



**GREATER  
DANDENONG**  
*City of Opportunity*

# **MINUTES**

**COUNCIL MEETING**

**MONDAY, 12 APRIL 2021**  
Commencing at 7:00 PM

**COUNCIL CHAMBERS**  
225 Lonsdale Street, Dandenong VIC 3175

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## **1 MEETING OPENING**

### **1.1 ATTENDANCE**

#### **Apologies**

Cr Loi Truong

#### **Councillors Present**

Cr Angela Long (Chairperson)

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

#### **Officers Present**

John Bennie PSM, Chief Executive Officer, Mick Jaensch, Director Corporate Services, Jody Bosman, Director City Planning, Design and Amenity, Tilla Buden, Acting Director Community Services, Paul Kearsley, Director Business, Engineering and Major Projects.

## **1.2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND**

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

### **1.3 OFFERING OF PRAYER**

All present remained standing as Venerable Naotunné Vijitha Thero from the Dhamma Sarana Buddhist Temple Keysborough, a member of the Greater Dandenong Interfaith Network, read the opening prayer:

"Whatsoever beings are here assembled, whether terrestrial or celestial, may every being be happy. Moverover, may they attentively listen to my words. Accordingly give good heed all ye beings. Show your loving kindness to humans who day and night, bring offerings to you. Therefore guard them zealously. Whatever treasure there be, either here or in the world beyond or whatever precious jewel in the heavens, yet there is none comparable to the accomplished one. Truly in the Buddha is this precious jewel found. By this truth may there be happiness. That cessation, passion free, immortality supreme, through concentration, the tranquil Sage of the Sakyas realised. There is nought comparable with that Dhamma. Truly in the Dhamma is this precious jewel. By this truth, may there be happiness. That sanctity praised by the Buddha Supreme is described as concentration without interruption. There is nought like that concentration. Truly in the Dhamma is this precious jewel. By this truth may there be happiness. Those eight individuals praised by the virtuous they constitute four pairs. They worthy of offerings are the disciples of the welcome one to these gifts given yield abundant fruit. Truly in the Sangha is this precious jewel. By this truth may there be happiness."

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

Ordinary Meeting of Council held 22 March 2021.

##### **Recommendation**

**That the minutes of the Meeting of Council held 22 March 2021 be confirmed.**

##### **MINUTE 123**

Moved by: Cr Sophie Tan  
Seconded by: Cr Bob Milkovic

**That the minutes of the Meeting of Council held 22 March 2021 be confirmed.**

**CARRIED**

## **1.5 DISCLOSURES OF INTEREST**

Nil.



## **2 OFFICERS' REPORTS - PART ONE**

### **2.1 DOCUMENTS FOR SEALING**

#### **2.1.1 Documents for Sealing**

File Id:	A2683601
Responsible Officer:	Director Corporate Services

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#### **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 two [2] items being presented to Council's meeting of 12 April 2021 for signing and sealing as follows:

1. A letter of appreciation to Colin Robinson for many dedicated years of voluntary service to the Springvale and District Historical Society and the Greater Dandenong community; and
2. A letter of recognition to George Drakopoulos, City Planning, Design and Amenity Services for 10 years of service to the City of Greater Dandenong.

#### **Recommendation**

**That the listed documents be signed and sealed.**

#### **MINUTE 124**

Moved by: Cr Rhonda Garad

Seconded by: Cr Lana Formoso

**That the listed documents be signed and sealed.**

**CARRIED**

## 2.2 DOCUMENTS FOR TABLING

### 2.2.1 Petitions and Joint Letters

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

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### Report Summary

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

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

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

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

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

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

**Petitions and Joint Letters Tabled**

Council received one (1) new submission, one (1) petition update and no joint letters prior to the Council Meeting of 12 April 2021.

- A submission was received from 56 proponents regarding the removal of illegal occupation and activities at Buckingham Avenue, Springvale for the safety of store owners, shoppers and residents of Springvale Central. This submission 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.**

**MINUTE 125**

Moved by: Cr Tim Dark

Seconded by: Cr Bob Milkovic

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

**CARRIED**

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

**DOCUMENTS FOR TABLING**

**PETITIONS AND JOINT LETTERS**

**ATTACHMENT 1**

**PETITIONS AND JOINT LETTERS**

**PAGES 4 (including cover)**

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

ORDINARY COUNCIL MEETING - MINUTES

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

Date Received	Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
2/03/21	<p>• <b>Petition regarding progressing concept design and location survey for the Dandenong Community Hub in 2020/21.</b></p> <p>To the Greater Dandenong Council.</p> <p>That the petitioner below request Council progress immediately the resolution of the Council Meeting of the 14th September 2020; namely that:</p> <p>(1) in the 2020/21 financial year, concept designs for an integrated, intergenerational Dandenong Community Hub with capacity for children services and formal and informal meeting and activity spaces be drawn up and exhibited; and</p> <p>(2) in tandem there be community consultation on the location which will include a range of options including the Clow Street (ie Market) precinct.</p>	406	In progress	<p>Tabled at Council Meeting 9 March 2021</p> <p>2/03/2021 Responsible Officer – Director Community Services</p> <p>2/03/2021 Acknowledgement Email sent to the head petitioner by Governance.</p> <p>16/03/21 Petitioners have been acknowledged. The Dandenong Community Hub and the concept designs were part of the discussions with Councillors at the recent Strategic Planning weekend. The recruitment process for a consultant has commenced and timelines have been developed. Further update will be provided in due course.</p> <p>22/03/21 We have developed a Dandenong Community Hub page on the Council website and will provide regular updates and information there for people to keep in touch with us. There are a number of important steps to progress the development of the Dandenong Community Hub and we are currently in the process of recruiting a consultant to assist us with this important work.</p>

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

ORDINARY COUNCIL MEETING - MINUTES

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

Date Received	• Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
6/04/21	<p><b>Submission to Remove Illegal Occupation at 62 &amp; 64 Buckingham Avenue, Springvale.</b></p> <p>During the past few months we have observed that there are some persons illegally occupying the carpark at the back of the above properties and we are very concerned for our safety, other store owners, shoppers and residents of Springvale Central. Evidence show that they create health hazard through drug use.</p> <p>We the undersigned, are concerned citizens who urge our leaders to act now to remove those persons before someone is seriously hurt through their drug abuse and fire hazard.</p>	56	<b>New</b>	<p>Once they are appointed and we hope that will be in the beginning of April, we will confirm the community engagement plan, including the dates and times for community consultation. This information will be provided to residents and other interested stakeholders consistent with how we promote and provide information on other projects. That will include things like social media, our website, emails, promotions through key organisations.</p> <p>Tabled at Council Meeting 12 April 2021</p> <p>7/04/2021 Responsible Officer – Director City Planning, Design and Amenity</p> <p>7//04/2021 Acknowledgement Email sent to the head petitioner by Governance.</p>

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

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

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## 2.3 STATUTORY PLANNING APPLICATIONS

### 2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268)

File Id:	311680
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Submitted Plan

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#### Application Summary

Applicant:	Yoga Yogaparan, KVT 3 Architects
Proposal:	Sale and consumption of liquor (on-premises licence) in association with a Place of Assembly
Zone:	Industrial 1 Zone
Overlay:	Nil
Ward:	Dandenong

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

Planning permit PLN17/0891.01 was issued for:

- Use and development of the land for the purpose of a Place of Assembly (with ancillary education facility), Office and Food and Drink Premises (Café), a reduction in the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme and alteration to a road in a Road Zone Category 1.

The amendment seeks to include:

- Sale and consumption of liquor (on-premises licence) in association with a Place of Assembly.

A permit is required pursuant under:

- Clause 52.27 (License premises): A planning permit is required to use land to sell or consume liquor.

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

**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

**Advertising Summary**

The application was advertised to the surrounding area through the erection of three (3) on-site notices and the mailing of notices to adjoining and surrounding owners and occupiers.

No objections were received.

**Assessment Summary**

The proposed amendment is not considered to result in adverse amenity impacts on the surrounding area, subject to conditions to ensure that the proposed licensed premises is appropriately controlled and maintained.

**Recommendation Summary**

As assessed, the proposal is consistent with and appropriately responds to the provisions of the Greater Dandenong Planning Scheme. The proposal appropriately responds to strategic policy for the zone, with this report recommending that the application be supported, and that an **Amended Permit** be granted subject to conditions as set out in the recommendation.

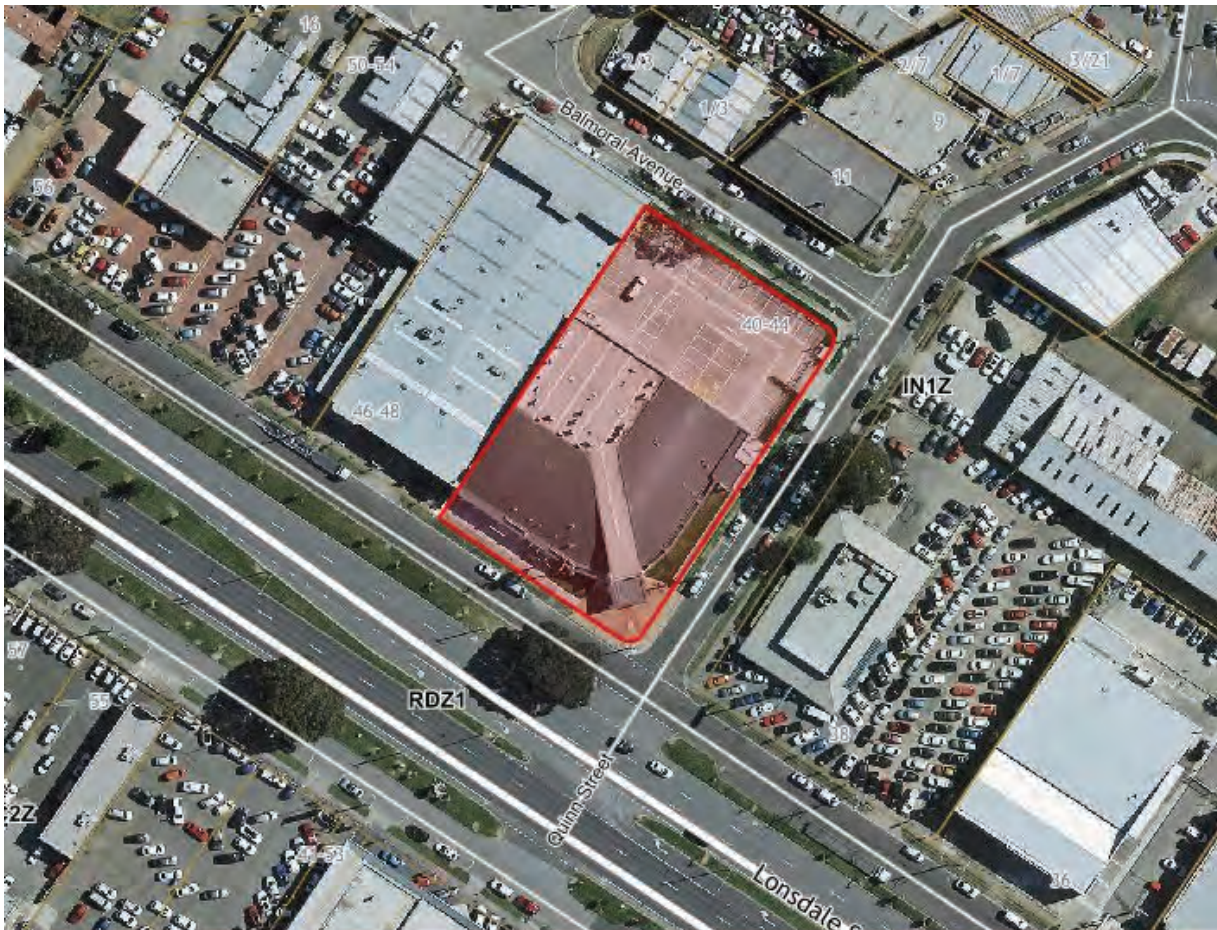


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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

p Subject Site Melways Map 90F10 North é

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



## **Background**

### **Previous Applications**

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

- Planning Permit PLN17/0891 was issued on 4/10/2018 for the use the land for the purpose of a Place of Assembly (with ancillary education facility), Offices and Food and Drink Premises (Café), a reduction in the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme and alteration to a road in a Road Zone Category 1.

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

The permit was amended on 15/8/2019 and the permit renumbered to PLN17/0891.01 with the preamble amended to: **Use and development** of the land for the purpose of a Place of Assembly (with ancillary education facility), Office and Food and Drink Premises (Café), a reduction in the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme and alteration to a road in a Road Zone Category 1.

The Place of Assembly is occupied by the Victorian Tamil Community Centre which uses the ground level as a function centre and the mezzanine floor as an ancillary education centre. The Office and Food and Drink Premises (Café) are separate uses from the Place of Assembly.

The permit restricts the following number of patrons and students for the Place of Assembly (with ancillary education centre):

Place of Assembly

- Monday to Friday
  - 9:00am to 3pm – 40 persons
  - 6:30pm to 10.30pm – 70 persons
- Saturday
  - 9:00am to 3:00pm – 85 persons
  - 3:00pm to 12:00midnight – 260 persons
- Sunday
  - 9am to 12:00midnight – 260 persons

Education Centre

- Monday to Friday
  - 6:30pm to 9.30pm – 45 students
- Saturday & Sunday
  - 9:30am to 3:00pm - 45 students

No more than 10 persons may be permitted on the site at any other times.

**Proposal**

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

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### 2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)

Planning permit PLN17/0891.01 was issued for:

- Use and development of the land for the purpose of a Place of Assembly (with ancillary education facility), Office and Food and Drink Premises (Café), a reduction in the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme and alteration to a road in a Road Zone Category 1.

The amendment seeks to provide the:

- Sale and consumption of liquor (on-premises licence) in association with a Place of Assembly.

Accordingly, the application seeks to amend the preamble to read as follow:

- Use and development of the land for the purpose of a Place of Assembly (with ancillary education facility), Office and Food and Drink Premises (Café) **and sale and consumption of liquor (on-premises licence) in association with a Place of Assembly**, a reduction in the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme and alteration to a road in a Road Zone Category 1.

Liquor is proposed to be served within the ground floor multi-purpose hall, dance floor and stage of the existing Place of Assembly. The proposed hours and number of patrons are as follows:

- Monday to Friday
  - 9:00am to 3pm – 40 persons
  - 6:30pm to 10.30pm – 70 persons
- Saturday
  - 9:00am to 3:00pm – 85 persons
  - 3:00pm to 11:00pm – 260 persons
- Sunday
  - 9am to 11:00pm – 260 persons

The above proposed hours and number of patrons are within the current permitted hours of operation and number of patrons of the existing Place of Assembly.

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

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

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

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

**Financial Implications**

No financial resources are impacted by this report.

**Planning Scheme and Policy Frameworks**

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

- Clause 52.27 (License premises): A planning permit is required to use land to sell or consume liquor.

The relevant controls and policies are as follows:

**Zoning Controls**

The subject site is located in an Industrial 1 Zone, as is the surrounding area to the north, east and west. Land opposite the site's Lonsdale Street is within a Commercial 2 Zone.

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

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

**Overlay Controls**

No overlays affect the subject site or surrounding area.

**Planning Policy Framework**

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

*Economic Development (Clause 17)*

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

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

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

**Local Planning Policy Framework**

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

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

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 is Clause 21.04-2 (Retail, commerce and entertainment).

**Clause 21.04 Land Use**

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

**Particular Provisions**

**Clause 52.06 Car Parking**

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

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

The proposal would not alter the number of patrons permitted by the current permit. Thus, no additional car parking is required.

**Clause 52.27 Licensed Premises**

The purposes of this provision are:

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

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



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### **2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (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.

#### **Council Policy**

##### **Alcohol Management Policy**

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

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

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

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

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

##### **Restrictive Covenants**

There are no restrictive covenants or restrictions on the Certificate of Title to the land.

##### **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.

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

**Community Safety**

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

**Safe Design Guidelines**

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

**Referrals**

**External**

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

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

**Internal**

The application was internally referred to:

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

**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 three (3) signs on the subject site, one (1) facing each abuttal street being Lonsdale Street, Quinn Street and Balmoral Avenue.

The notification has been carried out correctly.

No objections have been received to date.

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### 2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)

#### Assessment

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

#### Use

The site is used as a Place of Assembly by the Victorian Tamil Community Centre which uses the ground level as a function centre and the mezzanine floor as an ancillary education centre. The Office and Food and Drink Premises (Café) are separate uses from the Place of Assembly. The uses were established by Planning Permit PLN17/0891 issued on 4/10/2018 and amended on 15/8/2019 and the permit renumbered to PLN17/0891.01.

The amendment seeks to:

- Sale and consumption of liquor (on-premises licence) in association with a Place of Assembly.

Liquor would only be sold and consumed within the ground floor multi-purpose hall, dance floor and stage.

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

The application including the AMP documentation has been reviewed by Council's Community Services Department who supported the application subject to limiting the

venue's operating hours for ANZAC, Good Friday and Christmas days as outlined and required by the Victorian Commission for Gambling and Liquor Regulation (VCGLR) and that House Rules Policy signage be installed in the venue at public and bathroom entry/exit doors, that includes the following:

- *'Alcohol is not to be consumed in any public places in the municipality such as in the car park and connected areas, and that up to a \$1,000 Local Laws fine applies.'*
- *'The safety and amenity of, pedestrians, businesses, and property in surrounding areas is to be respected upon leaving the premises.'*

Conditions should be included on the permit limiting the hours of the venue as proposed including the hours of operation on ANZAC, Good Friday and Christmas days together with conditions to control the consumption of alcohol on the premises, the display of house rules signs and a Patron Management Plan requiring security guards after 6pm as suggested by Council's Community Services (Conditions 18 to 25).

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

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### **2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

It is considered that the proposal would not result in adverse detriment to the surrounding uses which are general commercial and industrial uses. The nearest residential zone is located 240m to the north.

In accordance with DPCP Practice Note 61 "Licensed Premises: Assessing Cumulative Impact", a cumulative impact assessment is required if

both

the clustering and hours of operation tests are met, specifically, if the premises trades

*after*

11pm; and in an area where there is a 'cluster' of licensed premises. The site is not within an area which form a cluster of licensed premises, and the proposed hours of operation do not exceed 11pm. As such, there is no trigger for the provisions of a cumulative impact assessment

.

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

#### **Car Parking**

The table to Clause 52.06-5 (Car parking – Number of car parking spaces required under Table 1) contains car parking for different uses.

The proposal would not alter the number of patrons permitted by the current permit. Thus, no additional car parking is required.

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

The site adjoins a Road Zone Category 1 (Lonsdale Street) to the south. The preamble of the permit has already included 'alteration to a Road Zone Category 1'. The initial application was referred to VicRoads (now Transport for Victoria) who did not object to the application.

The proposed amendment would not increase the number of patrons on the site nor alter the existing hours of operation. Therefore, it is considered that the proposed does not require a permit under this Clause and that a further referral to Transport for Victoria is not required.

#### **Amendment to Preamble**

The preamble would require to be amended to read as follows:

- Use and development of the land for the purpose of a Place of Assembly (with ancillary education facility), Office and Food and Drink Premises (Café) **and sale and consumption of liquor (on-premises licence) in association with a Place of Assembly**, a reduction in the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme and alteration to a road in a Road Zone Category 1.

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

**Amendments to Conditions**

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

New Conditions 18 to 25

The additional conditions to control the proposed sale and consumption of alcohol will be included as Conditions 18 to 25.

New Condition 26 (expiry date of the permit)

The current Condition 18 (expiry date of the permit) should be renumbered to Condition 26 as a result of the additional conditions 18 to 25.

**Amendments to Plans**

The submitted plan and Alcohol Management Plan are to be endorsed to form part of the amended permit. However, as a Patron Management Plan is required to incorporate security guards, the plans are not to be endorsed at this stage until the Patron Management Plan is submitted.

**Conclusion**

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

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

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

<b>Date amended:</b>	<b>Brief description of amendments</b>
[insert date of approval]	Amendments to Permit pursuant to Section 72 of the Act as follow: <ul style="list-style-type: none"><li>• Preamble: Amended to include the sale and consumption of liquor (on-premises licence) in association with a Place of Assembly</li><li>• New Conditions 18 to 25 included to the permit.</li><li>• The current Condition 18 (Expiry of permit) renumbered to Condition 26.</li></ul>

**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)****Recommendation**

That Council resolves to Grant an amended permit in respect of the land known and described as 40-44 Lonsdale Street, Dandenong for the use and development of the land for the purpose of a Place of Assembly (with ancillary education facility), Office and Food and Drink Premises (Café) and sale and consumption of liquor (on-premises licence) in association with a Place of Assembly, a reduction in the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme 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:

For ease of reference, this permit is to be renumbered to PLA20/0268. The plans are not to be endorsed at this stage. The initial permit is to be superseded pursuant to Section 74 of the *Planning and Environment Act 1987*.

1. Prior to the endorsement of plans, two (2) copies of amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. The use must not commence until the plans have been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit. The plans must be in accordance with the plans submitted with the application, but modified to show:

- 1.1. At least 2 bicycle rails (4 spaces) must be provided on the site.....

All to the satisfaction of the Responsible Authority.

2. Except with the prior written consent of the Responsible Authority, the layout of the use(s) shown on the endorsed plan/s must not be altered.
3. Except with the prior written consent of the Responsible Authority, the approved use must not commence and the land must not be occupied until all conditions of this permit have been complied with.
4. The Education Centre must be an ancillary use to the Place of Assembly. The Education Centre must cease operation if the site ceases to operate as a Place of Assembly.
5. The Place of Assembly with ancillary education centre must only operate during the following hours with the following maximum number of persons:

**Place of Assembly**

- Monday to Friday
  - 9:00am to 3pm – 40 persons
  - 6:30pm to 10.30pm – 70 persons.

**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

- **Saturday**
  - 9:00am to 3:00pm – 85 persons
  - 3:00pm to 12:00midnight – 260 persons.
- **Sunday**
  - 9am to 12:00midnight – 260 persons.

**Education Centre**

- **Monday to Friday**
  - 6:30pm to 9.30pm – 45 students.
- **Saturday & Sunday**
  - 9:30am to 3:00pm - 45 students.

**No more than 10 persons may be permitted on the site at any other times.**

**Unless with the further written consent of the Responsible Authority.**

6. **The amenity of the area must not be detrimentally affected by the use or development on the land, through the:**
  - 6.1. **Transport of materials, goods or commodities to and from the land;**
  - 6.2. **Appearance of any buildings and works;**
  - 6.3. **Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;**
  - 6.4. **Activities of persons to and from the site;**

**All to the satisfaction of the Responsible Authority.**
7. **Goods, materials, equipment and the like associated with the use of the land must not be displayed or stored outside of the building in view of the public.**
8. **No external public address system shall be installed or otherwise operated on the site, unless with the further written consent of the Responsible Authority.**

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

- 9. Bins or other receptacles for any form of rubbish or refuse must not be placed or allowed to remain in view of the public and offensive smell must not be emitted from any such receptacle.**
- 10 The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of Responsible Authority.**
- 11. Prior to the commencement of use, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:**
  - 11.1. Constructed in accordance with the endorsed plan/s.**
  - 11.2. Properly formed to such levels that they can be used in accordance with the plans.**
  - 11.3. Surfaced with an all-weather sealcoat.**
  - 11.4. Drained to the legal point of discharge.**
  - 11.5. Line-marked to indicate each car space and all access lanes.**

**Parking areas and access lanes must be kept available for these purposes at all times.**
- 12. The car parking provided on the land must always be available for use by persons employed on, or visiting, the premises. Access to the car park must not be restricted for such persons.**
- 13. The car parking area must be lit if in use of hours of darkness, and all lights must be designed, fitted with suitable baffles and located to prevent any adverse effect on adjoining land, all to the satisfaction of the Responsible Authority.**
- 14. The loading and unloading of goods from or to vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land, all to the satisfaction of the Responsible Authority.**
- 15. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with State Environment Protection Policy N-2 Control of Music Noise from Public Premises.**
- 16. External sound amplification equipment and loud speakers must not be used for the purpose of announcement, broadcast, playing of music or similar purpose.**



**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

17. **Any public address system installed or used on the premises must not be audible from outside the land and such equipment must only be used for safety purposes.**
  
18. **The sale and consumption of liquor must only occur between the following hours:**
  - **Monday to Friday**  
9:00am to 3pm – 40 persons  
6:30pm to 10.30pm – 70 persons.
  - **Saturday**  
9:00am to 3:00pm – 85 persons  
3:00pm to 11:00pm – 260 persons.
  - **Sunday**  
9am to 11:00pm – 260 persons.
  - **Good Friday, ANZAC and Christmas days**  
12noon to 11pm.
  
19. **The sale and consumption of liquor must comply with the endorsed Alcohol Management Plan at all times, to the satisfaction of the Responsible Authority.**
  
20. **All rubbish from the premises must be immediately collected and disposed of in an appropriate receptacle to the satisfaction of the Responsible Authority.**
  
21. **The operator or security staff of the premises must take reasonable steps to ensure that patrons leaving the premises act in an orderly manner and to the extent reasonably practicable must discourage patrons from loitering within the vicinity of surrounding residences.**
  
22. **At all times when the approved use is operating, a person over the age of 18 years (Manager) must be present at the premises. The Manager must ensure that activities on the land and the conduct of persons entering, leaving and present on the land do not have a detrimental impact on the amenity of the area to the satisfaction of the Responsible Authority.**
  
23. **The operator must authorise the Manager on behalf of the operator to make statements at any time to any officer of the Responsible Authority, the Victoria Police or an authorised person defined under the Liquor Control Reform Act 1998 and to take action in accordance with a direction by such officer.**

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

24. House Policy signage must be displayed prominently at all times the use is operating in the venue at public and bathroom entry/exit doors, that includes the following:
- *‘Alcohol is not to be consumed in any public places in the municipality such as in the car park and connected areas, and that up to a \$1,000 Local Laws fine applies.’*
  - *‘The safety and amenity of, pedestrians, businesses, and property in surrounding areas is to be respected upon leaving the premises.’*

25. Prior to the sale and consumption of liquor, a Patron Management Plan must be submitted to, and approved by the Responsible Authority, and include the following when functions are being held:

- 25.1. Two (2) licensed and registered security guards employed for the first 100 patrons on Saturday and Sunday nights from 6pm.
- 25.2. One (1) security guard employed for each 100 patrons thereafter, or part thereof.
- 25.3. One (1) security guard is to monitor and direct safe visitor dispersal for 30 minutes after close of business.

When the venue is not hired as a function venue, the Patron Management Plan must include:

- 25.4. Two (2) licensed and registered security guards employed on Saturday and Sunday nights from 6pm.
- 25.5. One (1) security guard is to monitor and direct safe visitor dispersal for 30 minutes after close of business.

26. This permit will expire if:

- 26.1. The use does not start within two (2) years of the date of this amended permit;
- 26.2. the use is discontinued for a period of two (2) years.

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

**Notes:**

- Except where no permit is required under the provisions of the Planning Scheme, no sign, flashing or intermittent lights, bunting or advertising device may be erected or displayed on the land without the permission of the Responsible Authority.
- Prior to the erection of any advertising signs on the land, consultation should be made with officers of the Town Planning Department to determine the relevant Planning Scheme Controls.

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

- **A building approval may be required prior to the commencement of the approved works.**

## **MINUTE 126**

Moved by: Cr Tim Dark

Seconded by: Cr Jim Memeti

**That Council resolves to Grant an amended permit in respect of the land known and described as 40-44 Lonsdale Street, Dandenong for the use and development of the land for the purpose of a Place of Assembly (with ancillary education facility), Office and Food and Drink Premises (Café) and sale and consumption of liquor (on-premises licence) in association with a Place of Assembly, a reduction in the car parking requirement under Clause 52.06 of the Greater Dandenong Planning Scheme 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:**

**For ease of reference, this permit is to be renumbered to PLA20/0268. The plans are not to be endorsed at this stage. The initial permit is to be superseded pursuant to Section 74 of the *Planning and Environment Act 1987*.**

- 1. Prior to the endorsement of plans, two (2) copies of amended plans drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. The use must not commence until the plans have been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit. The plans must be in accordance with the plans submitted with the application, but modified to show:
  - 1.1. At least 2 bicycle rails (4 spaces) must be provided on the site.....**  
**All to the satisfaction of the Responsible Authority.****
- 2. Except with the prior written consent of the Responsible Authority, the layout of the use(s) shown on the endorsed plan/s must not be altered.**
- 3. Except with the prior written consent of the Responsible Authority, the approved use must not commence and the land must not be occupied until all conditions of this permit have been complied with.**
- 4. The Education Centre must be an ancillary use to the Place of Assembly. The Education Centre must cease operation if the site ceases to operate as a Place of Assembly.**

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

5. **The Place of Assembly with ancillary education centre must only operate during the following hours with the following maximum number of persons:**

**Place of Assembly**

- **Monday to Friday**  
9:00am to 3pm – 40 persons  
6:30pm to 10.30pm – 70 persons.
- **Saturday**  
9:00am to 3:00pm – 85 persons  
3:00pm to 12:00midnight – 260 persons.
- **Sunday**  
9am to 12:00midnight – 260 persons.

**Education Centre**

- **Monday to Friday**  
6:30pm to 9.30pm – 45 students.
- **Saturday & Sunday**  
9:30am to 3:00pm - 45 students.

**No more than 10 persons may be permitted on the site at any other times.**

**Unless with the further written consent of the Responsible Authority.**

6. **The amenity of the area must not be detrimentally affected by the use or development on the land, through the:**
- 6.1. **Transport of materials, goods or commodities to and from the land;**
  - 6.2. **Appearance of any buildings and works;**
  - 6.3. **Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;**
  - 6.4. **Activities of persons to and from the site;**

**All to the satisfaction of the Responsible Authority.**

**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

- 7. Goods, materials, equipment and the like associated with the use of the land must not be displayed or stored outside of the building in view of the public.**
- 8. No external public address system shall be installed or otherwise operated on the site, unless with the further written consent of the Responsible Authority.**
- 9. Bins or other receptacles for any form of rubbish or refuse must not be placed or allowed to remain in view of the public and offensive smell must not be emitted from any such receptacle.**
- 10 The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of Responsible Authority.**
- 11. Prior to the commencement of use, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:**
  - 11.1. Constructed in accordance with the endorsed plan/s.**
  - 11.2. Properly formed to such levels that they can be used in accordance with the plans.**
  - 11.3. Surfaced with an all-weather sealcoat.**
  - 11.4. Drained to the legal point of discharge.**
  - 11.5. Line-marked to indicate each car space and all access lanes.**

**Parking areas and access lanes must be kept available for these purposes at all times.**
- 12. The car parking provided on the land must always be available for use by persons employed on, or visiting, the premises. Access to the car park must not be restricted for such persons.**
- 13. The car parking area must be lit if in use of hours of darkness, and all lights must be designed, fitted with suitable baffles and located to prevent any adverse effect on adjoining land, all to the satisfaction of the Responsible Authority.**
- 14. The loading and unloading of goods from or to vehicles must only be carried out on the land within the designated loading bay and must not disrupt the circulation and parking of vehicles on the land, all to the satisfaction of the Responsible Authority.**

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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

- 15. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with State Environment Protection Policy N-2 Control of Music Noise from Public Premises.**
- 16. External sound amplification equipment and loud speakers must not be used for the purpose of announcement, broadcast, playing of music or similar purpose.**
- 17. Any public address system installed or used on the premises must not be audible from outside the land and such equipment must only be used for safety purposes.**
- 18. The sale and consumption of liquor must only occur between the following hours:**
  - Monday to Friday**
    - 9:00am to 3pm – 40 persons**
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  - Saturday**
    - 9:00am to 3:00pm – 85 persons**
    - 3:00pm to 11:00pm – 260 persons.**
  - Sunday**
    - 9am to 11:00pm – 260 persons.**
  - Good Friday, ANZAC and Christmas days**
    - 12noon to 11pm.**
- 19. The sale and consumption of liquor must comply with the endorsed Alcohol Management Plan at all times, to the satisfaction of the Responsible Authority.**
- 20. All rubbish from the premises must be immediately collected and disposed of in an appropriate receptacle to the satisfaction of the Responsible Authority.**
- 21. The operator or security staff of the premises must take reasonable steps to ensure that patrons leaving the premises act in an orderly manner and to the extent reasonably practicable must discourage patrons from loitering within the vicinity of surrounding residences.**

**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

22. At all times when the approved use is operating, a person over the age of 18 years (Manager) must be present at the premises. The Manager must ensure that activities on the land and the conduct of persons entering, leaving and present on the land do not have a detrimental impact on the amenity of the area to the satisfaction of the Responsible Authority.
23. The operator must authorise the Manager on behalf of the operator to make statements at any time to any officer of the Responsible Authority, the Victoria Police or an authorised person defined under the Liquor Control Reform Act 1998 and to take action in accordance with a direction by such officer.
24. House Policy signage must be displayed prominently at all times the use is operating in the venue at public and bathroom entry/exit doors, that includes the following:
- *‘Alcohol is not to be consumed in any public places in the municipality such as in the car park and connected areas, and that up to a \$1,000 Local Laws fine applies.’*
  - *‘The safety and amenity of, pedestrians, businesses, and property in surrounding areas is to be respected upon leaving the premises.’*
25. Prior to the sale and consumption of liquor, a Patron Management Plan must be submitted to, and approved by the Responsible Authority, and include the following when functions are being held:
- 25.1. Two (2) licensed and registered security guards employed for the first 100 patrons on Saturday and Sunday nights from 6pm.
- 25.2. One (1) security guard employed for each 100 patrons thereafter, or part thereof.
- 25.3. One (1) security guard is to monitor and direct safe visitor dispersal for 30 minutes after close of business.
- When the venue is not hired as a function venue, the Patron Management Plan must include:
- 25.4. Two (2) licensed and registered security guards employed on Saturday and Sunday nights from 6pm.
- 25.5. One (1) security guard is to monitor and direct safe visitor dispersal for 30 minutes after close of business.
26. This permit will expire if:
- 26.1. The use does not start within two (2) years of the date of this amended permit;
- 26.2. the use is discontinued for a period of two (2) years.

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

**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

**Notes:**

- Except where no permit is required under the provisions of the Planning Scheme, no sign, flashing or intermittent lights, bunting or advertising device may be erected or displayed on the land without the permission of the Responsible Authority.
- Prior to the erection of any advertising signs on the land, consultation should be made with officers of the Town Planning Department to determine the relevant Planning Scheme Controls.
- A building approval may be required prior to the commencement of the approved works.

**CARRIED**



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**2.3.1 Town Planning Application - No. 40-44 Lonsdale Street, Dandenong (Planning Application PLA20/0268) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 40-44 LONSDALE STREET,  
DANDENONG (PLANNING APPLICATION PLA20/0268)**

**ATTACHMENT 1**

**SUBMITTED PLAN**

**PAGES 2 (including cover)**

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



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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01)

File Id:	377100
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Assessed plans Planning permit PLN17/0039 and endorsed plans

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***This report was deferred at the Council Meeting of 30 November 2020 so further clarification could be sought. More information has been added and it is now tabled again for Council's consideration.***

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#### Application Summary

Applicant:	KX Architecture Pty Ltd
Proposal:	AMENDMENT TO planning permit PLN17/0039 which allowed for the use of the site for a function centre, buildings and works associated with the use of the site for a function centre, the reduction in car parking requirements, the wavier of bicycle facilities, the sale and consumption of liquor and advertising signage.  This amendment seeks to increase patron numbers.
Zone:	Commercial 2 Zone, abuts RDZ1 (Princes Hwy)
Overlay:	No overlay
Ward:	Dandenong

This application is brought before the Council because Council's Instrument of Delegation requires all liquor licence application decisions (with the exception of those associated with a food and drink premises) to be determined by Council.

The application was brought before the Council at the meeting on 30 November 2020. The application was deferred pending further amendments to existing permits for the indoor recreation centre at 41 Princes Highway, which shares the car park with the function centre. This will be further discussed in the Consultation section below.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

The application is seeking to amend planning permit PLN17/0039 to allow an increase in the maximum patron numbers permitted on site within Alencia function centre at 39 Princes Highway, Dandenong South.

A planning permit is required under the following clauses of the Greater Dandenong Planning Scheme:

- Pursuant to Clause 34.02-1 (Commercial 2 Zone), a planning permit is required for use of a land for a function centre.
- Pursuant to Clause 34.02-4 (Commercial 2 Zone), a planning permit is required for buildings and works.
- Pursuant to Clause 52.27, a planning permit is required for the sale and consumption of liquor.
- Pursuant to Clause 52.06-3, a planning permit is required for to reduce the number of car parking spaces required under Clause 52.06-5.
- Pursuant to Clause 52.05, a planning permit is required for to display advertising signage.
- Pursuant to Clause 52.29, a planning permit is required for to alter access to a road in a RDZ1.

### Objectors Summary

The application was advertised to the surrounding area through the erection of a notice on-site notices and the mailing of notices to adjoining and surrounding owners and occupiers. Zero (0) objections were received to the application.

### Assessment Summary

The application proposes a significant increase in maximum patron numbers. 384 additional patrons are proposed Monday- Friday during the day, 160 additional patrons are proposed Monday-Friday evenings, 494 additional patrons are proposed Saturday and Sunday during the day and 270 additional patrons are proposed Saturday and Sunday evenings. The proposed patron numbers are considered unacceptable due to the lack of on-site car parking and lack of alternative transport options available.

However, based on the out-of-hours car parking supply for the existing uses within the same site, it is considered that a smaller increase in patron numbers could be supported. Therefore, this report recommends that an amended permit be issued, with conditions amended to reflect an acceptable number of patrons to a lesser extent than applied for.

### Recommendation Summary

As assessed and subject to permit conditions, the proposal is consistent with and appropriately responds to the provisions of the Greater Dandenong Planning Scheme. This report recommends that an **Amended Permit** be granted subject to conditions as set out in the recommendation.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

**Subject Site and Surrounds**

**Subject Site**

- The subject site is located on the southern side of Princes Highway in Dandenong South.
- The lot is rectangular with a frontage of approximately 189 metres to Princes Highway and depth of approximately 67 metres, yielding an overall site area of approximately 13,570 square metres.
- The lot is a corner allotment with a western frontage to Progress Street.
- The lot is currently developed with 3 individual buildings (37-41 Princes Hwy).
- 37 Princes Hwy is developed with a single storey commercial building currently used for retail sales (Paint Spot and a baby accessories store) with a direct frontage and orientation to Progress Street.
- 39 Princes Hwy is the proposed building currently developed with a single storey building previously used as a bowling ally.
- 41 Princes Hwy located on the western side of the site is currently used and developed as an indoor recreation facility (Hoops Sports Centre).
- Parking is located surrounding the buildings to the north, east and west consisting of 200 car spaces shared by all three buildings.
- Access to the site is via crossover from Princes Highway and secondary access point from Progress Street.

**Surrounding Area**

- The surrounding area is developed with commercial and industrial buildings with land to the east, south and west adjoining the site zoned C2Z, whilst on the northern side of Princes Highway (RDZ1) the land is zoned IN1Z.
- Eumemmerring Creek is located to the west of the site approximately 76m from the subject site.
- Further to the north/east approximately 250m from the subject site are residential dwellings.

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

Locality Plan



**Background**

**Previous Applications**

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

**39 Princes Highway:**

- Planning Permit PLN17/0039 was issued on 27/09/2017 for the 'Use of the site for a function centre, buildings and works, the reduction in car parking requirements, the sale and consumption of liquor and advertising signage'. The plans (Sheets 1 to 12 of 12) were endorsed to the Permit on 25/01/2018. Sheets 1, 2, 6 and 7 of 12 were amended via secondary consent on 23/03/2018.
- Planning Permit PLN01/0776 was issued on 05/03/2002 for Subdivision (5 lots). This permit has now expired.
- Planning Permit 99/572 was issued on the 11/02/2000 to use the existing Bowling Centre as a Place of Assembly (being a bowling centre with a bar and dining room facilities) incorporating On-Premises Liquor License. This permit has now expired.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

- Planning Permit 99/450 was issued in 1999 to carry out buildings and works (construction of a covered children's play area and toilet for the existing bowling centre).
- Planning Permit 2001/0120 was issued on the 02/07/2002 to use the existing premises for the purpose of office (Therapeutic Massage / Natural Therapies Centre) and an associated Education Centre (Therapeutic Massage Training School) together with associated signage. This permit has now expired.

**41 Princes Highway:**

- PLA20/0302 was issued on 26/02/2021. PLA20/0302 is an amendment to PLN15/0744.01. This amendment reduced patron numbers on a Friday, Saturday and Sunday night from 50, down to 15 (including staff).
- Planning Permit PLN15/0744.01 was issued on 03/11/2016 for the use and development of the land for a restricted recreation facility, business identification signage, an internally illuminates sign and a flood lit sign, and amended on 1/8/2017. Plans were endorsed on 1/8/2017.
- Planning permit PLN11/0655 was issued on 13/10/2011 for 'use the land for the purpose of an Aquarium with associated feeding of, and recreational activities involving, aquatic animals, and the erection and display of internally illuminated and non-illuminated business identification signage, all in accordance with the endorsed plans'. The plans were endorsed on 25/11/2011. This permit has now expired.
- Planning Permit BW384 issued on 15/3/1983 by the former City of Berwick allowing the erection of a building complex to be used as an indoor cricket centre.
- Planning Permit PLN05/0829 was issued on 07/12/2005 for the 'Use of the site for the purposes of an indoor recreation facility (indoor skating centre), with associated car parking, all in accordance with the endorsed plans'. The plans were subsequently endorsed on 21/12/2005. This permit has now expired.

**37 Princes Highway**

- Planning permit PLN03/0799 issued 12/01/2004 for a Sign (internally illuminated).
- Planning Permit PLN18/0261 issued 19/07/2018 for the development of the land for a Takeaway Food Premises (food van) and a reduction in the car parking requirement. Plans were endorsed on 30/8/2018.

**Proposal**

The proposal is a request to amend Planning Permit PLN17/0039 which granted permission for the use of the building at 39 Princes Highway as a function centre; buildings & works; the reduction in car parking requirements; the sale and consumption of liquor, and advertising signage.

The application seeks to amend conditions 1 and 5 to allow an increase in the number of patrons. The application also seeks to amend the endorsed plans to refer to the increased patron numbers.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

**Condition 1**

The condition 1 currently reads as follows:

*Before the development starts, two (2) copies of amended plans (at least A1 size plans) drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plan/s have been approved and endorsed by the Responsible Authority. The endorsed copy of the plan/s forms part of this permit. The plans must be in accordance with the plans submitted with the application but modified to show:*

*The number of patrons restricted to a maximum of:*

- *Monday to Sunday - 9.00am to 5.00pm - maximum patron numbers of 226*
- *Monday to Sunday - 6.00pm to 12.00am - maximum patron numbers of 420*

*All to the satisfaction of the Responsible Authority.*

It is proposed by the applicant that condition 1 be amended to read as follows:

*Before the development starts, two (2) copies of amended plans (at least A1 size plans) drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plan/s have been approved and endorsed by the Responsible Authority. The endorsed copy of the plan/s forms part of this permit. The plans must be in accordance with the plans submitted with the application but modified to show:*

*The number of patrons restricted to a maximum of:*

- *610 patrons Monday to Friday between 9am to 12am;*
- *590 patrons Saturday to Sunday between 9am to 5pm;*
- *720 patrons Saturday to Sunday between 5pm to 12am.*

*All to the satisfaction of the Responsible Authority.*

**Condition 5**

The condition 5 currently reads as follows:

*Not more than;*

- *226 patrons Monday to Sunday between 9.00am to 5.00pm;*
- *420 patrons Monday to Sunday between 6.00pm and 12.00am; and*
- *a maximum of 20 staff at any one time*

*shall be present on the premises at any one time, unless with the written consent of the Responsible Authority.*



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### **2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

It is proposed by the applicant that condition 5 be amended to read as follows:

*Not more than*

- *610 patrons Monday to Friday between 9am to 12am;*
- *590 patrons Saturday to Sunday between 9am to 5pm;*
- *720 patrons Saturday to Sunday between 5pm to 12am.*

*shall be present on the premises at any one time, unless with the written consent of the Responsible Authority.*

#### **Plans**

It is proposed to amend the endorsed ground floor plan and the Alcohol Management Plan to reflect the increase in patron numbers noted above.

All other plans, including the Patron Management Plan are proposed to remain unchanged.

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

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

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

#### **Financial Implications**

No financial resources are impacted by this report.

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

The applicant has applied for an amendment to Planning Permit PLN17/0106 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.*

The relevant controls and policies are as follows:

#### **Zoning Controls**

The subject site is located in a Commercial 2 Zone.

The purpose of the Commercial 2 Zone outlined at Clause 34.02 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

Pursuant to Clause 34.02-1 (Commercial 2 Zone), a planning permit is required for use of a land for a function centre.

Pursuant to Clause 34.02-4 (Commercial 2 Zone), a planning permit is required for buildings and works.

**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).*
- (fa) to facilitate the provision of affordable housing in Victoria.*
- (g) To balance the present and future interests of all Victorians.*

In order to achieve those objectives, there are a number of more specific objectives contained within the 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.

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### **2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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.*

#### **Clause 21.05 – Built Form**

is of note to the application with the following objectives and strategies considered relevant to the proposal:

##### **21.05-1 Urban design, character, streetscapes and landscapes**

Objective

9. To ensure a co-ordinated approach to sign design and placements, in commercial, industrial, residential areas and along road corridors.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

Strategies

9.1 Ensure that the design and placement of new signs considers the cumulative impact of existing signs on the host building, adjoining buildings and the streetscape.

9.2 Encourage signs in appropriate areas to include English and one other language reflecting the cultural aspect of the locality.

9.3 Ensure major promotion and sky signs along road corridors are appropriately spaced so as not to dominate the overall setting and to minimise impact on viewing corridors/major view lines.

9.4 Ensure signs in residential areas do not dominate the building, the site and the streetscape.

**Clause 22.11 – Advertising signs policy.** Advertising signs play an important role within the built environment to identify premises, advertise a product or to promote a business. Signs can add visual interest to the façade of a building adding vibrancy and colour to activity centres. A balance between the extent of signage and size of the signs and built form is critical to prevent a clustering of signage which can degrade the character of streetscapes and public spaces.

The objectives of Clause 22.11 are;

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

**Particular Provisions**

**Clause 52.27 – Licensed Premises**

The purposes of this provision are:

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

Pursuant to Clause 52.27, a planning permit is required for the sale and consumption of liquor.

**Clause 52.05 – Advertising Signs**

The purposes of this provision are:

- *To regulate the display of signs and associated structures.*
- *To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

Clause 52.05-1 notes that Clauses 52.05-7 to 52.05-10 specify categories of advertising control. These categories each contain three (3) sections, sign types not requiring permits, those requiring permits, and those that are prohibited.

Clause 52.05-9 – Category 1 (Commercial Areas) – minimum limitation. The following purpose is noted:

*To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.*

Pursuant to Clause 52.05, a planning permit is required to display advertising signage.

**Clause 52.06 Car parking**

The purpose of this provision are:

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

Pursuant to Clause 52.06-3, a planning permit is required to reduce 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.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

**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, a planning permit is required for to reduce the bicycle facilities required under Clause 52.34-3 and Clause 52.34-4.

**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**

There are no restrictive covenants registered on title.

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

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

**Diversity (Access & Equity)**

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

**Community Safety**

It is considered that there would be no adverse community safety implications in permitting the proposal provided that it is in accordance with the limitations proposed by the officer assessment and subject to strict conditions on any planning permit issued per the officer recommendation.

**Safe Design Guidelines**

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

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

### **Referrals**

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

- Transport for Victoria- No objection, no conditions

Notice of the proposal under Section 52 of the of the Planning and Environment Act 1987 was given to the following external authorities:

- Victoria Police- No objection.

### **Internal**

The application was internally referred to Council's Transport Department as well as the Community Services Department for their consideration. The comments provided were considered in the assessment of the application.

- Transport Planning- Concerns raised in relation to the maximum patron numbers proposed. Smaller maximum patron numbers recommended.
- Community Services- Concerns raised in relation to the maximum patron numbers proposed. Smaller maximum patron numbers recommended. Permit conditions in relation to tightening security arrangements recommended.

### **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 zero (0) objection to date.

### **Consultation**

This application was brought before the Council at the Council meeting on 30 November 2020, with a recommendation to grant a permit with reduced patron numbers to what was proposed. The application was deferred pending further discussion and amendments to the maximum patron numbers permitted within the indoor recreation centre at 41 Princes Highway, which shares the car parking area. The owner of the land subsequently submitted an application to amend the permit applying to the indoor recreation centre at 41 Princes Highway. The operator of the indoor recreation centre (Hoops Basketball) provided written agreement to the amendments. The permit for the indoor recreation centre has now been amended to allow a maximum of 10 patrons (plus 5 staff) on Friday, Saturday

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

and Sunday nights (amended down from 50). Therefore, this application is brought back before the Council for consideration, with the assessment below amended to reflect the amended maximum patron numbers of the indoor recreation centre at 41 Princes Highway.

**Assessment**

The application has been assessed against all relevant provisions of the Greater Dandenong Planning Scheme. Overall, the proposal is considered to be inadequate on the basis that it does not comply with the Planning Policy Framework and Local Planning Policy Framework, particularly in relation to the provision of adequate car parking. However, it is considered that the proposal is adequate and can be supported, subject to permit conditions limiting patron numbers to a lesser extent than proposed by the applicant.

**Car parking**

Pursuant to Clause 52.06-5 of the Greater Dandenong Planning Scheme, the use of the land for a function centre requires 0.3 car parking spaces per patron to be provided.

The required car parking for the proposed patron numbers is outlined in the table below;

	Proposal	Clause 52.06-5 Planning Scheme requirement
Mon-Fri 9am-12am	610 patrons	183 car parking spaces required
Sat- Sun 9am -5pm	590 patrons	177 car parking spaces required
Sat-Sun 5pm-12am	720 patrons	216 car parking spaces required

There are currently 200 car parking spaces on the site, however, these car parking spaces are shared between three buildings (37, 39 and 41 Princes Highway) which are all located within the same parcel of land. The land has not been subdivided and there are no formal agreements regarding the distribution of car parking spaces between the three buildings.

As there is no formal agreement regarding the distribution of car parking spaces between the three buildings, it is assumed that each building has access to car parking spaces comparative to building footprint area for each building, i.e. 39 Princes Highway comprises approx. 34.9% of the total building footprint across the whole the site and is therefore entitled to 34.9% (or 69.8) of car parking spaces. Similarly, 37 Princes Highway comprises 31.6% (63.2 spaces) and 41 Princes Highway comprises 33.6% (67.2 spaces).



## ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

The existing permit allows for a car parking reduction as follows:

	<b>Patron numbers</b>	<b>Clause 52.06-5 Planning Scheme requirement</b>	<b>Spaces available to 39 Princes Hwy</b>	<b>Reduction in car spaces</b>
Mon-Sun 9am-5pm	226 patrons	67 car parking spaces	69	No reduction
Mon-Sun 6pm-12am	450 patrons	135 car parking spaces	69	68

The applicant is requesting a further car parking reduction as follows:

	<b>Proposed patron numbers</b>	<b>Clause 52.06-5 Planning Scheme requirement</b>	<b>Spaces available to 39 Princes Hwy</b>	<b>Reduction in car spaces requested</b>
Mon-Fri 9am-12am	610 patrons	183 car parking spaces	69	114
Sat- Sun 9am -5pm	590 patrons	177 car parking spaces	69	108
Sat-Sun 5pm-12am	720 patrons	216 car parking spaces	69	147

The proposal for a significant increase in patron numbers (and subsequent further reduction in the car parking requirement) is considered inappropriate for the following reasons:

- It is unlikely that a trip to the subject site would be multipurpose due to the nature of the use as a function centre.
- There is minimal accessible on street parking available within a reasonable distance of the subject site. The site is located on the corner of Princes Highway and Progress Street. No on street parking is available on Princes Highway. Progress Street is within a Commercial 2 Zone and provides access to several large scale industrial and warehouse sites. Progress Street accommodates many commercial vehicles and trucks movements. No stopping zones exist along Progress Street in the vicinity of the subject site.
- There are no alternative car parking options within a reasonable distance of the subject site.
- There is no proposal for provision of alternative transport modes to and from the land.
- The subject site is located a significant distance from any public transport which would operate at the closing time of the function centre.
- The applicant has provided an empirical case study, suggesting that a rate of 0.2 spaces per patron should be adopted. However, only one case study example was provided from a site in New South Wales. This is not considered suitable evidence to justify a rate of 0.2 spaces per

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

patron to be applied. The applicant has also provided parking surveys from two functions at the subject site showing a car parking requirement of between 0.232 and 0.31 spaces per patron. It is considered that the provided examples do not provide adequate justification to apply a rate below the planning scheme requirement.

- The subject site does not contain end of trip facilities for cyclists (although it is noted that given the proposed use of the site for a function centre it is considered unlikely that patrons would choose to ride their bike).

Assessment based on existing car parking demand for the site:

Based on assessment of the existing uses on the site and the existing hours of operation, it is considered that the car parking supply for the site could allow a smaller increase in patron numbers for the function centre than is sought by the applicant. Assessment is as follows:

37 Princes Highway currently contains Bursons Auto Parts and Paint Spot. These uses are defined as 'restricted retail premises', which do not require a planning permit in the Commercial 2 Zone. Clause 52.06-5 requires 3 car parking spaces per 100sqm floor area of restricted retail use. The floor area is approximately 1748sqm, therefore, uses at 37 Princes Highway require 52 car spaces. It is noted that the current hours of operation are Mon-Fri 6.30am-5pm, Sat 7.30am-4pm and Sunday 9am-3pm.

41 Princes Highway has a permit for the use of the land for restricted recreation facility, which restricts patron numbers to 10, plus 5 staff on Friday, Saturday and Sunday nights and to 50, plus 5 staff at all other times Based on worst case scenario if all patrons and staff attend as the sole occupant of a vehicle, 41 Princes Highway would only require 15 spaces on a Friday, Saturday and Sunday night, and 55 space all other times.

Therefore, based on the existing uses within the site and their current hours of operation, the site has the following car parking demand;

	<b>37 Princes Hwy Restricted retail uses</b>	<b>41 Princes Hwy Restricted recreation use</b>	<b>Remaining spaces which could be used for 39 Princes Hwy Function centre use</b>
<b>Mon-Fri 9am-5pm</b>	Using 52 spaces (planning scheme requirement for restricted retail)	Using 55 spaces (based on planning permit condition with max 55 people within the building at any one time).	93 spaces available (potential for up to 310 patrons)
<b>Mon-Fri 5pm-12am</b>	Closed	Using 55 spaces Mon-Thus and 15 spaces on Fri	145 spaces available Mon- Thurs (Potential for up to 483 patrons)  185 spaces available Fri (potential for up to 619 patrons)

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

<b>Sat-Sun 9am-5pm</b>	Using up to 52 spaces	Using 55 spaces	93 spaces available (Potential for up to 310 patrons)
<b>Sat-Sun 5pm-12am</b>	Closed	Using 15 spaces	185 spaces available (Potential for up to 619 patrons)

As shown in the table above, based on the existing car parking demand for the existing uses on the site, it is considered that there would be adequate car parking for a smaller increase in patron numbers for the function centre. This increase is reflected in recommended amended permit conditions 1 and 5.

**Liquor Licence**

The proposed increase in patron numbers associated with the liquor licence requires consideration of the impact of the licensed premises on the amenity of the surrounding area.

Late-night trading hours for licensed premises have been associated with increased harm including violence. Licensed premises open after 11pm are considered a greater risk to the surrounding area. While it is unlikely that commercial and industrial uses immediately surrounding the subject site will be open or affected, it is noted that the site is within 250m of an established residential area and is approximately 200 metres north west of Power Street, a major connector street to established residential areas. In addition, licensed premises with a patron capacity over 200 may pose a greater risk of alcohol-related harm and result in a negative cumulative impact. As the function centre operates after 11pm with proposed patron numbers significantly more than 200, careful consideration of the potential amenity impacts of an increase in patron numbers needs to be made.

While the site does not form part of a cluster of licensed premises, as outlined above, it is considered that there is inadequate car parking provided on the site and there are limited public transport options available. These circumstances, together with a late night closing time of 12am, can impede safe dispersal of a large number of patrons from the venue at midnight onto a major highway in an industrial/commercial zone and through nearby residential areas to the north-east and the north-west.

Therefore, it is considered that reducing the proposed increase in patron numbers will limit impact of the licenced premises on the amenity of the surrounding area.

As outlined in the car parking assessment above, it is considered that there is adequate car parking on site to allow for an increase in patron numbers from that currently permitted. This increase is considered acceptable to limit amenity impacts associated with the liquor licence as the adequate provision of car parking will allow for appropriate dispersal of patrons. Additional permit conditions are recommended to tighten security arrangements at closing time. These appear as condition 1.2 in the recommended permit conditions.

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

**Bicycle facilities:**

Pursuant to clause 52.34-3 the required number of bicycle spaces are based on the building floor area. The applicant is not seeking to amend the floor area of the building, therefore, there is not change to the bicycle facilities requirements. The permit already allows for a reduction in the required bicycle facilities.

**Conclusion**

It is considered that there is insufficient car parking available on site for the patron numbers proposed by the applicant.

However, based on the existing uses on the site and their current operating hours and patron number, it is considered acceptable to allow a smaller increase in patron numbers as follows:

- 310 patrons Mon-Thurs 9am to 6pm and Fri-Sun 9am-5pm (being an increase of 84 patrons on the existing permit).
- 483 patrons Mon-Thurs 6pm to 12am (being an increase of 63 patrons on the existing permit).
- 619 patrons Fri- Sun 5pm-12am (being an increase of 199 patrons on the existing permit)

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

Permit detail	Recommendation
Permit preamble	No change
Amend condition 1 and 5	<p>Amend permit condition 1 to read as follows:</p> <p><i>Before the development or use starts, two (2) copies of amended plans (at least A1 size plans) drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plan/s have been approved and endorsed by the Responsible Authority. The endorsed copy of the plan/s forms part of this permit.</i></p> <p><i>The plans must be in accordance with the plans submitted with the application but modified to show:</i></p> <p><i>1.1 The number of patrons restricted to a maximum of:</i></p> <ul style="list-style-type: none"> <li>○ <b>310 patrons Monday to Thursday 9am to 6pm and Friday to Sunday 9am-5pm;</b></li> <li>○ <b>483 patrons Monday to Thursday 6pm to 12am; and</b></li> <li>○ <b>619 patrons Friday to Sunday 5pm to 12am.</b></li> </ul>

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

	<p><b>2. <u>The Patron Management Plan amended to include that for <i>all functions</i>:</u></b></p> <ul style="list-style-type: none"> <li>○ <b><i>Two licensed and registered security guards are employed for the first 100 patrons</i></b></li> <li>○ <b><i>One security guard is employed for each 100 patrons thereafter, or part thereof</i></b></li> <li>○ <b><i>Two security guards are employed to patrol the carpark, from one hour prior and 30 minutes after a function, to monitor and direct safe parking and visitor dispersal.</i></b></li> </ul> <p><i>All to the satisfaction of the Responsible Authority.</i></p> <p>Amend permit condition 5 to read as follows:</p> <p><i>Not more than;</i></p> <p><b><i>-310 patrons Mon-Thurs 9am to 6pm and Fri-Sun 9am to 5pm</i></b></p> <p><b><i>-483 patrons Mon-Thurs 6pm to 12am</i></b></p> <p><b><i>-619 patrons Fri-Sun 5pm to 12am.</i></b></p> <p><i>shall be present on the premises at any one time, unless with the written consent of the Responsible Authority.</i></p>
Endorsed plans	Amend to reflect the above patron numbers. The applicant is required to amend the plans as per condition 1 before they are endorsed under this amended permit.
Permit notes	No changes

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

<b>Date amended:</b>	<b>Brief description of amendments</b>
	Amendment of Condition 1 and 5 pursuant to Section 72 of the Act  Amendment of endorsed plans pursuant to Section 72 of the Act

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

### **Recommendation**

**That Council resolves to Grant an amended planning permit in respect of the land known and described as Lot 1 LP 137481 Vol 9538 Fol 617, 39 Princes Highway DANDENONG SOUTH VIC 3175, for the purpose of use of the site for a function centre, buildings and works, the reduction in car parking requirements, the sale and consumption of liquor and advertising signage in accordance with the plans submitted with the application subject to the following conditions:**

- 1. Before the development *or use* starts, amended plans must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plan/s have been approved and endorsed by the Responsible Authority. The endorsed copy of the plan/s forms part of this permit.**

**The plans must be in accordance with the plans submitted with the application but modified to show:**

**1.1. *The number of patrons restricted to a maximum of:***

- *310 patrons Monday to Thursday 9am to 6pm and Friday to Sunday 9am to 5pm;***
- *483 patrons Monday to Thursday 6pm to 12am; and***
- *619 patrons Friday to Sunday 5pm to 12am.***

**1.2. *The Patron Management Plan amended to include that for all functions:***

- *Two licensed and registered security guards are employed for the first 100 patrons;***
- *One security guard is employed for each 100 patrons thereafter, or part thereof; and***
- *Two security guards are employed to patrol the carpark, from one hour prior and 30 minutes after a function, to monitor and direct safe parking and visitor dispersal.***

**All to the satisfaction of the Responsible Authority.**

- 2. The layout of the site and size, design, location and use of the buildings and works permitted must always be in accordance with the endorsed plans, unless with the written consent of the Responsible Authority.**
- 3. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.**

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

**4. The use must only operate between the hours of:**

**4.1. Monday – Sunday - 9.00am to 12.00am.**

**Unless with the written consent of the Responsible Authority.**

**5. Not more than:**

**5.1. *310 patrons Monday to Thursday 9am to 6pm and Friday to Sunday 9am-5pm;***

**5.2. *483 patrons Monday to Thursday 6pm to 12am; and***

**5.3. *619 patrons Friday to Sunday 5pm to 12am.***

**shall be present on the premises at any one time, unless with the written consent of the Responsible Authority.**

**6. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.**

**7. The amenity of the area must not be detrimentally affected by the use or development on the land, through the:**

**7.1. Transport of materials, goods or commodities to or from the land.**

**7.2. Appearance of any building, works or materials.**

**7.3. Adverse behaviour of patrons on, to or from the premises.**

**7.4. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste-water, waste products, grit or oil.**

**7.5. Presence of vermin.**

**All to the satisfaction of the Responsible Authority.**

**8. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with the State Environment Protection Policy N-2 Control of Music Noise from Public Premises.**

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

9. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.
10. All plant and equipment must be installed and located so that it does not adversely affect the amenity of the area due to the emission of noise, to the satisfaction of the Responsible Authority.
11. Bins or other receptacles for any form of rubbish or refuse may not be placed or allowed to remain in the view of the public, and no adverse odour shall be emitted from any such receptacle.
12. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operators control, or the operator's staff, are parked in the streets nearby, all to the satisfaction of the Responsible Authority.
13. Liquor must only be sold and displayed within the red line area identified on the endorsed plans.
14. Without the prior written approval of the Responsible Authority, any application to, or licence obtained from, the relevant Liquor Licensing Authority must be for the on-premise liquor license only.
15. The owner, occupier and the manager must at all time make reasonable endeavours that persons resorting to the premises do not create a nuisance or annoyance to neighbours or otherwise disturb the amenity of the area.
16. The use of the site must at all times comply with the endorsed Patron Management Plan, to the satisfaction of the Responsible Authority.
17. Liquor may only be served, sold or consumed between the hours of:
  - 17.1. Monday to Sunday 9.00am to 5.00pm and 6.00pm to 12.00am.
18. The car parking provided on the land must always be available for use by persons employed on or visiting the subject premises, and no measures may be taken to restrict access to the car park by such persons, all to the satisfaction of the Responsible Authority.



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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

19. The operator under this permit must make all reasonable endeavours to ensure that all vehicles entering and exiting the site do so in a forward direction, all to the satisfaction of the Responsible Authority.
20. The car parking provided on the land must always be kept available for its intended purpose at all times. No measures must be taken to restrict access to the car park.
21. The car parking area must be lit if in use during the hours of darkness and all lights must be designed and fitted with suitable baffles. The lighting must be positioned to prevent any adverse effect on adjoining land and must not be considered excessive for the area, all to the satisfaction of the Responsible Authority.
22. Before the use of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be line-marked to indicate each car space as shown on the endorsed plans.
23. The location, type and dimensions of the signage as shown on the endorsed plan/s must not be altered unless with the written consent of the Responsible Authority.
24. Before the display of the signage hereby approved begins, all other signage existing on the site which is not shown on the endorsed planning permit plans is to be removed from the subject site, to the satisfaction of the Responsible Authority.
25. The intensity of the light in the signage must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.
26. The signage must be wholly located within the subject property. That is, no part of the sign may encroach into the road reserve.
27. No bunting, streamers and festooning shall be displayed.
28. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.
29. This permit will expire if:
  - 29.1. The development does not start within two (2) years of the date of this permit; or

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

- 29.2. The development is not completed within four (4) years of the date of this permit; or**
- 29.3. The use does not start within six (6) months of the completion of the development; or**
- 29.4. The use is discontinued for a period of two (2) years.**

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

- 30. This permit expires fifteen (15) years from the date of this permit for the approved signage. Before this permit expires, the approved sign(s) and any supporting structure must be removed and the land and/or building surface made good to the satisfaction of the Responsible Authority.**

**Notes:**

- **A building approval may be required prior to the commencement of the approved works.**
- **Except where no permit is required under the provisions of the Planning Scheme, no sign, flashing or intermittent lights, bunting or advertising device may be erected or displayed on the land without the permission of the Responsible Authority.**
- **Prior to the erection of any additional advertising signs on the land, consultation should be made with officers of the Town Planning Department to determine the relevant Planning Scheme Controls and required approvals sought.**
- **Prior to the final design being completed, the applicant should consult with Council's Infrastructure Planning Department in regard to the legal point of discharge for the site.**
- **Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.**

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

## **MINUTE 127**

Moved by: Cr Tim Dark

Seconded by: Cr Jim Memeti

**That Council resolves to Grant an amended planning permit in respect of the land known and described as Lot 1 LP 137481 Vol 9538 Fol 617, 39 Princes Highway DANDENONG SOUTH VIC 3175, for the purpose of use of the site for a function centre, buildings and works, the reduction in car parking requirements, the sale and consumption of liquor and advertising signage in accordance with the plans submitted with the application subject to the following conditions:**

- 1. Before the development *or use* starts, amended plans must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plan/s have been approved and endorsed by the Responsible Authority. The endorsed copy of the plan/s forms part of this permit.**

**The plans must be in accordance with the plans submitted with the application but modified to show:**

**1.1. *The number of patrons restricted to a maximum of:***

- *310 patrons Monday to Thursday 9am to 6pm and Friday to Sunday 9am to 5pm;***
- *483 patrons Monday to Thursday 6pm to 12am; and***
- *680 patrons Friday to Sunday 5pm to 12am.***

**1.2. *The Patron Management Plan amended to include that for all functions:***

- *Two licensed and registered security guards are employed for the first 100 patrons;***
- *One security guard is employed for each 100 patrons thereafter, or part thereof; and***
- *Two security guards are employed to patrol the carpark, from one hour prior and 30 minutes after a function, to monitor and direct safe parking and visitor dispersal.***

**All to the satisfaction of the Responsible Authority.**

- 2. The layout of the site and size, design, location and use of the buildings and works permitted must always be in accordance with the endorsed plans, unless with the written consent of the Responsible Authority.**

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

**3. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.**

**4. The use must only operate between the hours of:**

**4.1. Monday – Sunday - 9.00am to 12.00am.**

**Unless with the written consent of the Responsible Authority.**

**5. Not more than:**

**5.1. 310 patrons Monday to Thursday 9am to 6pm and Friday to Sunday 9am-5pm;**

**5.2. 483 patrons Monday to Thursday 6pm to 12am; and**

**5.3. 680 patrons Friday to Sunday 5pm to 12am.**

**shall be present on the premises at any one time, unless with the written consent of the Responsible Authority.**

**6. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.**

**7. The amenity of the area must not be detrimentally affected by the use or development on the land, through the:**

**7.1. Transport of materials, goods or commodities to or from the land.**

**7.2. Appearance of any building, works or materials.**

**7.3. Adverse behaviour of patrons on, to or from the premises.**

**7.4. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste-water, waste products, grit or oil.**

**7.5. Presence of vermin.**

**All to the satisfaction of the Responsible Authority.**

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

- 8. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with the State Environment Protection Policy N-2 Control of Music Noise from Public Premises.**
- 9. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.**
- 10. All plant and equipment must be installed and located so that it does not adversely affect the amenity of the area due to the emission of noise, to the satisfaction of the Responsible Authority.**
- 11. Bins or other receptacles for any form of rubbish or refuse may not be placed or allowed to remain in the view of the public, and no adverse odour shall be emitted from any such receptacle.**
- 12. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operators control, or the operator's staff, are parked in the streets nearby, all to the satisfaction of the Responsible Authority.**
- 13. Liquor must only be sold and displayed within the red line area identified on the endorsed plans.**
- 14. Without the prior written approval of the Responsible Authority, any application to, or licence obtained from, the relevant Liquor Licensing Authority must be for the on-premise liquor license only.**
- 15. The owner, occupier and the manager must at all time make reasonable endeavours that persons resorting to the premises do not create a nuisance or annoyance to neighbours or otherwise disturb the amenity of the area.**
- 16. The use of the site must at all times comply with the endorsed Patron Management Plan, to the satisfaction of the Responsible Authority.**
- 17. Liquor may only be served, sold or consumed between the hours of:**
  - 17.1. Monday to Sunday 9.00am to 5.00pm and 6.00pm to 12.00am.**

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

- 18. The car parking provided on the land must always be available for use by persons employed on or visiting the subject premises, and no measures may be taken to restrict access to the car park by such persons, all to the satisfaction of the Responsible Authority.**
- 19. The operator under this permit must make all reasonable endeavours to ensure that all vehicles entering and exiting the site do so in a forward direction, all to the satisfaction of the Responsible Authority.**
- 20. The car parking provided on the land must always be kept available for its intended purpose at all times. No measures must be taken to restrict access to the car park.**
- 21. The car parking area must be lit if in use during the hours of darkness and all lights must be designed and fitted with suitable baffles. The lighting must be positioned to prevent any adverse effect on adjoining land and must not be considered excessive for the area, all to the satisfaction of the Responsible Authority.**
- 22. Before the use of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be line-marked to indicate each car space as shown on the endorsed plans.**
- 23. The location, type and dimensions of the signage as shown on the endorsed plan/s must not be altered unless with the written consent of the Responsible Authority.**
- 24. Before the display of the signage hereby approved begins, all other signage existing on the site which is not shown on the endorsed planning permit plans is to be removed from the subject site, to the satisfaction of the Responsible Authority.**
- 25. The intensity of the light in the signage must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.**
- 26. The signage must be wholly located within the subject property. That is, no part of the sign may encroach into the road reserve.**
- 27. No bunting, streamers and festooning shall be displayed.**
- 28. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.**

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

**29. This permit will expire if:**

- 29.1. The development does not start within two (2) years of the date of this permit; or**
- 29.2. The development is not completed within four (4) years of the date of this permit; or**
- 29.3. The use does not start within six (6) months of the completion of the development; or**
- 29.4. The use is discontinued for a period of two (2) years.**

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

- 30. This permit expires fifteen (15) years from the date of this permit for the approved signage. Before this permit expires, the approved sign(s) and any supporting structure must be removed and the land and/or building surface made good to the satisfaction of the Responsible Authority.**

**Notes:**

- A building approval may be required prior to the commencement of the approved works.**
- Except where no permit is required under the provisions of the Planning Scheme, no sign, flashing or intermittent lights, bunting or advertising device may be erected or displayed on the land without the permission of the Responsible Authority.**
- Prior to the erection of any additional advertising signs on the land, consultation should be made with officers of the Town Planning Department to determine the relevant Planning Scheme Controls and required approvals sought.**
- Prior to the final design being completed, the applicant should consult with Council's Infrastructure Planning Department in regard to the legal point of discharge for the site.**
- Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.**

**CARRIED**

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

For the Motion: Cr Tim Dark, Cr Lana Formoso, Cr Rhonda Garad, Cr Richard Lim, Cr Angela Long, Cr Jim Memeti, Cr Bob Milkovic, Cr Sophie Tan

Against the Motion: Cr Eden Foster, Cr Sean O'Reilly.



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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 39 PRINCES HIGHWAY,  
DANDENONG SOUTH (PLANNING APPLICATION NO. PLN17/0039.01)**

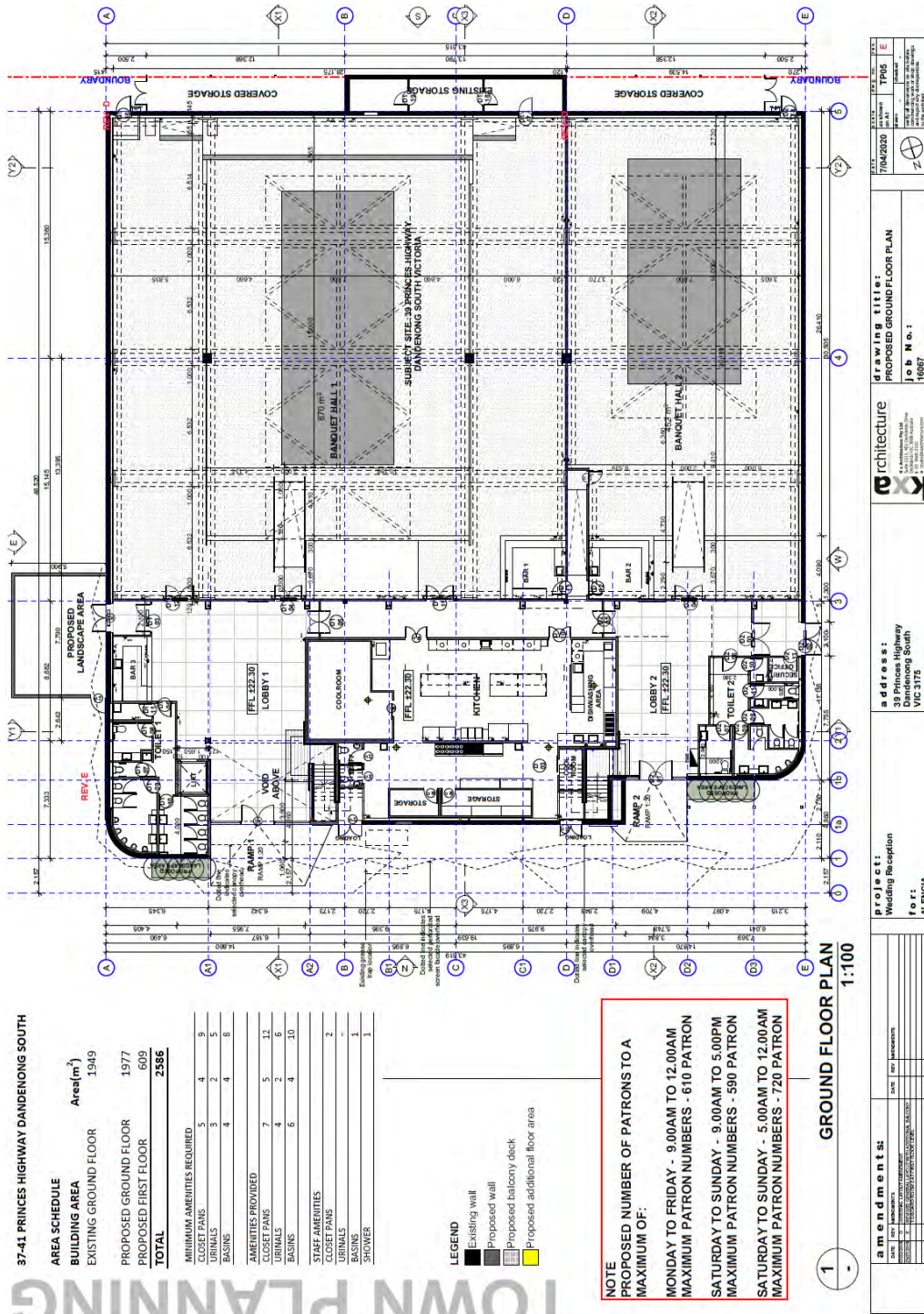
**ATTACHMENT 1**

**ASSESSED PLANS**

**PAGES 51 (including cover)**

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

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**



**amendments**

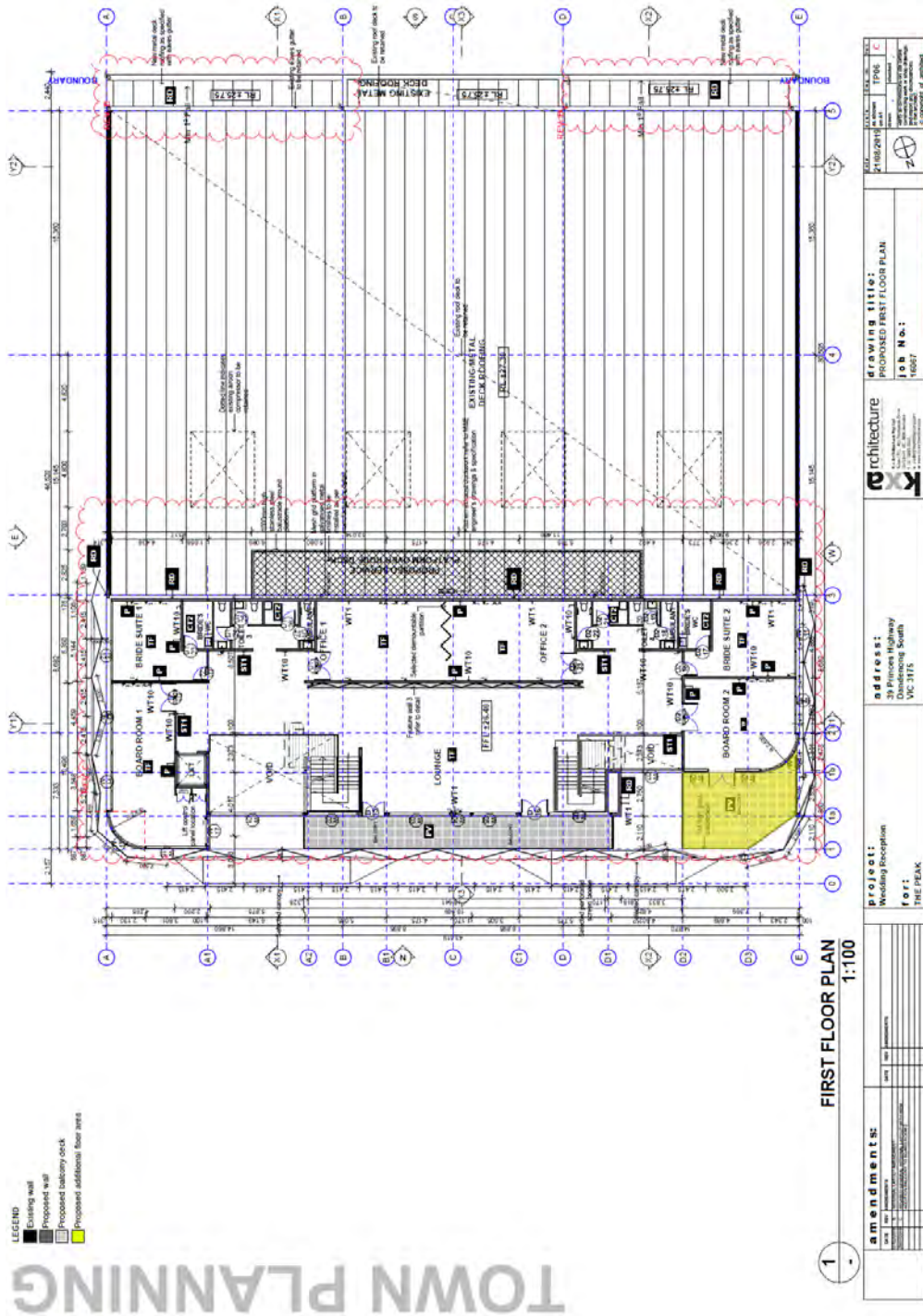
DATE	NO.	REVISIONS

**Project:** Wedding Reception  
**Address:** 38 Princes Highway Dandenong South VIC 3178  
**Job No.:** 18087  
**Scale:** 1:100  
**Date:** 7/04/2020  
**TP85**

**Architecture**  
 Kxa  
 45 Anson Street  
 Dandenong VIC 3175  
 PH: 03 9499 1000  
 www.kxa.com.au

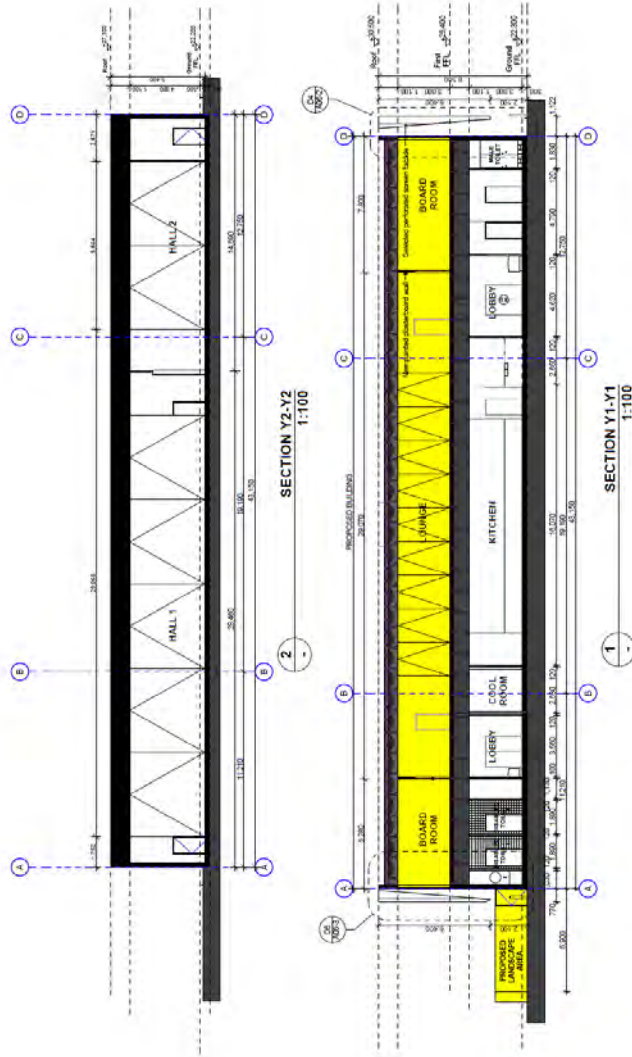
TOWN PLANNING

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**





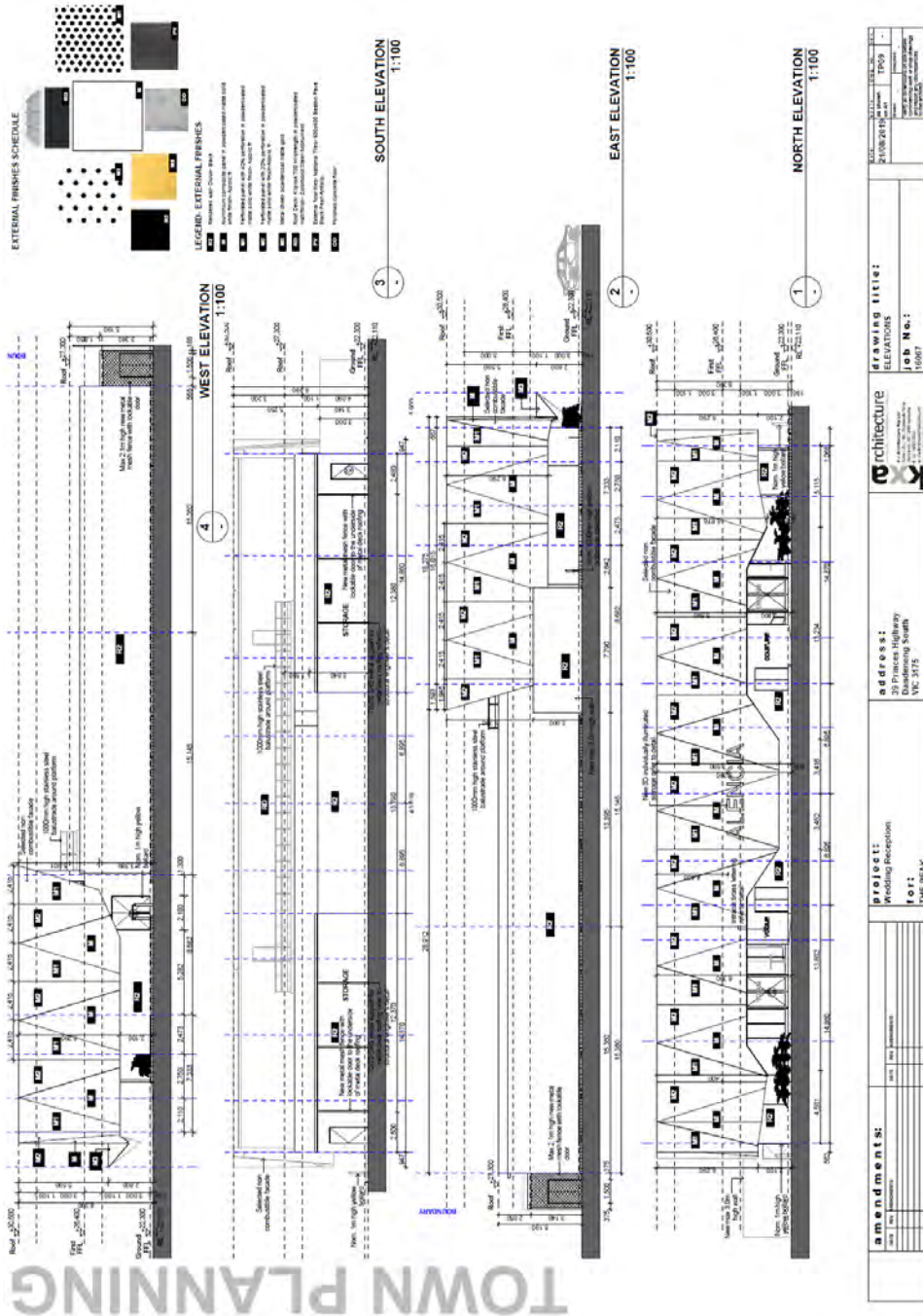
**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**



TOWN PLANNING

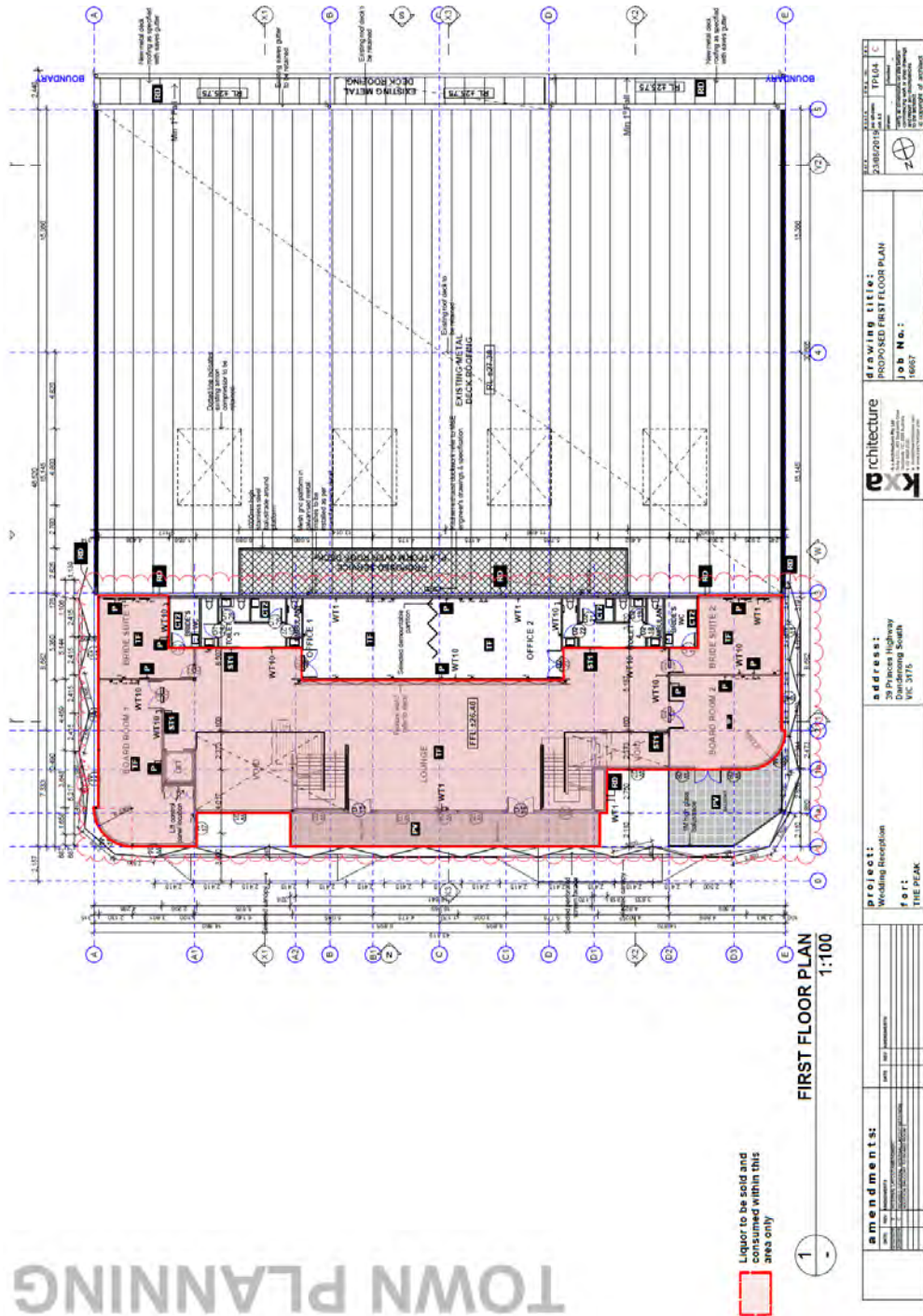
<b>amendments:</b>		<b>project:</b> Wedding Reception for THE PEAK	<b>address:</b> 39 Princes Highway Dandenong South VIC 3175	<b>ka architecture</b>	<b>drawing title:</b> SECTION Y JOB No.: 16957	<table border="1"> <tr> <th>DATE</th> <th>BY</th> <th>REVISIONS</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	DATE	BY	REVISIONS																
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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**





**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**



TOWN PLANNING

Liquor to be sold and consumed within this area only









## ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

Alcohol Management Plan	Response
<i>The AMP should demonstrate that the licensee will take the appropriate steps to manage the risks associated with the sale and consumption of alcohol. As appropriate to the type of licence and the impact it may have, the AMP should include details of the following:</i>	<p>This Alcohol Management Plan (AMP) relates to the Function centre at 39 Princes Highway, Dandenong South 3031 ("the licensed premises").</p> <p>It is anticipated that it would be endorsed under the associated planning permit to allow the use of the land for the sale of liquor on the premises for consumption on and off the premises ("the permit").</p> <p>It is also a necessary management strategy for the operation of the licensed premises. The AMP is intended to allow the licensed premises to provide a good standard of service to customers while maintaining a good standard of amenity for any neighbouring residents, with minimal disturbance, particularly from noise from the premises itself or from customers leaving the premises.</p> <p>Current and future operators will abide by, and have ownership, of the Plan. The AMP will form the basis of the sustainable business operation of the licensed premises, allowing the licensed premises operator/permit holder/licensee, neighbours and the Greater Dandenong City Council (the Responsible Authority) to coexist peacefully.</p>
<i>Any existing planning permit allowing the current use of land</i>	Permit PLN17/0039 (proposed)
<i>Type of premises</i>	Function centre with provision of liquor on the premises
<i>The type of licence being applied for or to be amended, with regard given to the type of licences available from the VCGLR</i>	On-premises
<i>Proposed number of patrons</i>	<p>Proposed number of patrons to a maximum of:</p> <ul style="list-style-type: none"> <li>• Monday to Friday - 9.00am to 12.00am maximum patron numbers - 610 patrons</li> <li>• Saturday to Sunday - 9.00am to 5.00pm maximum patron numbers - 590 patrons</li> <li>• Saturday to Sunday - 5.00am to 12.00am maximum patron numbers - 720 patrons</li> </ul> <p>Seating will be provided for all patrons.</p>
<i>Proposed security arrangements</i>	There will be an onsite manager responsible for security at all times on the premises when liquor is served
<i>Whether amplified (or live) music is proposed to be played on the premises</i>	Live music and other recorded or live entertainment will be provided within the highly enclosed subject building. Given the substantial setback distances between the subject building and the nearest residential area (230m to its northeast) and the fact that the banquet halls where wedding bands etc would play are further separated from this area by being towards the rear of the subject building, there is no reason that State Environment Protection Policy N-2 (Control of Music in Public Places) would not be met.
<i>Reasons for wanting or amending the licence</i>	To be able to serve liquor at functions such as weddings
<i>Strategies to address the Cumulative Impact of your premises</i>	NA – there is only one other licensed premises within 500m of the site.
<i>Strategies to manage compliance, behavioural and amenity risks (see the following page for further details)</i>	See below.
<i>Any other documents you believe will support your proposal and assist Council's assessment</i>	Please see the LiquorPlan letter submitted with the application.

## ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

Alcohol Management Plan  
39 Princes Highway Dandenong South

COMPLIANCE RISKS	
<p><i>Compliance risks are related to the legal obligations of licensees to comply with Victorian State Law regarding the sale and consumption of liquor in accordance with the Liquor Control Reform Act 1998 and the Planning and Environment Act 1987. You should consider how you are going to achieve compliance with these laws and explain strategies in your written Alcohol Management Plan. Consider the following strategies to manage risks:</i></p>	
<p><i>Strategies:</i></p>	
<ul style="list-style-type: none"> <li>• <i>How will you ensure that you do not supply alcohol to someone who is intoxicated (drunk)?</i></li> </ul>	All patrons to whom liquor is to be supplied will be assessed for signs of intoxication as per RSA training. This will include that all staff serving liquor will check patrons for signs of intoxication (eg a noticeable change of behaviour, slurring or mistakes in speech, excessively loud behaviour, clumsiness, confusion/delays in responding, substantial smell of liquor etc) before serving them.
<ul style="list-style-type: none"> <li>• <i>What procedures will you put in place to ensure that staff can verify proof-of-age?</i></li> </ul>	Anyone who looks under 25 years old will be asked for ID if liquor is to be served to them.
<ul style="list-style-type: none"> <li>• <i>What system will you put in place to identify people that may be underage (under 18 years) as they enter the premises?</i></li> </ul>	The fact that the functions at which liquor is to be served will be both private and by arrangement only will assist in allowing people under 18 to be readily identified.
<ul style="list-style-type: none"> <li>• <i>How will you prevent alcohol from being supplied to someone under 18 years of age?</i></li> </ul>	Liquor will not be supplied to people known or suspected to be under 18 years of age.
<ul style="list-style-type: none"> <li>• <i>What relevant training will you require staff and volunteers to take to ensure the Responsible Service of Alcohol (RSA)?</i></li> </ul>	All staff serving liquor will hold current RSA certificates.
<ul style="list-style-type: none"> <li>• <i>How will you document the start and finish dates for RSA induction, refresher training and employment details for each member of staff or volunteer, including managers and security staff?</i></li> </ul>	A register of staff RSA training will be actively maintained, and staff will be notified of any changes to liquor licensing requirements at staff meetings and/or upon induction of new staff.
<ul style="list-style-type: none"> <li>• <i>How will you ensure that any RSA training remains up to date and does not expire after three years?</i></li> </ul>	
<ul style="list-style-type: none"> <li>• <i>How will you ensure that staff and volunteers stay up to date with any changes to liquor licensing?</i></li> </ul>	
<ul style="list-style-type: none"> <li>• <i>Where will you display the required posters and signage to reduce potential risks and raise awareness about the responsible service of alcohol? (see VCGLR website for details)</i></li> </ul>	Relevant signage asking patrons to prevent/minimise any disturbance will be displayed in the patron areas, toilets and car park.
<ul style="list-style-type: none"> <li>• <i>What will you do to comply with the standards of Department of Justice, Design Guidelines for Licensed Premises? (available at <a href="http://www.justice.vic.gov.au/">www.justice.vic.gov.au/</a>) Best Practice Strategies:</i></li> </ul>	The layout of the licensed premises is generally in accordance with this document, to the extent that it is relevant to an outer-suburban Function centre. Internally, there will be two central lobbies/reception areas, in addition to the two larger banquet halls there will be some more private spaces upstairs, entries/exits and toilets will be easily accessible to all patrons; externally, the location of the car park close to the building exits will allow for its adequate supervision.
<ul style="list-style-type: none"> <li>• <i>Work with all authorities to comply with regulations and permit conditions.</i></li> </ul>	The licensee/permit holder will work in a positive manner with all authorities to comply with regulations and permit conditions.

ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

Alcohol Management Plan  
39 Princes Highway Dandenong South

<ul style="list-style-type: none"> <li>▪ <i>Be an active member of the Local Liquor Licensees Forum.</i></li> </ul>	<p>The licensee/permit holder will be an active member of the Local Liquor Licensees Forum.</p>
<ul style="list-style-type: none"> <li>▪ <i>Support programs that raise awareness among young people and their parents about the harms associated with underage drinking.</i></li> </ul>	<p>Programs that raise awareness among young people and their parents about the harms associated with underage drinking will be supported.</p>
<p><b>BEHAVIOURAL RISKS</b></p>	
<p><i>Behavioural risks are concerned with individual or group behaviour that impacts directly on the safety and comfort of patrons, customers and staff in and around licensed premises. You should consider how you are going to manage behavioural risks and explain your strategies in your written Alcohol Management Plan. Consider the following strategies to manage risks:</i></p>	
<ul style="list-style-type: none"> <li>▪ <i>What House Policies will you develop and where will you display these?</i></li> </ul>	<p>House Policies will include:</p> <p><i>Staff members will use their best endeavours to ensure that customers on the premises will conduct themselves in a quiet and orderly manner, without causing a nuisance to the amenity of the area by noise and/or boisterous behaviour.</i></p> <p><i>Staff members will also use all reasonable and practical methods to ensure that customers leave the premises in a quiet and orderly manner at all times the use is operating and immediately after the hours of operation.</i></p> <p><i>A clearly visible sign will be displayed at the entrance/exit of the premises. The sign will ask customers to leave in a quiet and orderly manner at all times. Staff members will reinforce this message.</i></p> <p><i>The licensed premises operator/permit holder or a current staff member at a management level will ensure that a copy of this Plan is made available to any person freely and without charge.</i></p> <p><i>A phone number of the licensed premises operator/permit holder or a current staff member at a management level will be provided upon request to any neighbour, to facilitate any complaint, at any time during the trading hours or within half an hour afterwards, about noise and/or other disturbances associated with the licensed premises.</i></p>
<ul style="list-style-type: none"> <li>▪ <i>How will you ensure free water is readily available at all times?</i></li> </ul>	<p>Drinking water will be freely provided to all patrons at all times during the licensed hours</p>
<ul style="list-style-type: none"> <li>▪ <i>How will you avoid incidents involving broken glass (e.g. use polycarbonate or tempered glassware)?</i></li> </ul>	<p>While normal glassware will be used, given the nature of the licensed premises (a Function centre that hosts pre-booked weddings, unlike a Hotel, Tavern or Nightclub attracting a wider and potentially more volatile range of patrons), there are unlikely to be any significant incidents involving broken glass that would warrant special attention</p>
<p><b>AMENITY RISKS</b></p>	
<p><i>Amenity risks are associated with the external impacts of licensed premises on other surrounding land uses. You should consider how you are going to manage amenity risks and explain your strategies in your written Alcohol Management Plan. Consider the following strategies to manage risks:</i></p> <p>Strategies:</p>	

## ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**Alcohol Management Plan  
39 Princes Highway Dandenong South

<ul style="list-style-type: none"> <li>What strategies will you use to control amenity and noise impacts from indoor and outdoor areas of the premises?</li> </ul>	The licensed premises will be significantly separated (over 200m) from the nearest areas of residential or other sensitive uses, which as well as that the site is surrounded by commercial, industrial or transport use will ensure only reasonable amenity impacts on the area occur.
<ul style="list-style-type: none"> <li>How will you ensure that deliveries and waste management do not negatively affect the area? (e.g. truck engines, glass bottles tipped into dumpsters, rubbish removal)?</li> </ul>	
<ul style="list-style-type: none"> <li>How will you work with all authorities to reduce alcohol-related impacts in public spaces and the broader community?</li> </ul>	The licensed premises will be "self-contained" (ie by definition a Function centre caters for private functions by arrangement only); unlike many licensed premises not available for people to walk in "off the street" for a drink and/or buy take-away alcohol.
<ul style="list-style-type: none"> <li>How will you ensure that you comply with times defined in Council by-laws and permit conditions regarding hours allowed for alcohol service and drinking in outdoor areas of the premises?</li> </ul>	The permit, the licence, this AMP and other relevant regulator document will be kept on the licensed premises for easy reference
<ul style="list-style-type: none"> <li>What strategies will you use to ensure that no-one leaves the licensed area with alcohol (unless there is an off-licence permit)?</li> </ul>	Patrons will be actively prevented from leaving the licensed area with alcohol
<ul style="list-style-type: none"> <li>What will you do to comply with Council's Footpath Activity Guidelines for alfresco dining?</li> </ul>	NA
<ul style="list-style-type: none"> <li>How will you minimise noise impacts on surrounding properties (complying at a minimum with the conditions in the State Environmental Protection Act, N1/N2)?</li> </ul>	The area in which liquor will be consumed will be a substantial distance from the nearest residential or other sensitive uses

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

## Patron Management Plan

### The Proposed Function Centre

39 Princes Highway  
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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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**Acknowledgements:**

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**Disclaimer:**

Every effort has been made to ensure that these plans are free from error or omissions, however you should conduct your own inquiries and seek professional advice before relying on any fact, statement, or other matter contained in this book. *Liquor Consultancy Services* is not responsible for any injury, loss or damage as a result of the material included or omitted from this plan. Information in this plan is current at the time of publication. The date of publication is indicated in the date stamp at the bottom of each page.

These plans are not intended to be an independent program in itself, and rely on regular and thorough briefings and training with staff to cover specific issues, tasks, and areas of responsibility.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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Patron Management Plan 3

Introduction

This Patron Management Plan is designed to assist all staff complete their job more efficiently, offering patrons a unique and safe experience and to minimise the risk of assault or injury to patrons.

Additionally, our community neighbours are important to us. The level of comments or complaints from our neighbours is often a barometer of how well we do our job as operators of a function centre in a community environment.

The Plan itself should be used in conjunction with the regular and thorough briefing from Managers and Supervisors to ensure that all staff fully understand the duties required of them and the obligations that both the licensee of the premises and the staff, are responsible for.

The success of this plan will be measured by the number of patrons that are evicted from or injured at the venue; or the number of breaches of laws identified by the Police, VCGLR Gambling & Liquor Inspectors and others, who attend the premises.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

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#### Staff

##### 1.1 Arrival at Work

All persons are to report for duty with sufficient time to be in place by their scheduled time. This time does not allow for a change of clothes or other preparatory undertakings.

In situations where staff is not able to attend their rostered shift, they are to contact (or cause contact to be made by another) the Duty Manager directly as soon as possible, once the decision not to attend work has been made. This is to enable the Duty Manager to find replacement staff prior to the commencement of the rostered shift. A text message 30 minutes prior to the commencement of work is not sufficient.

Staff that do not make such contact within reasonable time frames will cause disruption to the operations of the function centre and those who cannot justify their actions of not notifying the Duty Manager will face discipline action.

##### 1.2 Uniform Requirements

**Bussys** - Bussys are to provide their own smart casual pants and t-shirts.

Bussys that perform duties externally of the venue are to wear reflective vests or jackets provided by the venue. The need for external staff to be highly visible is a requirement of Worksafe and enhances staff's safety and patrons' perception of safety.

**Wait Staff** - Neat and clean up market street wear is permissible and encouraged

**Security** – Crowd Controllers are expected to provide and maintain their own smart casual clothing

Crowd Controllers that perform duties externally of the venue are to wear reflective vests or jackets provided by the venue. The need for external staff to be highly visible is a requirement of both Worksafe but also enhances patrons' safety and perceptions of safety.

##### 1.3 Dress standard

- All attire is to be clean and neatly pressed.
- Footwear, black boots or shoes must be kept highly polished and clean at all times. Sports runners must not be worn.
- Provided uniform items will be replaced when required. When staff ceases employment with the venue, all provided uniform items are to be returned. Items provided by the venue remain the property of the venue.

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## 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

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### Position Responsibilities

#### 2 Bussing

**Report to:** Duty Manager

#### Responsibilities:

To maintain all aspects of cleanliness on the floor that represents the venue's high standards. A good eye for detail is a pre-requisite for the job. Your work will reflect The Proposed Function Centre's image and caters to the safety of our patrons.

#### Duties:

- Maintaining a professional appearance and positive attitude at all times.
- Collecting glassware and bottles.
- Polishing and putting away glassware.
- Keeping tables clean and dry.
- Maintaining clean floors inc. sweeping and mopping.
- Cleaning toilets throughout trade on a roster basis.
- Stocking fridges.
- Ensure storeroom is kept clean.
- Emptying bins.
- Loading and emptying dishwashers.
- 'Bottle runs' – ridding external areas of bottles, cans and rubbish.
- Communication with security regarding intoxicated and troublesome patrons.
- Perform any other duties as requested by management in relation to the operation of the venue.

#### 2.1 Ice

It is the bussys' responsibility to ensure that there is sufficient ice at all operational bars for their entire shift.

Staff are to always use appropriate ice scoops and are to ensure that these ice scoops are maintained in a clean state. They are to be cleaned after completion of each function or more frequently when required.

#### 2.2 Cleaning Spills

It is imperative that spills are to be cleaned as a priority job. The Proposed Function Centre has an obligation to ensure that patrons and staff are safe whilst in the venue and for this reason spills MUST be cleaned as a matter of urgency. In some situations, this may also require the appropriate placement of warning signs.

Additionally, a site of a spill is not to be left unattended. When a spill has been identified, a staff member MUST remain at the spill until it can be cleaned or a warning sign placed into position.

As part of their duties, Bussys are to be mindful of spills and slippery areas. As part of their roving patrols around the venue, bussys must look for those areas where spills are likely to occur and where patrons' safety could be compromised.

#### 2.3 Clearing Tables

Staff are to ensure that glasses, bottles, or other rubbish is removed from tables constantly.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

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#### 2.4 Stock

Staff are to ensure that stock is maintained at each of the bars allocated to them. In situations where a bar staff member specifically request stock, bussys must satisfy that request as a matter of urgency, having regard to the safety of patrons.

#### 2.5 Patron Observations

Bussys have the best opportunity of all staff to effectively monitor the behaviour of patrons. For this reason, where a Bussy identifies a patron nearing intoxication, is being drunk, violent, or quarrelsome, is becoming or appears to be drug affected, they are to immediately notify Duty Manager with a view for them to take appropriate action.

Under no circumstances is a bussy (unless they are also a Licensed Crowd Controller) to become involved in resolving these issues themselves.

#### 2.6 External Cleaning

In some situations, other staff members may require that areas external of the venue will need to have rubbish removed or in some cases, the "wash away" of fluids.

In these situations, or indeed if the Bussy identifies the need to undertake these duties themselves, they must be performed. One of the requirements of the venue's liquor licence is to ensure that the amenity of the area is not interfered with.

The removal of rubbish is of paramount importance to ensure that the venue satisfies this requirement. For this reason, the vicinity of the venue MUST be inspected by a bussy at the completion of each function.

#### 2.7 Bussys Assisting Crowd Controllers

In some circumstances, it may become necessary to assist Crowd Controllers in the execution of their duties. Under no circumstances are Bussys to perform actual Crowd Control duties. In situations where Crowd Controllers are required to leave static observation posts, the Duty Manager should appoint bussys to monitor those positions.

The role of bussys in these circumstances is to provide a continuous observation of the premises to ensure patron safety. In some situations, it may be necessary for bussys to perform observations near the main entrance to the premises. In these circumstances, it is imperative that bussys ensure that patrons do not leave the premises with alcohol.

In some situations, and where directed by the Duty Manager or Security Supervisor, bussys may be required to (on a short term temporary basis) close the doors to the premises preventing patrons entering or leaving. This would be to assist Crowd Controllers managing incidents either inside or immediately outside the venue. In these circumstances bussys should explain to patrons the reason why the doors had been closed and advise them that it is a short-term closure only and is being undertaken to ensure the patrons' on-going safety.

#### 2.8 Waste Disposal

The Duty Manager shall ensure that the venue's waste disposal contractor undertakes their responsibilities with the least disturbance to *The Proposed Function Centre's* commercial neighbours.

It is the Duty Manager's responsibility to ensure that the waste skip is located within the venue's property and only placed in the car park on the day of waste collection. Additionally, the duty manager shall ensure that waste is only collected between the hours of 9AM & 5PM weekdays.

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## ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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3. Bartender

Report to: Duty Manager

**Responsibilities:**

To Serve Customer beverage demands in a fast, friendly, and efficient manner, ensuring product is of a consistent, high quality, and that bar areas are clean and organised at all times.

All bartenders must have completed their Responsible Service of Alcohol. It is the responsibility of staff to provide a copy of their certificate within 1 month of obtaining employment.

**Duties:**

- Maintain total cleanliness of bar and floor areas.
- Ensure fridges, shelves, and cupboards are kept clean.
- Complete pour tests before each shift.
- Arrive at work equipped with a bar blade, waiter's friend and pen.
- Serve beer, wine, soft drink and cocktails in the correct manner.
- Have a thorough understanding of all products available.
- Minimise waste.
- Use the cash register correctly.
- Correct use of the phone including transferring.
- Use eftpos for credit transactions – no cash out.
- Change paper rolls on printers and eftpos machines.
- Maintain a professional appearance and positive attitude at all times.
- Be aware of licensing restrictions on the serving of minors and intoxicated persons.
- Perform any other duties as requested by management in relation to the operation of the venue.

Bar staff will be provided with their rostered commencement times in advance wherever possible. For this reason, staff are expected to arrive at work and be prepared to be in position by their duty commencement time.

Staff are required to be appropriately attired when they arrive work and are to be in a sober and unaffected by drug at the commencement and throughout their rostered shifts.

**3.1 Free Drinks for Patrons / Staff**

Staff are not permitted to provide drinks to other staff, friends, or acquaintances free of charge, or sold at a price other than the authorised amount. In situations where a good customer has been observed and there is a commercial reason for offering free drinks, that request must be made through the Duty Manager who will issue the person with a drink card in appropriate circumstances.

Where the Duty Manager wishes to provide staff with "After Work Drinks" that is at the discretion of the Duty Manager. All such drinks are to be appropriately recorded on the venue's cash register system.

Any staff member who receives a beverage other than in accordance with these instructions will be treated as having stolen drinks from the premises and will face discipline action and have the matter reported to the Police.

Under no circumstances are "After Work Drinks" to be consumed whilst any patron is still on the premises and the premises are in fact still open.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

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#### 3.2 Recording of Sales

All sales are to be recorded through the venue's cash register system as required. Staff who are observed not recording sales correctly will be subject to discipline action.

#### 3.3 Customer Service

The hospitality industry constantly changes and for this reason new products regularly become available. Bar Staff are encouraged to provide a unique experience to patrons and provide a higher level of service than is experienced at other venues. If a patron requires information about products or services provided at the venue, staff are encouraged to facilitate that request having regard to their R.S.A. responsibilities.

#### 3.4 Maintaining the Bar

Most interaction between staff and patrons will occur around the bar areas. For this reason, it is imperative that staff maintain a clean and inviting bar area. Benches are to be maintained in a dry and clean manner and glass, bottles and other rubbish removed in a timely manner.

#### 3.5 Refusal of Service

When bar staff decide to refuse service, it must be done in a way to reduce the chance of any conflict. Where a staff member has refused service to any patron, that decision is only able to be overridden by the Duty Manager, and only then under exceptional circumstances, having regard to the licensees' responsibility under the Liquor Control Reform Act relating to serving intoxicated patrons.

When a patron has been refused service, the Duty Manager is to be informed so that other staff are advised of the refusal.

Some approaches to consider include:

- Use tact. Be polite when telling the patron you will not serve them anymore; preferably tell them so that other patrons do not hear to reduce the risk of embarrassment.
- Tell them firmly by law that you are not allowed to serve them.
- Management policy may offer a non-alcoholic drink. Suggest water, juice or soft drinks or perhaps even some food.
- Notify the manager or licensee or other crowd controllers.
- The decision to refuse service to a patron is that of the Bar Staff Member. Crowd Controllers are to support the decision of the bar staff member. Crowd Controllers are not to over-ride that decision.

#### 3.6 Signs of Drunkenness and Intoxication

In order to carry out your role and responsibilities effectively bar staff should be familiar with the physical signs of intoxication. A person who is intoxicated will generally show some/all of the following characteristics:

- Be staggering or unsteady on their feet.
- Have bloodshot eyes.
- Chumsiness
- Lack of judgement
- Loss or co-ordination
- Have the smell of alcohol on their breath.
- Be in general disarray, e.g. clothing untidy.
- Have slurred speech.

#### 3.7 Selling or Supplying Liquor to Minors (Under 18s)

All staff members have a responsibility to ensure that no under aged individual is *sold* or *supplied* alcohol, except where they are partaking of a meal and in the company of a parent or guardian. Once the meal has been completed, so is the minor's right to consume alcohol.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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**3.8 Proof of Age: Power to demand**

The power to request that a person in or attempting to enter licensed premises or is purchasing liquor to provide evidence of age, name and address is contained in Section 126 (b) of the Liquor Control Reform Act:

Bar staff members are liable for serving underage patrons and so if they are in any doubt as to a person's age, they must only accept appropriate evidence of age documents.

**3.9 Responsible Serving of Alcohol**

Owing to the possibility of drink spiking and in order to maintain our Responsible Serving of Alcohol philosophy, double or triple pours and "shots" are not permitted to be supplied.

It is a requirement of The Proposed Function Centre that all bar staff have undertaken a Responsible Serving of Alcohol (RSA) workshop. As a condition of employment, all bar staff MUST produce to Management a photocopy of their RSA Certificate.

The venue requires that all bar staff "refresh" their knowledge of RSA every three years. This can be undertaken by the VCGLR's Internet based refresher course. Staff members must produce evidence of having "refreshed" their knowledge of RSA.

Additionally, the venue has a large number of low or non-alcoholic drinks and these should be suggested to those patrons nearing intoxication, as an alternative to full strength products.

Additionally, the venue provides free drinking water by the glass.

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## 4 Duty Manager

**Report to:** Venue Manager / Directors**Responsibilities:**

Being the Duty Manager is a hands-on position supervising and leading team members by example. A thorough knowledge of cocktails and wine is a pre-requisite for the job. It is your responsibility to conduct ongoing training with all staff to ensure our high standard of quality products and customer service is upheld. Good organisational skills and an eye for detail is essential.

As duty manager, you will be responsible for the effective management control of the property in the absence of the venue manager and should be aware of legal aspects relating to the business such as;

- Responsible serving of Alcohol
- Proper I.D.
- Underage drinking
- Intoxication
- Licensing restrictions
- Sexual harassment
- Unfair dismissal
- Workcare
- Award conditions
- To hold a current RSA and ensure all bartenders do also, with copies made for reference.
- To maintain an RSA training register (in accordance with the VCGLR requirements)
- Ensure bar and floor areas are maintained, safe, and clean.
- Serve all drinks in the same consistent manner.
- Have a thorough understanding of all products available.
- Training of all bartenders and bussys.
- Looking after staff breaks, and other staff welfare issues
- Ensure bars are fully stocked before service.
- Planning of original seasonal cocktail lists keeping up with trends.
- Minimise waste and have an understanding cost control, stock control and stock take.
- Develop good working relations with representatives.
- Planning and introduction of bar promotions.
- Place stock orders with suppliers.
- Thorough knowledge of telephone, cash register, printers and EFTPOS inc. changing paper rolls.
- Maintain a professional appearance and positive attitude at all times.
- Perform any other duties as requested by the Venue manager in relation to the operation of the venue.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

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5 Venue Manager

**Reports to:** Directors

**Responsibilities:**

The venue manager is responsible for the effective management control of the property and should be aware of legal aspects relating to the business such as;

- Display of required signage
- Display of current Liquor Licence
- Maintenance of RSA training register
- Responsible serving of Alcohol
- Proper I.D.
- Underage drinking
- Intoxication
- Licensing restrictions
- Sexual harassment
- Unfair dismissal
- Workcare
- Award conditions

The Venue Manager is expected to comply with the guidelines of behaviour, including never being intoxicated on the licensed premises, never borrowing or lending money from the venue, never cashing cheques, never entering into agreements on behalf of the company without approval, never making statements to the media, and never conducting oneself in an unethical, dishonest or unprofessional manner.

The Venue Manager shall also make a determination as to whether certain events or activities warrant Crowd Control. In those circumstances, it is a requirement of these instructions (and indeed legislation) that only those Crowd Controllers that hold a CURRENT Crowd Control licence are to be employed to undertake these duties at the venue. Additionally, where events or activities warrant crowd control, the Venue Manager is to ensure that all Crowd Control staff undertake their duties in accordance with these operational plans. If Crowd Control Staff are employed, it is the responsibility of the Venue Manger to ensure that a Security Register is maintained in accordance with the Private Security Act, and associated regulations.

The Venue Manager is also responsible for ensuring that the premises, plant and equipment are maintained in a clear, presentable and safe condition. This includes toilets and external areas of the venue

Creating ambience and atmosphere using lighting, music and air conditioning are an essential part of the position. A good eye for detail is a pre-requisite for the job.

The venue manager will be responsible for staff levels at all times and expected to produce rosters to best service customer demands.

It is expected the venue manager be available and visible to Staff and Customers during peak business times.

The venue manager is expected to implement Company policy and procedures in a firm but fair manner, leading by example in your own exemplary conduct, appearance, honesty and commitment to the success of the venue.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

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Leadership is expected to include excellent staff communications through regular discussions and meetings with staff.

Teamwork is a priority. Managers are responsible for the conduct and behaviour of the staff whilst on venue property, ensuring staff adhere to company guidelines.

The position will require you to interview and select staff, carry out inductions and train and develop staff through regular evaluations.

Reference checks, Letters of Appointment, Job Descriptions and Induction Packages will assist you in your efforts.

The venue manager is responsible for ensuring staff are trained correctly in all facets of their job and that they adhere to occupational health and safety issues.

Close working relations must be held with security to ensure they conduct their duties in the correct manner as stated in our plans and operational orders.

Communication with police is also important to make sure external community issues regarding the venue are made aware and acted on as required.

The venue manager should have exceptional people skills and customer service techniques. You should be familiar with policies for complaint handling and always strive to outdo our competition.

The venue manager is required to have a good understanding and knowledge of procedures pertaining to:

- Stock takes
- Wastage
- Cash & Petty Cash
- Debtors
- Financial Reporting
- Daily reports
- Venue Security

The venue manager is also responsible for the marketing and development of new concepts, nights and the business itself. Keeping up to date with the latest trends in conjunction with promoters is essential. You must have a thorough understanding of the clientele each night is aiming at, whilst constantly addressing their demands to keep each night fresh and exciting.

#### 5.1 Responsible Serving of Alcohol register

The venue manager is responsible for the maintenance of the RSA training register. This register must be provided on demand to a member of the Police Force or a VCGLR Gambling & Liquor Inspector.

The register MUST contain, copies of all serving staff's RSA certificate and any refresher certificate, together with the names of all bar staff, the date they commenced serving alcohol at the venue, the date of their RSA certificate and any refresher certificate.

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**5.2 Authorised Floor Plan**

The venue manager is responsible for ensuring that the authorised floor plan is readily accessible for all staff and that it can be produced immediately to any member of the Police Force or a Gambling & Liquor Inspector. The Floor Plan is located together with these instructions.

**5.3 CCTV systems**

The Venue Manager shall ensure that *The Proposed Function Centre's* CCTV security systems have been installed by a reputable contractor and in consultation with the Victorian Police's Divisional Crime Prevention Officer, to ensure that appropriate security coverage of the venue is maintained.

It is further, the responsibility of the Venue Manager to ensure that *The Proposed Function Centre's* CCTV system is operational anytime a function is being undertaken. In situations where there is a technical outage or a failure in coverage is identified, the Venue Manager shall immediately arrange for the venue's contractor to rectify the issue.

Captured images shall be retained for 30 days in accordance with industry best practice.

In situations of reportable incidents, the Venue Manager shall ensure that images are retained into memory devices and retained in the venue's safe for 7 years. These images should also be backed-up into "cloud" based memory databases.

**5.4 Security Lighting**

The Venue Manager shall ensure that *The Proposed Function Centre's* external lighting is operational on each night of a function. This is to ensure patrons can safely navigate the external areas and car park and assists the CCTV system to have sufficient lighting to effectively capture images.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

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6 Security Supervisor

Reports to: Venue Manager / Duty Manager

**Responsibilities:**

The predominate activity of the Security Supervisor is that of a Crowd Controller, responsible for monitoring patron behaviour.

Additionally, the Security Supervisor is to assist the Duty Manager to ensure that the premises operate in accordance with the premises' liquor licence and these Patron Management Plans.

The timely and accurate recording of information in the Crowd Control Register is the responsibility of the Security Supervisor. The Crowd Control Register is to be used as it is intended to record information relating to reportable incidents, and to indicate in a legal sense, who worked as a Crowd Controller at what time. It is not intended to be a time sheet for Crowd Controllers and should not be used as such.

The Security Supervisor shall ensure that all Crowd Controllers are fully briefed with instructions and that each Crowd Controller has an understanding of their specific roles, duties and responsibilities.

The Security Supervisor is to specifically ensure that promoters comply with the procedures contained within these instructions.

6.1 Crowd Control Ratios

The Security Supervisor in consultation with the Venue Manager will undertake a risk assessment of all functions to be conducted. This is to ensure that for each function, an appropriate security presence can be determined.

As part of that assessment, consideration must be made of :-

- The type of function
- The age of likely attendees
- The likely patron numbers
- The length of the function
- The time of night or day of the function
- If the function has previously been conducted, the behaviour of those attending

Those functions deemed to be "high risk" are to be conducted with Crowd Control at least at the following ratios.

- 2 Crowd Controllers for the first 100 patrons or part thereof
- 1 Crowd Controller for every 100 patrons thereafter

6.2 Defibrillator training

It is the responsibility of the Security Supervisor to ensure at any function conducted at *The Proposed Function Centre* is done so with at least one staff member trained in the use of Defibrillator equipment

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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## 7 Cloakroom

**Report to:** Duty Manager**Responsibilities:**

To make sure our patrons first point of entry is met with a pleasant greeting. Also, that all money handling and the looking after of all personal belongings in the cloakroom is conducted in a responsible manner.

**Duties:**

- Maintain a professional appearance and positive attitude at all times.
- Greet and farewell all customers.
- Opening the door for patrons where possible.
- Maintaining a clean desk i.e. Security & personal drinks.
- Organising paperwork at the beginning of your shift e.g. numbering cloakroom sheets.
- Checking in items in the correct manner.
- Taking and recording of door takings.
- Answering the telephone and using it in the correct manner including transferring & speed dial for emergency & taxis.
- Recording crowd numbers every hour.
- Having good communication skills with security and help control the traffic in the foyer.
- Not allowing glassware in the foyer.
- Perform any other duties as requested by management in relation to the operation of the venue.

## 7.1 Defibrillator Station

The Defibrillator is located within the Cloak room. It is the Cloak Room Attendant's responsibility to ensure that the Defibrillator is constantly connected to power to ensure it is always available and operational.

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## General Instructions

## 8.1 Patron Mix

On nights where the venue is used as an "Open" business, and in order to ensure that the venue provides the best experience for its patrons, the mix of patrons (having regards to anti-discrimination legislation) shall be those that are going to enhance the reputation of the venue.

With that in mind, patrons must be dressed in accordance with the Dress Code, that operates on some nights.

Additionally, those patrons that are attending private functions, are to be permitted entry having regards to the Disability Discrimination Act relating to persons with a disability.

## 8.2 Alcohol and Drugs

The use of alcohol and illicit substances whilst on duty is strictly prohibited. No staff member is to present for work in a drug or alcohol affected manner. Staff who present in this manner or otherwise become alcohol or drug affected whilst on duty, will be immediately dismissed in accordance with the venue's conditions of employment.

Additionally, any member of staff found to be involved in the distribution of illicit drugs will be dismissed, in accordance with the venue's conditions of employment.

## 8.3 Cloak Facilities

The venue operates cloak facilities for the benefit of patrons. In order to maintain appropriate levels of security for cloaked items, only the Security Supervisor, Duty Manager and the cloakroom attendant are permitted in the cloakroom. Where other staff members request entry into the Cloak Room, they are to make that request to the Duty Manager or Security Supervisor who when satisfied that entry is appropriate, will accompany that staff member into the Cloak Room.

In order to enhance the venue's reputation as a safe venue, patrons are permitted to cloak items free of charge. Because the venue has formalised cloaking facilities, no other staff are permitted to take care of any items on behalf of patrons. Where patrons request that bar (or indeed other) staff members look after items, they MUST be referred to the Cloak Facilities for attention.

Under no circumstances are staff (other than cloak staff) permitted to accept responsibility for patrons' items.

## 8.4 Lost Property

From time to time, patrons may leave property items when they leave the venue. Any staff member who locates any items of clothing or property is to give those items immediately to the Duty Manager.

The Duty Manager will make arrangements for the property to be transferred to the Administration area where a support staff member shall record information about the items. Whether possible the owner of the property should be identified and contacted and requested that they collect the items or have the items mailed to the owner (at their personal expense)

The items are to be retained for a period of 14 days. At the expiration of that time, a support staff member shall transport the items to the local Police Station for attention by the Police, or as otherwise disposed of in accordance with the requests of the Police.

It is the instruction of the venue that items (other than clothing) if not returned to the owner by the Police is to be left with the Police for disposal in accordance with their internal procedures.

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#### 8.5 People with Disabilities

People with Disabilities are welcome and every possible courtesy shall be extended to them as patrons. People with Disabilities are not to be discriminated against in any manner. Some disabilities present as showing similar characteristics to that of intoxication. Staff are to determine the patron's demeanour as either intoxication or a disability before taking ANY action.

#### 8.6 Drink Spiking:

Drink spiking is the practice of adding alcohol or another substance to a drink without the knowledge of the person who will be consuming it. Drink spiking is not only illegal it is a serious crime, with severe penalties for persons convicted. Alcohol is still the most common drug used to spike drinks. However, other drugs such as Kentamine or GHB may be added to a patrons drink unknowingly.

Look out for:

- Persons putting any substances into another person's drink, or pouring two or more drinks into one glass.
- Persons requesting "triples"
- Patrons requesting alcohol to be placed into a drink
- Anyone appearing to be plying another person with excessive amounts of alcohol.
- Evidence of small plastic "bottle" or containers that could contain small amounts of liquids – that are disposed of on the venue's floor.
- Persons appearing to be excessively intoxicated despite not having consumed much or no alcohol at all.
- Verbal and physical cues from an apparently intoxicated person that they are not comfortable with the person/s escorting them from the premises. Ask them if they need assistance or a taxi. Ask the person escorting them for identification and record their details. This may prevent an incident occurring. Escort distressed patrons to the sick bay and advise the Duty Manager or Security Supervisor.

In order to protect patrons from allowing their drinks to be spiked, any drink found to be left unattended by any member of staff is to be removed from the public area and disposed of.

Where patrons object to this policy, the patrons are to be reminded of the potential for drink spiking and explained that the reason for the drink's disposal was to enhance the patron's safety.

In those situations where a patron continues to object to this practice, the staff member shall report the matter to the Duty Manager who, at their discretion, is permitted to replace the drink for the patron free of charge.

#### 8.7 Illicit drugs

The venue has a Zero Tolerance philosophy relating to the trafficking of illicit drugs within the venue. If staff suspects that a patron or patrons are trafficking a drug of dependence they are to immediately notify the Security Supervisor and inform him of the observations. In situations where patrons are reasonably suspected of using or trafficking, they are to be removed from the premises, provided the removal of the patron does not place the patron in danger. No attempt is to be made to try and seize the drugs. In the case of suspected drug trafficking, the Police should be immediately notified by the Security Supervisor.

The incident is to be recorded in the Crowd Control register by the Security Supervisor together with all relevant information. This information should then be passed onto local Police. On their arrival, staff must follow the lawful directions of the Police including the provision of written statements.

The venue has a harm minimisation policy in place for the consumption (use) of illicit drugs. Where a patron comes to the attention of staff and they appear to be drug affected, the Security Supervisor is to be informed and arrangements made for the Security Supervisor to make a determination as to the

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appropriate intervention: - This may include supervised time-out in a quiet part of the venue OR safely placed in the care of an adult friend or relative to ensure their safety OR in situations where the patron's welfare cannot be guaranteed, an ambulance should be called to attend to the patron.

Where staff locate drugs of dependence the items are to be forwarded to the Security Supervisor who will then make arrangements for the drugs to be forwarded to Police for disposal.

Staff that discover instruments of drug use, syringes etc, are to be immediately removed using appropriate safety equipment provided in the venue for that purpose and disposed of into properly maintained sharps containers.

Staff involved in handling a drug affected patron where blood, vomit, or other bodily fluids may be present should only do so once they have applied gloves, and any other Personal Protection Equipment (PPE) deemed necessary by the Duty Supervisor or a Crowd Controller who has first aid training.

Staff are to be mindful that they are not empowered by legislation to search patrons in any circumstances and Police are only so powered in certain circumstances. The venue staff members are not police and it is not their job to perform the task of the Police who are trained to deal in drug investigations.

The venue actively seeks to ensure that staff are not involved in the distribution of illicit drugs. In situations where staff members are suspected of being involved in the distribution of illicit drugs, management will provide information to the Police and assist with the view to having the staff member appropriately charged. Any staff member convicted of ANY drug offence will be dismissed.

The venue has free water available to patrons. Staff are to direct patrons to this free service where required. Additionally, Crowd Controllers who are trained in first aid are employed to deal with patrons who become drug affected or otherwise ill or injured.

A First Aid kit is located in both the Cloakroom and Security Office and should be accessed when necessary. Any staff member, who uses this kit, is to inform the Security Supervisor of the use of items from the kit to enable the kit to be replenished with fresh supplies. It is the responsibility of the Venue Manager to ensure that the First Aid Kit is maintained with sufficient stock on a regular basis.

In order to reduce the incidence of drug distribution within the venue, Crowd Controllers are to be mindful of patrons "coming & going" excessively. Drug traffickers generally will not carry a large quantity of drugs on their person and for this reason tend to come and go to access additional drugs. By reducing the extent of these "comings & goings", activities by drug traffickers will be reduced.

#### 8.8 Incident Reports (IR's)

The incident report system is a standard method of centralising and collating information relating to any incidents that occur at the venue during any given time of the day or night.

Crowd Controllers may be involved in numerous incidents during their shift and should record details of any incident in their personal diaries. These diaries may be used for evidence purposes if required.

When completing an I.R. form, staff should ensure that the facts relating to the incident are recorded and in the order that they occurred. Information that is based upon *opinion or guesswork* should not be recorded. It is important that incidents are reported to understand how an unlawful act or breach in security has occurred; it may also help to prevent/solve security breaches in the future.

#### 8.9 Complaints

From time to time, neighbours and other persons may complain about the manner in which the venue is operated. Whenever a person complains about any aspect of the operations of the venue, the

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person receiving the initial complaint or comment is to immediately record the details of the person making the complaint.

Where-ever possible, if this person is present, they are to be introduced to the Duty Manager who will investigate the complaint. Where this is not possible, the person receiving the complaint is to document all relevant information such as:-

- The name & address of the person making the complaint
- The full circumstances of the complaint
- Whether there are any other person(s) involved
- What action the person requires

Regardless of who investigates, wherever a complaint about the operations of the venue has been received, the Duty Manager will ensure that the complaint is investigated fully. The primary purpose of the investigation is to ensure that the matter is resolved to the satisfaction of all involved. At the completion of the investigation, the complainant (where known) is to be notified of the investigation and the result.

Where the complainant is not satisfied with the outcome of the investigation, they are to be referred to the Venue Manager for follow up inquiries. In each case of a complaint being received, the Duty Manager receiving the complaint shall ensure that the Venue Manager is notified as soon as practicable having regard to the seriousness of the complaint, that any surveillance footage of the incident is "burnt" for retention, and that the incident is recorded in the log, kept for that purpose.

At the completion of the investigation, where necessary these instructions are to be updated to reflect new or better procedures so that similar matters are reduced in the future.

#### 8.10 Crimes Committed Within the Premises

*The Proposed Function Centre* values its customers' safety. As part of that commitment it is imperative if a staff member identifies that a customer may become the victim of a crime, they are to take a pro-active approach to prevent the crime from occurring.

Staff should be aware of

- ◊ Unattended valuables
- ◊ Patrons who become distressed for unknown reasons
- ◊ Patrons who appear to be aggressive towards others

In some situations where crimes do occur, the victim should be asked if they wish to report the matter to the police. In any case a report of any crime within the premises should be immediately brought to the attention of the Duty Manager.

If a patron wishes to report the matter to the Police, the Duty Manager should assist the patron to satisfy the reporting of the matter.

In situations where the patron cannot make a decision (due to injury or otherwise) to report a crime to the Police, the Duty Manager MUST immediately report the matter to the Police. In any case, where a patron is injured as a result of a criminal act and the extent of the injury requires that the patron be transported from the venue by an ambulance or otherwise to a hospital (unless the patron themselves insists that the matter not be reported to the Police) the Duty Manager MUST report the matter to the Police for their investigation.

In these circumstances the Venue Manger should be notified as soon as possible so that a copy of any video surveillance of the incident can be "burnt" and retained.

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In situations where the offender of a serious crime has been identified, and Police are to be called, the offender should be prevented from leaving the premises by Crowd Controllers until Police arrive, having regard to powers of arrest contained within Section 458 of the Crimes Act.

Where no such arrest power exists or the offender cannot be prevented from leaving the venue, all reasonable attempts should be made to identify the offender.

Matters that would assist the Police would include (but are not limited to)

- ◊ A physical description of the person
- ◊ Details of any known associates
- ◊ Details of any vehicles used by the offender to decamp
- ◊ Video surveillance footage of the offender/incident
- ◊ Details of any witnesses to the incident
- ◊ A photograph obtained

A report of any crime MUST be recorded in the Crowd Control register by the Security Supervisor.

#### 8.11 Identifying Risks

During the course of their duties, staff will from time to time identify potential risks within the venue. Those risks may be to other staff or as equally as importantly, patrons. Examples of potential risks, are broken glass, damaged or faulty fixtures, inoperative lighting, and any array of other items.

Where those risks are identified, the situation cannot be resolved by the staff themselves, it is to be brought to the attention of the Duty Manager for their investigation and attention as necessary.

#### 8.12 Venue Maintenance

The Venue Manager is responsible for ensuring that the venue is in a safe condition, suitable for the presence of patrons. With that in mind, the Venue Manager shall ensure that the venue is inspected (and where necessary – equipment tested) on a daily basis.

This inspection should include (but is not limited to) inspection of floor services, lighting, emergency exits and lighting, electrical leads and connections, furniture, pest control, doors, and air conditioning.

#### 8.13 Harassment (Sexual or Otherwise)

The venue management does not condone, and will not tolerate any form of discrimination and has a firm commitment to Equal Opportunity principles. This policy has been formulated so that: -

- All employees can be reassured that venue management is concerned with their welfare.
- All employees are aware of the meaning of discrimination.
- Any injured parties are informed on remedial action they may take.
- All employees are informed of their responsibilities to prevent discrimination.
- The legal consequences of allowing discrimination to occur, and continue, are clearly spelt out.

#### 8.14 Selling or Supplying Liquor to Minors (Under 18s)

All staff members have a responsibility to ensure that no under aged individual is consuming alcohol, except where they are partaking of a meal and in the company of a parent or guardian. Once the meal has been completed so is the minor's right to consume alcohol.

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#### 8.15 Minors on the premises

The venue does not have a specific authority to allow minors on the licensed premises. All staff are to make themselves conversant with the venue's liquor licence and to understand when minors can be on the premises. This means that they are either there for a meal, or if they are in the company of a Spouse, Parent, Guardian, or other responsible adult.

#### 8.16 Patrons Foreseeing Incidents

In some situations, patrons may approach staff members requesting "protection" or forewarning other incidents. Public Liability case studies have found that in those situations, the licensee faces blame for any subsequent injury or loss. On that basis, staff need to understand that the venue cannot "guarantee" those patrons their safety.

In those situations, where those patrons have foreseen injury, the person who allegedly has been identified as a potential person likely to assault, become violent or otherwise quarrelsome is to be ejected from the premises. This instruction is to be followed explicitly and is not open to review by any staff member.

In situations where the alleged "suspect" cannot be identified or located, the person who made the allegation is to be politely requested to leave. The venue must protect its patrons and itself wherever possible from Public Liability Claims and if a potential "victim" to an assault can be protected by either the removal of the "suspect" or by the "victim" leaving the premises, then that action must be taken.

Any staff that are forewarned of a potential "incident" must bring that information to the Duty Manager or Security Supervisor for attention in accordance with these instructions.

#### 8.17 Public Liability Incident Reports

Licensed premises are more regularly being sued, in some cases many years after an event. For this reason, it is imperative that details of all incidents involving patrons suffering ANY type of injury be accurately and timely recorded. This should include the names and addresses of ALL witnesses.

The Duty Manger is responsible for the compilation of a Public Liability Incident Report. The report is to be forwarded to the Venue Manager within 24 hours of an event, together with any recommendation to avoid recurrence of an incident.

In situations where a person has been forcibly ejected, a patron injured or other significant incident occurs, the Duty Manager shall inform the Licensee of the incident at the first available opportunity, having regard to the seriousness of the incident. Such report should include whether the incident was captured on the venue's Security System.

The Licensee will then ensure that an appropriate staff member will "burn" a copy of the recorded images and that those images are kept for a minimum 7 years.

#### 8.18 Drunk and Disorderly Individuals

The Licensee must ensure that patrons who become or are drunk, are not permitted to remain on the premises, having regard also to their welfare.

Staff have a responsibility to ask any person to leave licensed premises when they are *drunk, violent or quarrelsome*. Any individual who is drunk, violent or quarrelsome after they have refused a request to leave must be ejected from the premises. The ejection is to be undertaken using the techniques contained in these procedures and with a minimum of force. No ejection is to occur without the knowledge of the Duty Manager or Security Supervisor who, where possible, will supervise the removal of the patron

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#### 8.19 Seizure of 'Evidence of Age'

A document (except a driver's licence) may be seized unless the person reasonably believes that:

- The person producing the document is the person on the document.
- The document contains false or misleading information about the age or name of the person.
- The document has been forged or fraudulently altered.

If a document is seized it must be given to the police. The Security Supervisor is responsible for forwarding seized documents to the Police on a regular basis.

#### 8.20 Amenity

As part of the venue's Liquor Licence, we are required to ensure that the amenity of the vicinity is not disturbed by the operations of the venue. Amenity is briefly described (but not limited to) noise, rubbish, nuisance, vandalism, parking etc.

Staff particularly those with the responsibility of monitoring the front of the venue, are to ensure that patrons and those attempting entry into the venue, do not detract from the amenity of the vicinity of the venue.

As part of this instruction, staff allocated by the Duty manager are to ensure that rubbish is removed and that those queuing to gain entry into the premises, and indeed those leaving the venue do so in a quiet manner.

Additionally, staff tasked to monitor the front of the venue are to ensure that patrons do not interfere with vehicles parked near the venue, or other business or residential premises.

Where a staff member witnesses a person causing damage to other premises or vehicles, the person should be held and the Police called for them to investigate the damage caused. Crowd Controllers in these circumstances are to ensure that an appropriate entry is subsequently made in the venue's Crowd Control Register.

Where a staff member does not witness the damage, details of the incident should be recorded in order for the Police to be assisted in their investigation of the damage.

#### 8.21 Internal Observations – Key Positions

Historically, most assaults at licensed premises occur at or near the front entrance, at or near bars, or on or near the dance floor(s)

These procedures have deliberately not identified specific roles for specific areas within the venue.

The Security Supervisor will appoint Crowd Control Staff to make observations within the vicinity of various bars and areas having regard to the function type & size, patron mix, patron numbers, patron behaviour, the number / location of operational bars, and other considerations, throughout the venue, however all areas within the premises where patrons gather are to have a Crowd Control presence.

Crowd Controllers allocated to these observational areas are to ensure that their positioning is appropriate having regard to the most efficient coverage within the venue.

Where possible, an elevated position will ensure that observations of the premises will be more efficient and provide patrons a visible security presence.

In some situations, an incident may require that Crowd Controllers leave their observation areas. In situations where these are key positions, the Duty Manager or Security Supervisor should allocate either another Crowd Controller or a bussy to undertake observations at those core key positions.

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This may also include having bussys undertake observations at the front entrance where they are to ensure that patrons do not leave the premises with alcohol.

**8.22 Female Toilets**

Where there is a female Crowd Controller on-duty, unless circumstances require additional observations, a patrol of the female toilets is to be undertaken (on average) at least 3 – 4 times per hour during the operations of the venue. Crowd Controllers are to ensure that glass, bottles, or other refuse is removed from the toilet areas. In situations where additional supplies are required for the toilets, the Crowd Controller is to ensure that those supplies are replenished.

Spills or other hazards are to be immediately reported to the Security Supervisor for attention by a Bussy. In appropriate circumstances, a "Caution" sign is to be placed so as to warn patrons of any potential dangers or in urgent cases by closing that particular part of the venue, or by having a Crowd Controller positioned to avoid injury until such time as a sign can be positioned and/or the spill cleaned.

In situations where there is no female Crowd Controller present, this task is to be undertaken by another female staff member. It is the responsibility of the Duty Manager to appoint another staff member to specifically cover this task.

Staff who make observations within the Female Toilets are to ensure that no more than one person at a time is permitted into a cubicle. Patrons who refuse this reasonable request of staff are to be asked to leave. This instruction is designed to minimise the possibility of drug trafficking or consumption and to prevent assaults from occurring from an area, which (owing to privacy) cannot be effectively monitored.

Additionally, it is imperative that Crowd Controllers ensure that no male (other than staff members) enter the female toilets, either of their own design or as a result of being enticed into the toilets.

**8.23 Male Toilets**

The male toilets are to be physically patrolled by a Crowd Controller (on average) at least 3 – 4 times per hour during the operations of the venue. Crowd Controllers are to ensure that glass, bottles, or other refuse is removed from the toilet areas during those inspections.

Additionally, patrons are to be discouraged from "loitering" in and around the toilet areas.

Spills or other hazards are to be immediately reported to the Security Supervisor for attention by a Bussy. In appropriate circumstances, a "Caution" sign is to be placed so as to warn patrons of any potential dangers or in urgent cases by closing that particular part of the venue, or by having a Crowd Controller positioned to avoid injury until such time as a sign can be positioned and/or the spill cleaned.

Staff who make observations within the Male Toilets are to ensure that no more than one person at a time is permitted into a cubicle. Patrons who refuse this reasonable request of staff are to be asked to leave. This instruction is designed to minimise the possibility of drug trafficking or consumption and to prevent assaults from occurring from an area, which (owing to privacy) cannot be effectively monitored.

Additionally, it is imperative that Crowd Controllers ensure that no female enters the male toilets, either of their own design or as a result of being enticed into the toilets.

**8.24 Rear Emergency Exit**

The Crowd Controller who is appointed responsibility to monitor the rear area is to ensure that the rear emergency exit is not opened by patrons to allow entry to others.

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Additionally, this Crowd Controller is to ensure that the rear emergency exit is not blocked or locked to prevent immediate egress from the venue in the case of an emergency.

#### 8.25 External Observations

Crowd Controllers positioned at the front entrance to the premises are to ensure that the amenity of the area is not disturbed. Patrons that loiter around external streets, or elsewhere within the vicinity of the venue are to be closely observed.

Wherever possible patrons should be discouraged from loitering in the vicinity and requested to move on.

Those staff that locate rubbish in the vicinity of the venue is to ensure that is cleaned, where possible by a bussy or if unavailable, the Crowd Controller themselves, regardless of the origin of the rubbish.

In some cases this rubbish removal may necessitate the "wash away" of fluids, which will be undertaken by Bussys.

#### 8.26 Ejection of Patrons

Any individual who is identified as being involved in drug use, violence, drunkenness or other anti-social behaviour must be ejected from the premises. The ejection is to be undertaken using a minimum of force. In most situations this can be achieved with appropriate communication skills.

Ejections should be undertaken with speed, and with a superiority of numbers, having regard to the safety of staff and the person being ejected. Crowd Controllers should not get into a verbal argument about whether a patron should or should not be ejected. Crowd Controllers should undertake an investigation as to why an ejection is or is not warranted and make a decision. They should not delay making a decision as this indecisiveness may cause further arguments.

No ejection is to occur without the knowledge of the Security Supervisor, who, where possible, will supervise the removal of the patron. Wherever possible, the identity of the person being ejected should be obtained.

Patrons who are involved in disputes with other patrons are to be removed from the premises using opposing exits or by delaying the ejection of one of the parties. This is to reduce the likelihood of patrons continuing their disagreements once ejected. Crowd controllers positioned near entrances/exits should monitor the on-going behaviour of ejected patrons to reduce the likelihood of patrons becoming anti-social in the vicinity of the premises and thereby affecting the amenity of the neighbourhood. In situations where a dispute becomes likely to continue, the Security Supervisor should request the attendance of the Police to ensure that further assaults do not occur.

Wherever possible, patrons who are to be ejected should be removed from the premises with the least interference to other patrons. In some situations this may necessitate their removal from an entrance other than the front main entrance.

Patrons who have been ejected from the premises for drunkenness or drug use, are to be ejected having regard to their on-going welfare. In situations where patrons are not able to be cared for by a sober, responsible adult, the patron should be afforded the opportunity to be driven home by taxi or other appropriate means. Under no circumstances is a drug affected or drunken patron to be left to their own devices, unless the patron them self insists.

Under no circumstances are patrons to be removed via or to areas that are not protected by the premises' electronic security systems. Crowd Controllers who are not able to justify why this instruction is not undertaken will face discipline action

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In situations where patrons are to be restrained, either for their own welfare or where the restraint is necessary to hold a patron for Police (pending their arrival), then the patron is to be restrained having regard to preventing restraint asphyxia.

In situations where a patron is restrained, the Security Supervisor MUST supervise the patron whilst being restrained.

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### 9.1 Car Park Management

This Car Park Management Plan is designed to assist all staff in completing their job more efficiently, offering patrons a unique and safe experience, to ensure as far as practicable that nearby residential neighbours are not disturbed, and to minimise any risk of assault or injury to patrons and others.

It is specifically designed to prevent

- Yelling and screaming in the car park
- Car noise
- Loutish behaviour
- Vandalism
- Litter
- Trespass onto private properties

Our community and residential neighbours are important to *The Proposed Function Centre*. The level of comments or complaints from our neighbours is often a barometer of how well we do our job as operators of licensed premises in a commercial environment.

This car park management Plan should be used in conjunction with regular and thorough briefing from Managers to ensure that all staff fully understand the duties and the obligations that *The Proposed Function Centre* as a licensee is responsible for.

The success of this plan will be measured by the number of nearby residents that lodge complaints, or the number of breaches of laws identified by the Police or Compliance Inspectors from the Victorian Commission for Gambling & Liquor Regulation (VCGLR).

In situations where there is conflict between *The Proposed Function Centre's* Planning Permit and the Liquor Licence, this plan will default to the most onerous document.

### 9.2 Staffing of the car park

It is a requirement of *The Proposed Function Centre's* Planning Permit & associated liquor licence that at times when there is a function being conducted, there is constant supervision of the car park.

The Duty Manager shall roster two staff to patrol the entire car park. The rostering of the car park shall be as such:-

- On any night of a function, – between 30 minutes prior to the scheduled commencement time until 15 minutes after the commencement time & from the scheduled conclusion time for 30 minutes after the premises have ceased operations.

This is to ensure the safe arrival and departure of guests and to ensure that the parking of patrons' vehicles and their subsequent egress, is conducted in an orderly manner.

### 9.3 Communications between car park staff

The Duty Manager shall ensure that communication between themselves and the car park staff is maintained by way of radio communication. Notwithstanding those staff may need to contact the Duty Manager to report matters of interest from the venue's car park, the Duty Manager MUST initiate welfare checks with the car park security staff every 30 minutes. This can be done directly or through a security supervisor.

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#### 9.4 Patrons misbehaving in the venue's car park

Where car park staff identifies patrons (or potential) patrons that have

- yelled or screamed in the car park;
- driven in a manner that creates excessive and unnecessary car noise;
- behaved in a loud manner;
- consumed alcohol in the car park;
- remained in the car park playing music;
- or otherwise behaved in a manner that is likely to potentially disturb the venue's residential neighbours;

then the Duty Manager MUST cause the refusal those people entry into the venue. Those patrons are unlikely to enhance the venue's experience to other patrons and have the potential to disturb others.

#### 9.5 Car park management

The Duty manager shall ensure that an appropriate cleaner is tasked to clean the venue's car park at least once each shift. In situations where car park security staff requests that additional cleaning is required, then the Duty Manager must task additional cleaning to be undertaken in the car park.

#### 9.6 Entry into the car park

When patrons arrive at the car park, Car Park Staff must make observations of the vehicle to ensure that once the car is parked that those arriving immediately leave the car.

Where Car Park Staff observes people remaining in cars they are to approach the car to identify the occupants' behaviour. Staff are not to assume that those who initially remain in a car are behaving or intending to behave inappropriately.

Some approaches to consider include:

- Use tact. Be polite when talking to the patron.
- Ask them to ensure that they lock their vehicles when they leave it.
- Inform them politely that it is management policy not to allow patrons to drink in the car park.
- Inform them politely that it is management policy not to allow patrons to remain in the car park.
- Inform them politely that these policies are intended to reduce the disturbance or potential disturbance to the venue's residential neighbours.
- Inform those patrons who refuse to comply that refusal will result in a refusal to allow the person entry into the premises.
- Inform them that a refusal to leave will result in a call to the Police to have them be compelled to leave the car park as their "licence" to remain in the car park is rescinded.

#### 9.7 Signs of Intoxication

Where a person in the car park has been identified as being intoxicated, Car Park staff MUST inform the Duty Manager who shall arrange for the patron to be refused entry into the premises. In these situations, the Car Park staff MUST inform the person that they will not be permitted entry into the premises and request that they leave the car park – having of course consideration of drink driving legislation. No person who has driven to the premises who appears to be alcohol affected should be in anyway encouraged to drive away from the venue.

In these circumstances, car park staff should consider the following

- Is there another person present who is not affected by alcohol who could drive

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

The Proposed Function Centre

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- Is there someone who could be contacted to collect the alcohol affected person from the car park
- Consider contacting the Duty Manager to arrange for a taxi to collect the patron.

#### 9.8 Management by Walk-about

Car Park Staff have a responsibility to ensure that these instructions and the reason for their existence are fully understood. This means that a physical presence is maintained and all areas of the car park patrolled.

#### 9.9 Recording of Reportable Incidents

The timely and accurate recording of information in the Crowd Control Register is the responsibility of the Crowd Controller directly involved in any reportable incident. The Duty Manager is to ensure that Car Park Staff involved in a reportable incident record the incident in the Crowd Control Register as soon as possible after an incident.

#### 9.10 Disabled Patrons

Patrons with disabilities are welcome and every possible courtesy shall be extended to them. Patrons with disabilities are not to be discriminated against in any manner. Some disabilities present as showing similar characteristics to that of intoxication. Staff are to determine the patron's demeanour as either intoxication or a disability BEFORE taking any action.

Additionally, Car Park Staff are to highlight to people with a disability, those car parking spaces that are set aside for their exclusive use, and to prevent able bodied patrons from parking in those designated disabled parking spaces.

#### 9.11 Crimes Committed Within the Car Park

*The Proposed Function Centre* values its customers' safety. As part of that commitment, it is imperative, that if a car park staff member identifies that a customer may become the victim of a crime, the staff member is to take a pro-active approach to prevent the crime from occurring.

Staff should be aware of:

- ◊ Unattended valuables
- ◊ Unlocked vehicles
- ◊ Patrons in the car park who become distressed for unknown reasons
- ◊ Numbers of people loitering around the car park for no apparent reason

In some situations where crimes do occur, the victim should be asked if they wish to report the matter to the Police. In any case a report of any crime within the car park should be immediately brought to the attention of the Duty Manager.

#### 9.12 Signs

The Duty Manager shall ensure the placement and on-going inspection of signs to ensure that they are displayed in areas of the car park that greet patrons as they enter and depart the car park. They shall read: "*Patrons are requested to use this car park quietly. We ask that you respect our nearby neighbours*".

#### 9.13 Communications

All Car Park Staff will be issued with communication devices. Any staff member who becomes aware that there has been a deficiency identified in the venue's communication system is to bring that to the attention of the Duty Manager.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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**9.14 Amenity**

As part of the venue's Liquor Licence, *The Proposed Function Centre* is required to ensure that the amenity of the vicinity is not unreasonably disturbed by the operations of the venue.

Car Park Staff are to take all reasonable measures to ensure that patrons and those attempting entry into the venue through the car park, do not detract from the amenity of the vicinity of the venue, having regards to other residential premises within the area.

Where a Car Park Staff member witnesses a person causing damage to property, the person is to be held (having regards to the Powers of Arrest contained within the Crimes Act) and the Police called for them to investigate the damage caused. The Duty Manager in these circumstances is to ensure that an appropriate entry is subsequently made in the venue's Crowd Control Register.

Where the damage is not witnessed by a staff member, details of the incident should be recorded in order for the Police to be assisted in their investigation of the damage.

**9.15 Ejection of Patrons**

Any individual ejected from the venue and who is therefore subsequently returning to the car park, or otherwise loiters in or around the car park is to be closely monitored and encouraged to leave quickly and quietly.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

The Proposed Function Centre

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Emergency Management Plan

10.1 Appointment of Responsibilities

The Duty Manager is assigned responsibility as Warden.

The Security Supervisor is designated Assistant Warden.

Other staff who become aware of an emergency situation, or indeed a suspected situation, should IMMEDIATELY notify the Warden or Assistant Warden.

10.2 Definition of an Emergency

Notwithstanding that other incidents could constitute an emergency; they can generally be classed as:

- Fire
- Gas Leak
- Hazardous Materials
- Natural event (such as earthquake, flood, extreme storm)
- Terrorist attack, or serious criminal activity involving significant violence, or threat of violence
- Overdose or other Medical emergency
- Bomb or other threat against the venue

10.3 Venue Knowledge

10.3a *Location of Fire Fighting Equipment*

THE PROPOSED FUNCTION CENTRE is equipped with firefighting apparatus. Fire Extinguishers are located throughout the venue.

Extinguisher Type	Size	Suitability	Location
Dry Chemical	2.5 kg's	ABE	Storeroom

Different fire extinguishers are designed for various types of fires. Staff MUST make themselves aware of the types of fire extinguishers that are located around the venue and understand their use.

- A = Wood, paper, cardboard etc
- B = Liquid fires (petrol oil etc)
- E = Electrical

10.3b *Location of Fire Escape*

Licensed premises worldwide where patrons need to evacuate traditionally require the efficient use of emergency exits to ensure patrons are evacuated expediently

*The Proposed Function Centre* is no different. There are exits located within the venue, and patrons should be directed to THEIR nearest exit in the case of emergency. In some cases, that exit will not immediately be known to patrons and for this reason ALL staff must know the location of the

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## 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

The Proposed Function Centre

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emergency exits and which patrons should be directed to which exits in the case of an emergency involving evacuation.

### 10.4 *The Proposed Function Centre* Emergency Exit Locations

The Emergency Exit at the rear of the premises is located on the ground floor. This exit opens directly into the carpark at the rear of the venue.

At the front of the premises on the ground floor, use the main front entrance.

A copy of the floor plan is attached to the rear of this plan. Staff should make themselves familiar with the exits, their locations, and how to open them in an emergency.

Under NO circumstances are any Exits to be blocked, locked, or otherwise obstructed. The responsibility to ensure that all Emergency Exits are not blocked locked or otherwise obstructed rests with the Warden.

The Warden is to physically examine the Emergency Exits prior to commencement of any operational function where patrons enter the premises, to ensure that it is not locked and is able to be opened as designed in the case of an emergency (Push Bar, door straight open). During this inspection, the Warden is to ensure that the door alarm for each of the Emergency Exits are also correctly functioning.

Any staff member who identifies that the Emergency Exit not capable of being immediately opened in the event of an emergency is to IMMEDIATELY bring this information directly to the attention of the Warden or Deputy Warden. Under no circumstances is that notification to be delegated to another staff member. If this requires the closure of an area, or bar in order to undertake that notification, then that action MUST be undertaken. The staff member who identifies a non-complying Emergency Exit is responsible for notifying the Warden or Deputy Warden.

### 10.5 Fire Prevention

All staff members are to make themselves aware of the potential causes of fire, such as rubbish, ashtrays, paper and other flammable materials.

As a matter of instruction - ALL staff are specifically prohibited from utilising pyrotechnics or other naked flame device as part of a display, event, or other reason, inside the venue. Pyrotechnics by their nature are dangerous and nearly always emit large quantities of smoke, which may cause panic.

Additionally, the Duty Manager shall ensure that ALL exit signs are in place and operational in accordance with legal requirements – battery back-up etc.

### 10.6 All Staff

Staff are to ensure that during their duties they remove potential fire hazards from the venue. Specific attention is to be given to dark areas, toilets and those areas around seating areas.

### 10.7 Wardens

In the event of an Emergency, Wardens are to be identified in an emergency by wearing a white Safety Helmet, located in the Manager's office.

#### 10.7a Warden's Responsibilities

In the event of an Emergency, it is the responsibility of the Warden to: -

- Determine the extent of the Emergency and to ascertain an appropriate response
- Notify appropriate Emergency Services where required.
- If necessary, commence evacuation of patrons by instructing Area Wardens to man their exits to ensure a safe and speedy evacuation.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

The Proposed Function Centre

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- Brief Emergency Services on their arrival
- Follow COMPLETELY the instructions of Emergency Services personnel.

At the commencement of each opening of the venue, the Warden is to personally examine each emergency exit to ensure access as previously indicated.

Wardens are to appoint Area Wardens to those parts of the venue that are to be operational. For example, the most senior bar staff member/supervisor for each bar is to be appointed an Area Warden for that particular area.

In the event of an Emergency, the Warden is to remain in the venue, co-coordinating Area Wardens and other roles.

#### 10.7b Deputy Warden

The role of Deputy Warden is to give support as required to the Warden, or in their absence or incapacity to undertake those roles undertaken by the Warden.

#### 10.7c Area Wardens

The role of Area Wardens is to control specific areas within the Venue. Area Wardens will be responsible for the evacuation of patrons when instructed to do so by the Warden or Deputy Warden.

Those staff that have been designated by the Warden as an Area Warden, are to ensure that they are conversant with the fire equipment and the location of the nearest Exits (emergency or otherwise) in their area of control.

Yellow Safety Hats for Area Wardens are to be strategically placed so that each Area Warden has IMMEDIATE access to it in the event of an Emergency. Wardens are responsible for ensuring that these safety hats are in position at the commencement of each operational shift.

#### 10.8 Evacuation

History has shown in licensed premises world-wide that in situations where evacuation has occurred, patrons will usually try to escape the premises via the front door. For this reason, the front entrance can easily become blocked.

The use of the specific emergency exit is to be encouraged by ALL staff. The emergency exit by its design allow for immediate and unrestrained egress from the premises.

All staff MUST be aware of The Proposed Function Centre's emergency exits and which exits are a quick and appropriate way from the premises by patrons.

When instructed to do so by Warden, or Deputy Warden, provided it is safe to do so, ALL staff shall, without question, assist in the safe and timely evacuation of the premises, via the most appropriate exit. Of course, nothing in these instructions is intended to limit staff from acting on their own initiative in the case of an emergency, where the safety of patrons and staff are at risk.

#### 10.9 Fire

In the event of a fire, if staff considers that they can fight the fire, given the extent of the fire, the proximity of firefighting equipment or other factors, staff may attempt to extinguish the fire, provided it is safe to do so. HOWEVER staff MUST evacuate patrons from that area of the venue to ensure that no patron is placed in any danger whatsoever.

In situations where the fire is not IMMEDIATELY contained, the venue MUST be evacuated. In those circumstances an alarm of fire MUST be made. This responsibility rests with the Warden or Deputy Warden, however any staff member who identifies a fire, can notify the Fire Brigade and report the fire.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

The Proposed Function Centre

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Circumstances will dictate how this notification should occur, however in the first instance the specific fire alarm button should be activated as this will activate air conditioning situations that will assist in prevention of the spread of fire.

#### 10.10 Bomb Threat

Where staff receive a bomb threat, if the threat is made via telephone, attempt to ask these questions, and record answers:-

- What is the location of the bomb?
- What does the bomb look like?
- What kind of bomb is it?
- When was the bomb placed?
- When is the bomb going to explode?
- What will detonate the bomb?
- Who placed the bomb?
- Why has the bomb been placed?
- What is your name and address?

When the staff member who receives the call has finished with the call, immediately contact the Warden or Assistant Warden and inform them of the threat.

The Warden or Assistant Warden is to then immediately turn off all transmitting devices.

The Assistant Warden is then to arrange a search of the entire premises utilising his staff, ensuring that ALL areas both accessible to the patrons and other internal areas are thoroughly searched. Staff are looking for any abnormal items. Consideration should also be given to searching external areas near exits or other alcoves.

If a suspicious item is located do not touch the device. Move people away from the device, and evacuate the immediate area. The Warden is to then immediately notify the Police. On their arrival seek their advice as to whether further evacuation of the venue is warranted. Follow any other instruction given by the Police.

If a device is not located, the Warden must notify the Police and make entry into the Crowd Controllers Register.

#### 10.11 Injury

*The Proposed Function Centre* provides Crowd Controllers who are trained in First Aid. It is the role of Crowd Controllers to assess patrons who present as ill or injured.

In situations where patrons are injured internally in *The Proposed Function Centre* or an incidence of a drug overdose is identified, the patron must be assessed by a Crowd Controller to determine the extent of the illness/injury. Where patrons are able, they are to be asked whether they require the attendance of an ambulance.

In situations where patrons cannot make that self-assessment, then an ambulance is to be called to ensure the patron's safety and well-being.

In any case, once the patron has been treated, the Crowd Controller is to record the details of the patron, the type of illness/injury, the circumstances of the injury, whether there were any witnesses, what action was taken, or other comments, in the Crowd Controller's Register.

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

The Proposed Function Centre

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Public Liability claims, by their very nature are a slow process and the details that were recorded may well be called upon a number of years later. For this reason, the Assistant Warden MUST ensure that the details are timely and accurately recorded. It is imperative to remember that these records may contain sensitive information and for this reason, the records MUST be secured by the venue Manager. The release of information MUST only be provided with the expressed permission of the patron it refers to.

#### 10.12 Gas Leak

Natural and Liquid Petroleum Gas are "heavy" gases that will usually gather at floor level. For this reason, gas is likely to explode if a source of ignition comes into contact with it.

Where staff have identified a gas leak, the venue is to be immediately evacuated. Once evacuation has commenced, the fire brigade is to be immediately notified to attend.

If the source of the gas leak can be identified, once the venue is evacuated, provided it is safe to do so, either remove the source of the gas or prevent or reduce the extent of the leak.

#### 10.13 Hazardous Materials

Incidents overseas where Capsicum Spray was used, caused panic amongst patrons. For this reason, staff are to ensure that patrons do not have access or use of pepper type sprays. The nature of those sprays in confined areas, may cause panic to patrons.

In situations where other materials are identified as causing hazards, staff are to ensure that patrons are moved from the area. The extent of that movement must be based on the extent of the material and the effect it has on patrons and staff. In some instances, the extent will warrant the evacuation of the entire venue.

Some other hazardous materials may also cause injury to patrons or cause breathing difficulties. In those situations, patrons are to be evacuated from the venue. In some situations, the source of injury or nausea may not immediately be known. Staff must assume in those situations that a hazardous material may be present and evacuate the venue on that premise.

#### 10.14 Natural Event

In situations where a natural event occurs, the Warden must determine whether the event places patrons in danger. In situations where there is an extreme storm, provided the storm is not penetrating the venue, it is unlikely that the venue would need to be evacuated.

Where floodwaters are potentially likely to penetrate the venue, then it must be evacuated. The venue uses extensive electricity and the presence of water into the premises, will increase the likelihood of electrocution. For this reason, the venue must be evacuated.

If there is an earthquake; the extent of the earthquake will determine the action to be taken. Whether by earthquake or otherwise, if there is ANY suggestion that the building's structural integrity is in doubt, the venue must be evacuated.

#### 10.15 Terrorist Attack or Serious Activity

In situations where the venue is attacked by a criminal act, patrons may need to be evacuated by an exit other than the front entrance.

The definition of terrorist attack or serious activity could be (but not limited to)

- Drive by shooting
- Shooting at premises or person
- Stabbing of a patron or staff member

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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- Petrol or other type of bomb (other than a threat)
- Serious assault requiring hospitalisation
- Vehicle driven into building

In situations where these incidents arise, The Duty Manager MUST immediately notify the Police, and where serious injury has occurred an ambulance also. In those situations where the attack has caused a gas leak or fire, the Fire Brigade must be notified.

The Police on their arrival will immediately take charge of the situation and ALL staff are instructed to follow their lawful instructions without question. In some situations, this may include the evacuation of part or the entire venue. In some situations, the Police may wish to do this to secure the area as a crime scene, preserving evidence.

Where potential evidentiary items are located, provided it is safe to do so, staff are to ensure that the items are left in place and not interfered with by patrons or other staff members. Under no circumstances are the items to be removed without the expressed permission of the police.

**10.16 Emergency Management Training**

The Warden and Assistant Wardens are to be trained in "Warden Training"

Each other staff member is to be trained in "Extinguisher & Hose Reel Training". This training should be undertaken within 3 months from the commencement of employment.

**10.17 Emergency Management Conclusion**

This plan is not designed to cover every scenario. Staff are expected to use common sense when determining a course of action. Staff can significantly contribute to the safety of patrons provided they are trained in the use of fire equipment and have a good knowledge of the layout of the venue and its exits. Remember the quickest way out of the venue, may not be through the front main entrance.

In the case of fire, staff are only expected to attempt to combat any fire PROVIDED ONLY IF IT IS SAFE TO DO SO.

Additionally, where situations arise where exits are blocked or equipment is not working correctly, those short-comings should immediately be brought to the attention of either the Warden or Assistant Wardens.

Discretion is something that staff must not use in relation to this emergency management plan. Follow it or do more than the plan suggests, but never anything less.

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 39 PRINCES HIGHWAY,  
DANDENONG SOUTH (PLANNING APPLICATION NO. PLN17/0039.01)**

**ATTACHMENT 2**

**CURRENT PLANNING PERMIT AND PLANS**

**PAGES 55 (including cover)**

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

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**



Permit No.: PLN17/0039  
Planning Scheme: Greater Dandenong Planning Scheme  
Responsible Authority: Greater Dandenong City Council

ADDRESS OF THE LAND: 39 Princes Highway DANDENONG SOUTH VIC 3175  
(Lot 1 LP 137481 Vol 9538 Fol 617)

THE PERMIT ALLOWS: Use of the site for a function centre, buildings and works, the reduction in car parking requirements, the sale and consumption of liquor and advertising signage

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the development starts, two (2) copies of amended plans (at least A1 size plans) drawn to scale and dimensioned, must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plan/s have been approved and endorsed by the Responsible Authority. The endorsed copy of the plan/s forms part of this permit.

The plans must be in accordance with the plans submitted with the application but modified to show:

- 1.1 The number of patrons restricted to a maximum of:
  - Monday to Sunday - 9.00am to 5.00pm - maximum patrons numbers of 226
  - Monday to Sunday - 6.00pm to 12.00am - maximum patrons numbers of 420

All to the satisfaction of the Responsible Authority.

2. The layout of the site and size, design, location and use of the buildings and works permitted must always be in accordance with the endorsed plans, unless with the written consent of the Responsible Authority.
3. Once the development has started, it must be continued and completed in accordance with the endorsed plans, to the satisfaction of the Responsible Authority.
4. The use must only operate between the hours of:
  - Monday – Sunday - 9.00am to 5.00pm and 6.00pm to 12.00amUnless with the written consent of the Responsible Authority.

Continued...

Date Issued 27 September 2017

Signature for and on behalf  
of the Responsible Authority

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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PLANNING PERMIT NO. PLN17/0039

Conditions Continued

5. Not more than;
- 226 patrons Monday to Sunday between 9.00am to 5.00pm;
  - 420 patrons Monday to Sunday between 6.00pm and 12.00am; and
  - a maximum of 20 staff at any one time
- shall be present on the premises at any one time, unless with the written consent of the Responsible Authority.
6. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
7. The amenity of the area must not be detrimentally effected by the use or development on the land, through the:
- 7.1. Transport of materials, goods or commodities to or from the land.
  - 7.2. Appearance of any building, works or materials,
  - 7.3. Adverse behaviour of patrons on, to or from the premises; and
  - 7.4. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - 7.5. Presence of vermin.
- All to the satisfaction of the Responsible Authority.
8. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with the State Environment Protection Policy N-2 Control of Music Noise from Public Premises.
9. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.
10. All plant and equipment must be installed and located so that it does not adversely affect the amenity of the area due to the emission of noise, to the satisfaction of the Responsible Authority.
11. Bins or other receptacles for any form of rubbish or refuse may not be placed or allowed to remain in the view of the public, and no adverse odour shall be emitted from any such receptacle.

Continued...

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Date Issued 27 September 2017

Signature for and on behalf  
of the Responsible Authority



**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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PLANNING PERMIT NO. PLN17/0039

Conditions Continued

12. The operator under this permit must make all reasonable attempts to ensure that no vehicle under the operators control, or the operator's staff, are parked in the streets nearby, all to the satisfaction of the Responsible Authority.
13. Liquor must only be sold and displayed within the red line area identified on the endorsed plans.
14. Without the prior written approval of the Responsible Authority, any application to, or licence obtained from, the relevant Liquor Licensing Authority must be for the on-premise liquor license only.
15. The owner, occupier and the manager must at all time make reasonable endeavours that persons resorting to the premises do not create a nuisance or annoyance to neighbours or otherwise disturb the amenity of the area.
16. The use of the site must at all times comply with the endorsed Patron Management Plan, to the satisfaction of the Responsible Authority.
17. Liquor may only be served, sold or consumed between the hours of:
  - Monday to Sunday 9.00am to 5.00pm and 6.00pm to 12.00am.
18. The car parking provided on the land must always be available for use by persons employed on or visiting the subject premises, and no measures may be taken to restrict access to the car park by such persons, all to the satisfaction of the Responsible Authority.
19. The operator under this permit must make all reasonable endeavours to ensure that all vehicles entering and exiting the site do so in a forward direction, all to the satisfaction of the Responsible Authority.
20. The car parking provided on the land must always be kept available for its intended purpose at all times. No measures must be taken to restrict access to the car park.
21. The car parking area must be lit if in use during the hours of darkness and all lights must be designed and fitted with suitable baffles. The lighting must be positioned to prevent any adverse effect on adjoining land and must not be considered excessive for the area, all to the satisfaction of the Responsible Authority.
22. Before the use of the development starts, the area(s) set-aside for the parking of vehicles and access lanes as shown on the endorsed plans must be line-marked to indicate each car space as shown on the endorsed plans.
23. The location, type and dimensions of the signage as shown on the endorsed plan/s must not be altered unless with the written consent of the Responsible Authority.

Continued...

Date Issued 27 September 2017

Signature for and on behalf  
of the Responsible Authority



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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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PLANNING PERMIT NO. PLN17/0039

Conditions Continued

24. Before the display of the signage hereby approved begins, all other signage existing on the site which is not shown on the endorsed planning permit plans is to be removed from the subject site, to the satisfaction of the Responsible Authority.
25. The intensity of the light in the signage must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.
26. The signage must be wholly located within the subject property. That is, no part of the sign may encroach into the road reserve.
27. No bunting, streamers and festooning shall be displayed.
28. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.
29. This permit will expire if:
  - 29.1. The development does not start within two (2) years of the date of this permit; or
  - 29.2. The development is not completed within four (4) years of the date of this permit; or
  - 29.3. The use does not start within six (6) months of the completion of the development; or
  - 29.4. The use is discontinued for a period of two (2) years.Before the permit expires or within six (6) months afterwards, the owner or occupier of the land may in writing request the Responsible Authority to extend the expiry date.
30. This permit expires fifteen (15) years from the date of this permit for the approved signage. Before this permit expires, the approved sign(s) and any supporting structure must be removed and the land and/or building surface made good to the satisfaction of the Responsible Authority.

Notes

- A building approval may be required prior to the commencement of the approved works.
- Except where no permit is required under the provisions of the Planning Scheme, no sign, flashing or intermittent lights, bunting or advertising device may be erected or displayed on the land without the permission of the Responsible Authority.
- Prior to the erection of any additional advertising signs on the land, consultation should be made with officers of the Town Planning Department to determine the relevant Planning Scheme Controls and required approvals sought.

Continued...

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Date Issued 27 September 2017

Signature for and on behalf  
of the Responsible Authority



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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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PLANNING PERMIT NO. PLN17/0039

Conditions Continued

- Prior to the final design being completed, the applicant should consult with Council's Infrastructure Planning Department in regard to the legal point of discharge for the site.
- Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.

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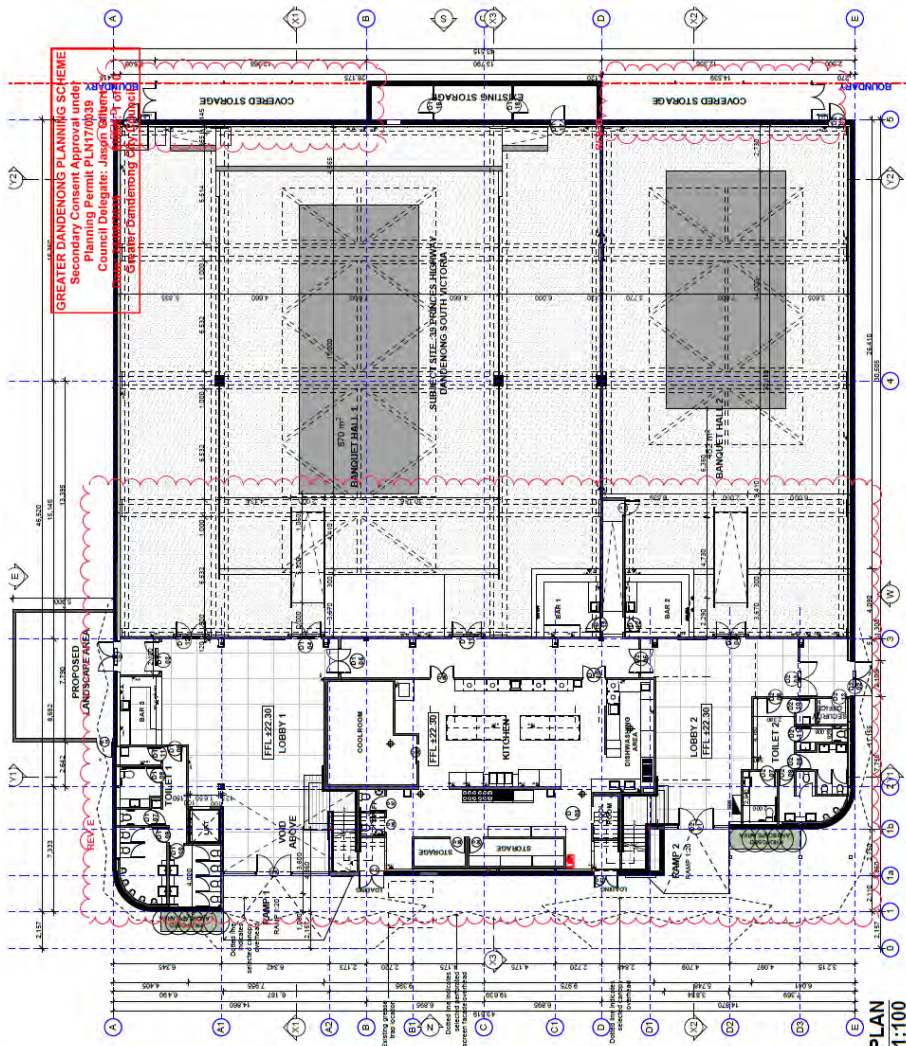
Signature for and on behalf  
of the Responsible Authority



Planning and Environment Regulations 2015 Form 4



2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)



37-41 PRINCES HIGHWAY DANDENONG SOUTH

AREA SCHEDULE	Area(m <sup>2</sup> )
BUILDING AREA	1949
EXISTING GROUND FLOOR	
PROPOSED GROUND FLOOR	1977
PROPOSED FIRST FLOOR	609
<b>TOTAL</b>	<b>2586</b>

MINIMUM AMENITIES REQUIRED	
CLOSET PANS	5
URINALS	3
BASINS	4
AMENITIES PROVIDED	
CLOSET PANS	7
URINALS	4
BASINS	6
STAFF AMENITIES	
CLOSET PANS	2
URINALS	2
BASINS	1
SHOWER	1

**NOTE**  
 THE NUMBER OF PATRONS RESTRICTED TO A MAXIMUM OF:  
 - MONDAY TO SUNDAY: 9.00AM TO 5.00PM- MAXIMUM  
 - MONDAY TO SUNDAY: 5.00PM TO 12.00AM- MAXIMUM  
 - PATRON NUMBERS OF 420

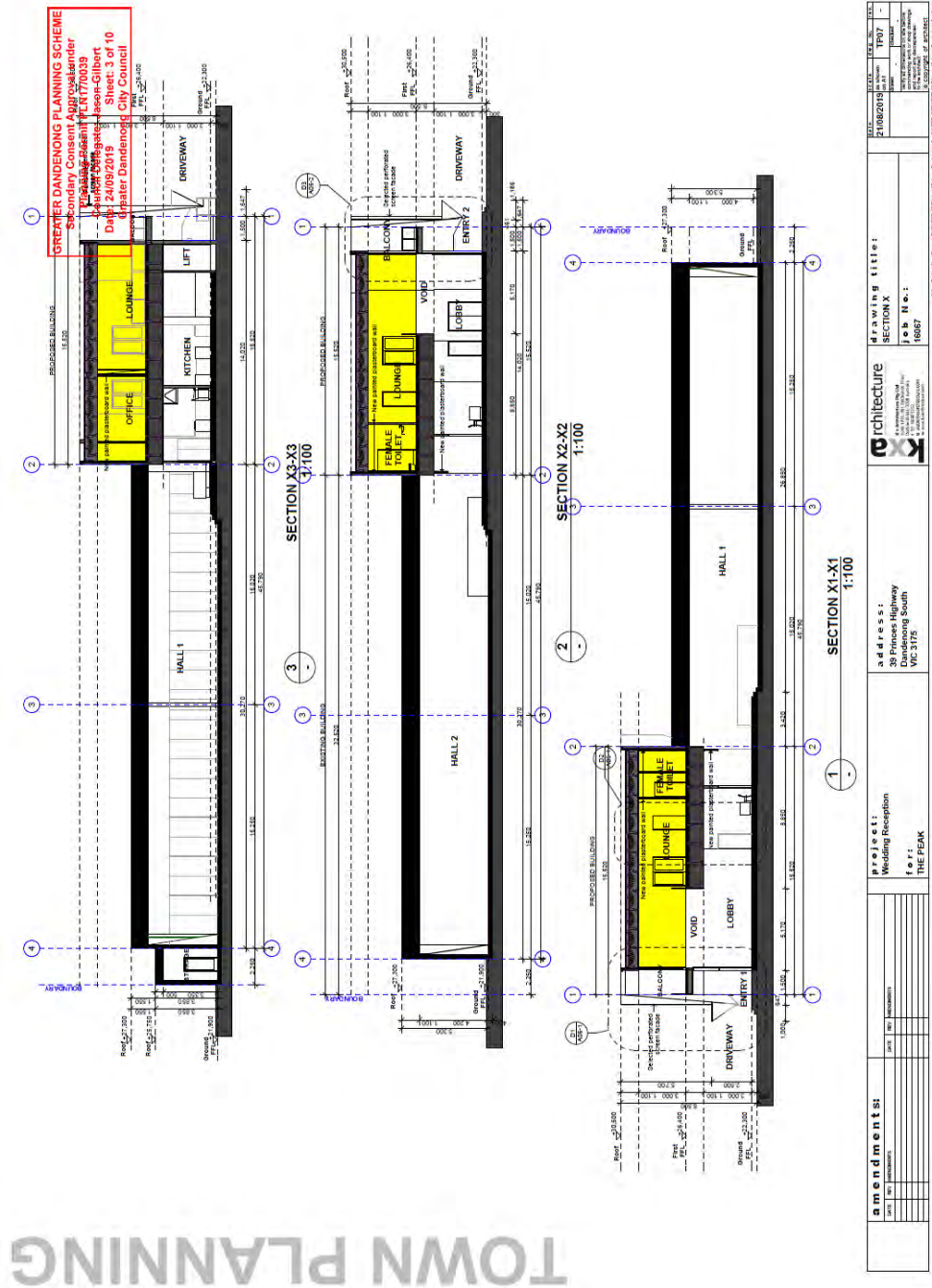
- LEGEND**
- Existing wall
  - Proposed wall
  - Proposed balcony deck
  - Proposed additional floor area

1  
 GROUND FLOOR PLAN  
 1:100

<b>amendments:</b>	
DATE	BY
<b>Project:</b> Wedding Reception	
<b>Address:</b> 39 Princes Highway Dandenong South VIC 3175	
<b>Architecture</b> K&A 10/110 Princes Highway Dandenong South VIC 3175 Tel: 03 9594 1111 www.kandarchitecture.com.au	
<b>Drawing title:</b> PROPOSED GROUND FLOOR PLAN	<b>Scale:</b> 1:100
<b>Project No.:</b> 21882016	<b>Sheet No.:</b> 1/01
<b>Date:</b> 12/04/2021	<b>Author:</b> A. BROWN
<b>Check:</b> A. BROWN	<b>Drawn:</b> A. BROWN
<b>Approved:</b> A. BROWN	<b>Checked:</b> A. BROWN



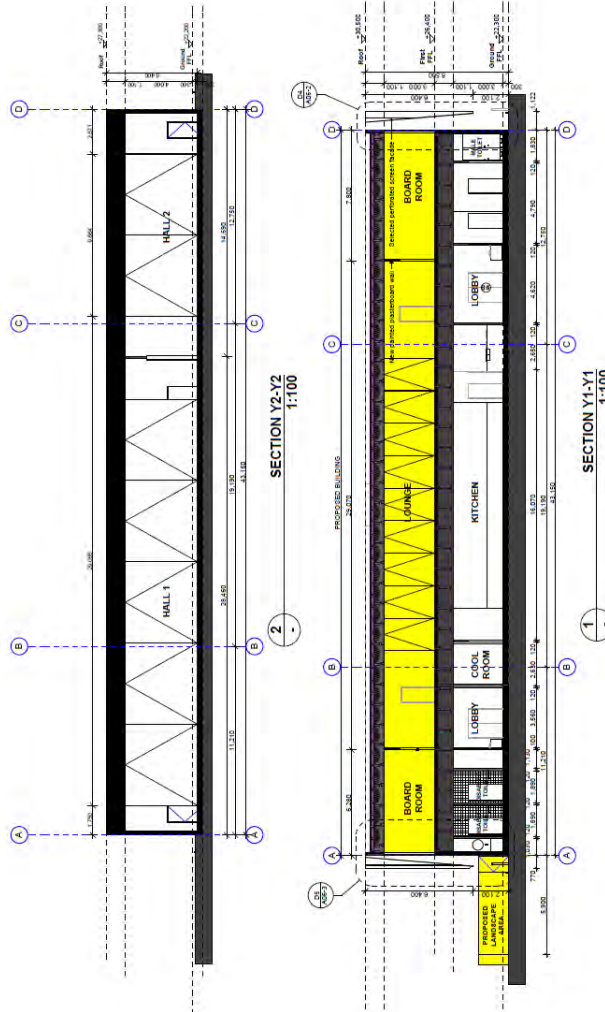
**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**



TOWN PLANNING

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

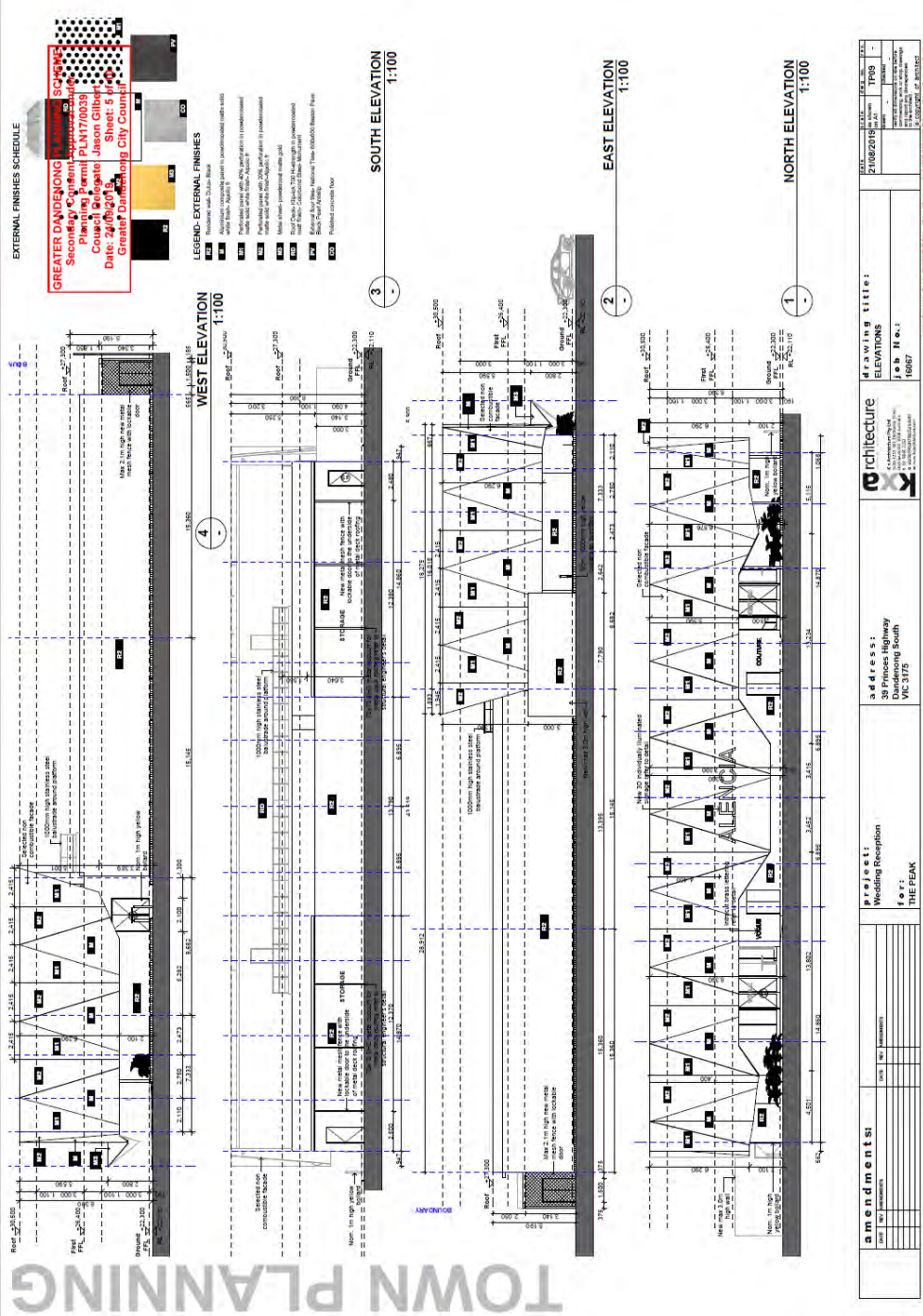
**GREATER DANDENONG PLANNING SCHEME**  
 Secondary Consent Approval under  
 Planning Permit PLN17/0039  
 Consultant: J. J. Architects  
 Date: 24/09/2019  
 Sheet: 4 of 10  
 Greater Dandenong City Council



TOWN PLANNING

<b>amendments:</b>		<b>Project:</b> Wedding Reception <b>for:</b> THE PEAK	<b>Architecture</b> K&A 14 Andersons Bay Rd Dandenong South VIC 3173 T: 03 9594 0000 E: info@kandaa.com.au	<b>Drawing title:</b> SECTION Y <b>Job No.:</b> 16067	<b>DATE:</b> 21/08/2019 <b>SCALE:</b> 1:100 <b>PROJECT:</b> 210882019
DATE	BY				

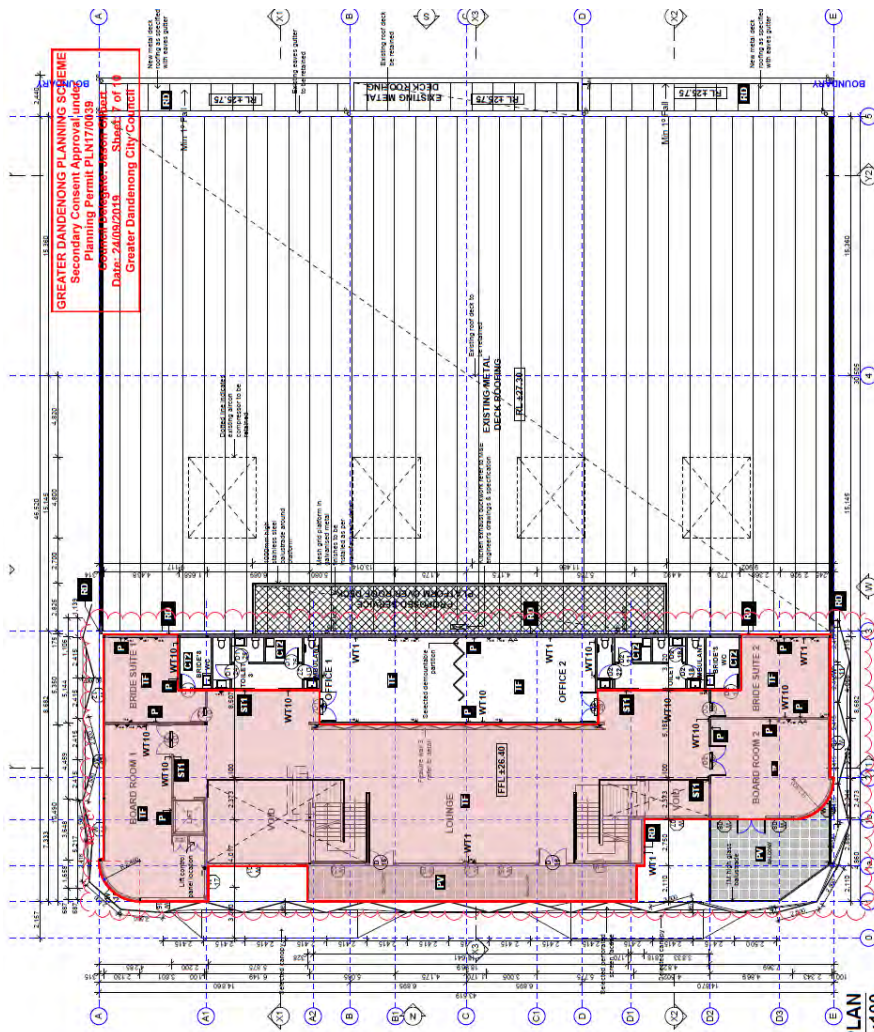
2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)



<b>amendments:</b>		<b>Project:</b> Wedding Reception <b>for:</b> THE PEAK	<b>Address:</b> 39 Princes Highway Dandenong South VIC 3175	<b>Architecture</b> <b>kxa</b> Korner Architecture Pty Ltd 100 Princes Highway Dandenong VIC 3175 T: 03 9594 1111 F: 03 9594 1112 E: info@kxa.com.au	<b>Drawing title:</b> ELEVATIONS <b>Job No.:</b> 18887	<b>Scale:</b> 1:100	<b>Date:</b> 21/08/2018	<b>Author:</b> TP09	<b>Check:</b> TP09	<b>Drawn:</b> TP09	<b>Scale:</b> 1:100	<b>Date:</b> 21/08/2018	<b>Author:</b> TP09	<b>Check:</b> TP09	<b>Drawn:</b> TP09



2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)



Liquor to be sold and consumed within this area only

1 - FIRST FLOOR PLAN  
 1:100

TOWN PLANNING

**GREATER DANDENONG PLANNING SCHEME**  
 Secondary Consent Approval under  
 Planning Permit **PLN17/0039.01**  
 Greater Dandenong City Council  
 Date: 24/09/2019  
 Sheet 7 of 10

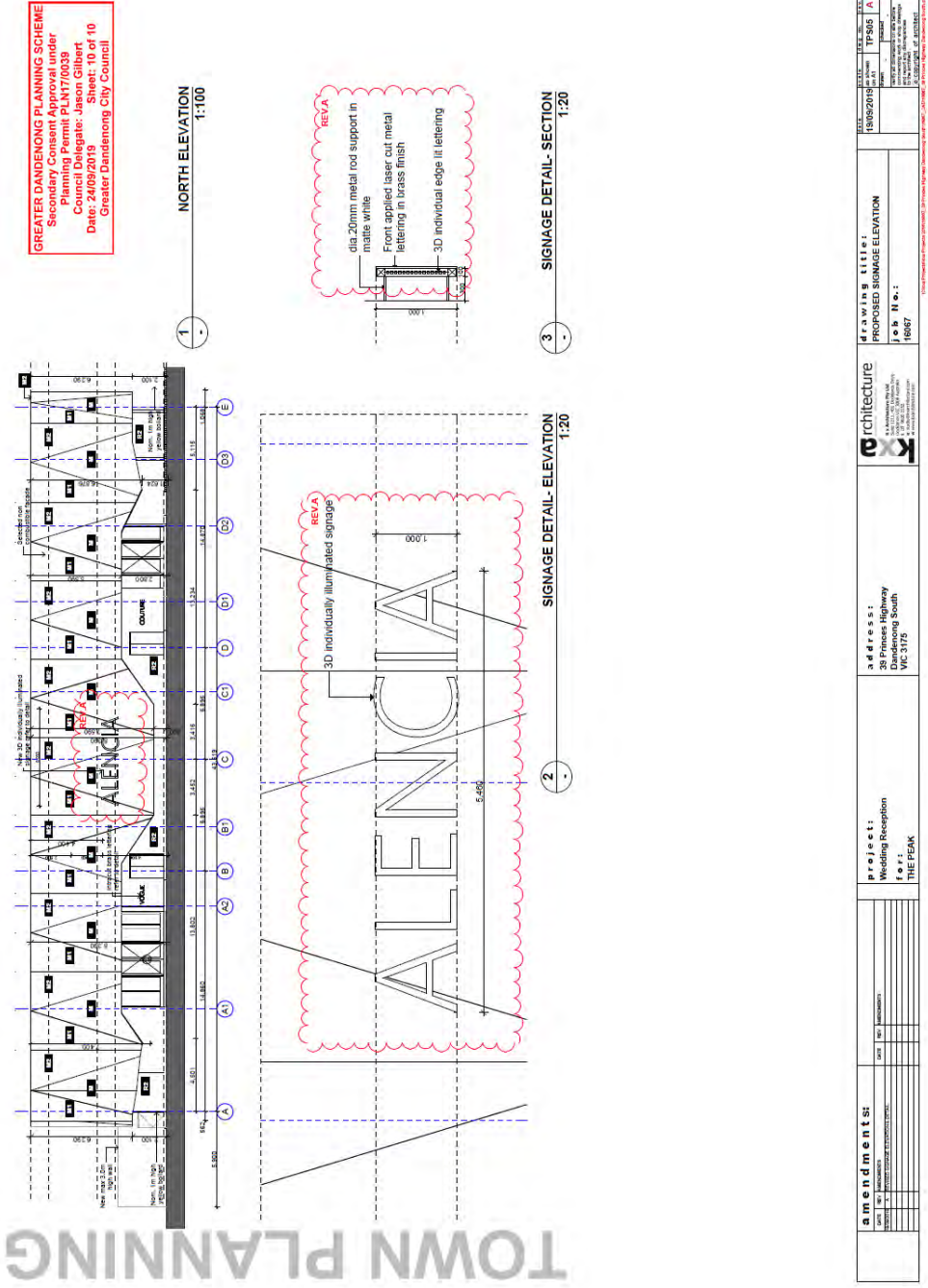
<b>amendment:</b>		<b>Project:</b> Wedding Reception K e f : THE PEAK	<b>Address:</b> 39 Princes Highway Dandenong South VIC 3175	<b>Architecture</b> K&A 140/150 Princes Highway Dandenong South VIC 3175 Phone: 03 9594 1111 www.kandarchitecture.com.au	<b>Drawing title:</b> PROPOSED FIRST FLOOR PLAN JOB N o.: 16067	<table border="1"> <tr> <th>DATE</th> <th>BY</th> <th>CHKD BY</th> <th>SCALE</th> </tr> <tr> <td>23/09/2019</td> <td>...</td> <td>...</td> <td>1:100</td> </tr> </table>	DATE	BY	CHKD BY	SCALE	23/09/2019	...	...	1:100
DATE	BY						CHKD BY	SCALE						
23/09/2019	...	...	1:100											
<table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> <th>CHKD BY</th> </tr> <tr> <td>1</td> <td>ISSUED FOR TOWN PLANNING APPLICATION</td> <td>23/09/2019</td> <td>...</td> <td>...</td> </tr> </table>	NO.	DESCRIPTION	DATE	BY	CHKD BY	1	ISSUED FOR TOWN PLANNING APPLICATION	23/09/2019	...	...				
NO.	DESCRIPTION	DATE	BY	CHKD BY										
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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**



**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

SCANNED

Alcohol Management Plan	Response
<i>The AMP should demonstrate that the licensee will take the appropriate steps to manage the risks associated with the sale and consumption of alcohol. As appropriate to the type of licence and the impact it may have, the AMP should include details of the following:</i>	<p>This Alcohol Management Plan (AMP) relates to the Function centre at 39 Princes Highway, Dandenong South 3031 ("the licensed premises").</p> <p>It is anticipated that it would be endorsed under the associated planning permit to allow the use of the land for the sale of liquor on the premises for consumption on and off the premises ("the permit").</p> <p>It is also a necessary management strategy for the operation of the licensed premises. The AMP is intended to allow the licensed premises to provide a good standard of service to customers while maintaining a good standard of amenity for any neighbouring residents, with minimal disturbance, particularly from noise from the premises itself or from customers leaving the premises.</p> <p>Current and future operators will abide by, and have ownership, of the Plan. The AMP will form the basis of the sustainable business operation of the licensed premises, allowing the licensed premises operator/permit holder/licensee, neighbours and the Greater Dandenong City Council (the Responsible Authority) to coexist peacefully.</p>
<i>Any existing planning permit allowing the current use of land</i>	Permit PLN17/0039 (proposed)
<i>Type of premises</i>	Function centre with provision of liquor on the premises
<i>The type of licence being applied for or to be amended, with regard given to the type of licences available from the VCGLR</i>	On-premises
<i>Proposed number of patrons</i>	<p>The number of patrons will be:</p> <ul style="list-style-type: none"> <li>Monday to Sunday - 9.00am to 5.00pm – maximum patron numbers of 226</li> <li>Monday to Sunday - 6.00pm to 12.00am – maximum patron numbers of 420.</li> </ul> <p>Seating will be provided for all patrons.</p>
<i>Proposed security arrangements</i>	There will be an onsite manager responsible for security at all times on the premises when liquor is served
<i>Whether amplified (or live) music is proposed to be played on the premises</i>	Live music and other recorded or live entertainment will be provided within the highly enclosed subject building. Given the substantial setback distances between the subject building and the nearest residential area (230m to its northeast) and the fact that the banquet halls where wedding bands etc would play are further separated from this area by being towards the rear of the subject building, there is no reason that State Environmental Protection Policy 2 (Control of Music in Public Places) would not be met.
<i>Reasons for wanting or amending the licence</i>	To be able to serve liquor at functions such as weddings
<i>Strategies to address the Cumulative Impact of your premises</i>	NA – there is only one other licence on the premises
<i>Strategies to manage compliance, behavioural and amenity risks (see the following page for further details)</i>	See below.
<i>Any other documents you believe will support your proposal and assist Council's assessment</i>	Please see the attached letter submitted with the application.
COMPLIANCE RISKS	

*NB. Endorsement applies to all 4 pages of the Alcohol management plan.*

**APPROVED FOR PLANNING ONLY**

THIS PLAN / DOCUMENT IS 11 OF 12 APPROVED

ONE OTHER LICENCE ON THE PREMISES

PLN17/0039

SIGNATURE: *W. Williams* DATE: 25/4/18

GREATER DANDENONG CITY COUNCIL

This plan/document has been approved pursuant to the Planning & Environment Act 1987. Please check the permit document for conditions of this approval and act as. Failure to comply with the conditions of this permit may result in compliance action, including possible fines and/or court action.

ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

Alcohol Management Plan  
«Site\_Address»

<p><i>Compliance risks are related to the legal obligations of licensees to comply with Victorian State Law regarding the sale and consumption of liquor in accordance with the Liquor Control Reform Act 1998 and the Planning and Environment Act 1987. You should consider how you are going to achieve compliance with these laws and explain strategies in your written Alcohol Management Plan. Consider the following strategies to manage risks:</i></p>	
<p><i>Strategies:</i></p>	
<ul style="list-style-type: none"> <li><i>How will you ensure that you do not supply alcohol to someone who is intoxicated (drunk)?</i></li> </ul>	All patrons to whom liquor is to be supplied will be assessed for signs of intoxication as per RSA training. This will include that all staff serving liquor will check patrons for signs of intoxication (eg a noticeable change of behaviour, slurring or mistakes in speech, excessively loud behaviour, clumsiness, confusion/delays in responding, substantial smell of liquor etc) before serving them.
<ul style="list-style-type: none"> <li><i>What procedures will you put in place to ensure that staff can verify proof of age?</i></li> </ul>	Anyone who looks under 25 years old will be asked for ID if liquor is to be served to them.
<ul style="list-style-type: none"> <li><i>What system will you put in place to identify people that may be underage (under 18 years) as they enter the premises?</i></li> </ul>	The fact that the functions at which liquor is to be served will be both private and by arrangement only will assist in allowing people under 18 to be readily identified.
<ul style="list-style-type: none"> <li><i>How will you prevent alcohol from being supplied to someone under 18 years of age?</i></li> </ul>	Liquor will not be supplied to people known or suspected to be under 18 years of age.
<ul style="list-style-type: none"> <li><i>What relevant training will you require staff and volunteers to take to ensure the Responsible Service of Alcohol (RSA)?</i></li> </ul>	All staff serving liquor will hold current RSA certificates.
<ul style="list-style-type: none"> <li><i>How will you document the start and finish dates for RSA induction, refresher training and employment details for each member of staff or volunteer, including managers and security staff?</i></li> </ul>	A register of staff RSA training will be actively maintained, and staff will be notified of any changes to liquor licensing requirements at staff meetings and/or upon induction of new staff.
<ul style="list-style-type: none"> <li><i>How will you ensure that any RSA training remains up to date and does not expire after three years?</i></li> </ul>	
<ul style="list-style-type: none"> <li><i>How will you ensure that staff and volunteers stay up to date with any changes to liquor licensing?</i></li> </ul>	
<ul style="list-style-type: none"> <li><i>Where will you display the required posters and signage to reduce potential risks and raise awareness about the responsible service of alcohol? (see VCGLR website for details)</i></li> </ul>	Relevant signage asking patrons to prevent/minimise any disturbance will be displayed in the patron areas, toilets and car park.
<ul style="list-style-type: none"> <li><i>What will you do to comply with the standards of Department of Justice, Design Guidelines for Licensed Premises? (available at www.justice.vic.gov.au) Best Practice Strategies:</i></li> </ul>	The layout of the licensed premises is generally in accordance with this document, to the extent that it is relevant to an outer-suburban Function centre. Internally, there will be two central lobbies/reception areas, in addition to the two larger banquet halls there will be some more private spaces upstairs, entries/exits and toilets will be easily accessible to all patrons; externally, the location of the car park close to the building exits will allow for its adequate supervision.
<ul style="list-style-type: none"> <li><i>Work with all authorities to comply with regulations and permit conditions.</i></li> </ul>	The licensee/permit holder will work in a positive manner with all authorities to comply with regulations and permit conditions.
<ul style="list-style-type: none"> <li><i>Be an active member of the Local Liquor</i></li> </ul>	The licensee/permit holder will be an active member of the Local

ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

Alcohol Management Plan  
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Licenses Forum	Liquor Licensees Forum.
<ul style="list-style-type: none"> <li>Support programs that raise awareness among young people and their parents about the harms associated with underage drinking.</li> </ul>	Programs that raise awareness among young people and their parents about the harms associated with underage drinking will be supported.
<b>BEHAVIOURAL RISKS</b>	
<p><i>Behavioural risks are concerned with individual or group behaviour that impacts directly on the safety and comfort of patrons, customers and staff in and around licensed premises. You should consider how you are going to manage behavioural risks and explain your strategies in your written Alcohol Management Plan. Consider the following strategies to manage risks:</i></p>	
<ul style="list-style-type: none"> <li>What House Policies will you develop and where will you display these?</li> </ul>	<p>House Policies will include:</p> <p><i>Staff members will use their best endeavours to ensure that customers on the premises will conduct themselves in a quiet and orderly manner, without causing a nuisance to the amenity of the area by noise and/or boisterous behaviour.</i></p> <p><i>Staff members will also use all reasonable and practical methods to ensure that customers leave the premises in a quiet and orderly manner at all times the use is operating and immediately after the hours of operation.</i></p> <p><i>A clearly visible sign will be displayed at the entrance/exit of the premises. The sign will ask customers to leave in a quiet and orderly manner at all times. Staff members will reinforce this message.</i></p> <p><i>The licensed premises operator/permit holder or a current staff member at a management level will ensure that a copy of this Plan is made available to any person freely and without charge.</i></p> <p><i>A phone number of the licensed premises operator/permit holder or a current staff member at a management level will be provided upon request to any neighbour, to facilitate any complaint, at any time during the trading hours or within half an hour afterwards, about noise and/or other disturbances associated with the licensed premises.</i></p>
<ul style="list-style-type: none"> <li>How will you ensure free water is readily available at all times?</li> </ul>	Drinking water will be freely provided to all patrons at all times during the licensed hours
<ul style="list-style-type: none"> <li>How will you avoid incidents involving broken glass (e.g. use polycarbonate or tempered glassware)?</li> </ul>	While normal glassware will be used, given the nature of the licensed premises (a Function centre that hosts pre-booked weddings, unlike a Hotel, Tavern or Nightclub attracting a wider and potentially more volatile range of patrons), there are unlikely to be any significant incidents involving broken glass that would warrant special attention
<b>AMENITY RISKS</b>	
<p><i>Amenity risks are associated with the external impacts of licensed premises on other surrounding land uses. You should consider how you are going to manage amenity risks and explain your strategies in your written Alcohol Management Plan. Consider the following strategies to manage risks:</i></p> <p><i>Strategies:</i></p>	
<ul style="list-style-type: none"> <li>What strategies will you use to control amenity and noise impacts from indoor</li> </ul>	The licensed premises will be significantly separated (over 200m) from

ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

Alcohol Management Plan  
«Site\_Address»

<i>and outdoor areas of the premises?</i>	the nearest areas of residential or other sensitive uses, which as well as that the site is surrounded by commercial, industrial or transport use will ensure only reasonable amenity impacts on the area occur.
<ul style="list-style-type: none"> <li>How will you ensure that deliveries and waste management do not negatively affect the area? (e.g. truck engines, glass bottles tipped into dumpsters, rubbish removal)?</li> </ul>	
<ul style="list-style-type: none"> <li>How will you work with all authorities to reduce alcohol-related impacts in public spaces and the broader community?</li> </ul>	The licensed premises will be "self-contained" (ie by definition a Function centre caters for private functions by arrangement only); unlike many licensed premises not available for people to walk in "off the street" for a drink and/or buy take-away alcohol.
<ul style="list-style-type: none"> <li>How will you ensure that you comply with times defined in Council by-laws and permit conditions regarding hours allowed for alcohol service and drinking in outdoor areas of the premises?</li> </ul>	The permit, the licence, this AMP and other relevant regulator document will be kept on the licensed premises for easy reference
<ul style="list-style-type: none"> <li>What strategies will you use to ensure that no-one leaves the licensed area with alcohol (unless there is an off-licence permit)?</li> </ul>	Patrons will be actively prevented from leaving the licensed area with alcohol
<ul style="list-style-type: none"> <li>What will you do to comply with Council's Footpath Activity Guidelines for alfresco dining?</li> </ul>	NA
<ul style="list-style-type: none"> <li>How will you minimise noise impacts on surrounding properties (complying at a minimum with the conditions in the State Environmental Protection Act. N1/N2)?</li> </ul>	The area in which liquor will be consumed will be a substantial distance from the nearest residential or other sensitive uses



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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

The Proposed Function Centre

Patron Management Plan 2

**Acknowledgements:**

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Subject Writer: Liquor Consultancy Services  
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**Disclaimer:**

Every effort has been made to ensure that these plans are free from error or omissions, however you should conduct your own inquiries and seek professional advice before relying on any fact, statement, or other matter contained in this book. *Liquor Consultancy Services* is not responsible for any injury, loss or damage as a result of the material included or omitted from this plan. Information in this plan is current at the time of publication. The date of publication is indicated in the date stamp at the bottom of each page.

These plans are not intended to be an independent program in itself, and rely on regular and thorough briefings and training with staff to cover specific issues, tasks, and areas of responsibility.

July 2017



**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

The Proposed Function Centre

Patron Management Plan 3

Introduction

This Patron Management Plan is designed to assist all staff complete their job more efficiently, offering patrons a unique and safe experience and to minimise the risk of assault or injury to patrons.

Additionally, our community neighbours are important to us. The level of comments or complaints from our neighbours is often a barometer of how well we do our job as operators of a function centre in a community environment.

The Plan itself should be used in conjunction with the regular and thorough briefing from Managers and Supervisors to ensure that all staff fully understand the duties required of them and the obligations that both the licensee of the premises and the staff, are responsible for.

The success of this plan will be measured by the number of patrons that are evicted from or injured at the venue; or the number of breaches of laws identified by the Police, VCGLR Gambling & Liquor Inspectors and others, who attend the premises.

July 2017

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

The Proposed Function Centre

Patron Management Plan 4

#### Staff

##### 1.1 Arrival at Work

All persons are to report for duty with sufficient time to be in place by their scheduled time. This time does not allow for a change of clothes or other preparatory undertakings.

In situations where staff is not able to attend their rostered shift, they are to contact (or cause contact to be made by another) the Duty Manager directly as soon as possible, once the decision not to attend work has been made. This is to enable the Duty Manager to find replacement staff prior to the commencement of the rostered shift. A text message 30 minutes prior to the commencement of work is not sufficient.

Staff that do not make such contact within reasonable time frames will cause disruption to the operations of the function centre and those who cannot justify their actions of not notifying the Duty Manager will face discipline action.

##### 1.2 Uniform Requirements

**Bussys** - Bussys are to provide their own smart casual pants and t-shirts.

Bussys that perform duties externally of the venue are to wear reflective vests or jackets provided by the venue. The need for external staff to be highly visible is a requirement of Worksafe and enhances staff's safety and patrons' perception of safety.

**Wait Staff** - Neat and clean up market street wear is permissible and encouraged

**Security** – Crowd Controllers are expected to provide and maintain their own smart casual clothing

Crowd Controllers that perform duties externally of the venue are to wear reflective vests or jackets provided by the venue. The need for external staff to be highly visible is a requirement of both Worksafe but also enhances patrons' safety and perceptions of safety.

##### 1.3 Dress standard

- All attire is to be clean and neatly pressed.
- Footwear, black boots or shoes must be kept highly polished and clean at all times. Sports runners must not be worn.
- Provided uniform items will be replaced when required. When staff ceases employment with the venue, all provided uniform items are to be returned. Items provided by the venue remain the property of the venue.

July 2017

## ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

The Proposed Function Centre

Patron Management Plan 5

## Position Responsibilities

## 2 Bussing

**Report to:** Duty Manager**Responsibilities:**

To maintain all aspects of cleanliness on the floor that represents the venue's high standards. A good eye for detail is a pre-requisite for the job. Your work will reflect The Proposed Function Centre's image and caters to the safety of our patrons.

**Duties:**

- Maintaining a professional appearance and positive attitude at all times.
- Collecting glassware and bottles.
- Polishing and putting away glassware.
- Keeping tables clean and dry.
- Maintaining clean floors inc. sweeping and mopping.
- Cleaning toilets throughout trade on a roster basis.
- Stocking fridges.
- Ensure storeroom is kept clean.
- Emptying bins.
- Loading and emptying dishwashers.
- 'Bottle runs' – ridding external areas of bottles, cans and rubbish.
- Communication with security regarding intoxicated and troublesome patrons.
- Perform any other duties as requested by management in relation to the operation of the venue.

## 2.1 Ice

It is the bussy's responsibility to ensure that there is sufficient ice at all operational bars for their entire shift.

Staff are to always use appropriate ice scoops and are to ensure that these ice scoops are maintained in a clean state. They are to be cleaned after completion of each function or more frequently when required.

## 2.2 Cleaning Spills

It is imperative that spills are to be cleaned as a priority job. The Proposed Function Centre has an obligation to ensure that patrons and staff are safe whilst in the venue and for this reason spills MUST be cleaned as a matter of urgency. In some situations, this may also require the appropriate placement of warning signs.

Additionally, a site of a spill is not to be left unattended. When a spill has been identified, a staff member MUST remain at the spill until it can be cleaned or a warning sign placed into position.

As part of their duties, Bussys are to be mindful of spills and slippery areas. As part of their roving patrols around the venue, bussys must look for those areas where spills are likely to occur and where patrons' safety could be compromised.

## 2.3 Clearing Tables

Staff are to ensure that glasses, bottles, or other rubbish is removed from tables constantly.

July 2017

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**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

The Proposed Function Centre

Patron Management Plan 6

**2.4 Stock**

Staff are to ensure that stock is maintained at each of the bars allocated to them. In situations where a bar staff member specifically request stock, bussys must satisfy that request as a matter of urgency, having regard to the safety of patrons.

**2.5 Patron Observations**

Bussys have the best opportunity of all staff to effectively monitor the behaviour of patrons. For this reason, where a Bussy identifies a patron nearing intoxication, is being drunk, violent, or quarrelsome, is becoming or appears to be drug affected, they are to immediately notify Duty Manager with a view for them to take appropriate action.

Under no circumstances is a bussy (unless they are also a Licensed Crowd Controller) to become involved in resolving these issues themselves.

**2.6 External Cleaning**

In some situations, other staff members may require that areas external of the venue will need to have rubbish removed or in some cases, the "wash away" of fluids.

In these situations, or indeed if the Bussy identifies the need to undertake these duties themselves, they must be performed. One of the requirements of the venue's liquor licence is to ensure that the amenity of the area is not interfered with.

The removal of rubbish is of paramount importance to ensure that the venue satisfies this requirement. For this reason, the vicinity of the venue MUST be inspected by a bussy at the completion of each function.

**2.7 Bussys Assisting Crowd Controllers**

In some circumstances, it may become necessary to assist Crowd Controllers in the execution of their duties. Under no circumstances are Bussys to perform actual Crowd Control duties. In situations where Crowd Controllers are required to leave static observation posts, the Duty Manager should appoint bussys to monitor those positions.

The role of bussys in these circumstances is to provide a continuous observation of the premises to ensure patron safety. In some situations, it may be necessary for bussys to perform observations near the main entrance to the premises. In these circumstances, it is imperative that bussys ensure that patrons do not leave the premises with alcohol.

In some situations, and where directed by the Duty Manager or Security Supervisor, bussys may be required to (on a short term temporary basis) close the doors to the premises preventing patrons entering or leaving. This would be to assist Crowd Controllers managing incidents either inside or immediately outside the venue. In these circumstances bussys should explain to patrons the reason why the doors had been closed and advise them that it is a short-term closure only and is being undertaken to ensure the patrons' on-going safety.

**2.8 Waste Disposal**

The Duty Manager shall ensure that the venue's waste disposal contractor undertakes their responsibilities with the least disturbance to *The Proposed Function Centre's* commercial neighbours.

It is the Duty Manager's responsibility to ensure that the waste skip is located within the venue's property and only placed in the car park on the day of waste collection. Additionally, the duty manager shall ensure that waste is only collected between the hours of 9AM & 5PM weekdays.

July 2017

## ORDINARY COUNCIL MEETING - MINUTES

**2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)**

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3. Bartender

**Report to:** Duty Manager**Responsibilities:**

To Serve Customer beverage demands in a fast, friendly, and efficient manner, ensuring product is of a consistent, high quality, and that bar areas are clean and organised at all times.

All bartenders must have completed their Responsible Service of Alcohol. It is the responsibility of staff to provide a copy of their certificate within 1 month of obtaining employment.

**Duties:**

- Maintain total cleanliness of bar and floor areas.
- Ensure fridges, shelves, and cupboards are kept clean.
- Complete pour tests before each shift.
- Arrive at work equipped with a bar blade, waiter's friend and pen.
- Serve beer, wine, soft drink and cocktails in the correct manner.
- Have a thorough understanding of all products available.
- Minimise waste.
- Use the cash register correctly.
- Correct use of the phone including transferring.
- Use eftpos for credit transactions – no cash out.
- Change paper rolls on printers and eftpos machines.
- Maintain a professional appearance and positive attitude at all times
- Be aware of licensing restrictions on the serving of minors and intoxicated persons.
- Perform any other duties as requested by management in relation to the operation of the venue.

Bar staff will be provided with their rostered commencement times in advance wherever possible. For this reason, staff are expected to arrive at work and be prepared to be in position by their duty commencement time.

Staff are required to be appropriately attired when they arrive work and are to be in a sober and unaffected by drug at the commencement and throughout their rostered shifts.

**3.1 Free Drinks for Patrons / Staff**

Staff are not permitted to provide drinks to other staff, friends, or acquaintances free of charge, or sold at a price other than the authorised amount. In situations where a good customer has been observed and there is a commercial reason for offering free drinks, that request must be made through the Duty Manager who will issue the person with a drink card in appropriate circumstances.

Where the Duty Manager wishes to provide staff with "After Work Drinks" that is at the discretion of the Duty Manager. All such drinks are to be appropriately recorded on the venue's cash register system.

Any staff member who receives a beverage other than in accordance with these instructions will be treated as having stolen drinks from the premises and will face discipline action and have the matter reported to the Police.

Under no circumstances are "After Work Drinks" to be consumed whilst any patron is still on the premises and the premises are in fact still open.

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### 3.2 Recording of Sales

All sales are to be recorded through the venue's cash register system as required. Staff who are observed not recording sales correctly will be subject to discipline action.

### 3.3 Customer Service

The hospitality industry constantly changes and for this reason new products regularly become available. Bar Staff are encouraged to provide a unique experience to patrons and provide a higher level of service than is experienced at other venues. If a patron requires information about products or services provided at the venue, staff are encouraged to facilitate that request having regard to their R.S.A. responsibilities.

### 3.4 Maintaining the Bar

Most interaction between staff and patrons will occur around the bar areas. For this reason, it is imperative that staff maintain a clean and inviting bar area. Benches are to be maintained in a dry and clean manner and glass, bottles and other rubbish removed in a timely manner.

### 3.5 Refusal of Service

When bar staff decide to refuse service, it must be done in a way to reduce the chance of any conflict. Where a staff member has refused service to any patron, that decision is only able to be overridden by the Duty Manager, and only then under exceptional circumstances, having regard to the licensees' responsibility under the Liquor Control Reform Act relating to serving intoxicated patrons.

When a patron has been refused service, the Duty Manager is to be informed so that other staff are advised of the refusal.

Some approaches to consider include:

- Use tact. Be polite when telling the patron you will not serve them anymore; preferably tell them so that other patrons do not hear to reduce the risk of embarrassment.
- Tell them firmly by law that you are not allowed to serve them.
- Management policy may offer a non-alcoholic drink. Suggest water, juice or soft drinks or perhaps even some food.
- Notify the manager or licensee or other crowd controllers.
- The decision to refuse service to a patron is that of the Bar Staff Member. Crowd Controllers are to support the decision of the bar staff member. Crowd Controllers are not to over-ride that decision.

### 3.6 Signs of Drunkenness and Intoxication

In order to carry out your role and responsibilities effectively bar staff should be familiar with the physical signs of intoxication. A person who is intoxicated will generally show some/all of the following characteristics:

- Be staggering or unsteady on their feet.
- Have bloodshot eyes.
- Clumsiness
- Lack of judgement
- Loss or co-ordination
- Have the smell of alcohol on their breath.
- Be in general disarray, e.g. clothing untidy.
- Have slurred speech.

### 3.7 Selling or Supplying Liquor to Minors (Under 18s)

All staff members have a responsibility to ensure that no under aged individual is *sold* or *supplied* alcohol, except where they are partaking of a meal and in the company of a parent or guardian. Once the meal has been completed, so is the minor's right to consume alcohol.

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**3.8 Proof of Age: Power to demand**

The power to request that a person in or attempting to enter licensed premises or is purchasing liquor to provide evidence of age, name and address is contained in Section 126 (b) of the Liquor Control Reform Act:

Bar staff members are liable for serving underage patrons and so if they are in any doubt as to a person's age, they must only accept appropriate evidence of age documents.

**3.9 Responsible Serving of Alcohol**

Owing to the possibility of drink spiking and in order to maintain our Responsible Serving of Alcohol philosophy, double or triple pours and "shots" are not permitted to be supplied.

It is a requirement of The Proposed Function Centre that all bar staff have undertaken a Responsible Serving of Alcohol (RSA) workshop. As a condition of employment, all bar staff MUST produce to Management a photocopy of their RSA Certificate.

The venue requires that all bar staff "refresh" their knowledge of RSA every three years. This can be undertaken by the VCGLR's Internet based refresher course. Staff members must produce evidence of having 'refreshed' their knowledge of RSA.

Additionally, the venue has a large number of low or non-alcoholic drinks and these should be suggested to those patrons nearing intoxication, as an alternative to full strength products.

Additionally, the venue provides free drinking water by the glass.

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## 4 Duty Manager

**Report to:** Venue Manager / Directors**Responsibilities:**

Being the Duty Manager is a hands-on position supervising and leading team members by example. A thorough knowledge of cocktails and wine is a pre-requisite for the job. It is your responsibility to conduct ongoing training with all staff to ensure our high standard of quality products and customer service is upheld. Good organisational skills and an eye for detail is essential.

As duty manager, you will be responsible for the effective management control of the property in the absence of the venue manager and should be aware of legal aspects relating to the business such as;

- Responsible serving of Alcohol
- Proper I.D.
- Underage drinking
- Intoxication
- Licensing restrictions
- Sexual harassment
- Unfair dismissal
- Workcare
- Award conditions
- To hold a current RSA and ensure all bartenders do also, with copies made for reference.
- To maintain an RSA training register (in accordance with the VCGLR requirements)
- Ensure bar and floor areas are maintained, safe, and clean.
- Serve all drinks in the same consistent manner.
- Have a thorough understanding of all products available.
- Training of all bartenders and bussys.
- Looking after staff breaks, and other staff welfare issues
- Ensure bars are fully stocked before service.
- Planning of original seasonal cocktail lists keeping up with trends.
- Minimise waste and have an understanding cost control, stock control and stock take.
- Develop good working relations with representatives.
- Planning and introduction of bar promotions.
- Place stock orders with suppliers.
- Thorough knowledge of telephone, cash register, printers and EFTPOS inc. changing paper rolls.
- Maintain a professional appearance and positive attitude at all times.
- Perform any other duties as requested by the Venue manager in relation to the operation of the venue.

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5 Venue Manager

**Reports to:** Directors

**Responsibilities:**

The venue manager is responsible for the effective management control of the property and should be aware of legal aspects relating to the business such as;

- Display of required signage
- Display of current Liquor Licence
- Maintenance of RSA training register
- Responsible serving of Alcohol
- Proper I.D.
- Underage drinking
- Intoxication
- Licensing restrictions
- Sexual harassment
- Unfair dismissal
- Workcare
- Award conditions

The Venue Manager is expected to comply with the guidelines of behaviour, including never being intoxicated on the licensed premises, never borrowing or lending money from the venue, never cashing cheques, never entering into agreements on behalf of the company without approval, never making statements to the media, and never conducting oneself in an unethical, dishonest or unprofessional manner.

The Venue Manager shall also make a determination as to whether certain events or activities warrant Crowd Control. In those circumstances, it is a requirement of these instructions (and indeed legislation) that only those Crowd Controllers that hold a CURRENT Crowd Control licence are to be employed to undertake these duties at the venue. Additionally, where events or activities warrant crowd control, the Venue Manager is to ensure that all Crowd Control staff undertake their duties in accordance with these operational plans. If Crowd Control Staff are employed, it is the responsibility of the Venue Manger to ensure that a Security Register is maintained in accordance with the Private Security Act, and associated regulations.

The Venue Manager is also responsible for ensuring that the premises, plant and equipment are maintained in a clear, presentable and safe condition. This includes toilets and external areas of the venue

Creating ambience and atmosphere using lighting, music and air conditioning are an essential part of the position. A good eye for detail is a pre-requisite for the job.

The venue manager will be responsible for staff levels at all times and expected to produce rosters to best service customer demands.

It is expected the venue manager be available and visible to Staff and Customers during peak business times.

The venue manager is expected to implement Company policy and procedures in a firm but fair manner, leading by example in your own exemplary conduct, appearance, honesty and commitment to the success of the venue.

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Leadership is expected to include excellent staff communications through regular discussions and meetings with staff.

Teamwork is a priority. Managers are responsible for the conduct and behaviour of the staff whilst on venue property, ensuring staff adhere to company guidelines.

The position will require you to interview and select staff, carry out inductions and train and develop staff through regular evaluations.

Reference checks, Letters of Appointment, Job Descriptions and Induction Packages will assist you in your efforts.

The venue manager is responsible for ensuring staff are trained correctly in all facets of their job and that they adhere to occupational health and safety issues.

Close working relations must be held with security to ensure they conduct their duties in the correct manner as stated in our plans and operational orders.

Communication with police is also important to make sure external community issues regarding the venue are made aware and acted on as required.

The venue manager should have exceptional people skills and customer service techniques. You should be familiar with policies for complaint handling and always strive to outdo our competition.

The venue manager is required to have a good understanding and knowledge of procedures pertaining to;

- Stock takes
- Wastage
- Cash & Petty Cash
- Debtors
- Financial Reporting
- Daily reports
- Venue Security

The venue manager is also responsible for the marketing and development of new concepts, nights and the business itself. Keeping up to date with the latest trends in conjunction with promoters is essential. You must have a thorough understanding of the clientele each night is aiming at, whilst constantly addressing their demands to keep each night fresh and exciting.

#### 5.1 Responsible Serving of Alcohol register

The venue manager is responsible for the maintenance of the RSA training register. This register must be provided on demand to a member of the Police Force or a VCGLR Gambling & Liquor Inspector.

The register MUST contain copies of all serving staff's RSA certificate and any refresher certificate, together with the names of all bar staff, the date they commenced serving alcohol at the venue, the date of their RSA certificate and any refresher certificate.

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**5.2 Authorised Floor Plan**

The venue manager is responsible for ensuring that the authorised floor plan is readily accessible for all staff and that it can be produced immediately to any member of the Police Force or a Gambling & Liquor Inspector. The Floor Plan is located together with these instructions.

**5.3 CCTV systems**

The Venue Manager shall ensure that *The Proposed Function Centre's* CCTV security systems have been installed by a reputable contractor and in consultation with the Victorian Police's Divisional Crime Prevention Officer, to ensure that appropriate security coverage of the venue is maintained.

It is further, the responsibility of the Venue Manager to ensure that *The Proposed Function Centre's* CCTV system is operational anytime a function is being undertaken. In situations where there is a technical outage or a failure in coverage is identified, the Venue Manager shall immediately arrange for the venue's contractor to rectify the issue.

Captured images shall be retained for 30 days in accordance with industry best practice.

In situations of reportable incidents, the Venue Manager shall ensure that images are retained into memory devices and retained in the venue's safe for 7 years. These images should also be backed-up into "cloud" based memory databases.

**5.4 Security Lighting**

The Venue Manager shall ensure that *The Proposed Function Centre's* external lighting is operational on each night of a function. This is to ensure patrons can safely navigate the external areas and car park and assists the CCTV system to have sufficient lighting to effectively capture images.

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6 Security Supervisor

Reports to: Venue Manager / Duty Manager

**Responsibilities:**

The predominate activity of the Security Supervisor is that of a Crowd Controller, responsible for monitoring patron behaviour.

Additionally, the Security Supervisor is to assist the Duty Manager to ensure that the premises operate in accordance with the premises' liquor licence and these Patron Management Plans.

The timely and accurate recording of information in the Crowd Control Register is the responsibility of the Security Supervisor. The Crowd Control Register is to be used as it is intended to record information relating to reportable incidents, and to indicate in a legal sense, who worked as a Crowd Controller at what time. It is not intended to be a time sheet for Crowd Controllers and should not be used as such.

The Security Supervisor shall ensure that all Crowd Controllers are fully briefed with instructions and that each Crowd Controller has an understanding of their specific roles, duties and responsibilities.

The Security Supervisor is to specifically ensure that promoters comply with the procedures contained within these instructions.

6.1 Crowd Control Ratios

The Security Supervisor in consultation with the Venue Manager will undertake a risk assessment of all functions to be conducted. This is to ensure that for each function, an appropriate security presence can be determined.

As part of that assessment, consideration must be made of :-

- The type of function
- The age of likely attendees
- The likely patron numbers
- The length of the function
- The time of night or day of the function
- If the function has previously been conducted, the behaviour of those attending

Those functions deemed to be "high risk" are to be conducted with Crowd Control at least at the following ratios.

- 2 Crowd Controllers for the first 100 patrons or part thereof
- 1 Crowd Controller for every 100 patrons thereafter

6.2 Defibrillator training

It is the responsibility of the Security Supervisor to ensure at any function conducted at *The Proposed Function Centre* is done so with at least one staff member trained in the use of Defibrillator equipment

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## 7 Cloakroom

**Report to:** Duty Manager**Responsibilities:**

To make sure our patrons first point of entry is met with a pleasant greeting. Also, that all money handling and the looking after of all personal belongings in the cloakroom is conducted in a responsible manner.

**Duties:**

- Maintain a professional appearance and positive attitude at all times.
- Greet and farewell all customers.
- Opening the door for patrons where possible.
- Maintaining a clean desk i.e. Security & personal drinks.
- Organising paperwork at the beginning of your shift e.g. numbering cloakroom sheets.
- Checking in items in the correct manner.
- Taking and recording of door takings.
- Answering the telephone and using it in the correct manner including transferring & speed dial for emergency & taxis.
- Recording crowd numbers every hour.
- Having good communication skills with security and help control the traffic in the foyer.
- Not allowing glassware in the foyer.
- Perform any other duties as requested by management in relation to the operation of the venue.

## 7.1 Defibrillator Station

The Defibrillator is located within the Cloak room. It is the Cloak Room Attendant's responsibility to ensure that the Defibrillator is constantly connected to power to ensure it is always available and operational.

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#### General Instructions

##### 8.1 Patron Mix

On nights where the venue is used as an "Open" business, and in order to ensure that the venue provides the best experience for its patrons, the mix of patrons (having regards to anti-discrimination legislation) shall be those that are going to enhance the reputation of the venue.

With that in mind, patrons must be dressed in accordance with the Dress Code, that operates on some nights.

Additionally, those patrons that are attending private functions, are to be permitted entry having regards to the Disability Discrimination Act relating to persons with a disability.

##### 8.2 Alcohol and Drugs

The use of alcohol and illicit substances whilst on duty is strictly prohibited. No staff member is to present for work in a drug or alcohol affected manner. Staff who present in this manner or otherwise become alcohol or drug affected whilst on duty, will be immediately dismissed in accordance with the venue's conditions of employment.

Additionally, any member of staff found to be involved in the distribution of illicit drugs will be dismissed, in accordance with the venue's conditions of employment.

##### 8.3 Cloak Facilities

The venue operates cloak facilities for the benefit of patrons. In order to maintain appropriate levels of security for cloaked items, only the Security Supervisor, Duty Manager and the cloakroom attendant are permitted in the cloakroom. Where other staff members request entry into the Cloak Room, they are to make that request to the Duty Manager or Security Supervisor who when satisfied that entry is appropriate, will accompany that staff member into the Cloak Room.

In order to enhance the venue's reputation as a safe venue, patrons are permitted to cloak items free of charge. Because the venue has formalised cloaking facilities, no other staff are permitted to take care of any items on behalf of patrons. Where patrons request that bar (or indeed other) staff members look after items, they MUST be referred to the Cloak Facilities for attention.

Under no circumstances are staff (other than cloak staff) permitted to accept responsibility for patrons' items.

##### 8.4 Lost Property

From time to time, patrons may leave property items when they leave the venue. Any staff member who locates any items of clothing or property is to give those items immediately to the Duty Manager.

The Duty Manager will make arrangements for the property to be transferred to the Administration area where a support staff member shall record information about the items. Whether possible the owner of the property should be identified and contacted and requested that they collect the items or have the items mailed to the owner (at their personal expense)

The items are to be retained for a period of 14 days. At the expiration of that time, a support staff member shall transport the items to the local Police Station for attention by the Police, or as otherwise disposed of in accordance with the requests of the Police.

It is the instruction of the venue that items (other than clothing) if not returned to the owner by the Police is to be left with the Police for disposal in accordance with their internal procedures.

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#### 8.5 People with Disabilities

People with Disabilities are welcome and every possible courtesy shall be extended to them as patrons. People with Disabilities are not to be discriminated against in any manner. Some disabilities present as showing similar characteristics to that of intoxication. Staff are to determine the patron's demeanour as either intoxication or a disability before taking ANY action.

#### 8.6 Drink Spiking:

Drink spiking is the practice of adding alcohol or another substance to a drink without the knowledge of the person who will be consuming it. Drink spiking is not only illegal it is a serious crime, with severe penalties for persons convicted. Alcohol is still the most common drug used to spike drinks. However, other drugs such as Kentamine or GHB may be added to a patrons drink unknowingly.

Look out for:

- Persons putting any substances into another person's drink, or pouring two or more drinks into one glass.
- Persons requesting "triples"
- Patrons requesting alcohol to be placed into a drink
- Anyone appearing to be plying another person with excessive amounts of alcohol.
- Evidence of small plastic "bottle" or containers that could contain small amounts of liquids – that are disposed of on the venue's floor.
- Persons appearing to be excessively intoxicated despite not having consumed much or no alcohol at all.
- Verbal and physical cues from an apparently intoxicated person that they are not comfortable with the person/s escorting them from the premises. Ask them if they need assistance or a taxi. Ask the person escorting them for identification and record their details. This may prevent an incident occurring. Escort distressed patrons to the sick bay and advise the Duty Manager or Security Supervisor.

In order to protect patrons from allowing their drinks to be spiked, any drink found to be left unattended by any member of staff is to be removed from the public area and disposed of.

Where patrons object to this policy, the patrons are to be reminded of the potential for drink spiking and explained that the reason for the drink's disposal was to enhance the patron's safety.

In those situations where a patron continues to object to this practice, the staff member shall report the matter to the Duty Manager who, at their discretion, is permitted to replace the drink for the patron free of charge.

#### 8.7 Illicit drugs

The venue has a Zero Tolerance philosophy relating to the trafficking of illicit drugs within the venue. If staff suspects that a patron or patrons are trafficking a drug of dependence they are to immediately notify the Security Supervisor and inform him of the observations. In situations where patrons are reasonably suspected of using or trafficking, they are to be removed from the premises, provided the removal of the patron does not place the patron in danger. No attempt is to be made to try and seize the drugs. In the case of suspected drug trafficking, the Police should be immediately notified by the Security Supervisor.

The incident is to be recorded in the Crowd Control register by the Security Supervisor together with all relevant information. This information should then be passed onto local Police. On their arrival, staff must follow the lawful directions of the Police including the provision of written statements.

The venue has a harm minimisation policy in place for the consumption (use) of illicit drugs. Where a patron comes to the attention of staff and they appear to be drug affected, the Security Supervisor is to be informed and arrangements made for the Security Supervisor to make a determination as to the

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appropriate intervention: - This may include supervised time-out in a quiet part of the venue OR safely placed in the care of an adult friend or relative to ensure their safety OR in situations where the patron's welfare cannot be guaranteed, an ambulance should be called to attend to the patron.

Where staff locate drugs of dependence the items are to be forwarded to the Security Supervisor who will then make arrangements for the drugs to be forwarded to Police for disposal.

Staff that discover instruments of drug use, syringes etc, are to be immediately removed using appropriate safety equipment provided in the venue for that purpose and disposed of into properly maintained sharps containers.

Staff involved in handling a drug affected patron where blood, vomit, or other bodily fluids may be present should only do so once they have applied gloves, and any other Personal Protection Equipment (PPE) deemed necessary by the Duty Supervisor or a Crowd Controller who has first aid training.

Staff are to be mindful that they are not empowered by legislation to search patrons in any circumstances and Police are only so powered in certain circumstances. The venue staff members are not police and it is not their job to perform the task of the Police who are trained to deal in drug investigations.

The venue actively seeks to ensure that staff are not involved in the distribution of illicit drugs. In situations where staff members are suspected of being involved in the distribution of illicit drugs, management will provide information to the Police and assist with the view to having the staff member appropriately charged. Any staff member convicted of ANY drug offence will be dismissed.

The venue has free water available to patrons. Staff are to direct patrons to this free service where required. Additionally, Crowd Controllers who are trained in first aid are employed to deal with patrons who become drug affected or otherwise ill or injured.

A First Aid kit is located in both the Cloakroom and Security Office and should be accessed when necessary. Any staff member, who uses this kit, is to inform the Security Supervisor of the use of items from the kit to enable the kit to be replenished with fresh supplies. It is the responsibility of the Venue Manager to ensure that the First Aid Kit is maintained with sufficient stock on a regular basis.

In order to reduce the incidence of drug distribution within the venue, Crowd Controllers are to be mindful of patrons "coming & going" excessively. Drug traffickers generally will not carry a large quantity of drugs on their person and for this reason tend to come and go to access additional drugs. By reducing the extent of these "comings & goings", activities by drug traffickers will be reduced.

#### 8.8 Incident Reports (IR's)

The incident report system is a standard method of centralising and collating information relating to any incidents that occur at the venue during any given time of the day or night.

Crowd Controllers may be involved in numerous incidents during their shift and should record details of any incident in their personal diaries. These diaries may be used for evidence purposes if required.

When completing an I.R. form, staff should ensure that the facts relating to the incident are recorded and in the order that they occurred. Information that is based upon *opinion or guesswork* should not be recorded. It is important that incidents are reported to understand how an unlawful act or breach in security has occurred; it may also help to prevent/solve security breaches in the future.

#### 8.9 Complaints

From time to time, neighbours and other persons may complain about the manner in which the venue is operated. Whenever a person complains about any aspect of the operations of the venue, the

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person receiving the initial complaint or comment is to immediately record the details of the person making the complaint.

Where-ever possible, if this person is present, they are to be introduced to the Duty Manager who will investigate the complaint. Where this is not possible, the person receiving the complaint is to document all relevant information such as:-

- The name & address of the person making the complaint
- The full circumstances of the complaint
- Whether there are any other person(s) involved
- What action the person requires

Regardless of who investigates, wherever a complaint about the operations of the venue has been received, the Duty Manager will ensure that the complaint is investigated fully. The primary purpose of the investigation is to ensure that the matter is resolved to the satisfaction of all involved. At the completion of the investigation, the complainant (where known) is to be notified of the investigation and the result.

Where the complainant is not satisfied with the outcome of the investigation, they are to be referred to the Venue Manager for follow up inquiries. In each case of a complaint being received, the Duty Manager receiving the complaint shall ensure that the Venue Manager is notified as soon as practicable having regard to the seriousness of the complaint, that any surveillance footage of the incident is "burnt" for retention, and that the incident is recorded in the log, kept for that purpose.

At the completion of the investigation, where necessary these instructions are to be updated to reflect new or better procedures so that similar matters are reduced in the future.

#### 8.10 Crimes Committed Within the Premises

*The Proposed Function Centre* values its customers' safety. As part of that commitment it is imperative if a staff member identifies that a customer may become the victim of a crime, they are to take a pro-active approach to prevent the crime from occurring.

Staff should be aware of

- ◊ Unattended valuables
- ◊ Patrons who become distressed for unknown reasons
- ◊ Patrons who appear to be aggressive towards others

In some situations where crimes do occur, the victim should be asked if they wish to report the matter to the police. In any case a report of any crime within the premises should be immediately brought to the attention of the Duty Manager.

If a patron wishes to report the matter to the Police, the Duty Manager should assist the patron to satisfy the reporting of the matter.

In situations where the patron cannot make a decision (due to injury or otherwise) to report a crime to the Police, the Duty Manager MUST immediately report the matter to the Police. In any case, where a patron is injured as a result of a criminal act and the extent of the injury requires that the patron be transported from the venue by an ambulance or otherwise to a hospital (unless the patron themselves insists that the matter not be reported to the Police) the Duty Manager MUST report the matter to the Police for their investigation.

In these circumstances the Venue Manger should be notified as soon as possible so that a copy of any video surveillance of the incident can be "burnt" and retained.

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In situations where the offender of a serious crime has been identified, and Police are to be called, the offender should be prevented from leaving the premises by Crowd Controllers until Police arrive, having regard to powers of arrest contained within Section 458 of the Crimes Act.

Where no such arrest power exists or the offender cannot be prevented from leaving the venue, all reasonable attempts should be made to identify the offender.

Matters that would assist the Police would include (but are not limited to)

- ◊ A physical description of the person
- ◊ Details of any known associates
- ◊ Details of any vehicles used by the offender to decamp
- ◊ Video surveillance footage of the offender/incident
- ◊ Details of any witnesses to the incident
- ◊ A photograph obtained

A report of any crime MUST be recorded in the Crowd Control register by the Security Supervisor.

#### 8.11 Identifying Risks

During the course of their duties, staff will from time to time identify potential risks within the venue. Those risks may be to other staff or as equally as importantly, patrons. Examples of potential risks, are broken glass, damaged or faulty fixtures, inoperative lighting, and any array of other items.

Where those risks are identified, the situation cannot be resolved by the staff themselves, it is to be brought to the attention of the Duty Manager for their investigation and attention as necessary.

#### 8.12 Venue Maintenance

The Venue Manager is responsible for ensuring that the venue is in a safe condition, suitable for the presence of patrons. With that in mind, the Venue Manager shall ensure that the venue is inspected (and where necessary – equipment tested) on a daily basis.

This inspection should include (but is not limited to) inspection of floor services, lighting, emergency exits and lighting, electrical leads and connections, furniture, pest control, doors, and air conditioning.

#### 8.13 Harassment (Sexual or Otherwise)

The venue management does not condone, and will not tolerate any form of discrimination and has a firm commitment to Equal Opportunity principles. This policy has been formulated so that: -

- All employees can be reassured that venue management is concerned with their welfare.
- All employees are aware of the meaning of discrimination.
- Any injured parties are informed on remedial action they may take.
- All employees are informed of their responsibilities to prevent discrimination.
- The legal consequences of allowing discrimination to occur, and continue, are clearly spelt out.

#### 8.14 Selling or Supplying Liquor to Minors (Under 18s)

All staff members have a responsibility to ensure that no under aged individual is consuming alcohol, except where they are partaking of a meal and in the company of a parent or guardian. Once the meal has been completed so is the minor's right to consume alcohol.

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#### 8.15 Minors on the premises

The venue does not have a specific authority to allow minors on the licensed premises. All staff are to make themselves conversant with the venue's liquor licence and to understand when minors can be on the premises. This means that they are either there for a meal, or if they are in the company of a Spouse, Parent, Guardian, or other responsible adult.

#### 8.16 Patrons Foreseeing Incidents

In some situations, patrons may approach staff members requesting "protection" or forewarning other incidents. Public Liability case studies have found that in those situations, the licensee faces blame for any subsequent injury or loss. On that basis, staff need to understand that the venue cannot "guarantee" those patrons their safety.

In those situations, where those patrons have foreseen injury, the person who allegedly has been identified as a potential person likely to assault, become violent or otherwise quarrelsome is to be ejected from the premises. This instruction is to be followed explicitly and is not open to review by any staff member.

In situations where the alleged "suspect" cannot be identified or located, the person who made the allegation is to be politely requested to leave. The venue must protect its patrons and itself wherever possible from Public Liability Claims and if a potential "victim" to an assault can be protected by either the removal of the "suspect" or by the "victim" leaving the premises, then that action must be taken.

Any staff that are forewarned of a potential "incident" must bring that information to the Duty Manager or Security Supervisor for attention in accordance with these instructions.

#### 8.17 Public Liability Incident Reports

Licensed premises are more regularly being sued, in some cases many years after an event. For this reason, it is imperative that details of all incidents involving patrons suffering ANY type of injury be accurately and timely recorded. This should include the names and addresses of ALL witnesses.

The Duty Manger is responsible for the compilation of a Public Liability Incident Report. The report is to be forwarded to the Venue Manager within 24 hours of an event, together with any recommendation to avoid recurrence of an incident.

In situations where a person has been forcibly ejected, a patron injured or other significant incident occurs, the Duty Manager shall inform the Licensee of the incident at the first available opportunity, having regard to the seriousness of the incident. Such report should include whether the incident was captured on the venue's Security System.

The Licensee will then ensure that an appropriate staff member will "burn" a copy of the recorded images and that those images are kept for a minimum 7 years.

#### 8.18 Drunk and Disorderly Individuals

The Licensee must ensure that patrons who become or are drunk, are not permitted to remain on the premises, having regard also to their welfare.

Staff have a responsibility to ask any person to leave licensed premises when they are *drunk, violent or quarrelsome*. Any individual who is drunk, violent or quarrelsome after they have refused a request to leave must be ejected from the premises. The ejection is to be undertaken using the techniques contained in these procedures and with a minimum of force. No ejection is to occur without the knowledge of the Duty Manager or Security Supervisor who, where possible, will supervise the removal of the patron

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#### 8.19 Seizure of 'Evidence of Age'

A document (except a driver's licence) may be seized unless the person reasonably believes that:

- The person producing the document is the person on the document.
- The document contains false or misleading information about the age or name of the person.
- The document has been forged or fraudulently altered.

If a document is seized it must be given to the police. The Security Supervisor is responsible for forwarding seized documents to the Police on a regular basis.

#### 8.20 Amenity

As part of the venue's Liquor Licence, we are required to ensure that the amenity of the vicinity is not disturbed by the operations of the venue. Amenity is briefly described (but not limited to) noise, rubbish, nuisance, vandalism, parking etc.

Staff particularly those with the responsibility of monitoring the front of the venue, are to ensure that patrons and those attempting entry into the venue, do not detract from the amenity of the vicinity of the venue.

As part of this instruction, staff allocated by the Duty manager are to ensure that rubbish is removed and that those queuing to gain entry into the premises, and indeed those leaving the venue do so in a quiet manner.

Additionally, staff tasked to monitor the front of the venue are to ensure that patrons do not interfere with vehicles parked near the venue, or other business or residential premises.

Where a staff member witnesses a person causing damage to other premises or vehicles, the person should be held and the Police called for them to investigate the damage caused. Crowd Controllers in these circumstances are to ensure that an appropriate entry is subsequently made in the venue's Crowd Control Register.

Where a staff member does not witness the damage, details of the incident should be recorded in order for the Police to be assisted in their investigation of the damage.

#### 8.21 Internal Observations – Key Positions

Historically, most assaults at licensed premises occur at or near the front entrance, at or near bars, or on or near the dance floor(s)

These procedures have deliberately not identified specific roles for specific areas within the venue.

The Security Supervisor will appoint Crowd Control Staff to make observations within the vicinity of various bars and areas having regard to the function type & size, patron mix, patron numbers, patron behaviour, the number / location of operational bars, and other considerations, throughout the venue, however all areas within the premises where patrons gather are to have a Crowd Control presence.

Crowd Controllers allocated to these observational areas are to ensure that their positioning is appropriate having regard to the most efficient coverage within the venue.

Where possible, an elevated position will ensure that observations of the premises will be more efficient and provide patrons a visible security presence.

In some situations, an incident may require that Crowd Controllers leave their observation areas. In situations where these are key positions, the Duty Manager or Security Supervisor should allocate either another Crowd Controller or a bussy to undertake observations at those core key positions.

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This may also include having bussys undertake observations at the front entrance where they are to ensure that patrons do not leave the premises with alcohol.

**8.22 Female Toilets**

Where there is a female Crowd Controller on-duty, unless circumstances require additional observations, a patrol of the female toilets is to be undertaken (on average) at least 3 – 4 times per hour during the operations of the venue. Crowd Controllers are to ensure that glass, bottles, or other refuse is removed from the toilet areas. In situations where additional supplies are required for the toilets, the Crowd Controller is to ensure that those supplies are replenished.

Spills or other hazards are to be immediately reported to the Security Supervisor for attention by a Bussy. In appropriate circumstances, a “Caution” sign is to be placed so as to warn patrons of any potential dangers or in urgent cases by closing that particular part of the venue, or by having a Crowd Controller positioned to avoid injury until such time as a sign can be positioned and/or the spill cleaned.

In situations where there is no female Crowd Controller present, this task is to be undertaken by another female staff member. It is the responsibility of the Duty Manager to appoint another staff member to specifically cover this task.

Staff who make observations within the Female Toilets are to ensure that no more than one person at a time is permitted into a cubicle. Patrons who refuse this reasonable request of staff are to be asked to leave. This instruction is designed to minimise the possibility of drug trafficking or consumption and to prevent assaults from occurring from an area, which (owing to privacy) cannot be effectively monitored.

Additionally, it is imperative that Crowd Controllers ensure that no male (other than staff members) enter the female toilets, either of their own design or as a result of being enticed into the toilets.

**8.23 Male Toilets**

The male toilets are to be physically patrolled by a Crowd Controller (on average) at least 3 – 4 times per hour during the operations of the venue. Crowd Controllers are to ensure that glass, bottles, or other refuse is removed from the toilet areas during those inspections.

Additionally, patrons are to be discouraged from “loitering” in and around the toilet areas.

Spills or other hazards are to be immediately reported to the Security Supervisor for attention by a Bussy. In appropriate circumstances, a “Caution” sign is to be placed so as to warn patrons of any potential dangers or in urgent cases by closing that particular part of the venue, or by having a Crowd Controller positioned to avoid injury until such time as a sign can be positioned and/or the spill cleaned.

Staff who make observations within the Male Toilets are to ensure that no more than one person at a time is permitted into a cubicle. Patrons who refuse this reasonable request of staff are to be asked to leave. This instruction is designed to minimise the possibility of drug trafficking or consumption and to prevent assaults from occurring from an area, which (owing to privacy) cannot be effectively monitored.

Additionally, it is imperative that Crowd Controllers ensure that no female enters the male toilets, either of their own design or as a result of being enticed into the toilets.

**8.24 Rear Emergency Exit**

The Crowd Controller who is appointed responsibility to monitor the rear area is to ensure that the rear emergency exit is not opened by patrons to allow entry to others.

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Additionally, this Crowd Controller is to ensure that the rear emergency exit is not blocked or locked to prevent immediate egress from the venue in the case of an emergency.

#### 8.25 External Observations

Crowd Controllers positioned at the front entrance to the premises are to ensure that the amenity of the area is not disturbed. Patrons that loiter around external streets, or elsewhere within the vicinity of the venue are to be closely observed.

Wherever possible patrons should be discouraged from loitering in the vicinity and requested to move on.

Those staff that locate rubbish in the vicinity of the venue is to ensure that is cleaned, where possible by a busby or if unavailable, the Crowd Controller themselves, regardless of the origin of the rubbish.

In some cases this rubbish removal may necessitate the "wash away" of fluids, which will be undertaken by Bussys.

#### 8.26 Ejection of Patrons

Any individual who is identified as being involved in drug use, violence, drunkenness or other anti-social behaviour must be ejected from the premises. The ejection is to be undertaken using a minimum of force. In most situations this can be achieved with appropriate communication skills.

Ejections should be undertaken with speed, and with a superiority of numbers, having regard to the safety of staff and the person being ejected. Crowd Controllers should not get into a verbal argument about whether a patron should or should not be ejected. Crowd Controllers should undertake an investigation as to why an ejection is or is not warranted and make a decision. They should not delay making a decision as this indecisiveness may cause further arguments.

No ejection is to occur without the knowledge of the Security Supervisor, who, where possible, will supervise the removal of the patron. Wherever possible, the identity of the person being ejected should be obtained.

Patrons who are involved in disputes with other patrons are to be removed from the premises using opposing exits or by delaying the ejection of one of the parties. This is to reduce the likelihood of patrons continuing their disagreements once ejected. Crowd controllers positioned near entrances/exits should monitor the on-going behaviour of ejected patrons to reduce the likelihood of patrons becoming anti-social in the vicinity of the premises and thereby affecting the amenity of the neighbourhood. In situations where a dispute becomes likely to continue, the Security Supervisor should request the attendance of the Police to ensure that further assaults do not occur.

Wherever possible, patrons who are to be ejected should be removed from the premises with the least interference to other patrons. In some situations this may necessitate their removal from an entrance other than the front main entrance.

Patrons who have been ejected from the premises for drunkenness or drug use, are to be ejected having regard to their on-going welfare. In situations where patrons are not able to be cared for by a sober, responsible adult, the patron should be afforded the opportunity to be driven home by taxi or other appropriate means. Under no circumstances is a drug affected or drunken patron to be left to their own devices, unless the patron them self insists.

Under no circumstances are patrons to be removed via or to areas that are not protected by the premises' electronic security systems. Crowd Controllers who are not able to justify why this instruction is not undertaken will face discipline action

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In situations where patrons are to be restrained, either for their own welfare or where the restraint is necessary to hold a patron for Police (pending their arrival), then the patron is to be restrained having regard to preventing restraint asphyxia.

In situations where a patron is restrained, the Security Supervisor MUST supervise the patron whilst being restrained.

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### 9.1 Car Park Management

This Car Park Management Plan is designed to assist all staff in completing their job more efficiently, offering patrons a unique and safe experience, to ensure as far as practicable that nearby residential neighbours are not disturbed, and to minimise any risk of assault or injury to patrons and others.

It is specifically designed to prevent

- Yelling and screaming in the car park
- Car noise
- Loutish behaviour
- Vandalism
- Litter
- Trespass onto private properties

Our community and residential neighbours are important to *The Proposed Function Centre*. The level of comments or complaints from our neighbours is often a barometer of how well we do our job as operators of licensed premises in a commercial environment.

This car park management Plan should be used in conjunction with regular and thorough briefing from Managers to ensure that all staff fully understand the duties and the obligations that *The Proposed Function Centre* as a licensee is responsible for.

The success of this plan will be measured by the number of nearby residents that lodge complaints, or the number of breaches of laws identified by the Police or Compliance Inspectors from the Victorian Commission for Gambling & Liquor Regulation (VCGLR).

In situations where there is conflict between *The Proposed Function Centre's* Planning Permit and the Liquor Licence, this plan will default to the most onerous document.

### 9.2 Staffing of the car park

It is a requirement of *The Proposed Function Centre's* Planning Permit & associated liquor licence that at times when there is a function being conducted, there is constant supervision of the car park.

The Duty Manager shall roster two staff to patrol the entire car park. The rostering of the car park shall be as such:-

- On any night of a function, – between 30 minutes prior to the scheduled commencement time until 15 minutes after the commencement time & from the scheduled conclusion time for 30 minutes after the premises have ceased operations.

This is to ensure the safe arrival and departure of guests and to ensure that the parking of patrons' vehicles and their subsequent egress, is conducted in an orderly manner.

### 9.3 Communications between car park staff

The Duty Manager shall ensure that communication between themselves and the car park staff is maintained by way of radio communication. Notwithstanding those staff may need to contact the Duty Manager to report matters of interest from the venue's car park, the Duty Manager MUST initiate welfare checks with the car park security staff every 30 minutes. This can be done directly or through a security supervisor.

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##### 9.4 Patrons misbehaving in the venue's car park

Where car park staff identifies patrons (or potential) patrons that have

- o yelled or screamed in the car park;
- o driven in a manner that creates excessive and unnecessary car noise;
- o behaved in a loudish manner;
- o consumed alcohol in the car park;
- o remained in the car park playing music;
- o or otherwise behaved in a manner that is likely to potentially disturb the venue's residential neighbours;

then the Duty Manager MUST cause the refusal those people entry into the venue. Those patrons are unlikely to enhance the venue's experience to other patrons and have the potential to disturb others.

##### 9.5 Car park management

The Duty manager shall ensure that an appropriate cleaner is tasked to clean the venue's car park at least once each shift. In situations where car park security staff requests that additional cleaning is required, then the Duty Manager must task additional cleaning to be undertaken in the car park.

##### 9.6 Entry into the car park

When patrons arrive at the car park, Car Park Staff must make observations of the vehicle to ensure that once the car is parked that those arriving immediately leave the car.

Where Car Park Staff observes people remaining in cars they are to approach the car to identify the occupants' behaviour. Staff are not to assume that those who initially remain in a car are behaving or intending to behave inappropriately.

Some approaches to consider include:

- Use tact. Be polite when talking to the patron.
- Ask them to ensure that they lock their vehicles when they leave it.
- Inform them politely that it is management policy not to allow patrons to drink in the car park.
- Inform them politely that it is management policy not to allow patrons to remain in the car park.
- Inform them politely that these policies are intended to reduce the disturbance or potential disturbance to the venue's residential neighbours.
- Inform those patrons who refuse to comply that refusal will result in a refusal to allow the person entry into the premises.
- Inform them that a refusal to leave will result in a call to the Police to have them be compelled to leave the car park as their "licence" to remain in the car park is rescinded.

##### 9.7 Signs of Intoxication

Where a person in the car park has been identified as being intoxicated, Car Park staff MUST inform the Duty Manager who shall arrange for the patron to be refused entry into the premises. In these situations, the Car Park staff MUST inform the person that they will not be permitted entry into the premises and request that they leave the car park – having of course consideration of drink driving legislation. No person who has driven to the premises who appears to be alcohol affected should be in anyway encouraged to drive away from the venue.

In these circumstances, car park staff should consider the following

- Is there another person present who is not affected by alcohol who could drive

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- Is there someone who could be contacted to collect the alcohol affected person from the car park
- Consider contacting the Duty Manager to arrange for a taxi to collect the patron.

#### 9.8 Management by Walk-about

Car Park Staff have a responsibility to ensure that these instructions and the reason for their existence are fully understood. This means that a physical presence is maintained and all areas of the car park patrolled.

#### 9.9 Recording of Reportable Incidents

The timely and accurate recording of information in the Crowd Control Register is the responsibility of the Crowd Controller directly involved in any reportable incident. The Duty Manager is to ensure that Car Park Staff involved in a reportable incident record the incident in the Crowd Control Register as soon as possible after an incident.

#### 9.10 Disabled Patrons

Patrons with disabilities are welcome and every possible courtesy shall be extended to them. Patrons with disabilities are not to be discriminated against in any manner. Some disabilities present as showing similar characteristics to that of intoxication. Staff are to determine the patron's demeanour as either intoxication or a disability BEFORE taking any action.

Additionally, Car Park Staff are to highlight to people with a disability, those car parking spaces that are set aside for their exclusive use, and to prevent able bodied patrons from parking in those designated disabled parking spaces.

#### 9.11 Crimes Committed Within the Car Park

*The Proposed Function Centre* values its customers' safety. As part of that commitment, it is imperative, that if a car park staff member identifies that a customer may become the victim of a crime, the staff member is to take a pro-active approach to prevent the crime from occurring.

Staff should be aware of:

- ◊ Unattended valuables
- ◊ Unlocked vehicles
- ◊ Patrons in the car park who become distressed for unknown reasons
- ◊ Numbers of people loitering around the car park for no apparent reason

In some situations where crimes do occur, the victim should be asked if they wish to report the matter to the Police. In any case a report of any crime within the car park should be immediately brought to the attention of the Duty Manager.

#### 9.12 Signs

The Duty Manager shall ensure the placement and on-going inspection of signs to ensure that they are displayed in areas of the car park that greet patrons as they enter and depart the car park. They shall read: "*Patrons are requested to use this car park quietly. We ask that you respect our nearby neighbours*".

#### 9.13 Communications

All Car Park Staff will be issued with communication devices. Any staff member who becomes aware that there has been a deficiency identified in the venue's communication system is to bring that to the attention of the Duty Manager.

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9.14 Amenity

As part of the venue's Liquor Licence, *The Proposed Function Centre* is required to ensure that the amenity of the vicinity is not unreasonably disturbed by the operations of the venue.

Car Park Staff are to take all reasonable measures to ensure that patrons and those attempting entry into the venue through the car park, do not detract from the amenity of the vicinity of the venue, having regards to other residential premises within the area.

Where a Car Park Staff member witnesses a person causing damage to property, the person is to be held (having regards to the Powers of Arrest contained within the Crimes Act) and the Police called for them to investigate the damage caused. The Duty Manager in these circumstances is to ensure that an appropriate entry is subsequently made in the venue's Crowd Control Register.

Where the damage is not witnessed by a staff member, details of the incident should be recorded in order for the Police to be assisted in their investigation of the damage.

9.15 Ejection of Patrons

Any individual ejected from the venue and who is therefore subsequently returning to the car park, or otherwise loiters in or around the car park is to be closely monitored and encouraged to leave quickly and quietly.

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Emergency Management Plan

10.1 Appointment of Responsibilities

The Duty Manager is assigned responsibility as Warden.

The Security Supervisor is designated Assistant Warden.

Other staff who become aware of an emergency situation, or indeed a suspected situation, should IMMEDIATELY notify the Warden or Assistant Warden.

10.2 Definition of an Emergency

Notwithstanding that other incidents could constitute an emergency; they can generally be classed as:

- Fire
- Gas Leak
- Hazardous Materials
- Natural event (such as earthquake, flood, extreme storm)
- Terrorist attack, or serious criminal activity involving significant violence, or threat of violence
- Overdose or other Medical emergency
- Bomb or other threat against the venue

10.3 Venue Knowledge

10.3a *Location of Fire Fighting Equipment*

THE PROPOSED FUNCTION CENTRE is equipped with firefighting apparatus. Fire Extinguishers are located throughout the venue.

Extinguisher Type	Size	Suitability	Location
Dry Chemical	2.5 kg's	ABE	Storeroom

Different fire extinguishers are designed for various types of fires. Staff MUST make themselves aware of the types of fire extinguishers that are located around the venue and understand their use.

- A = Wood, paper, cardboard etc
- B = Liquid fires (petrol oil etc)
- E = Electrical

10.3b *Location of Fire Escape*

Licensed premises worldwide where patrons need to evacuate traditionally require the efficient use of emergency exits to ensure patrons are evacuated expediently

*The Proposed Function Centre* is no different. There are exits located within the venue, and patrons should be directed to THEIR nearest exit in the case of emergency. In some cases, that exit will not immediately be known to patrons and for this reason ALL staff must know the location of the

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emergency exits and which patrons should be directed to which exits in the case of an emergency involving evacuation.

### 10.4 *The Proposed Function Centre* Emergency Exit Locations

The Emergency Exit at the rear of the premises is located on the ground floor. This exit opens directly into the carpark at the rear of the venue.

At the front of the premises on the ground floor, use the main front entrance.

A copy of the floor plan is attached to the rear of this plan. Staff should make themselves familiar with the exits, their locations, and how to open them in an emergency.

Under NO circumstances are any Exits to be blocked, locked, or otherwise obstructed. The responsibility to ensure that all Emergency Exits are not blocked locked or otherwise obstructed rests with the Warden.

The Warden is to physically examine the Emergency Exits prior to commencement of any operational function where patrons enter the premises, to ensure that it is not locked and is able to be opened as designed in the case of an emergency (Push Bar, door straight open). During this inspection, the Warden is to ensure that the door alarm for each of the Emergency Exits are also correctly functioning.

Any staff member who identifies that the Emergency Exit not capable of being immediately opened in the event of an emergency is to IMMEDIATELY bring this information directly to the attention of the Warden or Deputy Warden. Under no circumstances is that notification to be delegated to another staff member. If this requires the closure of an area, or bar in order to undertake that notification, then that action MUST be undertaken. The staff member who identifies a non-complying Emergency Exit is responsible for notifying the Warden or Deputy Warden.

### 10.5 Fire Prevention

All staff members are to make themselves aware of the potential causes of fire, such as rubbish, ashtrays, paper and other flammable materials.

As a matter of instruction - ALL staff are specifically prohibited from utilising pyrotechnics or other naked flame device as part of a display, event, or other reason, inside the venue. Pyrotechnics by their nature are dangerous and nearly always emit large quantities of smoke, which may cause panic.

Additionally, the Duty Manager shall ensure that ALL exit signs are in place and operational in accordance with legal requirements – battery back-up etc.

### 10.6 All Staff

Staff are to ensure that during their duties they remove potential fire hazards from the venue. Specific attention is to be given to dark areas, toilets and those areas around seating areas.

### 10.7 Wardens

In the event of an Emergency, Wardens are to be identified in an emergency by wearing a white Safety Helmet, located in the Manager's office.

#### 10.7a Warden's Responsibilities

In the event of an Emergency, it is the responsibility of the Warden to: -

- Determine the extent of the Emergency and to ascertain an appropriate response
- Notify appropriate Emergency Services where required.
- If necessary, commence evacuation of patrons by instructing Area Wardens to man their exits to ensure a safe and speedy evacuation.

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- Brief Emergency Services on their arrival
- Follow COMPLETELY the instructions of Emergency Services personnel.

At the commencement of each opening of the venue, the Warden is to personally examine each emergency exit to ensure access as previously indicated.

Wardens are to appoint Area Wardens to those parts of the venue that are to be operational. For example, the most senior bar staff member/supervisor for each bar is to be appointed an Area Warden for that particular area.

In the event of an Emergency, the Warden is to remain in the venue, co-coordinating Area Wardens and other roles.

10.7b Deputy Warden

The role of Deputy Warden is to give support as required to the Warden, or in their absence or incapacity to undertake those roles undertaken by the Warden.

10.7c Area Wardens

The role of Area Wardens is to control specific areas within the Venue. Area Wardens will be responsible for the evacuation of patrons when instructed to do so by the Warden or Deputy Warden.

Those staff that have been designated by the Warden as an Area Warden, are to ensure that they are conversant with the fire equipment and the location of the nearest Exits (emergency or otherwise) in their area of control.

Yellow Safety Hats for Area Wardens are to be strategically placed so that each Area Warden has IMMEDIATE access to it in the event of an Emergency. Wardens are responsible for ensuring that these safety hats are in position at the commencement of each operational shift.

10.8 Evacuation

History has shown in licensed premises world-wide that in situations where evacuation has occurred, patrons will usually try to escape the premises via the front door. For this reason, the front entrance can easily become blocked.

The use of the specific emergency exit is to be encouraged by ALL staff. The emergency exit by its design allow for immediate and unrestrained egress from the premises.

All staff MUST be aware of The Proposed Function Centre's emergency exits and which exits are a quick and appropriate way from the premises by patrons.

When instructed to do so by Warden, or Deputy Warden, provided it is safe to do so, ALL staff shall, without question, assist in the safe and timely evacuation of the premises, via the most appropriate exit. Of course, nothing in these instructions is intended to limit staff from acting on their own initiative in the case of an emergency, where the safety of patrons and staff are at risk.

10.9 Fire

In the event of a fire, if staff considers that they can fight the fire, given the extent of the fire, the proximity of firefighting equipment or other factors, staff may attempt to extinguish the fire, provided it is safe to do so. HOWEVER staff MUST evacuate patrons from that area of the venue to ensure that no patron is placed in any danger whatsoever.

In situations where the fire is not IMMEDIATELY contained, the venue MUST be evacuated. In those circumstances an alarm of fire MUST be made. This responsibility rests with the Warden or Deputy Warden, however any staff member who identifies a fire, can notify the Fire Brigade and report the fire.

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Circumstances will dictate how this notification should occur, however in the first instance the specific fire alarm button should be activated as this will activate air conditioning situations that will assist in prevention of the spread of fire.

**10.10 Bomb Threat**

Where staff receive a bomb threat, if the threat is made via telephone, attempt to ask these questions, and record answers:-

- What is the location of the bomb?
- What does the bomb look like?
- What kind of bomb is it?
- When was the bomb placed?
- When is the bomb going to explode?
- What will detonate the bomb?
- Who placed the bomb?
- Why has the bomb been placed?
- What is your name and address?

When the staff member who receives the call has finished with the call, immediately contact the Warden or Assistant Warden and inform them of the threat.

The Warden or Assistant Warden is to then immediately turn off all transmitting devices.

The Assistant Warden is then to arrange a search of the entire premises utilising his staff, ensuring that ALL areas both accessible to the patrons and other internal areas are thoroughly searched. Staff are looking for any abnormal items. Consideration should also be given to searching external areas near exits or other alcoves.

If a suspicious item is located do not touch the device. Move people away from the device, and evacuate the immediate area. The Warden is to then immediately notify the Police. On their arrival seek their advice as to whether further evacuation of the venue is warranted. Follow any other instruction given by the Police.

If a device is not located, the Warden must notify the Police and make entry into the Crowd Controllers Register.

**10.11 Injury**

*The Proposed Function Centre* provides Crowd Controllers who are trained in First Aid. It is the role of Crowd Controllers to assess patrons who present as ill or injured.

In situations where patrons are injured internally in *The Proposed Function Centre* or an incidence of a drug overdose is identified, the patron must be assessed by a Crowd Controller to determine the extent of the illness/injury. Where patrons are able, they are to be asked whether they require the attendance of an ambulance.

In situations where patrons cannot make that self-assessment, then an ambulance is to be called to ensure the patron's safety and well-being.

In any case, once the patron has been treated, the Crowd Controller is to record the details of the patron, the type of illness/injury, the circumstances of the injury, whether there were any witnesses, what action was taken, or other comments, in the Crowd Controller's Register.

July 2017

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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

The Proposed Function Centre

Patron Management Plan 34

Public Liability claims, by their very nature are a slow process and the details that were recorded may well be called upon a number of years later. For this reason, the Assistant Warden MUST ensure that the details are timely and accurately recorded. It is imperative to remember that these records may contain sensitive information and for this reason, the records MUST be secured by the venue Manager. The release of information MUST only be provided with the expressed permission of the patron it refers to.

#### 10.12 Gas Leak

Natural and Liquid Petroleum Gas are "heavy" gases that will usually gather at floor level. For this reason, gas is likely to explode if a source of ignition comes into contact with it.

Where staff have identified a gas leak, the venue is to be immediately evacuated. Once evacuation has commenced, the fire brigade is to be immediately notified to attend.

If the source of the gas leak can be identified, once the venue is evacuated, provided it is safe to do so, either remove the source of the gas or prevent or reduce the extent of the leak.

#### 10.13 Hazardous Materials

Incidents overseas where Capsicum Spray was used, caused panic amongst patrons. For this reason, staff are to ensure that patrons do not have access or use of pepper type sprays. The nature of those sprays in confined areas, may cause panic to patrons.

In situations where other materials are identified as causing hazards, staff are to ensure that patrons are moved from the area. The extent of that movement must be based on the extent of the material and the effect it has on patrons and staff. In some instances, the extent will warrant the evacuation of the entire venue.

Some other hazardous materials may also cause injury to patrons or cause breathing difficulties. In those situations, patrons are to be evacuated from the venue. In some situations, the source of injury or nausea may not immediately be known. Staff must assume in those situations that a hazardous material may be present and evacuate the venue on that premise.

#### 10.14 Natural Event

In situations where a natural event occurs, the Warden must determine whether the event places patrons in danger. In situations where there is an extreme storm, provided the storm is not penetrating the venue, it is unlikely that the venue would need to be evacuated.

Where floodwaters are potentially likely to penetrate the venue, then it must be evacuated. The venue uses extensive electricity and the presence of water into the premises, will increase the likelihood of electrocution. For this reason, the venue must be evacuated.

If there is an earthquake; the extent of the earthquake will determine the action to be taken. Whether by earthquake or otherwise, if there is ANY suggestion that the building's structural integrity is in doubt, the venue must be evacuated.

#### 10.15 Terrorist Attack or Serious Activity

In situations where the venue is attacked by a criminal act, patrons may need to be evacuated by an exit other than the front entrance.

The definition of terrorist attack or serious activity could be (but not limited to)

- Drive by shooting
- Shooting at premises or person
- Stabbing of a patron or staff member

July 2017



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### 2.3.2 Town Planning Application - No. 39 Princes Highway, Dandenong South (Planning Application No. PLN17/0039.01) (Cont.)

The Proposed Function Centre

Patron Management Plan 35

- Petrol or other type of bomb (other than a threat)
- Serious assault requiring hospitalisation
- Vehicle driven into building

In situations where these incidents arise, The Duty Manager MUST immediately notify the Police, and where serious injury has occurred an ambulance also. In those situations where the attack has caused a gas leak or fire, the Fire Brigade must be notified.

The Police on their arrival will immediately take charge of the situation and ALL staff are instructed to follow their lawful instructions without question. In some situations, this may include the evacuation of part or the entire venue. In some situations, the Police may wish to do this to secure the area as a crime scene, preserving evidence.

Where potential evidentiary items are located, provided it is safe to do so, staff are to ensure that the items are left in place and not interfered with by patrons or other staff members. Under no circumstances are the items to be removed without the expressed permission of the police.

#### 10.16 Emergency Management Training

The Warden and Assistant Wardens are to be trained in "Warden Training"

Each other staff member is to be trained in "Extinguisher & Hose Reel Training". This training should be undertaken within 3 months from the commencement of employment.

#### 10.17 Emergency Management Conclusion

This plan is not designed to cover every scenario. Staff are expected to use common sense when determining a course of action. Staff can significantly contribute to the safety of patrons provided they are trained in the use of fire equipment and have a good knowledge of the layout of the venue and its exits. Remember the quickest way out of the venue, may not be through the front main entrance.

In the case of fire, staff are only expected to attempt to combat any fire PROVIDED ONLY IF IT IS SAFE TO DO SO.

Additionally, where situations arise where exits are blocked or equipment is not working correctly, those short-comings should immediately be brought to the attention of either the Warden or Assistant Wardens.

Discretion is something that staff must not use in relation to this emergency management plan. Follow it or do more than the plan suggests, but never anything less.

July 2017

### **3 QUESTION TIME - PUBLIC**

#### **Comment**

**John Bennie PSM, Chief Executive Officer**

The first question this evening is from Sabrina Mileto of Dandenong. Sabrina has asked to read her own question.

#### **Question**

**Sabrina Mileto, Dandenong**

I read the answers that have been given recently to public questions about the Hub and they are confusing. Why is there a business case being done for this Hub when there was none done for the Keysborough South Community Hub? And why are Council officers not just getting on with having Concept plans being drawn up and publicly consult on by June 2021 as they are obligated to follow as it is a live resolution voted on by Council?

#### **Response**

**Tilla Buden, Acting Director Community Services**

A business case is required for this project as there is at present no common understanding of the required size or usages for this facility. Similar significant pre-planning work for Keysborough South Community Hub was also undertaken over a number of years. Having noted this, Council is committed to progressing this project promptly and is currently engaging appropriate consultants to immediately commence work on a business plan and to provide a concept plan based on the business plan. It is expected that a draft concept plan will be completed by July 2021 largely in keeping with the original Council resolution.

#### **Question**

**Sabrina Mileto, Dandenong**

Am I able to just follow up on that?

#### **Comment**

**Cr Angela Long, Mayor**

Is it a clarification?

#### **Question**

**Sabrina Mileto, Dandenong**

Just a clarification. Just because the motion that was carried said there was going to be community consultation on the location, that was part of the motion that was carried in September last year, will that also occur by June – July 2021?

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**3 QUESTION TIME - PUBLIC (Cont.)**

**Response**

**Tilla Buden, Acting Director Community Services**

Thank you for that clarification. Yes, community consultation is absolutely intended to take place between now and July.

**Comment**

**John Bennie PSM, Chief Executive Officer**

The next question is from Aloma Davis of Dandenong. Aloma would also like to read her question.

**Question**

**Aloma Davis, Dandenong**

Thank you. First, I want to congratulate Council on declaring a climate emergency last year and on endorsing a strategy to try to deal with that. My question then is why are we not urgently pursuing action to be able to control the removal of trees on public land, knowing as we do, the climate science that suggests trees are so critical in mitigating the impact on Dandenong Council; and also knowing that we, the City of Greater Dandenong have one of the worst canopy covers of any Council in Melbourne; and that our community is one of the poorest and therefore one of the most vulnerable to the impacts of climate change that we are even now experiencing?

**Comment**

**John Bennie PSM, Chief Executive Officer**

Mr Bosman can respond Madam Mayor but there is a very similar question from Tim Bawden of Noble Park, who has asked that his question be read. I will read that and then Mr Bosman can respond to both.

**Question**

**Tim Bawden, Noble Park**

Greater Dandenong Council is one of the 30 Councils in Melbourne that has endorsed the Living Melbourne Metropolitan Urban Forest Strategy that includes increasing canopy cover on private land. The strategy includes "Action 3.2 Strengthen regulations to protect canopy trees". What has Greater Dandenong Council done about this action since 2019 when the Strategy was endorsed and launched?

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

The fact that Council declared a climate emergency is clear indication that it sees we have a climate emergency and takes it seriously. In February 2021, Council consulted on the draft Urban Forest Strategy 2021 to 2028 and the draft Greening Our Neighbourhood Strategy also 2021 to 2028. These strategies, along with the Greening Our City Urban Tree Strategy 2018 to 2028, which was adopted by Council in 2018 informed Council's plans for greening Greater Dandenong and increasing canopy cover from 9.9 percent to 15 percent by 2028.

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**3 QUESTION TIME - PUBLIC (Cont.)**

As requested by Councillors, the consultation for the draft strategies also asked the community and I will give you the question that we went out to survey with, it says, *'In addition to these two strategies',* those that I have mentioned, *'Council is also seeking views on the development of a municipal wide local law for the protection of large canopy trees on private land. That is, those with a diameter of approximately 40 to 50 centimetres or more or less at base height approximately 7 to 10 metres in height would require a permit to be removed'*. This would exclude dangerous trees or weed species. *'Will you support the development of a municipal wide local law and why/who not?'* That is the question we went out to the community with. We have had responses to that and now Council will consider the responses to the survey question and whether this local law will be included as part of the Local Law Review at a Council meeting around about mid-2021 so it is certainly very much on the agenda, it is very much part of the consideration that officers are working on and making a recommendation to Councillors on and it will be a matter that Councillors do take a decision on, probably around about mid-year.

**Question**

**Adam Murray, Keysborough**

Leading up to the Strategic Planning Weekend held on March 12 and 13 of this year a series of questions to Council were answered *"...to be discussed more fully at the Strategic Planning Weekend."* Now that the weekend has come and gone, will Council share the decisions made with all members of the Greater Dandenong community along with the minutes of all meetings so we can be certain our items were discussed?

**Response**

**Tilla Buden, Acting Director Community Services**

Council is committed to the Dandenong Community Hub and we are needing the opportunity to discuss a number of key projects and priorities and the impact of COVID-19 on these projects at the Councillor's Strategic Weekend in March 2021. We are pleased that Council has clarified its direction and is now progressing the next phase of development for the Dandenong Community Hub.

As outlined on Council's website, we have provided information and time frames on how we are progressing the Dandenong Community Hub and this includes the current recruitment of an eligible consultant to assist us with this project. Once a consultant is employed, we will finalise a community engagement plan and we will then be providing information on dates and times for community consultation.

Council is committed to providing opportunities for the community to be consulted and engaged in the various stages of the project. The Mayor and relevant Councillors have also expressed interest in participating in workshops with the community I understand and with key stakeholders and interested parties to provide information and opportunities for discussion and feedback. We look forward to seeing the Dandenong Community Hub being progressed and eventually being built and utilised by the Dandenong community.

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**3 QUESTION TIME - PUBLIC (Cont.)**

**Comment**

**John Bennie PSM, Chief Executive Officer**

The next question is from Andrew Pollitt of Kilcunda. Mr Pollitt proceeds to outline the details of an infringement notice that he received from Council. To my understanding, that matter is either proceeding to the Magistrates' Court or has been to the Magistrates' Court and for reasons of privacy, I do not think much of the detail that is included in this should be read in a public forum at this time. However, there is an underlying question that relates to his concerns and that is as follows:

**Question**

**Andrew Pollitt, Kilcunda**

Following the recent deaths of four police officers on the Monash Freeway roadside, is double parking safe best practice for an infringement officer?

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

I can confirm that the matter of the infringement has already been decided at the Magistrates' Court and the matter has been found proven. With regards to the question around the parking of the issuing officer, like most employers, Council as does Victoria Police, place a great deal of importance on ensuring the occupational health and safety of its officers and we ask our officers to ensure that when they are performing their roles they are mindful of both theirs and public safety. This is particularly the case for those officers that are working in and around traffic, as by far the very nature of their roles, they are often exposed to more risk. In this particular case there was no offence committed by the issuing officer in this instance.

**Question**

**Sabrina Mileto, Dandenong**

Following on from my question at the last Council meeting about the park in Herbert Street, it is great news for Dandenong residents that the development of this park is going ahead. Regarding the consultation on the concept plans in late April that was mentioned in the response last meeting to my question, what consultation methods will be used and how will the consultation materials be distributed? Many Dandenong residents do not use the internet and rely on paper surveys. Many Dandenong residents do not visit the Dandenong Customer Service Centre in Dandenong Library due to parking issues and difficulties accessing the location. Will the surrounding streets receive Australia Post letters to advise them of the consultation?

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

The proposed consultation for the 77 Herbert Street Pocket Park is anticipated to include the following: Large posters erected at the site which will include information such as the concept plan, example images and information directing people to Council's website to have their say via an online survey, as well as phone contact details. We will have information on the Council website on the project as well as an online survey. A Council letter will be distributed to local residents advising them of the Herbert Street Pocket Park project with information on how they can provide their feedback to Council

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**3 QUESTION TIME - PUBLIC (Cont.)**

officers. We will take into consideration the inclusion of a paper survey as part of the distribution to the local residents so it does not have to be submitted online only. Consultation will occur over a four-week period.

**Question**

**Earl Misso, Dandenong North**

Regarding an article in the newspapers about \$6,000 spent for junket, the question is, with the ratepayer's money, what knowledge have the Councillors returned with from the junket?

**Response**

**Mick Jaensch, Director Corporate Services**

For me, the word 'junket' implies it was a somewhat enjoyable experience and I can assure the Gallery that the amount of pre-work that goes into that weekend and the amount of time that we spent on Saturday, was anything other than enjoyable. It might have been professionally a positive outcome but it was hardly a junket.

In answer to the direct question I will read out some of the achievements that we did actually achieve from that workshop, including areas where I think Councillor knowledge was enhanced by the weekend.

Firstly, Council received a detailed presentation on Council's draft 10year Financial Plan which outlined Council's current financial position and some of the financial challenges moving forward over the next 10 years. The presentation had a particular focus on the amount of funds that this Council has expended on major projects, particularly in delivering the Dandenong Civic Centre that we are in tonight and the Springvale Community Hub, and also the impact of the proposed future expenditures on the Keysborough South Community Hub and the Dandenong Oasis. The presentation was particularly relevant in understanding Council's financial ability to deliver other future major projects such as the Dandenong Community Hub and the financial trade-offs that would be required to advance that project. The 10-year Financial Plan will now be required to undergo deliberative community engagement and will come back to Council for formal adoption later this year.

Secondly, Council considered a range of options for the Master Plan of Mills Reserve where the new Aquatic Centre will be located. With the pool and the surrounding infrastructure having a combined value of approximately \$82m it is an area that warrants significant Council discussion and the outcomes of that Strategic Planning Weekend did resolve a good way forward in terms of that Master Plan. It should also be noted that in tonight's agenda is a Contract report to let a contract for the detailed design of the Aquatic Centre.

Thirdly, Council did discuss the various stages and a road map to achieve the Dandenong Community Hub, mindful of the earlier discussions on Council's financial ability to actually deliver this project. Council is now progressing with the appointment of an architect to develop the scope and size of the facility required and then to progress this to Concept Designs later this year.

Finally, Council discussed the complexity surrounding the Dandenong South Industrial 2 Zone, noting both the importance of the zone to Council and the need to also ensure residential wellbeing is maintained. The outcomes of these discussions are largely reflected in a Notice of Motion that Council

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**3 QUESTION TIME - PUBLIC (Cont.)**

will be considering tonight in Item 5.1 - Notice of Motion No. 6 - Proposed Health Study on impacts of emissions from the Industrial 2 Zone on the residents of Dandenong South and Keysborough South.

There were many more takeaways from the weekend than just simply those items and I think it was really important to know that a very positive outcome was achieved in terms of Councillor knowledge and whilst it has been variously described as a junket, from my perspective, it was a very positive experience in terms of the work that was achieved.

**Question**

**Matthew Kirwan, Noble Park**

It has been a concern for a number of years that the Hammond Road Archive facility is near capacity. How many months/years storage does it have left and have the plans for an expansion/alternative long-term location yet been finalised? And, if so, how far is it away from being finalised?

**Response**

**Tilla Buden, Acting Director Community Services**

Council officers continue to work with the historical societies to best utilise the space that is currently available at the Hammond Road Archive centre. Longer term needs and options are being assessed and will be costed for Council to consider in a future budget.

**Question**

**Lisa Hartzenberg, Dandenong**

I have seen the page on the website on the Dandenong Community Hub. Why does it not contain the endorsed and thus current position of Council? That is what was voted on as a unanimous decision at the Council meeting on 14 September 2020, namely that in this financial year concept designs for an integrated inter-generational Dandenong Community Hub with capability for children's services; formal and informal meeting and activity spaces be drawn up and exhibited; and in tandem there would be community consultation on the location which will include a range of options, including the Clow Street, i.e. market precincts'.

**Response**

**Tilla Buden, Acting Director Community Services**

Council is committed to the Dandenong Community Hub and we were needing the opportunity to discuss a number of key projects and priorities and the impact of COVID on these projects at the recent Councillors' Strategic Weekend in March as has been mentioned this evening. We are very pleased that Council has clarified its direction and is now progressing the next phase of development for the Dandenong Community Hub. Council's website currently provides information and timeframes on how we are progressing the Dandenong Community Hub.

The question will be taken on notice in part and we will assess how the website might better explain the necessary processes of Council's deliberations from where Council was to where Council is now in advancing this priority project. The current work being undertaken includes the recruitment of an eligible consultant to assist with progressing this project. Once a consultant is employed we will

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**3 QUESTION TIME - PUBLIC (Cont.)**

finalise a community engagement plan and we will then be providing information on dates and times for community consultation and further updating the relevant page on Council's website. New information and regular updates will be provided on this website throughout the development of this project.

**Question**

**Ranka Trisic, Dandenong**

Is what is being planned for the Dandenong Community Hub an integrated inter-generational, neighbourhood community hub like other suburbs in Greater Dandenong have got, and what Council decided on 14 September last year, or has the intention morphed into something sort of broader and larger municipal or regional community services facility?

**Response**

**Tilla Buden, Acting Director Community Services**

Community hubs are multi-purpose community facilities providing a range of complimentary services in a single accessible location. They generally have a range of shared facilities and services for the community groups and organisations. Further details with regards to the specifics of the proposed Dandenong Community Hub will be determined through the development of a business case and concept plan over coming months. Council is committed to providing opportunities for the community to be consulted and engaged in this stage of the project and throughout development. Information on dates and times for upcoming community consultation opportunities will be published shortly.

**Question**

**Allie Ford, Noble Park**

Could Council please advise how the draft Biodiversity Plan is progressing and when it is expected to go out for final public exhibition?

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

With regards to the Biodiversity Plan, consultants have completed their initial community consultation phase which included a number of workshops and surveys. The field surveys and data collection has also been completed. The working group have met with Ecology Australia, who are the consultants to review the proposed timelines with a view to have the final draft of both the background report and action plan undertaken in early May 2021. At this stage further broader community consultation will occur in June of this year.

**Question**

**Lisa Hartzenberg, Dandenong**

When will the new park be completed in Fifth Avenue, Dandenong; and can some information be put on the website about the nature play and sensory play elements that it will have for young children?



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**3 QUESTION TIME - PUBLIC (Cont.)**

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

Following on from some community consultation in the first quarter of this financial year, it is expected that construction of the park will be completed and open to the public within the next three to four weeks. Council officers will then take some photos of the completed landscape and include them on Council's website to complement the existing concept design plan which is already on the website.

**Question**

**Ranka Trisic, Dandenong**

Other than having a vague action in saying that Council is going to do timely infrastructure planning for children's infrastructure, there is no indication of Greater Dandenong Council's specific plans for children's services infrastructure in the Greater Dandenong Children's Plan currently out for consultation. The last plan had mention of the Keysborough South Community Hub and Dandenong Community Hub however, the current plan has no mention of specific community hubs or specific children's facility infrastructure planning in general. This is despite Greater Dandenong's website projecting that by 2030 the zero to four age range will increase by 24 percent. Why have mention of the Keysborough South Community Hub and the Dandenong Community Hub and what other infrastructure does Greater Dandenong Council need to upgrade or develop in the next nine years until 2030?

**Response**

**Tilla Buden, Acting Director Community Services**

The draft Children's Plan 2021 to 26 is currently out for community consultation. Once endorsed, an annual action plan with specific activities will accompany the strategic objectives of the Children's Plan. Council has three specific strategic objectives focused on current and future children's services infrastructure development in the Children's Plan 2021 to 26 to meet the growing needs of zero to four age range by 2030. They include the following:

1.2: Explore external funding opportunities to be responsive to policy change in implementing timely three-year old kindergarten provision.

1.3: Advocate for the provision of flexible quality affordable childcare options for families.

1.7: Undertake infrastructure planning to ensure timely and targeted provision of facilities and services for children and families.

Council officers are currently working with the State Government in the development of the Kindergarten Infrastructure Service Plan for the roll out of three-year old kindergartens from 2022 to 2029. This will be reviewed annually to identify upgrades to current facilities or any new development including community hubs required to meet Strategic Objective 1.7.

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**3 QUESTION TIME - PUBLIC (Cont.)**

**Question**

**Matthew Kirwan, Noble Park**

Given it is the second time that wet weather has adversely affected the Keysborough Big Picnic or its precursor Autumn Fest, can the event please be moved to the warmer and less likely to rain months of February or March? It is the only significant Council event held in Keysborough each year so maximising the chance of successfully running it is important.

**Response**

**Tilla Buden, Acting Director Community Services**

The event date had originally been chosen to coincide with the school holidays to provide free and low-cost holiday entertainment for local families. It has run under various names at this location and time of year for more than 10 years, with this year being the very first time that it has been cancelled due to bad weather. April, particularly early April, generally has pleasant temperatures without the extreme heat that can affect events in February and March. All events at any time of the year can experience adverse weather conditions, as such event organisers prepare detailed weather plans so they can proceed under most circumstances.

Preparations had already been made for the Big Picnic event in anticipation of rain on 11 April. Extra shelters had been ordered and the majority of temporary structures were set up the day before to ensure a punctual starting time. On the morning of the event the weather forecast was predicting that the rain would start to dissipate by midday however, by that stage the event had already experienced several dangerous wind gusts and the weather forecast was predicting the wind would continue to increase for several more hours. Due to these safety concerns, the event was cancelled at that time. Winds such as those experienced on 11 April 2021, can lift marquees even heavily weighted ones; and airborne marquees are extremely dangerous to people in the immediate area. If not for the gusty and unpredictable high winds this year, the Big Picnic could have gone ahead. Unfortunately, inclement weather conditions could occur at any time of the year. As such, it is recommended that the event date stays in April to coincide with school holidays and take advantage of the usually pleasant temperatures that are experienced at this time of year.

**Question**

**Meaghan Mack, Keysborough**

(1) Why is the detailed design of the Keysborough South Community Hub taking so much longer than anticipated?

(2) What changes are being made to the size and layout of the Hub from what was in the endorsed concept design?

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

Thank you for the question on this very important project. With regards to the first part of the question, the design process has had to deal with a number of issues over the last couple of months, but the main matter that we really wanted to be considered was the appropriate and best practice model to include the proposed playground which is part of the hub. The consultation of the playground was

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**3 QUESTION TIME - PUBLIC (Cont.)**

separate to the consultation of the hub itself which we undertook in 2020. The consultation on the playground was unfortunately delayed again last year due to COVID and then we decided that due to the Christmas and New Year period that it was not the best time to consult on a playground. The consultation I can advise, has just closed and Council has received a significant number of comments which will be reviewed in the coming weeks. Those comments in addition to the playground design will now be included as part of the detailed design process and the preparation of tender documentation. Again, it was considered more appropriate that the playground and the hub which are essentially one project, be included within the final documentation and the detailed design process.

With regards to the second part on what changes are being made to the size and layout of the hub that was in the endorsed concept plan, I can advise that no significant changes were made. There were some with regards to internal matters related to the size of the administration room, the size of toilets, etc but essentially the concept plan was proposed and as a part of our consultation package in 2020 has not changed.

**Question**

**Dom Boccari, Keysborough**

In 2009, Council and the developer of Keysborough South Community Hub agreed on a 20 percent open space levy. Since 2009, this open space has had sporting fields like Tatterson Park, Springers Leisure Centre, carparks, extension of Villiers Road and very soon the Keysborough South Community Club built on it. Our 20 percent open space fee of \$350 needs to be reviewed as the 20 percent footprint is now much smaller. Will Council reassess the fee on these grounds and if not, why not?

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

The levy generally covers the residentially zoned area bounded by Springvale Road, Dingley Arterial, Chandler Road and Greens Road. The traditional open space for residential estates is provided at 5 percent. Keysborough South was developed at 20 percent, that is 15 percent more open space and related amenity than in traditional housing estates. It was developed and marketed as an estate with more open space and higher quality open space than a traditional estate. Linear reserves, natural networks, pedestrian and cycle trails and the combination of a greater quantity and quality of open space was provided as part of the development. At the time of the original rezoning of the land, the Minister for Planning appointed an advisory committee to consider and report to him on it. The report to the Minister shows that the advisory committee was satisfied with the 20 percent open space requirement and that for the ongoing maintenance above what Council rates revenue would normally fund, would be funded by an extra levy on the new residential properties and made recommendations in that regard.

The s.173 agreements were entered into as part of the rezoning of the land in 2006 which included the \$350 maintenance levy to be paid to Council for the additional maintenance costs above and beyond the traditional estates. Notwithstanding the provisions of the s.173 agreement that the \$350 per annum levy could be indexed, it has remained at the original figure since inception in 2006. In real terms the levy has actually decreased in dollar terms. Over the time the cost of delivering the

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**3 QUESTION TIME - PUBLIC (Cont.)**

required services have increased every year and the trend to under-recover will continue. On the basis of the above, there is no intention to consider a reduction in the \$350 Keysborough South Open Space Levy.

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**Cr Lana Formoso left the Chamber at 7.52pm.**

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**Question**

**Dom Boccari, Keysborough**

Why does Council consider alcohol needs to be served prior to Council public meetings and other similar meetings with dinner before all Council representatives enter the Chamber? Why should ratepayers pay for alcohol; and as duty of care knowing we are funding this practice in the workplace, we the ratepayers, feel this practice must be stopped immediately?

**Comment**

**John Bennie PSM, Chief Executive Officer**

In response, I can advise that Council's current Catering and Civic Support Policy provides for the provision of the serving of alcohol at dinners prior to Council meetings. It should be noted that the provision is quite minimal in terms of both quantity and cost and any consumption of alcohol is conducted responsibly.

**Question**

**Dom Boccari, Keysborough**

As we have Councillors currently and possibly in the future in the Real Estate Industry, should these Councillors express their expression of interest and be asked to leave the Chamber as they may financially benefit from the sale of land or homes?

**Response**

**Mick Jaensch, Director Corporate Services**

We currently have a circumstance where each of our Councillors that do have an interest in the Real Estate Agent Industry already do declare a Conflict of Interest in any matter that they have a personal interest in or where their firm has an interest in as well so that has currently occurred and will continue to occur in the future.

**Question**

**Emily Sloan, Noble Park**

I have participated in the recent public consultation regarding regulation of large trees on private land recognising the significant environment benefits that regulation would bring, realised by other Council areas that already have this type of regulation. Can you tell me at what Council meeting with the

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**3 QUESTION TIME - PUBLIC (Cont.)**

Council be deciding on whether we will have a local law regulating the removal of large trees on private land and what is the process and timeframe for Councillor consideration and making that decision?

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

This is not unlike a couple of questions we have had earlier this evening with regards to trees on private land so just to advise again, Council will consider the regulation of large trees on private land and as part of the response to a recent survey on that and whether this will be included as part of a local law and as I indicated earlier as well, this will likely serve before Council in around about mid-year 2021.

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**Cr Lana Formoso returned to the Chamber at 7.55pm.**

**Question**

**Gaye Guest, Keysborough**

I have heard for ages another bus route has been proposed but only one Ward has been consulted. When the bus route 709 was proposed it was a collaborative discussion with the local Member of Parliament, Public Transport Victoria staff, several Councillors and residents all in attendance at a designated location, not several people from one Ward deciding what is happening. A recent search showed a route from Monash University to Dandenong South. If this is the new route being discussed, when will there be a community information session that includes all interested parties? Our original bus routes have never been tweaked and 40 minutes to one-hour timetables are no longer servicing our municipality adequately. When the bus route 709 bus route was introduced it was on a 30 minute rotation which is still not adequate. If a new bus route is to be introduced it needs to service the community along Corrigan Road from Athol Road to the highway, in particular with better connectivity with existing services so wait times are reduced to a more enviable 15 to 20 minutes and make sure that any black holes are covered with public transport. When will this meeting take place and who will facilitate it? With winter coming on, it needs to be on a suitable day and time so the most vulnerable can attend because they are the people who rely on it most.

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

I just wanted to make one comment before I go into answering the question. I believe that Gaye Guest may be referring to some officer discussion that we had with a small group in Keysborough South that was requested by the Ward Councillor. It was not necessarily consultation, it was more or less a discussion bringing forward the idea of the new bus route 816 and it was not any form of consultation.

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**3 QUESTION TIME - PUBLIC (Cont.)**

With regards to the introduction broadly of bus routes and any consultation regarding the new route, this is the responsibility of the Department of Transport. To date, Council officers are unaware of any intention by the Department of Transport to undertake community consultation sessions or meetings with regards to the proposed new route announced for Keysborough South. No consultation has occurred yet, except for some preliminary discussions with officers early last year. Council is advocating strongly to the Department of Transport to encourage its team to seek appropriate community input with regards to this route as that is what Ms Gaye has also asked for with regards to previous routes. We would expect the same. Council officers agree that this should involve not only local residents but those from a much broader area that may be impacted. Council will also be looking to obtain some advice and gather data from our residents to provide to the Department of Transport within the next few months. It is very important that we take that role to understand what our community thinks of the proposed route. This is likely to include some surveys which will be available online as well as for passengers on existing routes. Any decisions on the new bus route will be made by the Department of Transport and I would recommend that this matter be raised by the local Member of Parliament with regards to ensuring that the Department of Transport undertakes the appropriate level of community consultation.

**Question**

**Gaye Guest, Keysborough**

The Noble Park Dandenong Cycling Club have had fantastic back-to-back wins in three different types of competitions in three consecutive weeks which is an amazing effort from members of their club. Where is Council at in consultation for a new velodrome as footage of competition riding clearly shows the speeds that these athletes reach during competition and training and this discipline cannot be achieved on shared paths.

**Comment**

**John Bennie PSM, Chief Executive Officer**

I congratulate the Noble Park Dandenong Cycling Club on their success.

**Response**

**Tilla Buden, Acting Director Community Services**

I also congratulate the members of the club for their recent achievements and thank Gaye for this question. Council sought support from Sport and Recreation Victoria as part of their 2020/21 grant funding program to develop a regional cycling strategy in partnership with neighbouring Councils and Sport and Recreation Victoria. Unfortunately, this grant application was not successful and the joint Councils have not identified and progressed this strategy as a regional priority. Council subsequently endorsed the Make Your Move Greater Dandenong Physical Activity Strategy that identifies creating physical environments that support and encourage people to be physically active in their day to day lives as a priority. Council officers would be happy to meet with the club to discuss their recent success and congratulate them and also discuss any needs.

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**3 QUESTION TIME - PUBLIC (Cont.)**

**Question**

**Gaye Guest, Keysborough**

Wachter Reserve was looking fabulous with all the installation for the Big Picnic yesterday and was sadly cancelled because of adverse weather conditions. Is Council able to recover the installation costs of the set up when such an event is cancelled suddenly or does it have to wear these costs with no rebate?

**Response**

**Tilla Buden, Acting Director Community Services**

The Events Industry standard for cancellations on event day is to pay 100 percent of the fees quoted as the services have in most cases already been delivered. This is the case for hire companies that install and de-install staging and marquees as there is no saving to the contractor once the equipment is in place. The suppliers who have not yet provided their services to the event, they would still have incurred 100 percent loss through not yet accepting other bookings or opportunities on that day and indeed may have already been at the site or on their way there. There were however some small budget savings for Council due to reduced staffing costs on the day.

**Question**

**Matthew Kirwan, Noble Park**

A key action of the Greater Dandenong Climate Emergency Strategy is the development of Climate Change and Community Engagement and Mobilisation Plan in the 2020/21 financial year. What has been achieved so far, when is it expected to be finished and what stakeholder consultation is planned to occur to make sure it is effective in reaching different parts of the community?

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

There is a fair amount of detail involved in that answer so I will be taking this question on notice.

**Question**

**Heather Louis, Keysborough**

Now that the Drum Theatre is up and running when is the Greater Dandenong Short Cuts Film Festival going to return?

**Response**

**Tilla Buden, Acting Director Community Services**

Due to the impact of COVID-19 restrictions the traditional Short Cuts format was unable to run this year unfortunately. Alternatively, Council has been and will continue to promote digital content online including works from local artists, film makers and previous Short Cut entries, subject to copyright and legal requirements. Planning for the future film festival in 21/22 financial year will be considered later this year looking towards a potentially less volatile COVID-19 impacted environment in 2022.

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## **4 OFFICERS' REPORTS - PART TWO**

### **4.1 CONTRACTS**

#### **4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC)**

File Id:

Responsible Officer:

Director Business, Engineering & Major Projects

Attachments:

Tender Information - CONFIDENTIAL

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### **Report Summary**

This report outlines the tender process undertaken to select a suitably qualified and experienced consultant for the provision of design and consultancy services for the City of Greater Dandenong – Dandenong Aquatic and Wellbeing Centre.

Greater Dandenong City Council is planning to develop a new aquatic and wellbeing centre at Mills Reserve in Dandenong – the Dandenong Aquatic and Wellbeing Centre. This major infrastructure project is a key recommendation from Council's Aquatic Strategy (2019), which recommends the replacement of the Dandenong Oasis, with a contemporary facility that focuses on the health and wellbeing needs of Greater Dandenong's unique community.

### **Recommendation Summary**

This report recommends that Council award Contract No 2021-41RFT Provision of Design and Consultancy Services for the City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre to CO-OP Studio for a fixed lump sum of three million, five hundred and forty four thousand, eight hundred and nineteen dollars (\$3,544,819) including GST of \$322,256.



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#### **4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

### **Introduction**

A public tender process was undertaken to procure professional design services for the new Dandenong Aquatic and Wellbeing Centre. The process involved an Expression of Interest phase, an industry briefing followed by a Request for Tender phase.

The Dandenong Aquatic and Wellbeing Centre is classified as a major project that will deliver essential services and opportunities.

The procurement strategy relating to design services involves appointing a Principal Consultant who will have the responsibility to directly engage all the required subconsultants needed to deliver the detailed design process for this project.

### **Background**

Greater Dandenong City Council is planning to develop a new aquatic and wellbeing centre at Mills Reserve in Dandenong, to replace the existing Dandenong Oasis which is over 40 years old and no longer meeting the needs of the community.

This major infrastructure project is a key recommendation from the Aquatic Strategy (September 2019), which is based on the vision to get “more people, more active, more often” and guiding principles for 1) enhancing community health and wellbeing; 2) maximising equity and access; 3) facilitating social connections; 4) providing high quality facilities; and 5) creating financially sustainable outcomes.

The Aquatic Strategy identifies the Dandenong Aquatic and Wellbeing Centre as an indoor multi-purpose facility offering year-round services with a focus on allied health, passive activity, education, fitness and wellness and special needs / targeted groups. (NPAC will have a complementary focus on leisure, recreation and fitness, sport-based usage / carnivals and summer activities).

Since the adoption of the Aquatic Strategy, further planning has been undertaken to explore opportunities to add value to the proposed centre. More specifically, this has involved a partnership investigation in collaboration with key stakeholders to identify opportunities to maximise health and wellbeing benefits and potential funding opportunities for the centre and broader Mills Reserve precinct.

A detailed business case has also been prepared to further refine the scope of the centre, demonstrate the impact / benefits and investment rationale and provide a delivery strategy, with the view to maximise external funding support for the project.

Council is now preparing to commence the design development process for the Dandenong Aquatic and Wellbeing Centre which will continue to build on the extensive planning and consultation that has been undertaken, in preparation for the delivery of this major infrastructure project.

### **Strategic Context**

This project is underpinned by two strategic Council policies, the Make Your Move Physical Activity Strategy 2020-2030 and the Greater Dandenong Aquatic Strategy.

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#### **4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

##### **Make Your Move Physical Activity Strategy 2020-2030**

In recognition of the poor health and wellbeing indicators in Greater Dandenong, Council developed the *Make Your Move Physical Activity Strategy 2020-2030* (Make Your Move Strategy). The Strategy aims to address poor health, wellbeing and social outcomes through increased levels of physical activity within the community.

##### **Greater Dandenong Aquatic Strategy**

In 2019 Council adopted the *Greater Dandenong Aquatic Strategy* (the Aquatic Strategy) to guide future aquatic and leisure facility provision in Greater Dandenong. The vision for the *Aquatic Strategy* is to get “more people, more active, more often”. In summary, the *Aquatic Strategy* provides a unique and holistic municipal wide “road map” to maximise community the health wellbeing benefits.

The *Aquatic Strategy* was informed by extensive stakeholder and community consultation and identified the ongoing need for “two complimentary aquatic and leisure centres” within Greater Dandenong. The *Aquatic Strategy* proposes that:

- The Dandenong Oasis be replaced by a new multi-purpose Dandenong Aquatic and Wellbeing Centre (‘new Centre’) at Mills Reserve, and
- NPAC be redeveloped in the future to include an expanded range of year-round services.

The *Aquatic Strategy* envisages that NPAC will be maintained for active leisure, recreation and fitness, and sports-based usage (e.g. swim club competition and swimming carnivals). Whereas the new Centre will seek to cater for special needs and targeted cohorts of the community by having a focus on allied health, passive activity, fitness and well-being. This coordinated, municipal wide approach leverages the Council’s resources to maximise equity and access for the community that best caters for the community’s diverse needs.

The *Aquatic Strategy* identifies the location within Mills Reserve to be a key enabler of the new Centre’s focus on broader health and social outcomes, as it is within close proximity to other health and medical services, which could present partnership and precinct opportunities into the future. The Dandenong Aquatic and Wellbeing Centre and the redevelopment of NPAC (which is now underway) are critical anchor projects for community service provision while an integrated health / wellness / medical / educational precinct at Mills Reserve has been identified as part of the longer term solution.

##### **Tender Process**

##### **Expression of Interest Process:**

An Expression of Interest (EOI) was called for the Design and Consultancy Services for the Dandenong Aquatic and Wellbeing Centre.

The EOI required prospective tenderers to submit details such as their:

- relevant experience & past performances,
- resources & capability,
- ESD design & lifecycle costings,

**4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

- project methodology & approach, and
- occupational health & safety management systems.

The EOI was called on the 24 October 2020 and closed on the 9 November 2020 via the 'The Age' and Greater Dandenong Website. At the close of the EOI process, Council received fifteen (15) expressions of interest from the following companies:

- a. B2 Architecture
- b. City Collective
- c. CO-OP Studio
- d. Cox Architecture
- e. Daryl Jackson Pty Ltd
- f. DWP (Design Worldwide Partnership)
- g. Hames Sharley (Vic) Pty Ltd
- h. Hede Architects
- i. Henderson & Lodge Pty. Ltd
- j. Jackson Clements Burrows Pty Ltd
- k. Mantric Architecture
- l. NBRS & Partners Pty Ltd
- m. Peddle Thorp Melbourne Pty Ltd
- n. Warren and Mahoney
- o. Williams Ross Architects.

**Probity and Confidentiality**

All Panel members signed a probity and confidentiality form, declaring that they would evaluate tenders fairly and would disclose any conflict of interest. A rigorous tender evaluation process was followed by the tender panel.

A probity plan was devised to define the tender process. An independent probity advisor was appointed to ensure that the process was followed and documented.

**The EOI Panel Members**

For the EOI process, a panel was assembled with the task of reviewing, scoring and establishing a shortlist to proceed to the industry briefing and Request for Tender stage. The panel makeup was specifically selected to ensure a strong mix of technical, financial and operational experience.

The entire procurement process was conducted with the assistance of Council's Contracts Unit and an independent probity advisor.

**4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

The composition and voting rights of the EOI evaluation panel has been summarised below:

<b>Panel Members</b>	<b>Voting</b>
<b>Director Business, Engineering &amp; Major Projects</b>	<b>Yes</b>
<b>Director Community Services</b>	<b>Yes</b>
<b>Manager City Improvement Services</b>	<b>Yes</b>
<b>Manager Community Development, Sport &amp; Recreation</b>	<b>Yes</b>
<b>Coordinator Special Projects</b>	<b>Yes</b>
Senior Project Manager - Icon Projects	No
Manager Finance & Information Technology	No
Team Leader Contracts Unit	No
Warren Green Consulting	No
Turner & Townsend - Project Management	No
<b><i>Non-Panel members</i></b>	
<b><i>Independent Probity Advisor:</i></b>	No
O'Connor Marsden & Associates – Probity Advisor	
Contracts & Administration Officer	No

Each submission was assessed and ranked against all evaluation criteria by each 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.

The submissions were evaluated using Council’s Weighted Attribute Value Selection Method. The advertised evaluation criteria and the allocated weightings for evaluation are as follows:

	<b>Evaluation Criteria</b>	<b>Weighting</b>
1	Resources and Capability	30%
2	Relevant Experience & Past Performance	30
3	Project Methodology and Approach	20%

## ORDINARY COUNCIL MEETING - MINUTES

**4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

4	ESD Design and Lifecycle Costin	20%
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The Evaluation Criteria 1 – 4 are given a point score between 0 and 5 as detailed in the following table:

Score	Description	Full Description
5	Exceptional	Full achievement of the requirements specified in the RFT for that criterion. Demonstrated strengths, no errors, weaknesses or omissions.
4	Superior	Sound achievement of the requirements specified in the RFT for that criterion. Some minor errors, risks, weaknesses or omissions, which may be acceptable as offered
3	Good	Reasonable achievement of the requirements specified in the RFT for that criterion. Some errors, risks, weaknesses or omissions, which can be corrected/overcome with minimum effort.
2	Adequate	Minimal achievement of the requirements specified in the RFT for that criterion. Some errors, risks, weaknesses or omissions, which are possible to correct/overcome and make acceptable.
1	Poor to deficient	No achievement of the requirements specified in the RFT for that criterion. Existence of numerous errors, risks, weaknesses or omissions, which are difficult to correct/overcome and make acceptable
0	Unacceptable	Totally deficient and non-compliant for that criterion

The fifteen (15) submissions were assessed and ranked against all evaluation criteria, to ensure that each tenderer met the standards required for Council contractors. A fail in any criterion would automatically exclude a tenderer from further consideration for this contract.

Tenderer	Non-Price Score
<b>Williams Ross Architects</b>	<b>4.15%</b>
<b>CO-OP Studio Pty Ltd</b>	<b>4.14%</b>
<b>Warren &amp; Mahoney Architects</b>	<b>3.94%</b>
<b>Mantric Architecture</b>	<b>3.88%</b>

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#### **4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

Following scoring, the top 4 submissions stood out from the remainder scoring well in all subcategories listed in the evaluation criteria. A decision was taken by the tender panel to invite the top 4 tenderers to participate in the industry briefing and Request for Tender Process. This was supported by Councillor at the CBS session on the 15 March 2021.

For the purpose of clarity, the shortlist group was:

- Williams Ross Architects
- CO-OP Studio Pty Ltd
- Warren & Mahoney Architects
- Mantric Architecture.

#### **Industry Briefing**

This tender process involved an industry briefing that was conducted before the release of the RFT documentation. Due to COVID restrictions, the industry briefing was given to the shortlist at the same time via TEAMS on Wednesday 16 December 2020. Panel members as well as the independent probity advisor were present.

The aim of the industry briefing was:

- to assist tenderers in responding to the creative presentation, a requirement of the RFT. Information specific to the creative presentation was shared with the tenderers before the industry briefing.
- allowed the project team to elaborate and emphasise the important elements of this project as well as give an opportunity for tenderers to ask questions so that they could optimise their RFT submission.

#### ***Tender Process***

##### General

Following the EOI and industry briefing phases, a Request for Tender (**RFT**) invitation was sent to the shortlisted companies on the 21 December 2020. The RFT process closed on the 9 February 2021.

#### **Review of Tender Submissions**

The RFT Panel Members are:

<b>Panel Members</b>	<b>Voting</b>
<b>Director Business, Engineering &amp; Major Projects</b>	<b>Yes</b>
<b>Director Community Services</b>	<b>Yes</b>
<b>Manager Community Development, Sport &amp; Recreation</b>	<b>Yes</b>

**4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

<b>Coordinator Special Projects</b>	<b>Yes</b>
Manager City Improvement Services	No
Senior Project Manager - Icon Projects	No
Manager Finance & Information Technology	No
Team Leader Contracts Unit	No
Warren Green Consulting	No
Turner & Townsend - Project Management	No
<b>Non-Panel members</b>	
O'Connor Marsden & Associates - Probity Advising	No
Currie & Brown – Project Quantity Surveyor	No
Contracts & Administration Officer	No

**Tender Evaluation**

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 tender submissions are as follows:

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

	<b>Evaluation Criteria</b>	<b>Weighting</b>
1	Fee	30%
2	Creative Presentation response	20%
3	Quality, past performance, experience of team	20%
4	Stakeholder engagement & methodology	15%
5	Social Procurement	7.5%
6	Local Industry	7.5%
7	OHS Management Systems	Pass/Fail
8	Environment Management Systems	Pass/Fail

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**4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

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

<b>Score</b>	<b>Description</b>	<b>Full Description</b>
<b>5</b>	Exceptional	Full achievement of the requirements specified in the RFT for that criterion. Demonstrated strengths, no errors, weaknesses or omissions.
<b>4</b>	Superior	Sound achievement of the requirements specified in the RFT for that criterion. Some minor errors, risks, weaknesses or omissions, which may be acceptable as offered
<b>3</b>	Good	Reasonable achievement of the requirements specified in the RFT for that criterion. Some errors, risks, weaknesses or omissions, which can be corrected/overcome with minimum effort.
<b>2</b>	Adequate	Minimal achievement of the requirements specified in the RFT for that criterion. Some errors, risks, weaknesses or omissions, which are possible to correct/overcome and make acceptable.
<b>1</b>	Poor to deficient	No achievement of the requirements specified in the RFT for that criterion. Existence of numerous errors, risks, weaknesses or omissions, which are difficult to correct/overcome and make acceptable
<b>0</b>	Unacceptable	Totally deficient and non-compliant for that criterion

All financial information provided as part of the tender was independently reviewed by the project quantity surveyor.

The RFT assessment was a 3-step process:

*Step 1: Initial non price scoring: (fee undisclosed).*

The tender panel voting members were asked to score with the fee undisclosed.

*Step 2: Finalise non price score (fee undisclosed) following tender presentations and interviews.*

The voting panel members had an opportunity to revise and lock in their non price scores following the presentations and interviews. The fee remained undisclosed.

*Step 3: Design Fee disclosed.*

The aggregate of the price and non-price score was calculated, noting that the evaluation matrix automatically calculates the price score. The project quantity surveyor completed an independent assessment of the fee schedules received.



**4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

The scoring has been summarised below:

**Step 1: Pre Tender Presentation & Interview (Fee undisclosed):Presentation & Interview (Fee undisclosed):(Fee undisclosed):**

Tenderer	Non-Price Score
CO-OP Studio Pty Ltd	2.76
Warren & Mahoney Architects	2.47
Williams Ross Architects	2.43
Mantric Architecture	2.30

**Step 2: Post Presentation & Interview (Fee undisclosed):Post Presentation & Interview (Fee undisclosed):**

Tenderer	Non-Price Points
CO-OP Studio Pty Ltd ( <b>RANK 1</b> )	2.73
Williams Ross Architecture	2.58
Warren and Mahoney	2.40
Mantric Architecture	2.22

**Step 3: Post Presentation & Interview (Fee Disclosed):**

Tenderer	Price Points	Non-Price Points	Total Score	Rank	OHS	Enviro
<b>CO-OP Studio Pty Ltd</b>	<b>0.76</b>	<b>2.73</b>	<b>3.49</b>	<b>1</b>	Registered, Verified & compliance with Rapid Global	
Mantric Architecture	1.27	2.22	3.49	<b>2</b>	Registered, Verified & compliance with Rapid Global	
Williams Ross Architecture	0.74	2.58	3.32	<b>3</b>	Not assessed	
Warren and Mahoney	0.73	2.40	3.13	<b>4</b>	Not assessed	

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

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#### 4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)

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

#### Discussion

##### Quantitative Assessment

The tender price received from CO-OP Studio, Williams Ross Architects and Warren Mahoney were exceptionally close with the median varying by only 1.6%. This is considered a good result indicating tenderers understood the scope of work, effort and deliverables for a project of this size and complexity. Of these 3 tenders, CO-OP Studio provided the best value for money.

Mantric's price varied 34.6% from the median price. The panel determined this as a risk to the project as the low fee may reduce the level of effort and service on the project. The fact that the other tenderers were very close on price and had completed similar sized aquatic and leisure projects in the past 5 years, suggested that the price range of the other tenderers better reflected market price and, best value for money for Council.

Independent advice to the tender panel confirmed that the fee range submitted by Williams Ross, CO.OP Studio and Warren Mahoney was very close to the expected fee of a project of this scale, based on recent experience with similar aquatic projects for other Councils within metropolitan Melbourne.

##### Qualitative Assessment

The tenderers were requested to respond to specific evaluation criteria and their response has been summarised below:

##### *Evaluation Criteria: Creative Presentation*

- All tenderers provided a well thought through and insightful interpretation of their vision for the new facility.
- The tender panel was very impressed with CO-OP's ability to articulate and effectively communicate their vision for the new aquatic and wellbeing centre. CO-OP's response comprehensively addressed the requirements set out in the tender documentation.

##### *Evaluation Criteria: Quality, past performance, experience of the team*

- All tenderers put forward an experienced team capable of delivering this inherently complex project. However, three of the teams were able to demonstrate to a higher degree their relevant experience on comparative scale projects. This is particularly important given the substantial changes in technology associated with Aquatic facilities in recent years and the shift to community hub arrangements.
- A risk based sensitivity was overlayed to obtain confidence in the consultant team's ability to demonstrate important aspects such as strong leadership, technical expertise, cohesiveness and effectiveness of the entire team, agility and depth of experience to list a few.

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#### **4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

##### *Evaluation Criteria: Stakeholder engagement & methodology*

- All tenderers provided a mature and well considered approach to stakeholder engagement and methodology.
- CO-OP's detailed response demonstrated their understanding of the project objectives, the challenges and opportunities that await and the strategies to break down barriers.
- Additionally, CO-OP's established quality and risk management systems, provides a level of comfort in their ability to deliver the design to a high quality, within the project timeframes and budget.

#### **Financial Implications**

The Long Term Financial Strategy has provision for delivery of the Dandenong Aquatic and Wellbeing Centre Project over the 2020 to 2024 financial year period.

The project scope includes the design of a new facility with associated services and infrastructure, immediate landscape design and minor refurbishment of the existing car park. This provision does not include broader precinct works or the demolition of the existing Oasis facility.

By awarding this contract as recommended, Council will be committing \$3,544,819 including GST of \$322,256 to the next stage of this important major project. This commitment includes a base fee, design options and provisional sum items listed in the RFT documentation. It is planned to expend the majority of the \$3,544,819 including GST in the 21/22 financial year.

It should be noted that Executive Management approval will be required to expend funds associated with options or provisional sum items.

Project funding previously approved for the 2020-21 financial year of \$1.97 million is available to cover design expenses associated with this contract up to the end of the 2020-21 financial year and roll over funds can be applied from the 2020-21 financial year.

This contract will be a lump sum contract; however, it has been structured with exit clauses at the end of each design phase allowing financial risk to be mitigated if the project needs to be placed on hold.

***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**

CO-OP Studio is committed to providing an equal employment and opportunity workplace. Their aim is to foster a workplace that is diverse, promotes a positive environment, fostering development that instils a can-do attitude in everyone. Their aim is to create an environment that is free of discrimination and prejudice, providing their employees with a workplace where they are treated fairly, with respect and given equal opportunity in every aspect of their working role.

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#### **4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

CO-OP's policy in relation to providing equal opportunities for women in the workplace complies with the 'Equal Opportunity for Women in the Workplace ACT 1999'. CO-OP is proud to promote gender balance workplaces and currently have an equal 50/50 balance of male and female employees, which has happened organically by providing the same employment opportunities to all prospective candidates.

CO-OP Studio is aware, educated and supported in complying with established environmental sustainability management policies, applicable legislation, associated regulations, Codes of Practice, guidance documents and standards as far as is reasonably practicable to ensure the occupational health and safety of all workers and other persons are maintained.

#### **Local Industry**

CO-OP Studio and its selected sub-consultant team will investigate supply chain opportunities local to the Greater Dandenong municipality during the design and specification stages of the project to ensure that local suppliers and trades are afforded the opportunity to price on the works under a building contractor. As part of the design process and drafting of the project specifications, CO-OP Studio will provide the contact details of these local suppliers and manufacturers within our documentation so that these local businesses can at the very least be considered by the building companies tendering on the works.

CO-OP will work with the appointed building contractor to ensure local businesses and suppliers have the opportunity to be involved with these works, creating jobs within their subcontracting selection framework. Indirectly the facility itself will provide future employment opportunities to the local community.

#### **Consultation**

*Extensive community consultation has already been undertaken to develop the design brief that formed part of the RFT documentation.*

Additional consultation shall take place during the design phase. A detailed consultation plan shall be prepared and presented to Council for endorsement following the appointment of the Principal Consultant.

#### **Conclusion**

It is recommended that Council accepts the tender panel recommendation to appoint CO-OP Studio as the recommended tenderer for design services for the Dandenong Aquatic and Wellbeing Centre.

This recommendation is supported by:

- a) CO-OP's Base Fee and Combined Fee (base fee plus options plus provisional sums) represents best value for money.
- b) CO-OP's tender response and interview confirmed their strong understanding of the project objectives.
- c) CO-OP had the highest aggregate score in the non price category.

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**4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

d) CO-OP had the equal highest combined price and non price score.

**Recommendation**

**That Council:**

1. awards Contract No. 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DANDENONG AQUATIC AND WELLBEING CENTRE) to CO-OP Studio for a fixed lump sum of \$3,086,944 (\*1) including GST of (\$280,631) with an additional \$189,200 incl GST for Contingencies (\*2) and \$268,675 incl GST for Provisional Items (executable at Council's option);

*\*1 This value includes the base fee plus options requested in the RFT documentation.*

*\*2 The contingency is requested to procure design services in addition to what has been requested in the RFT documentation but proposed by the subconsultant teams.*

- 2 notes that the total budget including the fixed Lump Sum, Contingencies and Provisional Items is \$3,544,819 incl GST; and

*The cost to Council after return of GST input tax credits is \$3,222,563.*

3. signs and seals the contract documents when prepared.

**MINUTE 128**

Moved by: Cr Tim Dark

Seconded by: Cr Jim Memeti

**That Council:**

1. awards Contract No. 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DANDENONG AQUATIC AND WELLBEING CENTRE) to CO-OP Studio for a fixed lump sum of \$3,086,944 (\*1) including GST of (\$280,631) with an additional \$189,200 incl GST for Contingencies (\*2) and \$268,675 incl GST for Provisional Items (executable at Council's option);

*\*1 This value includes the base fee plus options requested in the RFT documentation.*

*\*2 The contingency is requested to procure design services in addition to what has been requested in the RFT documentation but proposed by the subconsultant teams.*

**4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

- 2** notes that the total budget including the fixed Lump Sum, Contingencies and Provisional Items is \$3,544,819 incl GST; and

*The cost to Council after return of GST input tax credits is \$3,222,563.*

- 3.** signs and seals the contract documents when prepared.

**CARRIED**

**4.1.1 Contract No 2021-41RFT Provision of Design and Consultancy Services for City of Greater Dandenong - Dandenong Aquatic and Wellbeing Centre (DAWC) (Cont.)**

**CONTRACTS**

**CONTRACT NO. 2021-41RFT DESIGN AND  
CONSULTANCY SERVICES FOR DANDENONG  
AQUATIC & WELLBEING CENTRE (DAWC).**

**ATTACHMENT 1**

**TENDER INFORMATION  
(CONFIDENTIAL)**

**PAGES 8 (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 POLICY AND STRATEGY**

### **4.2.1 Councillor Gift Policy**

File Id:

Responsible Officer:

Director Corporate Services

Attachments:

Draft Councillor Gift Policy

---

### **1. Report Summary**

Section 138 of the Local Government Act 2020 states that a Council must adopt a Councillor Gift Policy within six months after 24 October 2020.

### **2. Recommendation Summary**

This report recommends that Council adopts the Councillor Gift Policy as provided in Attachment 1 to this report.



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#### 4.2.1 Councillor Gift Policy (Cont.)

### 3. Background and Discussion

#### Legislation

Section 138 of the *Local Government Act 2020* (the Act) states that:

- (1) A Council must adopt a Councillor Gift Policy within the period of six months after this section comes into operation (24 October 2020).
- (2) A Councillor gift policy must include:
  - (a) procedures for the maintenance of a gift register; and
  - (b) any other matters prescribed by the regulations;
- (3) A Council must adopt a Councillor Gift Policy within the period of six months after this section comes into operation (24 October 2020).

#### Policy Commitments

In addition to complying with the above, this policy commits City of Greater Dandenong Councillors to act with integrity, honesty and transparency when performing their civic duties and while attending any events or functions as Council representatives. It recognises that the Greater Dandenong community's confidence in the integrity of Council results from being open and accountable and acknowledges that the acceptance of gifts, in whatever form, can create perceptions that could challenge the integrity and intent of a both a giver and receiver of such gifts.

This policy:

- (a) ensures that Councillors have clear guidance as to when offers of gifts, benefits or hospitality may be accepted or when they must be declined;
- (b) provides guidance to Councillors on the ethical considerations and procedures involved in the decline, acceptance and declaration of gifts, benefits or hospitality offered to them in the performance of their duties; and
- (c) ensures Councillors have the necessary information to be accountable for their actions and make ethical decisions that can withstand audit processes and public scrutiny.

Council's past Gift, Benefits and Hospitality Policy has applied to Councillors, staff and volunteers. While Councillors have had a lower rate of registering gifts in the past compared to staff, it is anticipated that this new legislative requirement and policy will increase Councillor awareness of the necessity for careful consideration and transparency in this area.

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#### **4.2.1 Councillor Gift Policy (Cont.)**

### **4. Proposal**

It is proposed that the draft Councillor Gift Policy as provided in Attachment 1 to this report be endorsed by Council as required under the *Local Government Act 2020*.

### **5. Financial Implications**

There are no financial implications associated with this report. Resources required for its administration are allocated within the Governance Business Unit.

### **6. Consultation**

The draft Councillor Gift Policy (provided in Attachment 1 to this report) was presented to Councillors for input and discussion at the Councillor Briefing Session held on 1 March 2021. It was also discussed and endorsed by Council's Audit and Risk Committee at its meeting on 5 March 2021.

While community consultation is not a requirement of this policy, once endorsed by Council, it will be available on Council's website. The Councillor Gifts Register, once established, will be available for inspection by members of the public under Council's Public Transparency Policy.

### **7. 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

##### Opportunity

- *Leadership by the Council* – The leading Council

### **8. Council Plan 2017-2021**

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

##### Opportunity

- An open and effective Council

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#### 4.2.1 Councillor Gift Policy (Cont.)

### 9. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* states that a Council must, in the performance of its role, give effect to the overarching governance principles. The Councillor Gift Policy gives effect to these principles by:

- complying with the relevant law (section 9(a) of the Act);
- giving priority to achieving the best outcomes for the municipal community, including future generations (section 9(b) of the Act). The Councillor Gift Policy ensures that, in relation to the receipt of gifts, Councillors are compliant, act with integrity and act in the best interests of Council and the community;
- considering the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks. While the Councillor Gift Policy has no impact on the economic and social sustainability of the municipal district, it has considered climate change and sustainability in its preparation (see section 9 of the policy);
- pursuing innovation and continuous improvement (section 9(e) of the Act). The Councillor Gift Policy has provision for evaluation, monitoring and review (see section 11 of the policy);
- collaborating with other Councils and Governments and statutory bodies (section 9(f) of the Act). A number of other council and best practice model policies were consulted in the development of the Councillor Gift Policy along with state integrity body reviews and reports as referenced in section 12 of the policy;
- ensuring the transparency of Council decisions, actions and information through the enactment of the policy (section 9(i) of the Act).

In giving effect to the overarching governance principles, Council must also take into account a number of supporting principles including the community engagement principles and the public transparency principles.

While community consultation is not a requirement of this policy under the *Local Government Act 2020*, the policy, once endorsed by Council, will be available on Council's website. The Councillor Gifts Register, once established, will be available for inspection by members of the public under Council's Public Transparency Policy.

In consideration of the strategic planning principles, financial management principles and service performance principles, the administration, resourcing, performance, monitoring, improvement and review of the proposed policy are also considered and discussed within the policy.

### 10. Victorian Charter of Human Rights and Responsibilities

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

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

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#### **4.2.1 Councillor Gift Policy (Cont.)**

### **11. The Gender Equality Act 2020**

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires that councils take positive action towards achieving workplace gender equality and promote gender equality in their policies, programs and services.

This policy does not have a direct and significant impact on members of the public therefore a gender impact assessment is not required. The policy is purely administrative in its nature and does not have the potential to influence broader social norms and gender roles, nor does it benefit any one gender group over any other.

### **12. Consideration of Climate Change and Sustainability**

In January 2020, Greater Dandenong City Council joined a growing number of cities around Australia and declared a “Climate and Ecological Emergency” and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

This report and the proposed Councillor Gift Policy has no impact on Council’s Declaration on a Climate and Ecological Emergency, Council’s Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability. However, it is noted that wherever possible, only electronic copies of forms and registers will be utilised in the administration of the proposed policy.

### **13. Related Council Policies**

The Councillor Gift Policy aligns with Greater Dandenong’s Councillor Code of Conduct and Public Transparency Policy and should be read in conjunction with these two documents.

### **14. Conclusion**

That the proposed Councillor Gift Policy as provided in Attachment 1 to this report be endorsed and adopted by Councillors.

### **15. Recommendation**

**That Council endorses and adopts the Councillor Gift Policy as provided in Attachment 1 to this report.**

**4.2.1 Councillor Gift Policy (Cont.)**

**MINUTE 129**

Moved by: Cr Sean O'Reilly  
Seconded by: Cr Sophie Tan

**That Council endorses and adopts the Councillor Gift Policy as provided in Attachment 1 to this report.**

**CARRIED**

**4.2.1 Councillor Gift Policy (Cont.)**

**POLICY AND STRATEGY**

**COUNCILLOR GIFT POLICY**

**ATTACHMENT 1**

**DRAFT COUNCILLOR GIFT POLICY**

**PAGES 17 (including cover)**

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

**4.2.1 Councillor Gift Policy (Cont.)**



## Councillor Gift Policy

Policy Endorsement:	Council		
Policy Superseded by this Policy:			
Directorate:	Corporate Services		
Responsible Officer:	Manager Governance		
Policy Type:	Legislative		
File Number:		Version No:	001
1st Adopted by Council	Minute No.	Last Adopted by Council:	Minute No.
Review Period:	Every four years	Next Review:	March 2025

**4.2.1 Councillor Gift Policy (Cont.)**

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#### 4.2.1 Councillor Gift Policy (Cont.)



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**4.2.1 Councillor Gift Policy (Cont.)**

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#### 4.2.1 Councillor Gift Policy (Cont.)

### 1. PURPOSE

This policy commits Greater Dandenong City Councillors to act with integrity, honesty and transparency when performing their civic duties and while attending any events or functions as Council representatives. It recognises that the Greater Dandenong community's confidence in the integrity of Council results from being open and accountable and acknowledges that the acceptance of gifts, in whatever form, can create perceptions that could challenge the integrity and intent of a both a giver and receiver of such gifts.

This policy:

- (a) ensures that Councillors have clear guidance as to when offers of gifts, benefits or hospitality may be accepted or when they must be declined;
- (b) provides guidance to Councillors on the ethical considerations and procedures involved in the decline, acceptance and declaration of gifts, benefits or hospitality offered to them in the performance of their duties; and
- (c) ensures Councillors have the necessary information to be accountable for their actions and make ethical decisions that can withstand audit processes and public scrutiny.

### 2. BACKGROUND

The *Local Government Act 2020* provides a legislative framework for councils to be accountable to their local communities in the performance of functions, in the exercise of powers and duties and in the use of resources.

Section 138 of the *Local Government Act 2020* states that Council must adopt a Councillor Gift Policy within the period of six months after 24 October 2020. The Councillor Gift Policy must include:

- (a) procedures for the maintenance of a gift register; and
- (b) any other matters prescribed by the regulations.

It is common for Councillors to be offered gifts or hospitality as a thank you for good service, a job well done or fostering new or long-standing working relationships. However, it is important that the gesture of giving gifts or providing hospitality is not perceived to be, or results in, a form of unethical behaviour or one which may lead to an actual or perceived conflict of interest in a Council matter.

### 3. SCOPE

This policy applies to all gifts, benefits or hospitality offered to Councillors from external sources regardless of whether the gift is accepted or declined. It also applies where the benefit has been issued in the context of a 'loan'.

This policy excludes gifts, benefits or hospitality awarded to Councillors through rewards and recognition programs both internally and from external bodies.

Council's Councillor Code of Conduct and Conflicts of Interest Policy includes detailed information relating to identifying and disclosing a conflict of interest and this policy should be read in conjunction with those documents.

#### 4.2.1 Councillor Gift Policy (Cont.)

## 4. DEFINITIONS

Unless otherwise specified within this policy, the following words and phrases are defined to mean the following in terms of this policy.

Benefit	Something which is believed to be of value to the receiver, such as preferential treatment, privileged access at an event, access to confidential information, personal services or any type of favour/advantage offered. Examples of benefits could include, but are not limited to, a promise of a new job, access to loyalty programs, gym memberships or access to discounts that others are not privy to.
Bribe	Money or other inducement given or promised made with the intention to influence the judgment or conduct of a Councillor. Bribery and/or attempted bribery of a public official is a criminal offence.
Ceremonial Gift	A gift received as part of the culture and practices of communities and government usually provided when conducting business with official delegates or representatives from another organisation or community. A Councillor receiving a ceremonial gift is doing so on behalf of Council and must provide the gift back to Council to register it.
Conflict of Interest	<p>Division 2 of the <i>Local Government Act 2020</i> requires Councillors to declare general or material conflicts of interest.</p> <p>A conflict of interest is a conflict between a Councillor's public duty to act in the best interest of the Council and their private interests (financial or non-financial). A conflict exists whether it is:</p> <ul style="list-style-type: none"><li>• <b>Real</b> – it currently exists;</li><li>• <b>Potential</b> – it may arise, given the circumstances.</li><li>• <b>Perceived</b> – members of the public could reasonably form the view that a conflict exists, or could arise, that may improperly influence the person's performance of their Council duties, now or in the future.</li></ul>
Gift	<p>Under section 3 of the <i>Local Government Act 2020</i>, a gift is defined as any disposition of property otherwise by will made by a person to another person without consideration in money or money's worth or with inadequate consideration, including:</p> <ol style="list-style-type: none"><li>(a) the provision of a service (other than volunteer labour); and</li><li>(b) the payment of an amount in respect of a guarantee; and</li><li>(c) the making of a payment or contribution at a fundraising function.</li></ol>

To support this definition, a gift is anything of monetary or other value that is offered by an external organisation or individual to a Councillor as a result of their role in Council. A gift is given voluntarily without payment or compensation and is meant to convey a feeling of goodwill on behalf of the giver where there is no expectation of favours or repayment in return. Examples of gifts include, but are not limited to, wine, gift vouchers, jewellery, clothing, door or raffle prizes if that individual has not paid to attend, chocolates, desk calendars, personal and other services (such as painting or repairs), commemorative objects or hampers.

#### 4.2.1 Councillor Gift Policy (Cont.)



Door and raffle prizes received at functions or conferences are not considered a gift if the individual has personally paid for their attendance or where the individual has personally paid for the raffle ticket.

Souvenirs received from a company when attending a seminar or conference for which a fee was paid such as pens, workbooks, ties and promotional items are not perceived as gifts under this policy.

Small gestures of kindness from members of the community such as cut flowers from a garden, homemade or home-grown goods are not considered gifts under this policy.

Gift Disclosure  
Threshold

Section 3 of the *Local Government Act 2020* states the gift disclosure threshold at \$500 or a higher amount or value prescribed by the regulations. If multiple gifts are received from one person or organisation, they must be treated as a single gift with an aggregate value.

Hospitality

The friendly reception and entertainment of guests with the provision of food or beverages, which may range from light refreshments at a business meeting to expensive restaurant meals and sponsored travel and accommodation. Hospitality is offered to convey goodwill on behalf of the giver where there is no expectation of favours or repayment in return. Hospitality is considered a gift if it is common courtesy, reasonable and is attended in an official Council capacity.

Hospitality that exceeds common courtesy and reasonableness would include, but is not limited to:

- a fine dining lunch or dinner at a restaurant paid for by another person or organisation or held on its premises; or
- an offer to pay for a working lunch at a café; or
- an offer of a free spot on a golf weekend on the Mornington Peninsula.

Hospitality that **does not** exceed common courtesy and reasonableness would include, but is not limited to:

- sandwiches and pastries over a lunchtime meeting; or
- a cup of coffee and biscuits at another organisation; or
- a cup of coffee at a café.

Loan

Something granted for temporary use on the condition of it being returned. A loan includes significant resources, equipment, assets or similar, which the recipient has not received in the context of it being required to perform their duties with Council. An example of a loan includes, but is not limited to, the use of a vehicle (which is not issued in accordance with Council's policies and processes). Loans of money or funds are not allowed to be accepted under any circumstances.

Personal Services

Could include any service that is provided from any person or business including, but not limited to, any trade services such as plumbing or painting, medical services, real estate services, consultancy services, legal services, building services or architectural services.

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## 4.2.1 Councillor Gift Policy (Cont.)

### 5. POLICY

#### 5.1 ACCEPTING A GIFT, BENEFIT OR HOSPITALITY

A gift, benefit or hospitality may be accepted for cultural, protocol or business relationship purposes (subject to the restrictions noted in this policy) or where it has been offered in an honorarium form unless the value warrants it being considered a conflict of interest (see Conflict of Interest Section 5.2).

If offered a gift, benefit or hospitality, Councillors must always consider whether or not it is appropriate and reasonable to accept the offer. Issues to consider when accepting a gift, benefit or hospitality include why the offer was made and the public perception of the acceptance. Please also refer to the Gift Test below for further information to determine whether a gift could cause a conflict of interest or a perceived conflict of interest.

Councillors who are unsure about accepting a gift or hospitality should seek advice from the Manager, Governance.

#### 5.2 DECLINING A PROHIBITED GIFT, BENEFIT OR HOSPITALITY

Any gift that could bring a Councillor's integrity or that of the Council into disrepute must be declined. Councillors must decline the following gift offers:

##### GIFTS OVER THE GIFT DISCLOSURE THRESHOLD AND ANONYMOUS GIFTS

Councillors must decline any gift, benefit or hospitality that is equal to or exceeds the gift disclosure threshold unless they know the name and address of the person offering the gift. Section 137 of the *Local Government Act 2020* states that:

1. Subject to subsection (2), a Councillor must not accept, directly or indirectly, a gift for the benefit of the Councillor the amount or value of which is equal to or exceeds the gift disclosure threshold unless:
  - (a) the name and address of the person making the gift are known to the Councillor; or
  - (b) at the time when the gift is made:
    - (i) the Councillor is given the name and address of the person making the gift; and
    - (ii) the Councillor reasonably believes that the name and address so given are the true name and address of the person making the gift.
2. If the name and address of the person making the gift are not known to the Councillor for whose benefit the gift is intended, the Councillor is not in breach of subsection (1) if the Councillor disposes of the gift to the Council within 30 days of the gift being received.
3. In addition to the penalty specified in subsection (1), a Councillor who is found guilty of a breach of that subsection must pay to the Council the amount or value of the gift accepted in contravention of that subsection.

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#### 4.2.1 Councillor Gift Policy (Cont.)



##### GIFTS THAT CAUSE CONFLICTS OF INTEREST

Councillors must decline any gift, benefit or hospitality which warrants it being considered a conflict of interest (either real, potential or perceived).

Section 128 (4) of the *Local Government Act 2020* states that a material (financial or non-financial) conflict of interest arises in respect of a matter if a Councillor has received a disclosable gift from an affected person. This means any gift, benefit or hospitality:

- valued at \$500 or more; or
- accumulated to \$500 or more from one source, over a five year period.

This does not include the value of any reasonable hospitality received by a Councillor at an event or function attended in an official capacity and/or in performing their duties.

##### MONEY OR EQUIVALENT

Councillors must decline any gift of money (including gift cards) or anything easily or readily changed or converted into money (e.g., shares). Any offers of money in any form must be reported to the Manager Governance. Any bequests to Councillors resulting from their position with Council cannot be accepted and arrangements will be made to donate the bequest to a charitable institution in the name of the donor or returned to the immediate family.

##### REWARD PROGRAMS

Councillors must not collect rewards for personal use via rewards programs for any Council related transactions including, but not limited to, *Frequent Flyers* or *Fly Buys*. This also relates to reimbursement for any claims incurred in accordance with the Council Expenses, Support and Accountability Policy.

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Where there is any doubt as to whether a gift, benefit or hospitality should be accepted, such offers should be politely declined. To reduce the possibility of causing offence, Councillors are encouraged to make reference to this policy and the importance of transparent and ethical behaviours.

#### 5.3 REGULATORY, PROCUREMENT AND TENDER PROCESSES

When any regulatory, procurement or tender process is underway (which includes, but is not limited to, planning permit applications, infringement appeals, recruitment, nominations, tender panel evaluations or licensing), Councillors must not accept any gifts, benefits or hospitality during any such process by any external person or organisation involved in that process.

The Mayor and Chief Executive Officer must be notified of any irregular approaches by external suppliers of good or services outside of any process times. Councillors must not visit a current supplier's premises without invitation and if not on official Council business.

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#### 4.2.1 Councillor Gift Policy (Cont.)

##### 5.4 BRIBERY

A Councillor who receives an offer of a gift, benefit or hospitality that constitutes, or may be construed to be, an attempted bribe must refuse that offer and:

- immediately notify the Chief Executive Officer and lodge a Gift Declaration Form so that their refusal can be properly recorded and audited;
- report the matter to the Chief Executive Officer, Council's Public Interest Disclosures Coordinator or Manager Governance. (Details of Council's Protected Disclosures Coordinator are available on Council's website.) Any corrupt or criminal conduct will be reported to Victoria Police or the Independent Broad-Based Anti-Corruption Commission.

A Councillor who believes another person within Council may have solicited or been offered a bribe which has not been reported must notify the Chief Executive Officer or report the matter as a public interest disclosure in accordance with Council's Public Interest Disclosures Procedure.

##### 5.5 CULTURAL/OFFICIAL GIFTS

On occasions, Councillors may be involved in social, cultural or community events where significant gifts of appreciation or goodwill are offered to Council. In circumstances where it would appear to be impolite or inappropriate to decline the offer, it is reasonable for Councillors acting in an official capacity to accept such gifts on behalf of Council.

All cultural/official gifts accepted on behalf of Council are to be tabled at a Council Meeting and recorded in Council's Gift Register (a Gift Declaration Form will need to be completed by whoever received the gift). The gift will be considered the property of the Greater Dandenong City Council and Council will endeavour to ensure the gift is used with the intent in which it was given.

##### 5.6 EXEMPTIONS

Councillors may accept the following gifts and benefits that are considered exempt from this policy.

- promotional products including, but not limited to, pens, diaries, mugs, ties, show bags that are given as part of a conference, seminar, workshop considered an official function/event attended as part of the performance of their role.
- light meals or refreshments provided as part of a conference, seminar or workshop considered an official function/event attended as part of the performance of their role.
- door and raffle prizes at functions or conferences where the individual has personally paid for their attendance or respectively where the individual has paid for the raffle ticket.
- simple gestures of appreciation from residents such as cut flowers, home-made or home-grown goods.

If any doubt exists about exempt gifts, a Gift Declaration Form can be completed and submitted to the Governance Unit.



#### 4.2.1 Councillor Gift Policy (Cont.)

##### 5.7 THE G.I.F.T TEST

The following table 'The Gift Test' was developed by the Victorian State Services Commission and is an example of what to think about when deciding to accept or decline a gift, benefit or hospitality.

G	Giver	<b>Who is providing the gift, benefit or hospitality and what is their relationship to me?</b> Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?
I	Influence	<b>Are they seeking to gain an advantage or influence my decision or actions?</b> Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy, a token of appreciation or highly valuable? Does its timing coincide with a decision I am about to make?
F	Favour	<b>Are they seeking a favour in return for the gift, benefit or hospitality?</b> Has the gift, benefit or hospitality been offered honestly? Has the person or organisation made several offers over the last 12 months? Would accepting it create an obligation to return a favour?
T	Trust	<b>Would accepting the gift, benefit or hospitality diminish public trust?</b> How would the public view acceptance of this gift, benefit or hospitality? What would my colleagues, family, friends or associates think?

A flowchart has also been provided in Appendix 1 that provides a consideration process to follow when offered a gift, benefit or hospitality.

##### 5.8 RECORDING GIFTS, BENEFITS AND HOSPITALITY

Any gift, benefit and hospitality, regardless of value, which is offered by an external person or organisation, whether accepted or declined, must be reported to the Governance Unit using the Gift Declaration Form (Appendix 2) which is also available on Council's Intranet or from the Governance Unit.

A Gift Declaration Form must be completed and returned to the Governance Unit within 14 days of the offering of the gift, benefit or hospitality whether it was received or declined.

In line with Council's Public Transparency Policy, a copy of the Councillor Gifts Register is available for inspection upon request.

##### 5.9 CORPORATE GIFTS

In some cases, it is appropriate for Councillors to provide corporate gifts to individuals or organisations on behalf of Council. A limited range of inexpensive corporate gifts is available through the Executive Assistant to the Mayor and Councillors who receives approval for the management of these gifts from the Manager Governance.

#### 4.2.1 Councillor Gift Policy (Cont.)

## 6. RESPONSE TO THE OVERARCHING GOVERNANCE PRINCIPLES OF THE LOCAL GOVERNMENT ACT 2020

Section 9 of the *Local Government Act 2020* (the Act) states that Council must, in the performance of its role, give effect to the overarching governance principles. This policy gives effect to these principles by:

- complying with the relevant law (section 9(a) of the Act);
- giving priority to achieving the best outcomes for the municipality, including future generations (section 9b of the Act). This policy ensures that in relation to the receipt of gifts, Councillors are compliant, act with integrity and act in the best interests of Council and the community;
- considering the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks (section 9(c) of the Act). While this policy has no impact on the economic and social sustainability of the municipal district, it has considered climate change and sustainability in its preparation (see section 9 of this policy);
- pursuing innovation and continuous improvement (section 9(e) of the Act). This policy has provision for evaluation, monitoring and review (see section 11 of this policy);
- collaborating with other councils, governments and statutory bodies (section 9(f) of the Act). A number of other council and best practice model policies were consulted in developing this policy along with state integrity body reviews and reports as referenced in section 12 of this policy; and
- ensuring the transparency of Council decisions, actions and information through the enactment of this policy (section 9(i) of the Act).

In giving effect to the overarching governance principles, a Council must also take into account the community engagement principles (section 56 of the Act), the public transparency principles (section 58 of the Act), the strategic planning principles (section 89 of the Act), the financial management principles (section 101 of the Act), and the service performance principles (section 106 of the Act).

While it is crucial that Council decisions are transparent and open to scrutiny, there is no specific legislative requirement for this particular internal and administrative policy to be subjected to a community engagement process. This policy operates in conjunction with Council's Public Transparency Policy and Conflicts of Interest Policy. It has no financial impact on Council and the resources required to manage and administer it are allocated from existing resource budgets.

## 7. VICTORIAN HUMAN RIGHTS AND RESPONSIBILITIES CHARTER 2006 – COMPATIBILITY STATEMENT

The *Victorian Charter of Human Rights and Responsibilities Act 2006* has been considered in relation to whether any human right under the Charter is restricted or interfered with in any way by enacting any part of this policy. It is considered that this policy is consistent with the rights outlined in the Charter.

## 8. RESPONSE TO THE GENDER EQUALITY ACT 2020

The *Gender Equality Act 2020* has been considered in the preparation of this policy. No particular groups that are based on gender are considered to be impacted either positively or negatively by this policy.

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#### 4.2.1 Councillor Gift Policy (Cont.)

### 9. CONSIDERATION OF CLIMATE CHANGE AND SUSTAINABILITY

Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 and the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability have been considered in the preparation of this policy but are not relevant to its contents. The policy is purely administrative in nature and Councillors have been provided access to electronic formats of both the policy and the Gift Declaration Form so that hard copies are not required.

### 10. RESPONSIBILITIES

#### 10.1 DISCLOSURE OBLIGATIONS OF COUNCILLORS

The *Local Government Act 2020* dictates the disclosure requirements for Councillors in relation to the receipt of any gifts, benefits and/or hospitality as follows:

- a Councillor must disclose any gift valued at \$500 or more in their biannual personal interest return - regulation 9 of the *Local Government (Governance and Integrity Regulations 2020)*;
- a Councillor who has a conflict of interest as a result of receiving a gift or gifts from a person must disclose the conflict of interest in accordance with the procedures outlined in the Governance Rules – section 128 of the *Local Government Act 2020* and this policy;
- a Councillor must include any gifts above the gift disclosure threshold that are election campaign donations in an election campaign donation return (unless the gift was made in a private capacity for personal use) – section 306 of the *Local Government Act 2020*;
- a Councillor must complete a Gift Declaration Form (Appendix 2) for any gift offered, whether it was accepted or declined, for inclusion in the Councillor Gifts Register – section 138 of the *Local Government Act 2020*.

#### 10.2 COUNCILLOR GIFTS REGISTER

The Governance Unit will maintain the Councillor Gifts Register for all gift declarations made by Councillors. Governance will alert any Councillor when any aggregate amounts become close to the gift disclosure threshold.

All gifts accepted or declined will be included in the Register. The Register will also contain:

- a description of the gift and its estimated value;
- the name of the gift giver;
- what was done with the gift (was it retained by the Councillor, provided to Council, declined);
- gift offers from suppliers (irregular approaches from suppliers) when advised.

Consideration will be given to maintaining reasonable confidentiality in situations where public disclosure will prejudice council business transactions or breach privacy considerations.

## 4.2.1 Councillor Gift Policy (Cont.)

### 11. REPORTING, MONITORING AND REVIEW

This policy incorporates all the recommendations from the Independent Broad-Based Anti-Corruption Commission's (IBAC's) *Local Government Integrity Frameworks Review, March 2019*. The recommendations of this review were further endorsed by IBAC's *Managing Corruption Risks Associated with Conflicts of Interest in the Victorian Public Sector, October 2019*.

A self-assessment in line with these reviews (or any other further relevant reviews undertaken by integrity bodies) will be undertaken two years after policy adoption and reported to the Audit and Risk Committee.

This policy is also consistent with the Department of Environment, Land, Water and Planning *Model Policy on Gifts, Benefits and Hospitality, June 2019*.

The Councillor Gifts Register will be monitored by the Manager Governance to identify any systemic patterns of gifts offered and accepted and will ensure that Councillors are regularly made aware of their obligations under this policy through awareness activities and reporting mechanisms. The Councillor Gifts Register will be reported quarterly to the Mayor and Chief Executive Officer and annually to the Audit and Risk Committee.

### 12. REFERENCES AND RELATED DOCUMENTS

#### Legislation and References

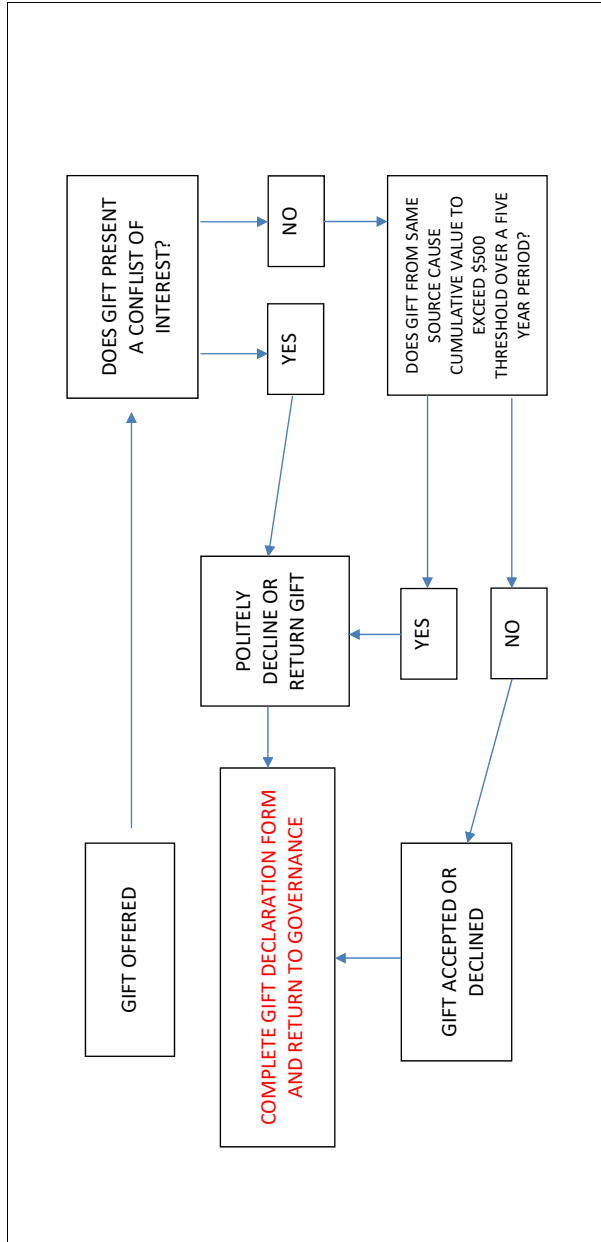
- *Charter of Human Rights and Responsibilities Act 2006*
- *Crimes Act 1958*
- *Gender Equity Act 2020*
- GIFT and HOST Tests – Victorian Public Sector Commission, 2016
- *Local Government Act 2020*
- *Local Government (Governance and Integrity) Regulations 2020*
- Local Government Integrity Frameworks Review – Independent Broad-Based Anti-Corruption Commission, March 2019
- *Managing Corruption Risks Associated with Conflicts of Interest in the Victorian Public Sector – Independent Broad-Based Anti-Corruption Commission, October 2019*
- *Model Policies for Agencies and Boards – Gifts, Benefits and Hospitality – Department of Environment, Land, Water and Planning, June 2019*
- *Privacy and Data Protection Act 2014*

#### Related Council and Other Policies, Procedures, Strategies, Protocols, Guidelines

- Greater Dandenong City Council Conflicts of Interest Policy
- Greater Dandenong City Council Expenses, Support and Accountability Policy
- Greater Dandenong City Council Councillor Code of Conduct
- Greater Dandenong City Council Fraud and Corruption Prevention and Control Policy and Procedure
- Greater Dandenong City Council Privacy and Personal Information Policy
- Greater Dandenong City Council Procurement Policy
- Greater Dandenong City Council Public Interest Disclosures Procedure
- Greater Dandenong City Council Public Transparency Policy

4.2.1 Councillor Gift Policy (Cont.)

13. APPENDIX 1 – FLOW CHART FOR CONSIDERING AN OFFERED GIFT



**4.2.1 Councillor Gift Policy (Cont.)**



14. APPENDIX 2 – GIFT DECLARATION FORM



### GIFT DECLARATION FORM (COUNCILLORS)

*The information contained on this form will be included in the Councillor Gifts Register. The Register is available for public inspection upon request.*

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**GIFT DETAILS**

Name of receiver: \_\_\_\_\_

Date gift, benefit or hospitality (gift) offered: \_\_\_\_\_

Date gift received (if different): \_\_\_\_\_

Name of individual or organisations offering gift: \_\_\_\_\_

Nature of gift - please provide a brief description:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Approximate value of gift (best estimate): \_\_\_\_\_

**DISPOSAL OF GIFT**

Please advise if the gift was accepted, accepted and then returned, accepted and donated to a person or an organisation, declined or provided to Council for its archives - please be specific.

\_\_\_\_\_

\_\_\_\_\_

Completed by: \_\_\_\_\_

Signature: \_\_\_\_\_

Date received by Governance: \_\_\_\_\_

### 4.3 OTHER

#### 4.3.1 Draft Minutes of Positive Ageing Advisory Committee Meeting - 11 February 2021

File Id:

Responsible Officer:

Director Community Services

Attachments:

Draft Minutes of Positive Ageing Advisory  
Committee Meeting - 11 February

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#### Report Summary

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

#### Recommendation Summary

This report recommends that the draft Minutes of the Positive Ageing Advisory Committee meeting provided in Attachment(s) to this report be noted and endorsed by Council.

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#### 4.3.1 Draft Minutes of Positive Ageing Advisory Committee Meeting - 11 February 2021 (Cont.)

### Background

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

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

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

### Proposal

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

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

#### **Community Plan 'Imagine 2030'**

##### People

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

##### Opportunity

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

#### **Council Plan 2017-2021**

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

##### People

- A creative city that respects and embraces diversity

##### Opportunity

- An open and effective Council



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**4.3.1 Draft Minutes of Positive Ageing Advisory Committee Meeting - 11 February 2021 (Cont.)**

**Victorian Charter of Human Rights and Responsibilities**

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

**Financial Implications**

There are no financial implications associated with this report.

**Consultation**

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

Carefully consider and advise if and how this matter is subject to Council's Community Engagement Policy and/or Community Engagement Planning Framework. If it is, what type of format has consultation taken or what type of format is intended for public consultation. Is the issue subject to mandatory consultation under prescribed legislation? If it is, describe how the planned consultation will comply with (and go beyond) what is required by legislation. Reasons why specific formats have been used should be stated here with reasons why consultation may or may not have been specifically targeted. eg. Is the consultation aimed at the whole community or just a section of the community and why?

**Recommendation**

**That Council notes the draft Minutes of meeting(s) for the Positive Ageing Advisory Committee as provided in Attachment No.1 to this report.**

**MINUTE 130**

Moved by: Cr Richard Lim  
Seconded by: Cr Lana Formoso

**That Council notes the draft Minutes of meeting(s) for the Positive Ageing Advisory Committee as provided in Attachment No.1 to this report.**

**CARRIED**

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**4.3.1 Draft Minutes of Positive Ageing Advisory Committee Meeting - 11 February 2021 (Cont.)**

**OTHER**

**DRAFT MINUTES OF POSITIVE AGEING ADVISORY COMMITTEE  
MEETING**

**ATTACHMENT 1**

**POSITIVE AGEING ADVISORY  
COMMITTEE MEETING  
HELD ON 11 FEBRUARY 2021**

**PAGES 4 (including cover)**

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

## ORDINARY COUNCIL MEETING - MINUTES

**4.3.1 Draft Minutes of Positive Ageing Advisory Committee Meeting - 11 February 2021 (Cont.)**

**Advisory Committee or Reference Group Name:** Positive Ageing Advisory Committee

**Date of Meeting:** 11 February 2021

**Time of Meeting:** 1.30pm-3pm

**Meeting Location:** The Crescent Centre - Springvale

**Attendees:**

Committee: Julie Klok (Chair), Maria Erdeg, Morrie Hartman, Shirley Constantine

Council Officers: Mandy Gatliff, Jayne Kierce, James Ayling, Jenny Vong (minute taker)

**Apologies:**

Deputy Mayor Cr Sophie Tan, Milena France, Christine Green, Merle Mitchell, Erica Moulang, Carol Drummond

**Minutes:**

Item No.	Item	Action	Action By
1.	<p><b>Welcome and Introductions</b></p> <ul style="list-style-type: none"> <li>Welcome from the Chair</li> <li>Apologies noted</li> </ul>		
2.	<p><b>PAAC Members feedback on what their experiences have been coming out of lockdown</b></p> <p>Discussion was held regarding how Committee members have engaged back into the community post lockdown.</p> <p>Key points included:</p> <ul style="list-style-type: none"> <li>Recommencing of clubs and meetings in line with government directions have been challenging. Due to the continuous advice updates, it has been difficult to plan and book speakers in advance.</li> <li>Technological issues have also been identified as a major problem. Many older people do not have access to a smart phone, internet and/or unfamiliar with new technology.</li> <li>Attestation questions are asked everywhere and viewed the COVID-norm.</li> <li>Many older residents in retirement villages may be experiencing mental health challenges. Feeling lonely, isolated, and uncertain when they will see loved ones again.</li> </ul> <p>Reengaging back into the community and having daily routines again have been challenging and taxing at times. It has been viewed as an inconvenience and effort to think about what to</p>	<p>Key issues raised by PAAC members will inform CGD Community Care service delivery going forward.</p>	<p>Community Care Manager</p>

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

## ORDINARY COUNCIL MEETING - MINUTES

**4.3.1 Draft Minutes of Positive Ageing Advisory Committee Meeting - 11 February 2021 (Cont.)**

	do.		
3.	<p><b>Update on what has been happening in CGD Community Care service provision</b></p> <p>Manager Community Care provided an update on the way services have been delivered with both in home support services and social programs to our older residents.</p> <p>In home support services such as domestic care, personal care, respite care and home maintenance continued to be delivered during the lockdowns and COVID restrictions as they are deemed essential services.</p> <p>There was a significant number of clients that suspended services due to fears about COVID. It was also identified that some family members were able to assist during the lockdown whilst they were either not working or working from home. Since Christmas we have been receiving many requests from existing clients to reinstate their in-home support services.</p> <p>Social support programs have also restarted over the last few weeks. Clients have been keen to recommence escorted shopping trips and day trips.</p> <p>There has also been a noticeable drop in the number of volunteers returning with approximately 50% back.</p>	For noting	
4.	<p><b>Update on new Community Transport Policy and new programs and activities being offered using our Community Bus Fleet</b></p> <p>Council endorsed the future directions plan for Community Transport and the Community Transport Policy in September 2020.</p> <p>The Positive Ageing team have recently recommenced day trips to popular destinations like Werribee Zoo, Blue Lotus Gardens and Queenscliff Ferry. New destinations are advertised bimonthly and open to all community members.</p> <p>The Community Transport Program has several regular trips to local shopping centres such as Keysborough Parkmore, Waverley Gardens, Dandenong Plaza and Dandenong Market where the client is picked up from their home. Due to COVID restrictions, the program is not operating at full capacity on each bus.</p> <p>Council will also engage a project officer on a temporary basis to assist the transport disadvantaged on how to access all forms of transport.</p>	For noting	

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

## ORDINARY COUNCIL MEETING - MINUTES

**4.3.1 Draft Minutes of Positive Ageing Advisory Committee Meeting - 11 February 2021 (Cont.)**

5.	<p><b>Update on the recommencement of Seniors clubs and groups and the challenges being experienced for groups ensuring they are COVID safe</b></p> <p>The Positive Ageing team has held forums for the Senior Clubs to assist them in completing their COVID safe plans. Assistance has also been provided to the clubs with utilising QR codes so that the groups can safely reopen.</p> <p>A few clubs have expressed their reluctance to return due to several reasons including:</p> <ul style="list-style-type: none"> <li>• Inability to have all members together due to the physical distancing and density quotients</li> <li>• Where the responsibility of cleaning the facilities sit between clubs</li> </ul> <p>Difficulty in utilising QR codes with technological issues including members mobile phones and access to the internet.</p>	Monitoring and support provided to senior's clubs as necessary	Positive Ageing Team
6.	<p><b>Aged Care Royal Commission – where to from here?</b></p> <p>The Aged Care Royal Commission will provide a Final Report on Friday 26 February 2021.</p> <p>The Final Report will be emailed to the Committee to review and provide further consultation on the recommendations.</p>	Email Final Report to Committee members	Manager Community Care
7.	<p><b>Other business:</b></p> <p>Committee members were encouraged to think about potential candidates for the Positive Ageing Advisory Committee to fill current vacancies.</p> <p>The Regulatory Services Team is recruiting for casual school crossing supervisors. Members are requested to advise the Manager of Community Care if anyone they know is interested in applying.</p>	Email Committee position description	Manager Community Care
8.	<p><b>Other Business</b></p> <p>Next meeting date: Thursday 8 April</p>		
<b>Meeting Closed 3.00pm</b>			

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

#### **4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 23 February 2021**

File Id:	A7424368
Responsible Officer:	Director Community Services
Attachments:	Draft Minutes of Meeting on 23 February 2021

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#### **Report Summary**

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

#### **Recommendation Summary**

This report recommends that the draft Minutes of the Springvale Community Hub Committee meeting provided in an Attachment to this report be noted and endorsed by Council.

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#### 4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 23 February 2021 (Cont.)

### Background

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

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

As such, the draft Minutes are provided as an attachment to this report.

### Proposal

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

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

#### **Community Plan 'Imagine 2030'**

##### People

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

##### Opportunity

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

#### **Council Plan 2017-2021**

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

##### People

- A creative city that respects and embraces diversity

##### Opportunity

- An open and effective Council

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**4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 23 February 2021 (Cont.)**

**Victorian Charter of Human Rights and Responsibilities**

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

**Financial Implications**

There are no financial implications associated with this report.

**Consultation**

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

**Recommendation**

**That Council notes the draft Minutes of meeting for the Springvale Community Hub Committee as provided in Attachment No.1 to this report.**

**MINUTE 131**

Moved by: Cr Richard Lim  
Seconded by: Cr Sean O'Reilly

**That Council notes the draft Minutes of meeting for the Springvale Community Hub Committee as provided in Attachment No.1 to this report.**

**CARRIED**



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**4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 23 February 2021 (Cont.)**

**OTHER**

**DRAFT MINUTES OF SPRINGVALE COMMUNITY HUB  
COMMITTEE MEETING**

**ATTACHMENT 1**

**SPRINGVALE COMMUNITY HUB  
COMMITTEE MEETING ON 23  
FEBRUARY 2021**

**PAGES 3 (including cover)**

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

**4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 23 February 2021 (Cont.)**

**Advisory Committee or Reference Group Name:** *Springvale Community Hub Committee*

**Date of Meeting:** *23 February 2021*

**Time of Meeting:** *5.30pm – 7pm*

**Meeting Location:** *Community Room 1, Springvale Community Hub and Online - Microsoft Teams*

**Attendees:**

*Anna Leticia Demuth (AD), Lissette Brearley (LB), Heather Duggan (HD), Dani Holl (DH), Melanie Virtue (MV), Mmaskepe Sejoie (MS), Vivienne Fernandes (VF), Sarita Kulkarni (SK), (Community Representatives), Chris Keys (CK) (Springvale and District Historical Society), Cr Richard Lim (RL), Cr Loi Truong (LT) (Greater Dandenong Councilors), Martin Fidler (MF), Sarah Hill (SH) (Greater Dandenong Council Officers).*

**Apologies:**

*No apologies*

**Minutes:**

*Sarah Hill*

Item No.	Item	Action	Action By
1.0 - Welcome	- Welcome and apologies by acting Chairperson and Council officers from Community Services.		DH, MF, SH
	- Acknowledge of traditional ownership.		MF
	- All new committee members introduced themselves, their connection to Springvale Community Hub and their aspirations for two years' time.		ALL
2.0 – Overview of the Committee	- Discussed the committee Terms of Reference, objectives and schedule of meeting dates.	Committee members to sign and complete the Terms and Conditions for members of the SCH committee.	All
		Contact list of all members of the committee to be provided.	SH
	- Discussed the role of the chair and next steps to elect the chair. Committee elected to proceed with nominations during the meeting.	Dani Holl, is the new Chairperson for the committee.	DH

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

## ORDINARY COUNCIL MEETING - MINUTES

**4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 23 February 2021 (Cont.)**

	<ul style="list-style-type: none"> <li>- Dani Holl was nominated by Chris Keys, seconded by Heather Duggan. Committee all voted in favour of new Chairperson.</li> </ul>	Chairperson to undertake Meeting Procedure training.	DH
<b>3.0 – Induction Process</b>	<ul style="list-style-type: none"> <li>- Committee discussed the induction process, topics and content required.</li> <li>- Committee agreed to a mixture of reading online, online training and acknowledgement and in person facilitated training.</li> </ul>	<p>Remaining Working with Children Checks to be sent through to SH.</p> <p>Online training material and training requirements to be sent out, additional workshops scheduled.</p>	All SH
<b>4.0 – Community Celebration</b>	<ul style="list-style-type: none"> <li>- Committee discussed the Community Celebration in lieu of it's cancellation due to COVID-19.</li> <li>- The committee agreed to separating out smaller activations including the Firepit Celebrations and VIP Invite.</li> <li>- Activating the hub with smaller and informal celebrations that involve cultural food and celebrations.</li> <li>- Look to a larger celebration later in 2021, hopefully when COVID-19 is not as likely to impact the event.</li> </ul>	<p>Calendar of dates and activations to be organised and provided to the committee.</p> <p>Opportunities for the community to be involved, provided to the committee.</p>	SH SH
<b>5.0 – SCH Strategic and Action Plan</b>	<ul style="list-style-type: none"> <li>- Committee discussed the SCH Strategic and Action Plan.</li> </ul>	<p>Documents / links to be circulated to the committee.</p> <p>Committee to identify actions that they have a particular interest in for the next meeting.</p>	SH ALL
<b>Next meeting date:</b> 16 March 2021 (Inductions)			

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

#### **4.3.3 Proposal to Create Easement over Council Land - John Hemmings Memorial Park, 61A Princes Highway, Dandenong**

File Id:

Responsible Officer:

Director Corporate Services

Attachments:

Creation of Easement Plan and Site Map

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#### **Report Summary**

This report addresses a proposal to create an easement for gas distribution purposes pursuant to the *Gas Industry Act 2001* in favour of APA Group at Council's property at John Hemmings Memorial Park, 61A Princes Highway, Dandenong.

The easement will provide permanent installation of an APA Group Remote Telemetry Unit (RTU) box that will allow for the connection to the existing gas easement and infrastructure across Council's Reserve.

#### **Recommendation Summary**

This report recommends that Council carries out the statutory procedures associated with the creation of an easement over Council land under sections 189 and 223 of *the Local Government Act 1989* (LGA).

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### 4.3.3 Proposal to Create Easement over Council Land - John Hemmings Memorial Park, 61A Princes Highway, Dandenong (Cont.)

#### Background

APA Group has requested that Council permits the creation of an easement for gas distribution purposes pursuant to the *Gas Industry Act 2001* over Council land.

John Hemmings Memorial Park (the Land) at 61A Princes Highway, Dandenong is more particularly described on TP 241987 certificate of title volume 8129 folio 146. The Land is used for park and recreational purposes.

A creation of easement plan provided as **Attachment 1** to this report, shows the location of the proposed Telemetry Unit (RTU) box that will allow for connection to the existing gas easement and infrastructure across Council's Reserve.

#### Proposal

This report proposes that Council gives public notice of its intention to create an easement over part of the Land for use by APA Group and that the statutory procedures required under sections 189 and 223 of the *Local Government Act 1989* are commenced. These processes include advertising the process and a public submission process.

After the required submission process is completed, a further report will be presented to Council in order for a decision to be made in relation to the creation of the easement.

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

The proposal is consistent with Council's Community and Council Plan. Council will work to create an attractive city, with quality buildings and spaces and a community that has the services and facilities it needs for now and the future.

#### Financial Implications

There are no financial implications associated with this easement creation. Council will receive no income from the creation of a further easement over this property and all costs associated with the proposal will be borne by APA Group. Any works conducted in the easement on Council owned land will be reinstated at no cost to Council.

Valuation advice was provided prior to consideration of this proposal. No significant loss in value to the Land is expected which is attributable to the creation of the easement.

#### Consultation

A public consultation process will be commenced as required by sections 189 and 223 of the *Local Government Act 1989*. Public notice of the intention to create an easement in part of the Land will be given in the local paper circulating in Greater Dandenong and on Council's website and interested parties will be given the opportunity to make submissions for a period of 28 days. A special committee

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### **4.3.3 Proposal to Create Easement over Council Land - John Hemmings Memorial Park, 61A Princes Highway, Dandenong (Cont.)**

will be convened to hear any submitters that indicate that they wish to be heard. (Submitters must advise within their written submission if they wish to be heard.) The date and time of any special committee convened to hear submissions will be advised.

### **Conclusion**

It is considered that the proposal to create an easement at John Hemmings Memorial Park, Dandenong as shown in **Attachment 1** will not create a substantial detriment to the Land.

### **Recommendation**

**That Council, being of the opinion that it is suitable to proceed with a proposal to create an easement over part of John Hemmings Memorial Park, 61A Princes Highway, Dandenong (the Land) in favour of APA Group, resolves that:**

- 1. Council officers commence the statutory processes to create an easement over part of the Land, in accordance with sections 189 and 223 of the *Local Government Act 1989*;**
- 2. if no submissions are received in relation to the proposed creation of an easement over part of the Land, a further report will be provided to Council to determine if it proceeds with the proposal; and**
- 3. if submissions are received in relation to the proposed creation of an easement over part of the Land, a Special Committee of Council, comprised of the Ward Councillor (Cr Memeti), the Mayor and the Manager Governance be established to hear and consider any submissions (any submitters requesting to be heard will be notified of the time and place of the Special Committee meeting), and a further report outlining all submissions received will be provided to Council to determine if it proceeds with the proposal.**

### **MINUTE 132**

Moved by: Cr Bob Milkovic  
Seconded by: Cr Rhonda Garad

**That Council, being of the opinion that it is suitable to proceed with a proposal to create an easement over part of John Hemmings Memorial Park, 61A Princes Highway, Dandenong (the Land) in favour of APA Group, resolves that:**

- 1. Council officers commence the statutory processes to create an easement over part of the Land, in accordance with sections 189 and 223 of the *Local Government Act 1989*;**

**4.3.3 Proposal to Create Easement over Council Land - John Hemmings Memorial Park, 61A Princes Highway, Dandenong (Cont.)**

2. if no submissions are received in relation to the proposed creation of an easement over part of the Land, a further report will be provided to Council to determine if it proceeds with the proposal; and
3. if submissions are received in relation to the proposed creation of an easement over part of the Land, a Special Committee of Council, comprised of the Ward Councillor (Cr Memeti), the Mayor and the Manager Governance be established to hear and consider any submissions (any submitters requesting to be heard will be notified of the time and place of the Special Committee meeting), and a further report outlining all submissions received will be provided to Council to determine if it proceeds with the proposal.

**CARRIED**

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**4.3.3 Proposal to Create Easement over Council Land - John Hemmings Memorial Park, 61A Princes Highway, Dandenong (Cont.)**

**OTHER**

**PROPOSAL TO CREATE EASEMENT OVER COUNCIL LAND – JOHN HEMMINGS MEMORIAL PARK, 61A PRINCES HIGHWAY, DANDENONG**

**ATTACHMENT 1**

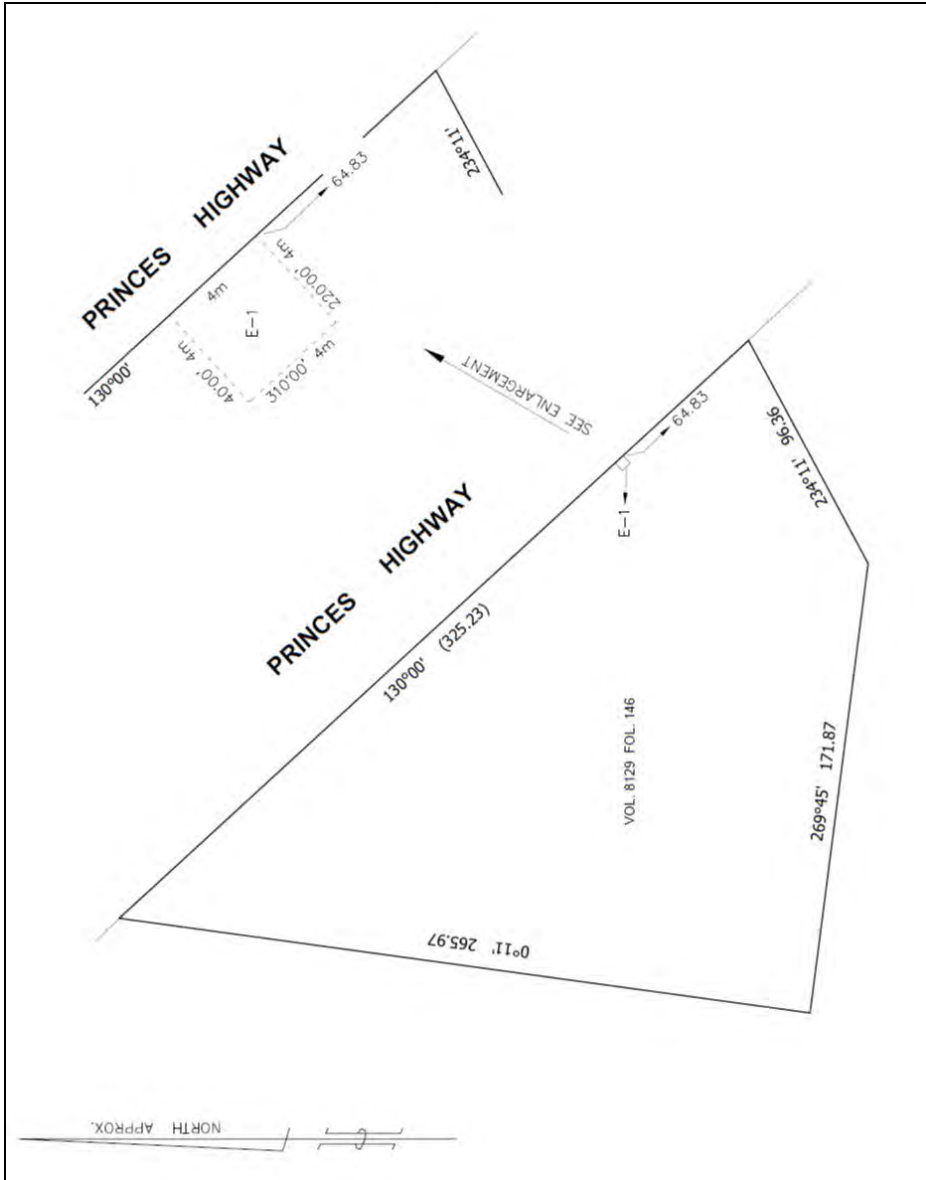
**CREATION OF EASEMENT PLAN AND SITE MAP**

**PAGES 3 (including cover)**

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



**4.3.3 Proposal to Create Easement over Council Land - John Hemmings Memorial Park, 61A Princes Highway, Dandenong (Cont.)**



**4.3.3 Proposal to Create Easement over Council Land - John Hemmings Memorial Park, 61A Princes Highway, Dandenong (Cont.)**



#### **4.3.4 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 9, 15 & 22 March 2021**

File Id: fA25545  
Responsible Officer: Director Corporate Services

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#### **Report Summary**

As part of Council's ongoing efforts to improve transparency in Council processes, matters discussed at Councillor Briefing Sessions & Pre-Council Meetings (other than those matters designated to be of a confidential nature) are reported on at ordinary Council meetings.

The matters listed in this report were presented to Councillor Briefing Sessions & Pre-Council Meetings in March 2021.

#### **Recommendation Summary**

This report recommends that the information contained within it be received and noted.

**4.3.4 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 9, 15 & 22 March 2021 (Cont.)****Matters Presented for Discussion**

Item		Councillor Briefing Session/Pre-Council Meeting
1	<p><b>General Discussion</b></p> <p>Councillors and Council officers briefly discussed the following topics:</p> <p>(a) Councillors and Executive proposed strategic session scheduled for 12-13 March 2021.</p> <p>(b) Councillor Briefing Session scheduled for 15 March 2021.</p> <p>(c) Agenda items for the Council Meeting of 9 March 2021.</p>	9 March 2021
2	<p><b>Noble Park Revitalisation Update</b></p> <p>Councillors were provided with an overview of the program, grant funds available, the proposed governance model and likely expectations on strategic, cross-sectoral place-based approaches to activity centre revitalisation.</p>	15 March 2021
3	<p><b>Dandenong Aquatic and Wellbeing Centre Design – (Confidential)</b></p>	15 March 2021
4	<p><b>Outdoor Dining Program Update</b></p> <p>Councillors were updated on outdoor dining initiatives implemented to date by Council in response to the COVID-19 impact on traders. New measures were proposed to continue to support businesses.</p>	15 March 2021
5	<p><b>General Discussion</b></p> <p>Councillors and Council officers briefly discussed the following topics:</p> <p>(a) Proposed Notice of Motion for future meeting.</p> <p>(b) Upcoming works at the Springvale Library.</p> <p>(c) Upcoming tour of Dandenong Market for Councillors.</p> <p>(d) Possible sites for mass vaccination hubs within Greater Dandenong.</p> <p>(e) Agenda items for the Council Meeting of 22 March 2021.</p>	15 March 2021

**4.3.4 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 9, 15 & 22 March 2021 (Cont.)**

<b>6</b>	<b>General Discussion</b>  Councillors and Council officers briefly discussed the following topics:  (a) Additional material aid funding for COVID relief from the State Government. (b) Upcoming proposed Budget Briefing Session. (c) Agenda items for the Council Meeting of 22 March 2021.	<b>22 March 2021</b>
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**Apologies**

- Councillor Richard Lim and Councillor Jim Memeti submitted apologies for the Councillor Briefing Session on 15 March 2021.

**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 3 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.**

**MINUTE 133**

Moved by: Cr Lana Formoso  
Seconded by: Cr Rhonda Garad

**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 3 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.**

**CARRIED**

#### **4.3.5 List of Registered Correspondence to Mayor and Councillors**

File Id:	qA283304
Responsible Officer:	Director Corporate Services
Attachments:	Correspondence Received 15 March – 2 April 2021

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#### **Report Summary**

Subsequent to resolutions made by Council on 11 November 2013 and 25 February 2014 in relation to a listing of incoming correspondence addressed to the Mayor and Councillors, Attachment 1 provides a list of this correspondence for the period 15 March – 2 April 2021.

#### **Recommendation**

**That the listed items provided in Attachment 1 for the period 15 March – 2 April 2021 be received and noted.**

#### **MINUTE 134**

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

**That the listed items provided in Attachment 1 for the period 15 March – 2 April 2021 be received and noted.**

**CARRIED**

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**4.3.5 List of Registered Correspondence to Mayor and Councillors (Cont.)**

**OTHER**

**LIST OF REGISTERED CORRESPONDENCE TO  
MAYOR AND COUNCILLORS**

**ATTACHMENT 1**

**CORRESPONDENCE RECEIVED  
15 MARCH - 2 APRIL 2021**

**PAGES 3 (including cover)**

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

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**4.3.5 List of Registered Correspondence to Mayor and Councillors (Cont.)**



**Correspondences addressed to the Mayor and Councillors received between 15/03/21 & 02/04/21 - for officer action - total = 1**

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Assigned
A request to the Mayor for a meeting regarding the Sandown Racecourse Redevelopment Proposal from Frank Perry Town Planning.	01-Apr-21	01-Apr-21	FA213441	Mayor & Councillors EA

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.



**4.3.5 List of Registered Correspondence to Mayor and Councillors (Cont.)**



**Correspondences addressed to the Mayor and Councillors received between 15/03/21 & 02/04/21 - for information only - total = 4**

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Assigned
Advice from the Springvale and District Historical Society regarding meeting times.	19-Mar-21	23-Mar-21	A7535464	Mayor & Councillors EA
A request from the Mayor of Sydney's Inner West Council for advocacy support in raising the rate of Jobseeker and Newstart.	23-Mar-21	24-Mar-21	A7544653	Mayor & Councillors EA
An invitation to the Mayor to attend the Mauritian Golden Age Club Inc's Mothers' Day Dance.	01-Apr-21	01-Apr-21	A7572976	Mayor & Councillors EA
A request from a Dandenong resident for Councillors to reconsider their position regarding ICAN.	31-Mar-21	31-Mar-21	A7571946	Mayor & Councillors EA

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

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## 5 NOTICES OF MOTION

### 5.1 Notice of Motion No.6 - Proposed Health Study on impacts of emissions from the Industrial 2 Zone on the residents of Dandenong South and Keysborough (South).

File Id:

Responsible Officer:

Director City Planning Design & Amenity

Author:

Cr Jim Memeti

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#### Preamble

Since at least 2007 the residents of Dandenong South have been raising concerns of adverse health impacts on them as a result (in their opinion) of the emissions from industrial activity in the nearby Industrial 2 Zone. In 2009 Council requested that the Department of Health undertake a population based health assessment to determine whether a cluster of cancer, birth defects or other birth related outcomes existed, and whether it could be linked to industrial activity in the area.

In 2011, the Department of Health undertook the above-mentioned health assessment, which involved experts from the Cancer Council of Victoria, the EPA, Monash University and the Murdock Institute. In April 2011 the EPA began a 12-month air-monitoring program in the Dandenong South area to better understand the impact of the industrial precinct on air quality.

In September 2011, the Department of Health findings of the health assessment is that it did not show an increased number of birth defects or birth related outcomes in the study area, and that the health assessment indicated no further investigation was required. Important though, that assessment and finding did not take into account the yet to be finalised EPA air monitoring program, due for completion in April 2012.

The Industrial 2 Zone was established in 1976, at a time when it was not on the doorstep of increased residential development. Since then the population of Dandenong South has continued to increase through the processes of urban densification and growth, and the completely new suburb of Keysborough (South) has been developed between 2008 and today. During that time the Industrial 2 Zone has intensified in use and been the home to many new waste recycling and processing plants.

There is a need to revisit the need for a community health assessment. Council appreciates the response and assessment provided by Government at that time and calls upon the Government to once again support the community of Greater Dandenong in this regard. Given the passage of 10 years since that assessment/ study and the increased urbanisation of the area surrounding the Industrial 2 Zone (and increased intensity of industrial land uses in it) it is deemed critical that the question of impacts from the Industrial 2 Zone on the health of the community is revisited. It is necessary that a detailed, comprehensive and contemporary scientific study of the air-quality impacts and water quality emissions impacts from the Industrial 2 Zone on the health of the community is undertaken without delay to establish any risk of ill health on the community.

**5.1 Notice of Motion No.6 - Proposed Health Study on impacts of emissions from the Industrial 2 Zone on the residents of Dandenong South and Keysborough (South). (Cont.)**

Globally, numerous epidemiological studies have shown the effects of exposure to air pollution on heart, lung, and brain health. In addition, the presence of carcinogenic materials has been shown to cause a range of health problems including cancers.

**Motion**

**That Council writes to the Minister for Health as well as to the Minister for Energy, Environment and Climate Change requesting that:**

- 1. as a matter of urgency community health and human impact studies be undertaken by a task force jointly established by the Department of Health as well as the Environment Protection Authority (EPA) into the impacts of air quality as well as water quality emissions from the Dandenong South Industrial 2 Zone on the surrounding residential areas, including those of Dandenong South and Keysborough;**
  
- 2. the proposed task force to comprise representatives from:**
  - a. Councillors**
  - b. Council executive**
  - c. Department of Health (DOH)**
  - d. Environment Protection Authority (EPA)**
  - e. Department of Environment, Land, Water and Planning (DELWP)**
  - f. Local and Federal MPs;**
  
- 3. the proposed taskforce to determine the parameters of an independent health investigation into the health impacts of the Industrial 2 Zone area in Dandenong South, on the residents living in and around the zone;**
  
- 4. the engagement by the proposed task force of an expert health investigation entity to report its findings and recommendations to the proposed task force; and**
  
- 5. the outcomes of the proposed task force's findings and recommendations be reported to Council in due course.**

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**5.1 Notice of Motion No.6 - Proposed Health Study on impacts of emissions from the Industrial 2 Zone on the residents of Dandenong South and Keysborough (South). (Cont.)**

**MINUTE 135**

Moved by: Cr Jim Memeti  
Seconded by: Cr Tim Dark

**That Council writes to the Minister for Health as well as to the Minister for Energy, Environment and Climate Change requesting that:**

- 1. as a matter of urgency community health and human impact studies be undertaken by a task force jointly established by the Department of Health as well as the Environment Protection Authority (EPA) into the impacts of air quality as well as water quality emissions from the Dandenong South Industrial 2 Zone on the surrounding residential areas, including those of Dandenong South and Keysborough;**
- 2. the proposed task force to comprise representatives from:**
  - a. Councillors**
  - b. Council executive**
  - c. Department of Health (DOH)**
  - d. Environment Protection Authority (EPA)**
  - e. Department of Environment, Land, Water and Planning (DELWP)**
  - f. Local and Federal MPs;**
- 3. the proposed taskforce to determine the parameters of an independent health investigation into the health impacts of the Industrial 2 Zone area in Dandenong South, on the residents living in and around the zone;**
- 4. the engagement by the proposed task force of an expert health investigation entity to report its findings and recommendations to the proposed task force; and**
- 5. the outcomes of the proposed task force's findings and recommendations be reported to Council in due course.**

**CARRIED**

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## **5.2 Notice of Motion No. 7 - Proposed rezoning of Cardinia Close, Dandenong North and surrounding area.**

File Id:

Responsible Officer:

Director City Planning Design & Amenity

Author:

Cr Bob Milkovic

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### **Preamble**

Cardinia Close in Dandenong North has been zoned General Residential Zone (or an equivalent zone) since the introduction of the new format Planning Schemes in 1999. In 2011, Planning Scheme Amendment (PSA) C96 reviewed the residential zones in Greater Dandenong, and it was determined to retain a 'spine' of General Residential Zone land along Stud Road in Dandenong North, which included the Cardinia Close area, due to its access to public transport and an important element of the road network, being Stud Road. This allowed the possibility of medium density development along the Stud Road corridor. PSA C96 also rezoned the land further away from Stud Road in Dandenong North to the Neighbourhood Residential Zone, limiting the development potential of land further from Stud Road, and other services and facilities.

The Cardinia Close area, and wider surrounding area, were not altered as a result of more recent residential zones review that formed Planning Scheme Amendment C182.

The retention of the Cardinia Close area in the General Residential Zone has resulted in it being subject to inappropriate planning applications for intense townhouse development, despite its isolated location and significant distance from activity centres and other services.

As such, work should be undertaken to review the zoning of this area, with consideration given to potentially rezoning this area to the Neighbourhood Residential Zone.

### **Motion**

**That Council officers investigate the options for rezoning the land bounded by Stud Road to the west, Brady Road to the south, and Cardinia Close to the east and north to the Neighbourhood Residential Zone, with a report to be tabled at a Council meeting by the end of September 2021 outlining the options available, and recommending a way forward.**

**5.2 Notice of Motion No. 7 - Proposed rezoning of Cardinia Close, Dandenong North and surrounding area. (Cont.)**

**MINUTE 136**

Moved by: Cr Bob Milkovic

Seconded by: Cr Tim Dark

**That Council officers investigate the options for rezoning the land bounded by Stud Road to the west, Brady Road to the south, and Cardinia Close to the east and north to the Neighbourhood Residential Zone, with a report to be tabled at a Council meeting by the end of September 2021 outlining the options available, and recommending a way forward.**

**CARRIED**

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### 5.3 Notice of Motion No. 8 - Climate action

File Id:

Responsible Officer:

Director City Planning Design & Amenity

Author:

Cr Rhonda Garad

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#### Preamble

Greater Dandenong City Council acknowledges that climate change is here and its impacts are already affecting our environment, our society and our economy.

Our data shows that our municipality will experience a range of events such as:

- increased frequency of extreme hot days (above 35°C) and increased frequency, intensity and duration of heatwaves, leading to extreme hot weather conditions, impacting public health and wellbeing through heat related stress and illness;
- increased frequency and/or intensity of extreme rainfall events causing damage to, and loss of, utilities and transport infrastructure; and
- Increase in mean annual and seasonal (summer and winter) temperatures leading to an increase in demand and use of electricity and water for cooling residential and commercial properties.

We are also observing financial impacts such as a 28% increase in insurance premiums.

It is clear that any delay in climate action places Greater Dandenong at greater risk of climate change impacts.

#### Motion

**That Council:**

1. **consistent with the s 9(2)(c) of the *Local Government Act 2020* refers for consideration and incorporation into the Council Plan:**
  - a. **actions on current and future climate risks facing the City of Greater Dandenong community; and**
  - b. **actions that the council and other levels of Government must take to provide maximum protection for people, property and natural environment in response to assessed climate risks;**

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**5.3 Notice of Motion No. 8 - Climate action (Cont.)**

2. **writes to the Prime Minister, Leader of the Opposition and the Premier to request support and advocacy on a climate change disaster levy, as proposed by the Australia Institute; and**
3. **forwards a copy of this motion to all Upper and Lower House MPs, the Federal member for Cooper, all Victorian Mayors, the Municipal Association of Victoria (MAV), the Victorian Local Governance Association (VLGA) and Climate Emergency Australia, and requests they take similar action and advocacy. Victorian Local Governance Association (VLGA) and Climate Emergency Australia, and requests they take similar action and advocacy.**

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**Cr Lana Formoso left the Chamber at 8.26pm and returned to the Chamber at 8.27pm.**

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**MOTION**

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

**That Council:**

1. **consistent with the s 9(2)(c) of the *Local Government Act 2020* refers for consideration and incorporation into the Council Plan:**
  - a. **actions on current and future climate risks facing the City of Greater Dandenong community; and**
  - b. **actions that the council and other levels of Government must take to provide maximum protection for people, property and natural environment in response to assessed climate risks;**

**MOTION LOST**

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

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



## **6 REPORTS FROM COUNCILLORS/DELEGATES AND COUNCILLORS' QUESTIONS**

### **Comment**

#### **Cr Tim Dark**

I hope everyone on this Council, people in the Gallery and those watching the webcast have had a very good Easter, Good Friday and long weekend. I am aware that many churches in the City of Greater Dandenong held their services within the COVID restrictions and were very, very busy.

Over the last fortnight, some of the events that we have been able to attend on this Council included a Budget Briefing Session to discuss the upcoming budget and some very, very exciting projects across the municipality. It is always exciting to fund these projects and see some state-of-the-art facilities come off the ground. That is something that this Council and the community can be proud of.

I also attended the Community Safety Night in this Chamber with members of Victoria Police. We had raised many issues and concerns and received some very good feedback from Victoria Police on how we can better serve the community.

I attended the Parkfield Cricket Club for the game between the Noble Park United Football Club - Drina and the Dandenong South Soccer Club. This was one of the first games of the season and it was good to get down to the Parkfield Reserve to see how the ground has transformed. For those of you who have not been there, I highly recommend that you go there. I know Cr Foster has been a very strong advocate for the tennis club, the soccer club and the cricket club and they are very, very excited to see the works have started. We now have a fully fenced field and what looks to be an excellent playing reserve. The trees and the increased landscaping look magnificent. People who used to go there and have not been there for some time particularly from the Dandenong South Soccer Club, made some remarks about an old asphalt track that was there with players getting injured. They were wondering why the same thing has not happened for them at Tatterson Park to see such an investment of funds. There were many young families with children which was really good to see.

### **Question**

#### **Cr Tim Dark**

The Noble Park (Drina) Soccer Club is launching a Junior Soccer Club so they have requested advertising on Council land on real estate boards. I have a contact that I will pass on to the relevant officer. If they could contact the person who is taking over, that would be excellent.

**This question was noted for further action.**

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

**Question**

**Cr Tim Dark**

I attended the Melbourne Afghan Soccer Association who had their soccer tournament at Tatterson Park in Keysborough which was one of the biggest events within the Afghan community calendar. There were 16 clubs participating including those from interstate battling it out. These were Afghan communities brought together by sport - soccer and volleyball. The event started on Good Friday with the grand finale on Easter Monday. It was one of the biggest events I have seen at Tatterson Pavilion. Approximately one thousand people attended on the days I was there. The Richmond Soccer Club have asked myself and Cr Memeti about access to some Council facilities. If I could pass the details to the relevant Council officers so they can contact them, that would be great.

**Response**

**Tilla Buden, Acting Director Community Services**

Yes, we can assist when we have the contact details.

**Question**

**Cr Tim Dark**

I have received complaints from residents in Nicholas Drive in Keysborough with regards to some birds that are being fed early in the morning. The residents have sent me some photos and videos and there are over 100 very large white cockatoo looking birds. These birds are fed every morning and it is disturbing neighbours who are being woken by the loud noises. I have had residents calling me at 6.30am suggesting I attend to see the birds flying around. I know it has become quite a hassle for residents. I have passed on the details to the relevant officer but if we could just follow up on it, that would be fantastic.

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

It is not an easy situation to deal with. It is hard to deal with issues relating to dogs, cats are harder and birds are almost impossible but I will certainly see what can be done. Did you say they were being fed?

**Comment**

**Cr Tim Dark**

Yes.

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

I think the best action is to have an education program in the area. I can have officers attend and advise people in the area that it is undesirable to be feeding the birds and that it is causing a nuisance. Maybe through a process of community engagement and community education we can try and improve the situation. I will have a conversation with Cr Dark and see if I can obtain more details on this.

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

**Question**

**Cr Tim Dark**

My next question has to do with Keysborough Senior Citizens facility on the Rowley Allan Reserve. I have received some correspondence from two people; one who is a board member and the other is a committee member of the Keysborough Senior Citizens' Centre. They have advised me that the signage has been amended and the words Senior Citizens have been removed so it now says Keysborough Hall. I would like to know what the precursor for that was and if we have notified the clubs or have had any more information on that please?

**Response**

**Mick Jaensch, Director Corporate Services**

I will take that question on notice. The question was raised during the week and my understanding was that it was changed at the request of the Keysborough Senior Citizens Centre during COVID. I know Council officer Rebecca Jones, Civic Facilities Coordinator, has contacted the resident concerned and had a discussion with them but I will clarify those details for you.

**Question**

**Cr Tim Dark**

My next question has to do with the way we deal with trees within the municipality. A resident who lives in Verdant Drive, Keysborough has frequently been in contact with Council. They advised me that at the back of their fence, there is quite a large gum tree which is on Melbourne Water land and it has been known to drop a serious amount of leaves. This has been going on for quite some time. The resident has had the gutters cleaned multiple times by a company and then passed the bill onto Council for payment on multiple occasions to have the resident's gutters cleaned because of the leaves. I wanted to find out exactly what the policy is. I have seen the invoice and can confirm that it has been paid for the amount of \$236.50 for one round. Why is Council dealing with that and not contacting Melbourne Water about the tree?

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

I am aware of that situation and will take that question on notice to obtain more details with regards to the policy around that.

**Comment**

**Cr Tim Dark**

If we could please organise a site meeting because I am aware that there are other residents that I have not spoken to in that complex who are also expressing some issues.

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

**Question**

**Cr Tim Dark**

My final question for this evening relates to a call from some residents in Loxwood Avenue in Keysborough with regards to the Keysborough Park Primary School site. Not long ago fencing was re-erected on the site and a sales office. They have expressed concern about what is going on, when things are going to occur and there has been some concern. I am aware that one resident has put their house on the market pending what they believe is going to be a very bulk development. I was wondering whether it would be possible to:

- (1) find out when we are expecting some plans because we only have the development plan at the moment submitted; and
- (2) given the neighbouring residents back onto it and there are not very many of them, if we could contact them and provide an update.

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

As Cr Dark has said, it is only a development plan at this stage and there is nothing more definitive in terms of a development itself. I think maybe a communique with the surrounding residents is possible. We are looking to sending something around and maybe an update on our website as well. I think that has been done recently under our planning website but certainly at this stage there is nothing afoot beyond the development plan that we can advise or anything that has progressed to a proposed development. The fence has been repaired in places. I know there were complaints about the condition of that fence. I do not know whether one should read anything more into that other than that they were there to look into a fence which there had been some complaints. Let me see what I can do to bring that all up to date and if it is not up to date on our website, I will advise all Councillors once it is done.

**Question**

**Cr Tim Dark**

I believe from the correspondence that I have received from some residents that there was a letterbox drop of advertising and according to the message it was called "The Woodlands in Keysborough" so they have certainly progressed what they are doing. The concerns came from one of the residents who backs onto the site. I believe the colour that they have used is called the town homes. (1) I am not exactly sure what a town home is. (2) There is a lot of white and there is a concern about whether or not that is all concrete so if we could investigate and contact them, that would be great.

**This question was taken on notice.**

**Question**

**Cr Bob Milkovic**

I do not have much to report on this week but I have some questions. I have received at least half a dozen calls and had conversations with residents regarding a property in Dorset Road, Dandenong. That particular property is I think, known to Council officers and Victoria Police around the area.

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

There always seems to be issues with this particular property where a number of residents are constantly moving in and out. Police visit almost every second day so there has been some suspicion of illegal drug dealing. Can Council officers enquire if that property is legally leased through a real estate office or private lease or is it an illegal rooming house. It is an unsightly property but we are not going to judge it based on the unsightliness of it. It is the impact on the community around it especially when people walk out half-dressed and they seem to be affected by either drugs or alcohol on a number of occasions which is difficult for the neighbours to a certain extent and people have had enough. I am not sure if anything can be done to investigate and see if it is a legal house that is rented through a real estate office or is it an illegal rooming house that seems to be operating throughout Dandenong?

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

I will obtain the property details from you. We can have the officers investigate whether or not there are any illegal uses on site, uses that would require a planning scheme permit. Obviously, they cannot undertake any other form of inspections. That would be the role of Victoria Police but I am happy to have a look at whether there is an illegal rooming house operating from the site.

**Comment**

**Cr Bob Milkovic**

I visited the Pocket Park at Fifth Avenue, Dandenong and that Pocket Park is looking amazing. It is almost complete and it will be a great asset to the local community. I know there is a big park in Hemmings Street in Dandenong however, many parents or residents prefer something that is closer and in a closer vicinity to the shops. I think it is going to be a great asset so thank you to the officers and contractors for coming up with that project.

**Question**

**Cr Bob Milkovic**

Another question raised by residents relates to travelling up and down Jones Road, Dandenong. There always seems to be many cars parked on either side of Jones Road, which gets really busy. Is it possible to investigate traffic arrangements that are done in similar locations where parking is prohibited on one side during certain hours or on the other side? If a bus or large car approaches drivers are unsure if they can go past each other so there is a traffic jam in both directions. If the officers can investigate and see if there is anything that can be done to improve the flow of traffic and obviously reduce the danger to pedestrians crossing, that would be good. There are a couple of speed humps there, but they do not seem to be doing much but create traffic problems.

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

We can certainly have the Traffic Team investigate that location.

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

**Comment**

**Cr Richard Lim**

On Friday 26 March 2021, I attended a Smoking Ceremony – Indigenous Firepit at the Springvale Community Hub.

On Tuesday 30 March 2021, I attended a meeting at the Springvale Community Hub to discuss the Springvale Museum Heritage Concept with Tilla Buden, Martin Fidler, Brad Cooper and Prue Hawkey. Later on, I met with Kevin Van Boxtel and Holly De Maria at Springvale Road who provided me an overview of Springvale Boulevard.

On Wednesday 31 March 2021, I attended the Citizenship Ceremony at Springvale Town Hall with Mayor Angela Long and with the Hon Julian Hill MP, Federal Member for Bruce.

On Thursday 1 April 2021, I attended a meeting at the Springvale Activity Centre with Helen Beekman, Martin Halden and Holly DeMaria to discuss ways of improving outdoor dining.

On Saturday 3 April 2021, I attended a Cambodian New Year celebration hosted by the Cambodian Association of Victoria at the Cambodian Association Hall in the morning and the dinner celebration at night time at Maxim Restaurant in Springvale.

On Sunday 4 April 2021, I went to the Cambodian Temple for a meeting with community leaders to discuss how to raise funds for the Monash Children's Emergency Department.

On Tuesday 6 April 2021, I attended the Community Safety Night Briefing Session where we had a very good discussion with Senior Sergeant Deborah Lee and also Ken Standish regarding homeless people and also the safety of the Springvale Activity Centre. We plan to meet again on Thursday 22 April 2021, to discuss how to make Springvale a safe place especially at the multi-level carpark.

On Wednesday 7 April 2021, I had a meeting with Mr Kevin Van Boxtel and looked at some positive feedback on how to improve outdoor dining. Later on, I met with Senior Sergeant Ken Standish who advised me on the correct process of obtaining authority before removing the homeless people from Springvale. He called me this morning to say that he had already organised for his team to remove all these people from Buckingham Avenue in Springvale. He also advised that he will make arrangements for more officers to patrol the Springvale area. According to Senior Sergeant Ken Standish, homelessness is neither a Victoria Police issue or a Council issue but it is more a community and the State Government issue.

**Comment**

**Cr Sophie Tan**

Good evening to everyone. I see we have a full house today. This is my report from 23 March to 11 April 2021.

On 26 March 2021, I attended the Smoking ceremony to unveil the Indigenous firepit symbolic sculpture at the Springvale Community Hub with the Mayor Cr Angela Long, Cr Ronda Garad, Cr Richard Lim and Cr Loi Truong. The firepit artwork was created by the artists in collaboration with Bunurong and

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

Wurundjeri Land Councils. The importance of the heritage and culture is central to who we are so this is where our story began with the first people and as such the firepit will become an important focal point of the Springvale Community Hub.

On 27 March 2021, I attended the Burma Night Fundraising Dinner. As you know the Burmese community is going through a brutal crackdown currently happening in Myanmar. The event was organised by all the Myanmar communities including the Chin community, Karen community, Myanmar Muslim community, Victoria Myanmar Youth to raise funds for victims and the surviving families of those that have been impacted.

On 29 March 2021, I attended the Noble Park Aquatic Centre (NPAC) Sod Turning ceremony, which is the construction for the Stage 1 redevelopment; along with the Mayor, Cr Angela Long, the Chief Executive Officer, Council officers and other stakeholders. The project includes the development of a health and wellbeing gymnasium, which will have a positive and significant impact on visitation and participation levels, community health and operational sustainability of the Centre. The project is the recipient of a \$3.3 million grant from the Victorian Government's Community Sports Infrastructure Stimulus Program. The total project cost is \$6.7 million, which includes a co-funding contribution from our Council of \$3.4 million. The project is expected to be completed by February 2022.

On 3 April 2021, I attended the Cambodian New Year celebration hosted by the Cambodian Association of Victoria, along with Cr Sean O'Rielly and Cr Richard Lim. I just want to say Happy New Year to those who celebrate the new year in April which includes people from Nepal, Sri Lanka, Bangladesh, Thailand and also Cambodia.

On 6 April 2021, I attended the Community Safety Night with the Mayor, Council's Chief Executive Officer and Council staff. Victoria Police representatives also attended the meeting. It was great to meet with Victoria Police because it gave us great insight into their priorities, community engagement models, updating us on community safety in Greater Dandenong, family violence responses and emergency management.

On 8 April 2021, I attended the Positive Ageing Advisory Committee in which I am part of the Committee. We discussed the Diversity, Access and Equity Policy and also the Royal Commission Final Report.

**Question**

**Cr Sophie Tan**

(1) A resident raised their concern regarding parking along Frank Street in Noble Park between 15 to 35 Frank Street, Noble Park. The reason being, there are too many cars at the nursing homes so the residents that live across the street are unable to reverse their cars onto the road.

(2) I also have a question regarding the new project - Frank Street Open Space which is part of the Capital Improvement Projects this financial year. How is this project going to impact on-street parking along Frank Street?

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

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

(1) I will take that question on notice and have officers investigate that matter.

(2) With regards to the opportunity for parking along Frank Street, that will be for next financial year in support of some funding we hope to be able to achieve from the State Government for that project.

**Question**

**Cr Sophie Tan**

My other question is regarding 89 Douglas Street, Noble Park which is the pocket park that has been in progress. I would like an update on when this project will be completed so the public can access the park.

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

I will take that question on notice.

**Comment**

**Cr Jim Memeti**

As Councillor Dark touched on, I attended the opening and closing ceremonies of the Melbourne Afghan Soccer Association Easter Tournament and there would have been three thousand people attending over the four days. This tournament started in 2019 and unfortunately it was cancelled in 2020 due to COVID. It was a fantastic tournament with 16 teams including teams from other states. A very successful tournament won by the Afghan United team.

I also attended the Afghan-Australian Civil Society Organisation Volleyball Tournament. I attended the grand final game which was held on Monday with 500 to 800 people at Springer's Entertainment Complex. It was a great event as well with Melbourne United winning the grand final. It was great to hold these great tournaments in the City of Greater Dandenong over the Easter long weekend.

I attended the annual Community Safety Night with Victoria Police where they answer our questions. One of the questions we are currently asking is regarding homelessness. I have seen it in Dandenong Park and in the multi-level carparks in central Dandenong. The Police's hands are tied and they need some more help. From Council's point of view, we are going to provide some of that help however, they need other organisations to help them out. Victoria Police knows there is a lot of homelessness, the Council knows and we are working on it so hopefully we can sort it out sooner than later. We know winter is coming, it is getting colder and we do not want people to sleep rough so it is a concern that was raised with Victoria Police.



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

**Question**

**Cr Jim Memeti**

I had a call from a resident who lives in Bryants Road, Dandenong regarding insufficient lighting on the street poles. Can we please have a look into that?

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

Yes, certainly we can. If I can get the details of that address we can conduct an audit. We normally then pass on that request to the power authority and ask them to upgrade. That part can take a bit more time.

**Comment**

**Cr Jim Memeti**

One side is residential homes the other side is industrial factories so that side is really dark and it looks a little bit scary so that would be good. I will provide you the addresses.

**Question**

**Cr Jim Memeti**

We have some exciting news which we have been working on for the last 10 years Councillors. The Government decided to remove the IRC which is the Infrastructure Recovery Charge in Central Dandenong. This levy was 5 percent of the total cost of the development. It has taken about 10 years and about 10 letters. Every year I ask for a letter to be sent to the Government to remove this levy and they have not removed that levy until now. They have also given us a grant. I think it is called the Streamline Development. Can the relevant officer speak about that please? I think it is an \$80,000 grant.

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

I would like to reiterate the fact that a bit of patience and a lot of letter-writing does get you some places. I think Council can be congratulated on the removal of the levy.

With regards to the other matter, there was a funding application that was submitted through to the Victorian Planning Authority with an aim to unpack some of the issues that this Council, developers and other people who wish to develop within central Dandenong face on how to improve the opportunities for those developments to succeed. Part of it is of course the removal of the IRC which of course was a burden on developers, but we want to investigate whether there are any others and also wish to put forward what could be further triggers for the ongoing development of central Dandenong. Certainly, one of them we know was the recent announcement of the Development Victoria project precinct just behind us. We know that there is also a proposal for a stadium in central Dandenong but how do we go about making those points of leverage work both within State Government and Federal Government? It is a three way project between the Victorian Planning

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

Authority, this City and also Development Victoria. We are currently finalising the brief for that project and we will then engage a consultant. I hope to be able to bring that forward to Council for a conversation with the consultants in the next two to three months.

**Question**

**Cr Jim Memeti**

Regarding the redevelopment you mentioned, regarding the Foster Street precinct which the Member for Dandenong announced in mid-December, are we going to be briefed by the developer regarding what he is planning to build there? Also, can the State Government attend with the developer to let Council know what is going to happen? I know it is a long-term process but it was announced in December 2020 and we have not heard anything since.

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**Cr Bob Milkovic left the Chamber at 9.06pm.**

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

Yes, we are currently working on how best for Development Victoria and the developer Capital Lines to bring their proposition, plans, ideas and vision to Council. I have a meeting with the Senior Project Manager this Friday to work that out. We hope to then be able to put some timetable around that with the developer to have them address Council, at a briefing session and identify what was not covered necessarily in the media release. If you leave it with me for a couple more weeks, I am sure that we can fit in a time.

**Comment**

**Cr Jim Memeti**

Regarding Lonsdale Street and the Central Business District of Dandenong, it is great to see so many restaurants opening up. A restaurant opened across the road last week. Before COVID we had another restaurant take over the Albion Pub. I see a big sign and a big new restaurant open where the old gardens restaurant is and as we spoke before Alencia Wedding Reception and Function Space has opened up. I think Dandenong is going to get a good reputation if you are feeling hungry. I always say to people when you visit the City of Greater Dandenong and you try the food it is like travelling throughout the world and the best part about it is you do not need a passport. It is looking good and I am really happy that everything is progressing well.

To everybody that is starting their fast tomorrow for Ramadan, I wish you well for the next 29- 30 days and to our community that are celebrating new year this month, Happy New Year.

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

**Comment**

**Cr Rhonda Garad**

I had the pleasure this week of attending Willow Lodge Annual General Meeting with the Mayor to welcome the returning President, David Duckworth and the Secretary Carmel Perkins who are doing a great job in the Committee. They mentioned they were extremely appreciative of the Notice of Motion by Cr Memeti tonight around the health impacts of the area in which they live.

I also wish to congratulate David and Ryan Koroknai, members of the Noble Park and Dandenong Cycling Club, for their three back-to-back wins. Ryan, David, and Callum Porritt won gold in the Team Sprint and Team Pursuit events in the Victorian Club Teams Championships. David and Ryan also won the Brunswick East Madison Championships and had success at the Winter Blackburn Crits at Casey Fields. They are a credit to the City of Dandenong and to their clubs.

**Question**

**Cr Rhonda Garad**

My question without notice, as part of the obligations under the *Gender Equality Act*, Councils are obliged to create a gender equality action plan. What is the status of the Greater Dandenong Council plan and when will the early community consultation on this topic be put into place?

**Response**

**Mick Jaensch, Director Corporate Services**

I will take that detailed question on notice. We have had some conversations with the Council around the gender equity requirements and I understand that there needs to be a gender equity survey undertaken in those coming months, which will form the basis of the plan going forward. In terms of your questions about the timelines, I will take that question on notice and give you those direct timelines.

**Question**

**Cr Rhonda Garad**

In the Climate Emergency Strategy, there is an action to complete a feasibility report investigating the options and timing of an accelerated phase-out of natural gas from existing Council facilities. The action is listed for completion in 2021. How is this progressing?

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

I will take the question on notice and provide you with the details.

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

**Question**

**Cr Rhonda Garad**

As we can see tonight, there is tremendous frustration that the unanimous resolution of Council in September last year to undertake by June 2021 this year, consultation on concept designs for the integrated, intergenerational Dandenong Community Hub has not happened. There has not been any replacement resolution since the election, which makes this resolution the live one that the officers should be following.

(a) When will the concept designs be developed?

(b) When will they be consulted on?

(c) By what date will this information be put on the Dandenong Community Hub webpage?

While there is a page on the website on the project, there is scant detail and timeframes. Residents do not understand that this resolution is not being honoured despite not being replaced by any other resolution and they do not understand the necessity for a business case community consultation as the community needs survey was done last year. There is no business case done for the Keysborough South Community Hub. They just want the Council to get on with the concept design including consultation.

**Response**

**Tilla Buden, Acting Director Community Services**

It is something that I have addressed through a few answers earlier this evening. Essentially the concept plan and the business case are about to be developed as we appoint the appropriate contractor and that is looking to be achieved by July this year, including community consultation throughout that process. When that consultant is appointed, further information will be put up on the website regarding that and as I have mentioned before as well, we have taken part of that question on notice with regards to the comprehensive information that we put on our website and we will be looking at that.

**Question**

**Cr Rhonda Garad**

Just a supplementary question. Will the business case be developed in tandem with concept plan and will they be released together? Is this now the initiative?

**Response**

**Tilla Buden, Acting Director Community Services**

I will take the detail of that question on notice. I understand they are both to be developed in quite a short timeframe.

**Question**

**Cr Rhonda Garad**

Another supplementary, why this business case when Keysborough South did not have a business case? I do not think you fully answered that question.

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

**Response**

**Tilla Buden, Acting Director Community Services**

I understand the business case is required to clarify the detail around the scope and the location and other details of this project and I also understand that multiple studies were developed over a period of years that informed the development of the Keysborough South Community Hub.

**Question**

**Cr Rhonda Garad**

Just supplementary to that, we have a policy of developing intergenerational hubs, that is our policy, therefore there is no need to do a business case on that aspect. That is the Council Policy that it will be an intergenerational hub. Therefore, the concept design can be developed and then can be adapted to the site that is chosen so I think the community are still very confused as to why a business case is still being proffered. I will leave that there.

**This question was taken on notice.**

**Question**

**Cr Rhonda Garad**

What is the timeframe for the completion of the Draft Community Garden Policy and consultation?

**Response**

**Jody Bosman, Director City Planning, Design and Amenity**

We hope to be able to bring that to Council within the next couple of months as we are currently working on it. I have given feedback not that long ago - let us call it the complications with regards to setting up the governance model, so we are busy working through issues there still, but hopefully we have something before Council in the next eight weeks.

**Question**

**Cr Rhonda Garad**

Just a follow-up question from a response earlier by the appropriate officer in relation to the Keysborough South concept design, I do not believe we were given a timeframe on when we can expect that detailed design.

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

With regards to the concept plan, that was completed at the end of last year.

**Comment**

**Cr Rhonda Garad**

Detailed design.

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

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

We have been moving into detailed design. We expect that to be completed by the end of this month subject to the assessment of the significant number of submissions that have come in on the playground. I would be hoping that once that is done, probably over the next two or three days that I will be in a position to then inform Council of the likelihood of completion of design or detailed design but we are expecting that to occur within at least the next two to three weeks.

**Question**

**Cr Rhonda Garad**

Just a follow-up question, like the Dandenong Community Hub, will we have a website where you are publishing the stages and the expected timelines of the various aspects of the project?

**Comment**

**Paul Kearsley, Director Business, Engineering and Major Projects**

Is that with regards to the Keysborough project?

**Comment**

**Cr Rhonda Garad**

Yes.

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

Yes, we already have extensive information on the website with regards to the Keysborough hub. If there is any need to update timeframes, then we will certainly do that once we are more certain of the timeframes with regards to the playground process.

**Question**

**Cr Rhonda Garad**

Just a follow-up, there are no timeframes at all on the website and I would request that the anticipated timeframes are put up just to inform the community. There is a great deal of interest in the community. There is a great deal of concern about delays and I think that putting information on the website would allay some of that concern. There are concerns that perhaps the plans are being changed in some way and I think that by putting maximum information that we have at this time on the website will go a long way to allaying some of those concerns.

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

I have printed off documentation from the website which has dates in it so I can provide that to you. With regards to changes to the plans as I indicated to you in response to a question, there have been no substantial changes to the concept plans that the community saw in 2020, other than some minor

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

administrative changes that have assisted internal staff in terms of administrative areas and those sorts of things. I am happy to bring the material back to Council in the coming weeks prior to us going out to tender or I can meet with you separately on that matter.

**Question**

**Cr Rhonda Garad**

Are the timeframes that are on the website what you are abiding by? Are they what you anticipate you will be delivering the project by?

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

Not at this point because as I said we have only just closed the playground consultation which was delayed during early 2021 following COVID in 2020. With regards to the playground consultation with which I think we received over 70 to 80 submissions, they are now being reviewed. If there is a need to delay the playground process in order that we do not overly delay the hub process, that is also a decision that can be made but that will not be made until we actually understand the level of change or input that the community wants with regards to the playground. If we can manage the process that we can do it all in one hit, then that would certainly save time, effort and money with regards to this project. I should be in a position hopefully sometime next week to inform the Council with regards to the playground process, in terms of whether that will further add delay or whether we can sideline that with regards to the hub process.

**Comment**

**Cr Rhonda Garad**

I would like to request that updated times are put up and that accurate information is put on the website.

**Comment**

**Cr Eden Foster**

Firstly, I would like to take this opportunity to wish those in the community that celebrate Easter a happy Easter. It was nice to be able to attend a mass that was well attended given we have had some restrictions during COVID.

Since our last Council meeting, I have attended many events and met with a number of residents and community members.

I attended the Dandenong World Fair at the Dandenong Market on 28 March 2021. It was amazing to see families from our community and also beyond the municipality enjoying the food and entertainment. On the same day with my fellow Councillors, Cr Formoso, Cr Garad, and yourself madam Mayor, I attended the Walk for Justice for refugees commencing at the State Library and finishing at the Park Hotel in Carlton, where sadly there are a number of refugees detained. This was an opportunity to raise awareness of the continuing injustice and cruelty experienced by refugees and people who are seeking asylum. I feel it is our duty as a municipality which is proud of its

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

multiculturalism, with many residents whom have escaped war and trauma, that we continue to voice our concerns for these people and I am grateful to my fellow Councillors and yourself for attending this walk.

On 6 April 2021, I attended the Community Safety Night as well with my fellow Councillors. It was a good insight into the homeless issues that we have here, the domestic violence that occurs in the area as well and to hear that the rates of reporting have increased. It does not necessarily indicate that incidents have increased but it is good to hear that more people are reporting incidents of family violence in the area and I encourage people who are experiencing family violence to please reach out and report these incidents.

**Question**

**Cr Eden Foster**

I also met with the Parkfield Drina Soccer Club on Thursday evening just gone and discussed the Parkfield Reserve Master Plan. I noticed whilst there on Thursday evening that the lights that the Council had recently installed are currently not working or not in use and the club is reliant on the old lights that only light up half the ground. As a community we are promoting the Make your Move Strategy and encouraging our residents to be more active. If I was contemplating joining a soccer club at Parkfield Reserve, I would be quite hesitant to join given the current lighting situation there. To the relevant officer, can I have an estimate on when the new lights at Parkfield Reserve will commence working please?

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

With regards to that issue, it is out of Council's hands. We are waiting for some further advice from the energy provider in order that they can be switched on. I will obtain confirmation of that and hopefully provide dates on when it might happen.

**Comment**

**Cr Eden Foster**

Yes that would be great if you could push that along further, that would be fantastic. Given that daylight savings has ended, I was there at 6.30pm and it was getting pitch black and as a female if I was training there I would feel a bit unsettled, particularly in the dark spots.

**Question**

**Cr Eden Foster**

I note that the Keysborough Big Picnic was to be held yesterday. I was quite disappointed that it did get washed out and I understand for the safety of the community and staff that it did have to be cancelled. It would have been one of the big events post-COVID lockdown and a lovely opportunity for our residents in our community to gather together after such a difficult year. To the relevant officer, will there be an opportunity to run this event this year by any chance?



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

**Response**

**Tilla Buden, Acting Director Community Services**

We too are terribly disappointed that the event had to be cancelled. Unfortunately, the budget for the event has already been predominantly expended and there is no further budget allocated towards that in this financial year, so at this stage officers are planning towards an event next year.

**Comment**

**Cr Lana Formoso**

I attended on 25 March 2021, the Sunrise at Springvale which was held at the Springvale Community Hub which was the first event that we got to celebrate with some of our fellow Councillors and also an opportunity to celebrate the lives of Council staff that we have lost in the past year so it was a very nice moment to reflect with many staff. It was an honour to be invited to that. On the same day, Melbourne City Women's league won against Perth Glory, 2:1. Not only that, we had a beautiful marriage proposal so it was a wonderful story to be a part of.

On 28 March 2021, was the Dandenong World Fair at Dandenong Market. I was lucky enough to take my boys and spent a lovely afternoon there and it was a beautiful day, one that I wish we would have had for the Big Picnic planned for yesterday but unfortunately that did not occur. However, the Fair I believe was a huge success. I am not sure on the numbers but I believe many people attended.

On 28 March 2021, I also attended the Walk for Justice for refugees on Palm Sunday with many of my fellow Councillors. Obviously being part of this municipality and having such a high number of refugees, it is something that I am very passionate about and it is something that we all need to be aware of and fully in support of and assisting our refugees within our community.

I also attended on 31 March 2021 at Lyndale Secondary College a wonderful event called Racism not Welcome. That was held by the youth leadership team at Lyndale Secondary College and the special guest at that event was Craig Foster. It was really amazing to see what he had to say about racism in particular in Australia and the things that we can do to combat that so watch this space in regard to that.

On 6 April 2021 was the Community Safety Night which is the annual event that we hold with Victoria Police – Dandenong Branch, which I found to be very useful. Many issues that we have in our municipality often do not allow us as Council to be in control of. Victoria Police play a huge part in that so it was really good to see that we worked so collaboratively with them and that they are more than willing to listen to what Council has to say so it was brilliant to meet a lot of the officers that night.

**Question**

**Cr Lana Formoso**

I do have a question for the relevant officer. A few residents have asked me about the Springvale Jewish Cemetery on 50 Browns Road in Noble Park North. There seems to be an issue when drivers are trying to make their way to the turn-off. There is no signage and no way of people realising that

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

the cemetery is there. You find that people are braking very suddenly just before the turn-in. I think we need a sign on both the north and south side of Browns Road so if the relevant officer could please let me know if that could be a possibility?

**Response**

**Paul Kearsley, Director Business, Engineering and Major Projects**

That is a matter that we can discuss with the Cemetery Administration and Management Personnel, to see if they are willing to put a sign up and if not we could investigate.

**Comment**

**Cr Sean O'Reilly**

I have attended many events, which have already been mentioned, but I wanted to speak about one in particular. The background to it is that over the last few years I have had discussions with the Burden Park Bowling Club who have expressed a wish to integrate more closely with the local multicultural community.

**Question**

**Cr Sean O'Reilly**

On Saturday 3 April 2021, I attended the office opening of SEMVAC, which is the South Eastern Melbourne Vietnamese Association Council which many Councillors would know of. They are now situated in a prime location in Springvale in the building adjacent to the Burden Park Bowling Club. As a result of the increased visibility, they are experiencing increased demand which they explained on their opening event. In attendance were Julian Hill MP, Clare O'Neil MP, Dr Tien Kieu MP, Cr Loi Truong and the Mayor, Cr Angela Long. They may have already spoken to the Mayor about what they might need in the future as well. I think, this has really been a huge leap forward for SEMVAC who prior to this had a small upstairs office on Springvale Road in Springvale Shopping Centre but now they have more of a home. I think in many ways it is a no-brainer that you do have a service like SEMVAC which is volunteer led given that Vietnamese is the second most common language spoken around that local area and that you have got a service that can assist new and existing migrants similar to what the Cambodian Association of Victoria has done successfully for decades. My question without notice to the relevant officer is, could we start engaging with SEMVAC and assist in documenting what they see as their future expansion plans and projections of what might be increased demand for their Vietnamese language specific community support so that this could be considered for future budget meetings?

**Response**

**Tilla Buden, Acting Director Community Services**

Officers can arrange to have a meeting with SEMVAC to discuss.

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

**Comment**

**Cr Angela Long, Mayor**

On Tuesday 23 March 2021, I attended the Lighthearted Community Event hosted online by the Lighthouse Foundation.

On Wednesday 24 March 2021, I attended the Wellsprings for Women Cultural Diversity Week Celebration. I used this event to regift \$300 worth of Dandenong Market vouchers which were originally won by the Dandenong Art Club in Council's International Women's Day lucky draw. A big thank you to the Dandenong Art Club members for donating these vouchers to Wellsprings. On the same day, I received a plaque to thank the Greater Dandenong City Council for supporting World Tuberculosis (TB) Day. We had our photo taken in front of the Drum Theatre which was lit up red to raise awareness for TB. Many people in this room probably would not know but there used to be TB caravans that used to go around to shopping centres for people to have a TB x-rays. I still remember those but a few in the room are probably too young to remember that.

On Thursday 25 March 2021, I attended the Sunrise at Springvale where we remembered staff members who have passed away over the last year. That night, I attended the Melbourne City's women's soccer game against Perth Glory. Melbourne City won this one, 2:1.

On Friday 26 March 2021, I attended the Smoking ceremony to cleanse and bless the Indigenous firepit site at the Springvale Community Hub. That afternoon, I attended the Saints All National Gala Event at Tattersson Park. That night, I attended the North Dandenong Senior Cricket Club's presentation night.

On Saturday 27 March 2021, I attended the opening of the Flora Exhibition at Heritage Hill where one of the artists Aloma Davis, gave a poetry exhibition on that day. That night I went to a Flag raising ceremony for the 50th Anniversary of the Bangladesh Independence Day in Harmony Square.

On Sunday 28 March 2021, I attended the Dandenong World Fare at Dandenong Market. That afternoon, I walked with our Back Your Neighbour banner in the Palm Sunday Walk for Justice for Refugees to raise awareness of the continuing injustice and cruelty experienced by refugees and people who are seeking asylum.

On Monday 29 March 2021, I attended the turning of the sod at the new gymnasium which is being built beside the Noble Park Aquatic Centre (NPAC), partly funded by the State Government.

On Wednesday 31 March 2021, I attended the Greater Dandenong Chamber of Commerce Business Workshop in conjunction with Chisholm 'Creating Positive Change.' At lunchtime, I attended the Italo/Spanish Club 36th birthday party. It is the first celebration they have had for a while and they were quite happy to have that celebration. That night I attended the citizenship ceremony where we welcomed 100 new citizens to our City.

On Friday 2 April 2021, I attended the soccer match between Dandenong City and Oakleigh Cannons. Oakleigh won, 2:1.

On Saturday 3 April 2021, I attended SEMVAC's office opening ceremony in Burden Park, Springvale. SEMVAC is the South Eastern Melbourne Vietnamese Association Council.

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

On Tuesday 6 April 2021, I attended the Community Safety Night session between Victoria Police, Councillors and Council staff.

On Thursday 8 April 2021, I attended the Noble Park Revitalisation Board meeting. That afternoon, I attended the Willow Lodge Village Resident Association Annual General Meeting.

On Friday 9 April 2021, I delivered \$100 worth of Dandenong Market vouchers to the Dandenong Agricultural and Pastoral Society who won third prize in our International Women's Day lucky draw.

On Saturday 10 April 2021, I attended the celebrations for the achievements of the African communities at the Community Ambassadors Graduation hosted by the African Women's and Family Network (AWAFN). Their main focus was on family violence.

On Sunday 11 April 2021, due to bad weather, we were forced to cancel the Big Picnic event which was supposed to be at Wachter Reserve yesterday. I would like to take this opportunity to thank the staff for their hard work and all the effort that went into organising this annual event. It was such a shame that we had to cancel and I can assure the Greater Dandenong community that this decision was not taken lightly and it was made to ensure public safety in extreme weather conditions.

**Question**

**Cr Angela Long, Mayor**

I would like to congratulate the Dandenong Panthers Women's First 11 Cricket Team who won their grand final against Box Hill. The captain was Nicole Falton and player of the match was Kim Garth. I would like to present the Dandenong Panthers Women's Cricket Club a congratulatory letter under seal.

***This question was noted for further action.***

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

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

**COUNCILLOR QUESTIONS TAKEN ON NOTICE/REQUIRING FURTHER ACTION**

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/02/21 CQT6	Cr Rhonda Garad	<p><b>Keysborough South Levy – Costs to be broken down to monthly – easier for residents to follow</b></p> <p>The Keysborough South Levy covers 20 percent of the open space minus five percent which is covered by general rates so effectively 15 percent of open space. The cost to maintain the open space which does not include mowing seems quite high. Can these costs be broken down in simple terms to perhaps monthly so that residents can see where this levy is being spent on?</p>	Director City Planning, Design and Amenity	9/04/21	<p><b>Initial response provided 22/02/21:</b></p> <p>This was a matter of much discussion at the time of campaigning during the recent Elections, much information was gathered. A lot of information was handed out or given to prospective candidates at that stage. Its information and its questions that in fact, go across three different directorates. I am going to take your question on notice so that I can pull together a comprehensive response that can then be put into the Council Minutes. It will be there for the public record. Your question might seem to be a simple one, but the answer is in fact, quite a detailed one. We will come back to Council with a response.</p> <p><b>Further response provided 9/03/21:</b></p> <p>The details for a comprehensive response are still being worked through and this is expected to be completed shortly.</p> <p>No further update as at 22/03/21.</p> <p><b>Further response provided 9/04/21:</b></p> <p>In my additional response below I set out the context of the Keysborough South Levy, as well as</p>

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>detail on the functions and activities to which it is applied as a consequence of the additional 15% open space in Keysborough South. I have also noted in the detail that mowing is indeed one of those functions and activities. As to the request in your question on the night "Can these costs be broken down in simple terms to perhaps monthly so that residents can see where this levy is being spent on?" these are not easily broken down to monthly costs as expenditure drawn against the Keysborough Maintenance Levy Fund cover a large number of both programmed and unprogrammed costs incurred across the year in the maintenance and improvement of the Keysborough South open space levy area.</p> <p><b>Context:</b></p> <ul style="list-style-type: none"> <li>The levy generally covers the residentially zoned area bounded by Springvale Rd, Dingley Arterial, Chandler Rd and Greens Rd.</li> <li>Traditional open space for residential estates is provided at 5%. Keysborough South was developed at 20%, i.e. 15% more open space and related amenity than in traditional housing estates. It was developed and marketed as an estate with more open space and higher quality open space than a traditional estate. Linear reserves, natural</li> </ul>

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>networks, pedestrian and cycle trails and a combination of a greater quantity and quality of open space was provided as part of the development.</p> <ul style="list-style-type: none"> <li>At the time of the original rezoning of the land the Minister for Planning appointed an Advisory Committee to consider and report to him on it. That report to the Minister shows that the Advisory Committee were satisfied with the 20% open space requirement and that for the ongoing maintenance above what council rates revenue would normally fund, would be funded by an extra levy on the new residential properties, and made recommendations in that regard.</li> <li>S173 Agreements were entered into as part of the rezoning of the land in 2006, which included the \$350 maintenance levy to be paid to Council for the additional maintenance costs above and beyond a traditional estate.</li> </ul> <p><b>Functions and activities funded from the levy:</b>                      The Levy is used for the maintenance of the additional 15% open space area, and for capital improvements not covered by the Council's capital works program, and is used, for amongst others the following general maintenance activities (which does include mowing).</p>

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ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<ul style="list-style-type: none"> <li>• Open space and sportsground mowing and renovation works</li> <li>• Turf management</li> <li>• Garden bed maintenance, renovation and infill planting</li> <li>• Playground inspections and maintenance</li> <li>• Maintenance of parks assets including seating, picnic settings and shelters.</li> <li>• Maintenance and repair of park and reserve fencing</li> <li>• Bushland maintenance and revegetation</li> <li>• Riparian maintenance of wetland areas</li> <li>• Gravel path maintenance and resurfacing</li> <li>• Tree planting in parks and reserves</li> <li>• Tree management and maintenance</li> <li>• Landscaping and planting</li> <li>• Horticultural requirements</li> </ul> <p><b>Financial implications:</b> The costs of maintenance in the Keysborough South open space area is 'over and above the council standard'. The levels and standards of maintenance undertaken for this area are higher than for the balance of the municipality and in real terms the levy does not cover the full costs of council's maintenance activities of the area</p>

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ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
9/03/21 CQT21	Cr Tim Dark	<p><b>Letters to Fire Brigade Members (TD to provide details)</b> I am aware that the local volunteer fire brigades in Keysborough, Springvale, Dandenong and Noble Park have had their brigade elections with quite a turnover of new captains taking on new positions and some leadership positions within the Country Fire Authority (CFA). Can the Mayor please write to the people who have been elected to the various roles within the brigades such as managers, captains and lieutenants? I will source out the information as it comes to hand and send it on. I do</p>	Mayor		<p>Overall expenditure in the Keysborough South open space area is in excess of \$2m per annum. For example, the 2021/22 budget (exp) from the Levy Fund is \$1,704,000. Income from levies for that period is \$1,620,000. Notwithstanding provisions within the s173 Agreement that the \$350/ annum levy could be indexed, it has remained at the original figure since inception in 2006. In real terms the levy has actually decreased in dollar terms. Over time the costs of delivering the required services have increased every year and the trend of 'under-recovery' will continue.</p> <p>I trust that the above has been of assistance in providing both context and detail on this complex matter.</p> <p>COMPLETED</p>
<p><b>Initial response provided 9/03/21:</b> If you can provide their names, I will prepare the letters for them.</p> <p><b>Further update provided 9/03/21:</b> Cr Dark to provide information required for the letters such as names, etc.</p> <p><b>Further update provided 12/04/21:</b> Still waiting for correct details such as the names and the positions in order to complete the letters.</p>					

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

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT1	Cr Tim Dark	<p>believe that Keysborough's elections are coming up but Noble Park and Springvale have got new captains and new executives.</p> <p><b>Letters to be sent to Cricket and Scout clubs</b></p> <p>It was a good day across all three clubs, to see such good games of cricket occurring. If the Mayor could write a letter to each of the cricket clubs to congratulate them for their wins.</p> <p>The second letter is to Ben Morscop on receiving his Queen's Scout Award at the 2<sup>nd</sup> Springvale Scouts Camp.</p> <p>The third letter is for one of the people who has been involved in the 2<sup>nd</sup> Springvale Scouts for over 40 years. Jenny Morgan who is the mother of Leanne Morgan and they are both heavily involved with the 2nd Springvale Scouts. She received an award for 40 years of service to Scouts while I was at the campsite. That is one of the rarest achievements in terms of Scouting hours. She is 74 years old and has been an active foster carer for over 30 years. Even at 74, she is still caring for five kids. She is definitely very active in the community and a stalwart. I think it would be worthwhile if we could please send her a letter congratulating her.</p> <p><b><i>This question was noted for further action.</i></b></p>	Mayor		<p>FURTHER ACTION REQUIRED</p> <p><b>Response provided 12/04/21:</b> Letters have been prepared and are in the process of getting signed by the Mayor.</p> <p>FURTHER ACTION REQUIRED</p>

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT2	Cr Tim Dark	<p><b>Issues with payment of Animal registration via BPAY</b></p> <p>I have received some correspondence from a resident in the City of Greater Dandenong regarding animal registrations and the failure of a BPAY transaction when it was paid. I believe the BPAY number and the post-paid number did not match on the pet registration letters. They subsequently received another letter which was dated 17 March 2021 which stated that there was an error within the print house and the previous ones were disregarded. I just want to confirm the following with regards to the costs:</p> <p>(1) If the reprint and the posting of those letters is at Council's expense. The letter does say that it was done by a printing house but I do not know whether that was internal or external.</p> <p>(2) Given this involved significant amounts of money being paid through the BPAY system, that we are not going to have any potential errors in the future where we will send out the next quarter rates notice with an incorrect number and we pay somebody else.</p>	Director City Planning, Design & Amenity	12/04/20	<p><b>Initial response provided 22/03/21:</b></p> <p>We will take that question on notice and between Mr Bosman and I, we will investigate. If it was a printing house error, generally the printing house would cover those costs, not Council, but I would need to confirm that with Cr Dark and we will do that in the coming days.</p> <p><b>Further response provided 12/04/21:</b></p> <p>(1) Council will not be paying for the second print run. The printer made a number of amendments to the version that was sent to them, without consulting with Council. This included using the animal ID which consisted of 5 digits and not the correct 6 digits; incorrect BPAY numbers, Post Bill Pay numbers, and finally reference to the City of Bendigo Council as a contact number to request email registrations instead of paper registration. The printers took full ownership of the errors and have advised that correction of the errors is at their expense.</p> <p>(2) Council has received all revenue from the payments and confirm they have placed in one Council account, and not external to Council. This is the benefit of using the BPAY and Post Bill Pay systems. The issue we do have, is having received hundreds of payments into one single account, where it is difficult to</p>

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

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT4	Cr Tim Dark	<p><b>Master Plan at Rowley Allan Reserve, Keysborough queries by Keysborough Cricket Club</b></p> <p>I got ambushed at the Keysborough Cricket Club, who were playing at Rowley Allan Reserve and they have also indicated the same thing. I know that there was a meeting last week with regards to the Rowley Allan Master Plan but the clubs are saying to me that they have not had a whole lot of correspondence between the two. They had some queries regarding the Master Plan drawings that they have received from Mr Cullen. There is a distinct L-shape outline where the Pavilion is. They were wondering whether that was part of the pavilion given the way that it has been designed or whether that was just put there as an inanimate object. They would also like some correspondence with regards to the Pavilion.</p>	Director City Planning, Design and Amenity	12/04/21	<p>identify which animal has been registered at which property. To rectify this problem, we are having to go through this process manually to cross-reference payments with the invoices we have posted.</p> <p style="text-align: center;"><b>COMPELTED</b></p> <p><b>Initial response provided 22/03/21:</b> This is a question that I will need to consult on with my colleague Mr Fidler. There has been correspondence between ourselves and the various clubs. It is ongoing work. It is work that is currently in-hand. I will take the question on notice and come back to you and all Councillors on exactly where we are at in regard to those discussions and the status of the Master Plan.</p> <p><b>Further response provided 12/04/21:</b> The draft concept plan outlines the footprint that needs to be accommodated for a future pavilion as part of the land-use planning exercise. Council officers advised the clubs and stakeholders during the online meeting and further email correspondence after the closure of the consultation period that the detailed design of the footprint for a sports pavilion is a future separate capital works project, of which the timing and funding are subject to Council's annual budget process. Further stakeholder engagement would occur when this project</p>

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

## ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT5	Cr Bob Milkovic	<p><b>Crickets nets at Lois Twohig Reserve, Dandenong North</b></p> <p>I would like an update regarding the safety cricket nets replacement at Lois Twohig Reserve, Dandenong North as requested by the Dandenong North Cricket Club? It is not the new part but the older part where the bushes have intertwined with the fence pulling down the fence. I think it is the section owned by Melbourne Water so we may need to ask for their permission. Is there any update on that please?</p>	Director Business, Engineering & Major Projects	7/04/21	<p>commences. An initial round of community consultation was held on the draft concept plan in 2020, which received 174 submissions. As a result of these submissions, Council officers have reviewed the concept plan and undertook further feasibility investigations to develop an updated draft concept plan. This concept plan will be subject to an upcoming four-week notification period during late April and May 2021. This notification period will include meetings with reserve user groups, among other promotional methods, at which time further discussions can be held regarding the pavilion and other features of the concept plan.</p>
<b>COMPLETED</b>					
<p><b>Initial response provided 22/03/21:</b></p> <p>I will take that question on notice.</p>					
<p><b>Further response provided 7/04/21:</b></p> <p>The design of a new fence has been submitted to South East Water who own and maintain the assets held within the Melbourne Water Easement upon which the fence is currently located. Due to the close proximity of underground drainage assets to the location of the footings that support the proposed fence structure, Council officers and its design engineers are continuing to work with South East Water to obtain approval to install the new fence. At</p>					

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## ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT6	Cr Bob Milkovic	<p><b>Relocation of disabled parking bay at shopping strip on Brady Road, Dandenong North</b></p> <p>A couple of residents in Dandenong North have asked if it is possible for the relevant officer to investigate moving at least one disabled parking bay to the front of the Brady Road shopping strip. They are currently located at the carpark across the street from the shops. I myself have witnessed one of the residents on a walker having quite a lot of trouble crossing the road and it does take a bit of time. If you are mobile then it does not make any difference but if you are not, the cars tend not to slow down to below 60km which is also an issue on Brady Road. Is it possible to move one disabled parking bay closer to the shops maybe in front of the pharmacy because that is obviously where these residents would quite often go?</p>	Director Business, Engineering & Major Projects	8/04/21	<p>COMPLETED</p> <p><b>Initial response provided 22/03/21:</b> Yes, that is certainly possible. I will have our Traffic Engineers investigate and see what can be done.</p> <p><b>Further response provided 8/04/21:</b> With regards to the potential to install an accessible parking space along the shop frontage of Brady Road, Dandenong North, this matter has been referred to the Parking Review Committee (PRC) for their consideration. If the suggestion is endorsed by the PRC, Council Officers will develop a proposal for the most suitable location for the accessible parking bay and consult with the local traders on the proposal. As per the usual process, changes will only be implemented if there is a clear majority support from the local traders. We will keep you informed of the outcomes from the next PRC meeting which is scheduled to occur next week.</p> <p>COMPLETED</p>
22/03/21 CQT7	Cr Bob Milkovic	<p><b>Pedestrian crossing and bollards at Ann Street &amp; Herbert Street, Dandenong</b></p>	Director Business, Engineering	8/04/21	<p><b>Initial response provided 22/03/21:</b> Yes, they will be put back in operation. There is currently an</p>

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>Repeatedly over many months, I drive past the pedestrian crossing at Ann Street and Herbert Street in Dandenong where Dandenong High School is located and I have noticed that those super expensive, super high-tech removable/moveable bollards are still in the ground. Will they be reinstalled because as far as I understand, that was the high-tech solution that was offered at the time? Currently, they are operating with a \$50 set of bollards and a piece of string strung through. Does anyone know if the high-tech bollards are going to be put back in operation or not?</p>	<p>&amp; Major Projects</p>		<p>investigation to improve the draining. The problem is getting good drainage to the base of those bollards to make them more reliable.</p> <p><b>Further response provided 8/04/21:</b>                      As you have correctly indicated, the automatic bollards have been problematic for a number of years now. This has largely been attributed to water infiltration into their operating mechanism, deep below the surface structure. Over time there have been a number of attempts made to rectify this fault, unfortunately with little success. In the interest of maintaining a reliable service and safety for the crossing of children and teaching staff moving across Herbert Street, a temporary traffic management solution was implemented. Our traffic engineers and operational staff will soon be implementing further improvements to the temporary arrangement by installing manual bollards. These improvements will be implemented as soon as we are able to source the required products and will maximise the safety for the children and teaching staff in the short- to medium-term. For the longer-term, our traffic engineers are currently exploring alternative options. Further information will be provided to Councillors once a short list of viable options has been developed and both the school and local</p>

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ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT8	Cr Richard Lim	<p><b>Footpath and potholes around Springvale Activity precinct</b> As a representative of the Springvale community, I inspect the Springvale Activity Centre regularly. My first question is about the footpaths and the driveways in the Springvale Activity Centre. There are many dangerous paths which could be tripping hazards and potholes in the Centre. I have seen an electrical or a telephone pit outside the multilevel carpark toilet which looks to have sunk. The alleyway leading to Multicultural Place has uneven cracks in the footpath as well as next to the Golden Plaza Shopping Centre, Maxim Restaurant and the No.1 St John Avenue private carpark. There are many cracks in the footpaths and holes in the driveways. Can the relevant department investigate these issues?</p> <p><b>Comment</b> <b>Cr Richard Lim</b> Even though it could be private land, Council officers could still arrange an inspection and advise the private business owners especially the Body Corporate on what to do otherwise, it would create more issues and problems for our City as well as leaving a bad image.</p>	Director Business, Engineering & Major Projects	7/04/21	<p>community will be involved in the process.</p> <p style="text-align: center;">COMPLETED</p> <p><b>Initial response provided 22/03/21:</b> It sounds like there is a mix of issues on private land as well as public land but we can certainly investigate the areas of public land that we are responsible for.</p> <p><b>Further response provided 7/04/21:</b> A Council officer has inspected the various locations noted throughout the Springvale Activity Centre and identified a number of footpath and road defects that exceed our intervention levels as defined in Council's Road Management Plan. A temporary asphalt repair has already been made at each of these locations to eliminate these hazards and a permanent repair programmed for completion early in the new financial year (with the exception of the pothole in the lane that will be done within 10 working days). A number of locations were also identified as being non-Council assets within the road reserve (Teistra and South East Water pits) that require some work and these have been reported to the appropriate service providers for their attention. There were also a number of locations where defects</p>

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT9	Cr Richard Lim	<b>Tree and garden maintenance along Buckingham Avenue, Springvale</b> The second issue relates to trees and garden maintenance. The trees across from the Street Hot Pot restaurant in	Director Business, Engineering & Major Projects	7/04/21	<p>were noted in Council assets (i.e. minor cracks in the footpath) but are still within intervention levels as defined in Council's Road Management Plan and do not present any hazard to our community. No immediate works are planned for these locations however, Council will continue to monitor these for any further deterioration in condition.</p> <p>In accordance with its Road Management Plan, Council is required to proactively inspect Special Risk Zones (which includes the Dandenong, Noble Park and Springvale CBD's) on an annual basis to identify any hazards in its road and road related infrastructure. For Springvale, these inspections were programmed for April and have just commenced. Any further hazards throughout the Springvale Activity Centre will be identified and addressed as part of this process. Unfortunately, these inspections do not extend to cover private land or assets which remain the responsibility of the relevant land/asset owner.</p> <p style="text-align: right;"><b>COMPLETED</b></p> <p><b>Initial response provided 22/03/21:</b> We will investigate those as well. We do conduct regular inspections of the trees and footpaths throughout the municipality and record them in a</p>

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## ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT10	Cr Richard Lim	<p>Springvale were removed without replacement and the stumps have not been removed properly. There are many dead and overgrown branches hanging off the trees along Buckingham Avenue and Balmoral Avenue. Can we maintain the trees in this area more actively?</p> <p><b>Litter around 1 St. John Avenue, Springvale</b> The third question is littering. No.1 St John Avenue Plaza has a lot of litter such as cardboard packaging foam which most likely come from the nearby business owners. How can we educate these business owners and reprimand them to keep our City clean and tidy? These factors all form a negative image of the Springvale Centre which is part of the City of Greater Dandenong. How can we work together to solve this issue?</p>	Director City Planning, Design and Amenity	12/04/21	<p>priority list.</p> <p><b>Further response provided 7/04/21:</b> The street trees within Balmoral and Buckingham Avenues have been inspected. Pruning works have been scheduled and are due to be completed within 20 working days. The stumps within the planting pits have been programmed for removal and will be completed by mid-April. Replacement of the street trees that were removed have also been listed for replacement during this year's planting season.</p> <p><b>COMPLETED</b></p> <p><b>Initial response provided 22/03/21:</b> We will engage using our Litter Prevention and Education officer in the area of education which is obviously our first port of call. I think that if we can have a rollout maybe together with the shop owners in the area and an education program, we might have a broader success in dealing with the litter issue rather than an enforcement issue to start off with. Leave it with me to look at it from an education point of view and I will liaise directly with you on the way that that might be best implemented.</p> <p><b>Further response provided 12/04/21:</b> This is an ongoing matter and we will be communicating directly with Cr</p>

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT12	Cr Jim Memeti	<p><b>Road disrepair at Kirkham &amp; Hammond Road, Dandenong</b> I was contacted by a resident regarding the intersection of Kirkham and Hammond Roads, Dandenong where the road is uneven and has potholes. I think we need to look at it urgently. I normally do not raise these issues but an intersection like Kirkham and Hammond Roads gets a lot of traffic and is quite a dangerous intersection so if Council officers can please look into that. It is off Hammond Road in Dandenong South.</p>	Director Business, Engineering & Major Projects	7/04/21	<p><b>Initial response provided 22/03/21:</b> I will have Traffic Officers investigate.</p> <p><b>Further response provided 7/04/21:</b> A Council officer inspected the intersection of Kirkham and Hammond roads, Dandenong, on 29 March 2021 and identified a service cut across the road made by a private developer tapping into a South East Water main on the other side of the road. In the interest of community safety and access, Council's officer immediately completed a temporary repair. The developer has been contacted and has confirmed that the permanent repair work is scheduled to be completed this week subject to favourable weather conditions.</p>
22/03/21 CQT13	Cr Jim Memeti	<p><b>Onsite meeting to discuss parking issues within Moomba Parade, Dandenong</b> My next question is regarding Moomba Parade in Dandenong. A fortnight ago, I asked Council officers to investigate and put in a 'No Standing' sign on one side. I received an email last week advising Council officers had investigated and advise that there is no need for any</p>	Director Business, Engineering & Major Projects	8/04/21	<p><b>Initial response provided 22/03/21:</b> We are happy to meet with Cr Memeti onsite.</p> <p><b>Further response provided 8/04/21:</b> I am aware that a meeting time has been arranged to discuss this matter on-site in greater detail. I am</p>

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT16	Cr Rhonda Garad	<p>action. Unfortunately, I do not accept that. The residents do not accept it so I am asking the relevant officer if we can have an onsite meeting with the residents on Sunday morning. It is quite dangerous. I am not sure whether Council officers went down there on a Sunday morning to have a look and investigate because it was not provided in the response but we need to have a meeting with myself, the relevant Council officers and residents if that is possible.</p> <p><b>Update on the Green Wedge "Recreational Trails Plan"</b> Can the Council provide an update on the Green Wedge - Recreational Trail plan?</p>	Director Business, Engineering & Major Projects	29/03/21	<p>confident the matters will be addressed appropriately during the meeting with Council Officers.</p> <p>COMPLETED</p>
<p><b>Initial response provided 22/03/21:</b> I will take that question on notice.</p> <p><b>Further response provided 29/03/21:</b> The Green Wedge Recreational Trails plan which was developed in 2019 through consultation with the Green Wedge Community is currently guiding decisions around infrastructure provision in the Green Wedge. Implementation of this plan was always anticipated to be something which would occur over an extended period and through a number of channels including advocacy for funding from external sources as well as through Councils CIP budgets. Key projects currently being driven through this plan include: Advocacy for State Government investment improvements to the surface (upgrade to sealed) of the Dandenong Creek Trail. We have a one-page advocacy document for</p>					

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## ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT20	Cr Lana Formoso	<p><b>Traffic issues on Browns Road, Noble Park North</b></p> <p>The other issue that I have received on multiple occasions from residents who live on Browns Road in Noble Park North relates to the amount of traffic that is going through Browns Road. Not only the heavy vehicles that are going through traffic, the speed and more importantly, there. It is just ridiculous. I visit quite often just to have a look at what is happening. The size of the semi-trailers are often too wide for the road and I understand that many of these trucks are using this as a detour because it is cost effective in relation to going all the way around. I do believe there was a system</p>	Director City Planning, Design and Amenity	12/04/21	<p>this which has been provided in response to a number of potential funding streams (attached)</p> <p>Consideration in Council's CIP budget for the Riverend Road shared path, which will be delivered alongside a road renewal project.</p> <p>Previous advocacy for trails in the area successfully saw the provision of an underpass under the Peninsula Freeway on the northern side of Patterson River. Other advocacy and CIP projects will be considered in following years and as opportunities arise. The Green Wedge Recreational Trails Plan is available on Councils website here: <a href="https://www.greaterdandenong.vic.gov.au/green-wedge-walking-cycling-and-equestrian-trails-plan">https://www.greaterdandenong.vic.gov.au/green-wedge-walking-cycling-and-equestrian-trails-plan</a></p>
<p>COMPLETED</p> <p><b>Initial response provided 22/03/21</b></p> <p>I think there are many officers that need to collaborate on this. I will take the lead on it and we will have a look at what has happened in the past and what options we might employ in the future in dealing with this issue. I will also consult directly with you in respect of the list of issues that you have with Browns Road and that will help inform us on the way forward.</p> <p><b>Further response provided 12/04/21:</b></p> <p>As I mentioned previously in the Council meeting, Browns Road is a road of two halves. At the southern</p>					

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

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>in place where we were fining such heavy vehicles but that seems to have died down a little bit. I was wondering what we could possibly do in terms of enforcing these rules because the residents are saying that often in the middle of the night, their houses are shaking from the heavy vehicles that are going through and the distress that it is causing for many residents. What can we possibly do in terms of fining or monitoring this space better?</p>			<p>end it is an industrial road, providing access to an industrial estate and direct access to the Princes Highway. Whilst at its northern end, it provides access to residential properties, a school and the Waverley Gardens Shopping Centre via Police Road. Its function within the broader road network is a collector road. That is, it collects traffic from the arterial roads and distributes it to the local network (and vice versa). Collector roads generally have higher traffic volumes, with Browns Road also having competing priorities between the industrial traffic and residential traffic.</p> <p>With regards to managing the competing priorities, a heavy vehicle (truck) curfew is in place within the residential section. The purpose of the curfew is to enhance residential amenity by restricting heavy vehicle access during the curfew period, which operates 8PM – 6AM. Unfortunately, as with any road rule, it relies on compliance by drivers and we acknowledge there are those who choose to ignore the curfew.</p> <p>In addition to the curfew, Council has previously installed several traffic calming devices throughout the residential section of the road to improve safety. These include roundabouts at specific intersections, a reduced speed limit</p>

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

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## ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
22/03/21 CQT22	Cr Sean O'Reilly	<b>Funding to assist local sporting clubs (netball) at Springvale Reserve</b> I visited the Springvale Districts Football and Netball Club at Springvale Reserve	Director Business, Engineering & Major	12/04/21	<p>(reduced from 60km/h to 50km/h), time based 40km/h limits past the school and road narrowing's via use of line markings and kerb outstands. These elements help to provide a visual distinction between the two 'sections' and encourage more appropriate driving behaviour through the residential area.</p> <p>To address concerns raised by local residents regarding this issue, Council Officers have liaised with VicRoads Traffic Safety Services on numerous occasions. The Traffic Safety Services (TSS) division is the appropriate authority to enforce the curfew as Council Officers have no jurisdiction. The TSS acknowledge the matter and have assisted with enforcement in the past and continue to do so. However, it is only one of many locations across Victoria's vast road network where TSS need to divide their attention, thus it may not be as regularly enforced as residents may prefer. Regardless, we will continue to liaise with TSS seeking assistance with undertaking increased enforcement of the curfew.</p> <p style="text-align: right;"><b>COMPLETED</b></p>
			Director Business, Engineering & Major	12/04/21	<p><b>Initial response provided 22/03/21:</b> Yes, I am quite happy to liaise with our Sports and Recreation Department. I know they have a</p>

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

ORDINARY COUNCIL MEETING - MINUTES

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		<p>on Saturday morning and they are also a great bunch of people. They are certainly kicking goals in more ways than one. They advised they have many netball players that currently have to train in Dingley because there is no suitable facility to do that in Greater Dandenong. When you look at parts of Springvale Reserve, there is space there that could accommodate a netball or mixed-use ball court. To the Acting Director of Engineering, could I have some assistance with working out some sort of plan to get a ball court on Springvale Reserve? I understand these things do not happen overnight and there are a number of steps and funding stages required however, I would appreciate the Acting Director arranging that assistance. I think the outcome we would have from it ties in with Council promoting increased female participation in sport, the effective use and activation of our existing sporting grounds and of course, making it easier for families with both boys and girls to both participate in sport without having to drive around to all different locations.</p>	<p>Projects</p>		<p>Sporting Facility Strategy and some of those questions maybe already answered in that but I will refer to them to provide some answers on that issue.</p> <p><b>Further response provided 12/04/21:</b>                      Council Officers are of the view that Springvale Recreation Reserve would need a concept plan developed to establish the feasibility of netball or other ball courts in the first instance. However, there is currently no money allocated to this, so funds would need to be allocated prior to work commencing on the concept plan (and staffing resources also to be available).</p> <p>COMPLETED</p>

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



## **7 URGENT BUSINESS**

No urgent business was considered.

The meeting closed at 9.38PM.

Confirmed: / /

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