5m |
| | 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 |
| 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 | |


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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.03-3 Site coverage objective**

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|----------------------------|---|---|
| Standard B8 | <p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p>GRZ1: 60% (none specified)</p> | <p>✓ Standard met</p> <p>Lot size 809sqm</p> <p>Site coverage – 485.4sqm max.</p> <p>Provided: 39% or 313sqm</p>  |
| Decision Guidelines | <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development or the features of the site.</p> <p>The site coverage of adjacent properties</p> <p>The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</p> | |
| Objective | <p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p> | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.03-4 Permeability objectives**

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|----------------------------|---|--|
| Standard B9 | <p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> • The minimum areas specified in a schedule to the zone, or • If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p>GRZ1: 30%</p> | <p>✓ Standard met</p> <p>Required min 242.7sqm</p> <p>Provided 280.4sqm</p> <p>Provided 35%</p>  |
| Decision Guidelines | <p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development.</p> <p>The capacity of the drainage network to accommodate additional stormwater.</p> <p>The capacity of the site to absorb run-off.</p> <p>The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.</p> | |
| Objectives | <p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p> | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.03-5 Energy efficiency objectives**

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|----------------------------|--|---|
| Standard B10 | Buildings should be: <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. Living areas and private open space should be located on the north side of the development, if practicable. Developments should be designed so that solar access to north-facing windows is maximised. | Standard met Dwellings provided with north-facing windows when possible. Standard met All dwellings provided with north facing SPOS areas. Standard met Each dwelling provided with north-facing windows when possible. |
| Decision Guidelines | The design response. The size, orientation and slope of the lot. The existing amount of solar access to abutting properties. The availability of solar access to north-facing windows on the site. | |
| Objectives | To achieve and protect energy efficient dwellings and residential buildings. 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

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

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.03-7 Safety objective**

| Title & Objective | | Standards | Standard Met/Standard Not Met/NA |
|---------------------|--|--|--|
| Standard B12 | | Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. | ✓ Standard met The entrances to the dwellings are easily visible from the street or from the shared accessway. |
| | | Planting which creates unsafe spaces along streets and accessways should be avoided. | ✓ Standard met |
| | | Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. | ✓ Standard met |
| | | Private spaces within developments should be protected from inappropriate use as public thoroughfares. | ✓ Standard met Private spaces are delineated by fencing. |
| Decision Guidelines | | The design response. | |
| Objectives | | To ensure the layout of development provides for the safety and security of residents and property. | |

Clause 55.03-8 Landscaping objectives

| Title & Objective | | Standards | Standard Met/Standard Not Met/NA |
|-------------------|--|---|---|
| Standard B 13 | | The landscape layout and design should: | ✓ Standard met |
| | | <ul style="list-style-type: none">• Protect any predominant landscape features of the neighbourhood.• Take into account the soil type and drainage patterns of the site.• Allow for intended vegetation growth and structural protection of buildings.• In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.• Provide a safe, attractive and functional environment for residents. | |
| | | Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood. | ✓ Standard met Several small shrubs and trees are planned to be removed. |
| | | 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 No significant trees have been removed from the site. |
| | | The landscape design should specify landscape themes, vegetation (location and species), paving and lighting. | ✓ Standard met |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|----------------------------|--|--|
| | Development should meet any additional landscape requirements specified in a schedule to the zone. All schedules to all residential zones: "70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees." | * Standard not met – – can be met via permit condition (if issued) 82sqm of the front setback would be set aside for landscaping. As the front setback is 123sqm in size, this equates to 68% of the front setback being available for planting. |
| 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. | |
| Objectives | Whether a tree was removed to gain a development advantage. | ✓ Objective met To ensure that there is not any dominance of the two accessways of the development and an appropriate level of landscaping is provided within the front setback, a condition will be included on the permit requiring a grasscrete strip to be provided within the shared accessway for Dwellings 2 and 3 to be aligned with the grasscrete strip within the accessway for Dwelling 1. |
| | 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. | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.03-9 Access objective**

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|----------------------------|--|---|
| Standard B14 | The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. | Standard met Street frontage to Herbert Street – 16.09m Requirement 6.4m (40%) Provided – 6.0m |
| | No more than one single-width crossover should be provided for each dwelling fronting a street. | Standard met One crossover is utilised for Dwelling 1 which faces Herbert Street. The second crossover would be utilised by Dwelling 2 and 3 which are located to the rear. |
| | The location of crossovers should maximise retention of on-street car parking spaces. | Standard met Due to the curve of the nature strip and the proximity of the subject site to the intersection with Sunnyside Avenue, there is not an on-street parking space directly in front of the site. Therefore, the provision of a second crossover will not result in the loss of any on-street car parking spaces. |
| | The number of access points to a road in a Road Zone should be minimised. | N/A |
| | Developments must provide for access for service, emergency and delivery vehicles. | Standard met |
| Decision Guidelines | The design response. | |
| | The impact on neighbourhood character. | |
| | The reduction of on-street car parking spaces. | |
| | The effect on any significant vegetation on the site and footpath. | |
| Objectives | To ensure the number and design of vehicle crossovers respects the neighbourhood character. | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.03-10 Parking location objectives**

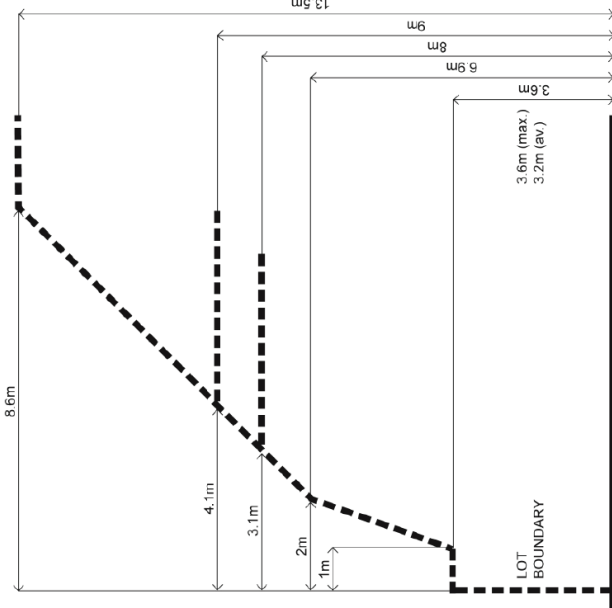
| Title & Objective | | Standards | Standard Met/Standard Not Met/NA |
|---------------------|--|--|--|
| Standard B15 | | Car parking facilities should: | Standard met Car parking facilities for each dwelling would be close and convenient for each dwelling. The garages of each dwelling would be secure and would be capable of being well ventilated. |
| | | <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. | |
| | | Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway. | Standard met The meals area of Dwelling 1 has a window setback approximately 1.4 metres from the shared accessway. The sill height has not been notated but is approximately 1.7 metres above the accessway. |
| Decision Guidelines | | The design response. | |
| Objectives | | To provide convenient parking for residents and visitors vehicles. | |
| | | To protect residents from vehicular noise within developments. | |

Clause 55.04-1 Side and rear setbacks objective

| Title & Objective | | Standards | Standard Met/Standard Not Met/NA |
|-------------------|--|---|---|
| Standard B17 | | A new building not on or within 200mm of a boundary should be setback from side or rear boundaries: | Standard met Dwelling 1: Garage wall on western boundary. Eastern wall height at ground floor is 3.6m. Required setback is 1.0m. Setback provided is 4.0m. First floor wall height is 6.6m. Required setback is 1.9m. Eastern setback is 4.1m, western setback is 2.3m. Dwelling 2: Garage wall 200mm from western boundary. Eastern wall height at ground floor is 3.6m. Required setback is 1.0m. Setback provided is 4.0m. First floor wall height is 6.7m. Required setback is 1.93m. |
| | | <ul style="list-style-type: none"> • At least the distance specified in a schedule to the zone, or <u>NRZ1: "A building wall opposite an area of secluded private open space or a window to a living room of an existing dwelling should be setback a minimum of 2 metres."</u> • If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | | | |
|-----------------------------------|---|--|------------------------------|------------|
| | <p>Diagram B1 Side and rear setbacks</p>  | <p>Eastern setback is 4.1m, western setback is 2.4m.</p> <p>Dwelling 3: Garage wall constructed along eastern boundary. Western wall height at ground floor is 3.6m. Required setback is 1.0m. Western setback is 1.85m, northern (rear) setback is 3.2m.</p> <p>First floor wall height is 6.6m. Required setback is 1.9m. Eastern setback is 2.4m, northern (rear) setback western setback is 4.0m, western setback is 2.3m.</p> | <p>✓ Standard met</p> | <p>N/A</p> |
| <p>Decision Guidelines</p> | <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p> | | | |
| | <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> | | | |
| | <p>The design response.</p> | | | |
| | <p>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</p> <p>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</p> <p>Whether the wall abuts a side or rear lane.</p> | | | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| Objectives | To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. | | |
|--|---|----------------------------------|--|
| Clause 55.04-2 Walls on boundaries objective | | | |
| Title & Objective | Standards | Standard Met/Standard Not Met/NA | |
| Standard B 18 | 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 | Dwelling 1 garage built along boundary for a length of 6.4m and Dwelling 2 garage built 200mm from boundary for a length of 5.9m. The combined length of the walls would be 12.3m. |
| | • For a length of more than the distance specified in the schedule to the zone; or | | Length of western boundary – 50.29m |
| | • If no distance is specified in a schedule to the zone, for a length of more than: | | Maximum length of walls on boundary – 20.07m |
| | – 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or | | |
| | – Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. | | Dwelling 3 garage built along boundary for 6.4m Length of eastern boundary – 50.29m Maximum length of walls on boundary – 20.07m |
| | A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property. | ✓ Standard met | |
| | A building on a boundary includes a building set back up to 200mm from a boundary. | ✓ Standard met | |
| | The height of a new wall constructed on or within 200 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall. | ✓ Standard met | The average height of the garage walls to be constructed along the boundary is 3.2m. |
| 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. | | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|--|---|---|
| | 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. | |
| Clause 55.04-3 Daylight to existing windows objective | | |
| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
| Standard B19 | <p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Diagram B2 Daylight to existing windows</p> <p>The design response.</p> | <p>✓ Standard met</p> <p>According to the objections received, it would appear that the rear part of the garage of the adjoining property to the west has been converted into dependent person's accommodation for a family member.</p> <p>Although unclear from the plans, one window of this structure faces the subject site and is setback approximately 1.6m from the dividing boundary. Dwelling 3 is located opposite this area and has a ground floor setback from the dividing boundary of 1.8m and a first floor setback of 2.3m.</p> <p>✓ Standard met</p> |
| Decision | | |

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

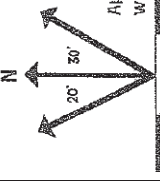
| | |
|-------------------|--|
| Guidelines | The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows. |
| Objective | The impact on the amenity of existing dwellings. To allow adequate daylight into existing habitable room windows. |

Clause 55.04-4 North-facing windows objective

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|---------------------|--|----------------------------------|
| Standard B20 | <p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.</p> <p>Diagram B3 North-facing windows</p> | N/A |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

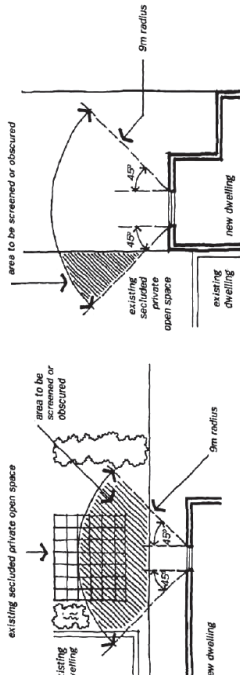
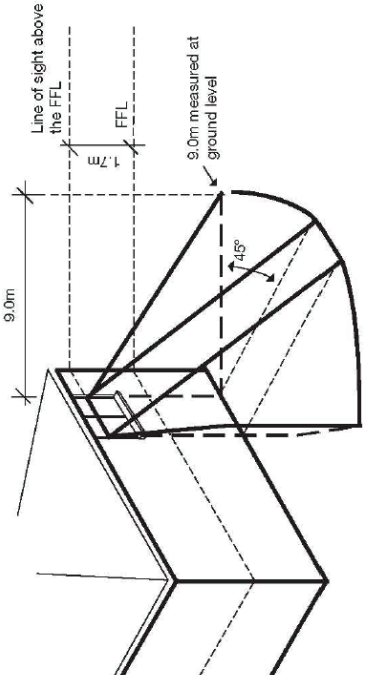
| | | |
|----------------------------|---|--|
| | <p>A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.</p>  <p>Applies where existing HRW is between 20° west and 30° east from north</p> | |
| Decision Guidelines | <p>The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

Clause 55.04-5 Overshadowing open space objective

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.04-6 Overlooking objective**

| Title & Objective | Standards | Standard Met/Standard Not Met/NA (if issued) |
|---------------------|---|---|
| Standard B22 | <p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>Diagram B4 Overlooking open space</p>  <p>Diagram B4 Overlooking open space</p>  | <p>✖ Standard not met – can be met via permit condition (if issued)</p> <p>The east-facing window of Bedroom 1 of Dwelling 3 would have views into the POS area of the neighbouring property. A highlight window appears to be provided but the sill height has not been notated.</p> <p>All other habitable room windows which have views into the SPOS area of adjoining dwellings are fixed and obscured to 1.7m above FFL or have a sill height of 1.7m above FFL.</p> |
| | <p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. | <p>✔ Standard met</p> <p>All habitable room windows which have views into the habitable room windows of adjoining dwellings are fixed and obscured to 1.7m above FFL or have a sill height of 1.7m above FFL.</p> |

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|----------------------------|---|--|
| | <ul style="list-style-type: none"> Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. | |
| | Obscure glazing in any part of the window below 1.7 metres above floor level may be operable provided that there are no direct views as specified in this standard. | ✓ Standard met |
| | Screens used to obscure a view should be: <ul style="list-style-type: none"> Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. Permanent, fixed and durable. Designed and coloured to blend in with the development. | N/A |
| | 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 |
| Decision Guidelines | The design response. | |
| | The impact on the amenity of the secluded private open space or habitable room window. | |
| | The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings. | |
| | 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. | ✓ Objective met A condition can be included on the permit requiring Bedroom 1 of Dwelling 3 to have a notation of the sill height of the east-facing window in accordance with the Standard to limit views into the neighbouring property. |

Clause 55.04-7 Internal views objective

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|------------------------------|---|---|
| Standard B23 | Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development. | ✓ 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. | |

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.04-8 Noise impacts objectives**

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|----------------------------|---|---|
| Standard B24 | Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings. | Standard met No noise sources apparent. |
| | 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 |
| | Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms. | Standard met |
| Decision Guidelines | The design response. | |
| Objectives | To contain noise sources within development that may affect existing dwellings. | |
| | To protect residents from external noise. | |

Clause 55.05-1 Accessibility objective

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

Clause 55.05-2 Dwelling entry objective

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.05-3 Daylight to new windows objective**

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

Clause 55.05-4 Private open space objective

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|---------------------|---|--|
| Standard B28 | <p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>GRZ1: <i>"An area of 50 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres and a minimum dimension of 5 metres and convenient access from a living room; or</i></p> <p><i>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</i></p> | <p>Standard met</p> <p><u>Dwelling 1:</u> Total POS: 43sqm plus 80sqm of front yard; SPOS: 30sqm with minimum dimension of 5.1m and convenient access to SPOS from living area.</p> <p><u>Dwelling 2:</u> Total POS: 66sqm; SPOS: 50sqm with minimum dimension of 5.0m and convenient access to SPOS from living area.</p> <p><u>Dwelling 3:</u> Total POS: 87sqm; SPOS: 37sqm with minimum dimension of 5.8m and convenient access to SPOS from living area.</p> |

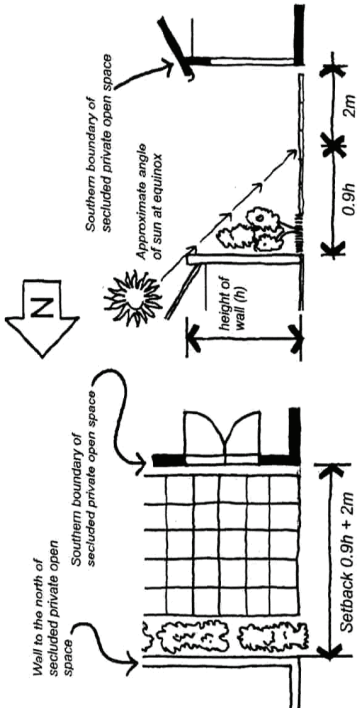
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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|----------------------------|--|-----|
| | <p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> • An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or • A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or • A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p> | N/A |
| Decision Guidelines | <p>The design response.</p> <p>The useability of the private open space, including its size and accessibility.</p> <p>The availability of and access to public or communal open space.</p> <p>The orientation of the lot to the street and the sun.</p> | |
| Objective | To provide adequate private open space for the reasonable recreation and service needs of residents. | |

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.05-5 Solar access to open space objective**

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|----------------------------|--|---|
| Standard B29 | <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Diagram B5 Solar access to open space</p>  | <p>Standard met POS areas provided with northern sunlight.</p> <p>Standard met The garage and storage area wall of Dwelling 2 is located on the north of the POS area for the dwelling. Wall height 3.6m Requirement 5.24m Provided 10.0m</p> |
| Decision Guidelines | <p>The design response.</p> <p>The useability and amenity of the secluded private open space based on the sunlight it will receive.</p> | |
| Objective | <p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p> | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.05-6 Storage objective**

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

Clause 55.06-1 Design detail objective

| Title & Objective | | Standards | Standard Met/Standard Not Met/NA |
|---------------------|--|---|--|
| Standard B31 | | The design of buildings, including: <ul style="list-style-type: none">• Façade articulation and detailing,• Window and door proportions,• Roof form, and• Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character. | ✓ Standard met The proposed front setback, external materials and roof form is consistent with the existing and preferred character of the area. |
| | | Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character. | ✓ Standard met The garages are visually compatible with the neighbourhood character. |
| Decision Guidelines | | Any relevant neighbourhood character objective, policy or statement set out in this scheme. | |
| | | The design response. | |
| Objective | | The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting. | |
| | | Whether the design is innovative and of a high architectural standard. | |
| | | To encourage design detail that respects the existing or preferred neighbourhood character. | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.06-2 Front fences objective**

| Title & Objective | Standards | Standard Met/Standard Not Met/NA | | | | | | |
|---------------------|---|----------------------------------|----------------------------|------------------------------------|----------|---------------|------------|-----|
| Standard B32 | The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties. | N/A No front fence proposed. | | | | | | |
| | A front fence within 3 metres of a street should not exceed: <ul style="list-style-type: none">The maximum height specified in a schedule to the zone, or <p><u>All schedules to all residential zones:</u></p> <p><i>"Maximum 1.5 metre height in streets in Road Zone Category 1 1.2 metre maximum height for other streets"</i></p> <ul style="list-style-type: none">If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table><tr><th>Street Context</th><th>Maximum front fence height</th></tr><tr><td>Streets in a Road Zone, Category 1</td><td>2 metres</td></tr><tr><td>Other streets</td><td>1.5 metres</td></tr></table> | Street Context | Maximum front fence height | Streets in a Road Zone, Category 1 | 2 metres | Other streets | 1.5 metres | N/A |
| | Street Context | Maximum front fence height | | | | | | |
| | Streets in a Road Zone, Category 1 | 2 metres | | | | | | |
| | Other streets | 1.5 metres | | | | | | |
| Decision Guidelines | Any relevant neighbourhood character objective, policy or statement set out in this scheme. | | | | | | | |
| | The design response. | | | | | | | |
| | The setback, height and appearance of front fences on adjacent properties. | | | | | | | |
| | The extent to which slope and retaining walls reduce the effective height of the front fence. | | | | | | | |
| | Whether the fence is needed to minimise noise intrusion. | | | | | | | |
| Objective | To encourage front fence design that respects the existing or preferred neighbourhood character. | | | | | | | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Clause 55.06-3 Common property objectives**

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

Clause 55.06-4 Site services objectives

| Title & Objective | Standards | Standard Met/Standard Not Met/NA |
|----------------------------|--|---|
| Standard B34 | The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically. | ✓ Standard met |
| | Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development. | ✓ Standard met Mailboxes for the development provided to front of site. Each unit provided with bin area and communal meter boxes provided. |
| | Bin and recycling enclosures should be located for convenient access by residents. | ✓ Standard met Rubbish and recycling bins located within POS area of each unit. The bin storage area for Dwelling 2 is located on the deck and a condition will be included on the permit requiring the bins to be relocated from the deck area. |
| | Mailboxes should be provided and located for convenient access as required by Australia Post. | ✓ Standard met Mailboxes provided. |
| | The design response. | |
| Decision Guidelines | To ensure that site services can be installed and easily maintained. | |
| Objectives | To ensure that site facilities are accessible, adequate and attractive. | |

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 93 HERBERT STREET,
DANDENONG (PLANNING APPLICATION NO. PLN20/0136)**

ATTACHMENT 5

CLAUSE 52.06 ASSESSMENT

PAGES 6 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)**Assessment Table - Clause 52.06****Clause 52.06-9 Design standards for car parking**

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

| Design Standards | Assessment | Requirement met/Requirement not met/NA |
|--------------------------------|--|---|
| Design standard 1 - Accessways | Accessways must: | ✓ Standard met |
| | • Be at least 3 metres wide. | Each accessway has a minimum of 3.0 metres wide. |
| | • Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. | ✓ Standard met |
| | • Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre. | N/A |
| | • Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres. | ✓ Standard met |
| | • 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. | No overhead obstructions identified. |
| | • Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in Road Zone. | ✓ Standard met |
| | • Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height. | N/A |
| | 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. | ✗ Standard not met – can be met via permit condition, if issued |
| | If entry to the car space is from a road, the width of the accessway may include the road. | The height of the low paling fence along the eastern and western boundaries has not been noted. A condition will be added to the permit requiring the maximum height of both boundary fences to be 900mm in the visual splay areas. |

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

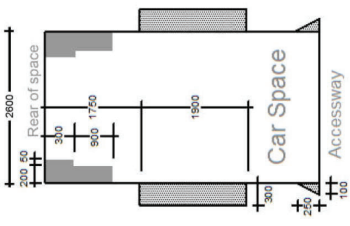
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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | | |
|--|--|--|-----------------|
| Design standard 2 – Car parking spaces | Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2. | ✓ Standard met | |
| | Table 2: Minimum dimensions of car parking spaces and accessways | Dwelling 1 | |
| | | Garage – 6.0m x 3.5m | |
| | | Dwelling 2 | |
| | | Garage – 6.0m x 5.5m | |
| | | Dwelling 3 | |
| | | Garage – 6.0m x 5.5m | |
| | | <hr/> | |
| | | <i>Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).</i> | |
| | | Angle of car parking spaces to access way | Accessway width |
| Parallel | 3.6 m | 2.3 m | 6.7 m |
| 45° | 3.5 m | 2.6 m | 4.9 m |
| 60° | 4.9 m | 2.6 m | 4.9 m |
| 90° | 6.4 m | 2.6 m | 4.9 m |
| | 5.8 m | 2.8 m | 4.9 m |
| | 5.2 m | 3.0 m | 4.9 m |
| | 4.8 m | 3.2 m | 4.9 m |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

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

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| Design standard 3: Gradients | Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less. | ✓ Standard met | | | | | | | | | | | | | | | | |
|---|--|-------------------------|---------------|--|------------------|----------------|---------------|------------------|-------------------|-----------|-----------------------|-------------|----------------------------------|-------------------|-----------|-----------------------|-----------|--|
| | Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction. | N/A | | | | | | | | | | | | | | | | |
| | <table><tr><th colspan="3">Table 3: Ramp gradients</th></tr><tr><th>Type of car park</th><th>Length of ramp</th><th>Maximum grade</th></tr><tr><td rowspan="2">Public car parks</td><td>20 metres or less</td><td>1:5 (20%)</td></tr><tr><td>longer than 20 metres</td><td>1:6 (16.7%)</td></tr><tr><td rowspan="2">Private or residential car parks</td><td>20 metres or less</td><td>1:4 (25%)</td></tr><tr><td>longer than 20 metres</td><td>1:5 (20%)</td></tr></table> | Table 3: Ramp gradients | | | Type of car park | Length of ramp | Maximum grade | Public car parks | 20 metres or less | 1:5 (20%) | longer than 20 metres | 1:6 (16.7%) | Private or residential car parks | 20 metres or less | 1:4 (25%) | longer than 20 metres | 1:5 (20%) | |
| | Table 3: Ramp gradients | | | | | | | | | | | | | | | | | |
| | Type of car park | Length of ramp | Maximum grade | | | | | | | | | | | | | | | |
| Public car parks | 20 metres or less | 1:5 (20%) | | | | | | | | | | | | | | | | |
| | longer than 20 metres | 1:6 (16.7%) | | | | | | | | | | | | | | | | |
| Private or residential car parks | 20 metres or less | 1:4 (25%) | | | | | | | | | | | | | | | | |
| | longer than 20 metres | 1:5 (20%) | | | | | | | | | | | | | | | | |
| Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming. | N/A | | | | | | | | | | | | | | | | | |
| Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority. | N/A | | | | | | | | | | | | | | | | | |
| Design standard 4: Mechanical parking | Mechanical parking may be used to meet the car parking requirement provided: <ul style="list-style-type: none">At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation.The design and operation is to the satisfaction of the responsible authority. | N/A | | | | | | | | | | | | | | | | |
| | | N/A | | | | | | | | | | | | | | | | |
| | | N/A | | | | | | | | | | | | | | | | |
| Design standard 5: Urban design | Ground level car parking, garage doors and accessways must not visually dominate public space. | ✓ Standard met | | | | | | | | | | | | | | | | |
| | Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks. | ✓ Standard met | | | | | | | | | | | | | | | | |
| | Design of car parks must take into account their use as entry points to the site. | ✓ Standard met | | | | | | | | | | | | | | | | |

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2.3.4 Town Planning Application - No. 93 Herbert Street, Dandenong (Planning Application No. PLN20/0136) (Cont.)

| | | |
|---|--|----------------|
| | Design of new internal streets in developments must maximise on street parking opportunities. | ✓ Standard met |
| Design standard 6: Safety | Car parking must be well lit and clearly signed. | ✓ Standard met |
| | The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings. | ✓ Standard met |
| | Pedestrian access to car parking areas from the street must be convenient. | ✓ Standard met |
| | Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas. | ✓ Standard met |
| | The layout of car parking areas must provide for water sensitive urban design treatment and landscaping. | ✓ Standard met |
| Design standard 7: Landscaping | Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths. | ✓ Standard met |
| | Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity. | ✓ Standard met |

3 QUESTION TIME - PUBLIC

Question Time at Council meetings provides an opportunity for members of the public in the gallery to address questions to the Councillors, Delegates and/or officers of the Greater Dandenong City Council. Questions must comply with s. 4.5.8 of Council's Governance Rules.

QUESTIONS FROM THE GALLERY

Questions are limited to a maximum of three (3) questions per individual. Where time constraints deem it likely that not all questions can be answered within the time allowed for Question Time, the Mayor at his/her discretion may determine only the first question may be presented verbally with others deferred to be managed in the same manner as public questions not verbally presented.

Priority will be given to questions that relate to items on the Council Agenda for that meeting. Questions including any preamble should not exceed 300 words.

b) All such questions must be received in writing on the prescribed form or as provided for on Council's website and at Ordinary meetings of Council. Where there are more than three (3) questions received from any one individual person, the Chief Executive Officer will determine the three (3) questions to be considered at the meeting.

c) All such questions must clearly note a request to verbally present the question and must be received by the Chief Executive Officer or other person authorised for this purpose by the Chief Executive Officer no later than:

i) the commencement time (7.00pm) of the Ordinary meeting if questions are submitted in person; or

ii) noon on the day of the Ordinary meeting if questions are submitted by electronic medium.

d) A question can only be presented to the meeting if the Chairperson and/or Chief Executive Officer has determined that the question:

i) does not relate to a matter of the type described in section 3(1) of the Local Government Act 2020 (confidential information);

ii) does not relate to a matter in respect of which Council or a Delegated Committee has no power to act;

iii) is not defamatory, indecent, abusive or objectionable in language or substance, and is not asked to embarrass a Councillor, Delegated Member or Council officer; and

iv) is not repetitive of a question already asked or answered (whether at the same or an earlier meeting).

e) If the Chairperson and/or Chief Executive Officer has determined that the question may not be presented to the Council Meeting or Delegated Committee, then the Chairperson and/or Chief Executive Officer:

i) must advise the Meeting accordingly; and

3 QUESTION TIME - PUBLIC (Cont.)

- ii) will make the question available to Councillors or Members upon request.
- f) The Chairperson shall call on members of the gallery who have submitted an accepted question to ask their question verbally if they wish.
- g) The Chairperson, Chief Executive Officer or delegate may then direct that question to be answered by a nominated Councillor or member of Council staff.
- h) No debate on, or discussion of, a question or an answer will be permitted other than for the purposes of clarification.
- i) A Councillor, Delegated Committee Member or member of Council staff nominated to answer a question may:
 - i) seek clarification of the question from the person who submitted it;
 - ii) seek the assistance of another person in answering the question; and
 - iii) defer answering the question, so that the answer may be researched and a written response be provided within ten (10) working days following the Meeting (the question thereby being taken on notice).
- j) Question time for verbal presentations is limited in duration to not more than twenty (20) minutes. If it appears likely that this time is to be exceeded then a resolution from Council will be required to extend that time if it is deemed appropriate to complete this item.
- k) The text of each question asked and the response will be recorded in the minutes of the Meeting.

4 OFFICERS' REPORTS - PART TWO

4.1 CONTRACTS

4.1.1 Contract No. 1920-79 Annual Supply of Soil and Turf Sand

| | |
|----------------------|---|
| File Id: | qA421414 |
| Responsible Officer: | Director Business, Engineering & Major Projects |
| Attachments: | Tender Information (CONFIDENTIAL) |

Report Summary

This report summarises the tender process undertaken by Council to select a suitably qualified and experienced contractor for the annual supply and delivery of turf sand and screened topsoil.

The initial contract term is three (3) years, with an option of three (3) twelve (12) month extensions at the sole and absolute discretion of Council.

This is a Schedule of Rates based contract.

Recommendation Summary

This report recommends that Council accepts the tender submission from SoilWorx for Contract No. 1920-79 for the Schedule of Rates for an initial term of three (3) years.

4.1.1 Contract No. 1920-79 Annual Supply of Soil and Turf Sand (Cont.)

Introduction

Council requires the services of a suitably experienced and resourced contractor to undertake the supply of Turf Sand and Screened Topsoil throughout the municipality in various parks, reserves and streets, providing approximate quantities per annum of:

- Turf Sand 3000m³; and
- Screened Topsoil 200m³.

Tender Process

The tender was advertised in The Age newspaper on Saturday 25 April 2020 and closed at 2PM on 19 May 2020. At the close of tender advertising period two (2) tenders were received from the following companies:

1. Bayside Garden Supplies
2. SoilWorx

Tender Evaluation

The Tender Evaluation Panel comprised of Team Leader Turf Services, Service Co-ordinator Turf Maintenance and Contracts Officer.

The tenders were evaluated using Council's Weighted Attribute Value Selection method. The evaluation criteria included in the tender documents and the allocated Weighting's used to evaluate the tenders are as follows:

| | Evaluation Criteria | Weighting |
|---|---------------------|-----------|
| 1 | Tendered Price | 40% |
| 2 | Relevant Experience | 25% |
| 3 | Capacity | 20% |
| 4 | Social Procurement | 5% |
| 5 | Local Industry | 5% |
| 6 | Environmental | 5% |

4.1.1 Contract No. 1920-79 Annual Supply of Soil and Turf Sand (Cont.)

The Evaluation Criteria are given a point score between 0 and 5 as detailed in the following table:

| Score | Description |
|-------|-----------------------|
| 5 | Excellent |
| 4 | Very Good |
| 3 | Good |
| 2 | Acceptable |
| 1 | Marginally Acceptable |
| 0 | Not Acceptable |

The panel assessed the criteria against the tendered submission and the comparative Weighted Attribute Scores after the evaluation stage was as follows-

| Tenderer | Price Points | Non-Price Points | Total Score | OHS | EMS |
|---|--------------|------------------|-------------|--------------|--------------|
| SoilWorx | 1.00 | 2.35 | 3.35 | Pass | Pass |
| Bayside Garden Supplies (Non-Conforming) | 0 | 0 | 0 | Not assessed | Not assessed |

Bayside Garden Supplies' submission did not contain any completed schedules required for the tender assessment, thus were deemed non-conforming by the evaluation panel. SoilWorx have over 30 years' experience and a proven track record in the supply and delivery of garden and building supplies, they operate three (3) depots across Melbourne including one in Pakenham and two other facilities in Deer Park and Werribee. SoilWorx is the current contractor and would require no lead time for the commencement of their services which ensures service continuity. They have also completed services for the City of Greater Dandenong to a high standard.

Note 1: The higher the price score – lower the tendered price.

Note 2: The higher the non-price score – represents better capability and capacity to undertake the service.

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.

4.1.1 Contract No. 1920-79 Annual Supply of Soil and Turf Sand (Cont.)

Financial Implications

The budget provisions associated with this service is \$555,112.80 which is sufficient to fund the expected works for the whole of the contract.

For comparison of the single price submitted under this contract, a benchmarking exercise has been undertaken demonstrating that the tendered prices are most competitive.

Note: Schedule of Rates – A schedule of rates contract is one under which the amount that is payable to the contractor is calculated by applying an agreed schedule of rates to the quantity of work that is actually performed.

Lump Sum – A lump sum contract or a stipulated sum contract will require that the supplier agree to provide specified services for a stipulated or fixed price.

Social Procurement

The details relating to Social Procurement have been considered in the preparation of this report.

Local Industry

The details relating to Local Industry have been considered in the preparation of this report. SoilWorx have an established outlet in Pakenham.

Consultation

During the tender evaluation process and in preparation of this report, relevant Council Officers from Council's Parks Service Unit, Risk Management & OHS and Environmental Planning were all consulted.

Conclusion

At the completion of the tender evaluation process, the Panel agreed that the tender from SoilWorx should be accepted.

Recommendation

That Council:

- 1. awards Contract No.1920-79 for the Annual Supply and Delivery of Turf Sand and Screened Top Soil to SoilWorx for the Schedule of Rates for an initial period of three (3) years;**
- 2. reserves the option to extend the initial contract term by three (3) one-year extensions at the sole and absolute discretion of Council; and**
- 3. signs and seals the contract documents when prepared.**

4.1.1 Contract No. 1920-79 Annual Supply of Soil and Turf Sand (Cont.)

CONTRACTS

**CONTRACT NO. 1920-79 ANNUAL SUPPLY AND DELIVERY OF TURF
SAND**

ATTACHMENT 1

**TENDER INFORMATION
(CONFIDENTIAL)**

PAGES 2 (including cover)

This attachment has been deemed confidential by the Chief Executive Officer under section 77(2)(c) of the *Local Government Act 1989* and section 3(1) of the *Local Government Act 2020* and has not been provided within the Public Agenda.

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

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium

File Id:

Responsible Officer:

Director Business, Engineering & Major Projects

Attachments:

Tender Information (CONFIDENTIAL)

Report Summary

This report outlines the tendering process undertaken to select a suitably qualified and experienced contractor for the construction of the new Health and Wellbeing Gymnasium at the Noble Park Aquatic Centre.

Recommendation Summary

This report recommends that Council awards Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium – Construction to Melbcon Pty. Ltd. for a fixed lump sum price of Six Million, Seven Hundred & Twenty-One Thousand, & Fifty-Nine Dollars and Ninety Six Cents (\$6,721,059.96) including GST of \$611,005.36.

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium (Cont.)

Introduction

The construction of the Noble Park Aquatic Centre (NPAC) Health and Wellbeing Gymnasium is the 1st of two stages to upgrade the Centre's facilities, in line with the recommendations of Council's Aquatic Strategy that was adopted on 23 September 2019.

The NPAC was built in 1962 and modernised with a redevelopment in 2012. The current facility's physical condition is very good requiring only predictable upkeep however it is believed to be underutilised due to a limited available range of facilities. In addressing this need Council committed to enlarge the Centre's aquatic facilities with a health and wellbeing gymnasium, thus maximising its use by encouraging participation from a wider community.

The planning process involved a feasibility assessment that included a demand appraisal, operational estimates, concept design and cost estimation, completed in March 2020. The first of the two phases that make-up the development (the subject of this report) includes the construction and fit-out of the gymnasium, three group training spaces, members' lounge, offices, change rooms, amenities and storage. This NPAC extension will have a provision of operating 24/7.

The design of the extension was developed by CO-OP Studio architects following relevant planning workshops and consultations. The design was presented, discussed and endorsed by the Executive Management Team on 7 October 2020.

The project is the recipient of a \$3.3M grant offered through the State Government's 'Community Sport Infrastructure Stimulus Program'. The grant and associated agreement is based on satisfying mandatory criteria, the most notable is the construction start date, by end of February 2021.

Tender Process

A public tender process was undertaken to engage a suitable contractor, following the guidelines of the Industry Capability Network (ICN), ensuring conformance to the Local Jobs First Policy (LJFP), as directed by Working for Victoria. Advice was also sought from Maddocks Lawyers who reviewed the tender documents and revised Part B of the AS 2124 1992 contract conditions before issuance.

This tender was advertised on 7 November 2020 in The Age newspaper, on the Greater Dandenong website, via Vendor Panel, and Industry Capability Network (ICN). The tender closed three weeks later at 2.00pm on 1 December 2020.

A tender requirement was for bidders to attend a site inspection and briefing. This briefing session was held on 23 November 2020 at 11.00 am on the prospective construction site. The briefing was conducted by the CGD's Coordinator, Building Projects and the Architect from CO-OP Studio.

At the close of the tender advertising period, six (6 in number) tender submissions were received. All had attended the briefing session. These are:

- a. Bowden Corporation
- b. Circon Constructions
- c. Melbcon Pty Ltd

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium (Cont.)

- d. Newpol Construction
- e. Rudyard Pty Ltd
- f. Water Conservation Services International

Tender Evaluation

The tender evaluation panel comprised the,

| Evaluation Team Member | Voting Right |
|---|---------------------|
| Coordinator, Building Projects (Project Manager) | Yes |
| Coordinator, Special Projects | Yes |
| Two Project Managers | Yes |
| Clinton Wyner, Architect CO-OP Studio | Yes |
| Mike McGrath, Assoc. Architect CO-OP Studio (replacement to CW) | Yes |
| Jason Flentjar, Quantity Surveyor, Turner & Townsend | No |
| Cyndy Burnham, Probity Auditor, O'Connor Marden & Associates | No |
| Team Leader, Contracts Unit | No |
| Contracts & Administration Officer. | No |

All Panel members had signed the Council's probity forms; Conflict of Interest and Confidential and Remote Location (Agile Space Evaluation), agreeing that they would evaluate tenders fairly and would disclose any conflict of interest.

Each submission was assessed against Council's weightings, as specified in the tender, and ranked by each voting member of the evaluation panel. These rankings were then collated and multiplied by the weighting to give a weighted attribute score for each criterion and totaled to give an overall comparative evaluation score for all criteria as shown in the following tables.

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium (Cont.)

The allocated project specific weightings for evaluation also included a high score for Local Industry. Influencing factors to the scoring were:

| Evaluation Criteria | Weighting | Influencing Factors |
|------------------------------|-----------|---|
| Price | 40% | <ul style="list-style-type: none"> • Lump sum cost • Project duration • Inclusion of key deliverables • Qualifications to contract • Exclusions |
| Quality | 20% | <ul style="list-style-type: none"> • Quality assurance systems • Quality control systems • Communications • OH & S • Risks & Issues |
| Methodology | 20% | <ul style="list-style-type: none"> • Understanding of the scope of works • Gantt chart showing program • Constructability • Construction Team, qualifications & experiences • Experience with other builds • Innovation |
| Social Procurement | 5% | <ul style="list-style-type: none"> • <i>Scoring by Procurement Group</i> |
| Local Industry | 10% | <ul style="list-style-type: none"> • <i>Scoring by Procurement Group</i> |
| Environmental | 5% | <ul style="list-style-type: none"> • <i>Scoring by Procurement Group</i> |
| OHS Mgmt. Syst. | Pass/Fail | <ul style="list-style-type: none"> • Assessment by OH&S |
| Environmental Mgmt. Systems. | Pass/Fail | <ul style="list-style-type: none"> • Assessment by OH&S |

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium (Cont.)

The Evaluation Criteria 1 – 6 are given a point score between 0 and 5 as detailed in the following table.

| Score | Description |
|-------|---|
| 5 | Excellent |
| 4 | Very Good |
| 3 | Good, better than average |
| 2 | Acceptable |
| 1 | Marginally acceptable (Success not assured) |
| 0 | Not Acceptable (failed to satisfy required standards) |

The submissions were assessed for conformance to tender and then ranked against all the evaluation criteria, ensuring each tenderer met the standards required for Council contractors. A fail in the latter criteria would automatically exclude a tenderer from further consideration for this contract.

One of the submitted tenders did not conform to the tender requirements and as a result was excluded from the rest of the process.

The weighted attribute point scores resulting from the assessment are shown in the following table:

Tender Scoring

| Tenderer | Price Points | Non-Price Points | Total Score | OHS | EMS |
|----------------------|--------------|------------------|-------------|--|-----|
| Melbcon Pty Ltd | 0.99 | 2.00 | 2.99 | Registered and Verified and waiting for compliance with Rapid Global | |
| Bowden Corporation | 1.06 | 1.86 | 2.92 | Registered, Verified & compliance with Rapid Global | |
| Newpol Construction | 0.91 | 1.97 | 2.88 | Registered and Verified and waiting for compliance with Rapid Global | |
| Circon Constructions | 1.01 | 1.64 | 2.65 | Registered and Verified and waiting for compliance with Rapid Global | |
| Rudyard Pty Ltd | 0.50 | 0.70 | 1.20 | Registered with Rapid Global - (not verified) | |

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium (Cont.)

Please Note: *Rapid Global is a third-party pre-qualification and verification system used by Council and six (6) other Victorian Councils enabling the sharing of OH&S data. It is a Risk and OH&S system where contractors can upload their Occupational Health & Safety, Risk and Environment Plans and Policies as well as up to date insurances*

Note 1: *The higher the price score – lower the tendered price.*

Note 2: *The higher the non-price score – represents better capability and capacity to undertake the service.*

Quantitative Assessment

Both the median and the average prices of four tenderers were relatively close. This is generally considered very good as it indicates most tenderers understood the scope of work and deliverables in similar ways.

| Tenderer | % of Median | % of Average |
|----------------------|-------------|--------------|
| Bowden Corporation | 0.971 | 0.922 |
| Circon Constructions | 0.997 | 0.947 |
| Melbcon Pty Ltd | 1.003 | 0.952 |
| Newpol Construction | 1.045 | 0.992 |
| Rudyard Pty Ltd | 1.249 | 1.186 |

The above table demonstrates the close prices between the first four. Each had their own tender qualifications and exclusions and once examined the panel requested clarifications.

Based on information from a tender-nominated supplier the panel invited the four remaining tenderers to confirm their price allowance of the stainless-steel fence and to submit their final price. The final lump sum prices were again assessed in the tender evaluation matrix.

Qualitative Assessment

The subject of quality, as addressed by the bidders, was generally acceptable with much emphasis paid to health and safety. One submission stood out from the rest as the most comprehensive, referencing their Quality Management System. Additionally, the submission addressed Risk and Issues Management with similar details. One other submission failed to address the qualitative elements of the tender and as a result did not progress.

The four remaining bidders covered the subject of methodology well, presenting Gantt charts that indicated key activities, work tasks with respective time frames nominating the ones that sat on the critical path. While the project duration varied between 175 and 200 days all four companies demonstrated their capabilities by providing a list of recent experiences with other project builds. One stood out, demonstrating a good understanding with the project's objectives and also providing good

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium (Cont.)

information about the company resources with their roles and responsibilities. One other also demonstrated an excellent understanding of the brief including a descriptive narrative of the construction phases.

The programs of all four companies indicated a start demolition date in early March 2021. Since the project requires the multi-function room to remain operational for most of the project's duration the four companies were asked whether they've allowed for project staging to maintain the room's integrity throughout most of the construction. All responded in the affirmative and that the demolition of the room would occur toward the end

A summary of the review of each of the four tenderers showed;

- All four contenders demonstrated enough experience that validated their capability to deliver the project
- The highest ranked tenderers demonstrated a clear understanding of Council's requirements, addressing most of the criteria. This showed discerning qualifications and obvious ability in the delivery of such a project.

Preferred Tenderer

The five members of the tender evaluation panel were provided with an opportunity to review their individual scores. The final score showed Melbcon had achieved the highest total score.

Background

Melbcon Pty Ltd is a Croydon-based well-established construction company with over 30 years' experience and with a demonstrated track record in similar construction projects and value, including projects for local Government.

The company is a registered member of the Master Builders Association of Victoria, accredited contractor with the Victorian Government Construction Supplier Register and holds accreditations in Quality and Environmental Management Systems, Occupational Health and Safety. The company's Integrated HSEQ Management System is implemented on all their sites and is audited annually.

Experience

Melbcon's experience is spread over a broad range of construction projects, up to a value of \$25M. These include construction or refurbishment of educational facilities, health and aged care, community centres, sporting pavilions and gymnasias. Some latest projects include:

| Project Name | Customer | Value |
|--------------------------------|--------------------------------|--------------|
| Taylors Hill West Pavilion | Melton City Council | \$12.30 M |
| Ross Reserve Pavilion | City of Greater Dandenong | \$ 9.00 M |
| Edgars Creek Secondary College | Edgars Creek Secondary College | \$16.15 M |

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium (Cont.)

| | | |
|--------------------------------------|-------------------------|-----------|
| Merrifield North Multipurpose Centre | Merrifield City | \$ 9.83 M |
| Oxley Christian College | Oxley Christian College | \$ 8.00 M |

It's worth noting that with an annual turnover in excess of \$100M Melbcon operates through its own cash reserves without the need of a Bank's overdraft facility. Additionally, it owns its own plant and equipment.

Assessment of Social Procurement

The preferred tenderer requires its subcontractors to participate in local community engagement activities and to employ local labour during the construction period. They indicated that their first preference was to subcontractors from the local community

Assessment of Local Industry contribution

The preferred tenderer has nominated spending 30% on labour, 30% on materials and 20% on plant and 10% on local supervision.

Assessment Environmental Management

The preferred tenderer is committed to environmental management of the site and is ISO 14001:2015 certified on Environmental Management System.

Financial Implications

| | |
|---|-----------------------------|
| The contract Lump Sum price is | \$6,721,059.96 includes GST |
| | |
| Victorian Government Grant 20/21 & 21/22 | \$3,300,000.00 excludes GST |
| Transfer from Major Projects Reserve in FY21/22 | \$3,900,000.00 excludes GST |
| Total | \$7,200,000.00 excludes GST |

Thus this contract amount can be fully funded from within current and proposed budget provisions.

Consultation

Internal stakeholders have been widely engaged throughout the design and procurement process. This has been supported by a core working group consisting of officers from City Improvement, Community Development and Sport and Recreation.

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium (Cont.)

Conclusion

Following a thorough evaluation of the tender submissions, the Tender Evaluation Panel concluded that the **Melbcon Pty Ltd** proposal demonstrated best ability and value for the Council, with least risk.

Recommendation

That Council:

1. **awards Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium to Melbcon Pty Ltd for a fixed lump sum of Six Million, Seven Hundred & Twenty-One Thousand, & Fifty-Nine Dollars and Ninety Six Cents (\$6,721,059.96) including GST of \$611,005.36; and**
2. **signs and seals the contract documents when prepared.**

4.1.2 Contract No. 2021-34 Noble Park Aquatic Centre Health and Wellbeing Gymnasium (Cont.)

CONTRACTS

**CONTRACT NO. 2021-34 NOBLE PARK AQUATIC CENTRE
HEALTH AND WELLBEING GYMNASIUM**

ATTACHMENT 1

**TENDER INFORMATION
(CONFIDENTIAL)**

PAGES 3 (including cover)

This attachment has been deemed confidential by the Chief Executive Officer under section 77(2)(c) of the *Local Government Act 1989* and section 3(1) of the *Local Government Act 2020* and has not been provided within the Public Agenda

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

4.2 OTHER

4.2.1 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 1 December 2020

| | |
|----------------------|---|
| File Id: | A7169149 |
| Responsible Officer: | Director Community Services |
| Attachments: | Draft Minutes of Meeting on 1 December 2020 |

Report Summary

At the Council meeting held 23 April 2018, Council resolved in part to *invite Advisory Committees and Reference Groups to submit meeting minutes for Council endorsement*. This resolution was in relation to allowing interested Councillors (and those that attend these Committees and Reference Groups) to speak to the meeting about items discussed at these meetings.

Recommendation Summary

This report recommends that the draft Minutes of the Multicultural and People Seeking Asylum Advisory Committee meeting provided in Attachment 1 to this report be noted by Council.

4.2.1 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 1 December 2020 (Cont.)

Background

Greater Dandenong Council is represented on a wide range of Committees, Reference Groups and Advisory Groups which frequently reflect the interests of individual Councillors in serving the broader community in their role. A full listing of these appointments is confirmed each November at Council's Statutory Meeting and is available via Council's website.

The resolution of Council made on 23 April 2018 provides for Minutes of meetings held by Advisory Committees and Reference Groups to be submitted to Council for noting and endorsing.

As such, the draft Minutes are provided as Attachment 1 to this report.

Proposal

Community Plan 'Imagine 2030' and Council Plan 2017-2021 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

People

- *Pride* – Best place best people
- *Cultural Diversity* – Model multicultural community
- *Lifecycle and Social Support* – The generations supported

Opportunity

- *Education, Learning and Information* – Knowledge
- *Leadership by the Council* – The leading Council

Council Plan 2017-2021

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following goals:

People

- A creative city that respects and embraces diversity

Opportunity

- An open and effective Council

4.2.1 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 1 December 2020 (Cont.)

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

There are no financial implications associated with this report.

Consultation

Advisory Committees and Reference Groups have been advised of the need to submit minutes of meetings to Council for noting and endorsement.

Recommendation

That Council notes the draft Minutes of meeting for the Multicultural and People Seeking Asylum Advisory Committee as provided in Attachment No. 1 to this report.

4.2.1 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 1 December 2020 (Cont.)

OTHER

**DRAFT MINUTES OF MULTICULTURAL AND PEOPLE SEEKING
ASYLUM ADVISORY COMMITTEE MEETING**

ATTACHMENT 1

**MULTICULTURAL AND PEOPLE
SEEKING ASYLUM COMMITTEE
MEETING ON 1 DECEMBER 2020**

PAGES 5 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

4.2.1 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 1 December 2020 (Cont.)

Advisory Committee or Reference Group Name: Multicultural and People Seeking Asylum Advisory Committee (MAPSAAC)

Date of Meeting: 1 December 2020

Time of Meeting: 3pm

Meeting Location: Online via Microsoft Teams Meeting

Attendees:

Kylie Reid (Chisholm Institute) – Chairperson, Sarita Kulkarni (Community Member), Jacquie McBride (Monash Health), Sean Quigley (WAYSS), Community Development Coordinator (City of Greater Dandenong [CGD]), Binita Maskey (Women's Association South East Melbourne Australia [WASEMA]), Sri Samy (Friends of Refugees [FOR]).

Apologies:

Kudzayi Nhatarikwa (Red Cross), Chris Pierson (South East Community Links [SECL]), Nabila Marzouk (Multicultural Muslim Women's Network), Minwen Wu (Community Member), Nagamuthu R. Wickramasingham (Community Member), Chaw Po (Burmese Women's Alliance [BWA]), Jane Lazzari (Red Cross), Siv Yoganathan (Life Without Barriers [LWB]).

Minutes:

Community Advocacy Officer (CGD)

| Item No. | Item | Action | Action By |
|----------|--|--------|-----------|
| 1. | Welcome and Apologies Chair welcomed Committee Members and acknowledged Traditional Owners. | | |
| 2. | Previous meeting minutes and actions Minutes endorsed by MAPSAAC prior to meeting. No outstanding actions arising. | | |
| 3. | Information Sharing Update WASEMA WASEMA has now opened all its community cafes which were specified in its funding arrangements with the Department of Health and Human Services. Closed during summer school holidays. Binita Maskey Recent achievements have included launching a financial literacy service (Financial Engineering Australia), becoming a board member at the Southern Migrant Refugee Centre [SMRC], and a governance member at Springvale Learning and Activity Centre [SLAC]. Monash Health Presentations by people seeking asylum who have lost entitlements has dramatically increased. | | |

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

ORDINARY COUNCIL MEETING - AGENDA

4.2.1 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 1 December 2020 (Cont.)

| | | |
|--|--|---|
| <p>Community detention cohort will likely not be exited prior to Christmas.</p> <p>Monash Health will not be closed over the Christmas period.</p> <p>Greater Dandenong Council Continuing procurement processes for Greater Dandenong material aid support. Confirmed at least until 31 March 2021, may be extended, dependent on funding.</p> <p>Local partnerships funded by Department of Premier and Cabinet have been formed to develop COVID-19 messaging. To be coordinated by Enliven, with supporting organisations including CGD, SECL, SMRC, AMES Australia, LWB, and six neighbourhood houses. Organisations will look at COVID-19 safe messaging, early warning outbreak control, and recruiting health champions from different communities.</p> <p>A second tier of focus will be centred on working with 3100 families receiving material aid and connecting them with bi-cultural support workers.</p> <p>CGD on behalf of the Local Government Mayoral Taskforce Supporting People Seeking Asylum had engaged in prolonged lobbying for increased funding for people seeking asylum by the Victorian State Government.</p> <p>CGD welcomes the announcement of \$3.9 million in additional funding by the State Government in this year's 2020-21 financial budget. Funding will support mental health and wellbeing, food and material aid, housing, and employment support.</p> <p>Funding will also include the establishment of 40 positions with the Engineering Pathways Industry Cadetship program for female refugees and people seeking asylum.</p> <p>Free access has also been made available to 26 playgroups for up to 1000 families seeking asylum.</p> <p>Sarita Kulkarni Has put her name forward for the Springvale Community Hub Committee and completed her Cert IV in Training and Assessment.</p> <p>Springvale Neighbourhood House recently had its AGM, as well as, a restructure.</p> <p>WAYSS Continuing to provide housing and family violence support during COVID-19. Access remains restricted via intercom.</p> <p>40-50 people with up to 20 children being housed in hotels on any given night. Sharp increase from five individuals pre-COVID-19.</p> <p>WAYSS will remain open over Christmas break, apart from main public holidays and weekends. After hours support is available for clients.</p> | <p>Circulate list of Christmas period operations per organisation.</p> <p>Investigate and circulate list of the 26 playgroups.</p> | <p>Community Advocacy Officer</p> <p>Community Advocacy Officer</p> |
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If the details of the attachment are unclear please contact Governance on 8571 5235.

ORDINARY COUNCIL MEETING - AGENDA

4.2.1 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 1 December 2020 (Cont.)

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| | <p>FOR</p> <p>Many people who lost jobs during the COVID-19 restrictions are now returning to employment e.g. gardening, cleaning.</p> <p>Donations have reached normal levels again.</p> <p>Working towards fulltime services for next year.</p> <p>FOR closed from 19 December until 10 January. Families will be provided with enough food and material aid to cover them over the Christmas period.</p> <p>Chisholm TAFE</p> <p>Chisholm will close 22 December and reopen 4 January. Students will not return until the last week of January, but the institute will be open prior to enrolments and preparation.</p> <p>At this stage English as Additional Language (EAL) students are still studying remotely and will return to face to face learning in accordance with Government and Institute's safety measures.</p> | | |
| 4. | <p>Part B Actions Not Commenced - Discussion</p> <p>Advisory Committee focused on six of the Part B Actions which have not been commenced yet. These included:</p> <ul style="list-style-type: none"> Action 1.2 Action 1.4 Action 2.1 Action 3.5 Action 5.5 Action 6.4 <p>Advisory Committee provided advice on different ways to commence each of the above actions. Please refer to Part B Action Plan Progress Report for complete comments and advice.</p> | | |
| 5. | <p>Other Business</p> <p>Farewell to Matthew Kirwan</p> <p>Advisory Committee thanked Matthew for his valuable contribution to Greater Dandenong and wished him all the best with his future endeavours.</p> <p>Recommendation of Mutual Obligations</p> <ul style="list-style-type: none"> - Mutual Obligations for job seekers in receipt of certain payments recommenced on 23 November. - Mutual Obligation requirements are tasks and activities set out in a person's job plan which is prepared by their Job Active provider and that a person agrees to do while in receipt of payments, e.g. study, volunteering, look for work. - Penalties apply if people do not meet their mutual obligations e.g. payment cuts. - Services Australia key contacts: Multilingual Phone Service: 131 202 and Employment Services: 132 850 - Job Seekers should remember that they can ask to talk to a Multicultural Service Officer at Centrelink and can ask for an interpreter. | | |

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

ORDINARY COUNCIL MEETING - AGENDA

4.2.1 Draft Minutes of Multicultural and People Seeking Asylum Advisory Committee Meeting - 1 December 2020 (Cont.)

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| | <p>Infection Control free course: Free course available at TAFEs to frontline workers in a number of industries as listed in the link. It is not available to volunteers or international students. https://www.chisholm.edu.au/courses/statement-of-attainment/crosssector-infection-control-skill-set</p> <p>Department of Home Affairs Single Entry Visa (SEV) COVID-19 Concession. Refer to link for updates and Safe Haven Enterprise Visa (SHEV) holders can contact the Asylum Seeker Resource Centre (ASRC) for more information. https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/safe-haven-enterprise-790/safe-haven-enterprise-visa-pathway</p> | | |
| | Meeting closed at 4:40PM. | | |

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

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020

| | |
|----------------------|---|
| File Id: | A7168488 |
| Responsible Officer: | Director Community Services |
| Attachments: | Draft Minutes of Meeting on 9 December 2020 |

Report Summary

At the Council meeting held 23 April 2018, Council resolved in part to *invite Advisory Committees and Reference Groups to submit meeting minutes for Council endorsement*. This resolution was in relation to allowing interested Councillors (and those that attend these Committees and Reference Groups) to speak to the meeting about items discussed at these meetings.

Recommendation Summary

This report recommends that the draft Minutes of the Community Safety Advisory Committee meeting provided in Attachment 1 to this report be noted by Council.

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

Background

Greater Dandenong Council is represented on a wide range of Committees, Reference Groups and Advisory Groups which frequently reflect the interests of individual Councillors in serving the broader community in their role. A full listing of these appointments is confirmed each November at Council's Statutory Meeting and is available via Council's website.

The resolution of Council made on 23 April 2018 provides for Minutes of meetings held by Advisory Committees and Reference Groups to be submitted to Council for noting and endorsing.

As such, the draft Minutes are provided as Attachment 1 to this report.

Proposal

Community Plan 'Imagine 2030' and Council Plan 2017-2021 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

People

- *Pride* – Best place best people
- *Cultural Diversity* – Model multicultural community
- *Lifecycle and Social Support* – The generations supported

Opportunity

- *Education, Learning and Information* – Knowledge
- *Leadership by the Council* – The leading Council

Council Plan 2017-2021

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following goals:

People

- A creative city that respects and embraces diversity

Opportunity

- An open and effective Council

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

There are no financial implications associated with this report.

Consultation

Advisory Committees and Reference Groups have been advised of the need to submit minutes of meetings to Council for noting and endorsement.

Recommendation

That Council notes the draft Minutes of the 9 December 2020 meeting for the Community Safety Advisory Committee as provided in Attachment No. 1 to this report.

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

OTHER

**DRAFT MINUTES OF COMMUNITY SAFETY ADVISORY
COMMITTEE MEETING**

ATTACHMENT 1

**DRAFT MINUTES OF COMMUNITY
SAFETY ADVISORY COMMITTEE
MEETING ON
9 DECEMBER 2020**

PAGES 9 (including cover)

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

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

Advisory Committee or Reference Group Name: Community Safety Advisory Committee

Date of Meeting: 9 December 2020

Time of Meeting: 3pm

Meeting Location: Online - Microsoft Teams

Attendees:

Mayor Cr Angela Long (City of Greater Dandenong [CGD]), Cr Rhonda Garad (CGD), Acting Insp Hafiz Mayar (Victoria Police [VicPol]), Snr Sgt Sergeant Deb Lay (VicPol), Jess Dawson (Department of Health and Human Services [DHHS]), Yvette Shaw (DHHS), Rhyl Browne (Monash Health Alcohol and Other Drug Services [MH AOD]), Suzanne Bumpstead (Monash Health Accident and Emergency [MH A&E]), Sean Quigley (Wayss), Mark Fitzgerald (Launch Housing), Sarah Lalley (Youth Advocacy and Support Service [YSAS]), Dawn Vernon (Greater Dandenong Neighbourhood Watch [NHW]), Derlie Mateo-Babiano (Melbourne University), Jude Mathews – Metro Trains Dandenong [MT]), Tom Bell (Department of Justice and Community Safety [DJCS]), Wendy Tran (DJCS), Manager – Community Development, Sport and Recreation (CGD), Coordinator – Community Development – Chairperson (CGD), Manager – Communications and Customer Service (CGD), Manager – Business and Revitalisation (CGD), Manager – Municipal Recovery (CGD), Team Leader – Public Safety and Security (CGD), Team Leader – Community Advocacy (CGD), Community Advocacy Officer (CGD), Business Support Officer (CGD).

Apologies:

Cr Lana Formoso (CGD), Cr Sophie Tan (CGD), Insp Mark Langhorn (VicPol), Det Snr Sgt Dean Grande (VicPol), Snr Sgt Brett Skurka (VicPol), Snr Stg Colin Huth (VicPol), Acting Snr Sgt Stuart Dawson (VicPol), Acting Snr Stg Robbie Colcott (VicPol), Snr Con Kim Gammon (VicPol), Karren Walker (Launch Housing), Toshi Mochida (Launch Housing), Deb Pugsley (Women's Health In South East [WHISE]), Jessica Elsworth (WHISE), Jess Macauley (YSAS), Director – Community Services (CGD), Place Manager – Activity Centres Revitalisation (CGD), Coordinator – Youth and Family Services (CGD), Coordinator – Civil Projects (CGD), Senior Engineer – Transport (CGD), Coordinator - Emergency Management (CGD).

Minutes:

Community Advocacy Officer (CGD).

| Item No. | Item | Action | Action By |
|----------|--|--------|-----------|
| 1) | Welcome and Apologies The Chair acknowledged the Traditional Owners of the Land and welcomed the new Mayor, Cr Angela Long, and a new Councillor to Council, Cr Rhonda Garad. The Chair also welcomed new Committee members, Rhyl Browne from Monash Health Alcohol and Drug Service, and Jude Mathews from Metro Trains Dandenong Station. Members' apologies were noted. | | |
| 2) | Minutes of Previous Meeting and Business Arising The Minutes of the Previous Meeting were adopted. Community Safety Plan Year 4-5 Reporting <ul style="list-style-type: none">The Community Safety Plan's Years 4-5 Reporting Tables for the 18 months of January-June 2019 and July 2019-June 2020 have been prepared and will be provided to stakeholders. | | |

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

ORDINARY COUNCIL MEETING - AGENDA

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

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| | <p>2019-22 Membership Update</p> <ul style="list-style-type: none"> Country Fire Authority/Fire Rescue Victoria and Public Transport Victoria/VicRoads have indicated they are not able to take up the offer to join the CSAC due to role changes and the impact of COVID that came into effect after their respective organisations amalgamated. Contact was again made with Metro Trains at Dandenong Station and its long-term senior officer has now joined the CSAC and therefore is a local representative for Public Transport Victoria. <p>Notice of Motion No.81: Hemmings Street Precinct Action Plan (refer Item 4)</p> | | |
| 3) | <p>Community Safety Plan 2015-22: Key Priorities Overview</p> <p>Highlights of CSAC members' 2020 activities and outcomes for the Community Safety Plan's six key priority areas were noted.</p> <p>1: Supporting Diversity and Promoting Harmony</p> <ul style="list-style-type: none"> Council, VicPol, Wayss, WHISE and other members have undertaken a variety of activities and policy initiatives to improve access and equity for LGBTIQ communities. DHHS, VicPol, Wayss, WHISE and other members undertook advocacy and activities to promote and celebrate NAIDOC Week in acknowledgement of the role and rights of First Nations peoples. Council collaborated with Aboriginal, Torres Strait Islanders and other key stakeholders to review, update and report on the Greater Dandenong Reconciliation Plan. <p>2: Preventing Family Violence</p> <ul style="list-style-type: none"> CSAC members such as Launch Housing and Wayss contributed to and/or found innovative methods during COVID to undertake the yearly Walk Against Family Violence, with online activities or undertaking the Walk-in person while complying with COVID guidelines. Council's Youth Services undertook an award-winning 'Youth United Family Violence Prevention' project with young people who developed a set of media messages. VicPol, Council, DJCS, DHHS, Wayss and Launch Housing collaborated with emergency services authorities to reduce the risk of COVID transmission in and amongst the community and at-risk groups by coordinating the provision of support services, material aid and emergency accommodation. <p>3: Safer Public Places</p> <ul style="list-style-type: none"> VicPol undertook a number of public order response operations, including Operation Alliance and continuing with Operation Tidal that have targeted high-risk and harm offending prior to and during COVID restrictions. PSOs were also deployed to patrol central Dandenong during the period of increased COVID restrictions, while they and VicPol members maintained a focus on railway station's public order issues. CSAC's Council/VicPol/Launch/Other Stakeholders Hotspots Response Group continued to organise support for persons sleeping rough into accommodation and services. YSAS continued to collaborate with VicPol to deliver an embedded youth outreach program, offering support options | | |

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

ORDINARY COUNCIL MEETING - AGENDA

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

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| | <p>and to break down barriers between Police and young people.</p> <p>4: Road Safety for Users, Pedestrians and Commuters</p> <ul style="list-style-type: none"> • VicPol undertook a number of operations including 'Compass' and 'Sumatra' to reduce high-risk/high-speed driving ('hooning') in key hotspots. Mobile CCTV cameras and VMS messaging boards assisted officers to follow-up registrations as well as respond in real time to hoon gatherings. • NHW, VicPol and Council delivered varied events to educate the community on anti-vehicle theft strategies, including Operation Safe Plate, and Operation Bounce Back. <p>5: Addressing Alcohol and Other Drug Harms</p> <ul style="list-style-type: none"> • YSAS and Council's Youth Services have continued to deliver alcohol and other drug prevention and reduction programs. • YSAS' 'Transformer' program focuses on alcohol and other drug issues impacting culturally and linguistically diverse youth and their families, aiming to reduce the likelihood of young people entering or re-entering the justice system. • Council has collaborated with Enliven and South Eastern Consortium Alcohol and Drug (SECADA) agencies, a regional health consortium, to develop and implement an Alcohol and Other Drugs Catchment-based Action Plan. • Monash A&E has undertaken the Driving Change project in local emergency departments that has investigated alcohol harm impacts and risks amongst patients presenting to local emergency departments. <p>6: Emerging Technology and Safety</p> <ul style="list-style-type: none"> • Council, VicPol and NHW have undertaken high-profile social media messaging on maintaining cyber safety and avoiding being scammed. | | |
| 4) | <p>Hemmings Street Precinct Action Plan Update</p> <ul style="list-style-type: none"> • Council has met with four Ministers to advocate for resources to address issues in the Hemmings Street Precinct. • Council has also released the Hemmings Street Precinct Action Plan for community comment through a mailout to those in the Precinct, an online survey on Council's website, and provision of online or phone interviews for individual or groups. • Currently, over 100 surveys have been mailed back and completed online, with responses open until late December. • AMES Australia, Afri-Auscare and the ASRC were interviewed and offered to collaborate on implementation of the Action Plan. | | |
| 5) | <p>Homelessness</p> <p>The State Government has announced that DHHS will be divided into two departments from 1 February 2021. DHHS will provide further information on the following Agenda items then.</p> <p>Transition Support for Rough Sleepers</p> <ul style="list-style-type: none"> • State funding has been provided to agencies such as Red Cross, ASRC, Launch Housing and the Rough Sleepers Initiative, and Wayss to support targeted cohorts. • Wayss funding will continue to provide motel and emergency accommodation until January, and it is unclear to both Wayss and Launch Housing as to what will be available after this. | | |

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

ORDINARY COUNCIL MEETING - AGENDA

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

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| | <ul style="list-style-type: none"> • Launch Housing reported that they have provided up to 2000 cases of emergency accommodation to rough sleepers overnight across Melbourne during COVID. • Concurrently, incidences of squatting have increased in Greater Dandenong and some persons have left emergency accommodation for a variety of reasons to return to sleeping rough, or into private rental or rooming houses. • VicPol's Sexual Offences and Child Exploitation Teams (SOCIT) have also been referring DHHS clients they are in contact with to accommodation providers such as Launch Housing, as incidences of family violence have increased during COVID. • Overall, local services will proactively work with DHHS to ensure a wholistic response beyond January 2021 for persons in need, eg, rough sleeping, other types of homelessness, family violence, mental health and/or other special needs. <p>State Government Support Funding Update</p> <p>i Homelessness to a Home Program</p> <ul style="list-style-type: none"> • The State Government 2020-21 budget committed \$5.3 billion towards a 'Big Housing Build' to create over 12,000 homes in four years, its largest housing investment in decades. • Of these, 9300 will be social housing units for persons on low income that are most in need The rest will be for affordable or market-rate housing and replace 1100 public housing units. • There are currently 48,500 households waiting for social housing. 25,800 of those are listed for priority access due to homelessness, disability, family violence, mental illness, and other similar circumstances. There are few local vacancies for larger homes, single persons of any age group, or houses with disability access. • It is not known how many properties will be allocated to the Dandenong area, though Launch Housing has applied for 420 units. <p>ii Supporting Victorian Youth at Risk of Homelessness</p> <ul style="list-style-type: none"> • There has been a noted rise in youth homelessness during COVID that is concerning to local services due to their vulnerability to exploitation, alcohol, other drugs and/or mental health impacts. It is hoped that new social housing options will provide for youth-focussed accommodation. <p>Regional Councils' Charter Implementation</p> <ul style="list-style-type: none"> • Council has joined with other councils across the southern and eastern Melbourne regions to advocate for the needs of persons who are homeless or at-risk of homelessness, through the application of a multi-sector and 'Housing First' approach. • The councils' have produced a Charter that calls for consistency in approaches across the region in addressing homelessness. • Work groups have been formed that will identify themes and approaches, map homelessness networks and available housing, and produce a contemporary literature review to underpin and provide an evidence base for advocacy. | | |
| 6) | Appendix 1 [Confidential] | | |

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

ORDINARY COUNCIL MEETING - AGENDA

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

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| 7) | <p>Roundtable Updates</p> <p>Council</p> <p>\$400,000 Community Safety Infrastructure Grant (CSIG)</p> <ul style="list-style-type: none"> • Council has received a \$400,000 grant from the DJCS to improve public safety infrastructure and increase social engagement and cohesion in central Dandenong and the new Springvale Community Hub. The grant includes provision for further CCTV installation. <p>\$10,000 Stop Sneak Theft Grant</p> <ul style="list-style-type: none"> • Council has received another \$10,000 grant from the Federal Government to continue community education on reducing the likelihood of vehicle theft and break-ins. • Council will collaborate with NHW, VicPol and other stakeholders to hold a community event and use social and electronic media to promote key messages. <p>\$350,000 Local Partnership Project Grant</p> <ul style="list-style-type: none"> • The Department of Premier and Cabinet (DPC) has provided Council with \$350,000 to continue providing its COVID impact response to vulnerable people and communities, primarily through material aid provision to local agencies. • Through the DPC funding and Council's procurement model, agencies will continue providing culturally appropriate food relief and staples to 3100 individuals/families weekly. • Council is partnering with Casey Council, where enliven will coordinate a project between the three organisations to develop the skills of bilingual workers to be able to provide health education to communities on COVID guidelines. • The DPC funding will also support the development of Health Champions to aid the dissemination of COVID health messaging among community groups. Messaging will also be linked to persons receiving material aid/food relief. • The DPC has provided \$4.3m of support funding for culturally diverse communities, much of it provided to the southern metropolitan region, and will form a social cohesion/capacity building taskforce to embed this work. <p>Building Safer Communities Grant Opportunity</p> <ul style="list-style-type: none"> • The DJCS is providing another grant opportunity in January 2021 for evidence-based approaches to address crime and improve community safety. • Council will be applying to undertake urban design and place activation initiatives to improve the safety and use of public places by a diverse range of community members. • Councils, not-for-profit and other specialist organisations can also apply in partnership to deliver and evaluate innovative community safety and crime prevention initiatives. <p>Emergency Management</p> <ul style="list-style-type: none"> • Council has appointed a new Municipal Recovery Manager and Fire Prevention Coordinator. The role will currently focus on managing Council's responses to COVID impacts and fire prevention activities over the summer period. • This includes assisting Council staff to reopen facilities under COVID guidelines in preparation for increased public access and any required emergency response. | | |
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If the details of the attachment are unclear please contact Governance on 8571 5235.

ORDINARY COUNCIL MEETING - AGENDA

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

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| <p>Activities Centres Revitalisation</p> <ul style="list-style-type: none"> • Council has negotiated the activities to be undertaken with a Department of Jobs, Precincts and Regions grant to assist in the revitalisation of the Noble Park Activities Centre. • The first stages of grant funding will go towards developing the Ross Reserve all abilities playground, related new park seats, picnic tables, bike hoops, paving and soft-fall areas. • The playground will be easily and safely accessible for pedestrians and cyclists to and from the Noble Park shopping precinct and associated train, bus, and taxi services. <p>Media and Communications</p> <ul style="list-style-type: none"> • Council noted recent local newsprint media focus on reporting of Hemmings Street issues and the recent DJCS grant that would partly go towards addressing concerns in the Precinct. <p>Community Development</p> <ul style="list-style-type: none"> • The Manager of Community Development, Sport and Recreation noted that the Team Leader for Council's Advocacy Team, Ashish Sitoula, was moving on to another role outside the organisation and thanked him for his positive contribution and outcomes for the community of Greater Dandenong. <p>Councillors</p> <ul style="list-style-type: none"> • The Mayor is liaising with VicPol about crime and anti-social behaviour allegedly linked to public housing in Stud Road. • Cr Garad thanked the CSAC for its work, noted the broad range of issues it addressed and was looking forward to future involvement in the Committee's activities. <p>DHHS</p> <ul style="list-style-type: none"> • DHHS is currently developing transitional housing packages under the funding announced by State Government and will provide further details on the transition of persons in motel-type accommodation after COVID restrictions lift. • DHHS continues to implement the State response and funding to address COVID impacts and work with local services to provide accommodation through the Hotels Response Team. • Stakeholders have progressed to managing and monitoring COVID-safe strategies in high-risk accommodation such as rooming houses, residential services and caravan parks. • Tenants are being linked to services to build social cohesion and inclusion, such as the 'Komak' program which support the Afghan community and the Centre for Multicultural Youth's Community Support Group for South Sudanese young people. <p>YSAS</p> <ul style="list-style-type: none"> • YSAS gave an overview of two key programs, the 'Transformer' project that provides early intervention to young people/offenders referred by VicPol. A youth worker from the embedded youth outreach program (EYOP) accompanies VicPol on patrol in Greater Dandenong seven night a week. • Both projects provide case management and support to young people and their families, with a key aim of preventing young people's entry into and involvement with justice system. <p>Launch Housing</p> <ul style="list-style-type: none"> • Launch Housing continues to work with the DHHS Hotel Response Team to respond to the needs of persons who are | | |
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If the details of the attachment are unclear please contact Governance on 8571 5235.

ORDINARY COUNCIL MEETING - AGENDA

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

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| | <p>homeless during COVID restrictions.</p> <ul style="list-style-type: none"> • Launch Housing has found that during COVID, some persons have chosen to leave the program and have either taken up sleeping rough again or found alternative housing. <p>Wayss</p> <ul style="list-style-type: none"> • Wayss has been providing between \$8000 to \$10,000 to pay for crisis accommodation beds per night throughout COVID and is now providing shelter for 40 to 60 persons per night. • Whilst funding has been extended to support crisis accommodation, Wayss continues to advocate for 1100 rental and 1000 social housing properties to meet regional needs. <p>Victoria Police</p> <ul style="list-style-type: none"> • VicPol has continued to collaborate with other agencies to manage compliance with COVID directions and restrictions of persons' testing positive and their contacts. The VicPol Municipal Emergency Response Coordinator is working with Council to coordinate a related emergency exercise. • The Greater Dandenong Liquor Accord met in December for the first time since February. The meeting focussed on assisting licensees to develop a venue 'COVID Safe Plan' with the easing of restrictions and onset of the holiday season. • VicPol has also formed Operation Break-up to enforce COVID restrictions in high-risk venues, and at functions and parties. • Operation Sumatra is focussed on reducing high-risk/high-speed driving. The Frontline Tactical Unit has been addressing gatherings of up to 200 cars in Dandenong South industrial areas and along the Princes Highway from Noble Park to Springvale Junction. Officers are liaising with Council to investigate the potential of restricting access to certain carparks at night to deter cars and spectators from gathering. • VicPol have also been targeting Dandenong Plaza with proactive patrols due to a rise in incidents of crime and anti-social behaviour. In response, the Multicultural Liaison Unit is developing a community outreach model with the Daughters of Jerusalem that has proved successful at Fountain Gate Shopping Complex in Casey. The model allows designated community members to accompany Police on patrol in high-risk locations to engage with vulnerable persons. <p>DJCS</p> <ul style="list-style-type: none"> • Department staff will be on hand to provide advice and support to Council with the implementation of the CSIG funding. The next grant round allows two months to complete applications. <p>NHW</p> <ul style="list-style-type: none"> • NHW has been active on Facebook during COVID and has collaborated with VicPol's Eyewatch page and now visits to the page have risen to 5000. • NHW has undertaken online and phone scams awareness raising, strategies to avoid numberplate and vehicle theft, when to call Police in an emergency or to report lesser crime, and drink/drug driving prevention. <p>Metro Trains</p> <ul style="list-style-type: none"> • A Dandenong Railway Station representative thanked the CSAC for the re-establishment of Metro Trains' membership on the Committee. | <p>Investigate the feasibility of linking station CCTV footage to</p> | <p>Council, VicPol and Metro Trains to report</p> |
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If the details of the attachment are unclear please contact Governance on 8571 5235.

ORDINARY COUNCIL MEETING - AGENDA

4.2.2 Draft Minutes of Community Safety Advisory Committee Meeting - 9 December 2020 (Cont.)

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| | <ul style="list-style-type: none"> The potential for linking railway station CCTV coverage to Dandenong and Springvale Police stations was raised, as this has proved successful in supporting authorities to address crime and anti-social behaviour at Boronia station. | VicPol stations. | back at next CSAC meeting. |
| The meeting closed at 4.35pm. | | | |
| 2021 Meeting Schedule | | | |
| Wednesday | Time | Dandenong Civic Centre, 225 Lonsdale St, Dandenong | |
| 10 February | 3-4.30pm | TBC | |
| 12 May | 3-4.30pm | TBC | |
| 11 August | 3-4.30pm | TBC | |
| 10 November | 3-4.30pm | TBC | |

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

4.2.3 2020-21 Community Infrastructure Stimulus Round Two

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|----------------------|--|
| File Id: | A7163583 |
| Responsible Officer: | Director Community Services Director Community Services |

Report Summary

Council has been invited to re-submit applications as part of the Victorian Governments' Community Sports Infrastructure Stimulus Program which was released earlier in 2020. The Program is designed to fast-track shovel-ready community sports infrastructure projects across Victoria. Council was successful in receiving funds as part of round one with \$3.3 million going towards the upgrade of the Noble Park Aquatic Centre.

Council has been invited to re-apply for the other two shovel-ready projects which were unsuccessful in round one.

Recommendation Summary

This report recommends that Council re-submit grant applications and that Council confirms that the projects are supported, ready to proceed to construction with six (6) months of approval and that Council funding is available within the appropriate timeframes to deliver the project.

4.2.3 2020-21 Community Infrastructure Stimulus Round Two (Cont.)

Background

The Victorian Governments' \$168 million – Community Sports Infrastructure Stimulus Program was released earlier in 2020 which is designed to fast-track shovel-ready community sports infrastructure projects across Victoria. Council was successful in receiving funds as part of round one with \$3.3 million going towards the upgrade of the Noble Park Aquatic Centre.

The outcomes of the funding program are to:

- Provide a stimulus to local economic activity by planning, building and operating new or redeveloped significant community sport and active recreation infrastructure.
- Respond to demand for new participation opportunities by considering strategic and well-planned projects that have broad community and sector support.
- Improve diversity and inclusion by increasing participation by disadvantaged communities and under-represented groups identified in Active Victoria.

Two other shovel-ready projects were also submitted in round one which include:

- Burden Park, Springvale South – Tennis Club Re-development.
- Ross Reserve, Noble Park – Synthetic Soccer Pitch development.

Following overwhelming demand for round one, an additional \$110 million has been provided through the 2020-21 State Budget for round two of the Program. Council has been invited to re-apply for the other two shovel-ready projects which were unsuccessful in round one. Council is unable to propose alternate projects for consideration.

Along with recipients being required to commence construction within six (6) months of executing a funding agreement, projects will need to be completed within two years.

Applications for funding from this program must be between \$1 million and maximum of up to \$10 million of funding from the program. A 10 percent minimum local financial contribution of the funding amount sought is required to be committed and confirmed by Council, for each application submitted.

The Burden Park Tennis Redevelopment consists of new fencing, LED floodlighting and the resurfacing of the six tennis courts at a total estimated cost of \$1.15 million. Should Councils' grant submission be successful Council will contribute \$115,042 towards this project, which represents 10 percent of the total cost. This project is considered a high priority as per the Sports Facilities Plan – Implementation Plan 2018 and is a recommended action from the Burden Park Master Plan.

The Ross Reserve Synthetic Soccer Pitch development consists of the construction of a senior size synthetic soccer pitch, fencing, LED lighting (200 lux), coaches' boxes, electronic scoreboard and associated landscaping. The total estimated cost of this project is \$2.97 million of which, if successful, Council would be required to contribute \$297,505 towards the project. This project is a recommended action from the Ross Reserve Master Plan and an integral part of the development of the reserve.

4.2.3 2020-21 Community Infrastructure Stimulus Round Two (Cont.)

Proposal

It is proposed that Council re-submit these two applications as part of round two of the Victorian Governments' Community Sports Infrastructure Stimulus Program.

Should Council agree to re-submit applications Council confirms that the projects are supported, ready to proceed to construction with six (6) months of approval and that Council funding is available within the appropriate timeframes to deliver the project.

Please note that it is a requirement of this funding program that a Council resolution confirming the above is submitted with the funding application.

Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

People

- *Outdoor Activity and Sports* – Recreation for everyone

Place

- *Appearance of Places* – Places and buildings

Opportunity

- *Tourism and visitors* – Diverse and interesting experiences

Council Plan 2017-21

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following goals:

People

- A vibrant, connected and safe community

Place

- A healthy, liveable and sustainable city

Opportunity

- A diverse and growing economy

4.2.3 2020-21 Community Infrastructure Stimulus Round Two (Cont.)

The strategies and plans that contribute to these outcomes are as follows:

- Community Wellbeing Plan 2017-2021
- Make Your Move Greater Dandenong Physical Activity Strategy 2020-2030
- Sports Facilities Plan – Implementation Plan 2018

Related Council Policies

Nil

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

There are no current resources included within the Annual Budget for this purpose. Consideration for funding will need to be referred to the next Annual Budget process.

Consultation

The proposed projects are both recommendations from their respective Council endorsed Master Plans for Ross Reserve and Burden Park, that were developed following extensive community and stakeholder consultation.

The scope and design for the Ross Reserve – Synthetic Soccer Pitch has been consulted with the following organisations:

- Noble Park Soccer Club
- Sandown Lions Football Club
- Springvale City Soccer Club
- Football Victoria.

The scope and design for the Burden Park – Tennis Redevelopment has been consulted with the following organisations:

- Burden Park Tennis Club
- Tennis Victoria.

Conclusion

It is proposed that Council re-submit these two applications as part of round two of the Victorian Governments' Community Sports Infrastructure Stimulus Program.

4.2.3 2020-21 Community Infrastructure Stimulus Round Two (Cont.)

Recommendation

That Council:

- 1. re-submits grant applications for: Burden Park, Springvale South – Tennis Club Re-development; and Ross Reserve, Noble Park – Synthetic Soccer Pitch development; and**
- 2. further confirms that the projects are supported, ready to proceed to construction with six (6) months of approval and that Council funding is available within the appropriate timeframes to deliver the project.**

4.2.4 Emergency Management Planning Reform Requirements

File Id:

Responsible Officer:

Director Corporate Services

Report Summary

From 1 December 2020, changes came into effect in the *Emergency Management Act 2013* which provided for municipal level amendments to Municipal Emergency Management Planning Committees. This essentially changes what Municipal Emergency Management Plans (MEMPs) are required to cover, makes changes to municipal emergency management roles and ensures plans are integrated with new multi-agency emergency planning committees.

Recommendation Summary

This report recommends that Council disbands the existing Municipal Emergency Management Planning Committee established under old legislation and authorises the Chief Executive Officer to facilitate the establishment of a new Municipal Emergency Management Planning Committee under new legislation which came into effect on 1 December 2020.

4.2.4 Emergency Management Planning Reform Requirements (Cont.)

Background

Throughout the second half of 2020, Emergency Management Victoria (EMV) has liaised with existing Municipal Emergency Management Planning Committees to prepare them for municipal level amendments which took effect on 1 December 2020. These changes included:

- Responsibility for municipal level planning being transferred from councils to new Multi-agency Municipal Emergency Management Planning Committees (MEMPCs).
- The Municipal Emergency Resource Officer (MERO) no longer has legislative backing. Instead there is a new role of Municipal Emergency Management Officer (MEMO) and the role of Municipal Recovery Manager (MRM) has been formalised. The functions of the MERO will however continue.
- The role of the Municipal Fire Prevention Officer (MFPO) continues under the planning reform but no longer includes a legislated planning function. Instead, fire planning now falls under the new integrated planning arrangements.
- VICSES audits are replaced with a new assurance framework that applies at all planning levels.
- Municipal Emergency Management Plans (MEMPs) are required to cover mitigation, response and recovery, and address the roles and responsibilities of agencies in relation to emergency management. Plans are also intended to be integrated and comprehensive.

The rollout of the new arrangements is beginning first at state level and then at regional and municipal levels. Once all three levels are in place, the arrangements promote a top-down and bottom-up approach so that information from the municipal level informs planning at the regional and state levels and vice versa.

Municipal Emergency Management Planning Committee (MEMPC)

The *Emergency Management Act 2013* (as amended by the *Emergency Management Legislation Amendment Act 2018 – EMLA Act*) transfers responsibility for municipal level planning from councils to new MEMPCs. This reflects significant feedback from councils that councils should not own the plans, but they should be multi-agency plans.

Importantly, it is the responsibility of the Committee as a whole to deliver the emergency management plan and not that of the Chair. Councils will convene and chair the committees which recognises their expertise, networks and ability to coordinate across agencies at this level. However, planning is a shared responsibility of the MEMPC.

Core membership for MEMPCs includes Council, Victoria Police, Country Fire Authority and/or Fire Rescue Victoria, Ambulance Victoria, Victoria State Emergency Service, Australian Red Cross and the Department of Health and Human Services. The MEMPCs also require at least one additional recovery representative, one community representative and one other representative (e.g., industry).

The new MEMPCs will be responsible for integrated emergency management planning for its municipal district including mitigation for fires and other emergencies.

4.2.4 Emergency Management Planning Reform Requirements (Cont.)

Municipal Emergency Management Plans (MEMPs)

Each municipal district is required to have a MEMP that is consistent with the relevant Regional Emergency Management Plan (REMP) and the State Emergency Management Plan (SEMP). Municipal plans should not replicate the Regional Plan or the State Plan. Rather, they should provide specific information tailored to the municipality's context and risk.

MEMPs are required to be developed by the MEMPCs and approved by the relevant Regional Emergency Management Planning Committee (REMPC).

The new arrangements establish an enabling environment that supports collaborative planning and gives flexibility to accommodate the different approaches across Victoria.

MEMPCs may work jointly or in municipal cluster groups to develop common elements of their plans, however, each MEMPC is required to produce an individual plan which addresses their particular circumstances, needs and risks.

EMV has developed an assurance framework for state, regional and municipal levels under the changes made through the *Emergency Management Legislation Amendment Act 2018*.

The municipal planning and audit process will continue as normal until the municipal phase of the EMLA Act which commenced on 1 December 2020 starts to take effect. EMV will work with VICSES to transition from the current audit requirements to the new assurance framework.

Once the municipal phase commences, the relevant REMPC will be responsible for providing assurance and approving the MEMP.

Guidelines for preparing State, Regional and Municipal Emergency Management Plans

The Minister for Police and Emergency Services can issue guidelines to facilitate and support the planning process. A set of planning guidelines for the preparation of emergency management plans will be updated in phases to provide further detail and practical guidance on the planning process, supported by a Resource Library on the EMV website. Guidelines for preparing State, Regional and Municipal Emergency Management Plans will be formally released over time.

Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

People

- *Pride* – Best place best people
- *Lifecycle and Social Support* – The generations supported

4.2.4 Emergency Management Planning Reform Requirements (Cont.)

Place

- *Safety in Streets and Places* – Feeling and being safe

Opportunity

- *Leadership by the Council* – The leading Council

Council Plan 2017-21

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following goals:

People

- A vibrant, connected and safe community

Place

- A healthy, liveable and sustainable city
- A city planned for the future

Financial Implications

There are no financial implications associated with this report.

Consultation

Consultation is required for emergency management plans produced at state, regional and municipal levels. MEMPCs are required to consult the community in developing their MEMPs.

Conclusion

Given the changes to the *Emergency Management Act 2013* by the *Emergency Management Legislation Amendment Act 2018*, Council needs to resolve to disband the existing MEMPC established under old legislation (the *Emergency Management Act 1986*) and authorise the Chief Executive Officer to establish the new MEMPC under the new legislation.

4.2.4 Emergency Management Planning Reform Requirements (Cont.)**Recommendation****That Council:**

1. **authorises the disestablishment of the existing Municipal Emergency Management Planning Committee (MEMPC) established under s21(3)-(5) of the *Emergency Management Act 1986*, in recognition that on 1 December 2020 these provisions were repealed by s82(2) of the *Emergency Management Legislation Amendment Act 2018* and replaced by the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018*;**
2. **authorises the CEO to facilitate the establishment of the MEMPC in accordance with the provisions of s68 of the *Emergency Management Legislation Amendment Act 2018* (which inserted a new 'Part 6-Municipal Emergency Management Planning Committees' into the *Emergency Management Act 2013* from 1 December 2020); and**
3. **notes that, under the MEMPC Terms of Reference and the *Emergency Management Legislation Amendment Act 2018* (which inserted s59 and s59F into the *Emergency Management Act 2013* from 1 December 2020), Council's role is to establish the MEMP Committee. Once established, the Committee exists separately to Council and is not a Delegated Committee or Committee of Council.**

4.2.5 Central and Victor Avenues, Dandenong North - Removal of Reserve Status and sale of Land

File Id:

Responsible Officer:

Director Corporate Services

Attachments:

Central Avenue, Dandenong North - Locality Plan
Central Avenue, Dandenong North - Title Plan

Report Summary

This report provides an update in relation to the removal of the reserve status from the drainage reserve abutting the rear of the properties at 15-35 Central Ave and 18-38 Victor Ave, Dandenong North as shown on the locality plan provided in Attachment 1 (Land) and sale of the land to abutting owners. The land is known as Lots 1-11 on PS838081A contained in Certificate of Title Volume 8943 Folio 280 shown in the plan of subdivision provided in Attachment 2.

Council officers commenced this process after they received a letter of interest from an abutting owner to purchase the land abutting their property.

Recommendation Summary

This report recommends that Council commences the statutory processes to consider a proposal to sell the Land to the abutting owners.

4.2.5 Central and Victor Avenues, Dandenong North - Removal of Reserve Status and sale of Land (Cont.)**Background**

The Land was set aside as a drainage reserve as part of Plan of Subdivision LP12589. The Land appears to be occupied and fenced by the adjoining property owners without the consent of Council.

An abutting owner to the Land has approached Council and requested that they purchase the Land that directly abuts their property. Council has written to abutting owners who occupy the Land at Central Ave to determine their interest in purchasing the abutting Land. At this stage there is only interest from one abutting owner.

Council considered a report in relation to this matter at 28 January 2020 and resolved to proceed with the removal of the reserve status, subdivide the site into 11 lots and commence the statutory procedures associated with the sale of the land.

Officers engaged a land surveyor to act on Council's behalf to lodge a planning permit for subdivision, to remove the reserve status and subdivide the land, under planning permit application number PLN20/0076. As part of the process, Council gave notice of the planning application to the adjoining owners and occupiers of the subject site.

The application received one objection which regarded discrepancies in ownership of the land. Council considered the grounds of the objection as part of the assessment of the planning application and decided to issue a Notice of Decision to Grant a Permit. The objector then submitted an application to VCAT to review Council's decision.

The objector had occupied the land for many years and was concerned that Council would sell the land to an alternative abutting owner. During a preliminary hearing at VCAT, the matter was dismissed and considered as misconceived and that the application for review was not based on planning grounds. After the hearing, Council officers had lengthy discussions with the objector and resolved their concerns. The objector was advised that Council will only offer the land to long term occupiers of the land.

This process took a significant amount of time to resolve and therefore officers provide this report as an update before commencing the statutory procedures to sell the land.

The abutting owner who has expressed interest in purchasing the Land has indicated that they will purchase that part of the Land abutting their property at current market value in accordance with Council's *Disposal or Sale of Council Assets and Land Policy*.

Proposal

It is proposed that Council officers commence the statutory procedures to consider a proposal to sell the Land to the adjoining occupying property owners. This will involve Council giving public notice and considering any submissions received in accordance with Section 189 and 223 of the *Local Government Act 1989* (these parts of the act are still operable and valid at this point in time).

4.2.5 Central and Victor Avenues, Dandenong North - Removal of Reserve Status and sale of Land (Cont.)

Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

After consultation with the Greater Dandenong community on what kind of future they wanted to see for themselves and the City in 2030, the result was the Greater Dandenong Community Plan 'Imagine 2030'. This report is consistent with the following community visions:

Community Plan 'Imagine 2030'

Place

- *Safety in Streets and Places* – Feeling and being safe
- *Appearance of Places* – Places and buildings

Council Plan 2017-21

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four years. This report is consistent with the following goals:

Place

- A healthy, liveable and sustainable city
- A city planned for the future

Related Council Policies

The sale of the Land will be carried out in accordance with Council's Disposal or Sale of Council Asset and Land Policy.

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

Following the public notice process and review of any submissions received, a decision should be considered if the Land is surplus to Council's requirements and is suitable for sale.

Currently, Council has only received interest from one abutting owner and if that part of the Land is sold the purchaser will pay all costs and \$10,200 based upon the market value of the Land. However, Council officers will continue to approach other abutting owners and if further sales can be achieved this will increase the revenue from the project. (Note: the Land currently appears to be occupied and fenced by the adjoining property owners without the consent of Council.)

There are no current resources included within the Annual Budget for this purpose, however costs associated with the proposal will be passed on to the purchaser.

4.2.5 Central and Victor Avenues, Dandenong North - Removal of Reserve Status and sale of Land (Cont.)

Consultation

Should this proposal be adopted then a formal public consultation process will be commenced as required under Section 189 and 223 of the *Local Government Act 1989*.

Council's Commercial Property Unit has consulted with those abutting owners who currently occupy the Land regarding the sale proposal. Also other relevant Council departments have been consulted and have contributed to this report.

The subdivision plan was referred to statutory authorities as part of the subdivision referral process.

Conclusion

It is considered that officers should proceed to give public notice to determine if the Land known as Lot 1-11 PS 838081 at rear of 15-35 Central and 18-38 Victor Avenues, Dandenong North (as shown in the plan provided in Attachment 2) is required.

Recommendation

In order to determine if part of the Land at the rear of 15-35 Central and 18-38 Victor Avenues, Dandenong North, as shown on PS 838081 provided in Attachment 2 is required for public use, Council endorses the following:

- 1. Council officers commence the required statutory processes required which may lead to the sale of the Land, and public notice be given in the newspapers generally circulating in the area of Council's intention to sell the Land to the adjoining occupying property owners;**
- 2. If no submissions are received a further report be provided to Council to determine whether the Land can be sold; and**
- 3. If submissions are received, a Committee comprised of the Ward Councillors be established to hear submissions and submitters be notified of the time and place of that Committee Meeting. Following that Meeting and consideration of submissions, a further report will be provided to Council to determine whether the Land can be sold.**

4.2.5 Central and Victor Avenues, Dandenong North - Removal of Reserve Status and sale of Land (Cont.)

OTHER

**CENTRAL AND VICTOR AVENUES, DANDENONG NORTH – REMOVAL OF
RESERVE STATUS AND SALE OF LAND**

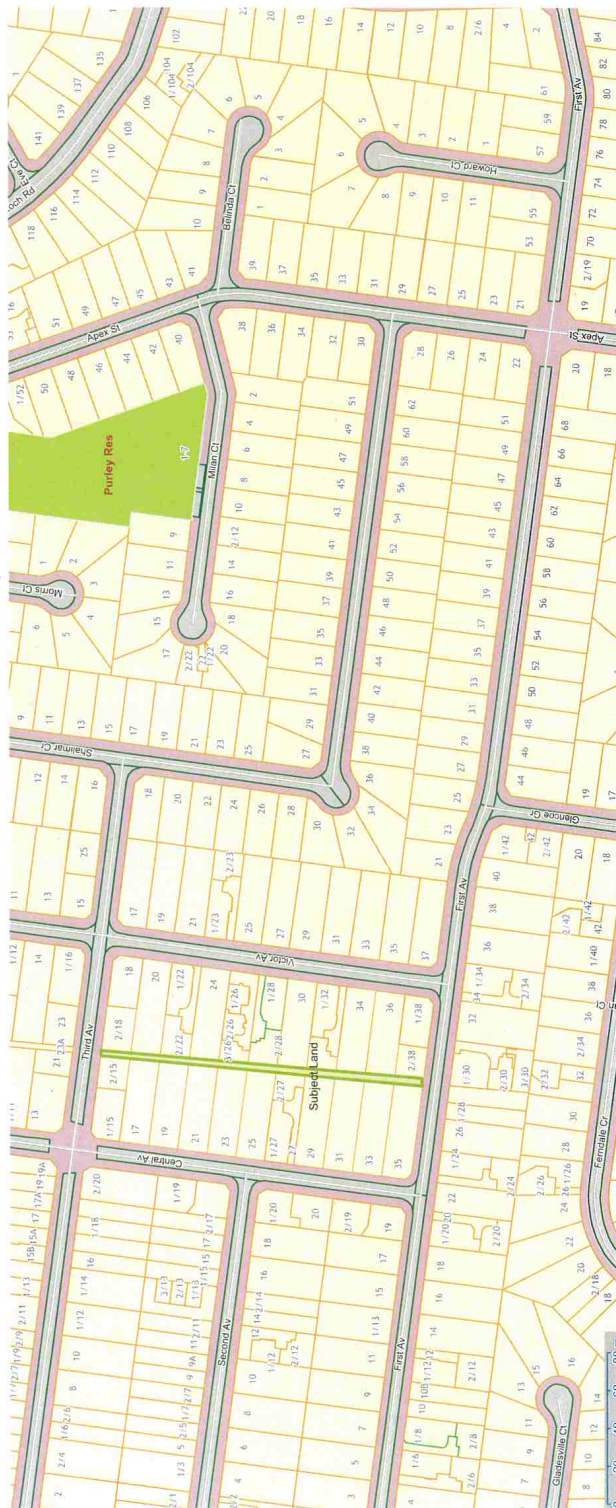
ATTACHMENT 1

**CENTRAL AVENUE, DANDENONG NORTH -
LOCALITY PLAN**

PAGES 2 (including cover)

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

4.2.5 Central and Victor Avenues, Dandenong North - Removal of Reserve Status and sale of Land (Cont.)



4.2.5 Central and Victor Avenues, Dandenong North - Removal of Reserve Status and sale of Land (Cont.)

OTHER

**CENTRAL AND VICTOR AVENUES, DANDENONG NORTH – REMOVAL OF
RESERVE STATUS AND SALE OF LAND**

ATTACHMENT 2

**CENTRAL AVENUE, DANDENONG NORTH -
TITLE PLAN**

PAGES 3 (including cover)


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

ORDINARY COUNCIL MEETING - AGENDA

4.2.5 Central and Victor Avenues, Dandenong North - Removal of Reserve Status and sale of Land (Cont.)

Page 1 of 2

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| TITLE PLAN | | EDITION 1 | TP 902378G | | | | | | |
|---|--|---|---------------------|-----------------------------|--|---|--|----------------------------------|--|
| Location of Land Parish : DANDENONG Township : - Section : - Crown Allotment : - Crown Portion : - Last Plan Reference : LP 12589 Derived From : VOL. 8943 FOL. 280 Depth Limitation : NIL | | Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN | | | | | | | |
| Description of Land/ Easement Information | | | | | | | | | |
| ENCUMBRANCES THE EASEMENTS (if any) existing - - over the above described land by - - virtue of Section 98 of the - - - - - Transfer of Land Act - - - - - | | THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES COMPILED: Date 24/04/07 VERIFIED: A. DALLAS Assistant Registrar of Titles | | | | | | | |
|  <p>FOR DIAGRAM SEE SHEET 2</p> | | | | | | | | | |
| <table border="1" style="width: 100%;"> <thead> <tr> <th colspan="2">TABLE OF PARCEL IDENTIFIERS</th> </tr> </thead> <tbody> <tr> <td colspan="2">WARNING Where multiple parcels are referred to or shown on the Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</td> </tr> <tr> <td colspan="2">LOT 1 = RESERVE (PT) ON LP 12589</td> </tr> </tbody> </table> | | | | TABLE OF PARCEL IDENTIFIERS | | WARNING Where multiple parcels are referred to or shown on the Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 | | LOT 1 = RESERVE (PT) ON LP 12589 | |
| TABLE OF PARCEL IDENTIFIERS | | | | | | | | | |
| WARNING Where multiple parcels are referred to or shown on the Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 | | | | | | | | | |
| LOT 1 = RESERVE (PT) ON LP 12589 | | | | | | | | | |
| LENGTHS ARE IN METRES | | Metres = 0.3048 x Feet Metres = 0.201168 x Links | Sheet 1 of 2 Sheets | | | | | | |

Plan TP902378G

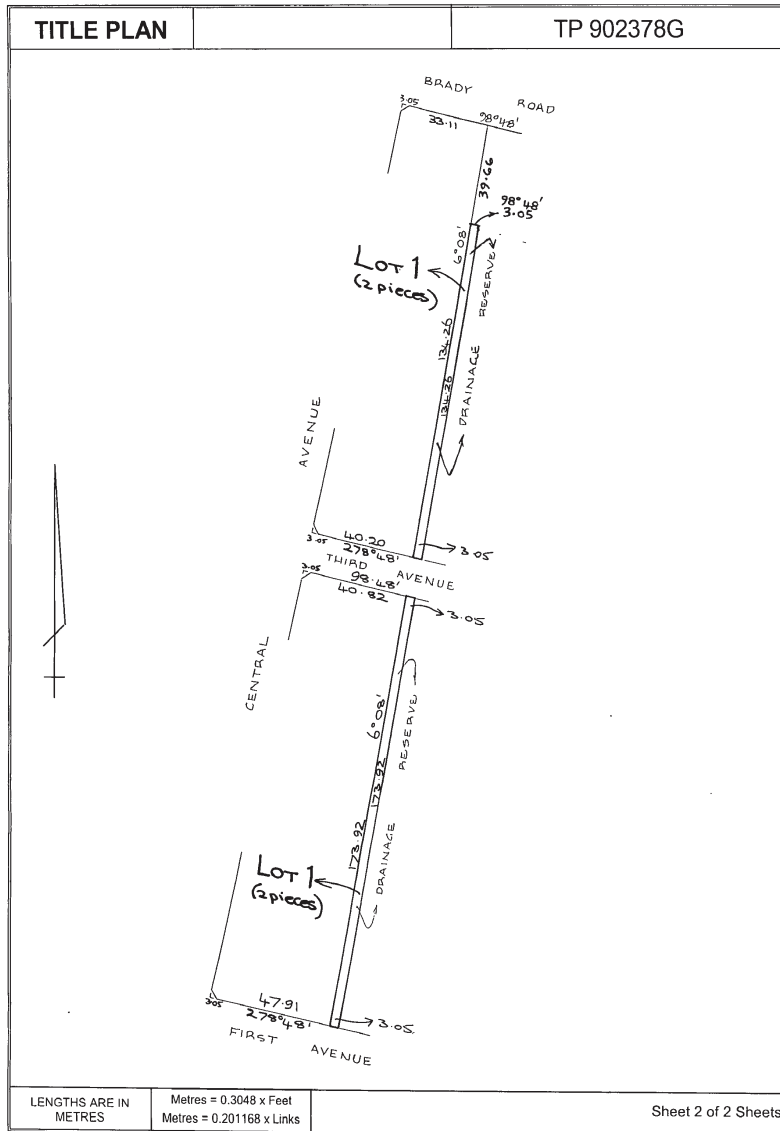
Page 1 of 2

4.2.5 Central and Victor Avenues, Dandenong North - Removal of Reserve Status and sale of Land (Cont.)



Page 2 of 2

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4.2.6 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 14 December 2020

File Id: fA25545

Responsible Officer: Director Corporate Services

Report Summary

As part of Council's ongoing efforts to improve transparency in Council processes, matters discussed at Councillor Briefing Sessions & Pre-Council Meetings (other than those matters designated to be of a confidential nature) are reported on at ordinary Council meetings.

The matters listed in this report were presented to Councillor Briefing Sessions & Pre-Council Meetings in December 2020.

Recommendation Summary

This report recommends that the information contained within it be received and noted.

4.2.6 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 14 December 2020 (Cont.)

Matters Presented for Discussion

| Item | | Councillor Briefing Session/Pre-Council Meeting |
|----------|---|---|
| 1 | <p><i>General Discussion</i></p> <p>Councillors and Council officers briefly discussed the following topics:</p> <p>(a) Relocation of Melbourne City soccer club to the south-east region.</p> <p>(b) Residential development in Hannah Street and ongoing negotiations with developer (CONFIDENTIAL).</p> <p>(c) Status of Council's social media (Twitter).</p> <p>(d) Agenda items for the Council Meeting of 14 December 2020.</p> | <i>14 December 2020</i> |

Apologies

- Councillor Loi Truong submitted an apology for the Pre-Council Meeting on 14 December 2020.

Recommendation

That:

1. the information contained in this report be received and noted; and
2. the information discussed at the above listed Councillor Briefing Session that was declared confidential in item 1(b) under section 3(1) of the *Local Government Act 2020* remains confidential until further advisement unless that information forms the subject of a subsequent Council report.

Item 1(b) was deemed confidential on the grounds that it was council business information that would prejudice Council's position in commercial negotiations if prematurely released.

4.2.7 List of Registered Correspondence to Mayor and Councillors

| | |
|----------------------|--|
| File Id: | qA283304 |
| Responsible Officer: | Director Corporate Services |
| Attachments: | Correspondence Received 7 December 2020 – 15 January 2021 |

Report Summary

Subsequent to resolutions made by Council on 11 November 2013 and 25 February 2014 in relation to a listing of incoming correspondence addressed to the Mayor and Councillors, Attachment 1 provides a list of this correspondence for the period 7 December 2020 - 15 January 2021.

Recommendation

That the listed items provided in Attachment 1 for the period 7 December 2020 - 15 January 2021 be received and noted.

4.2.7 List of Registered Correspondence to Mayor and Councillors (Cont.)

OTHER

**LIST OF REGISTERED CORRESPONDENCE TO
MAYOR AND COUNCILLORS**

ATTACHMENT 1

**CORRESPONDENCE RECEIVED
7 DECEMBER 2020 - 15 JANUARY 2021**

PAGES 3 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

4.2.7 List of Registered Correspondence to Mayor and Councillors (Cont.)**Objective**

CONNECTED. COLLABORATIVE. COMMUNITY.

Correspondences addressed to the Mayor and Councillors received between 07/12/20 & 15/01/21 - for officer action - total = 4

| Correspondence Name | Correspondence Dated | Date Record Created | Objective ID | User Assigned |
|---|----------------------|---------------------|--------------|------------------------|
| A letter to the Mayor from a Mount Waverley resident requesting that a parking infringement obtained in Davuid Street, Dandenong be withdrawn. | 10-Nov-20 | 08-Dec-20 | fA207354 | Mayor & Councillors EA |
| A request to the Mayor from the TWU delegate at Ventura to discuss bus stops at the Dandenong Plaza. | 07-Dec-20 | 08-Dec-20 | fA205210 | Mayor & Councillors EA |
| Advice to the Mayor regarding the parking of an unregistered truck in Inglewood Avenue, Noble Park North causing a traffic hazard for a period of three months. | 10-Dec-20 | 11-Dec-20 | fA205443 | Mayor & Councillors EA |
| A complaint from a resident in Murray Road, Dandenong North in relation to waste collection services. | 30-Dec-20 | 30-Dec-20 | fA206638 | Mayor & Councillors EA |

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

ORDINARY COUNCIL MEETING - AGENDA

4.2.7 List of Registered Correspondence to Mayor and Councillors (Cont.)**Objective**

CONNECTED. COLLABORATIVE. COMMUNITY.

Correspondences addressed to the Mayor and Councillors received between 07/12/20 & 15/01/21 - for information only - total = 8

| Correspondence Name | Correspondence Dated | Date Record Created | Objective ID | User Assigned |
|--|----------------------|---------------------|--------------|------------------------|
| The Hon Jason Wood MP Assistant Minister For Customs Community Safety and Multicultural Affairs - Response Regarding Support for Asylum Seekers and Bridging Visa Holder | | 11-Dec-20 | A7118624 | Mayor & Councillors EA |
| Letter to the Mayor from the Minister for Local Government in relation to the Women Building Surveyors Program. | 11-Dec-20 | 11-Dec-20 | A7135663 | Mayor & Councillors EA |
| Letter to the Mayor from the Deputy Prime Minister regarding the Building Better Region Fund (Round Five) Guidelines published. | 16-Dec-20 | 16-Dec-20 | A7143797 | Mayor & Councillors EA |
| Letter to Mayor from the Director of Citizenship Ceremonies, Department of Home Affairs regarding citizenship ceremonies in 2021. | 17-Dec-20 | 17-Dec-20 | A7149745 | Mayor & Councillors EA |
| Letter from the Lord Mayor of Brisbane in regard to the 2021 Asia Pacific Cities Summit & Mayors' Forum being held in September 2021. | 14-Dec-20 | 21-Dec-20 | A7160475 | Mayor & Councillors EA |
| A thankyou letter from one of the Greater Dandenong volunteers. | 20-Dec-20 | 22-Dec-20 | A7166216 | Mayor & Councillors EA |
| A complaint from a Dandenong South resident regarding an area of nature strip outside their home. | 21-Dec-20 | 22-Dec-20 | A7169355 | Mayor & Councillors EA |
| Letters of congratulations to elected Greater Dandenong Councillors and Mayor. | | 07/12/20-15/01/21 | Various | Mayor & Councillors EA |

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

5 NOTICES OF MOTION

A notice of motion is a notice setting out the text of a motion proposed to be moved at the next relevant meeting. It must be in writing, signed by a Councillor, and be lodged with the Chief Executive Officer in sufficient time for him or her to give each Councillor at least 72 hours notice of such notice.

The guidelines for submitting a notice of motion to a Council meeting are included in the current Governance Rules.

6 REPORTS FROM COUNCILLORS/DELEGATES AND COUNCILLORS' QUESTIONS

At each Ordinary Meeting of Council all Councillors will have the opportunity to speak for exactly four (4) minutes on any meetings, conferences or events they have recently attended.

If a Councillor chooses to speak, the name of the conference/event and the Councillor will be noted in the Minutes for that meeting. If a Councillor requires additional information on the conference/event to be listed in the Minutes, they must submit it in writing to a Member of Governance by 9am the day following the meeting.

Question time is provided to enable Councillors to address questions to the Administration. The guidelines for asking questions at a Council meeting are included in the current Governance Rules.

7 URGENT BUSINESS

No business may be admitted as urgent business unless it:

- a. Relates to or arises out of a matter which has arisen since distribution of the Agenda.
- b. Cannot safely or conveniently be deferred until the next ordinary meeting and unless agreed to by a majority of those Councillors present at the meeting.