

MINUTES

COUNCIL MEETING

MONDAY, 24 MAY 2021 Commencing at 7:00 PM

COUNCIL CHAMBERS225 Lonsdale Street, Dandenong VIC 3175

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1 MEETING OPENING

1.1 ATTENDANCE

Apologies

Nil.

Councillors Present

Cr Angela Long (Chairperson)

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

Officers Present

John Bennie PSM, Chief Executive Officer, Mick Jaensch, Director Corporate Services, Jody Bosman, Director City Planning, Design and Amenity, Martin Fidler, Director Community Services, 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 Owners and Elders of this nation and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

The Mayor, Cr Angela Long welcomed and acknowledged the Greater Dandenong Youth Leaders who were present in the Council Chamber.

1.3 OFFERING OF PRAYER

All present remained standing as Sr Wijeyavani (Vani) Wijeyakumar from the Brahma Kumaris World Spiritual University, a member of the Greater Dandenong Interfaith Network, read the opening prayer:

"Om Shanti is a greeting of peace. I will start this reflection with Om Shanti and end the reflection with Om Shanti. First breathe in peace, breathe out any tension and again. Now, relax the body, feet, shoulders, neck and your thinking and also your mind. Now awaken a memory of your deepest feeling of peace and calm. Remember, listen and allow calm feelings to flow into you and through you. Connect to this feeling of deep peace and calm. Absorb it filling yourself with these feelings. Gently return to your inner-most peaceful and calm place. Finally, feeling refreshed and empowered from the peaceful feeling of your calm centre. Let this feeling of calm and peace flow out into your life and into the atmosphere of the meeting you are sharing this evening. Om shanti."

1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Meeting of Council held 10 May 2021.

Recommendation

That the minutes of the Meeting of Council held 10 May 2021 be confirmed.

MINUTE 161

Moved by: Cr Tim Dark

Seconded by: Cr Rhonda Garad

That the minutes of the Meeting of Council held 10 May 2021 be confirmed.

CARRIED

1.5 DISCLOSURES OF INTEREST

Nil.

2 OFFICERS' REPORTS - PART ONE

2.1 DOCUMENTS FOR TABLING

2.1.1 Petitions and Joint Letters

File Id: qA228025

Responsible Officer: Director Corporate Services

Attachments: Petitions and Joint Letters

Report Summary

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

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

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

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

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

Petitions and Joint Letters Tabled

Council received no new petitions and no joint letters prior to the Council Meeting of 24 May 2021.

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

Recommendation

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

MINUTE 162

Moved by: Cr Richard Lim Seconded by: Cr Lana Formoso

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

CARRIED

DOCUMENTS FOR TABLING

PETITIONS AND JOINT LETTERS

ATTACHMENT 1

PETITIONS AND JOINT LETTERS

PAGES 5 (including cover)

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

Responsible Officer Response	
Status	
No. of Petitioner s	
Petition Text (Prayer)	THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK
Date Received	2/03/21

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

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Responsible Officer Response	
Status	
No. of Petitioner S	
Petition Text (Prayer)	THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK
Date Received	

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

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

2.2 STATUTORY PLANNING APPLICATIONS

2.2.1 Planning Decisions Issued by Planning Minister's Delegate - April 2021

File Id: qA280444

Responsible Officer: Director City Planning Design & Amenity

Report Summary

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

No decisions were reported for the month of April 2021.

Recommendation

That the report be noted.

MINUTE 163

Moved by: Cr Rhonda Garad Seconded by: Cr Sophie Tan

That the report be noted.

CARRIED

2.2.2 Planning Delegated Decisions Issued - April 2021

File Id: qA280

Responsible Officer: Director City Planning Design & Amenity

Attachments: Planning Delegated Decisions Issued - April 2021

Report Summary

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

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in April 2021.

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

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

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

Recommendation

That the items be received and noted.

MINUTE 164

Moved by: Cr Richard Lim

Seconded by: Cr Rhonda Garad

That the items be received and noted.

CARRIED

STATUTORY PLANNING APPLICATIONS

PLANNING DELEGATED DECISIONS ISSUED - APRIL 2021

ATTACHMENT 1

PLANNING DELEGATED DECISIONS ISSUED APRIL 2021

PAGES 7 (including cover)

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

	立	Planning		ions Issued from	Delegated Decisions Issued from 01/04/2021 to 30/04/2021	/04/2021	ö	ty of Gre	City of Greater Dandenong	denong
Application ID	Category	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Decision Date	Ward
PLA20/0280	PlnAppAmd	S 2	13 Conway Street DANDENONG VIC 3175	Plans in Motion	AMENDMENT TO: Planning Permit PLN060394.02 and associated endorsed plans to: To construct a Place of worship (Chappel) associated with the existing residential aged care facility.	Amend permit to allow for a replacement chapel	Delegate	AmendPerm	19/04/2021	Dandenong
PLA20/0309	PinAppAmd	Ŝ	Hungry Jacks 180 Kringsclere Avenue KEYSBOROUGH VIC 3173	Hungry Jack's Pty Ltd	Amendment to PLN16/0840, issued to construct alterations and additions to the existing convenience restaurant and display advertising signage (internally illuminated), to now include display of electronic signage and additional buildings and works	Amend Condition 12 to allow Delegate for new digital menu boards	Delegate	AmendPerm	29/04/2021	Keysborough
PLA21/0010	PlnAppAmd	o Z	91 Colemans Road DANDENONG SOUTH VIC 3175	Dale Grant Building Design & Documentation Pty Ltd	Dale Grant Building Design AMENDMENT TO: Buildings & Documentation Pty Ltd and Works (Warehouse) & Reduction in Car Parking Reduction in Car Parking Requirements (PLN200124)	Amend endorsed plans to increase building floor area from 4400sqm to 8685sqm	Delegate	AmendPerm	15/04/2021	Dandenong
PLA21/0018	PinAppAmd	<u>0</u>	8 Aegean Court KEYSBOROUGH VIC 3173	Southern Planning Consultants	Amendment to PLN20/0046 issued for the development of the land for one Building, to allow for additional buildings and works	Amend endorsed plans to increase size of showroom and mexamine, extend and mexamine, extend further along the south wall, roller doors location moved to north elevation, altered car parking, addition of third ext door and alteration of front fence door and alteration of front fence.	Delegate	AmendPerm	30/04/2021	Keysborough South
PLA21/0020	PinAppAmd	°2	1/77 Clow Street DANDENONG VIC 3175	Associated Town Planning Consultants	AMENDMENT TO: Subdivision of the land into two (2) lots (PLN19)0213)	Delete permit condition 4 in relation to open space contribution	Delegate	AmendPerm	29/04/2021	Cleeland
2				7					02/05/2004	

Application ID	Category	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Decision Date	Ward
PLA21/0021	PInAppAmd	S	33 Endeavour Court DANDENCING SOUTH VIC 3175	Goodman Property Services (Aust) Pry Ltd	AMENDMENT TO: Development of the land for a warehouse and industry and a reduction in the car parking requirements (PLN17/0366) (Previously 125 Glassoccks Road, Dandenorg South)	Amend permit preamble and Delegate endorsed plans	Delegate	AmendPerm	23/04/2021	Dandenong
PLA21/0027	PinAppAmd	°Z	1080 Heatherton Road NOBLE PARK VIC 3174	Abacus Design & Planning	AMENDMENT TO: Development of the land for five (5) double storey dwellings and to create or after access to a road in a Road Zone, Category 1. (PLN200101)	Amend endorsed plans to make alterations to townhouse 2, 3, 4 and 5	Delegate	AmendPerm	28/04/2021	Noble Park
PLN09/0344.02	PinAppAmd	Š	17 Windale Street DANDENONG VIC 3175	Khanna Investments & Hodings Pty Ltd	Amendment to issued for NU0900344 in issued for buildings and works (Industrial Buildings Exension), to allow additional buildings and works	Amend endorsed plans to allow hoist area, laneway parking, relocating crossover and redesigning landscaping	Delegate	AmendPerm	07/04/2021	Dandenong
PLN20/0250	PinApp	o Z	3 Princess Avenue SPRINGVALE VIC 3171	Tony Anh Tung Quach	Development of the land for eight (8) double storey dwellings	Residential Growth 1 Zone, 1348sqm	Delegate	QON	30/04/2021	Springvale Central
PLN20/0365	РіпАрр	o Z	16 Bess Court DANDENONG VIC 3175	Mir Abdoulfatah Qasemi	Development for the land for three (3) dwellings (two (2) double storey dwellings and one (1) single dwelling to the rear)	General Residential 1 Zone, 698sqm	Delegate	Refusal	01/04/2021	Cleeland
PLN20/0368	PinApp	o Z	21 Oswald Street DANDENONG VIC 3175	Leo Zhou	Development of the land for two (2) double storey dwellings	General Residential 1 Zone, 585sqm	Delegate	PlanPermit	30/04/2021	Cleeland
PLN20/0430	PinApp	o Z	1 Stanhope Street DANDENONG VIC 3175	Claudio Castro	Development of the land for a single-storey dwelling to the rear of an existing dwelling and alterations and additions to the existing dwelling	General Residential 1 Zone, 667sqm	Delegate	PlanPermit	09/04/2021	Dandenong
PLN20/0455	PinApp	° Z	63 Herbert Street DANDENONG VIC 3175	Ergon Design Studio	Development of the land for four (4) double storey dwellings	General Residential 1 Zone, 850sqm	Delegate	QON	26/04/2021	Cleeland
ADARK				2					03/05/2021	

Application ID	Category	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Decision Date	Ward
PLN20/0456	PlnApp	<u>8</u>	23 Whitworth Avenue SPRINGVALE VIC 3171	Abacus Design & Planning	Development of the land for three (3) double storey dwellings	General Residential 1 Zone, 696sqm	Delegate	OON	20/04/2021	Springvale Central
PLN20/0472	РіпАрр	Š	25 Sarona Street DANDENONG VIC 3175	Sky Architect Pty Ltd	Development of the land for one (1) single-storey dwelling to the rear of an existing single-storey dwelling and alterations and additions to the existing dwelling	General Residential 1 Zone, 727sqm	Delegate	PlanPermit	16/04/2021	Cleeland
PLN20/0478	PlnApp	Š	29 Ronald Street DANDENONG VIC 3175	Najeem Design Pty Ltd	Development of the land for three (3) double storey dwellings	No response received to further information request	Delegate	Lapsed	13/04/2021	Dandenong
PLN20/0517	PlnApp	o Z	13 May Court DANDENONG VIC 3175	Architectural Solutions	Development of the land for two (2) double storey dwellings	General Residential 1 Zone, 593sqm	Delegate	PlanPermit	27/04/2021	Cleeland
PLN20/0528	PlnApp	o Z	11 Jacksons Road NOBLE PARK NORTH VIC 3174	Pinnell Surveying	Subdivision of the land into two (2) lots SPEAR	Residential	Delegate	PlanPermit	23/04/2021	Noble Park North
PLN20/0543	PinApp	N N	36 Thomas Street NOBLE PARK VIC 3174	Planning & Design	Development of the land for one (1) double storey dwelling to the rear of an existing single storey dwelling	General Residential 1 Zone, 634sqm	Delegate	PlanPermit	27/04/2021	Noble Park
PLN20/0547	PlnApp	o Z	6 Gatcum Court NOBLE PARK VIC 3174	Nacha Moore Land Surveyors Pty Ltd	Subdivision of land into three (3) lots SPEAR	Residential	Delegate	PlanPermit	26/04/2021	Yarraman
PLN20/0559	PlnApp	o Z	29 Pickett Street DANDENONG VIC 3175	AMS Pty Ltd	Subdivision of land into three (3) lots SPEAR DECLARED AREA	Residential	Delegate	PlanPermit	29/04/2021	Dandenong
PLN20/0574	РілАрр	<u>0</u>	25 Nance Street NOBLE PARK VIC 3174	Time Architects Pty Ltd	Development of the land for one (1) double storey dwelling the side of an existing single storey dwelling and alterations and additions to the existing dwelling	Neighbourhood Residential 1 Delegate Zone, 550sqm	D elegate	PlanPermit	29/04/2021	Noble Park
ADARK				ю					03/05/2021	

Application ID	Category	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Decision Date	Ward
PLN20/0575	PlnApp	o Z	169-173 Princes Highway DANDENONG VIC 3175	MG Land Surveyors	Subdivision x 4 SPEAR	Commercial	Delegate	PlanPermit	30/04/2021	Yarraman
PLN20/0593	РІпАрр	S.	Factory 95 South Gippsland Highway DANDENONG SOUTH VIC 3175	Cadence Property Group Pty Ltd	Development of the land for warehouses, reduction in car parking requirement, removal of native vegetation and alteration of access from a Road Zone Category 1	Commercial 2 Zone, Urban Floodway Zone, 40380sqm, development of six warehouses	Delegate	PlanPermit	20/04/2021	Dandenong
PLN21/0031	РІпАрр	o Z	42 Healey Road DANDENONG SOUTH VIC 3175	Nexus Adhesives Superannuation Holdings Pty Ltd	Buildings and Works (Mezzanine) and reduction in car parking requirements	Industrial 1 Zone, 84sqm, mezzanine and reduction in car parking requirements	Delegate	PlanPermit	30/04/2021	Dandenong
PLN21/0032	РІпАрр	Š	890-892 Princes Highway SPRINGVALE VIC 3171	Rooftop Architecture & Design	To display business identification signage and internally illuminated business identification signage	General Residential 1 Zone, Mixed Use Zone, business identification signage	Delegate	PlanPermit	28/04/2021	Springvale North
PLN21/0037	PlnApp	o Z	5 Trevethic Road SPRINGVALE VIC 3171	Arie Cafe and Associates	Subdivision of the land into five (5) lots SPEAR	Residential	Delegate	PlanPermit	29/04/2021	Springvale North
PLN21/0048	PlnApp	o Z	14 Adriatic Way KEYSBOROUGH VIC 3173	Vincent Johnson	Use of the land for car sales	Industrial 1 Zone, motor vehicle sales	Delegate	PlanPermit	29/04/2021	Keysborough South
PLN21/0058	PlnApp	o Z	30 Burrows Avenue DANDENONG VIC 3175	Nobelius Land Surveyors Pty Ltd	Subdivision of the land into four (4) lots SPEAR	Residential	Delegate	PlanPermit	22/04/2021	Cleeland
PLN21/0059	PlnApp	o Z	53 Cleeland Street DANDENONG VIC 3175	AMS Pty Ltd	Subdivision of the land into five (5) lots SPEAR	Residential	Delegate	PlanPermit	13/04/2021	Cleeland
PLN21/0068	PlnAppVic	Yes	1612-1624 Centre Road SPRINGVALE VIC 3171	Reve Design	Construction of a mezzanine VICSMART	Industrial 1 Zone, 70sqm	Delegate	PlanPermit	20/04/2021	Springvale North
PLN21/0073	PinApp	S N	42 Joffre Street NOBLE PARK VIC 3174	Beyenech Geleta Kasasa	Development of the land for one (1) single storey dwelling to the rear of an existing single storey dwelling	General Residential 1 Zone, 724sqm	Delegate	NOD	30/04/2021	Yarraman

Application ID	Category	VicSmart	Property Address	Applicant	Description	Notes	Authority	Decision	Decision Date	Ward
PLN21/0077	PinAppVic	Yes	13 Gove Street SPRINGVALE VIC 3171	Sut Chuen Kwok	Subdivision of the land into two (2) lots SPEAR (VICSMART)	Residential	Delegate	PlanPermit	13/04/2021	Springvale North
PLN21/0091	PlnApp	°Z	220 Chapel Road KEYSBOROUGH VIC 3173	220 Chapel Rd Keysborough Pty Ltd	Subdivision of the land into 123 lots SPEAR	Commercial	Delegate	PlanPermit	23/04/2021	Keysborough South
PLN21/0093	РІпАрр	Š	44 Healey Road DANDENONG SOUTH VIC 3175	Creative Living Innovations Pty Ltd	To vary item (h) of restrictive covenant J049338 on Lot 107 or 109 or 10	Industrial 1 Zone	Delegate	PlanPermit	28/04/2021	Dandenong
PLN21/0098	PinAppVic	Yes	306-318 Abbotts Road DANDENONG SOUTH VIC 3175	151 Property	Construction of an additional hardstand area VICSMART	Commercial 2 Zone, 1440sqm	Delegate	PlanPermit	21/04/2021	Dandenong
PLN21/0100	PinApp	°Z	897 Heatherton Road SPRINGVALE VIC 3171	Nilsson Noel & Holmes (Surveyors) Pty Ltd	Subdivision of the land into six (6) lots SPEAR	Residential	Delegate	PlanPermit	21/04/2021	Springvale Central
PLN21/0102	PinApp	o Z	141 Corrigan Road NOBLE PARK VIC 3174	Nilsson Noel & Holmes (Surveyors) Pty Ltd	Subdivision of the land into three (3) lots SPEAR	Residential	Delegate	PlanPermit	06/04/2021	Noble Park
PLN21/0114	PinApp	°Z	2 Eden Court NOBLE PARK Calvin Raven Pty Ltd VIC 3174	Calvin Raven Pty Ltd	Subdivision of the land into five (5) lots SPEAR	Residential	Delegate	PlanPermit	29/04/2021	Yarraman
PLN21/0116	PinAppVic	Yes	27 Bass Court KEYSBOROUGH VIC 3173	Stephen D'Andrea Pty Ltd	Development of the land for a warehouse VICSMART	Industrial 1 Zone, 849sqm, construction of a warehouse with ancillary office	Delegate	PlanPermit	20/04/2021	Keysborough South
PLN21/0118	PinApp	ON.	27 Hammond Road DANDENONG VIC 3175	Sylvester Kroyherr	Change of Use (Car Sales) DECLARED AREA	Comprehensive Development 2 Zone, car sales yard with portable sales office	Delegate	PlanPermit	27/04/2021	Dandenong
PLN21/0123	PinApp	Š	16 Atlantic Drive KEYSBOROUGH VIC 3173	Dandenong Investments One Pty Ltd	Subdivision x 4 SPEAR	Industrial	Delegate	PlanPermit	30/04/2021	Keysborough South
\d\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\				ų					1000/30/60	

PLNZ1/0126 PInApp No 9 Tudor Crescent NOBLE PLNZ1/0142 PInApp No 114 Hama Street NOBLE PLNZ1/0144 PInApp No 2/188-168 Browns Road NOBLE PLNZ1/0157 PInAppVic Yes 69-73 Smeaton Avenue DANDENONG SOUTH VIC 3174 PLNZ1/0175 PInAppVic Yes 59 Naxos Way KEYSBOROUGH VIC 3174 PLNZ1/0179 PINAppVic Yes 59 Naxos Way KEYSBOROUGH VIC 3174 PLNZ1/0186 PInAppVic Yes 59 Naxos Way KEYSBOROUGH VIC 3175 PLNZ1/0188 PINAppVic Yes 3 Maurice Street VIC 3175 PLNZ1/0188 PINAppVic Yes 2 -14 Lefcon Drive BANGHOLME VIC 3175	VicSmart Property Address	Applicant	Description	Notes	Authority	Decision	Decision Date	Ward
PinApp Vic Yes	No 9 Tudor Crescent NOBLE PARK NORTH VIC 3174	Nobelius Land Surveyors Pty Ltd	Subdivision of the land into two (2) lots SPEAR	Residential	Delegate	PlanPermit	29/04/2021	Noble Park North
PinAppVic Yes PinAppVic Yes PinAppVic Yes PinAppVic Yes PinAppVic Yes		Melboume Estates Consortium No 1 Pty Ltd	Subdivision of the land into two (2) lot SPEAR	Multi Zones	Delegate	PlanPermit	22/04/2021	Noble Park
PinAppVic Yes PinAppVic Yes PinAppVic Yes PinAppVic Yes		Rhino Signmakers	The display of business identification signage	Commercial 2 Zone, business identification	Delegate	PlanPermit	28/04/2021	Noble Park North
PinAppVic Yes PinAppVic Yes PinAppVic Yes PinAppVic Yes		VSDO Pty Ltd	Construction of a mezzanine floor and a reduction to the car parking requirement VICSMART	Industrial 1 Zone, 231sqm, construction of a mezzanine in existing office/factory, reduce car parking requirement by 3	Delegate	PlanPermit	23/04/2021	Dandenong
PinAppVic Yes 59 Naxos Way KEYSBOROUGH VI 3173 PinAppVic Yes 42 Gunther Avenue SPRINGVALE VIC DANDENONG VIC BANGHOLME VIC BANGHOLME VIC	Yes 138 Chandler Road NOBLE PARK VIC 3174	Vasilios William Natsioulas	Subdivision of the land into two (2) lots SPEAR (VICSMART)	Residential	Delegate	PlanPermit	14/04/2021	Noble Park
PinAppVic Yes 42 Gunther Avenue SPRINGVALE VIC PinAppVic Yes 3 Maurice Street DANDENONG VIC BANGHOLME VIC BANGHOLME VIC BANGHOLME VIC PINAppVic Yes BANGHOLME VIC PINAppVic Yes BANGHOLME VIC PINAppVic Yes BANGHOLME VIC PINAppVic Yes AVENUE A		Stephen DÁndrea P/L	Development of the land for a warehouse and to reduce the car parking requirements (VICSMART)	Industrial 1 Zone, 1126sqm	Delegate	PlanPermit	28/04/2021	Keysborough South
PInAppVic Yes 3 Maurice Street DANDENONG VIC PINAppVic Yes 2-14 Letcon Drive BANGHOLME VIC 51		Hanna Tong & Wayne Williams	Subdivision x 2 SPEAR (VICSMART)	Residential	Delegate	PlanPermit	29/04/2021	Springvale Central
PinAppVic Yes 2.14 Letcon Drive BANGHOLME VIC 51		Emma and Medina Draganovic	Subdivision of the land into two (2) lots (VICSMART) SPEAR	Residential	Delegate	PlanPermit	23/04/2021	Yarraman
25		Stephen D'Andrea	Development of the land for a roller shutter door to the existing building VICSMART	Industrial 3 Zone, 33sqm, installation of a roller shutter door	Delegate	PlanPermit	23/04/2021	Keysborough South
		ć					1000	

File Id: 352375

Responsible Officer: Director City Planning Design & Amenity

Attachments: Submitted plans

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

Application Summary

Applicant: Durable Design

Proposal: The development of the land for three (3) new double storey

dwellings

Zone: General Residential Zone 1 (GRZ1)

Overlay: No overlays apply

Ward: Yarraman

This application is brought before the Council because it has received two (2) objections, including one (1) petition with fourteen (14) signatories.

The application proposes the development of the land for three (3) new double storey dwellings. A permit is required pursuant to Clause 32.08-6 of the Greater Dandenong Planning Scheme to construct two or more dwellings on a lot in a General Residential Zone.

Objectors Summary

The application was advertised to the surrounding area through the erection of a notice on-site and the mailing of notices to adjoining and surrounding owners and occupiers. Two (2) objections were received to the application, one of which included a petition with fourteen (14) signatories. Issues raised generally relate to matters of overdevelopment, vehicle access/crossovers, traffic/parking issues, neighbourhood character, loss of amenity, precedent, double storey nature of the development, noise, integration with the street, solar access, ESD/Sustainability matters, overshadowing, and building over an easement.

Recommendation Summary

As assessed, officers consider this proposal to be highly compliant with all of the relevant provisions of the Greater Dandenong Planning Scheme. All grounds of objection have been considered, and officers are of the view that on balance the proposal's degree of compliance with the Planning Scheme justifies that the application should be supported and that a **Notice of Decision** (which provides appeal rights to objectors) to grant a permit be issued containing the conditions as set out in the recommendation. If the application was to be appealed to VCAT, it is the officer's view that it is highly likely that VCAT would also issue a planning permit for this proposal.

Subject Site and Surrounds

Subject Site

The subject site is located on the eastern side of Langold Court, Noble Park. It has a western frontage to Langold Court of 18.29m, a southern side boundary of 41.47m, an eastern rear boundary of 19.18m and a northern side boundary of 35.69m, giving the site an area of $706m^2$. The site is oriented east-west, is irregular in shape and is sloped downwards approximately 1.2m from west to east and downwards approximately 0.2m from north to south. A 1.83m wide drainage easement is present along the eastern rear boundary of the site.

The subject site is currently occupied by an existing single storey brick dwelling. The site is currently accessed via a crossover on the northern side of the western frontage to Langold Court. There is no significant vegetation on the subject site.

Surrounding Area

The subject site is located in a broader residential area of Noble Park which is bounded to the north by Heatherton Road, to the east by Eastlink, to the south by the Dandenong Railway Line and to the west by Chandler Road. Buildings generally consist of single and double storey dwellings, including single dwellings on lots and multi unit developments. The area is currently experiencing incremental change, with multi unit developments replacing single dwellings on a lot.

The subject site is located approximately 1,400m to the east of the Noble Park Major Activity Centre. Public transport is available close by with the 811 bus route running along Heatherton Road approximately 70m to the north and bus route 800 running along Princes Highway approximately 100m to the north-east. Public open space is available at Oakwood Park approximately 190m to the north and Edith McPherson Reserve approximately 270m to the south-west. The closest school is Yarraman Oaks Primary School approximately 220m to the south.

Locality Plan



p Subject Site Melways Map 89K2 North é Background

Previous Applications

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

Proposal

The application proposes the development of the land for three (3) new double storey dwellings as follows:

	THE PROPOSAL
	Details
Type of proposal	Multi dwellings
Number of dwellings	Three (3)
Levels	Double storey
Height	8.11 metres
Orientated to	Dwelling 1 – Langold Court
	Dwellings 2 and 3 – Shared driveway

External materials	Brick at ground floor level and rendered cladding at first floor level.
Set backs	Dwelling 1 – 7.5m front (western) setback, 4m side (northern) setback and built to side (southern) setback
	Dwelling 2 – 4m side (northern) setback and 3.5m side (southern) setback
	Dwelling 3 – Built to side (northern) boundary, 2.46m rear (eastern) setback and built to side (southern) boundary.
Open space type	Dwelling 1 – 77.3m² front yard and 44.9m² backyard
	Dwelling 2 – 50m² backyard
	Dwelling 3 – 70.3m² backyard
Number of Car parking Spaces provided	5
Number of Car parking Spaces required	5
Type of car parking	Dwelling 1 – Single garage with tandem car space in front
	Dwelling 2 – Single garage
	Dwelling 3 – Single carport with tandem car space in front
Access	Access located to the north and west of the development
	Connects to Langold Court
	Minimum width is 3 metres for each accessway
Front Fence	No front fence is proposed
Garden Area:	
Provided	262.2 square metres or 37.14%
Required	247.1 square metres or 35%

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.

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

Financial Implications

No financial resources are impacted by this report.

Planning Scheme and Policy Frameworks

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

 Under Clause 32.08-6 – To construct two or more dwellings on a lot in a General Residential Zone.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in a General Residential Zone Schedule 1, as is the surrounding area to the north, west and south. Eastlink to the east is in a Road Zone Category 1.

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

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

Pursuant to Clause 32.08-6, a permit is required to construct two or more dwellings on a lot in a General Residential Zone. It is noted that in the schedule to the zone, different requirements are set out as following:

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

- A balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
- Standard B32 (Front Fence Height) Maximum 1.5 metre height in streets in Road Zone Category 1; 1.2 metre maximum height for other streets.

Overlay Controls

No overlays affect the subject site.

Planning Policy Framework

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

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

State Planning Policy Framework

Clause 11 Settlement

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

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

Clause 14.02-1S (Catchment planning and management) seeks the protection and restoration of catchments, water bodies, groundwater, and the marine environment. Strategies include retaining natural drainage corridors with vegetated buffer zones at least 30-metre-wide along each side of a waterway to:

- Manage the natural drainage function, stream habitat and wildlife corridors and landscape values,
- Minimise erosion of stream banks and verges, and
- Reduce polluted surface runoff from adjacent land uses.

Clause 15 Built Environment and Heritage

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

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

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

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

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

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

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

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

Clause 16 Housing

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

These objectives are reinforced by a number of sub-clauses, including **Clause 16.01-1S** (**Housing Supply**), which seeks to facilitate well-located, integrated and diverse housing that meets community needs, and **Clause 16.01-2S** (**Housing affordability**) which seeks to deliver more affordable housing closer to jobs, transport and services.

Clause 16.01-1R (Housing supply – Metropolitan Melbourne), includes several strategies to manage the supply of new housing including increased housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs, public transport; as well as a strategy that allows for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.

Clause 18 Transport

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

Local Planning Policy Framework

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

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

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

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

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

Clause 21.04-1 Housing and community

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

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

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

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

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

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

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

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

Clause 22.09-3.3 (Incremental Change Areas) provides design principles, some of which also relate to the variances to the requirements of standards to Clause 55 under the schedule to the General Residential Zone. The guidelines consider matters such as housing form; height; landscaping; setbacks, front boundary and width; private open space, and bulk:

An assessment against Clause 22.09 is included as Attachment 3 to this report.

Particular Provisions

Car Parking (Clause 52.06)

The purposes of this provision, Clause 52.06, are:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

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

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

The table at Clause 52.06-5 notes that a dwelling with 1 or 2 bedrooms requires 1 car space and a dwelling with 3 or more bedrooms requires 2 spaces to each dwelling. 1 visitor car space is required for visitors to every 5 dwellings for developments of 5 or more dwellings.

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

An assessment against Clause 52.06 is included as Attachment 4 to this report.

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

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

• To construct two or more dwellings on a lot.

The purposes of this clause are:

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

A development:

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

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

An assessment against Clause 55 is included as Attachment 5 to this report.

General Provisions

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

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

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

Diversity (Access & Equity)

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

Community Safety

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

Safe Design Guidelines

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

Referrals

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

External Referrals	
Department of Transport/Connect East	No objection, subject to conditions on permit
APA Group	No objection, no conditions
Fire Rescue Victoria	No objection, no conditions

<u>Internal</u>

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

Internal Referrals		
Transport Planning	No objection, subject to condition on permit	
Civil Development	No objection, subject to conditions and notes on permit	
Asset Planning	No objection, subject to notes on permit	
ESD/Sustainability	No objection, subject to conditions on permit	

Advertising

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

- Sending notices to the owners and occupiers of adjoining and surrounding land.
- Placing a sign on site facing Langold Court to the west.

The notification has been carried out correctly.

Council has received two (2) objections to the application, one of which includes a petition with fourteen (14) signatories.

The location of the objectors is shown in Attachment 2.

Consultation

A consultative meeting was not held for this application due to the Covid-19 pandemic.

Summary of Grounds of Submissions/Objections

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

Overdevelopment

The objectors are concerned that the proposed development of the site for three (3) double storey dwellings would be an overdevelopment of the site.

The subject site has an area of 706m² and with three (3) dwellings proposed, this gives a density of one dwelling per 235m², which is consistent with the preferred future character for this area. In addition, the site provides adequate private open space for each dwelling, as well as adequate separation between each dwelling. As such, this proposal is not considered to be an overdevelopment of the site.

Vehicle access/crossovers

The objectors are concerned that the provision of two crossovers for the proposed development would be contrary to an objective of Clause 22.09-2 of the Greater Dandenong Planning Scheme which seeks to minimise the visual dominance of vehicle accessways.

Clause 22.09-3.1 of the Greater Dandenong Planning Scheme contains a design principle with respect to car parking which states that: "The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres". The subject site has a frontage to Langold Court of 18.29m and sufficient space (more than 4.9m) is provided to accommodate an on-street car space in between the two crossovers.

Traffic/Parking issues

The objectors are concerned that insufficient car parking would be provided for the proposed development and that this would have a detrimental impact on Langold Court.

The car parking requirement for dwellings is contained in Clause 52.06 of the Greater Dandenong Planning Scheme and states that a dwelling requires 1 car space to each 1 or 2 bedroom dwelling, plus 2 car spaces to each 3 or more bedroom dwelling, plus 1 car space for visitors to every 5 dwellings for developments of 5 or more dwellings.

Dwelling 1 would be a 3 bedroom dwelling and would be provided with 2 car spaces comprising a single garage with a tandem car space in front.

Dwelling 2 would be a 2 bedroom dwelling and would be provided with 1 car space comprising a single garage.

Dwelling 3 would be a 4 bedroom dwelling and would be provided with 2 car spaces comprising a single garage with a tandem car space in front.

As the development is for only 3 dwellings an on-site visitor car space is not required.

It is also noted that the car parking meets the design standards with regards to dimensions and turning circles. Therefore the proposed car parking provision complies with the requirement of Clause 52.06.

Neighbourhood Character

The objectors are concerned that the proposed development would be inconsistent with the identified future character outlined in Clause 22.09-3.3 of the Greater Dandenong Planning Scheme which states that incremental change areas "will evolve over time to contain a greater proportion of well designed and site responsive medium density infill development that respects the existing neighbourhood character".

Whilst it is acknowledged that the existing character of Langold Court is typified by single dwellings on lots, and are generally single storey, Langold Court is nominated as an area of incremental change within Clause 22.09. Incremental change areas anticipate a greater level of density than is currently the case. Medium density infill development is anticipated and would comprise of single and double storey dwellings with two or three dwellings per lot depending on size and layout.

The proposed development of the subject site for three (3) double storey dwellings would be consistent with the preferred future character of the area, as an area of incremental change.

Loss of amenity

The objectors are concerned that the existing amenity of a quiet neighbourhood would be compromised by the proposed development both in a physical sense and also by the ensuing enhanced vehicle movement activity.

As noted earlier, the subject site and Langold Court is designated for incremental change which anticipates medium density development such as that proposed under this application.

The amenity of Langold Court would be more likely to be affected by the proximity of the street to both Eastlink and Heatherton Road, particularly given the elevated nature of Heatherton Road to the north as it rises to pass over Eastlink.

It is not anticipated that the proposed development would result in a significant loss of amenity to the existing residents of Langold Court.

Precedent

The objectors are concerned that the proposed development would set a precedent for other sites in Langold Court to be developed in a similar format and that this would result in the court ceasing to be an incremental change area and becoming a substantial change area.

Whilst the proposed development would be the first multi unit development in the street if approved, it would not result in the court ceasing to be an incremental change area and becoming a substantial change area. Apartment buildings and fully attached townhouses are the sort of the development typology envisaged for substantial change areas, and this is not what is proposed under the current application, nor is it what is sought for Langold Court as an incremental change area.

Double storey nature of the development

The objectors are concerned about the double storey nature of the proposed development being inconsistent with the existing single storey character of Langold Court.

The subject site is zoned General Residential 1 Zone under the Greater Dandenong Planning Scheme, and pursuant to Clause 32.08-10, if no maximum building height or maximum number of storeys is specified in a schedule to this zone (which it is not) then the building height must not exceed 11 metres and the building must contain no more than 3 storeys at any point.

The maximum height of the proposed development is 8.11 metres and it would be double storey, both of which are less than the maximum height permitted under the zone.

Clause 22.09 also contains a design principle relating to 'Building Height' which states that the preferred maximum building height for land within the GRZ1 is up to 2 storeys, including ground level. The proposed development would comply with this.

Noise

The objectors are concerned that noise from additional residents and vehicles associated with the proposed development will disturb the peace and quiet that the court currently enjoys.

It is not anticipated that the proposed development would result in an increase in noise levels which would be inconsistent with the residential nature of the court.

Integration with the Street

The objectors are concerned that no front fence is proposed for the development and that this is inconsistent with most of the properties on Langold Court.

There is no requirement under the Greater Dandenong Planning Scheme for a multi unit development to have a front fence. It is entirely to the applicant's discretion if they choose to provide one or not. Clause 22.09 also contains a design principle relating to 'Setbacks, front boundary and width' which seeks to provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.

Solar access

The objectors are concerned that private open spaces are not located on the northern side of the proposed dwellings.

Whilst Dwelling 2's private open space would be located to the south of the dwelling with a southern aspect, it would still meet the solar access standard, Standard B29 of Clause 55.05-5.

Dwelling 1 and 3's private open space areas would include private open space to the east of the dwellings with a northern aspect.

ESD/Sustainability matters

The objectors are concerned that the BESS Environmental score is not adequate and makes false claims to walkability score, with some areas of the report incomplete and the score of 54% is a poor rating for a new build and the result must be questioned.

The application was reviewed by Council's ESD/Sustainability Unit who advised that under BESS the development achieves an overall score of 56% and that this falls within the best practice range of 50 to 69%.

Council's ESD/Sustainability Unit did not raise any concerns with the walkability of the proposed development and it is noted that there is a primary school and parks within walking distance of the subject site.

Overshadowing

The objectors are concerned that overshadowing from the proposed development will affect other properties.

With respect to overshadowing, the following is noted. The site to the north at 3 Langold Court would have no overshadowing from the proposed development.

The site to the south at 7 Langold Court would have some overshadowing from the proposed development at 9.00am,12.00pm and 3.00pm, however, the overshadowing complies with the standard in Clause 55.04-5 and is not considered to be unreasonable. Overall, 75% of the secluded private open space areas of the adjoining properties would receive at least 5 hours of sunlight between 9am and 3pm on September 22.

Build over easement

The objectors are concerned about a path, storage shed and rainwater tank proposed within the easement.

It is considered that none of these would prevent access to the easement if required. Dwelling 3 and its carport/garage are not proposed to be built over the easement.

Assessment

The subject site is located within an established residential area and is well suited for the development of medium density housing given that the site is located within easy walking distance of many community facilities and public transport. The proposal also seeks to reduce pressure on the urban fringe by providing three (3) dwellings where previously one (1) existed through the redevelopment of the site, thereby ensuring that the housing required for the growing population is facilitated.

As required by the relevant provisions of the Planning Scheme, the proposed development has been assessed against the following:

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

The proposal complies with all requirements of these clauses as outlined below.

Use

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

Development

Planning Policy Framework / Local Planning Policy Framework

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

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

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

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

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

The proposal is of a high quality urban design, with physical recession, articulation, varied use of materials, textures and other visual interest.

The overall layout allows space for acceptable landscaping treatments such as a canopy tree and shrubbery plantings within well-proportioned setback areas to allow growth to maturity.

The proposal is also located within an area subject to incremental change with other multi-unit developments of a similar scale and massing being found within the surrounding residential area. The proposal's compliance with Clause 22.09 and Clause 55 ensures that the development would achieve the objectives set out in Clause 15.01 and Clause 21.05-1.

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

Clause 22.09 Assessment

An assessment against the design principles of Clause 22.09 is included at Attachment 3 of this report.

The proposed development would respect the scale of existing prevailing built form character and would respond to site circumstances and streetscape, by providing three (3) new dwellings, with double storey dwellings 1 and 2 in the front and centre of the site.

Dwelling 3 to the rear would also be a double storey dwelling which is considered appropriate in this instance for the following reasons:

- It only has two residential interfaces and would be setback 3.75m from the northern boundary and 3.6m from the southern boundary;
- The length of the building at upper level would face east towards Eastlink;
- Windows facing north and south have been appropriately screened;
- The upper level would not adversely affect the planting and future growth of canopy trees to maturity;
- Sufficient side and rear boundary landscaping can be provided to screen adjoining properties;
 and
- It would be well recessed from adjoining sensitive interfaces, particularly for the property to the north at 3 Langold Court which has a garage in between its backyard and the subject site.

Overall, this proposal provides a design response which is consistent with the preferred character envisaged by Clause 22.09, and is considered to comply with all of the requirements of this clause.

Clause 55 Assessment

The proposal has been assessed against all of the Objectives and Standards of this Clause and is considered to comply with all of the requirements of this Clause, subject to conditions. It is noted in particular that the proposal complies with the setback, private open space, overshadowing and overlooking requirements of Clause 55.

Car Parking

The proposal provides five (5) on site car parking spaces, and as such complies with the requirements of Clause 52.06 with respect to the number of car parking spaces required (Clause 52.06-5) and design standard of car parking (Clause 52.06-9).

Environmentally Sustainable Development

BESS Information Summary Dwelling Type: Non-residential		Project Overall Score: 56%			
		Fail	Best Practice	Design Excellence	
		(<49%)	(50-69%)	(>70%)	
BESS Category	Score	Initiatives			
Management					
	17%	Preliminary energy rating assessment NatHERS undertaken.			

Water		
	50%	Rainwater tank capacity of 3,000L per dwelling connected to landscape irrigation, toilet flushing and laundry
		High WELS star rated water fittings, fixtures and appliances
		Potable water consumption reduced by 42% compared to same building following minimum standard
		Water smart landscape design
Energy		
	50%	High efficiency reverse cycle air conditioning specified with 5 star energy rating
		High efficiency gas instantaneous (5 star) hot water system specified
		Average NatHERS rating of 6.5 stars; Estimated greenhouse gas emissions reduced by 60% compared to same building following minimum standards
Stormwater		
	100%	Stormwater design meets industry best practice requirements through incorporation of rainwater collection and re-use.
Indoor Environment Quality		
	80%	Design achieves natural cross-flow ventilation. Double glazing specified to all main windows.
Waste		
	50%	Dwellings include space for food and garden waste disposal and on-site compost bins (to be revised).
Urban Ecology	_	
	62%	37% of the site that is permeable, providing scope for existing or future vegetation.
		Balcony/courtyard design encourages gardening.

Proposed changes required by Conditions

Condition 1.1 was required by Council's Transport Planning Unit to ensure that letterboxes within corner splays comply with Design Standard 1 of Clause 52.06 (Car Parking).

Condition 1.2 was required by Council's ESD/Sustainability Unit to ensure that the plans are consistent with the Sustainable Design Assessment.

Condition 1.3 and 1.4 are required to ensure compliance with Design Standard 2 of Clause 52.06.

Condition 1.5 is required to ensure compliance with Standard B22 (Overlooking) of Clause 55 (ResCode).

Condition 1.6 is required to ensure compliance with the 'Bulk and Built Form' Design Principle of Clause 22.09-3.3 (Design Principles for Incremental Change Areas – General Residential Zone).

Condition 1.7 is required to ensure compliance with Standard B24 (Noise Impacts) of Clause 55.

Condition 1.8 is required to ensure compliance with Department of Transport/Connect East Condition 14.2.

Condition 1.9 is required to ensure compliance with Condition 2 with respect to the landscape plan.

Conclusion

The proposal is consistent with the provisions of the Greater Dandenong Planning Scheme, including the zoning requirements, local policy direction, application of Clauses 22.09, 52.06 and 55, and the decision guidelines of Clause 65.

Recommendation

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 5 Langold Court, Noble Park for the 'Development of the land for three (3) new double storey dwellings' in accordance with the plans submitted with the application subject to the following conditions:

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and 3 copies must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - 1.1. Letterboxes and all other structures (including visually obstructive fencing and landscaping) to be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points in accordance with Clause 52.06-9 of the Greater Dandenong Planning Scheme.

- 1.2. Specification of rainwater tanks to also nominate Laundry (washing machine) as a connection point as per the inputs using Insite Water in the Sustainable Design Assessment (SDA).
- 1.3. The tandem car spaces for Dwellings 1 and 3 to have dimensions of 4.9m long by 2.6m wide shown.
- 1.4. At least 0.5m between the tandem car spaces of Dwellings 1 and 3 and their respective garages.
- 1.5. Screening or obscure glazing to the first floor north facing habitable room windows of Dwelling 2 to limit overlooking in accordance with Standard B22 in Clause 55.04-6 of the Greater Dandenong Planning Scheme. The obscure glazing for Dwelling 2's north-facing habitable room windows to be fixed below 1.7m above finished floor level.
- 1.6. At least 1m separation to be provided between Dwellings 2 and 3 at first floor level by rearrangement of Dwelling 2's first floor master bedroom, walk-in-robe and deletion of one ensuite. Setbacks from north and south boundaries must remain unchanged.
- 1.7. The east-facing windows of Dwelling 3 at both levels to be provided with acoustic glazing.
- 1.8. The rear boundary fence to accord with Condition 14.2 of this permit.
- 1.9. A revised landscape plan in accordance with Condition 2.

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

- 2. Prior to the endorsement of the plans under Condition 1, before the approved development starts, and before any trees or vegetation are removed, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions provided. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:
 - 2.1. plans to accord with Condition 1 of this permit;

- 2.2. the site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;
- 2.3. details of the proposed layout, type and height of fencing;
- 2.4. legend of all plant types, surfaces, materials and landscape items to be used;
- 2.5. a plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities; and
- 2.6. at least one (1) advanced canopy tree with a minimum planting height of 1.5 metres within the rear secluded open space areas of each dwelling and within the front yard of Dwelling 1.

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

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

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

- 3. Prior to the endorsement of the plans under Conditions 1 and 2, the applicant is to submit a revised Sustainable Design Assessment (SDA) to the satisfaction of the responsible authority. The revised SDA must be in accordance with the design initiatives and commitments included in the SDA (prepared by Passive Energy, dated 10 Nov 2020) but modified to include:
 - 3.1. Revised BESS assessment that removes Waste Credit 1.1.

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

The endorsed SDA and supporting documentation must not be altered without the prior written consent of the Responsible Authority.

4. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.

- 5. Except with the prior written consent of the Responsible Authority, the approved dwellings must not be occupied until all buildings and works and the conditions of this permit have been complied with.
- 6. Provision must be made for the drainage for proposed development including landscaped and paved areas, all to the satisfaction of the Responsible Authority.
- 7. The connection of the internal drainage infrastructure to the Legal Point of Discharge (LPD) must be to the satisfaction of the Responsible Authority. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the LPD approval letter. Approval of drainage plan including any retention system within the property boundary is required. Prior to the drainage plans being approved, a drainage approval fee will need to be paid to Council.
- 8. Before the approved dwellings occupied, all piping and ducting above the ground floor storey of the dwellings, except downpipes, must be concealed to the satisfaction of the Responsible Authority.
- 9. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority. Note any redundant vehicle crossing will need to be removed and reinstated with kerb in accordance with Council Standards. Also, the developer will need to obtain a Vehicle Crossing Permit from Council.
- 10. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.
- 11. Before the approved dwellings are occupied, the development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.
- 12. Before the approved dwellings are occupied, the obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass. Adhesive film or similar removable material must not be used.
 - All glazing must at all times be maintained to the satisfaction of the Responsible Authority.
- 13. Before the approved dwellings are occupied, all boundary walls in the development must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.

- 14. Department of Transport/Connect East Conditions.
 - 14.1. All surface water and piped stormwater from the subject land must enter an existing Council or Drainage Authority waterway or piped asset prior to entering the EastLink freeway reserve.
 - 14.2. The fence on the boundary with the EastLink freeway reserve must be of a closed material (having a minimum surface density of 5kg/m²), with no openings. The fence must be built to a minimum height of 1.8m.
 - 14.3. The building setback from the boundary with the EastLink freeway reserve must be a minimum of 2 metres.
 - 14.4. The construction method on the subject land must be such that no access is required from the EastLink freeway reserve.
 - 14.5. Any filling or retaining walls (including footings) must be located entirely within the subject land.
- 15. This permit will expire if:
 - 15.1. The development or any stage of it does not start within two (2) years of the date of this permit, or
 - 15.2. The development or any stage of it is not completed within four (4) years of the date of this permit.

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

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

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

Permit notes:

1. No building structure of the proposed Unit 3 is acceptable within the existing easement.

- 2. Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.
- 3. Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.
- 4. The property is subject to uncontrolled overland flow through the property.
- 5. The flood dispensation is to be obtained prior to issue of Building Permit.
- 6. The property has probability of flooding from Melbourne Water's drainage system. Melbourne Water's referral is required under Building Regulation 806.
- 7. A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.
- 8. Approval of any retention system within the property boundary is required by the relevant building surveyor.
- 9. Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.
- 10. As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise on site verification should be undertaken by the applicant.
- 11. A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings. You may be required to apply for a Asset Protection Permit from Council's engineering services. Queries regarding engineering requirements can be directed to Council's general phone number on 8571 1000.
- 12. No buildings or works shall be constructed over any easement without the written consent of the relevant authorities. This permit has been granted on the basis that consent to build over any easement will be obtained from the relevant authority. If consent is not able to be obtained, the development plan will be required to be amended.

13. An application must be made with Council's Parks Department for any street tree removal. Street trees must only be removed by or under the supervision of the Council. Prior to removal of any street tree the replacement cost must be paid to Council. must only be removed by or under the supervision of the Council. Prior to removal of any street tree the replacement cost must be paid to Council.

MINUTE 165

Moved by: Cr Tim Dark

Seconded by: Cr Bob Milkovic

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

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Permit notes:

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- 3. Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.
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- 11. A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings. You may be required to apply for a Asset Protection Permit from Council's engineering services. Queries regarding engineering requirements can be directed to Council's general phone number on 8571 1000.
- 12. No buildings or works shall be constructed over any easement without the written consent of the relevant authorities. This permit has been granted on the basis that consent to build over any easement will be obtained from the relevant authority. If consent is not able to be obtained, the development plan will be required to be amended.
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CARRIED

STATUTORY PLANNING APPLICATIONS

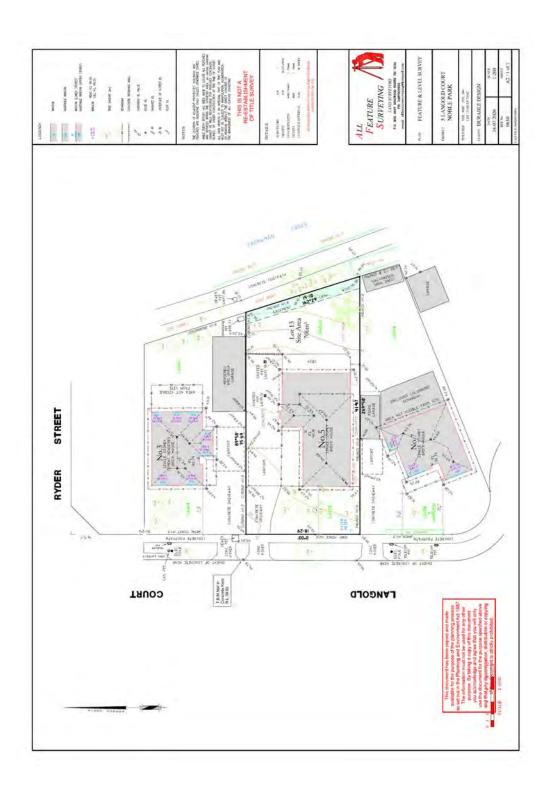
TOWN PLANNING APPLICATION – NO. 5 LANGOLD COURT, NOBLE PARK (PLANNING APPLICATION NO. PLN20/0374)

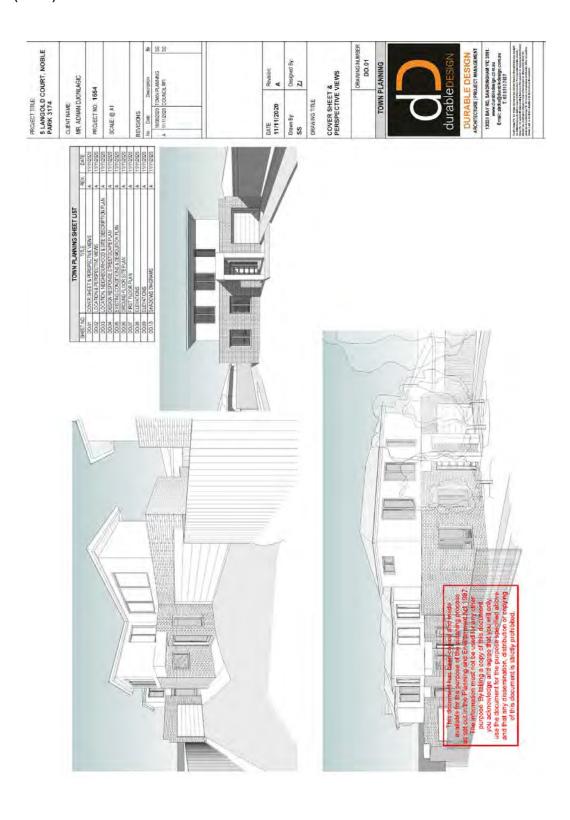
ATTACHMENT 1

SUBMITTED PLANS

PAGES 13 (including cover)

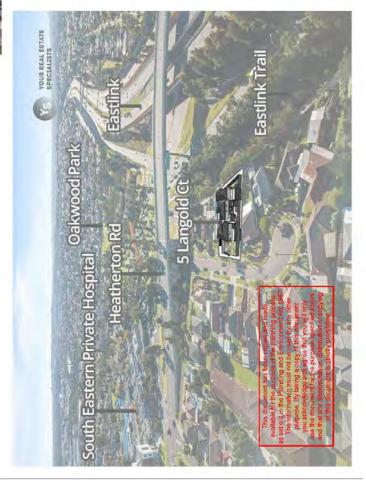
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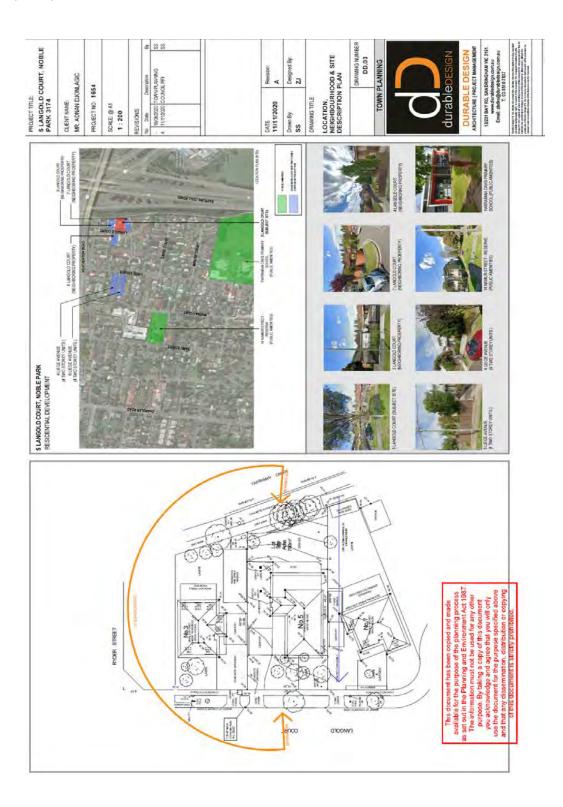




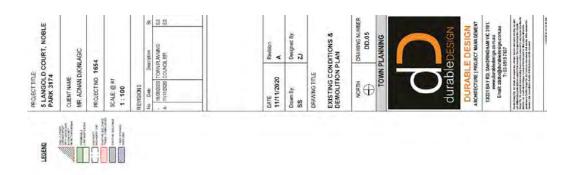


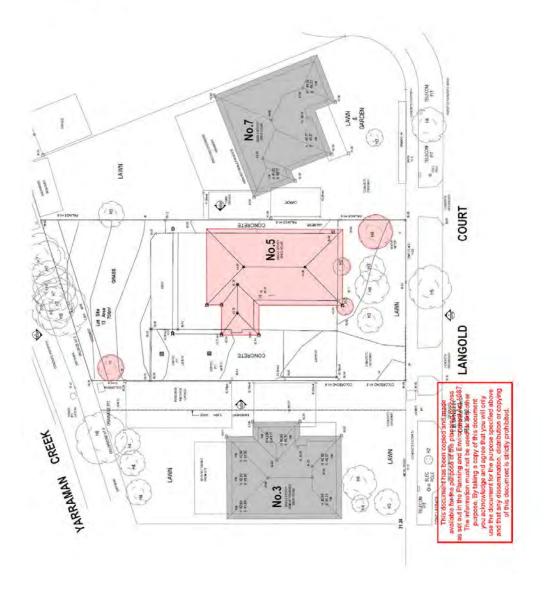


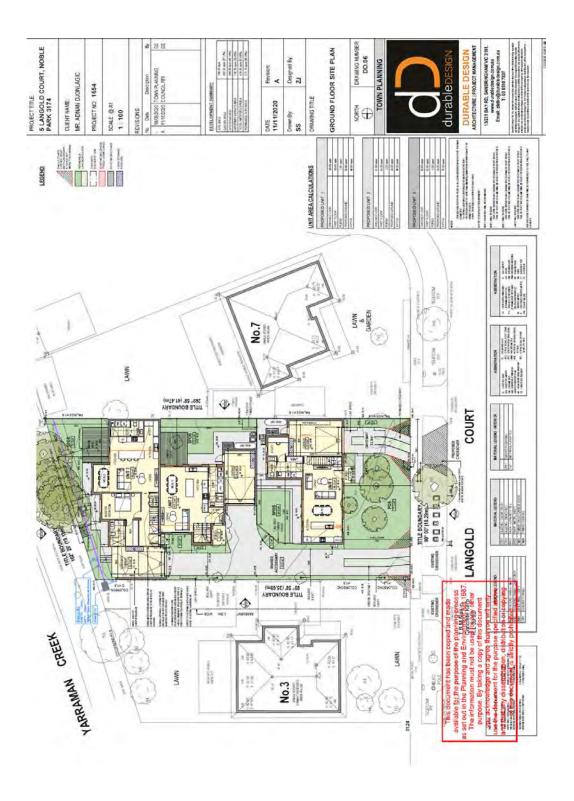


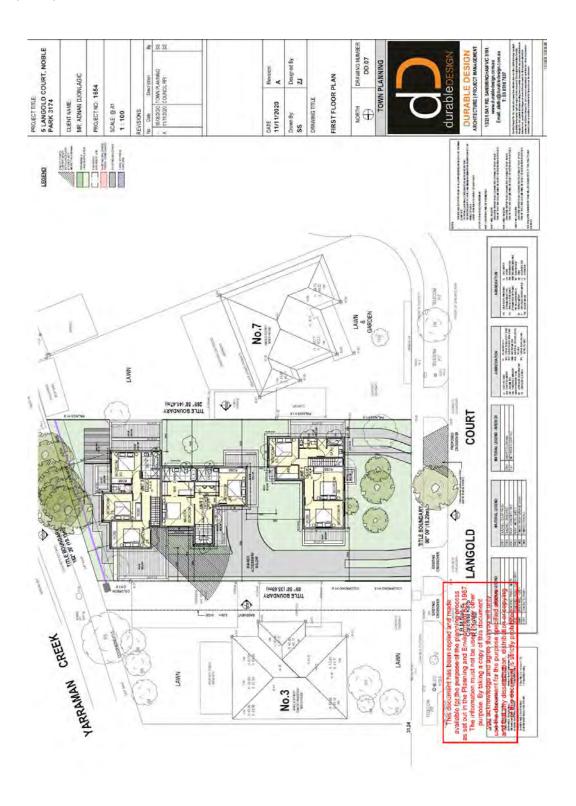


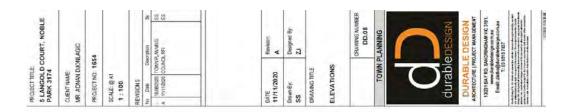


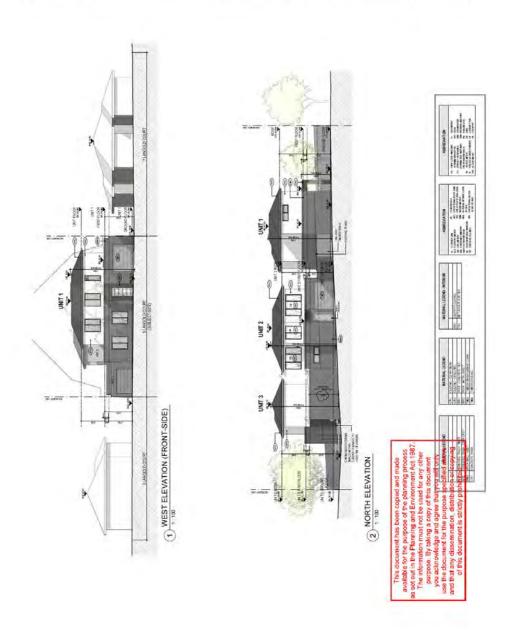


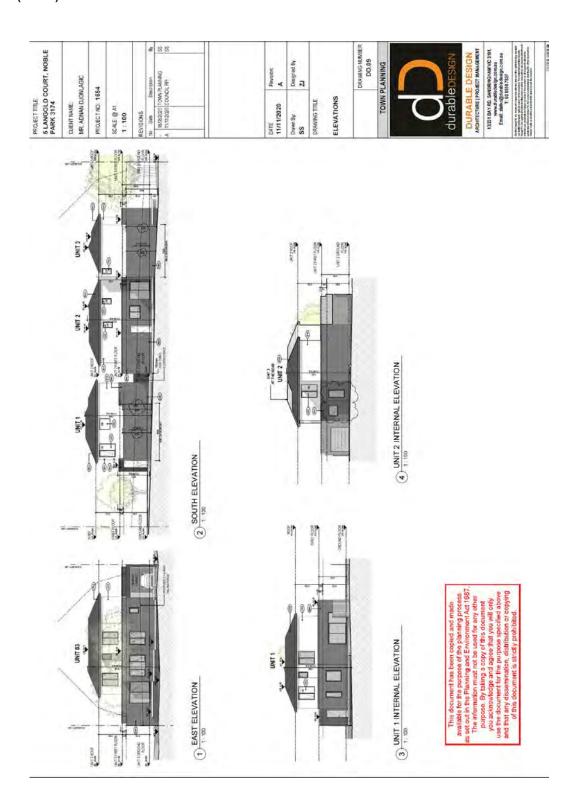


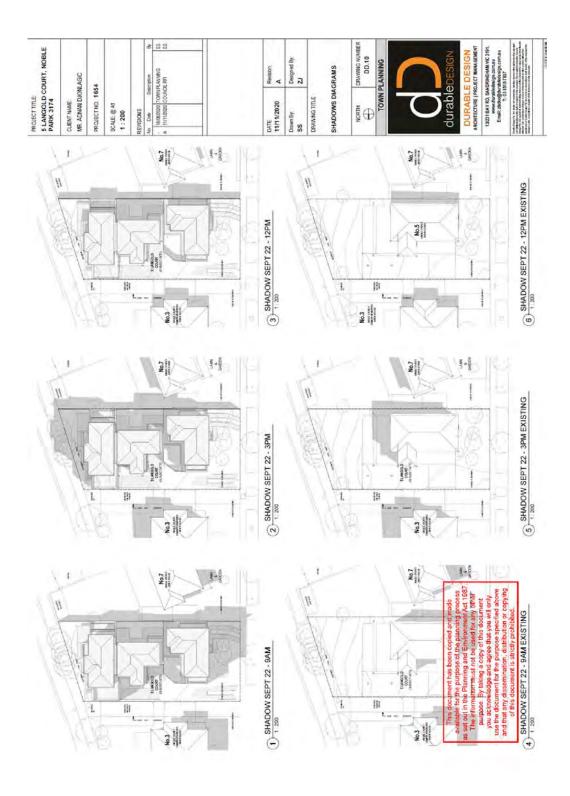


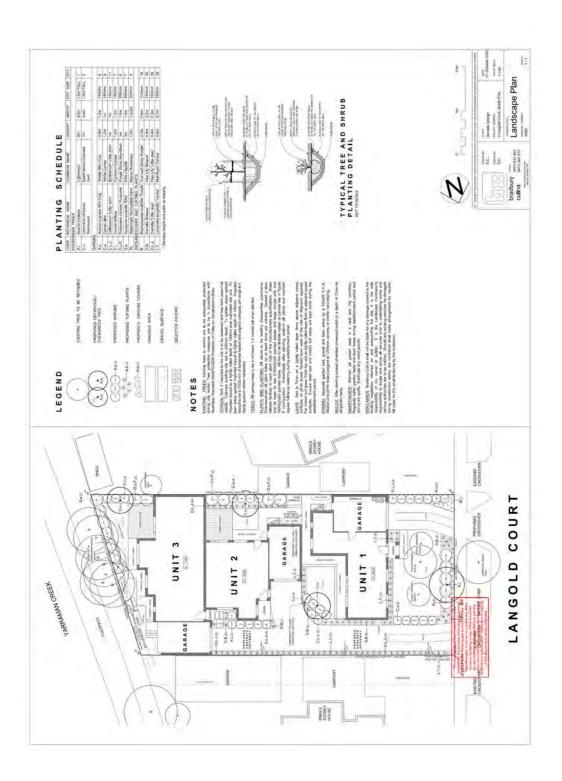












STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 5 LANGOLD COURT, NOBLE PARK (PLANNING APPLICATION NO. PLN20/0374)

ATTACHMENT 2

LOCATION OF OBJECTORS

PAGES 2 (including cover)

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



- ☐ Subject Site Location of Objectors Melways Map 89K2 ♠N
- Location of Petitioners

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 5 LANGOLD COURT, NOBLE PARK (PLANNING APPLICATION NO. PLN20/0374)

ATTACHMENT 3

CLAUSE 22.09 ASSESSMENT

PAGES 12 (including cover)

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

Assessment Table for Clause 22

frontages including ground floor habitable room windows and glazed entry doors (in the case of Dwellings 2 and 3). have been located away from entrances and Each dwelling's main entrance would be visible and easily identifiable from the street and the common accessway. internal accessways and car parking areas The proposed development maximises the number of habitable room windows which Non-habitable rooms such as bathrooms Each dwelling would incorporate active would overlook the public realm, street, Bollard lighting is proposed along the Principle met/Principle not met/NA No front fence is proposed. common accessway. Principle met / Principle met / Principle met Principle met / Principle met Principle met street frontage. Maximise the number of habitable room windows on all levels of residential buildings that overlook the public realm, streets, laneways, internal access ways and car parking areas. Light communal spaces including main entrances and car parking areas with high mounted sensor-lights. To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that: Locate non-habitable rooms such as bathrooms, away from entrances and street frontage Clause 22.09-3.1 Design Principles for all residential developments Ensure that all main entrances are visible and easily identifiable from the street Incorporate active frontages including ground floor habitable room windows. Use semi-transparent fences to the street frontage. Residential development should: Principles Fitle /Objective Landscaping Safety

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

Drovide substantial high	Drovide substantial high quality on-site landscaning including screen planting and canony trees along	V Principle met
ground level front and side and rear boundaries.	quanty or one tanged and the same of the s	The proposed development to the proposed to th
		rne proposed development would be capable of providing substantial, high quality
		on-site landscaping, including screen planting and canopy trees along the ground
		level western frontage boundary, northern and southern side boundary and the eastern
		rear setback.
Provide substantial, high c	Provide substantial, high quality landscaping along vehicular accessways.	✓ Principle met
		The proposed development would be capable of providing substantial, high quality landscaping along the vehicular accessways.
	ne planting of at least one substantial canopy tree to each front setback and ground level	✓ Principle met
secluded private open space area.	ace area.	The proposed development would be able to
		substantial canopy tree to the front setback of Dwelling 1 and to each ground level secluded private open space area.
Planting trees that are com	trees that are common to and perform well in the area.	✓ Principle met
		The proposed development would be capable of planting trees that are common to and perform well in the area.
Avoid the removal of existi	Avoid the removal of existing mature trees by incorporating their retention into the site design.	✓ Principle met
		The proposed development would avoid the removal of existing mature trees wherever possible.
Use landscaping to soften	Use landscaping to soften the appearance of the built form when viewed from the street and to respect	✓ Principle met
the amenity of adjoining properties.	oroperties.	The proposed development would be capable of using landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.
Ensure that landscaping a	nat landscaping also addresses the Safety Design Principles.	✓ Principle met
		The proposed development would be capable of providing landscaping that addresses the Safety Design Principles.

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

	Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.	v Frinciple met The proposed development would be capable of providing canopy trees planted in well proportioned setbacks/pivate open space that would be sufficient to accommodate their future growth to maturity.
		 Principle met The proposed development would be capable of providing landscaping which would minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces. Principle met
Car parking	through the provision of rainwater tanks. The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.	The proposed development would be capable of providing landscaping which would be sustainable, drought tolerant and include indigenous species. It would be supported through the provision of a rainwater tank for each dwelling. ✓ Principle met
	 On-site car parking should be: Well integrated into the design of the building, Generally hidden from view or appropriately screened where necessary, Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. 	
	 Where car parking is located within the front setback it should be: Fully located within the site boundary; and Capable of fully accommodating a vehicle between a garage or carport and the site boundary. 	V Principle met Dwelling 1's tandem car space is proposed within the front setback. It would be fully located within the site boundary and capable of full accommodating a vehicle between the garage and the site frontage boundary.
	Developments with basement car parking should consider flooding concerns where applicable.	Parinciple met Basement car parking is not proposed.
	If the details of the attachment are unclear please contact Governance on 8571 5309.	09.

SetDacks, II Ulit	Residential developments should:	
boundary and width	Provide a front setback with fence design and height in keeping with the predominant street pattern.	✓ Principle met
		The proposed development would provide a front setback which would be in keeping with the predominant street pattern.
	Maintain the apparent frontage width pattern.	✓ Principle met
		The apparent frontage width pattern would be maintained.
	Provide appropriate side setbacks between buildings to enable screen planting where required, and at	✓ Principle met
	least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity.	Appropriate side setbacks would be provided between buildings to enable screen planting and a generous side setback would be provided along the southern boundary to enable the planting and future growth of trees to maturity.
	Provide open or low scale front fences to allow a visual connection between landscaping in front	✓ Principle met
	gardens and street tree planting.	No front fence is proposed.
Private open	All residential developments should provide good quality, useable private open space for each dwelling	✓ Principle met
space	directly accessible from the main living area.	Each dwelling would provide good quality, useable private open space for each dwelling which would be directly accessible from the main living areas.
	Ground level private open space areas should be able to accommodate boundary landscaping, domestic	✓ Principle met
	services and outdoor furniture so as to maximise the useability of the space.	Ground level private open space areas would be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.
	Private open space should be positioned to maximise solar access.	✓ Principle met
		Private open space would be positioned to maximise solar access wherever possible.
	Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to	✓ Principle met
	ensure the solar access, useability and amenity of the space is not adversely affected.	The upper levels of each dwelling would avoid encroaching over their respective secluded private open space areas.

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

	Upper level dwellings should avoid encroaching the secluded private open space of a separate lower	✓ Principle met
	level dwelling so as to ensure good solar access and amenity for the lower level dwelling.	There are no upper level dwellings proposed
		above a separate lower level dwelling.
Bulk & Built Form	All residential developments should respect the dominant façade pattern of the streetscape by:	✓ Principle met
	 Using similarly proportioned roof forms , windows, doors and verandahs; and Maintaining the proportion of wall space to windows and door openings. 	The design of the proposed dwellings would respect the dominant façade pattern of the streetscape by using similarly proportioned roof forms, windows, doors and front porch and maintaining a similar proportion of wall space to windows and door openings.
	Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.	✓ Principle met
		No balconies are proposed.
	The development of new dwellings to the rear of existing retained dwellings is discouraged where:	✓ Principle met
	 The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or 	The existing dwelling would not be retained as part of this application.
	 The retention of the existing dwelling detracts from the identified future character. 	
	On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage	✓ Principle met
	by: Not exceeding the height of the neighbouring significant building;	The site is not adjacent to any identified heritage buildings.
	 Minimising the visibility of higher sections of the new building; and 	
	 Setting higher sections back at least the depth of one room from the frontage. 	
Site Design	Residential development should:	
	Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy,	✓ Principle met
	solar access and outlook of adjoining properties.	The proposed development would preserve the amenity of adjoining dwellings through a responsive site design that considers the privacy, solar access and outlook of adjoining properties.
	Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive	✓ Principle met
		The proposed development would maximise thermal performance and energy efficiency of the built form by addressing orientation and passive design.

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

	Ensure that building height, massing articulation responds sensitively to existing residential interfaces,	✓ Principle met
	site circumstances, setbacks and streetscape and reduces the need for screening.	Carried Control of Con
		the proposed development would ensure that building height, massing and articulation
		responds sensitively to existing residential
		interfaces, site circumstances, setbacks and
		streetscape and reduces the need for screening.
	Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees	✓ Principle met
	and to accommodate the future growth of new trees.	The proposed development would provide sufficient setbacks to accommodate the future growth of new trees.
	Provide suitable storage provisions for the management of operational waste	✓ Principle met
		The locations for bins are shown for each dwelling.
	Appropriately located suitable facilities to encourage public transport use, cycling and walking.	✓ Principle met
		Bus route 811 runs along Heatherton Road
		70m to the north of the subject site and bus route 800 runs along Princes Highway 100m
		to the north-east of the subject site. Residents would be able to walk and cycle to and from the subject site.
Materials &	Residential development should:	
Finishes	Use quality, durable building materials and finishes that are designed for residential purposes.	✓ Principle met
		The proposed dwellings would comprise of brick at ground floor level and rendered cladding at first floor level.
	Avoid the use of commercial or industrial style building materials and finishes.	✓ Principle met
		The proposed development would not include any commercial or industrial style building materials or finishes.
	Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive	✓ Principle met
	repetitive use of materials.	The proposed development would not include any rendered cement sheeting, unarticulated surfaces or excessive repetitive use of materials.

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

	Use a consistent simple palette of materials, colours finishes and architectural detailing.	✓ Principle met
		The proposed development would use a consistent simple palette of materials, colour finishes and architectural detailing.
	Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.	V Principle met The proposed development would maximise the ongoing affordability and sustainability of residential developments through selection of low maintenance, resource and energy efficient materials and finishes that can be reasonable expected to endure for the life of the building.
Domestic services normal	In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should:	
to a dwelling and Building services	Ensure that all domestic and building services are visually integrated into the design of the building and appropriately positioned or screened so as to not be seen from the street or adjoining properties.	✓ Principle met Domestic and building services could be visually integrated into the design of the development and appropriately positioned or screened so as not be seen from the street or adjoining properties.
	Be designed to avoid the location of domestic and building services:	✓ Principle met
	 Within secluded private open space areas, including balconies; and Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	The proposed development has been designed to generally avoid the location of domestic and building services within secluded private open space areas and where they may have noise impacts on adjoining habitable rooms and secluded private open space areas.
Internal Amenity	Residential development should:	
	Ensure that dwelling layouts have connectivity between the main living area and private open space.	V Principle met The proposed development would ensure that dwelling layouts have connectivity between the main living areas and private open space.

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

Be designed to avoid reliance on borrowed light to habitable rooms.	✓ Principle met
	The proposed development has been designed to avoid reliance on borrowed light to habitable rooms.
Ensure that balconies and habitable room windows are designed and located to reduce the need for	✓ Principle met
excessive screening.	No balconies are proposed.
Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5,	✓ Principle met
55.04-1, 6 & 7, 55.05-3, 4 & 5.	No dwellings without ground level main living areas are proposed.

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

Clause 22.09-3.	Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ	
Titles & Objectives	Principles	Principle met/Principle not met/NA
Preferred housing type	The preferred housing type for the Incremental Change Area is medium density.	V Principle met The proposed development would be a medium density development.
Building Height	The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.	V Principle met The proposed development would be a maximum of two storeys in height, including ground level.
Landscaping	Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties	Principle met The proposed development would be capable of using landscaping to create a landscape character, particularly canopy trees in front and rear gardens.
Setbacks, front boundary and width	Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.	Principle met Parking, paving and car access within the front setback would be limited to a single accessway for Dwelling 1 and a common accessway for the remaining dwellings which would maximise the opportunity for soft landscaping and prevent the over dominance of garages in the street.
Private open space	Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.	✓ Principle met The proposed development would provide secluded private open space at the side/rear of each dwelling to avoid the need for excessive screening.
Bulk & Built	Residential development should:	

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

Form	Ensure that the built form respects the small of existing prevailing built form character and responds to	/ Drinciple met
	site circumstances and streetscape;	The proposed development would respect the scale of existing prevailing built form character and would respond to site circumstances and streetscape, by providing three (3) new dwellings, with double storey Dwellings 1 and 2 in the front and centre of the site and a double storey Dwelling 3 to the rear to provide passive surveillance opportunities for the Eastlink pedestrian/bike trail to the east.
	Provide separation between dwellings at the upper level;	Principle met subject to condition
		Dwellings 1 and 2 would be separated at the upper level. Dwellings 2 and 3 are currently attached. It is considered that separation could be provided by orienting the Master Bedroom of Dwelling 2 in a north-south rather than east-west direction, with a single ensuite provided at upper floor level, and the walk-in-robe revised accordingly.
	Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect	✓ Principle met
	private secluded open space;	A spine of open space would be provided at the rear of the site.
	Position more intense and higher elements of built form towards the front and centre of a site,	✓ Principle met
	transitioning to single storey elements to the rear of the lot.	Dwellings 1 and 2 in the front and centre of the site would be double storey.
		Dwelling 3 to the rear would also be double storey, it includes single storey elements in the form of its garage on the northern side, its kitchen/pantry/laundry/powder room area on the southern side and the meals area on the eastern side.

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

	The rearmost dwelling on a lot should be single storey to ensure the identified future character of the	✓ Principle met
	area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.	Dwelling 3 to the rear would be a double storey dwelling which is considered
	Two storey dwellings to the rear of a lot may be considered where:	appropriate for the following reasons:
	 The visual impact of the building bulk does not adversely affect the identified future character of the area; 	 It only has two residential interfaces and would be setback 3.75m from the
	 Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties: 	northern boundary and 3.6m from the southern boundary.
	The property of the planting and future growth of canopy trees to	 The length of the building at upper level would face east towards Eastlink.
	 instancy, Sufficient side and rear boundary landscaping can be provided to screen adjoining properties; 	 Windows facing north and south have been appropriately screened.
	 Upper storey components are well recessed from adjoining sensitive interfaces. 	 The upper level would not adversely affect the planting and future growth of canopy trees to maturity.
		 Sufficient side and rear boundary landscaping can be provided to screen adjoining properties.
		 It would be well recessed from adjoining sensitive interfaces, particularly for the property to the north at 3 Langold Court which has a garage in between its backyard and the subject site.
	Residential development should be well articulated through the use of contrast, texture, variation in	✓ Principle met
	forms, materials and colours.	The proposed development would be well articulated through the use of contrast, texture, variation in forms, materials and colours.
Note: Other requirements also	ements also apply. These can be found at the schedule to the applicable zone.	

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

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 5 LANGOLD COURT, NOBLE PARK (PLANNING APPLICATION NO. PLN20/0374)

ATTACHMENT 4

CLAUSE 52.06 ASSESSMENT

PAGES 6 (including cover)

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

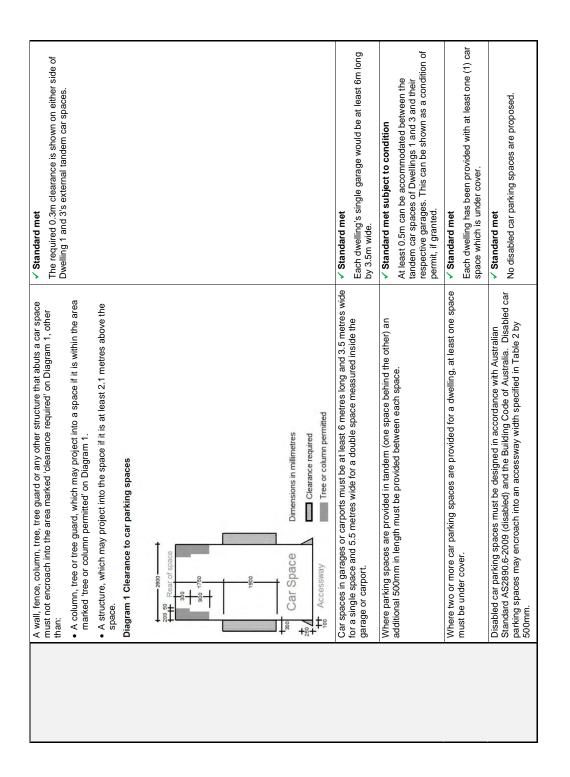
Assessment Table - Clause 52.06 Clause 52.06-9 Design standards for car parking

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

Design Standards	Assessment	Requirement met/Requirement not met/NA
Design standard 1 -	Accessways must:	✓ Standard met
Accessways	• Be at least 3 metres wide.	The proposed accessways would be a minimum of 3m wide along their entire lengths.
	Have an internal radius of at least 4 metres at changes of direction or intersection or	✓ Standard met
	be at least 4.2 metres wide.	The proposed common accessway would have an internal radius of at least 4m at changes of direction or be at least 4.2m wide.
	• Allow vehicles parked in the last space of a dead-end accessway in public car parks	✓ Standard met
	to exit in a forward direction with one manoeuvre.	The proposed common accessway would allow vehicles parked in the last space of the accessway (i.e. Garage 3) to exit in a forward direction with one manoeuvre.
	• Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for	✓ Standard met
	a vehicle with a wheel base of 2.8 metres.	No overhead obstructions are proposed above the accessways.
	• If the accessway serves four or more car spaces or connects to a road in a Road	✓ Standard met
	Zone, the accessway must be designed to that cars can exit the site in a forward direction.	The common accessway would only serve 3 car spaces and does not connect to a road in a Road Zone. Cars for Dwellings 2 and 3 would be able to exit the site in a forward direction.
	 Provide a passing area at the entrance at least 5 metres wide and 7 metres long if 	✓ Standard met
	the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in Road Zone.	A passing area is not required as less than 10 car spaces are proposed for each accessway, each accessway is less than 50m long and Langold Court is not in a road zone.

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

	-				, Other damping
	 Have a corner splay or extending at least 2 me 	area at least 50 percer tres along the frontage	 Have a corner splay or area at least 50 percent clear or visual obstructions extending at least 2 matries along the frontage road from the edge of an exit lane 	900	• Standard met
	exterioring at least 2 ine and 2.5 metres along the pedestrians on the foot	nes along the nomage he exit lane from the fro path of the frontage ros	exterioring at least 2 metres along the notingge load not in the edge of all exit at and 2.5 metre along the exit lane from the frontage, to provide a clear view of pedestrians on the footbath of the frontage road. The area clear of visual	view of	Corner splays have been shown along the frontage road from the edge of the exit lanes.
	obstructions may include a provided, or adjacent lands less than 900mm in height.	le an adjacent entry or ndscaped areas, provi ght.	obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.	one lane is	
	If an accessway to four or	r more car parking space	If an accessway to four or more car parking spaces is from land in a Road Zone, the		✓ Standard met
	access to the car spaces	must be at least 6 met	access to the car spaces must be at least 6 metres from the road carriageway.	way.	Langold Court is not a road zone.
	If entry to the car space is	s from a road, the width	If entry to the car space is from a road, the width of the accessway may include the	clude the	✓ Standard met
	road.				The entry to the car spaces is not directly from the road.
Design standard 2 –	Car parking spaces and accessways must have the minimum dimensions as outlined	accessways must have	the minimum dimensions		✓ Standard met subject to condition
Car parking spaces	ın I able 2.				No visitor car spaces are proposed.
	Table 2: Minimum dime	ensions of car parkin	Table 2: Minimum dimensions of car parking spaces and accessways	ays	Tandem car spaces are proposed for Dwellings 1 and 3.
	Angle of car parking spaces to access	Accessway width	Car space width	Car space	Their dimensions of 4.9m long by 2.6m wide should be specified as a condition of permit, if granted.
	way			length	
	Parallel	3.6 m	2.3 m	6.7 m	
	45°	3.5 m	2.6 m	4.9 m	
	°09	4.9 m	2.6 m	4.9 m	
	°06	6.4 m	2.6 m	4.9 m	
	'	5.8 m	2.8 m	4.9 m	
	'	5.2 m	3.0 m	4.9 m	
		4.8 m	3.2 m	4.9 m	
	Note to Table 2: Some dimensions Standard A22890.1-2004 (off street space to aisle widths and less to man The dimensions in Table 2 are to AS2890.1-2004 (off street) except. Standard AS2890.6-2009 (disabled).	mensions in Table 2 van off street). The dimen. 2ss to marked spaces to p 2 are to be used in p 2 except for disabled s itsabled s itsabled.	Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).	e Australian locate more and access. in Standard	



Design standard 3: Gradients	Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.	✓ Standard met The common accessway would only serve two (2) of the proposed dwellings.
	Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction. Table 3: Ramp gradients	✓ Standard met No ramps are proposed.
	Type of car park Length of ramp Maximum grade Public car parks 20 metres or less 1:5 (20%)	
	longer than 20 metres 1:6 (16.7%)	
	Private or residential car 20 metres or less 1:4 (25%) parks	
	longer than 20 metres 1:5 (20%)	
	Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.	✓ Standard met No ramps are proposed.
	Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.	✓ Standard met No ramps are proposed.
Design standard 4:	Mechanical parking may be used to meet the car parking requirement provided:	✓ Standard met
Mechanical parking	 At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres. 	No mechanical parking is proposed.
	Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation.	 Standard met No mechanical parking is proposed.
	The design and operation is to the satisfaction of the responsible authority.	✓ Standard met
		No mechanical parking is proposed.
Design standard 5:	Ground level car parking, garage doors and accessways must not visually dominate	✓ Standard met
O Dail design	public space.	Ground level car parking, garage doors and the accessways would not visually dominate public space.
	Car parking within buildings (including visible portions of partly submerged pasements) must be screened or obscured where possible including through the use	✓ Standard met
	of occupied tenancies, landscaping, architectural treatments and artworks.	Car parking within each dwelling's garage would be screened with a horizontal cladded garage door.

	Design of car parks must take into account their use as entry points to the site.	✓ Standard met
		The proposed development does not include car parking at the entry point of the site.
	Design of new internal streets in developments must maximise on street parking	✓ Standard met
	opportunities.	The spacing of the proposed crossovers would maximise on street parking opportunities.
Design standard 6:	Car parking must be well lit and clearly signed.	✓ Standard met
Sarety		The car parking area would be capable of being well lit.
	The design of car parks must maximise natural surveillance and pedestrian visibility	✓ Standard met
	from adjacent buildings.	The design of the car parking area would maximise natural surveillance and pedestrian visibility from the adjacent dwellings.
	Pedestrian access to car parking areas from the street must be convenient.	✓ Standard met
		Pedestrian access to the car parking areas from the street would be via the accessways.
	Pedestrian routes through car parking areas and building entries and other	✓ Standard met
	destination points must be clearly marked and separated from traffic in high activity parking areas.	The accessways and car parking within the proposed development would not be high activity parking areas.
Design standard 7:	The layout of car parking areas must provide for water sensitive urban design	✓ Standard met
Landscaping	treatment and landscaping.	The layout of the car parking areas would provide for landscaping.
	Landscaping and trees must be planted to provide shade and shelter, soften the	✓ Standard met
	appearance of ground level car parking and aid in the clear identification of pedestrian paths.	Landscaping and trees could be planted along the accessway to provide shade and shelter and soften the appearance of ground level car parking.
	Ground level car parking spaces must include trees planted with flush grilles. Spacing	✓ Standard met
	of trees must be determined having regard to the expected size of the selected species at maturity.	Trees planted with flush grilles are not required for residential developments such as the current proposal.

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 5 LANGOLD COURT, NOBLE PARK (PLANNING APPLICATION NO. PLN20/0374)

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 21 (including cover)

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

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

Clause 55.02-1 Neighbourhood character objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B1	The design response must be appropriate to the neighbourhood and the site. The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.	✓ Standard met The proposed three (3) double storey dwellings would be appropriate to the neighbourhood and the site. The property to the south at 7 Langold Court contains a single storey dwelling. The property to the north at 3 Langold Court contains a single storey dwelling. Land to the east includes the Eastlink road reserve (including the Eastlink pedestrian/bike trail) and Eastlink itself. ✓ Standard met The proposed three (3) double storey dwellings would respect the existing and preferred neighbourhood character and respond to the features of the site.
Clause 55.02-2 Resider	-2 Residential policy objectives	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the PPF and the LPPF, including the MSS and local planning policies.	 Standard met A Planning Report was submitted with the application.
Clause 55.02-3 Dwellin	-3 Dwelling diversity objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B3	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.	 Standard met The proposed development is for only three (3) dwellings.
Clause 55.02-4 Infrastr	-4 Infrastructure objectives	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B4	Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.	Standard met The proposed development would be connected to reticulated services in this established residential area.

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

	Development should not unreasonably exceed the capacity of utility services and	✓ Standard met
	illiasti ucture, iricidding renculated services and roads.	The proposed development of the site for three (3) dwellings would not unreasonably exceed the capacity of utility services and infrastructure.
	In areas where utility services or infrastructure have little or no spare capacity, developments	✓ Standard met
	should provide for the upgrading of or mitigation of the impact on services or infrastructure.	There is no evidence to suggest that the subject site is located in an area where utility services or infrastructure have little or no spare capacity.
Clause 55.02-5 Integr	-5 Integration with the street objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B5	Developments should provide adequate vehicle and pedestrian links that maintain or	✓ Standard met
	enhance local accessibility.	Dwelling 1 would have pedestrian and vehicle access directly from Langold Court. Dwellings 2 and 3 would have pedestrian and vehicular access from the common accessway.
	Developments should be oriented to front existing and proposed streets.	✓ Standard met
		Dwelling 1 would front Langold Court, whilst Dwellings 2 and 3 would front the common accessway.
	High fencing in front of dwellings should be avoided if practicable.	✓ Standard met
		No front fence is proposed.
	Development next to existing public open space should be laid out to complement the open	✓ Standard met
	space.	The subject site adjoins public open space in the form of the Eastlink road reserve (including the Eastlink pedestrian/bke trail) to the immediate east of the site. The proposed double storey Dwelling 3 would overlook the pedestrian/bke trail and would provide increased opportunities for passive surveillance.
Clause 55.03-1 Street	-1 Street setback objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B6	Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone:	✓ Standard met
	GRZ: 7.5 metres or as per Table B1, whichever is the lesser.	Dweling 1's front wall would have a minimum front setback of 7.5m.

	Table B1 Street setback	:		
	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	
	There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the avisting buildings on the abutting alloments facing the front street or 9 metres, whichever is the lesser.	Not applicable	
	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable	
	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable	
	The site is on a comer.	abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone Category 1, and 4 metres for cuter streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback at least the same distance as the setback of the front wall of abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner is the should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.	
se 55.03-	Clause 55.03-2 Building height objective	tive		
Fitle & Objective	Standards			Standard Met/Standard Not Met/NA
Standard B7	The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9)	mum building height should not exceed the maximum height speci to the zone or an overlay that applies to the land. metres/3 storeys mandatory maximum (refer Clause 32.08-9)	n height specified in the zone, use 32.08-9)	Standard met The proposed maximum height is 8.11m.
	If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.	ximum height is specified in the zone, schedule to the zone or an overla n building height should not exceed 9 metres, unless the slope of the nany cross section wider than 8 metres of the site of the building is 2.5 de which case the maximum building height should not exceed 10 metres.	zone or an overlay, the the slope of the natural ground building is 2.5 degrees or exceed 10 metres.	N/A

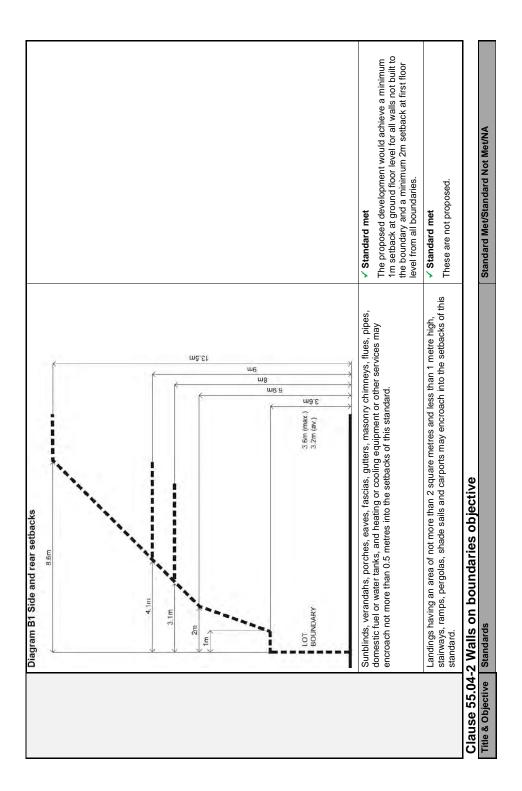
	Changes of building height between existing buildings and new buildings should be	✓ Standard met
	graduated.	The property to the south at 7 Langold Court contains a single storey dwelling. The property to the north at 3 Langold Court contains a single storey dwelling.
Clause 55.03-	Clause 55.03-3 Site coverage objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B8	The site area covered by buildings should not exceed:	✓ Standard met
	 The maximum site coverage specified in a schedule to the zone, or 	The proposed site coverage would be 43.14%.
	 If no maximum site coverage is specified in a schedule to the zone, 60 per cent. 	
	GRZ1: 60% (none specified)	
Clause 55.03-	Clause 55.03-4 Permeability objectives	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B9	The site area covered by the pervious surfaces should be at least:	✓ Standard met
	 The minimum areas specified in a schedule to the zone, or 	The proposed permeable area would be 38.39%.
	 If no minimum is specified in a schedule to the zone, 20 per cent of the site. 	
	<u>GRZ1</u> : 30%	
Clause 55.03-5 Energy	5 Energy efficiency objectives	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B10	Buildings should be:	✓ Standard met
	 Oriented to make appropriate use of solar energy. Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. 	The dwellings would be oriented to take advantage of solar energy from the east, north and west. They have been sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

	Living areas and private open space should be located on the north side of the development.	✓ Standard met
	if practicable.	The living areas for Dwelling's 1 and 2 would be located on the northern side of the dwellings, whilst Dwelling 3's living areas would be located on the southern side of the dwelling. Dwelling 1's living areas would have access to west and east facing windows, Dwelling 2's living areas would have access to north and south facing windows and Dwelling 3's living areas would have access to east facing windows.
		Dwelling 1 would include private open space to the north and east of the dwelling with a northern aspect. Dwelling 2 would include private open space to the south of the dwelling with a southern aspect. Dwelling 3 would include private open space to the east of the dwelling with a northern aspect.
	Developments should be designed so that solar access to north-facing windows is	✓ Standard met
	maximised.	Dwelling 1 would have no north-facing windows at ground floor level but would have one (1) north-facing window which would have solar access at first floor level.
		Dwelling 2 would have a north-facing glazed panel door and one (1) north facing window at ground floor level and three (3) north-facing windows at first floor level.
		Dwelling 3 would have no north facing windows at ground or first floor levels.
Clause 55.03-6 Open	-6 Open space objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B11	If any public or communal open space is provided on site, it should:	✓ Standard met
	• Be substantially fronted by dwellings, where appropriate.	No public or communal open space is proposed on site.
	 Provide outlook for as many dwellings as practicable. 	
	• Be designed to protect any natural features on the site.	
	Be accessible and useable.	
Clause 55.03-7 Safet	-7 Safety objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B12	Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.	Standard met The entry to each dwelling would be visible from Langold Court or the
		common accessway once entered.

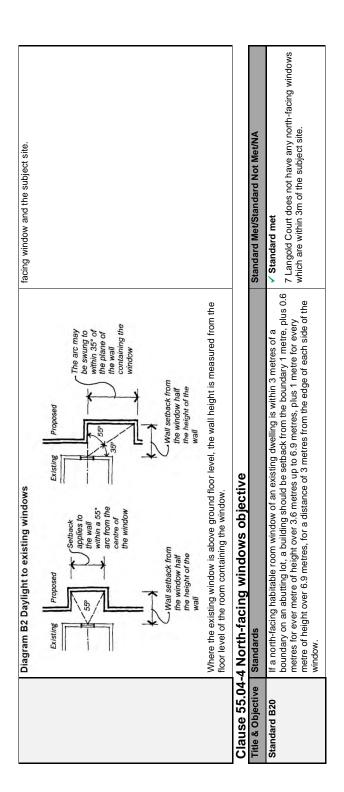
Developm parks and		The application does not propose any planting which
Developr parks an		would create unsare spaces along Langoid Court of the accessways.
parks an	ments should be designed to provide good lighting, visibility and surveillance of car	✓ Standard met
	parks and internal accessways.	Dwelling 1 would have two (2) windows at ground floor level and three (3) windows at first floor level which would face the common accessway.
		Dwelling 2 would have three (3) windows at ground floor level which would face the common accessway and four (4) windows at first floor level.
		Dwelling 3 would have a glazed panel door at ground floor level which would face the common accessway and one (1) window at first floor level.
Private s	Private spaces within developments should be protected from inappropriate use as public	✓ Standard met
thoroughtares.	rares.	Each dwelling's private open space would be protected from inappropriate use as a public thoroughfare.
Clause 55.03-8 Landscaping objectives	scaping objectives	
Title & Objective Standard	sp	Standard Met/Standard Not Met/NA
Standard B13 The land	The landscape layout and design should:	✓ Standard met
Protect	t any predominant landscape features of the neighbourhood.	A Landscape Plan has been provided.
Take ir	 Take into account the soil type and drainage patterns of the site. 	
Allow fi	 Allow for intended vegetation growth and structural protection of buildings. 	
• In local plants a	 In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. 	
Provide	e a safe, attractive and functional environment for residents.	
Developr		✓ Standard met
character	r of the neighbourhood.	A Landscape Plan has been provided.
Developr		✓ Standard met
Dayona	In the 1z months prior to the application being made	It does not appear as though any trees have been removed from the site in the 12 months prior to the application being made.
The land	The landscape design should specify landscape themes, vegetation (location and species),	✓ Standard met
paving an	nd lighting.	A Landscape Plan has been provided.

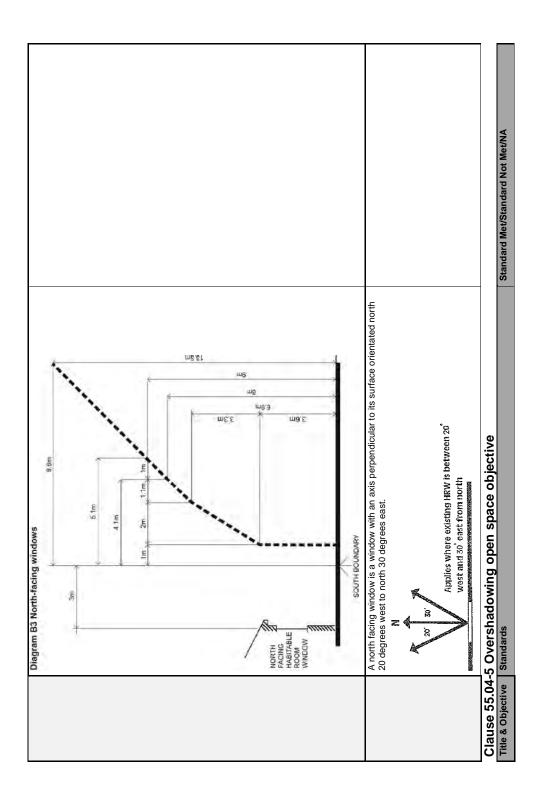
	Development should meet any additional landscape requirements specified in a schedule to	✓ Standard met
	the zone.	More than 70% of the ground level western front setback
	All schedules to all residential zones: "77% of around lovel front eathack and side and rear eathacke planted with	would be capable of being planted with substantial landscaping and canopy trees.
	row or ground rever notic setactor, and side and rear setactos, pranted with substantial landscaping and canopy trees."	The northern and southern side setbacks and the eastern rear setback would also be capable of being planted with substantial landscaping and canopy trees.
Clause 55.03-	Clause 55.03-9 Access objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B14	The width of accessways or car spaces should not exceed:	✓ Standard met
	 33 per cent of the street frontage, or if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	Less than 40% of the Langold Court street frontage would be taken up by the accessways.
	No more than one single-width crossover should be provided for each dwelling fronting a	✓ Standard met
	street.	Dwelling 1 which would front Langold Court would have its own accessway. A common accessway would serve Dwellings 2 and 3 which would not have frontage to Langold Court.
	The location of crossovers should maximise retention of on-street car parking spaces.	✓ Standard met
		The location of the proposed crossovers would maximise the retention of on-street car parking spaces.
	The number of access points to a road in a Road Zone should be minimised.	✓ Standard met
		Langold Court is not in a Road Zone.
	Developments must provide for access for service, emergency and delivery vehicles.	✓ Standard met
		The proposed development would provide appropriate access for service, emergency and delivery vehicles.
Clause 55.03-	Clause 55.03-10 Parking location objectives	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B15	Car parking facilities should:	✓ Standard met
	 Be reasonably close and convenient to dwellings and residential buildings. 	Car parking facilities for each dwelling would be close
	Be secure.	and convenient for each dwelling. The galage of each dwelling would be secure and would be capable of being
	 Be well ventilated if enclosed. 	well ventilated.

	Shared accessways or car parks of other dwellings and residential buildings should be	✓ Standard met
	located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.	Dwelling 1 would not have any north-facing windows at ground floor level facing the common accessway. Dwelling 2's north-facing ground floor living room room window is setback more than 1.5m from the common accessway. Dwelling 3 would not have any west-facing windows at ground floor level facing the common accessway.
Clause 55.04-1 Side	-1 Side and rear setbacks objective	
Title & Objective Standarc	Standards	Standard Met/Standard Not Met/NA
Standard B17	A new building not on or within 200mm of a boundary should be setback from side or rear boundaries:	✓ Standard met
	 At least the distance specified in a schedule to the zone, or If no distance is energined in a schedule to the zone 1 metre. Plus 0.3 metres for even. 	All dwellings within the proposed development would be setback more than 1 m from all boundaries at ground floor level for all walls not built to the boundary.
	metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.	The proposed dwellings would be setback at least 2m from all boundaries at first floor level.

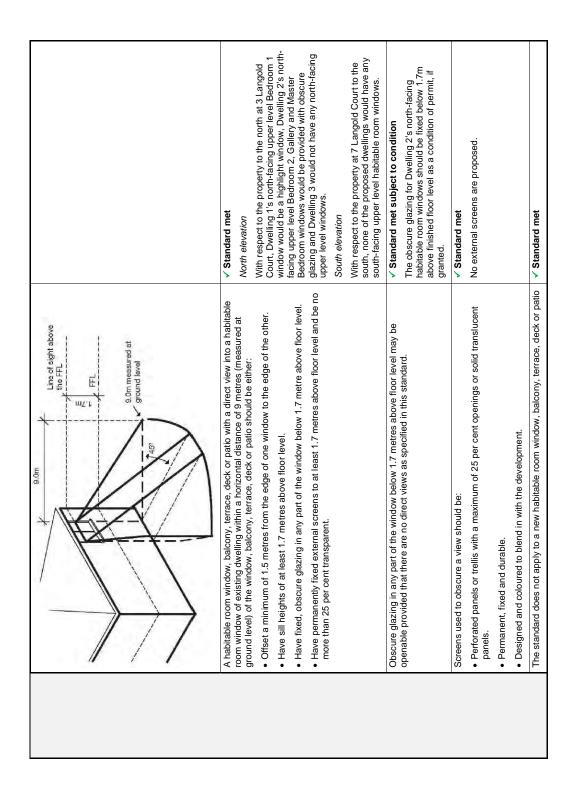


070		7 7 70
Standard Bio	A new wall constructed on or within zoonnin of a side or rear boundary of a for or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:	 Standard met Garage 1 is proposed on the southern boundary with a length of 7m which is less than 10m in length
	 For a length of more than the distance specified in the schedule to the zone; or 	Dwelling 3 is proposed on the southern boundary with a
	 If no distance is specified in a schedule to the zone, for a length of more than: 	length of 6m which is less than 10m in length.
	- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or	The wall of Garage 3 is proposed on the northern
	 Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, 	boundary with a length of om which is less than 10m in length.
	whichever is the greater.	
	A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property.	Standard met The proposed walls on the northern and southern boundaries would not fully abut these boundaries.
	A building on a boundary includes a building set back up to 200mm from a boundary.	✓ Standard met
		All walls on boundary are proposed to be built on the boundary.
	The height of a new wall constructed on or within 200 mm of a side or rear boundary or a	✓ Standard met
	carport constructed on or within 1 metre of a side of fear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.	The maximum average height of the walls on the boundaries is 3.2m with no part of these walls greater than 3.6m in height.
Clause 55.04-3 Daylig	-3 Daylight to existing windows objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B19	Buildings opposite an existing habitable room window should provide for a light court to the	✓ Standard met
	exising window trait has a minimum area or 5 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.	The site to the north at 3 Langold Court contains a single storey dwelling with no south-facing habitable room windows.
		The existing single storey dwelling to the south at 7 Langold Court has a north-facing habitable room window which is covered by an existing carport.
	Walls or carports more than 3 metres in height opposite an existing habitable room window	✓ Standard met
	should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.	With respect to the existing dwelling at 3 Langold Court there are no south-facing habitable room windows which would be affected by the proposed development.
		With respect to the existing dwelling at 7 Langold Court there are no north-facing habitable room windows which would be affected by the proposed development, as there is an existing carport in between the existing north-





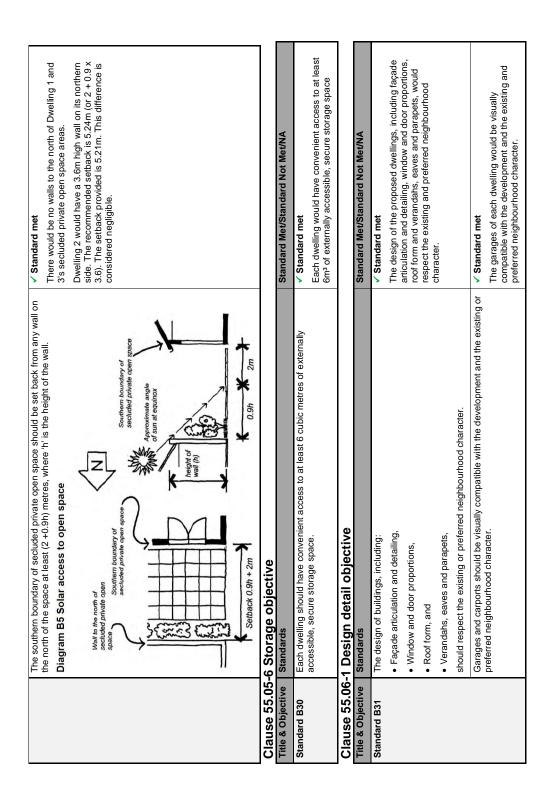
and the second of the second o		
7.5 ber cent, of 40 square metres with a filling difference of the sector of the sector of private hours of lesser area, of the sector of private open space should receive a minimum of five hours of sunlight between 9am and 3bm on 22 Sept.	 or 40 square metres with a minimum dimension of 3 metres, whichever is the jof the secluded private open space should receive a minimum of five hours of when 5 am and 3 pm on 2.2 Sept. 	The site to the north at 3 Langold Court would have no overshadowing from the proposed development.
		The site to the south at 7 Langold Court would have some overshadowing from the proposed development at 9.00am,12.00pm and 3.00pm.
		Overall, 75% of the secluded private open space areas of the adjoining properties would receive at least 5 hours of sunlight between 9am and 3pm on September 22.
If existing sunlight to the secluded private open space of an existing dwelling is less than the	of an existing dwelling is less than the	✓ Standard met
requirements of this standard, the amount of sunlight should not be further reduced.	hould not be further reduced.	The existing sunlight to the secluded private open space of the existing adjoining properties is not currently less than the requirements of this standard.
oking objective		
		Standard Met/Standard Not Met/NA
om window, balcony, terrace, deck or pa	tio should be located and designed to	✓ Standard met
ews into the secluded private open space ance of 9 metres (measured at ground le	e of an existing dwelling within a svel) of the window, balcony, terrace.	North elevation
Views should be measured within a 45 imeter of the balcony, terrace, deck or pred.	degree angle from the plane of the atio, and from a height of 1.7 metres	With respect to the property to the north at 3 Langold Court, Dwelling 1's north-facing upper level Bedroom 1 window would be a highlight window, Dwelling 2's north-
looking open space		facing upper level Bedroom 2, Gallery and Master
	to be screened or obscured	begindin windows would be provided with obscure glazing and Dwelling 3 would not have any north-facing
scrimmed or Scrimmed or		upper level windows. So <i>uth elevation</i>
	A	With respect to the property at 7 Langold Court to the south, none of the proposed dwellings would have any
AGY Open space	9m radius	south-facing upper level habitable room windows.
9m redius existing the constitution of the con	new dwelling	
	A habitable room window, balcony, terrace, deck or pa avoid direct views into the secluded private open spachorizontal distance of 9 metres (measured at ground le deck or patio, Views should be measured within a 45 window or perimeter of the balcony, terrace, deck or pabove floor level. Diagram B4 Overlooking open space existing (S.) existing (S.)	ny, terrace, deck or patio should be located and designed to ded private open space of an existing dwelling within a measured at ground level) of the window, balcony, terrace, measured within a 45 degree angle from the plane of the proxy, terrace, deck or patio, and from a height of 1.7 metres screwed or described and from a height of 1.7 metres according to the proximation of the proximati



	which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.	Minimum 1.8m high fences on the northern and eastern boundaries would prevent potential ground floor overlooking.
Clause 55.04-7 Inter	-7 Internal views objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B23	Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.	V Standard met Dwelling 1 would have an east-facing upper level Bedroom 3 window which would face Dwelling 2's secluded private open space area, but would be fully obscure glazed to prevent overlooking. Dwelling 2 would have a west-facing upper level Gallery window which would face Dwelling 1's secluded private open space area, but would be fully obscure glazed to prevent overlooking. Dwelling 2 would not have any east-facing upper level windows which would overlook Dwelling 3's secluded private open space area. Dwelling 3 would not have any west-facing upper level windows which would overlook Dwelling 2's secluded private open space area.
Clause 55.04-8 Nois	-8 Noise impacts objectives	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B24	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.	 Standard met No mechanical plant is proposed to be located near the bedrooms of any immediately adjacent existing dwellings.
	Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account of noise sources on immediately adjacent properties.	Standard met The proposed development has taken this into account.
	Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	✓ Standard met subject to condition The subject site is not located near a railway line or industrial area. It is however, located near a busy road, being Eastlink to the east. It is considered that the east-facing windows of Dwelling 3 at both levels should be provided with acoustic glazing as a condition of permit, if granted.
Clause 55.05-	Clause 55.05-1 Accessibility objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA

Standard B25	The dwelling entries of the ground floor of dwellings and residential buildings should be	✓ Standard met
	accessible or able to be easily made accessible to people with limited mobility.	The dwelling entries of the ground floor of each dwelling would be accessible or able to be easily made accessible to people with limited mobility.
Clause 55.05-	Clause 55.05-2 Dwelling entry objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B26	Entries to dwellings and residential buildings should:	✓ Standard met
	 Be visible and easily identifiable from streets and other public areas. Provide shelter, a sense of personal address and a transitional space around the entry. 	The entry to each dwelling would be visible from the street and other public areas such as the common accessway.
		Each dwelling would have a porch adjoining each front entry which would provide shelter, a sense of personal address and a transitional space around the entry.
Clause 55.05-	Clause 55.05-3 Daylight to new windows objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B27	A window in a habitable room should be located to face:	✓ Standard met
	 An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or 	All habitable room windows within the proposed development would face an outdoor space clear to the
	 A verandah provided it is open for at least on third of its perimeter, or 	sky or a lignt court with a minimum area or 3 square metres and a minimum dimension of 1m clear to the sky.
	 A carport provided it has two or more open sides and is open for at least on third of its perimeter. 	
Clause 55.05-4 Privat	4 Private open space objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA

	specified in a schedule to the zone.	Dwelling 1 would have a 77.3m² front yard and a 44.9m²
	GRZ1: "An area of 50 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a	backyard for a total private open space provision greater than the 50m² required for this dwelling. The sectured
	minimum area of 30 square metres and a minimum dimension of 5 metres and	private open space area at the side of the dwelling would
	convenient access from a living room; or	have an area of at least 30m², with minimum dimensions
	A balcony or rooftop with a minimum area of 10 square metres with a	of 5m in both directions.
	minimum width of 2 metres that is directly accessible from the main living area."	Dwelling 2 would have a 50m² backyard for a total private open space provision which complies with the
		requirement for this dwelling. The secluded private open space area at the side of the dwelling would have an area of at least 30m², with a minimum dimension of 5.21m in both directions.
		Dwelling 3 would have a 70.3m² backyard for a total private open space provision greater than the 50m² required for this dwelling. The secluded private open
		space area at the fear of the dwelling would have all area of at least 30m², with a minimum dimension of 5m in both directions.
Clause 55.05-	Clause 55.05-5 Solar access to open space objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B29	The private open space should be located on the north side of the dwelling or residential	✓ Standard met
	building, if appropriate.	Whilst Dwelling 2's private open space would be located to the south of the dwelling with a southern aspect, Dwelling 1 and 3's private open space areas would include private open space to the east of the dwellings with a northern aspect.



Clause 55.06-2 Front fences objective

2.2.3 Town Planning Application - No. 5 Langold Court, Noble Park (Planning Application No. PLN20/0374) (Cont.)

Title & Objective	Standards		Standard Met/Standard Not Met/NA
Standard B32	The design of front fences should complemer	n of front fences should complement the design of the dwelling or residential	✓ Standard met
	building and any front fences on adjoining properties.	operties.	No front fence is proposed.
	A front fence within 3 metres of a street should not exceed:	ld not exceed:	✓ Standard met
	 The maximum height specified in a schedule to the zone, or 	le to the zone, or	No front fence is proposed.
	All schedules to all residential zones:		
	"Maximum 1.5 metre height in streets in Road Zone Category 1 1.2 metre maximum height for other streets"	Road Zone Category 1 ets"	
	 If no maximum height is specified in a sche in Table B3. 	 If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. 	
	Table B3 Maximum front fence height		
	Street Context	Maximum front fence height	
	Streets in a Road Zone, Category 1 2 metres	Se	
	Other streets 1.5 metres	tres	
Clause 55.06-	Clause 55.06-3 Common property objectives		
Title & Objective	Standards		Standard Met/Standard Not Met/NA
Standard B33	Developments should clearly delineate public, communal and private areas.	communal and private areas.	✓ Standard met
			The proposed development would clearly delineate public, communal and private areas.
	Common property, where provided, should be	property, where provided, should be functional and capable of efficient	✓ Standard met
	management.		Common property is proposed and would be functional and capable of efficient management.
Clause 55.06-	Clause 55.06-4 Site services objectives		
Title & Objective	Standards		Standard Met/Standard Not Met/NA
Standard B34	The design and layout of dwellings and resid	The design and layout of dwellings and residential buildings should provide sufficient space	✓ Standard met
	(including easements where required) and facilities for services to be installed and maintained efficiently and economically.	clities for services to be installed and	The design and layout of the proposed development would provide sufficient space and facilities for services to be installed and maintained efficiently and economically.
	Bin and recycling enclosures, mailboxes and	Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size,	✓ Standard met
	durable, waterproof and blend in with the development.	relopment.	Site facilities such as clotheslines, storage facilities, mailboxes, group meter box, bins and rainwater tanks for each dwelling have been shown on the plans.

2.2.3 Town Planning Application - No. 5 Langold Court, Noble Park (Planning Application No. PLN20/0374) (Cont.)

Bin and recycling enclosures should be located for convenient access by residents.	Standard met
Mailboxes should be provided and located for convenient access as required by Australia	bins for each awelling have been shown on the plans. ✓ Standard met
Post.	Mailboxes have been shown on the plans.

File Id: 149080

Responsible Officer: Director City Planning Design & Amenity

Attachments: Submitted Plans

Location of Objectors Clause 22.09 Assessment Clause 52.06 Assessment Clause 55 Assessment

Application Summary

Applicant: Noble One Development Pty Ltd, C/- SongBowden Planning

Proposal: Development of the land for eight (8) double storey dwellings and

a waiver of one (1) visitor car parking space

Zone: General Residential Zone – Schedule 1

Overlay: No overlays affect this site

Ward: Springvale Central

This application has been brought to a Council meeting as it has received nine (9) objections.

The application proposes the development of the land for eight (8) double storey dwellings and a reduction of one (1) visitor car parking space.

A permit is required pursuant to:

- Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.
- Clause 52.06-3 (Car parking) to reduce one (1) visitor car space for a residential development.

Objectors Summary

The application was advertised to the surrounding area through the erection of two (2) notices on-site comprising one (1) notice facing Lawn Road and one (1) notice facing Karan Court and the mailing of notices to adjoining and surrounding owners and occupiers. Nine (9) objections were received to the application. Issues raised generally relate to:

- That the development would result in additional traffic and parking to Karan Court, particularly during construction which may obstruct the driveways of surrounding residents;
- That there is a vermin infestation on the site:

- That the rear fence between the subject site and Karan Court would be removed; and
- That trees on the site have been removed.

Assessment Summary

The site is located within an established residential area and is well suited for medium density housing given its zoning and location in an incremental change area. The proposal seeks to provide a medium housing density development which is generally consistent with the emerging pattern of development and the surrounding neighbourhood character. It is noted that the development complies with most of the design principles of the applicable neighbourhood character policy as has been demonstrated in the attachments outlined in this report or could do so via conditions.

The development is generally compliant with Clause 55, responding to site context and site circumstances, while respecting the existing and preferred neighbourhood character envisaged by Clause 22.09.

Recommendation Summary

As assessed, officers consider this proposal to be generally compliant with all of the relevant provisions of the Greater Dandenong Planning Scheme. All grounds of objection have been considered, and officers are of the view that on balance the proposal's degree of compliance with the Planning Scheme justifies that the application should be supported and that a **Notice of Decision** (which provides appeal rights to objectors) to grant a permit be issued containing the conditions as set out in the recommendation. If the application was to be appealed to VCAT, it is the officer's view that it is highly likely that VCAT would also issue a planning permit for this proposal.

Subject Site and Surrounds

Subject Site

- The subject site is located to the east side of Lawn Road. The rear of the site abuts Karan Court.
- The site is rectangular in shape with a frontage of 16.76m, a depth of 100.53m and an overall site area of 1685sqm.
- The land is currently occupied by a single storey brick dwelling with an associated garage along the southern boundary accessible from Lawn Road.
- There is a 1.52m wide drainage easement (identified as E-1) located along the rear half of the northern boundary.
- There are several trees located throughout the site.

Surrounding Area

- The subject site is located within an established residential area of Noble Park.
- The built form in the area consists of a mix of older single storey detached dwellings, double-storey detached dwellings, single-storey multi-dwelling developments and double-storey multi-dwelling developments.
- The adjoining property to the north contains eleven (11) double storey dwellings and one (1) single storey dwelling. The adjoining land to the south contains one (1) single storey dwelling. The land adjoining the eastern boundary contains one (1) single storey dwelling on a lot. Karan Court also adjoins the eastern boundary of the site.
- The land opposite the site's Lawn Road frontage contains one (1) single storey dwelling.
- The Noble Park Activity Centre is located 1km to the southeast of the site.
- The Sandown Park Train Station is 490m to the northwest of the site.

Locality Plan



p Subject Site Melway Map 80C12 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 no previous planning applications have been considered for the subject site.

Application history

The application was advertised on 30 April 2020 and five (5) objections were received.

The applicant submitted modified plans on 17 February 2021 to make minor reconfigurations to the dwellings to improve the living areas.

The living areas were modified as follow:

Dwelling #	1	2	3	4	5	6	7	8
Advertised Plans	32sqm	30sqm	29sqm	36sqm	36sqm	30sqm	37sqm	28sqm
Revised Plans	39sqm	35sqm	37sqm	50sqm	50sqm	38sqm	38sqm	42sqm

The application was re-advertised and four (4) new objections were received, two (2) of the objections are from the same address.

Proposal

The application as amended on 17 February 2021, proposes the development of the land for eight (8) double storey dwellings and a waiver of one (1) visitor car parking space.

The details of the proposal are as follows:

Type of proposal	Multi dwellings			
Number of dwellings	Eight (8)			
Levels	All double storey			
Height	The proposed development would have a maximum building height of 7.61 metres (Unit 4 – North elevation).			
Orientated to	 Dwelling 1 would be orientated to Lawn Road with dwellings 3 to 4 orientated to the internal driveway accessible from Lawn Road. Dwelling 8 would be orientated to Karan Court with dwellings 5 to 7 orientated to the internal driveway accessible from Karan Court. 			
External materials	Bricks and render on the ground floor. Light weight rendered finished on the first floor.			
Minimum setbacks (encompasses all dwellings)	North: 3m (Dwelling 4) and Garages 1 and 5 on the boundary. South: 2m (Dwelling 8), and Garages 4 and 8 on the boundary. East (rear boundary to Karan Court): 5m (Dwelling 8). West (frontage to Lawn Road): 6.61m (Dwelling 1).			
Open space type	Each dwelling would be provided with a minimum of 50sqm of private open space with one part comprising secluded private open space with a minimum area of 30sqm and a minimum dimension of 5m. The areas of private open spaces for the dwellings are as follow (in square metres): Ground floor private open space (sqm) Ground floor secluded private open space (sqm)			

	T	T	
Unit 1	81	32.5	113.5
Unit 2	N/A	52	52
Unit 3	N/A	50	50
Unit 4	N/A	57	57
Unit 5	N/A	61	61
Unit 6	N/A	50	50
Unit 7	N/A	55	55
Unit 8	45	49	94

Number of Car parking Spaces provided

A total of twelve (12) car parking spaces would be provided for the dwellings.

The following table set out the number of car spaces required and provided for each dwelling:

Unit number	Number of car spaces required	Number of car spaces provided
1	2 (3 bedrooms)	2 (single garage and tandem car space)
2	1 (2 bedrooms)	1 (single garage)
3	1 (2 bedrooms)	1 (single garage)
4	2 (3 bedrooms)	2 (single garage and tandem car space)
5	2 (3 bedrooms)	2 (single garage and tandem car space)
6	1 (2 bedrooms)	1 (single garage)
7	1 (2 bedrooms)	1 (single garage)
8	2 (3 bedrooms)	2 (single garage and tandem car space)

Number of Car parking Spaces required	One (1) car parking space is required for each one or two bedroom dwelling and two (2) car parking spaces is required for each three or more bedroom dwelling. One (1) common visitor parking space is required for every five (5) dwellings.
	A total of thirteen (13) car parking spaces are required, comprising twelve (12) car spaces for the residents and one (1) visitor car space.
	The proposal would provide one (1) car space to each two-bedroom dwelling and two (2) car spaces to each three-bedroom dwelling with at least one (1) under cover car space. The number of car spaces provided for the residents complies with Clause 52.06 (Car parking).
	No visitor car space is provided. The proposed development requires a reduction of one (1) visitor car space.
Type of car parking	Each dwelling is provided with at least one (1) under-cover car parking space.
Access	Two (2) vehicle crossovers would facilitate vehicular access to the dwellings comprising modification to the existing crossover on Lawn Road and a new crossover from Karan Court. Each crossover is 3m wide.
Front Fence	No front fence is proposed.
Garden area required	589.75 square metres or 35%
Garden area provided	590.6 square metres or 35.1%

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

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

No financial resources are impacted by this report.

Planning Scheme and Policy Frameworks

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

- Clause 32.08-6 (General Residential Zone) to construct two (2) or more dwellings on a lot.
- Clause 52.06-3 (Car parking) to reduce one (1) visitor car space for a residential development.

The relevant controls and policies are as follows:

Zoning Controls

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

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

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

Pursuant to Clause 32.08-6, a permit is required to construct two or more dwellings on a lot.

The development must also provide a minimum garden area of 35% pursuant to Clause 32.08-4 as the lot exceed 650 square metres.

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

- Standard B6 (Minimum street setback) As per B6 or 7.5 metres, whichever is the lesser;
- Standard B9 (Permeability) Minimum of 30%;
- Standard B13 (Landscaping) 70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees;
- Standard B28 (Private open space) An area of 50 square metres of ground level, private open space, with one part of the private open space to consistent of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres, and a minimum dimension of 5 metres and convenient access from a living room; or a balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room: and
- Standard B32 (Front fence height) Maximum 1.5 metre height in streets in Road Zone Category 1, 1.2 metre maximum height for other streets.

Overlay Controls

No overlays affect the subject site or surrounding area.

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, amongst others.

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

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

- To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- To achieve building design outcomes that contribute positively to the local context and enhance the public realm.
- To recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

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

- To facilitate well-located, integrated and diverse housing that meets community needs.
- To deliver more affordable housing closer to jobs, transport and services.

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

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

Local Planning Policy Framework

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

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

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

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

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

Clause 21.04-1 Housing and community

 Greater Dandenong's population is expected to rise by 22 percent, from 147,000 to 179,000 in the decade to 2024, placing pressure on transport networks, infrastructure, services and public open space.

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

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

- To facilitate high quality building design and architecture.
 - Ensure building design is consistent with the identified future character of an area and fully integrates with surrounding environment.
 - Encourage high standards of building design and architecture, which allows for flexibility and adaptation in use.
 - Encourage innovative architecture and building design.
 - Encourage development to incorporate sustainable design elements that enhance occupant comfort and environmental performance.
- To facilitate high quality development, which has regard for the surrounding environment and built form.
 - Promote views of high quality landscapes and pleasing vistas from both the public and private realm.
 - Promote all aspects of character physical, environmental, social and cultural.
 - Encourage planting and landscape themes, which complement and improve the environment.
 - Encourage developments to provide for canopy trees.
 - Recognising valued existing neighbourhood character and promoting identified future character as defined in the Residential Development and Neighbourhood Character Policy at Clause 22.09.

- To protect and improve streetscapes
 - Ensure that new developments improve streetscapes through generous landscape setbacks and canopy tree planting.
 - Ensure landscaping within private property that complements and improves the streetscapes and landscaping of public areas.
- To ensure landscaping that enhances the built environment
 - Encourage new developments to establish a landscape setting, which reflects the local and wider landscape character.
 - Encourage landscaping that integrates canopy trees and an appropriate mix of shrubs and ground covers and complements and integrates with existing or proposed landscaping in public areas.

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

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

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

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

Clause 22.09-3.3 (Incremental Change Areas) provides design principles, some of which also relate to the variances to the requirements of standards to Clause 55 under the schedule to the General Residential Zone. The guidelines consider matters such as: housing form; height; bulk & built form; and site design.

An assessment against Clause 22.09 is included as Attachment 3 to this report.

Particular Provisions

Car Parking (Clause 52.06)

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

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

The table at Clause 52.06-5 notes that a dwelling with 1 or 2 bedrooms requires 1 car space and a dwelling with 3 or more bedrooms requires 2 spaces to each dwelling. 1 visitor car space is required for visitors to every 5 dwellings for developments of 5 or more dwellings.

Clause 52.06-5 (Car parking – Number of car spaces required under Table 1) also requires that if in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

A total of thirteen (13) car parking spaces are required comprising twelve (12) car spaces for residents and one (1) visitor car space. Each two-bedroom dwelling would be provided with one (1) car space and each three (3) bedroom dwelling would be provided with two (2) car spaces with at least one (1) undercover car space. No visitor car space is provided. The proposed development requires a reduction of one (1) visitor car space.

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

An assessment against Clause 52.06 is included as Attachment 4 to this report.

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

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

To construct two or more dwellings on a lot.

The purposes of this clause are:

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

A development:

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

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

An assessment against Clause 55 is included as Attachment 5 to this report.

General Provisions

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

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

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

Diversity (Access & Equity)

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

Community Safety

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

Safe Design Guidelines

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

Referrals

External

The application was not required to be referred to any external referral authorities pursuant to Section 55 of the Planning and Environment Act 1987.

Internal

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

Internal Referrals	
Civil Development	No objections, subject to conditions on permit.
Transport Planning	No objections, subject to conditions on permit.
Sustainability Planning	No objections, subject to conditions on permit.
Arborist	No objections, subject to conditions on permit.
Waste Management Services	No objections, subject to conditions on permit.

Advertising

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

- Sending notices to the land owners and occupiers of adjoining and surrounding land.
- Placing two (2) signs on site, one (1) facing Lawn Road and one (1) facing Karan Court.

The notification has been carried out correctly.

A total of nine (9) objections have been received to date. Two (2) of the objections are from the same address.

The locations of the objectors are shown in Attachment 2.

Consultation

The application received nine (9) objections which meets the threshold to conduct a consultative meeting. However due to the current COVID-19 pandemic, consultative meetings were not held, to ensure compliance with State and Federal Government guidelines.

Summary of Grounds of Submissions/Objections

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

 That the development would result in additional traffic and on-street parking to Karan Court, particularly during construction which may obstruct the driveways of surrounding residents.

The proposal would provide one (1) car space to each two-bedroom dwelling and two car spaces to each three-bedroom dwelling with at least one (1) under cover car space. The number of car spaces provided for the residents complies with Clause 52.06 (Car parking).

The development comprises of eight (8) dwellings and requires one (1) visitor car space. No visitor car space is provided, thus, the proposal requires a reduction of one (1) visitor car parking.

The application was also referred to Council's Transport Planning Unit who has not raised any parking or traffic concerns with the proposed development. Furthermore, the development is 'split' into two developments of four dwellings, with each group of dwellings have separate access points. Where four dwellings are proposed, a visitor space is not required. This will be further discussed in the assessment section of this report

A Construction Management Plan could be requested to address concerns relating to traffic and parking generated from future construction workers and potential blockage of driveways of surrounding residents. This will form a condition of the recommendation.

• That there is a vermin infestation on the site.

The vermin infestation is not a ground for consideration in the Greater Dandenong Planning Scheme or the Victoria Planning Provisions.

That the rear fence between the subject site and Karan Court would be removed.

The removal of the rear fence abutting the Karan Court would not be considered to result in adverse detriment to the surrounding uses and can be removed at any time without the need for a planning permit.

That trees on the site have been removed.

There are several trees on the site which would be removed for the development. The trees do not require a permit for removal and are not significant trees. Council's Arborist has reviewed the application and the Arboricultural Report submitted with the application and advised that most of the trees in poor health, have low retention value and are appropriate for removal.

Assessment

The subject site is located within an established residential area and is well suited for the development of medium density housing given that the site is located within easy walking distance of many community facilities and public transport. The proposal also seeks to reduce pressure on the urban fringe by providing eight (8) dwellings where previously one (1) existed through the redevelopment of the site, thereby ensuring that the housing required for the growing population is facilitated.

As required by the relevant provisions of the Planning Scheme, the proposed development has been assessed against the following:

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

Use

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

Development

Planning Policy Framework / Local Planning Policy Framework

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

Clause 22.09 Residential Development and Neighbourhood Character.

Clause 52.06 Car parking; and

Clause 55 Two or more dwellings on a lot.

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

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

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

The proposal is of a high quality urban design, with physical recession, articulation, varied use of materials, textures and other visual interest.

The overall layout allows space for compliant private and secluded private open space and acceptable landscaping treatments such as a significant canopy tree and shrubbery plantings within well-proportioned setback areas to allow growth to maturity.

The proposal is also located within an area subject to incremental change with other multi-unit developments of a similar scale and massing being found within the surrounding residential area such as on the adjoining land to the north. The proposal's compliance with Clause 22.09 and Clause 55 ensures that the development would achieve the objectives set out in Clause 15.01 and Clause 21.05-1.

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

Clause 22.09 Assessment - Residential Development and Neighbourhood Character Policy

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

Safety

Relevant Design Principle:

• Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.

Security lighting could be required as a condition of any permit to be granted.

Landscaping

Relevant Design Principles:

- Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.
- Provide substantial, high quality landscaping along vehicular accessways.
- Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.
- Planting trees that are common to and perform well in the area.
- Avoid the removal of existing mature trees by incorporating their retention into the site design.
- Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.

A landscape plan has not been submitted as part of the application and would be requested as a condition of permit.

It is noted that the proposal would be capable of accommodating substantial high quality landscaping, including screen planting and native canopy trees within the frontages of each street and the rear secluded private open space area of each dwelling.

There are several trees on the site which would be removed for the development. The trees are not significant trees. Council's arborist has reviewed the Arboricultural Report submitted with the application and advised that the trees are appropriate for removal. Council's arborist also advised that the street tree on the nature strip of Lawn Road should be retained and fenced during the construction of the development. This could be conditioned.

Clause 52.06 Assessment - Car Parking

The table at Clause 52.06-5 (Car parking – Number of car spaces required under Table 1) sets out the car parking requirement that applies to the use of land for dwellings as follows:

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

The proposal would provide one (1) car space to each two-bedroom dwelling and two car spaces to each three-bedroom dwelling with at least one (1) under cover car space. As such, the number of car spaces provided for the residents complies with Clause 52.06 (Car parking).

The development comprises of eight (8) dwellings and requires one (1) visitor car space. No visitor car space is provided, thus, the proposal requires a reduction of one (1) visitor car parking.

The applicant has provided a traffic report from a Traffic Engineer which concluded that the reduction of one (1) visitor car space will not cause any discernible impacts to on-street parking within the surrounding area and that the traffic generated by the proposed development will not cause any discernible impacts to the local road network.

The application was also referred to Council's Transport Planning Unit who has not raise any parking or traffic concern with the proposed development. Council's Transport Planning Unit also advised that an on-site visitor car space is impractical in this case given the development is split into what is effectively two (2) developments comprising four (4) dwellings each with each block of four (4) dwellings being accessed via separate driveways and via different streets being Lawn Road and Karan Court. As such each four (4) dwelling block would operate independently of each other and it is considered acceptable for the purpose of car parking to be treated as separate developments under the car parking requirements of Clause 52.06, meaning a visitor space would not be required.

The recommendation below under 'Other Matters' recommends that the number of bedrooms to Dwellings 1 and 8 be reduced to two (2). This would result in each of these dwellings having 1 car space more than the standard. Whilst these extra car spaces cannot be used as visitor spaces given their tandem arrangements, they would provide additional car spaces for the development.

The proposal generally complies with the Design Standard of Clause 52.06-9, and a full Clause 52.06 assessment is attached to this report at Attachment 5. The standards that warrant further consideration are discussed as follows:

Design Standard 2 - Car parking spaces

This standard requires where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Gaps of 260mm are shown between the tandem car spaces and the front of the brick walls to Garages 1 and 8. The roller doors to these garages would be behind the brick walls. The brick walls of the garages are 230mm thick. Thus, the gap between the tandem car spaces and the roller doors would be 490mm, 10mm below the standard. The minor variation of 10mm would not obstruct vehicle accessibility or turning on the site and is considered appropriate.

Design Standard 6 - Safety

This standard requires car parking must be well lit and clearly signed. Security lighting could be required as a condition of any permit to be granted. As the development is for residential dwellings, signage to the car parking area is not required.

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

A Clause 55 Assessment is attached to this report at Attachment 5. Standards that warrant further consideration are discussed as follows:

Clause 55.03-11 Street setback objectives - Standard B6

This standard requires front walls of buildings to be set back from streets at least the distance specified in a schedule to the zone (which is 7.5m) or the average of the two adjoining properties.

The front setback of Dwelling 1 would be 6.61 metres from Lawn Road. The dwelling on the adjoining property to the north has a front setback of 5.62m and the dwelling on the adjoining property to the south has a front setback of 9.82m. Their average front setback would be 7.71m.

It is noted that the development at No. 36-38 Lawn Road (23m to the northwest) has a setback to Lawn Road of approximately 3.5m and No. 42 Lawn Road (22m to the southwest) has a front setback of approximately 6.5m.

Taking into accounts the setbacks of the surrounding developments on Lawn Road, it is considered that the proposed 6.61m front setback to Lawn Road is not out of character with the surrounding developments and will provide sufficient space for appropriate landscaping.

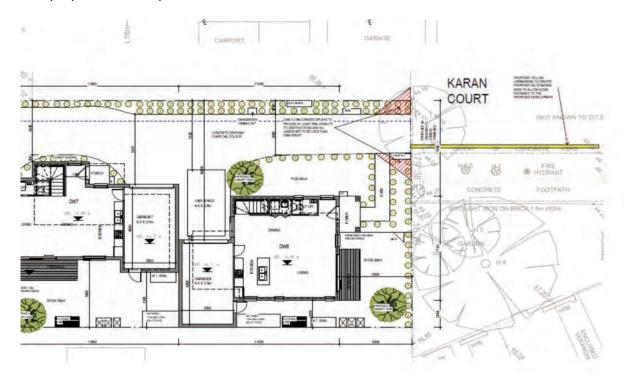
On Karan Court, the front setback of the adjoining property to the east at 22 Karan Court is 4m. On the adjoining land to the north which has eleven (11) dwellings, the front setback of the nearest dwelling to Karan court is 23m. The average front setback of the two (2) adjoining properties would be 13.5m. The proposed Dwelling 8 would have a setback of 5m to Karan Court.

The subject site and front setbacks of the two (2) adjoining properties are shown below:



The Karan Court frontage is limited to the proposed driveway width. The front of Dwelling 8 would not have a direct interface with Karan Court. As the majority of the front façade of Dwelling 8 would not be visible from Karan Court, it is considered that the proposed front setback to Karan Court would not alter the character of this court and that the front setback to Karan Court as proposed, is considered appropriate.

The proposed development on Karan Court is shown below:



Clause 55.03-7 Safety objectives - Standard B12

This standard requires developments to be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Security lighting could be required as a condition of any permit to be granted.

Clause 55.03-8 Landscaping objectives – Standard B13

This standard requires a landscape layout and design that specifies themes and vegetation. While the proposal provides adequate space for landscaping treatments across the site, a landscape plan has not been submitted as part of the application and it is recommended to be requested as a condition of permit. The objective would be met, subject to a condition of permit.

Clause 55.04-6 Overlooking objective – Standard B22

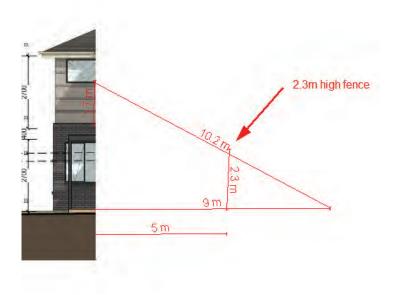
This standard requires a habitable room window should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window. Views should be measured within a 45 degree angle from the plane of the window and from a height of 1.7 metres above floor level.

All shared boundary fences with the adjoining properties would be at least 1.8m high. There would no overlooking from the ground floor habitable room windows to the adjoining properties.

On the first floors, the proposed development would have some habitable room windows facing the adjoining properties to the north and south.

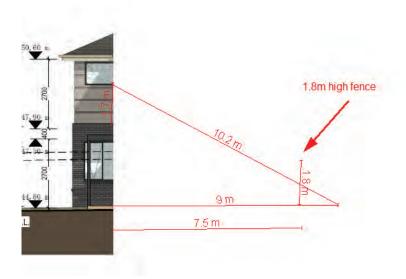
The adjoining property to the north contains eleven (11) double storey dwellings and one (1) single storey dwelling. There is a 2.3m high boundary fence along this boundary. Some of the adjoining properties to the north have their secluded private open spaces adjacent to the subject site. On the north elevation, the first floor bedroom window of Dwelling 5 would be provided with fixed obscured glazing to 1.7m above finished floor level and would not overlook the secluded private open spaces of the adjoining properties to the north. Whilst some proposed first floor clear glazed habitable room windows would be within 9m of the secluded private open spaces of the adjoining properties to the north, they comply with the Standard due to the 2.3m high boundary fence. A diagram is provided to demonstrate how the windows comply with the standard.

A diagram is provided below for information



The adjoining property to the south has 1 dwelling with a driveway, carport, garage and shed and part of the secluded private open space located adjacent to the subject site. The first floor south facing windows of Dwellings 1 to 3 would only overlook only the driveway and carport / garage of the adjoining property to the south. The first floor south facing habitable room windows of Dwellings 6 and 7 would not overlook the secluded private open space of the adjoining property to the south due to the 7.5m setback and 1.8m high boundary fence along the southern boundary.

A diagram is provided below for information



Environmentally Sustainable Development

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

The provided BESS score complies with a score of 50% for best practice encompassing the full life of the build and identifying the methods used for the best environmental performance outcome. Having regard to the sites opportunities and restraints, the proposal has included the necessary water tanks, and roof catchment areas, sufficient energy star ratings for fixtures, heating and cooling systems and the addition of double-glazed habitable room windows.

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

BESS Information		Project Overall Score: 51%				
Summary	_	Fail	Best Practice	Design Excellence		
Dwelling Type: Non-residential		(<49%) (50-69%) (>70%)				
BESS Category	Score	Initiatives				

Management	17%	
		ESD consultant present at pre-application to discuss matters related to sustainable design. TBC
		Commitment to prepare a building users guide.
Water	50%	
		Rainwater tank capacity of 2,000L per dwelling connected to:
		Landscape irrigation, Toilet flushing, Laundry Use
		Moderate WELS star rated water fittings, fixtures and appliances
		Potable water consumption reduced by 25% compared to same building following minimum standards.
Energy	50%	
		High efficiency reverse cycle air conditioning specified with 4 star energy rating.
		High efficiency 6 star gas instantaneous hot water system specified.
		Estimated greenhouse gas emissions reduced by 67% compared to compared to same building following minimum standards
Stormwater	100%	
		Stormwater design meets industry best practice requirements though incorporation of rainwater collection and re-use and raingardens
Indoor Environment Quality	100%	
		Design promotes high levels of daylight access to living areas and bedrooms.
		Over 50% of dwelling living spaces-oriented north.
		Natural cross ventilation achieved for all dwellings
		Fixed and adjustable shading provided for all north, east and west facing windows - TBC

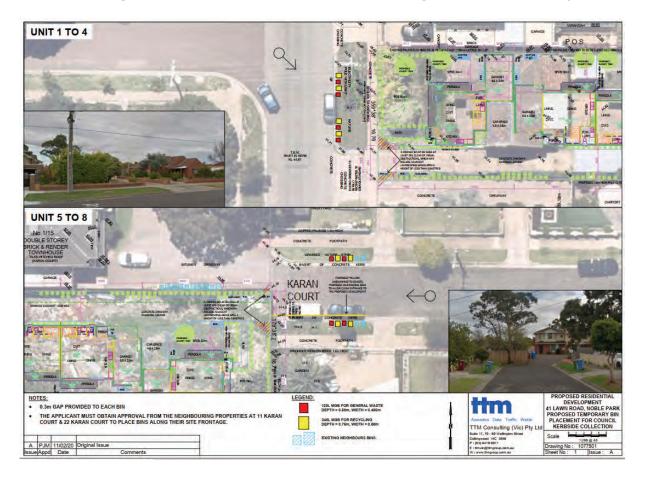
Transport	33%	
		Dwelling space caters for bicycle parking storage
Waste	0%	
Urban Ecology	50%	
Innovation	0%	

Waste Management

A Waste Management Plan has been submitted with the application. Bins for each dwelling would be stored within their respective secluded private open space area. On waste collection day, bins for Dwellings 1 to 4 would be provided on the nature strip on Lawn Road adjacent to the site. For Dwellings 5 to 8, two (2) households would provide their bins for collection on the nature strip adjacent of No. 11 Karan Court and the other two (2) households would provide their bins on the nature strip adjacent to No. 22 Karan Court. The submitted Waste Management Plan shows that there is adequate space adjacent to each of these properties to accommodate their bins and bins from two (2) of the proposed households of Dwellings 5 to 8 with room to spare for any potential future development to these properties.

Waste collections would be collected by Council's Waste Management Services. The application has been referred to Council's Waste Management Services who has no objection to the waste management proposed subject to no standing signs on collection day be provided. This could be conditioned.

A plan showing the locations of bins to be provided during waste collection day is below:



Other matters

The site plan shows a bike within the front yard of Unit 1. This is a clerical error and should be deleted via an appropriate condition.

Dwelling 5 would have a ground floor west facing bathroom window which would face the secluded private open space of Dwelling 4. The window should be deleted. This will form a condition of the recommendation.

Dwellings 1, 4, 5 and 8 are 3 bedroom dwellings. Whilst Dwellings 4 and 5 have larger ground floor areas, the ground floor living/ dining/ kitchen areas of Dwellings 1 and 8 are not much larger than a double garage and are not considered to provide sufficient internal amenity and living space for the potential number of occupants of a three bedroom dwelling. Given the limited living space provided to Dwellings 1 and 8, it is recommended that these dwellings should be modified to 2 bedroom dwellings by deleting one bedroom from each of these dwellings. This will form a condition of the recommendation.

Conclusion

The proposal is consistent with the provisions of the Greater Dandenong Planning Scheme, including the zoning requirements, local policy direction, application of Clauses 22.09, 52.06 and 55, and the decision guidelines of Clause 65.

Recommendation

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as 41 Lawn Road, Nobel Park VIC 3174 (Lot 2 LP 21211 Vol 7808 Fol 72), for 'the development of the land for eight (8) double storey dwellings and a waiver of one (1) visitor car parking space in accordance with the plans submitted with the application', subject to the following conditions:

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - 1.1. Sensor lighting above each garage;
 - 1.2. Bollard lighting along the common accessways;
 - 1.3 The 'bike' within the front yard of Dwelling 1 deleted;
 - 1.4 The west facing ground floor bathroom window of Dwelling 5 deleted;
 - 1.5 Dwellings 1 and 8 modified to two (2) bedroom dwellings by deleting one (1) bedroom to each dwelling;
 - 1.6. A landscape plan in accordance with Condition 2 hereon; and
 - 1.7 Any alterations required by Condition 3 hereon.

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

- 2. Before the approved development starts, and before any trees or vegetation are removed, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions, to show:
 - 2.1. plans to accord with Condition 1 of this permit;

- 2.2. the site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;
- 2.3. details of the proposed layout, type and height of fencing;
- 2.4. legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;
- 2.5. a plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities;
- 2.6. at least two (2) advanced native canopy tree with a minimum planting height of 1.5 metres within the front yards of Units 1 and 8;
- 2.7. at least one (1) advanced native canopy tree with a minimum planting height of 1.5 metres within the secluded private open space of each dwelling;
- 2.8 medium size shrubs or trees along the common accessways as appropriate; and
- 2.9. any paving or deck areas within the secluded open space area of the proposed dwellings to be on a permeable base.

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

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

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

- 3. Prior to the endorsement of plans under condition 1, the applicant is to submit a revised Sustainable Design Assessment to the satisfaction of the responsible authority. The revised SDA must be generally in accordance with the SDA undertaken by Star Rating, ref 20108 or another qualified SDA assessor) but modified to include:
 - 3.1. Submission of a preliminary energy efficiency NatHERS assessment for dwellings 1, 2, 4, 6 and 8. The assessment must demonstrate an energy rating above 6-stars.
 - 3.2. A revised BESS Water Section that specified tapware of at least 5 stars to all areas and toilets specified as 4-stars
 - 3.3. Increased rainwater tank capacity to 2500L

The provisions, recommendations and requirements of the revised SDA must be implemented and complied with to the satisfaction of the Responsible Authority. The documentation must not be altered without the prior written consent of the Responsible Authority.

- 4 Before the approved development starts, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Construction Management Plan must address, but is not limited to:
 - 4.1. Hours of construction, control of noise and airborne matter, deliveries, vehicle access, worker car parking, damage to public assets, and contact numbers for complaints;
 - 4.2. All Traffic Management Plans for the site demolition, excavation, deliveries and other construction related activities that will affect vehicle and pedestrian traffic;
 - 4.3. The location of all areas on-site and off-site to be used for construction staff parking;
 - 4.4. A Parking Management Plan for all associated construction vehicles;
 - 4.5. All site sheds, portable toilet, storage and materials, etc. must be confined to the land;
 - 4.6. The covering and maintenance of all roads/storage areas/external stockpiles/or vacant areas to avoid dust nuisance to any residential and commercial premises;
 - 4.7. A truck wheel-wash must be installed and used so vehicles leaving the site do not deposit mud or other materials on roadways;
 - 4.8. No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the land;
 - 4.9. All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system;
 - 4.10. The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the land; and

4.11. No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system

When approved, the Construction Management Plan will be endorsed and will form part of this permit.

The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

- 5. The provisions, recommendations and requirements of the revised Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority. The documentation must not be altered without the prior written consent of the Responsible Authority.
- 6. Except with the prior written consent of the Responsible Authority, the layout of the land and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified.
- 7. Except with the prior written consent of the Responsible Authority, the approved building must not be occupied until all buildings and works, and the conditions of this permit have been complied with.
- 8. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.
- 9. The connection of the internal drainage infrastructure to the legal point of discharge must be to the satisfaction of the Responsible Authority.
 - Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the legal point of discharge approval letter. Approval of drainage plan including any retention system within the property boundary is required.
- 10. Before the approved building is occupied, all piping and ducting above the ground floor storey of the building, except downpipes, must be concealed to the satisfaction of the Responsible Authority.
- 11. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.

- 12. Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Council's standard specifications. Any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.
- 13. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.
- 14. Before the approved building is occupied, the development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.
- 15. Letterboxes and all other structures (including visually obstructive fencing and landscaping) should be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points in accordance with the Greater Dandenong Planning Scheme Clause 52.06-9.
- 16. Before the approved building is occupied, the obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass. Adhesive film or similar removable material must not be used.
- 17. All glazing must at all times be maintained to the satisfaction of the Responsible Authority.
- 18. Before the approved development starts, a Tree Protection Fence must be erected around the Tree Protection Zones of the tree on the nature strip of Lawn Road adjacent to the site. The area within the Tree Protection Fence must be mulched to a depth of 15cm with general arboricultural wood chip mulch or similar and the Tree Protection Fence must:
 - a) be constructed of cyclone wire, orange safety mesh or similar construction;
 - b) be erected to a height of at least 1.8 metres;
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 - e) provide for access by a single gate that should be locked at all times except when required for tree inspection or maintenance.

All to the satisfaction of the Responsible Authority.

19. Bins must be stored within the secluded private open space of each dwelling, except on waste collection day. The storage of bins and collection must be carried out in accordance with the endorsed Waste Management Plan for the site.

- 19. Prior to the occupation of the dwellings, no standing signs on waste collection day must be provided on the nature strip adjacent to Nos. 11 and 22 Karan Court. The cost of the signs must be borne by the developer of 41 Lawn Road, Noble Park.
- 21. This permit will expire if: -
 - 21.1. The development or any stage of it does not start within two (2) years of the date of this permit, orit, or
 - 21.2. The development or any stage of it is not completed within four (4) years of the date of this permit.

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

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

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

Permit Notes

A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.

Approval of any retention system within the property boundary is required by the relevant building surveyor.

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

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

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

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

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

MINUTE 166

Moved by: Cr Richard Lim Seconded by: Cr Eden Foster

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CARRIED

For the Motion: Cr Lana Formoso, Cr Eden Foster, Cr Rhonda Garad, Cr Richard Lim, Cr Angela Long, Cr Jim Memeti, Cr Sean O'Reilly, Cr Sophie Tan, Cr Loi Truong

Against the Motion: Cr Tim Dark, Cr Bob Milkovic

STATUTORY PLANNING APPLICATIONS

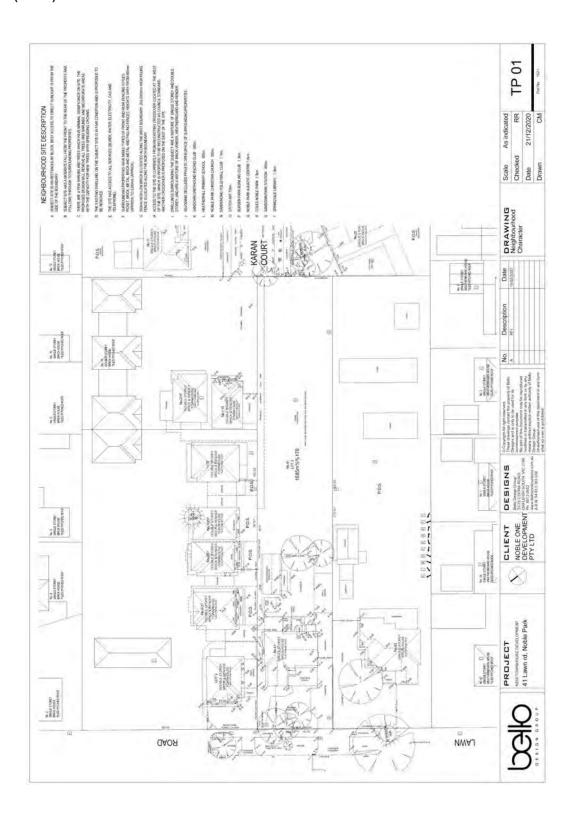
TOWN PLANNING APPLICATION – NO. 41 LAWN ROAD, NOBLE PARK (PLANNING APPLICATION NO. PLN19/0627)

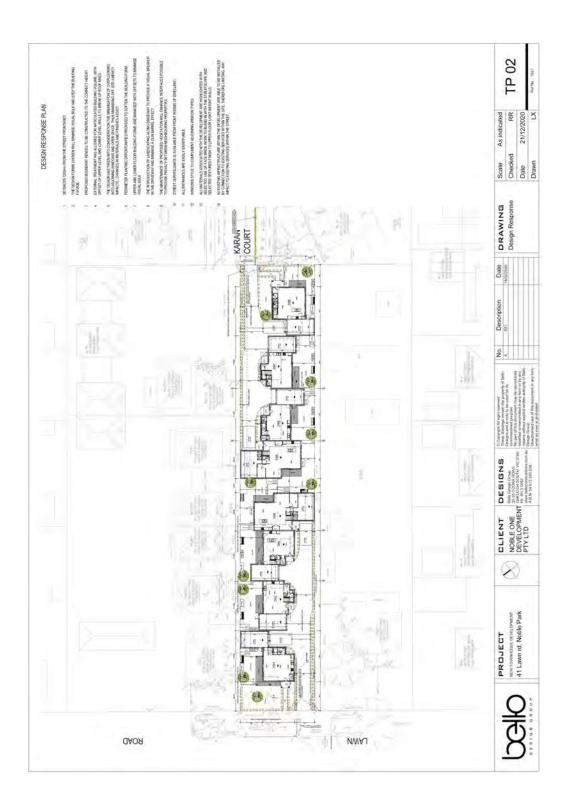
ATTACHMENT 1

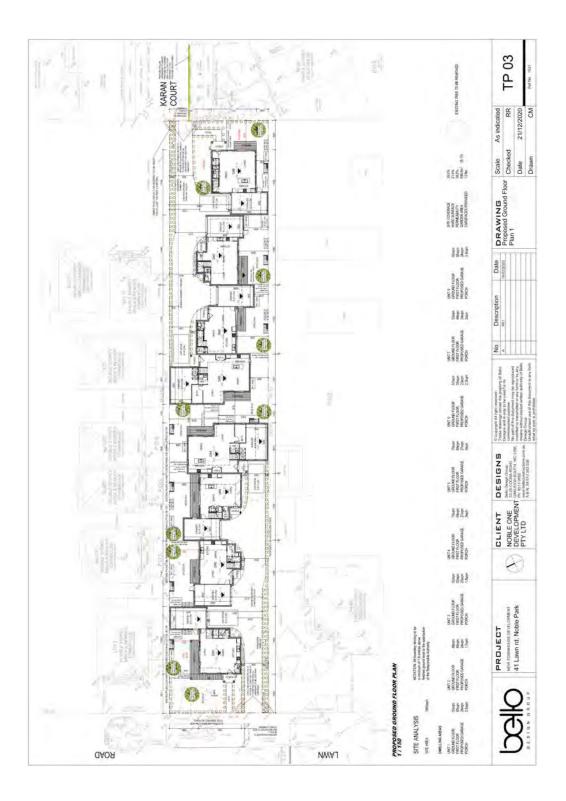
SUBMITTED PLANS

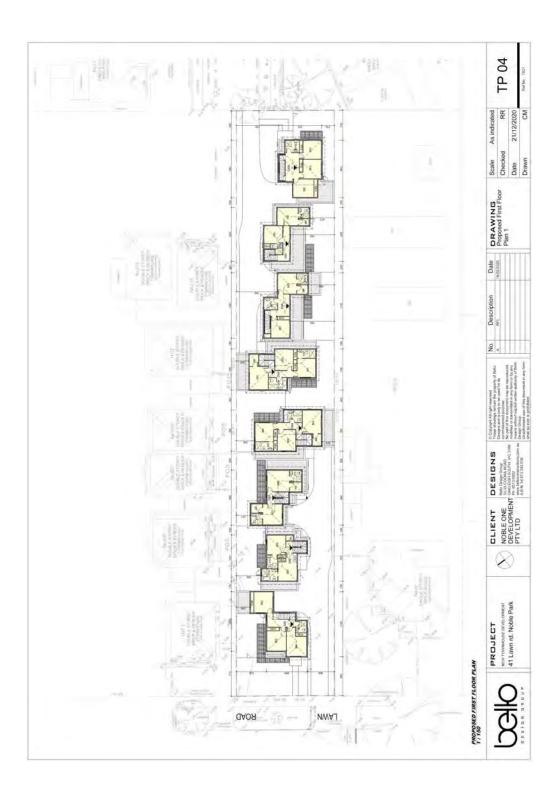
PAGES 12 (including cover)

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









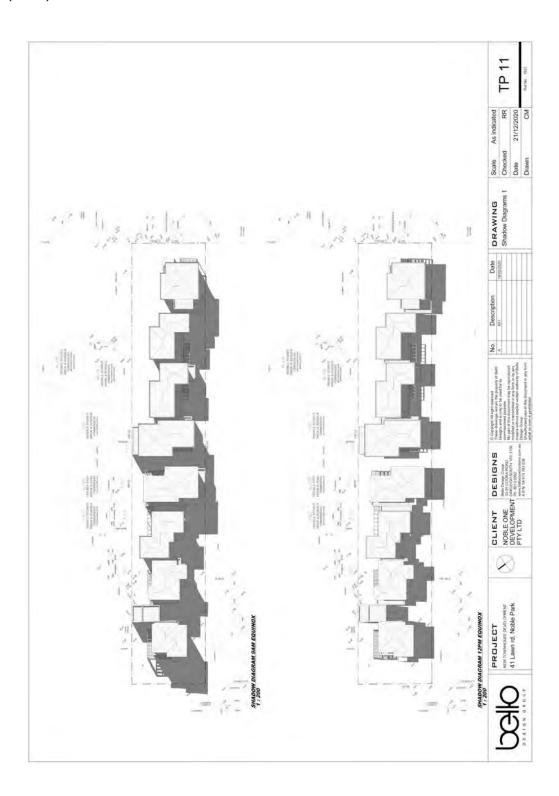


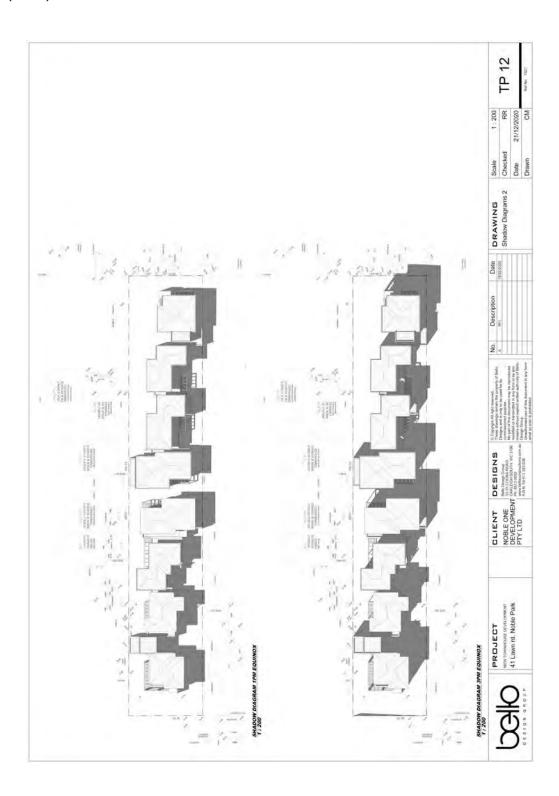












STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 41 LAWN ROAD, NOBLE PARK (PLANNING APPLICATION NO. PLN19/0627)

ATTACHMENT 2

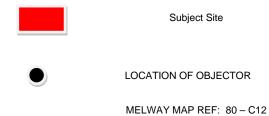
LOCATIONS OF OBJECTORS

PAGES 2 (including cover)

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







STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 41 LAWN ROAD, NOBLE PARK (PLANNING APPLICATION NO. PLN19/0627)

ATTACHMENT 3

CLAUSE 22.09 ASSESSMENT

PAGES 11 (including cover)

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

Clause 22.09-3.1 Design Principles for all residential developments

Assessment Table for Clause 22

Title /Objective	Principles	Principle met/Principle not met/NA
Safety	To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:	
	Incorporate active frontages including ground floor habitable room windows.	✓ Principle met
		The proposal would have active frontages with ground floor habitable room windows oriented towards both streets.
	Maximise the number of habitable room windows on all levels of residential buildings that overlook the	✓ Principle met
	public realm, streets, laneways, internal access ways and car parking areas.	Passive surveillance of street and public realm is provided through windows fronting the streets at both ground and upper floor levels. Habitable room windows are oriented towards the internal accessway and car parking areas.
	Use semi-transparent fences to the street frontage.	✓ Principle met
		No front fence is proposed
	Light communal spaces including main entrances and car parking areas with high mounted sensor-	! Condition required
	lights.	High mounted sensor lighting should be requested above each garage together with bollard lighting along the common accessway to provide security at night. This could be conditioned.
	Ensure that all main entrances are visible and easily identifiable from the street.	✓ Principle met
		Entrances would face the streets and easily identifiable from the streets.

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

	I noste non-babitable rooms such as bathrooms away from entrances and street frontane	✓ Principle met
	Ecode Total Tables of College Sacritics Barries of Total Cities and Street Total Section of Tables	
		The powder room of Unit 3 would be located
		adjacent to its entrance but the window to the
		powder room would be racing away nomine entrance and is considered appropriate.
Landscaping	Residential development should:	
	Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along	! Condition required
	ground level front and side and rear boundaries.	A landscape plan has not been submitted as
		part of the application and would be requested as a condition of permit.
		It is noted that the proposal would be
		capable of accommodating substantial high
		and canopy trees within the frontages of
		each sheet and the real sectioned private open space area of each dwelling.
	Provide substantial, high quality landscaping along vehicular accessways.	! Condition required
		The ground floor plan has shown concept planting along the common accessway.
		A landscape plan has not been submitted as
		requested as a condition of permit.
	Include the planting of at least one substantial canopy tree to each front setback and ground level	! Condition required
	sectuded private open space area.	A landscape plan has not been submitted as part of the application and would be requested as a condition of permit.
		It is noted that the proposal would be
		capable of accommodating two canopy trees within the frontage and one per rear
		secluded private open space area. To ensure this outcome, it is recommended to be
		include as a condition of permit (should a permit be granted).
	Planting trees that are common to and perform well in the area.	! Condition required
		A landscape plan has not been submitted as part of the application and would be requested as a condition of permit.

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

Avoid the removal of existing mature trees by incorporating their retention into the site design.	! Condition required
	There are several trees on the site which would be removed for the development. The trees are not significant trees. Council's arborist has reviewed the Arboricultural Report submitted with the application and advised that the trees are appropriate for removal. Council's arborist also advised that the street tree on the nature strip of Lawn Road should be retained and fenced during the construction of the development. This could be conditioned.
Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.	✓ Principle met The frontages would be capable of accommodating two canopy trees and more than 70% of each street frontage could accommodate landscaping which would be capable of screening the built form when viewed from the streets.
Ensure that landscaping also addresses the Safety Design Principles.	Principle met Concept landscaping shown on the floor plan shows that the planting would not obscure the entrances.
Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.	V Principle met The proposal would provide well- proportioned setbacks and private open space areas that would allow for canopy trees to be planted and grow to full maturity.
Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.	 Principle met Landscaping is proposed that will have a water sensitive design. A 2000 litre rainwater tank is proposed to each dwelling.
Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.	I Condition required A landscape plan has not been provided. Should a permit be granted, a condition is recommended for the permit that landscaping include indigenous species.

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

Car parking		✓ Principle met
	allotments with frontage widths less than 17 metres.	Only one crossover is proposed on each
		scient indicage of 10.70 indices
	On-site car parking should be:	✓ Principle met
	 Well integrated into the design of the building, 	The garages would be located behind Unit 1
	 Generally hidden from view or appropriately screened where necessary, 	on Lawn Road and behind Unit 8 on Karan Court. The garages are well integrated with
	 Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. 	the development and hidden from the streets.
	Where car parking is located within the front setback it should be:	✓ Principle met
	 Fully located within the site boundary; and 	No parking is located within the frontages.
	 Capable of fully accommodating a vehicle between a garage or carport and the site boundary. 	
	Developments with basement car parking should consider flooding concerns where applicable.	Not Applicable
		Basement parking not proposed
Setbacks, front	Residential developments should:	
boundary and width	Provide a front setback with fence design and height in keeping with the predominant street pattern.	✓ Principle met
		The proposed setbacks are in keeping with the adjoining dwellings and streetscape pattern. No front fence proposed
	Maintain the apparent frontage width pattern.	✓ Principle met
		The existing frontage width pattern would not be significantly altered.
	Provide appropriate side setbacks between buildings to enable screen planting where required, and at	✓ Principle met
	least one generous side setback to enable the retention of trees and/or the planting and future growth or trees to maturity.	Side setbacks would allow for tree planting.
	Provide open or low scale front fences to allow a visual connection between landscaping in front	✓ Principle met
	gardens and street tree planting.	No front fence proposed
Private open	All residential developments should provide good quality, useable private open space for each dwelling	✓ Principle met
		Each dwelling complies with the minimum secluded private open space areas under the Schedule to the Zone and is directly accessible from the main living area.

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

	Ground level private open space areas should be able to accommodate boundary landscaping, domestic	✓ Principle met
	services and outdoor furniture so as to maximise the useability of the space.	Indicative landscaping suggests that the private open spaces are usable spaces for domestic services and outdoor furniture and is capable of accommodating boundary landscaping.
	Private open space should be positioned to maximise solar access.	✓ Principle met
		The primary secluded private open spaces of the dwellings would be orientated as follow:
		Units 1, 2, 3 and 4: north facing.
		Unit 5: west facing
		Unit 6 and 7: south facing.
		Unit 8: east facing.
		Whilst some of the primary secluded private open spaces would not have north orientation, they would be generously setback from the walls to the north and would receive reasonable solar access and are considered appropriate.
	Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to	✓ Principle met
	ensure the solar access, useability and amenity of the space is not adversely affected.	The upper floors do not encroach on the ground floor private open space
		Not Applicable
	level dwelling so as to ensure good solar access and amenity tor the lower level dwelling.	Apartments not proposed
Bulk & Built Form	All residential developments should respect the dominant façade pattern of the streetscape by:	✓ Principle met
	 Using similarly proportioned roof forms, windows, doors and verandahs; and 	The proposed dwellings are designed to be in keeping with the streetscape and
	 Maintaining the proportion of wall space to windows and door openings. 	neighbourhood character. The proposal has incorporated a similar roof form, with a
		pitched roof with eaves. Window, door and roof proportions and heights are respectful of
		the dominant façade pattern within the broader area.
	Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.	✓ Principle met
		Balconies are not proposed

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

	The development of new dwellings to the rear of existing retained dwellings is discouraged where:	✓ Principle met
	 The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or 	The existing dwelling would be demolished for the proposed development.
	 The retention of the existing dwelling detracts from the identified future character. 	
	On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by:	✓ Principle met
	 Not exceeding the height of the neighbouring significant building; 	The site is not adjacent to a heritage building
	 Minimising the visibility of higher sections of the new building; and 	
	 Setting higher sections back at least the depth of one room from the frontage. 	
Site Design	Residential development should:	
	Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy,	✓ Principle met
	solar access and outlook of adjoining properties.	No issues identified in regard to the overlooking and overshadowing in the Clause 55 assessment.
	Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive	✓ Principle met
	design and fabric performance	Large windows are proposed to enable thermal performance and lessen reliance on artificial heating and cooling.
	Ensure that building height, massing articulation responds sensitively to existing residential interfaces,	✓ Principle met
	site circumstances, setbacks and streetscape and reduces the need for screening.	The development would orientate the majority of habitable room windows toward the street where possible to limit the need for screening.
	Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees	✓ Principle met
	and to accommodate the future growth of new trees.	Sufficient setbacks are provided to the front, side and rear to allow for canopy and screen planting.
	Provide suitable storage provisions for the management of operational waste	✓ Principle met
		Storage areas have been provided for each dwelling.
	Appropriately located suitable facilities to encourage public transport use, cycling and walking.	✓ Principle met
		The site is located conveniently close to the Sandown Park Train Station which is 490m to the northwest.

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

Materials &	Residential development should:	
rinisnes	Use quality, durable building materials and finishes that are designed for residential purposes.	✓ Principle met
		The proposed materials of face brick, rendered walls and lightweight cladding are similar to those found in surrounding residential developments.
	Avoid the use of commercial or industrial style building materials and finishes.	✓ Principle met
		Materials are suited to residential developments
	Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive	✓ Principle met
	repetitive use of materials.	The proposal has been well articulated through variation to form and materials and varying setbacks.
	Use a consistent simple palette of materials, colours finishes and architectural detailing.	✓ Principle met
		The colour palette is of a consistent simple nature.
	Maximise the ongoing affordability and sustainability of residential developments through the selection of	✓ Principle met
	low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.	The materials chosen are durable.
Domestic services normal	In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should:	
to a dwelling and Building services	Ensure that all domestic and building services are visually integrated into the design of the building and	✓ Principle met
	appropriately positioned or screened so as to not be seen from the street or adjoining properties.	The proposed mail boxes are located adjacent to the streets.

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

	Be designed to avoid the location of domestic and building services:	✓ Principle met
	 Within secluded private open space areas, including balconies; and 	The majority of domestic services for Units 1
	 Where they may have noise impacts on adjoining habitable rooms and seduded private open space areas. 	and 8 would be located within their prime secluded private open space areas. Unit 1's prime secluded private open space area is 32.5sqm, more than the 30sqm required and its total private open space is 113.5sqm.
		Considering the size of the private open space area and total private open space area and total private open space area for Unit 1, the locations of the domestic services are considered appropriate.
		Domestic services for other dwellings are generally located away from the prime secluded private open space areas.
		The proposed mail boxes are located adjacent to the streets.
Internal Amenity	Residential development should:	
	Ensure that dwelling layouts have connectivity between the main living area and private open space.	✓ Principle met
		Living room and prime POS for each dwelling is connected.
	Be designed to avoid reliance on borrowed light to habitable rooms.	✓ Principle met
		Windows are provided to all habitable rooms and would not rely on borrow light.
	Ensure that balconies and habitable room windows are designed and located to reduce the need for	✓ Principle met
	excessive screening.	The development would orientate the majority of habitable room windows toward the streets or common accessways.
	Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5,	✓ Principle met
	55.U4-1, 6 & 7, 55.U5-3, 4 & 5.	All the dwellings would have ground floor living areas.

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

Clause 22.09-3.3	3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ)	Il Residential Zone (GRZ)
Titles & Objectives	Principles	Principle met/Principle not met/NA
Preferred housing type	The preferred housing type for the Incremental Change Area is medium density.	✓ Principle met Madium density proposed
		iviedidili delisity proposed
Building Height	The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.	✓ Principle met Two storeds proposed
	The preferred maximum building height for land within the GRZ3 is 3 storeys, including ground level.	
Landscaping	Residential development should use landscaping to create a landscaped character,	✓ Principle met
	particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties	Adequate space would be reserved for landscaping which could accommodate canopy trees.
Setbacks, front	Parking, paving and car access within the front boundary setback should be limited in	✓ Principle met
boundary and width	order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.	Paving is limited to the 3-metre crossover within each street frontage.
Private open	Residential development should provide secluded private open space at the side or rear	✓ Principle met
space	of each dwelling to avoid the need for excessive screening or high front fencing.	The secluded private open space is located at either the side or rear of the dwellings.
Bulk & Built		
Ē	Residential development should:	✓ Principle met
	 ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape; 	The built form is not dissimilar to the surrounding developments.
	 be well articulated through the use of contrast, texture, variation in forms, materials and colours. 	
	Residential development in the GRZ1 and GRZ2 should:	✓ Principle met
	 provide separation between dwellings at the upper level; 	All upper floors would be separated.
	 retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space; 	No clear spine of open space located on the site.
	 position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot. 	

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

	Within the GRZ1 and GRZ2 the rearmost dwelling on a lot should be single storey to	✓ Principle met
	ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.	No clear spine of open space located on the site.
	Two storey dwellings to the rear of a lot in the GRZ1 and GRZ2 may be considered where:	
	 the visual impact of the building bulk does not adversely affect the identified future character of the area; overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties; 	
	 the building bulk does not adversely affect the planting and future growth of canopy trees to maturity; 	
	 sufficient side and rear boundary landscaping can be provided to screen adjoining properties; 	
	 upper storey components are well recessed from adjoining sensitive interfaces. 	
	Separation between upper levels of dwellings on a site in the GRZ3 is not generally needed, provided the building portrays a high standard of design and does not result in unreasonable amenty impacts.	N/A The site is within the GRZ1 and not within the GRZ3.
Other require	Other requirements also annly. These can be found at the schodule to the annlicable zone	

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

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 41 LAWN ROAD, NOBLE PARK (PLANNING APPLICATION NO. PLN19/0627)

ATTACHMENT 4

CLAUSE 52.06 ASSESSMENT

PAGES 6 (including cover)

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

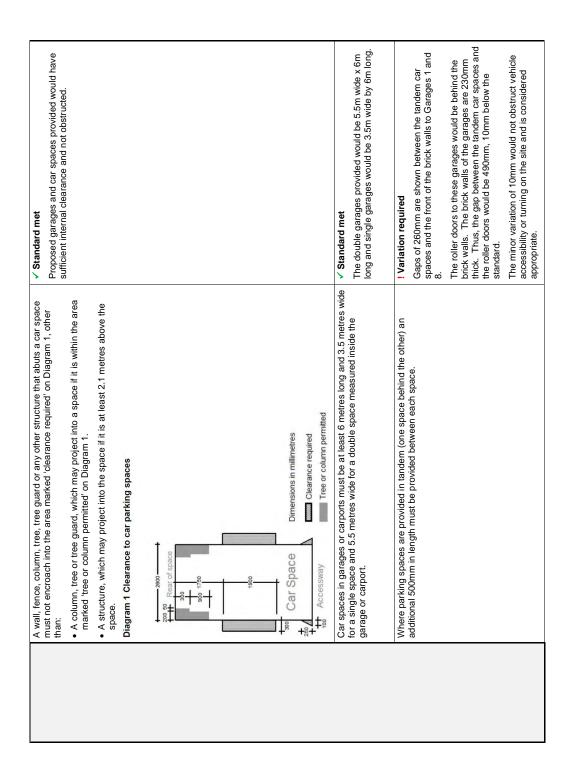
Assessment Table - Clause 52.06

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

à		
Design Standards	Assessment	Kequirement met/Requirement not met/NA
Design standard 1 -	Accessways must:	✓ Standard met
Accessways	 Be at least 3 metres wide. 	The proposed accessways are 3 metres wide each.
	 Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. 	✓ Standard met
		I here would be internal radius of 4m for vehicles to turn on the site and exit in a forward direction from the common driveway.
		The proposal was referred to Council's Transport Engineers, who had no concerns with the proposed parking layout.
	 Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre. 	Not Applicable
	 Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for 	✓ Standard met
	a vehicle with a wheel base of 2.8 metres.	The accessway or garage doors would have a headroom clearance of at least 2.1m.
	• If the accessway serves four or more car spaces or connects to a road in a Road	✓ Standard met
	Zone, the accessway must be designed to that cars can exit the site in a forward direction.	There would be internal radius of 4m for vehicles to turn on the site and exit in a forward direction from the common driveway.
		The proposal was referred to Council's Transport Planning Unit, who had no concerns with the proposed parking layout.
	 Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in Road Zone. 	Not Applicable

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

	 Have a corner solav or area at least 50 percent clear of visual obstructions 	area at least 50 perce	nt clear of visual obstruc		✓ Standard met
	extending at least 2 me and 2.5 metres along the pedestrians on the foot obstructions may included.	stres along the frontage ne exit lane from the fro path of the frontage ro de an adjacent entry or	extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is	n exit lane r view of sual	Corner splays have been provided and annotated.
	provided, or adjacent lands less than 900mm in height	andscaped areas, provight.	provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.	hose areas is	
	If an accessway to four or more car parking spaces is from land in a Road Zone, the	r more car parking spa	sces is from land in a Ros	ad Zone, the	Not Applicable
	access to the car spaces must be at least 6 metres from the road carriageway.	must be at least 6 me	tres from the road carria	geway.	Each accessway service less than 10 car spaces and the site does not adjoin a Road Zone.
	If entry to the car space is from a road, the width of the accessway may include the road.	s from a road, the widt	h of the accessway may	include the	Not Applicable
Design standard 2 -	Car parking spaces and accessways must have the minimum dimensions as outlined	accessways must have	the minimum dimensior		✓ Standard met
Car parking spaces	in Table 2. Table 2. Thinimum dimensions of car parking spaces and accessways	ensions of car parkir	ng spaces and accessv	vays	The tandem car spaces of Units 1, 4, 5 and 8 would be 2.6m wide by 4.9m long.
	Angle of car parking	Accessway width	Car space width	Car	
	spaces to access			space length	
	Parallel	3.6 m	2.3 m	6.7 m	
	45°	3.5 m	2.6 m	4.9 m	
	009	4.9 m	2.6 m	4.9 m	
	°06	6.4 m	2.6 m	4.9 m	
	,	5.8 m	2.8 m	4.9 m	
	l	5.2 m	3.0 m	4.9 m	
		4.8 m	3.2 m	4.9 m	
	Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).	mensions in Table 2 va off street). The dimen, ess to marked spaces to p 2 are to be used in p) except for disabled s tisabled).	ry from those shown in the sions shown in Table 2 a provide improved operation reference to the Australipaces which must achieve	the Australian Ilocate more n and access. ian Standard ie Australian	



	Where two or more car parkin	g spaces are provided for	here two or more car parking spaces are provided for a dwelling, at least one space	✓ Standard met
	must be under cover.			Each dwelling would have at least 1 undercover car space.
	Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disab parking spaces may encroach into an accessway width specified in Table 2 by 500mm.	nust be designed in accorabled) and the Building Colinto an accessway width	Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.	Not Applicable
Design standard 3: Gradients	Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regate to the wheelbase of the vehicle being designed for, pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.	e steeper than 1:10 (10 pedestrians and vehicles. e being designed for; pedepark; and the slope and	Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.	Standard met The land is mostly flat with a fall of 0.8m from Lawn Road to Karan Court. The grades of the driveways would not be steeper than 1:10 within 5m of each frontage.
	Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.	s of the frontage) must ha	ave the maximum grades as ng in a forward direction.	Not Applicable
	Table 3: Ramp gradients	adients		
	Type of car park	Length of ramp	Maximum grade	
	Public car parks	20 metres or less	1:5 (20%)	
		longer than 20 metres	1:6 (16.7%)	
	Private or residential car	20 metres or less	1:4 (25%)	
		longer than 20 metres	1:5 (20%)	
	Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.	between two sections of it grade change, or greate must include a transition ottoming.	Where the difference in grade between two sections of ramp or floor is greater than 1.8 (12.5 per cent) for a summit grade change, or greater than 1.6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.	Not Applicable
	Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.	ment of grade changes of art for clearances, to the s	greater than 1:5.6 (18 per satisfaction of the responsible	Not Applicable
Design standard 4:	Mechanical parking may be used to meet the car parking requirement provided:	sed to meet the car parkin	ig requirement provided:	Not Applicable
Mechanical parking	 At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres. 	nechanical car parking spa at least 1.8 metres.	aces can accommodate a	
	 Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation. 	uire the operation of the syet parking situation.	ystem are not allowed to	Not Applicable
	• The design and operation is to the satisfaction of the responsible authority.	to the satisfaction of the	responsible authority.	Not Applicable

Doeign standard E.	Granad layed for parking agreed doors and accommon must not vicually dominate	Ctondard mot
Urban design	Ground level car parking, garage doors and accessways must not visually dominate public space.	Otalidaid illet
		All car spaces would be behind Units 1 and 8 and not dominate the streets.
	Car parking within buildings (including visible portions of partly submerged	✓ Standard met
	basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.	Car parking within the garages would integrate with the design of the building and would not be visually dominating.
	Design of car parks must take into account their use as entry points to the site.	✓ Standard met
		Proposed car parks are appropriate.
	Design of new internal streets in developments must maximise on street parking opportunities.	Not Applicable
Design standard 6:	Car parking must be well lit and clearly signed.	Condition required
Sarety		Security lighting could be required as a condition of any permit to be granted.
	The design of car parks must maximise natural surveillance and pedestrian visibility	✓ Standard met
	from adjacent buildings.	The car spaces and common driveways would have natural surveillance from habitable room windows from the ground floors habitable room windows.
	Pedestrian access to car parking areas from the street must be convenient.	✓ Standard met
		Access to the car parking areas would be convenient from the street.
	Pedestrian routes through car parking areas and building entries and other	✓ Standard met
	destination points must be clearly marked and separated from traffic in high activity parking areas.	The street adjoining the site is not a high traffic street.
Design standard 7:	The layout of car parking areas must provide for water sensitive urban design	✓ Standard met
Landscaping	treatment and tandscaping.	Landscaping would be provided along both sides of the accessways to provide adequate catchment areas for water run-off.
	Landscaping and trees must be planted to provide shade and shelter, soften the	✓ Standard met
	appearance of ground level car parking and aid in the clear identification of pedestrian paths.	Landscaping would be provided along both sides of the accessways.
	Ground level car parking spaces must include trees planted with flush grilles. Spacing	✓ Standard met
	or trees must be determined having regard to the expected size of the selected species at maturity.	Substantial landscaping and adequate spacing for canopy trees have been provided.

ORDINARY COUNCIL MEETING - MINUTES

2.2.4 Town Planning Application - No. 41 Lawn Road, Noble Park (Planning Application No. PLN19/0627) (Cont.)

STATUTORY PLANNING APPLICATIONS

TOWN PLANNING APPLICATION – NO. 41 LAWN ROAD, NOBLE PARK (PLANNING APPLICATION NO. PLN19/0627)

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 35 (including cover)

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

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

Clause 55.02-1 Neigl	1 Neighbourhood character objectives	
Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B1	The design response must be appropriate to the neighbourhood and the site.	✓ Standard met
		The design response is considered appropriate in the context of the site and surrounding area, with a proposal for a medium density residential development in an established and well-serviced area.
		At a site level, the design response has considered matters relating to overshadowing and overlooking, with compliance with all relevant standards and objectives.
		The provision of areas of landscaping responds to the landscaped character of the surrounding area and the use of brickwork, rendered first floor and pitched roofing generally matches the style and materials palette of the wider area.
		The proposal has been designed in a way to respect the area while delivering on the expectations for medium density development.
		See Clause 22.09 Assessment for further discussion.
	The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.	 Standard met See Clause 22.09 Assessment for further discussion.
Decision	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
Saudeines	The neighbourhood and site description.	
	The design response.	
Objectives	To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.	
	To ensure that development responds to the features of the site and the surrounding area.	

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

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

Clause 55.02-2 Residential policy objectives

Clause 55.02-	Clause 55.02-3 Dwelling diversity objective	
Title & Objective Standards	Standards	Standard Met/Standard Not Met/NA
Standard B3	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:	N/A As less than 10 dwellings proposed.
	 Dwellings with a different number of bedrooms. 	- -
	 At least one dwelling that contains a kitchen, bath or shower, and a tollet and wash basin at ground floor level. 	
Objective	To encourage a range of dwellings sizes and types in developments of ten or more dwellings. ✓ Objective met	✓ Objective met

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

Clause 55.02-4 Infrastructure objectives

Clause 55.02-	Clause 55.02-5 Integration with the street objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B5	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	 Standard met Each dwelling is accessible by vehicles and pedestrians.
	Developments should be oriented to front existing and proposed streets.	Standard met Units 1 to 4 would face Lawn Road and Units 5 to 8 would face Karan Court. The remaining units face the internal accessways.
	High fencing in front of dwellings should be avoided if practicable.	✓ Standard met No front fence proposed.
	Development next to existing public open space should be laid out to complement the open space.	N/A The site is not next to public open space.
Decision Guidelines	Any relevant urban design objective, policy or statement set out in this scheme. The design response.	
Objective	To integrate the layout of development with the street.	✓ Objective met

	Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.	
	The visual impact of the building when viewed from the street and from adjoining properties.	
	The value of retaining vegetation within the front setback.	
Objective	To ensure that the setbacks of buildings from a street respect the existing or preferred	✓ Objective met
	neignbournood character and make efficient use of the site.	It is considered that a variations to setbacks would not alter the character of the area and is appropriate for the site.
Clause 55.03-2 Buil	-2 Building height objective	
Title & Objective Standa	Standards	Standard Met/Standard Not Met/NA
	i	

Clause 55.03-	Clause 55.03-2 Building height objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B7	The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9)	 Standard met Proposed maximum height is 7.74m (Unit 8 – North elevation).
	If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.	N/A
	Changes of building height between existing buildings and new buildings should be	✓ Standard met
	graduated.	The proposed first floors would be generally recessed from the ground floors to provide a transition of single storey element to the surrounding developments. In particular, the two (2) dwellings to the rear (Units 4 and 5), would be provided with a generous separation of 3.42m and are well setback from the adjoining properties
Decision	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
Guidelines	Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.	
	The design response.	
	The effect of the slope of the site on the height of the building.	
	The relationship between the proposed building height and the height of existing adjacent buildings.	
	The visual impact of the building when viewed from the street and from adjoining properties.	

Objective	To ensure that the height of buildings respects the existing or preferred neighbourhood character	✓ Objective met
Clause 55.03-	Clause 55.03-3 Site coverage objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B8	The site area covered by buildings should not exceed:	✓ Standard met
	 The maximum site coverage specified in a schedule to the zone, or 	Lot size 1685sqm
	 If no maximum site coverage is specified in a schedule to the zone, 60 per cent. 	Maximum site coverage permitted: 60%.
	GRZ1: 60% (none specified)	Site coverage provided: 39.6%
Decision	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
gaideilles	The design response.	
	The existing site coverage and any constraints imposed by existing development or the features of the site.	
	The site coverage of adjacent properties	
	The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.	
Objective	To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	✓ Objective met

T	neigy eniciency objectives	
little & Objective Standards	sp	Standard Met/Standard Not Met/NA
Standard B10 Buildings s	s should be:	✓ Standard met
Oriented	ed to make appropriate use of solar energy.	All the dwellings would be provided with north-facing
Sited an lots is no	 Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. 	Windows.

	Living areas and private open space should be located on the north side of the development,	✓ Standard met
	ır practicable.	The primary secluded private open spaces of the dwellings would be orientated as follow:
		Units 1, 2, 3 and 4: north facing.
		Unit 5: west facing
		Unit 6 and 7: south facing.
		Unit 8: east facing.
		Whilst some of the primary secluded private open spaces would not have north orientation, they would be generously setback from the walls to the north and would receive reasonable solar access and are considered appropriate.
	Developments should be designed so that solar access to north-facing windows is	✓ Standard met
	maximised.	All the dwellings would be provided with north-facing windows.
Decision	The design response.	
Calliabilia	The size, orientation and slope of the lot.	
	The existing amount of solar access to abutting properties.	
	The availability of solar access to north-facing windows on the site.	
Objectives	To achieve and protect energy efficient dwellings and residential buildings.	✓ Objective met
	To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.	

Clause 55.03-6 Open	6 Open space objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B11	If any public or communal open space is provided on site, it should:	N/A
	 Be substantially fronted by dwellings, where appropriate. 	No communal or public open space proposed.
	 Provide outlook for as many dwellings as practicable. 	
	 Be designed to protect any natural features on the site. 	
	• Be accessible and useable.	
Decision Guidelines	Any relevant plan or policy for open space in the PPF and the LPPF, including the MSS and local planning policies.	
	The design response.	
Objective	To integrate the layout of development with any public and communal open space provided in 🗸 Objective met or adjacent to the development.	✓ Objective met

Clause 55.03	Clause 55.03-7 Safety objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B12	Entrances to dwellings and residential buildings should not be obscured or isolated from the	✓ Standard met
	street and internal accessways.	The entrances to Units 1 to 4 would be easily visible from Lawn Road.
		Visibility of the entrances to Units 5 to 8 from Karan Court would be limited due to the frontage to Karan Court been limited to the proposed driveway. The design has provided the driveway for Units 5 to 8 on the northern boundary to improve visibility of the entrances from Karan Court. Considering the site constraints, the design as submitted is considered appropriate.
	Planting which creates unsafe spaces along streets and accessways should be avoided.	✓ Standard met
		Planting along the shared accessways would be low ground cover plants which would not reduce visibility of the entrances of the dwellings.
	Developments should be designed to provide good lighting, visibility and surveillance of car	! Condition required
	parks and internal accessways.	Security lighting provided could be required above each garage and along the common driveways.
	Private spaces within developments should be protected from inappropriate use as public	✓ Standard met
	thoroughtares.	Private spaces are delineated by fencing.
Decision Guidelines	The design response.	
Objectives	To ensure the layout of development provides for the safety and security of residents and property.	✓ Objective met

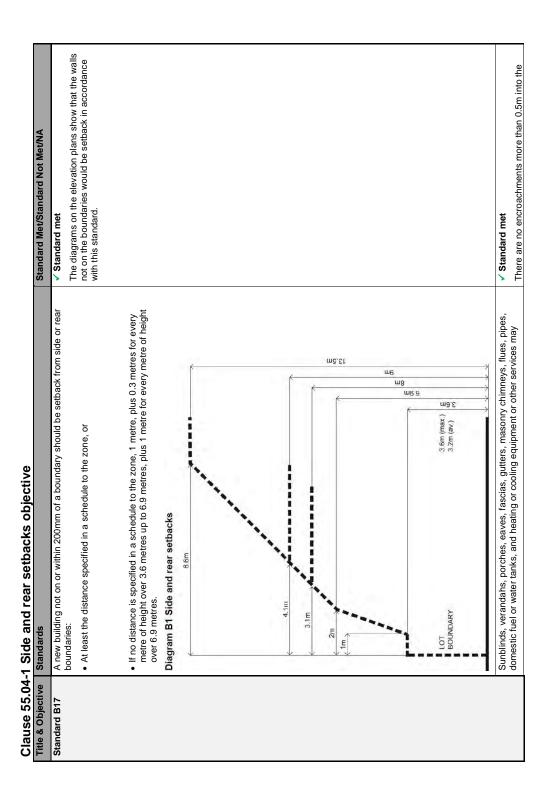
Clause 55.03-	Clause 55.03-8 Landscaping objectives	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B13	The landscape layout and design should:	Condition required
	 Protect any predominant landscape features of the neighbourhood. 	Adequate space has been provided to allow landscaping
	 Take into account the soil type and drainage patterns of the site. 	including canopy trees within the secluded private open spaces and front yard. A detailed landscape plan
	 Allow for intended vegetation growth and structural protection of buildings. 	incorporating native canopy trees could be required as a
	 In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. 	condition of approval.
	 Provide a safe, attractive and functional environment for residents. 	
	Development should provide for the retention or planting of trees, where these are part of the	✓ Standard met
	character of the neighbourhood.	There are several trees on the site which would be removed for the development. The trees are not significant trees. Council's arborist has reviewed the application and the Arboricultural Report submitted with the application and advised that the trees are appropriate for removal.
	Development should provide for the replacement of any significant trees that have been	Condition required
	removed in the 12 months prior to the application being made	No significant trees would be removed.
		Replacement trees would be provided via condition of approval.
	The landscape design should specify landscape themes, vegetation (location and species),	Condition required
	paving and lighting.	As above, a landscape plan would be requested as a condition of any permit to be granted.
	Development should meet any additional landscape requirements specified in a schedule to	✓ Standard met
	the 20ne. All exhadrilae to all racidantial zonae:	70% of the front, side and rear setback areas would be
	"70% of ground level front setback, and side and rear setbacks, planted with	
	substantial fanocaping and canopy dees.	
Decision	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
Salliegino	Any relevant plan or policy for landscape design in the SPPF and the LPPF, including the MSS and local planning policies.	
	The design response.	
	The location and size of gardens and the predominant plant types in the neighbourhood.	
	The health of any trees to be removed.	

	Whether a tree was removed to gain a development advantage.	
Objectives	To encourage development that respects the landscape character of the neighbourhood.	✓ Objective met
	To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.	
	To provide appropriate landscaping.	
	To encourage the retention of mature vegetation on the site.	

Title & Objective	Gidd & Objective Standards	Standard Met/Standard Not Met/NA
ine a objective	Quality of the state of the sta	
Standard B14	The width of accessways or car spaces should not exceed:	✓ Standard met
	• 33 per cent of the street frontage, or	Street frontage to Lawn Road = 16.76m
	• if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.	Maximum accessway width permitted: 40% or 6.7m
		Accessway width provided: 17.9% or 3m
		Frontage to Karan Court = 7.59m
		Maximum accessway width permitted: 40% or 6.7m
		Accessway width provided: 39.52% or 3m
		Frontage to Karan Court shown below:
		KARAN SINGER STATE OF THE STATE
	No more than one single-width crossover should be provided for each dwelling fronting a	✓ Standard met.
	street.	Each crossover would be single width (3m wide).

	The location of crossovers should maximise retention of on-street car parking spaces.	✓ Standard met
		No on-street car parking would be loss from the proposed development.
	The number of access points to a road in a Road Zone should be minimised.	N/A
		The site does not adjoin a Road Zone.
	Developments must provide for access for service, emergency and delivery vehicles.	✓ Standard met
		The accessways provided would be adequate in size for service, emergency and delivery vehicles.
Decision	The design response.	
gainea	The impact on neighbourhood character.	
	The reduction of on-street car parking spaces.	
	The effect on any significant vegetation on the site and footpath.	
Objectives	To ensure the number and design of vehicle crossovers respects the neighbourhood character.	✓ Objective met

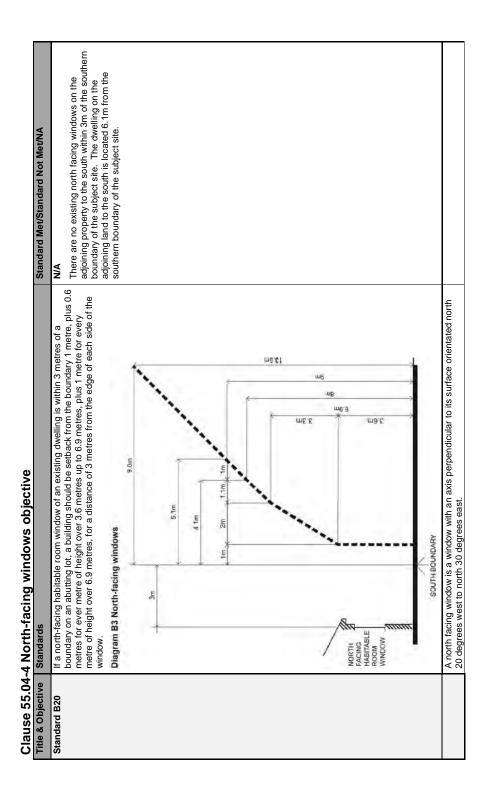
Clause 55.03-	Clause 55.03-10 Parking location objectives	
Title & Objective Standards	Standards	Standard Met/Standard Not Met/NA
Standard B15	Car parking facilities should:	✓ Standard met
	 Be reasonably close and convenient to dwellings and residential buildings. 	Car parking facilities for each dwelling would be close
	• Be secure.	and convenient for each dwelling. The garages of each dwelling would be secure and would be capable of being
	Be well ventilated if enclosed.	well ventilated.
	Shared accessways or car parks of other dwellings and residential buildings should be	✓ Standard met
	located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.	Habitable room windows would be setback from the common accessways.
Decision Guidelines	The design response.	
Objectives	To provide convenient parking for residents and visitors vehicles.	✓ Objective met
	To protect residents from vehicular noise within developments.	



	encroach not more than 0.5 metres into the setbacks of this standard.	setback area.
	Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.	Standard met There are no landings that encroach into the setback standard more than 2sqm and 1m high.
Decision	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
Salide	The design response.	
	The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.	
	Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.	
	Whether the wall abuts a side or rear lane.	
Objectives	To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	✓ Objective met

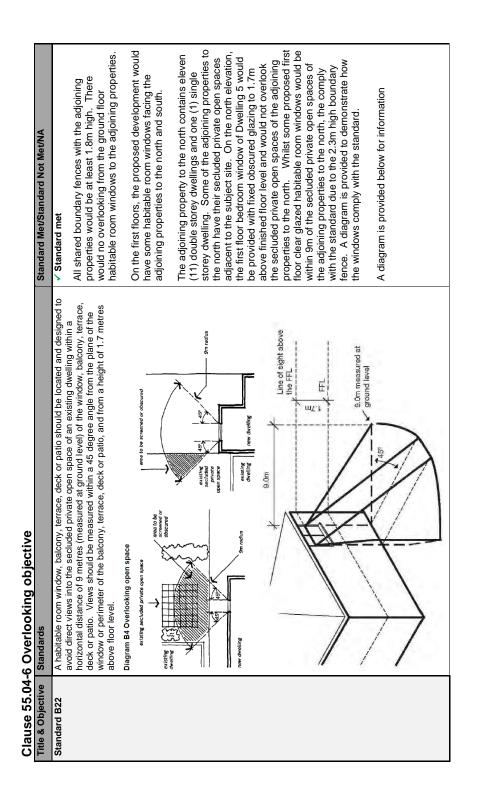
Clause 55.04- Title & Objective Standard B18 Decision Guidelines	Standard B18 A new well constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary. • For a length of more than the distance specified in the schedule to the zone, or 1 on metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, the length of the existing or simultaneously constructed walls or carports. A new well or carport may fully abut a side or rear boundary where slope and retaining wells or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property. A building on a boundary includes a building set back up to 200mm from a boundary or a carport constructed on or within 1 metre of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary or a carport constructed wall. The height of a new wall constructed on or within 1 metre of a side or rear boundary aboundary where slope and retaining wall on a scheme. The design response. The design response. The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with a mexisting wall on a lot of an adjoining property. The vicientation of the boundary that the wall is being built on.	Standard Met/Standard Not Met/NA Standard met The garages of Units 1, 4, 5 and 8 would be on the side boundaries. Allowable length of wall on each side boundary is 10m + 25% of remaining length. The length on the site on each side boundary is 100.53m and the allowable length is 10 + 25% of 90.53m = 32.63m. The proposed walls on the northern side boundary is 10.46m (Garages 1 and 5) and on the southern boundary is 10.46m (Garages 4 and 8). Standard met Some of the proposed walls would be on the side boundaries. Standard met Standard met Standard met Standard met Proposed walls on the boundaries would not exceed an average height of 3.2m.
	The extent to which the slope and retaining walls or fences reduce the effective height of the wall.	
	Whether the wall abuts a side or rear lane.	

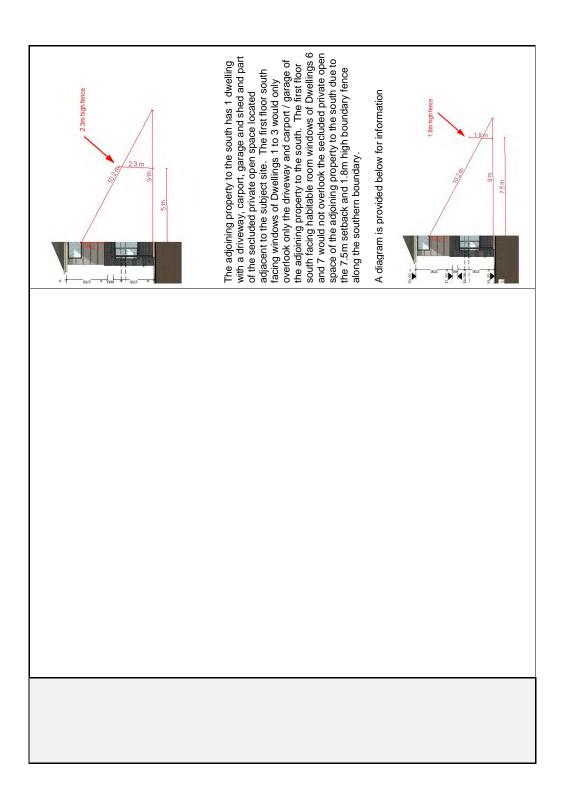
	The need to increase the wall height to screen a box gutter.	
Objectives	To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	✓ Objective met
Clause 55.04-3 Dayli	-3 Daylight to existing windows objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B19	Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.	 Standard met Light courts of habitable room windows on the adjoining properties would not be impacted by the proposed development.
	Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. Diagram B2 Daylight to existing windows	Standard met Existing habitable room windows on adjoining properties would not be impacted by the proposal.
	Existing Proposed Existing Proposed Setback tom the wall the window half the height of the window half the height of the wall	
	Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.	
Decision	The design response.	
Salidelines	The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.	
	The impact on the amenity of existing dwellings.	
Objective	To allow adequate daylight into existing habitable room windows.	✓ Objective met



	20' 30' Alphies where existing HRW is between 20' west and 30' east from north	
Decision	The design response.	
Guidelines	Existing sunlight to the north-facing habitable room window of the existing dwelling.	
	The impact on the amenity of existing dwellings.	
Objective	To allow adequate solar access to existing north-facing habitable room windows.	✓ Objective met

Clause 55.04- Title & Objective Standard B21 Decision Guidelines	Title & Objective Standards Standard B21 Title & Objective Standards Standard B21 Standard B21 Title & Objective Standards Standard B21 Title & Objective Standards Where sunlight to the secluded private open space should receive a minimum of five hours of sour standard B21 To per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sour standard, the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced. Decision The design response. The impact on the amenity of existing dwellings. Existing sunlight penetration to the secluded private open space of the existing dwelling. The impact of any that sunlight will be available to the secluded private open space of the existing dwelling. The effect of a reduction in sunlight on the existing use of the existing secluded private open space. Objective To ensure buildings do not significantly overshadow existing secluded private open space. ✓ Standard B21 The impact on the secluded private open space of the existing secluded private open space. ✓ Objective To ensure buildings do not significantly overshadow existing secluded private open space.	Standard MevStandard Not MevNA Standard met The only adjoining land that will be partially overshadow by the proposed development is the adjoining land to the south has one (1) single south. The adjoining land to the south has one of (1) single storety dwelling with a driveway, carport, garage and a shed on its northern boundary. Whilst some shadow would be cast to its secluded private open space area, more than 75% and at least 40sqm of its secluded private open space would not be overshadowed by the privoposed development. Standard met As above.	
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	A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:	✓ Standard met As above.
	 Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. 	
	 Have sill heights of at least 1.7 metres above floor level. 	
	 Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. 	
	 Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. 	
	Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.	✓ Standard met
	Screens used to obscure a view should be:	N/A
	 Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. 	
	 Permanent, fixed and durable. 	
	 Designed and coloured to blend in with the development. 	
	The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.	✓ Standard met As above.
Decision	The design response.	
Guidelines	The impact on the amenity of the secluded private open space or habitable room window.	
	The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.	
	The internal daylight to and amenity of the proposed dwelling or residential building.	
Objective	To limit views into existing secluded private open space and habitable room windows.	✓ Objective met

Clause 55.04-7 Interi	-7 Internal views objective	
Title & Objective Standard	Standards	Standard Met/Standard Not Met/NA
Standard B23	Windows and balconies should be designed to prevent overlooking of more than 50 per cent Standard met of the secluded private open space of a lower-level dwelling or residential building directly There would be n There would be n	✓ Standard met There would be no internal overlooking.
Decision Guidelines	The design response.	
Objective	To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	✓ Objective met

Clause 55.04-8 Noise	-8 Noise impacts objectives	
Title & Objective Standards	Standards	Standard Met/Standard Not Met/NA
Standard B24	Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.	Standard met No noise sources apparent.
	Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take into account of noise sources on immediately adjacent properties.	✓ Standard met No noise sources apparent.
	Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.	 Standard met The site does not adjoin busy roads, railway lines or industry.
Decision Guidelines	The design response.	
Objectives	To contain noise sources within development that may affect existing dwellings. To protect residents from external noise.	✓ Objective met

Clause 55.05-	Clause 55.05-1 Accessibility objective	
Title & Objective Standards	Standards	Standard Met/Standard Not Met/NA
Standard B25	The dwelling entries of the ground floor of dwellings and residential buildings should be	✓ Standard met
	accessible of able to be easily friade accessible to people with inflict fromity.	The floor levels proposed are not excessive high and could be accessible to people with limited mobility.
Objective	To encourage the consideration of the needs of people with limited mobility in the design of	✓ Objective met
	developments.	

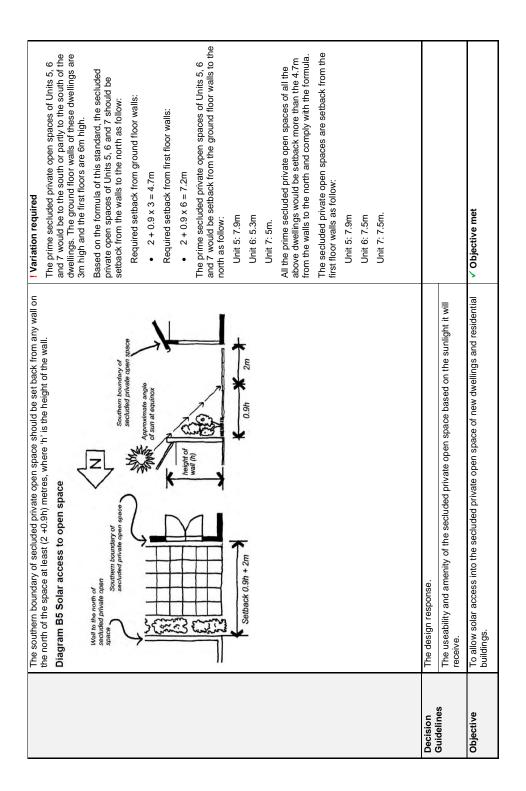
Clause 55.05-2 Dwel	·2 Dwelling entry objective	
Title & Objective Standards	Standards	Standard Met/Standard Not Met/NA
Standard B26	Entries to dwellings and residential buildings should:	✓ Standard met
	 Be visible and easily identifiable from streets and other public areas. 	The entrance to each dwelling is provided with an entry
	 Provide shelter, a sense of personal address and a transitional space around the entry. 	point to provide a sense of address and can be identified from the streets or the internal accessways.
Objective	To provide each dwelling or residential building with its own sense of identity.	✓ Objective met

Clause 55.05-3 Daylight	-3 Daylight to new windows objective	
Title & Objective Standards	Standards	Standard Met/Standard Not Met/NA
Standard B27	A window in a habitable room should be located to face:	✓ Standard met
	An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or space.	Each habitable room window would face an outdoor space.
	 A verandah provided it is open for at least on third of its perimeter, or 	
	 A carport provided it has two or more open sides and is open for at least on third of its perimeter. 	
Decision	The design response.	
Guidelines	Whether there are other windows in the habitable room which have access to daylight.	
Objective	To allow adequate daylight into new habitable room windows.	✓ Objective met

Clause 55.05-4 Private open space objective

Title & Objective	Standards	Standard	Standard Met/Standard Not Met/NA	Not Met/NA	
Standard B28	A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone	Standard met	d met		
	GRZ2: "An area of 50 square metres of ground level, private open space, with one part of the private open space to consistent of secluded private open space at	The private open s (in square metres):	e open space metres):	The private open spaces for the dwellings are as follow (in square metres):	ire as follow
	the side or rear of the dwelling with a minimum area of 30 square metres, and		Ground floor	Ground floor	Total
	a minimum dimension of 5 metres and convenient access from a living room; or a balcony with a minimum area of 10 course metres with a minimum width		private open	secluded private	(mbs)
	of a barcony with a minimum area of 10 square metes with a minimum with		space (sqm)	open space (sqm)	
	square metres with a minimum width of 2.0 metres and convenient access	Unit 1	81	32.5	113.5
	from a living room"	Unit 2	N/A	52	52
	•	Unit 3	N/A	20	20
		Unit 4	N/A	57	57
		Unit 5	N/A	61	61
		Unit 6	N/A	20	20
		Unit 7	N/A	22	22
		Unit 8	45	49	94
		Each dwel area of at and conve	ling would hav least 30sqm v nient access f	Each dwelling would have a secluded private open space area of at least 30sqm with a minimum dimension of 5m and convenient access from a living room.	open space insion of 5m
	If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:	N/A			
	 An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or 				
	A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or				
	 A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. 				
	The balcony requirements in Clause 55.05-4 do not apply to an apartment development.				
Decision	The design response.				
Guidellnes	The useability of the private open space, including its size and accessibility.				
	The availability of and access to public or communal open space.				
	The orientation of the lot to the street and the sun.				

Objective	To provide adequate private open space for the reasonable recreation and service needs of residents.	✓ Objective met
Clause 55.05-5 Solar	-5 Solar access to open space objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B29	The private open space should be located on the north side of the dwelling or residential building, if appropriate.	✓ Standard met The primary secluded private open spaces of Units 1, 2, 3, 4 would be located on the north side of the dwellings. The secluded private open space of Unit 5 is located to its west whilst the secluded private open spaces of Units 6 and 7 would be located to their south. The primary secluded private open spaces of Units 6 and 7 and part of the primary secluded of Unit 5 would be to the south of the dwellings. However, they are generously setback from the walls to the north and comply with the formula required by this standard.



	Standard Met/Standard Not Met/NA	✓ Standard met	Each dwelling provided with a minimum 6 cubic metres of external storage in form of a storage shed.	✓ Objective met	
6 Storage objective	Standards	Each dwelling should have convenient access to at least 6 cubic metres of externally	accessible, secure storage space.	To provide adequate storage facilities for each dwelling.	
Clause 55.05-6 Sto	Title & Objective Standards	Standard B30		Objective	

Clause 33.00	Ciause 33.00-1 Design detail Objective	
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B31	The design of buildings, including:	✓ Standard met
	 Façade articulation and detailing, 	The proposed front setback, external materials and roof
	 Window and door proportions, 	form is consistent with the existing and preferred character of the area.
	Roof form, and	
	 Verandahs, eaves and parapets, 	
	should respect the existing or preferred neighbourhood character.	
	Garages and carports should be visually compatible with the development and the existing or	✓ Standard met
	preferred neighbourhood character.	The garages would be to the rear of Units 1 and 8 and hidden from the streets.
Decision	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
Guidelines	The design response.	
	The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.	
	Whether the design is innovative and of a high architectural standard.	
Objective	To encourage design detail that respects the existing or preferred neighbourhood character.	✓ Objective met

Title & Objective	Standards		Standard Met/Standard Not Met/NA
Standard B32	The design of front fences should complement the de building and any front fences on adjoining properties.	The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.	N/A No front fence proposed.
	A front fence within 3 metres of a street should not exceed:	it should not exceed:	N/A
	The maximum height specified in a schedule to the zone, or	schedule to the zone, or	
	All schedules to all residential zones:	<u>185:</u>	
	"Maximum 1.5 metre height in streets in Road Zone Category 1.2 metre maximum height for other streets"	ets in Road Zone Category 1 er streets"	
	 If no maximum height is specified in in Table B3. 	 If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. 	
	Table B3 Maximum front fence height	ght	
	Street Context	Maximum front fence height	
	Streets in a Road Zone, Category 1	2 metres	
	Other streets	1.5 metres	
Decision	Any relevant neighbourhood character	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
Guidelines	The design response.		
	The setback, height and appearance of front fences on adjacent properties.	if front fences on adjacent properties.	
	The extent to which slope and retaining	to which slope and retaining walls reduce the effective height of the front fence.	
	Whether the fence is needed to minimise noise intrusion.	ise noise intrusion.	
Objective	To encourage front fence design that re character.	To encourage front fence design that respects the existing or preferred neighbourhood character.	✓ Objective met

eas. efficient te facilities are	Clause 55.06-3 (Clause 55.06-3 Common property objectives	
Developments should clearly delineate public, communal and private areas. Common property, where provided, should be functional and capable of efficient management. To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	Title & Objective St	tandards	Standard Met/Standard Not Met/NA
Common property, where provided, should be functional and capable of efficient management. To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.		levelopments should clearly delineate public, communal and private areas.	✓ Standard met
Common property, where provided, should be functional and capable of efficient management. To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.			Appropriate fencing have been including to delineate private areas.
management. To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	ŏ	common property, where provided, should be functional and capable of efficient	✓ Standard met
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.	É	nanagement.	The driveways would form common property if the land is to be subdivided. These areas would be functional and
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership.			capable of efficient management.
		o ensure that communal open space, car parking, access areas and site facilities are	✓ Objective met
	pr	ractical, attractive and easily maintained.	
	ĭ	o avoid future management difficulties in areas of common ownership.	

2.2.4 Town Planning Application - No. 41 Lawn Road, Noble Park (Planning Application No. PLN19/0627) (Cont.)

Title & Objective Standard	Standards	Standard Met/Standard Not Met/NA
Standard B34	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and	✓ Standard met Adequate space has been allocated for services.
	maintained efficiently and economically.	The garage of Unit 5 would be constructed over the drainage easement (E1 – 1.52m wide drainage easement) (located along part of the northern boundary. The applicant has obtained consent from Council's Building Department to build over the easement.
		✓ Standard met
	durable, waterproof and blend in with the development.	Mailboxes for the development provided to front of site. Each unit provided with bin area and communal meter boxes provided.
	Bin and recycling enclosures should be located for convenient access by residents.	✓ Standard met
		Rubbish and recycling bins located within POS area of each unit.
	Mailboxes should be provided and located for convenient access as required by Australia Post.	✓ Standard met
		Mailboxes provided.
Decision Guidelines	The design response.	
Objectives	To ensure that site services can be installed and easily maintained.	
	To ensure that site facilities are accessible, adequate and attractive.	✓ Objective met

3 QUESTION TIME - PUBLIC

Comment

John Bennie PSM - Chief Executive Officer

Mayor and Councillors, there are nine public questions this evening. Eight questioners have opted to have their questions read, the ninth has opted to read their question themselves so proceeding through those that have opted to have them read, here is the first question.

Question

Heather Louis, Keysborough

There has been on numerous occasions complaints about the huge amounts of rubbish alongside the Bypass road between the EastLink and Springvale Road. I personally have sent some Snap, Send, Solve queries and Council has rung to say they have been passed on to VicRoads. Eighteen months later the same rubbish is still there and increasing all the time. We need a clean-up to happen urgently. It is beyond disgusting.

Response

Paul Kearsley, Director Business, Engineering and Major Projects

It has been an issue for six to 12 months. Council has received several complaints regarding litter along the Dandenong Bypass Road. This roadway and surrounding road reservation is the maintenance responsibility of VicRoads now known as the Department of Transport. Council officers have registered several requests with VicRoads, the latest one being on 29 April 2021, requesting a clean-up of the area in response to a complaint raised from another Keysborough resident. A further follow up call was made to VicRoads on Monday 24 May 2021, to check on the status of this request. The VicRoads Customer Service Officer advised that the request had been registered with the Contractor responsible for the maintenance of this area and a further request has been made for the VicRoads Contract Supervisor to contact Council to advise of the timeframe and for the completion of works. Council officers have also registered Council's and a number of residents' dissatisfaction with the maintenance performance. We have also registered our concerns with the Regional Manager of the Department of Transport with regards to the lack of action on that particular part of the road, and also a general lack of maintenance by the Department of Transport so it is an issue that we are well aware of and we would hope to be able to pass on some good news in the coming months.

Cr Lana Formoso left the Chamber at 7.30pm.

Question

George Edwards, Springvale

I saw on the news that the big letters opposite the Police Station are part of the Springvale Library. I have looked online and see the Library provides many services but are books really most important these days? Books are online these days and everyone has internet. Are there any spaces for men

to build stuff especially 3D printing laser cutters, things that are expensive for individuals but would help the community and entrepreneurship like the so-called Makers Spaces? Are there any plans to investigate this as an option for usage of library budget?

Response

Martin Fidler, Director Community Services

We are really pleased and proud that the building across from the Police Station as mentioned, is more than a library. It is the Springvale Community Hub which has a Makers Space in it called The Studio. It is available and can be programmed for a range of activities including 3D printing, arts, craft and technology demonstrations. We would be really happy if Mr Edwards wants to pop in and have a chat with us. We are happy to give him a tour of the amazing facilities there and to also discuss his interest in those types of activities.

Question

Matthew Kirwan, Noble Park

Has the \$20,000 for the Maralinga Community Garden allocated in the 2020/21 Budget been carried over to the 2021/22 Budget? If not, why not?

Response

Mick Jaensch, Director Corporate Services

The very short answer is no, it has not and that is because we only assess carry over projects in July of each year. We will conduct that review in July 2021 and then we will bring forward a list of carry overs for Council's consideration in September 2021.

Question

Matthew Kirwan, Noble Park

After Saturday's poor attendance at the Forever Fest, can consideration be given to moving it back to Dandenong Market where attendance grew each year between 2014 to 2019 to many thousands of people attending each year, and also a reversion back to the name Greater Dandenong Sustainability Festival, a name that was easy to understand and market?

Response

Jody Bosman, Director City Planning, Design and Amenity

In response to Mr Kirwan, the festival is definitely a departure from the typical physical festival and is an exciting foray into digital festivals which have no geographic boundaries and can reach literally thousands of people online. Virtual festivals are less expensive to run, reach a far greater audience with equity of access to otherwise disadvantaged communities and the festival's events can also be replayed over and over as they will be archived for ongoing access. Of great importance here is the fact they are environmentally so much more responsible in trying to draw large crowds of people from across the region to a place-based event. At the end of the festival a full assessment will be undertaken by officers considering what has and of course, what has not worked well as we consider the way forward in the years ahead.

Question

Loredana Ember, Keysborough

How is planning for a coffee cart inside the Keysborough South Community Hub foyer progressing? It would be enticing for people who visit the hub on a cold winter's day if there was a coffee cart in the foyer.

Response

Paul Kearsley, Director Business, Engineering and Major Projects

With regards to the coffee cart, we have two locations for that opportunity; one is located within the building itself and the other is located outside, close to the front door. It could be perhaps a commercial coffee cart operator we are not sure yet but the plan is to allow the building to open with the coffee opportunities within the building and to then measure the need and success of that and if necessary, engage with any interested business that may want to operate a more traditional one outside.

Cr Lana Formoso returned to the Chamber at 7.35pm.

Question

Loredana Ember, Keysborough

When is the Keysborough South community going to be informed of the results of the consultation on the Keysborough South Community Hub playground, including the community desire for water play in the natural environment of Tatterson Park in Keysborough?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Council received approximately 83 submissions from the residents and community in Keysborough South with regards to the proposed playground. I am happy to say that the majority of the comments were able to be included in an amended and updated design. That design has been forwarded to the architects for the total project so that we can include the playground into the detailed design tender and construction timetable for the whole site, rather than do one first and then do the other later. As per previous consultation with regards to the Keysborough South Community Hub, it is intended to put the responses on the website so the community will be able to see how Council has considered all of the submissions. There are a number there that we have not been able to include and that is mainly due to the size of the area that we had. A number of community members called for a full basketball court and a large wet play area and things of that nature. We just could not physically include them on the site because there are alternatives at the nearby Tatterson Park as well so that information we hope to put it up on the website within a matter of weeks and then the community can see how we have responded to that and how we have included almost 85/90 percent of comments in the amended plans.

ORDINARY COUNCIL MEETING - MINUTES

3 QUESTION TIME - PUBLIC (Cont.)

Question

Loredana Ember, Keysborough

When is the web page on the Keysborough South Community Hub project going to be updated with current status and time frames? I am guessing the construction is not on track to start in mid-2021 as the website says.

Response

Paul Kearsley, Director Business, Engineering and Major Projects

The resident is correct that it is unlikely to commence in mid-2021. The reason is partly due to the playground consultation that I have just previously answered. We had to engage and go through that process later than we had anticipated mainly due to the COVID impact of late last year and wanting to get clear of Christmas and New Year. The other issue which we are dealing with which is a positive issue, is that we are seeking accreditation for Five Star/Green Star and that involves a fairly detailed process through the Green Building Council of Australia where we are required to submit all of the tender documentation, the plans and any specifications to them for checking. This is done prior to tender so that once construction is completed we have an easier path to certification, which is an important component if we are intending to highlight the sustainability credentials of this particular Council. I would be hoping that once the Green Building Council has been engaged in the following four to six weeks, by the end of June/early July, I should have a more complete understanding of the timeframes with regards to then going to tender and then starting construction.

Comment

John Bennie PSM, Chief Executive Officer

There is a fourth question from Loredana Ember which of course exceeds the number allowable under Council's Governance Rules, that being three, although I will note that Mr Bosman has acted promptly on this matter and emailed Ms Ember with the response and she has acknowledged her satisfaction with that response. Notwithstanding that it is the fourth question including the answer will be included in the Minutes of this meeting.

Below is the question received from Ms Ember and the response provided via email.

Question

Loredana_Ember,_Keysborough

Has there been any resolution or findings with EPA to where the horrible stench that seems to be around the area lately is coming from?

Response

Jody_Bosman,_Director_City_Planning,_Design_and_Amenity

I am taking this opportunity to respond to your question now as this is a matter I have just recently been brought up to date on and am happy to provide the same information to you.

ORDINARY COUNCIL MEETING - MINUTES

I am fairly confident in linking your question to a recent matter before the Victorian Civil Administrative Tribunal (VCAT), in which the Environmental Protection Authority (EPA) sought action against Argus Tallow Merchants Pty Ltd of Dandenong South for off-site odour emissions. The outcome of the VCAT Compulsory Conference resulted in amended remedial notices; and by mutual agreement was that Argus Tallow Merchants implement an Odour Management Plan by the end of March 2022. I trust that the above information has been of assistance. Should you have any further enquiries in this regard please contact the EPA directly.

Question Gaye Guest, Keysborough

Good evening, Councillors. In regard to the Noble Park Activity Centre Strategy, I would like you to be mindful that the deed that binds the Noble Park Public Hall and the Council is so tight it cannot be challenged in the Supreme Court nor can it be broken. Why does Council want to make a rod for its own back by identifying two sensitive parcels of Noble Park to rezone them commercial when:

- -The car parking is at premium for Council staff, traders, residents, visitors to TLC Manor, doctor's surgery and all rely on Frank Street car park for the retail area, as well as the Coles Supermarket car park which has two significant trees that are part of our diminished tree canopy cover. This is another commercial targeted site as it also serves the overflowing from the neighbouring church. Two of your Councillor colleagues have fought long and hard for adequate parking for their Wards and know what the lack of adequate untimed parking impacts are on a shopping centre strip.
- Paddy O'Donoghue is Noble Park's hub and needs adequate untimed parking. The parking set aside is not adequate at the moment when leasing out the facilities to many intergenerational user groups, plus parents using the children's services.
- Rezoning to commercial means that Council loses its power to have stringent controls on what is built and to what form. There are many examples all over the City of Greater Dandenong but more recently at 220 Chapel Park in Keysborough and the hazard zone in Dandenong South.
- Mons Parade is not suitable for dense commercial builds given it is already choked by traffic and the station car parking in a dead end street that now has a new deadly intersection because the Level Crossing Removal Authority (LXRA) would not listen to the community concerns and recommendations during consultation.
- Once, Mons Parade was as quiet cul-de-sac in a land-locked parcel of land that once looked out to a railway corridor of River Red Gums up until 13/08/2016 and is backed by Mile Creek. Now you want to subject it to dense multi-storey complexes.
- Rezoning Frank Street and Mons Parade into commercial will only open a can of worms, especially as you want to build a pocket park opposite the carpark in Frank Street. Frank Street, Noble Street, Douglas Street get choked in peak hour times as it is also a bus route. Why is Council not considering Public Use Zone instead for the Frank Street carpark and Coles carpark? This area is not on a major arterial as Springvale or Dandenong and nor is it on a major waterway. Will Council cap activity centre height to no more than four storeys as was set by 51-55 Buckley Street several years ago?

Response

Jody Bosman, Director City Planning, Design and Amenity

The draft Structure Plan does identify a small number of sites in the Noble Park Activity Centre for possible future change in zoning, including the Frank Street carpark which is proposed to be rezoned from Residential Growth Zone Schedule 2 to Commercial 1 Zone. The reason for this is to expand the commercial core of the activity centre and connect the carpark to the commercial centre in a planning zoning to have a consistent planning zone. However, it is important to note four key elements in relation to this matter: There are no plans to remove or relocate this carpark; that is not the intention of the proposed rezoning. Adopting the Structure Plan does not result in the land being rezoned. The Structure Plan is only identifying a future option to undertake a rezoning. To implement a rezoning, Council would need to commence a Planning Scheme Amendment, undertake a formal public notification period, consider any responses received and ultimately have the Minister for Planning approve the Planning Scheme Amendment. The current residential growth zoning still allows for the potential for the carpark to be redeveloped for an alternative use. The land is owned by the Council and as such Council has total control over the use of the land. That, to quote in the question, 'Rezoning to commercial means that Council loses its power to have stringent controls on what is built and to what form', is simply not true.

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.

PUBLIC 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
10/05/21 PQT6(d)	Matthew Kirwan, Noble Park	Completion of implementation of Plastics Policy among Community Stakeholders When is the implementation of the plastics policy among community stakeholders expected to be completed?	Director City Planning, Design & Amenity	17/05/21	Response provided 17/05/21: The implementation of the Plastics Policy is on-going. The next steps are the release of the Plastic Wise guide, which will occur after the completion of the Forever Fest. Additional engagement with community stakeholders will also occur after the conclusion of the Forever Fest and release of the guide. There will also be events as part of Forever Fest that will provide further educational opportunities for the community to better understand the importance of reducing their plastic usage.
10/05/21 PQT6(e)	Matthew Kirwan, Noble Park	Public exhibition date of Biodiversity Action Plan So as to provide context to the biodiversity action plan, will the background report be publicly available when the biodiversity action plan goes out for public exhibition?	Director Business, Engineering & Major Projects	20/05/21	Response provided 20/05/21: The Biodiversity Action Plan will be presented to Council in July 2021. We anticipate the Biodiversity Action Plan will be on public display towards the end of July 2021. The Biodiversity Action Plan will contain a summary report that will provide the objectives, targets and the context on the actions within this Plan.
10/05/21 PQT6(f)	Matthew Kirwan, Noble Park	Open space acquisition – potential & current How many properties for potential acquisition have been considered at a councillor briefing session so far in 2021? And where can information on the	Director City Planning, Design & Amenity	17/05/21	Response provided 17/05/21: Five sites have been presented to Council in 2020/21 for potential purchase as open space, with four of these sites having being purchased, or in the process of being purchased in this current financial year. Given the

Question Time Public - Questions Taken on Notice & Requiring Further Action

1/8

Date of	Question		Responsible	Date of	
Council	Asked By	Subject & Summary of Question	Officer	Completion	Summary of Response
		Greater Dandenong website be found, regarding what properties have been purchased by council since the open space acquisition program began a few years ago?			costs of purchasing these sites, no further sites are intended to be purchased this financial year, and a focus is to be put on identifying an appropriate site in Springvale in the coming years. Sites recently purchased for open space are currently not detailed on the Council website. Officers will investigate the potential for this to occur.
10/05/21 PQT6(g)	Matthew Kirwan, Noble Park	Public availability of 10year infrastructure plan Can the 10year infrastructure plan be made publicly available?	Director Business, Engineering & Major Projects	21/05/21	Response provided 21/05/21: The 10year Infrastructure Plans for the Dandenong, Springvale and Noble Park Activity Centres have been prepared as an internal resource to inform capital bids as part of Council's budget process. The plan assumes a particular allocation of funds for each centre. However, due to Covid-19 and other budgetary pressures, a review of the plan is currently underway. Council's draft budget when on public exhibition each year, details the relevant capital projects for the coming year. A summary document of proposed activity centre capital investment projects for the public will be developed during the 2021/22 financial year and will be made available on Council's website when completed.
10/05/21 PQT7(a)	Gaye Guest, Keysborough	PEP Building & Walker Street Building future use Council meeting question time has	Director Community Services	19/05/21	Response provided 19/05/2017 Exercise Council is currently in the process of constructing a new contemporary art constructing a new contemporary art adjacent at 5 Mason Street. Dandenond
Question T	Question Time Public – Questio	- Ouestions Taken on Notice & Requiring Further Action			gailety at a mason officer, paracrong, 2/8

uestion Time Public – 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
		become monotonous and bogged down in recent meetings, where the same questions have been tweaked and asked repeatedly. And even after the question has been asked and answered the question again, just in a different form. For onlookers we ask, is this firm, I assume that means this council, a well-oiled machine using our public purse effectively? From the residents looking in we see decisions that focus like duplicating expensive buildings in the same precinct, Springers, \$11m Tatterson Pavilion and the \$12.1m Keysborough Hub, all in the same area. All offering the same spaces and yet real data of user group information is not known, advertised or even researched. Now Dandenong want a multitude of hubs. So, the questions are, but please don't give token symbolic gesture: What is happening to the PEP Building and Walker Street Buildings, will they be used for community spaces?			expected to open in late 2021. Accordingly, many of the current services provided by our Arts and Cultural Development unit will transition to this new facility at this time. The long-term outcomes for the Walker Street Gallery space are currently under investigation with recommendations anticipated to be presented to Council for consideration shortly. Settlement on the acquisition of the Precinct Energy Plant (PEP) building has now been finalised and a subsequent phase of community consultation has been completed. This consultation reflected on the recommendations made within an initial Feasibility Report completed by Six Degrees Architecture. Further information, including the Feasibility Report can be viewed on the Council website here: https://www.greaterdandenong.vic.gov.au/creative-industry-space Outcomes of this consultation are currently being evaluated for Council consideration.
10/05/21 PQT7(b)	Gaye Guest, Keysborough	Current use of Clow Street Building Clow Street Building which reminds us of our past. Who are the tenants of this building and why isn't used more frequently?	Director Community Services	19/05/21	Response provided 19/5/21: 39 Clow Street includes a broad variety of tenants and services, including the Southern Migrant Resource Centre, the Greater Dandenong Interfaith Network, Dandenong Historical Society, Gradenong Neighbourhood House, Greater Dandenong Volunteer Resource Service, Maternal and Child
Question Time Public		 Questions Taken on Notice & Requiring Further Action 			3/8

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					Health and other Council Youth and Family service programs. The building and services are extensively used by residents.
10/05/21 PQT7(c)	Gaye Guest, Keysborough	Monetary saving of repurposing old buildings How much money would be saved by repurposing these existing buildings rather than green-filled sites?	Director Business, Engineering & Major Projects	19/05/21	Response provided 19/5/21: To undertake this type of assessment would require detailed planning, design and costings to take place on repurposing the current Council building on Clow Street to then compare to a newly built community hub on an alternative site. The current project on the proposed Dandenong Hub is only at the business case stage with concept plans to be prepared. Council has made a decision in undertaking the current Dandenong Hub to examine a new site and not to repurpose the older Council building. This position will be confirmed once the current work has concluded as the Council will have concept plans and an approximate cost for the building.
10/05/21 PQT7(d)	Gaye Guest, Keysborough	Usage figures of Council run and owned facilities pre and post COVID What are the actual usage figures attendees versus overall costs of all council run and owned facilities, pre and post-COVID?	Director Corporate Services	19/05/21	Response provided 19/5/21: The scope of this question is quite enormous in terms of the work that would be required to pull together a comprehensive answer on all Council's facilities both pre and post COVID. Rather than divert a significant amount of staff time, clarification is sought on whether there are any particular facilities that the questioner is seeking

Question Time Public - Questions Taken on Notice & Requiring Further Action

4/8

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					more information on in respect of usage rates.
10/05/21 PQT7(e)	Gaye Guest, Keysborough	Will the Oasis site be the combined wellbeing and community hub. Will the Oasis site be the combined Wellbeing Centre Community Hub, if not, why not?	Director Business, Engineering & Major Projects	19/05/21	Response provided 19/5/21: When Council approved the current Aquatic Strategy, it did not include a community hub, although it will of course perform many functions of a hub, with areas for the community to connect, programs to be run and an allied health focus. In a recent study on the Dandenong Hub (prior to the current business case), the community made it clear that they did not consider the current Oasis site to be the location of the proposed Dandenong Hub. Council has recently made this clear in its preference to locate the proposed Dandenong Hub in or near land known as the Market Precinct.
10/05/21 PQT7(f)	Gaye Guest, Keysborough	Community consultation of 'Change today/shape tomorrow' Will the "Change Today, Shape Tomorrow" document be the community consultation platform that will be used instead of going through the process of a gain with a great expense to the rest of the community? The six questions listed above were taken on notice.	Director Corporate Services	17/05/21	Response provided 17/05/21: A more detailed version of this question is recorded as PQT9. The detailed response given in question 9 on this list covers both questions. COMPLETED
10/05/21	Gaye Guest,	On the CGD website, under Council	Director	20/05/21	Response provided 20/05/21:

Question Time Public - Questions Taken on Notice & Requiring Further Action

2/8

across central Dandenong and the road The provision of a community hub aims will be used to influence the priorities of Conversation Caravan summary report, Dandenong People's Panel before they convened and has played a key role in to centrally place services and facilities valued by Dandenong residents in one through Council's website or choose to The 2020 Dandenong Community Hub location. Council is currently engaging central Dandenong area. It found that services people would like to see and community groups are encouraged to Council over the next four years. This Residents can RSVP for a workshop Needs Analysis carefully considered consultation outcomes, including the possible locations. All residents and buildings or to access specific sites. current Council facilities across the report was shared with the Greater community facilities are dispersed with residents concerning the hub, pedestrians to navigate between network can make it difficult for Tuesday 25 May, 10am Response provided 17/05/21: Thursday 27 May, 7pm make a contribution or attend a workshop to have their say. Workshops are available on: The recent broad community make a submission directly. Summary of Response Date of Completion 17/05/21 Responsible Officer Community Services Corporate Services Director and restructured to show what each ward hire fees and charges they seem too high the rate payers money hand over fist and depending on the number of participants All this information needs to be reviewed Significant Capital Sporting projects with rebuilt, Sporting Clubs and Grounds-31 4 subheadings and Community centres centres that are standing idle and in dis Community consultation of 'Change council manage given they are costing Why do we need anoher hub facility in tomorrow', 59 page document has just caravan. How many different ways do guide and scout halls, or even cultural these have facilities that need regular Recreational facilities -6: -2 are being facilities and passive Reserve Casual Dandenong? How many facilities can Council's own 'Change today, shape been released from the conversation and Neighbourhood houses-8. This does not include all the church halls, tenants /occupants, Masterplans-9 Subject & Summary of Question repair. There is a table of Sporting headings there are many facilities Council is managing. Leisure and consultation out of a tiny financial has to offer their constituents. we hold expensive community are not at full occupancy? today/shape tomorrow' Keysborough Keysborough Gaye Guest, Question Asked By 10/05/21 PQT9 Meeting Council

Question Time Public – Questions Taken on Notice & Requiring Further Action

Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response	
		budget? It really is how many different ways can you cook an egg. It is disappointing that certain sections seem to have a chokehold on what happens in this municipality. Spending our public			their deliberative discussions and development of the community vision and accompanying principles. The panel was provided with a considerable amount of background information	a)
		purse willy-nilly when it is not the overall residential view. The above document has just been released, let's all sit down and just digest it, and let's marry it with other council documents around			including the engagement report, information on the challenges facing our community now and into the future, and perspectives from guest speakers within our municipality. This combined	•
		sustainability, nertrage and especially town planning, before we set off on another tangent of expensive community consultation where the same issues are discussed repeatedly for the same outcome.			nas ensured that the panel members are well-informed, able to think critically and can produce quality, meaningful outcomes for Council to consider. The results of this consultation will be used to assist in the development of other	>
		Is this document being discussed by the People's Panel presently, are they now having input to these themes, and adding to the collection of answers?			Council strategies and plans where beneficial. COMPLETED	0
		The question listed above was taken on notice.				
		Comment John Bennie, Chief Executive Officer This will be comprehensively addressed. I do not hesitate to say that consultation is undertaken in this city, in this municipality to the extent that Council deems necessary and essential in informing the council to take informed decisions on behalf of the community.				

2/8

Question Time Public – Questions Taken on Notice & Requiring Further Action

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.

	8/8
	Question Time Public – Questions Taken on Notice & Requiring Further Action

4 OFFICERS' REPORTS - PART TWO

4.1 POLICY AND STRATEGY

4.1.1 Noble Park Major Activity Centre Structure Plan – Consideration of Submissions

File Id: qA358987

Responsible Officer: Director City Planning, Design and Amenity

Attachments: Noble Park Major Activity Centre Structure Plan,

2021.

Summary of submissions received.

Report Summary

A Council resolution is sought to adopt the *Noble Park Major Activity Centre Structure Plan, 2021* and seek the Minister for Planning's authorisation to prepare and exhibit the proposed Greater Dandenong Planning Scheme Amendment C224 to the *Greater Dandenong Planning Scheme*.

This report provides an overview of:

- The process of reviewing the existing Noble Park Activity Centre Structure Plan, 2009
- The proposed Noble Park Major Activity Centre Structure Plan, 2021
- Details of the submissions received during the eight (8) week consultation period and the Council Officers' response to this
- The next steps for the project, including a future Planning Scheme Amendment.

Recommendation Summary

This report recommends that Council adopt the attached *Noble Park Major Activity Centre Structure Plan*, 2021 and commence preparation of Planning Scheme Amendment C224 to the *Greater Dandenong Planning Scheme*.

Background

The existing Noble Park Activity Centre Structure Plan was adopted by Council in 2009 and is the critical strategic document to guide land use and development decisions within the Noble Park Activity Centre. The Structure Plan has guided several major developments and public realm upgrades within Noble Park since its adoption.

Over the last decade Noble Park has experienced significant change. The most notable of which has been the removal of the rail level crossing at Heatherton Road and the subsequent elevation of the rail line. This has resulted in a new railway station, bus interchange, station civic space, leisure and exercise area within Ross Reserve, and the construction of the Djerring Trail (a new shared walking and cycling path running from Caulfield to Dandenong).

These changes and upgrades have been transformational for the activity centre.

As a result, Council Officers engaged consultants in 2017 to provide a summary of the current strategic issues which relate to Noble Park and to provide clear directions and recommendations to assist Council to revise the existing Structure Plan.

Council Officers and external stakeholders, such as local businesses, were consulted during this review process with their comments and suggestions incorporated into the revised Structure Plan.

In 2018 Council Officers further engaged consultants to undertake a *Building Heights and Setbacks Study* to provide clear built form guidance for the centre.

Based on the work undertaken, Council Officers drafted a revised *Draft Noble Park Major Activity Centre Structure Plan* for community consultation, which occurred between Monday 27 April to Friday 19 June 2020. Councillors were briefed on the Structure Plan on 4 March 2019, 16 March 2020 and the outcomes of the consultation on 1 March 2021.

The 2021 Structure Plan has been prepared as:

- The existing Structure Plan is twelve years old and needs to be reviewed in the context of recently completed projects, development approvals, market pressures and a changing policy context.
- The Structure Plan boundary needs to be reviewed to provide planning certainty for surrounding residential, commercial and public realm uses.
- Preferred built form and design outcomes, including height, setbacks and other design requirements, are required to guide development. This is especially relevant since the elevation of the rail corridor.

Proposal

The Noble Park Major Activity Centre Structure Plan, 2021 sets out the long-term vision, planning and design framework for Noble Park. The Structure Plan manages and guides the future development of the Activity Centre for the next 20 years.

The Structure Plan has the following vision for Noble Park:

In 2040 Noble Park will be:

- A thriving, high quality centre that meets the day-to-day needs of its residents, workers and visitors
- A centre that protects its 'village character' and compact size with high quality development in the right places
- A pedestrian oriented centre that is safe and easy to navigate
- A centre with well designed 'green' streetscapes and pedestrian connections linking key community nodes.

The revised Structure Plan is based on four key directions:

- Land Use and Economic Activity
- Built Form and Urban Design
- Access and Movement
- Public realm

In order to achieve the Vision, the key outcomes/actions of the Structure Plan are to:

- Expand the boundary of the Activity Centre to include the Noble Park Aquatic Centre (NPAC),
 Mills Reserve and additional residential land to the north, west and south
- Provide for a strong sense of arrival into the centre, particularly along Heatherton Road and Douglas Street
- Rezone existing residentially zoned land to the Commercial 1 Zone to facilitate their development and extend the commercial core of the centre
- Provide built form and urban design principles (including building height and setback guidance) for all sites in the centre
- Ensure effective action relating to Council's Declaration of a Climate and Ecological Emergency so that all future development in the Structure Plan boundary be undertaken in a manner that adapts to and mitigates the impacts of climate change
- Direct higher density development to land south of Heatherton Road in the commercial core, and on identified Key Redevelopment Blocks
- Provide a transition in built form where development will step down as its distance to the commercial core increases
- Improve pedestrian connections through the centre and create new mid-block connections
- Designate key streets in the centre as 'pedestrian-oriented streets' to encourage ground floor activation (busy, lively streets)
- Strongly advocate for the signalisation of the Heatherton Road/Douglas Street roundabout and the lowering of the speed limit along the section of Heatherton Road that passes through the centre
- Widen the north–south section of Buckleys Lane to 9m to create a pedestrian priority shared space (vehicle and pedestrian) and allow for landscaping opportunities

- 'Green' the streetscape by requiring a 5m residential landscaped setback along designated streets
- Preserve key view lines through and to the centre.

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
- Outdoor Activity and Sports Recreation for everyone
- Lifecycle and Social Support The generations supported

Place

- Sense of Place One city many neighbourhoods
- Safety in Streets and Places Feeling and being safe
- Appearance of Places Places and buildings
- Travel and Transport Easy to get around

Opportunity

- Education, Learning and Information Knowledge
- Jobs and Business Opportunities Prosperous and affordable
- Tourism and visitors Diverse and interesting experiences
- Leadership by the Council The leading Council

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 vibrant, connected and safe community
- A creative city that respects and embraces diversity

Place

- A healthy, liveable and sustainable city
- A city planned for the future

Opportunity

- A diverse and growing economy
- An open and effective Council

The strategies and plans that contribute to these outcomes are as follows:

Greater Dandenong Planning Scheme

Related Council Policies

Council's Community Engagement Policy outlines Council's role in providing activities which enhance opportunities for the community to express their expectations, aspirations and ideas.

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

The preparation of a Planning Scheme Amendment to incorporate the *Noble Park Major Activity Centre Structure Plan, 2021* into the *Greater Dandenong Planning Scheme* has been budgeted for in this financial year (2021/2022). All future capital works and other actions associated with the *Noble Park Major Activity Centre Structure Plan, 2021* are subject to the annual Council CIP and business planning processes.

Consultation

Council undertook extensive community and stakeholder consultation throughout the development of the *Noble Park Major Activity Centre Structure Plan, 2021.* This included during the development of the two background documents upon which the Structure Plan is based. (The *Noble Park Activity Centre Structure Plan Review Discussion Paper, Hansen, 2017;* and the *Noble Park Activity Centre Building Heights and Setbacks Study, Hansen, 2019).* Councillors were also briefed on the direction and contents of the Structure Plan in March 2019, March 2020 and March 2021. Councillors provided extensive feedback during these briefings which have been incorporated into the final plan.

A draft of the Structure Plan was placed on community consultation for comment for a period of eight (8) weeks from **Monday 27 April to Friday 19 June 2020.**

A direct mail out to approximately 1200 owners and occupiers both within, and immediately adjoining the Activity Centre boundary was conducted advising of the project and seeking feedback. The Draft Structure Plan proposed nine (9) sites for rezoning from the Residential Growth Zone to the Commercial 1 Zone. A letter specific to this was sent to approximately 30 properties (either directly affected or adjoining sites proposed for rezoning).

The Draft Structure Plan, a summary brochure and Frequently Asked Questions (FAQs) document and an online or downloadable survey was available on Council's website for the duration of the consultation period.

The project was advertised in the May 2020 edition of Greater Dandenong Council News and there were regular Facebook and Instagram posts through the consultation period which garnered a strong response.

Council asked the community:

- Does the Structure Plan meet the needs (and vision) of the community?
 - o If yes, please tell us how
 - If no, please tell us what improvements/changes we could make to ensure it does
- Do you have any other comments?

A summary of some of the main points and issues raised by submissions is detailed in Attachment 2 of the Council Report.

Structure Plan Vision for Noble Park Activity Centre

Both the Vision and the Structure Plan as a whole, were generally well received. For those that did not support the Vision, it was generally due to a specific aspect of the Structure Plan, and not because they fundamentally disagreed with the document. Many submitters were pleased that Council was seeking proactive built form and amenity controls for the Noble Park Activity Centre.

Climate and Ecological Emergency declaration

Three (3) submissions suggested the Structure Plan should refer to Greater Dandenong's Climate and Ecological Emergency declaration of January 2020.

Officer Response:

The Structure Plan has been updated to include a subsection for Climate Change Mitigation and Planning on page 12. A new key outcome of the Structure Plan has been included on pages 12 and 21. The State Planning Policy Context section on page 18 has also been updated.

Built Form and Urban Design Objective 1 and the Urban Design Principles have been updated to include reference to climate change mitigation and adaptation on pages 6, 20, 24, 25 and 76.

Proposed Urban Design Principles

Feedback received included the importance of maintaining solar access to key streets and to avoid excessive overshadowing. Development causing uncomfortable or unsafe wind conditions was also raised.

Officer Response:

The Urban Design Principles respond to these matters and will be included in the future Planning Scheme Amendment to include these controls in the *Greater Dandenong Planning Scheme*. Urban Design Principle 5 (Maintain a human scale at street level) has been updated to state that any buildings greater than 5 storeys in the centre must not appear as a continuous wall at street level so as to not overwhelm the pedestrian experience at street level.

The Structure Plan on page 24 has been revised to make it clearer that the Urban Design Principles apply to all development in the Activity Centre, including the Key Redevelopment Blocks.

Feedback on the four themes of the Structure Plan:

Land Use and Economic Activity

Proposed rezoning

Of the nine (9) sites proposed for rezoning from the Residential Growth Zone 2 to the Commercial 1 Zone, one (1) objection was received from a property in Mons Parade.

The submitter was concerned that the rezoning may result in them being 'forced out' of their house and that the rates on the property may increase.

It has been queried as to whether the proposed rezoning of approximately 9000sqm of land from the Residential Growth Zone to the Commercial 1 Zone was excessive for a centre of Noble Park's size.

Officer Response:

Enquiries with Council's Rates and Revenue Department regarding land valuations and rates based on this proposed rezoning were made. It was advised that there was likely to be a negligible change in the value of the land and if the property was to remain as a residential dwelling, there would be no change to how the rates are calculated. The submitter was clear that they wished to remain in the property and not redevelop to a commercial use. Officers have contacted the submitter by both telephone and email explaining this and to date have had no further response.

Any proposed rezoning of these properties would be subject to authorisation from the Minister for Planning and be subject to a full Planning Scheme Amendment process. There is no intention of anyone being 'forced out', and rather the rezoning (if approved) would only allow for future re-development at a time when the landowner sought to do so.

The area of land (excluding roads) proposed for rezoning has dropped from approximately 9000sqm to 8380sqm. The rezoning affects nine (9) sites spread across the centre (two to the north-east, two to the east and five to the west). The reason for the rezonings of these specific sites is as follows:

- 1100-1106 Heatherton Road is a site in two ownerships and is land currently in two zones. A
 rezoning of the residential land to commercial will fix this anomaly and encourage
 redevelopment/expansion of the existing Coles supermarket
- 1 and 3-5 Frank Street are an existing dwelling and council car park which adjoins land in the commercial zone and will allow for a logical extension to the commercial core to the east of the centre
- 4, 5, 6, 7 and 8 Mons Parade are proposed for rezoning following the removal and subsequent elevation of the rail line meaning these sites now have direct access to the centre of Noble Park. Rezoning to commercial will extend the commercial spine of the centre further west with the aim of encouraging further investment and development.

Page 19 of the Structure Plan details the development demand for Noble Park over the next five years. A 'low growth scenario' predicts an additional 9800sqm of additional commercial floorspace will be required over this time. Allowing for an additional 8380sqm spread across the centre is considered an appropriate outcome to allow the centre to grow at a realistic rate over the short to medium term. The rezoning of land, particularly to the west of the centre, is with the aim of attracting and encouraging further investment and development.

Condition of shops and streets

Several comments were received regarding the poor presentation of some shops and streets in the centre, including Ian Street.

Officer Response:

An objective of the Structure Plan is to 'Improve the ongoing viability of the centre' which includes encouraging shop fronts to be maintained to a high standard. By providing clear built form and urban design guidance, the Structure Plan aims to encourage high quality redevelopment in the centre.

Further community facilities for Noble Park

A suggestion regarding a library or small cinema area was made.

Officer Response:

At this time, the Structure Plan is not proposing a library or cinema given there are similar existing facilities in surrounding suburbs. However, if this were to be deemed appropriate at a later date, this could be considered then.

Gateway locations

Several submissions raised concerns regarding the heights expressed for a 'gateway form' at or near the current Heatherton Road/Douglas Street roundabout.

Officer Response:

Page 26 of the Structure Plan discusses a gateway treatment for this intersection and roundabout. The Structure Plan seeks a strong gateway treatment in this area with flexibility for some height, dependent on design. This section of the Structure Plan has been redrafted to ensure greater clarity.

Built Form and Urban Design

Amenity concerns

A number of submissions raised concerns regarding the potential for overshadowing of neighbouring dwellings by new development and had concerns that the centre would become darker and windier as a result of higher built form.

Officer Response:

The Structure Plan contains detailed Urban Design Principles regarding overshadowing and measures to be undertaken to ensure the effects of wind are minimised.

Detailed built form and setback guidance is included in the Structure Plan where setbacks from the street, adjoining open spaces and adjoining residential areas have all been carefully mapped and considered.

This guidance will form the basis of a future Planning Scheme Amendment to include these controls in the *Greater Dandenong Planning Scheme*.

Village Character and Key Redevelopment Blocks (KRB)

Submissions raised the issue of the importance of the 'Village Character' of Noble Park and how proposed heights of between five to eight stories may compromise this.

Officer Response:

Noble Park is designated as a Major Activity Centre by the State Government and due to this, an increase in density is both expected and supported. The centre is well served by public transport and has significant community and open space facilities. The elevation of the rail line has been transformational for the centre, with the train station sitting 20 metres above the centre (from ground level to the top of the station roofline).

Noble Park also has a strong 'village character' and 'village' feel. This character stems from the compact nature of the centre and its good walkability. The centre serves a local convenience role and maintains a constant level of activity, with a thriving night-time economy.

Strong feedback was received regarding the proposal for several areas of the centre (known as Key Redevelopment Blocks) to have preferred maximum height controls of eight (8) storeys, and whether this reflected the 'village character' of the centre. Officers have considered the proposed eight (8) storey heights in this context and examined the residential dwelling demand likely over the life of the Structure Plan.

Page 19 of the Structure Plan examines this demand and has found that 87 per cent of the demand for additional dwellings will be in the form of apartments. Should all eligible sites be redeveloped to four storey apartments (as an example), at least 1100 new dwellings could be accommodated, meeting the forecast demand (of 917 dwellings) over the next 20 years.

Due to feedback received during consultation and the importance of striking a balance between the centre's major activity centre status and protecting its valued 'village character' the eight (8) storey height limit has been revised down to a preferred maximum building height of six (6) storeys on Key Redevelopment Blocks. Six (6) storeys is considered acceptable as this reflects the height of the train station. The Structure Plan clearly states that this height will only be achieved on sites that are at least 2000sqm in size.

Due to the fine grain nature of much of the centre, many sites will need to consolidate in both the commercial core and within the Key Redevelopment Blocks in order to reach heights of five or six storeys, further preserving the 'village character' of the centre.

All text and mapping that refers to 'eight' storeys for Key Redevelopment Blocks has been revised to 'six' storeys, with this height only permitted if the development site is a minimum of 2000sqm in size.

Access and Movement

Removal of roundabout and the Link Road intersection

There was a high level of positive feedback received regarding the proposal to remove the Heatherton Road roundabout. The new 'Link Road' including the intersection with Douglas Street and Leonard Street was also raised as a safety concern by many submitters.

Officer Response:

As part of the Action Plan, the continued advocacy to the Department of Transport regarding the removal of the roundabout will occur. The redesign of the Link Road to improve safety and traffic flow is also considered a priority.

The signalisation of the 4-way intersection of Douglas Street, Leonard Street and the Link Road is also to be conducted which will greatly improve the safety of this intersection.

Ian Street and Ian Street Ianeway

A suggestion to make Ian Street one-way was provided by one (1) submitter as it would improve safety and traffic flow. The proposal to allow for the widening of the northern section of the Ian Street laneway (to the rear of the Ian Street shops) was also queried.

Officer Response:

lan Street is a local street where high pedestrian usage is encouraged and through traffic will be increasingly discouraged.

The northern section of the Ian Street laneway (to the rear of the Ian Street shops) to Heatherton Road has been carefully reviewed. Widening of the laneway to the north and south of the east-west lane is hampered by the existing subdivision pattern to the east. In order to achieve the 5.5m widening of the laneway, most properties along the western side of Ian Street will be required to provide the land for this. Map 9 on page 31 has been updated to reflect this. Cross Section GG on page 45 has also been widened to reflect the desired Ian Street laneway setbacks for the northern section of the laneway.

Public transport advocacy

Two (2) submissions raised the lack of regular bus services in and around Noble Park.

Officer Response:

The Structure Plan has been updated to include an advocacy action (Action 26) on page 78 regarding the continued rationalisation of the bus services in and around Noble Park.

Public Realm

More tree planting

Many submissions commented on the need for more tree planting in the centre and for generous landscaped setbacks for new development. A suggestion for a community garden in Copas Park was also made.

Officer Response:

The Structure Plan recognises the importance of Noble Park's existing open spaces and acknowledges that further 'greening' of Noble Park's streets will contribute to the attractiveness of the centre.

Action 29 on page 79 of the Structure Plan has been revised to include reference to community spaces.

Post consultation changes to the Structure Plan

As a result of the feedback received during the consultation period, the following changes have been made to the *Noble Park Major Activity Centre Structure Plan, 2021*:

- Updates to pages 12, 18, 21, 24, 25 and Built Form Design Objective 1 to reference and provide details of Council's Declaration of a Climate and Ecological Emergency
- Update the Urban Design Principles on page 24 to specifically refer to the Key Redevelopment Blocks (KRB)
- Further detail provided under Urban Design Principle 5: Maintain a human scale at street level
 that buildings greater than five (5) storeys in height must not appear as a continuous wall at
 street level or when viewed from a distance
- Text regarding Gateway Locations on page 26 revised to improve clarity
- All text and mapping that refers to 'eight' storeys for Key Redevelopment Blocks revised to 'six' storeys, with this height only permitted if the development site is a minimum of 2000sqm in size

- Map 9 on page 31 and Cross Section GG on page 45 revised to ensure the equitable widening
 of the Ian Street laneway (to the rear of the Ian Street shops to the east) and improve clarity
- Policy References on page 70 updated
- Revised Action (18) on page 77 regarding the Council Department responsible for the action
- New Action (26) included on page 74 regarding public transport advocacy
- Revised Action (29) on page 78 to refer to community spaces
- Mapping updated to reflect recent changes to zoning in the centre that has been approved via Greater Dandenong Planning Scheme Amendment C213
- Minor editing changes throughout the document to ensure consistency in terms, remove reference to this Structure Plan being a Draft and update to the consultation section.

Conclusion

The *Noble Park Major Activity Centre Structure Plan, 2021* sets out the long-term vision, planning and design framework for Noble Park. The Structure Plan manages and guides the future development of the Activity Centre for the next 20 years.

The Structure Plan provides a shared Vision for the Noble Park Major Activity Centre and how this will be achieved. The Structure Plan will be used by decision makers such as Council and other State Government agencies, the community, business owners and traders and developers.

Importantly, the Structure Plan provides certainty to all groups regarding the level of change and type of development that is anticipated and expected across the Noble Park Major Activity Centre.

Extensive stakeholder and community consultation were undertaken over an eight (8) week period between 27 April and 19 June 2020. A total of 26 submissions from 24 submitters was received and this feedback has assisted to finalise the Structure Plan for Council adoption.

Recommendation

That Council:

- 1. accepts the Officer's recommendation on the submissions received as detailed in this report and in Attachment 2;
- 2. adopts the *Noble Park Major Activity Centre Structure Plan, 2021* in the form of Attachment 1;
- 3. commences the statutory process for Planning Scheme Amendment C224 through seeking authorisation from the Minister for Planning to prepare an amendment to the *Greater Dandenong Planning Scheme* and exhibit the amendment in accordance with the *Planning and Environment Act, 1987*; and
- 4. advises all submitters of Council's decision.

MINUTE 167

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

That Council:

- 1. accepts the Officer's recommendation on the submissions received as detailed in this report and in Attachment 2;
- 2. adopts the *Noble Park Major Activity Centre Structure Plan, 2021* in the form of Attachment 1;
- 3. commences the statutory process for Planning Scheme Amendment C224 through seeking authorisation from the Minister for Planning to prepare an amendment to the *Greater Dandenong Planning Scheme* and exhibit the amendment in accordance with the *Planning and Environment Act, 1987*; and
- 4. advises all submitters of Council's decision.

CARRIED

POLICY AND STRATEGY

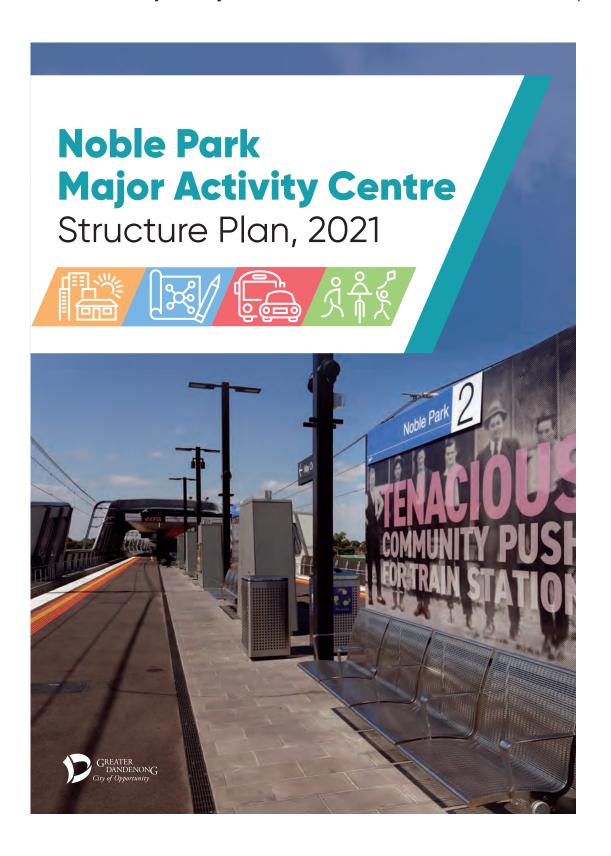
NOBLE PARK MAJOR ACTIVITY CENTRE STRUCTURE PLAN – CONSIDERATION OF SUBMISSIONS

ATTACHMENT 1

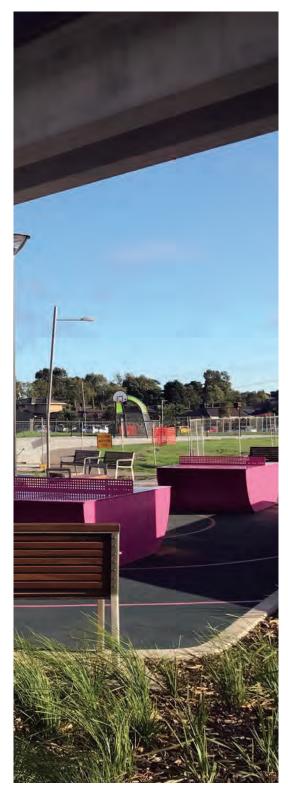
NOBLE PARK MAJOR ACTIVITY CENTRE STRUCTURE PLAN 2021

PAGES 81 (including cover)

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







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Executive summary

The Noble Park Major Activity Centre Structure Plan sets out the long-term vision, planning, and design framework for Noble Park. The Structure Plan manages and guides the future development of the Activity Centre for the next 20 years.

The Noble Park Major Activity Centre boundary includes the commercial and retail core of the centre along Douglas Street and Mons Parade as well as existing residential zoned land both north and south of the rail line. It includes significant open space assets to the north-west, east and south. Refer to Map 1 opposite.

The Vision for the Structure Plan is that in 2040 Noble Park will be:



A thriving, high quality centre that meets the day-to-day needs of its residents, workers and visitors.



A centre that protects its 'village character' and compact size with high quality development in the right places.



A pedestrian oriented centre that is safe and easy to navigate.



A centre with well designed 'green' streetscapes and pedestrian connections linking key community nodes.

The Vision reflects Council and the community's aspirations for Noble Park in to the future.

The Vision is framed around four key directions:



Objectives and actions are detailed for each key direction to implement the Structure Plan.

Key actions include the redevelopment of shops and underutilised land, the provision of design guidance (including height) for development, a strong focus on improving the usability of Noble Park's laneways and the 'greening' of Noble Park's streets.

The Structure Plan Framework is summarised in Figure 1 and Map 2.

Ongoing monitoring and review of the implementation of the plan will involve:

- Reporting in the Council Plan against the relevant actions
- A review in 2026 to examine the objectives and actions, including an update of demographic changes and development activity during the period.

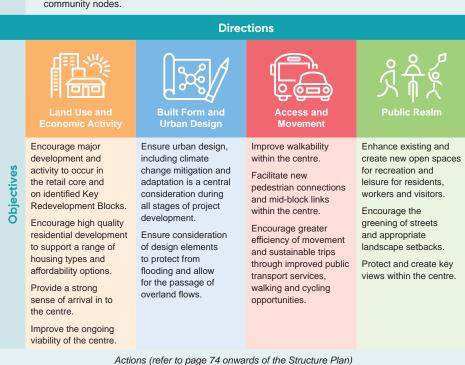
ACTIVITY CENTRE BOUNDARY MAP LEGEND EXISTING FEATURES elevated railway line 50m elevated rail bridge activity centre boundary station civic square

Map 1: Noble Park Major Activity Centre Structure Plan Boundary

Figure 1: Structure Plan Framework

In 2040 Noble Park will be:

- · A thriving, high quality centre that meets the day-to-day needs of its residents, workers and visitors.
- A centre that protects its 'village character' and compact size with high quality development in the right places.
- A pedestrian oriented centre that is safe and easy to navigate.
- A centre with well designed 'green' streetscapes and pedestrian connections linking key community nodes.





1 Introduction

The Noble Park Major Activity Centre is located approximately 25km south-east of Melbourne's Central Business District. The core of the centre is located around the intersection of Heatherton Road and the Pakenham/Cranbourne railway line. Sandown Racecourse is located approximately 1.7km to the north-west of the centre, with the Springvale Major Activity Centre a further one kilometre north-west. Central Dandenong is approximately 4.6km south-east of Noble Park.

Noble Park has good access to the Princes Highway, Monash Freeway and EastLink. It is close to employment opportunities in Dandenong and Clayton. Noble Park Major Activity Centre is well served by public transport and has significant community and open space facilities. The centre has experienced significant change over the last decade. The most notable change has been the removal of the level crossing at Heatherton Road and the subsequent elevation of the rail line. This resulted in a new railway station, bus interchange, station civic space, leisure and exercise area within Ross Reserve and the construction of the Djerring Trail (a new shared walking and cycling path running from Caulfield to Dandenong).

The level crossing removal project, and the associated park improvement projects within Ross Reserve and the Noble Park Station Precinct, has been transformational for the centre.



1.1 Purpose of a Structure Plan

The purpose of this Structure Plan is to provide the 20-year framework plan for the renewal and revitalisation of the Noble Park Major Activity Centre.

It outlines key policy directions and important built form outcomes as they relate to the development of the centre.

The Structure Plan will be used by:

Greater Dandenong City Council:

- As a basis for updating planning policies, and zone and overlay controls in its planning scheme
- In assessing planning permit applications
- · In assessing requests to rezone land
- In guiding non-statutory initiatives, arrangements or partnerships to assist in realising potential future opportunities within the centre
- In preparing capital works budgets to implement public works improvements.

The community:

- To understand how the centre and specific precincts within are likely to change in the future
- To provide a framework for the community to assist in making long term plans.

Business owners and traders:

- To create greater certainty and appreciation regarding the future of the retail core
- To assist in making shop front improvements.

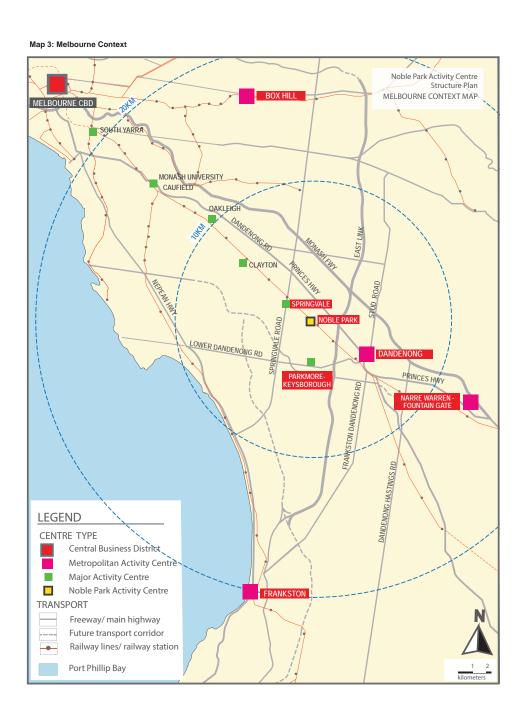
Developers:

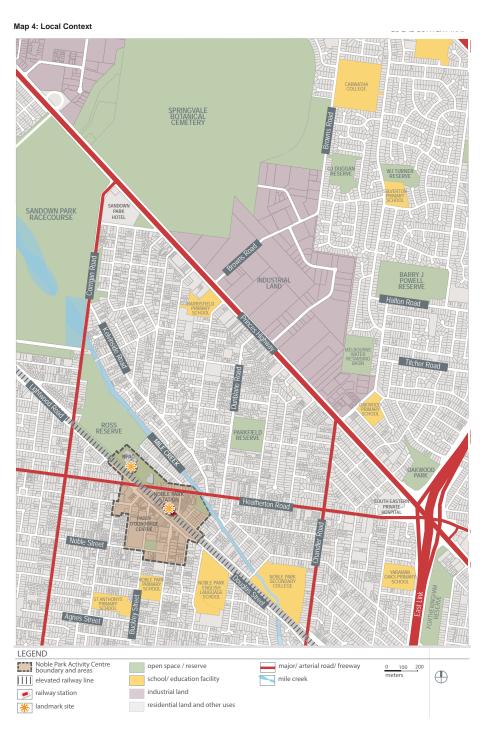
 To understand the development opportunities that exist and the matters that will be considered in assessing development proposals.

Government agencies:

 In coordinating infrastructure improvements with work undertaken by Greater Dandenong City Council and other agencies including roads, public transport and drainage.







1.2 Vision for Noble Park

The Vision for the Structure Plan is that in 2040 Noble Park will be:



A thriving, high quality centre that meets the day-to-day needs of its residents, workers and visitors.



A centre that protects its 'village character' and compact size with high quality development in the right places.



A pedestrian oriented centre that is safe and easy to navigate.



A centre with well designed 'green' streetscapes and pedestrian connections linking key community nodes.

The Vision captures each of the four key directions of the Structure Plan, which are:



The Vision reflects Council and the community's aspirations for Noble Park into the future.

The Vision informs the objectives and actions detailed for each direction to implement the Structure Plan.

1.2.1 Climate Change Mitigation and Planning:

In January 2020, Greater Dandenong City Council joined a growing number of cities in Australia and declared a Climate and Ecological Emergency. To ensure effective action occurs in relation to this declaration, all future development and other actions in the Noble Park Structure Plan area should be undertaken in a manner that adapts to, and mitigates the impacts of climate change.

This includes ensuring that environmentally sustainable design is included in all new developments, and that the impacts of the heat island effect are minimised through the actions of both Council and the community.

Planning for and mitigating the impact of climate change risk has been embedded in to each of the four key directions of the Structure Plan and is a central consideration for all future development in the centre.

1.2.2 Key outcomes of the Structure Plan

In order to achieve the Vision, the key outcomes/ actions of the Structure Plan are to:

- Expand the boundary of the Activity Centre to include the Noble Park Aquatic Centre (NPAC), Mills Reserve and additional residential land to the north, west and south
- Provide for a strong sense of arrival into the centre, particularly along Heatherton Road and Douglas Street
- Rezone additional sites to the Commercial 1 Zone to facilitate their development and extend the commercial core of the centre
- Provide built form and urban design principles (including building height and setback guidance) for all sites in the centre
- Ensure effective action relating to Council's Declaration of a Climate and Ecological Emergency so that all future development in the Structure Plan boundary be undertaken in a manner that adapts to, and mitigates the impacts of climate change
- Direct higher density development to land south of Heatherton Road in the commercial core, and on identified Key Redevelopment Blocks
- Provide a transition in built form where development will step down as its distance to the commercial core increases
- Improve pedestrian connections through the centre and create new mid-block connections
- Designate key streets in the centre as 'pedestrianoriented streets' to encourage ground floor activation (busy, lively streets)
- Strongly advocate for the signalisation of the Heatherton Road/Douglas Street roundabout and the lowering of the speed limit along the section of Heatherton Road that passes through the centre
- Widen the north–south section of Buckleys Lane to 9m to create a pedestrian priority shared space (vehicle and pedestrian) and allow for landscaping opportunities
- 'Green' the streetscape by requiring a 5m residential landscaped setback along designated streets
- Preserve key view lines through and to the centre

1.3 Consultation on the Structure Plan

The Noble Park Major Activity Centre Structure Plan has been informed by extensive consultation over a period of three years. This included targeted input from a range of groups including the Department of Environment, Land, Water and Planning (DELWP), the Victorian Planning Authority, the Level Crossing Removal Authority, the Department of Transport and local schools and businesses.

The community also had the opportunity to make a formal submission on the Structure Plan during the public consultation period from 27 April to 19 June 2020. We asked the community:

- Does the Structure Plan meet the needs (and vision) of the community?
 - » If yes, please tell us how
 - » If no, please tell us what improvements/changes we could make to ensure it does
- Do you have any other comments?

Many of the comments, ideas and suggestions received have been incorporated in to the Structure Plan and have helped reinforce Council's understanding of the issues and opportunities facing Noble Park.

1.4 Context and history

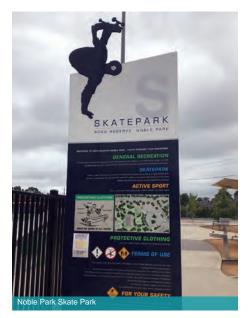
The suburb of Noble Park was created in 1909 and early settlement was encouraged by the construction of a community centre, church, school, postal centre and later, a railway station.

Population growth was relatively slow. By the 1920s the Railway Department set up a poultry farm and plant nursery in the eastern part of the suburb, which became the main local employment source.

Noble Park endured significant hardship throughout the depression period of the 1930s. As a predominantly residential district, there was little local industry and the suburb had the highest level of unemployment in the state. This hardship forged a close and cohesive community.

Recent years have witnessed substantial investment by local and state governments into the leisure precinct of Noble Park including the construction of the \$21 million Noble Park Aquatic Centre (NPAC).

In 2015, a state-of-the-art skate park opened, further reinforcing a youth focus within the centre, and in 2018 a new train station, link road and expanded station civic space opened as a result of the State Government's level crossing removal project.

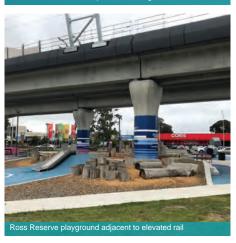




 $^{^{\}star}$ Source: Noble Park Activity Centre History, City of Greater Dandenong, September 2015







1.4.1 'Village Character' explanation

Presently, Noble Park is low rise in nature (at one to two storeys). However, the construction of the Noble Park Train Station (at 20m/six storeys) has made this the focal point for the centre.

The elevated rail bridge, which runs through the northern part of the Activity Centre, is the basis upon which the preferred maximum building heights for the centre have been derived.

Select sites, or groups of sites, in the centre (referred to as Key Redevelopment Blocks) have preferred maximum building heights of up to six storeys. In order to achieve these heights, these blocks must be at least 2000sqm in size.

For the balance of the commercial core, heights of up to five storeys are considered appropriate.

Due to the fine grain nature of much of the centre, many sites will need to consolidate in both the commercial core and within the Key Redevelopment Blocks in order to reach the preferred maximum heights of five or six storeys.

Well-designed taller buildings can contribute to the 'village' feel of the centre.

Noble Park is a very walkable centre that benefits from a large residential catchment. The centre serves a local convenience role and maintains a constant level of activity. As large numbers of people walk to the centre, it does not experience the traffic congestion and parking issues evident in other centres. The centre's thriving night-time economy also sets it apart from Greater Dandenong's other Activity Centres (Springvale, Central Dandenong and Keysborough Parkmore).

This Structure Plan acknowledges how important the current walkability and local convenience role of the centre is and aims to build upon this.

Noble Park's river red gum tree canopy has long been a defining feature of its landscape. Today the stump of a 100 year old river red gum tree provides a focal point for people arriving at the Noble Park train station. Repurposed river red gum timber has been incorporated into seating and play environs in the centre's open spaces.

For the purpose of this structure plan we have applied census statistics to a smaller area of Noble Park (that is the population living within 500m of the commercial core of the suburb).

1.5 Noble Park today



The population of Noble Park in 2016 was 3230 people. The population is young, with the highest number of residents in the 25-34 age bracket (23 per cent).



The 2016 Census recorded that 70 per cent of Noble Park residents were born overseas, higher than Greater Dandenong (64 per cent) and significantly more than the metropolitan average (40.5 per cent).



Among the birthplaces of its residents were Australia (29 per cent), India (16 per cent), Other/Not Stated (12 per cent) and Sri Lanka and Vietnam (6 per cent and 5 per cent respectively).

1.6 Noble Park in the future



The population of Noble Park by 2036 is expected to grow to around 5,570 people, a 42 per cent increase from the 2016 population.



As the population grows the average age is also expected to increase, with the largest group expected to become the 35-44 year olds. Strong growth is also expected in the 0-14 year group.



Accordingly, there will be a noticeable increase in demand for maternal and child health nurses, playgroups, three and four year old kindergartens and for both primary and secondary school enrolments.



Couples without children and one parent families will grow strongly, with continued decline of 'couples with children' families, which is a common trend across Melbourne.



A variety of dwelling types will be required for this growing population and changing household formations.

2 Structure Plan Boundary

The boundary of the Noble Park Major Activity Centre surrounds the commercial and retail core of the centre and encompasses residential zoned land both north and south of the rail line. It includes significant open space assets such as the Noble Park Aquatic Centre (NPAC) to the north-west and Mills Reserve and Copas Park to the east and south.

The centre is generally bounded by:

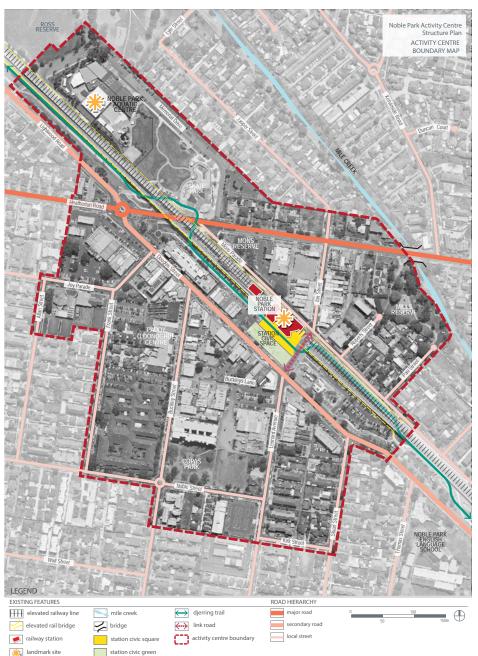
- Memorial Drive (NPAC) and properties fronting Heatherton Road to the north
- Mills Reserve, Pau Street (north of the railway line) and Stuart Street (south of the railway line) to the east
- · Kirk Street and Noble Street to the south
- Frank Street, properties fronting Joy Parade and 1100-1106 Heatherton Road to the west.

2.1 Setting the boundary

The boundary has been defined through detailed consideration of the existing land use zoning of the centre and is based around several large (or large if consolidated) sites which are currently underutilised throughout the centre. These sites will provide major mixed-use opportunities near shops and public transport. The boundary also includes significant community facilities such as NPAC, the skate park and the Paddy O'Donoghue Centre.

General Residential Zone 1 land (with a preferred height of 9m/two storeys) is included within the Activity Centre boundary (fronting Heatherton Road). The inclusion of these sites is appropriate as the elevation of the rail line means this section of Heatherton Road has direct access to the core of the centre





Map 5: Noble Park Major Activity Centre Structure Plan Boundary

3 Existing Planning Policy Context

3.1 State Policy Context

3.1.1 Plan Melbourne

Plan Melbourne was released in March 2017 and sets the long-term strategic vision and guidelines for Melbourne's growth through to 2050.

A direction outlined in *Plan Melbourne* aims to 'deliver more housing closer to jobs and public transport', through policies which will support new housing in Activity Centres. 'Locating medium and higher-density development near services, jobs and public transport supports the objectives of consolidation and housing choice.'

Other relevant strategies of *Plan Melbourne* include focusing on improving connectivity for pedestrians and cyclists, and addressing housing diversity, design quality, energy efficiency and environmental resilience and sustainability.

Further policy considerations include to reduce the likelihood and consequence of natural hazard events and adapt to climate change.

Noble Park is identified as a Major Activity Centre within Metropolitan Melbourne and as an area that will support additional housing growth.

3.2 Local Policy Context

3.2.1 Noble Park Activity Centre Structure Plan, 2009

The Noble Park Activity Centre Structure Plan was adopted by Council in 2009 and is the critical strategic document to guide land use and development decisions within Noble Park.

The 2009 plan has guided several major developments and public realm upgrades within Noble Park since its adoption.

The 2021 Structure Plan has been prepared as:

- The Noble Park Activity Centre Structure Plan (2009) is 12 years old and needed to be reviewed in the context of recently completed projects, development approvals, market pressures and a changing policy context.
- The Structure Plan boundary needed to be reviewed to provide planning certainty for surrounding residential, commercial and open space uses.
- Preferred built form and design outcomes, including height, setbacks and other design requirements, are required to guide development. This is especially relevant given the changes to the rail corridor and the need to specify height controls in relation to the elevated rail line.

4 Development demand

4.1 Residential Demand

There are currently 162 dwellings located within the Noble Park Major Activity Centre.

Demand for an additional 755 dwellings over the next 20 years is estimated. This equates to 917 dwellings in the centre, or an increase in dwelling stock of 460 per cent.

Demand for additional dwellings is forecast to be in the form of apartments (87 per cent), with the remainder (13 per cent) in the form of semi-detached townhouses or similar.

Should all eligible sites be redeveloped to four storey apartments (as an example of an average height of development across the centre), at least 1,100 new dwellings can be accommodated within the existing Activity Centre boundary. This will meet the forecast demand for the next 20 years.

4.2 Commercial floorspace demand

Floorspace projections for Noble Park were calculated in 2012 and indicated the potential need for an additional 9800sqm (low growth scenario) to 14000sqm (high growth scenario) of retail/commercial/community floor area by 2026.

A 2017 review found that these forecasts were optimistic in the context of the size of the centre and its general development expectations.

The Structure Plan proposes to rezone approximately 8380sqm of land from the Residential Growth Zone to the Commercial 1 Zone. This, in addition to the seven Key Redevelopment Blocks, which seek greater density of development, will cater for commercial floorspace demand over the life of this plan. Refer to the Framework Plan at Map 6 on page 22 for the proposed rezoning locations.

Structure Plan Framework

Figure 2: Structure Plan Framework

In 2040 Noble Park will be:

- · A thriving, high quality centre that meets the day-to-day needs of its residents, workers and visitors.
- · A centre that protects its 'village character' and compact size with high quality development in the right places.
- A pedestrian oriented centre that is safe and easy to navigate.
- A centre with well designed 'green' streetscapes and pedestrian connections linking



5.1 Key Directions

The Noble Park Major Activity Centre Structure Plan Framework provides the preferred direction for the renewal and revitalisation of the Activity Centre (refer to Map 6 on page 22 and the Urban Design Principles from page 24).

The Structure Plan is framed around four key directions:



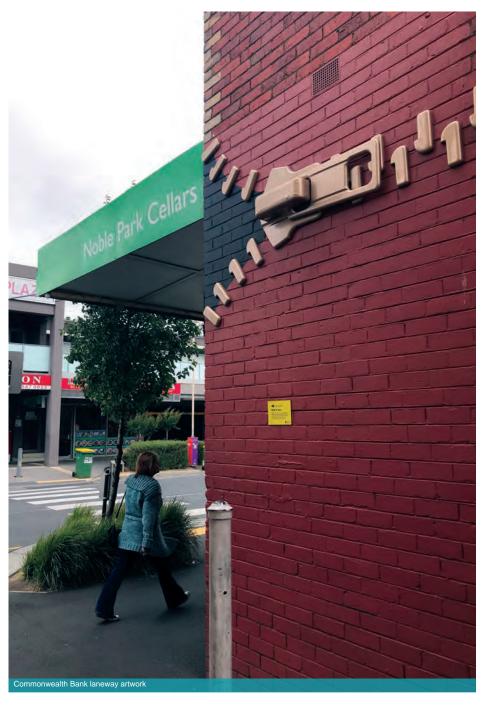
- Improve pedestrian connections through the centre and create new mid-block connections.
- Designate key streets in the centre as 'pedestrianoriented streets' to encourage ground floor activation (busy, lively streets)
- Strongly advocate for the signalisation of the Heatherton Road/Douglas Street roundabout and the lowering of the speed limit along the section of Heatherton Road that passes through the centre
- Widen the north–south section of Buckleys Lane to 9m to create a pedestrian priority shared space (vehicle and pedestrian) and allow for landscaping opportunities
- 'Green' the streetscape by requiring a 5m residential landscaped setback along designated streets
- · Preserve key view lines through and to the centre.

Each of these directions has a set of objectives and actions that aim to achieve the vision for Noble Park.

Key outcomes/actions of the Structure Plan are to:

- Expand the boundary of the Activity Centre to include the Noble Park Aquatic Centre (NPAC), Mills Reserve and additional residential land to the north, west and south
- Provide for a strong sense of arrival into the centre, particularly along Heatherton Road and Douglas Street
- Rezone additional sites to the Commercial 1 Zone to facilitate their development and extend the commercial core of the centre
- Provide built form and urban design principles (including building height and setback guidance) for all sites in the centre
- Ensure effective action relating to Council's Declaration of a Climate and Ecological Emergency so that all future development in the Structure Plan boundary be undertaken in a manner that adapts to, and mitigates the impacts of climate change
- Direct higher density development to land south of Heatherton Road in the commercial core, and on identified Key Redevelopment Blocks
- Provide a transition in built form where development will step down as its distance to the commercial core increases





Urban Design Principles

The following urban design principles have been established to guide the redevelopment of the Noble Park Major Activity Centre and apply to all sites within the Activity Centre Boundary (including Key Redevelopments Blocks).

The urban design principles seek for all future development in the centre to be undertaken in a manner that adapts to, and mitigates the impacts of climate change.

Encourage site consolidation and higher built form

Consolidation of appropriate sites within an easy walking distance to the train station, shops and services is supported in order to achieve taller built form on designated Key Redevelopment Blocks (KRB) and other moderate change sites (refer to Map 12 on page 47 for further detail).

If a KRB is unable to make a land holding of at least 2000sqm, the preferred building height for development for the site defaults to 5 storeys. If any other site in the centre is unable to obtain its preferred height through lack of consolidation, the preferred maximum building height for development defaults to the recommended street wall height. Refer to Map 9 on page 31 for further detail.

2. Maintain solar access to identified pedestrian oriented streets and the public realm

Development must deliver a high-quality public realm which maintains solar access and comfortable wind conditions.

- Upper levels (above three storeys) should respond to street widths and be framed around maximising solar access to footpaths and open spaces (between 10am–2pm at the September equinox for streets running east-west)
- Streets running north-south require solar access along western footpaths and public spaces to be maintained within 3m of the property boundaries from 10am–12pm
- Streets running north-south require solar access along eastern footpaths and public spaces to be maintained within 3m of the property boundaries from 12pm–2pm.

Generally, a 3m setback above the street wall is required, although this setback could be greater subject to an overshadowing test.

Due to the heights proposed and the widths of some laneways, a level of overshadowing of the ground floor along laneways is acceptable. This will be determined at planning permit assessment stage.

Development should retain the established garden setting and allow for landscaping opportunities

at ground level. A 5m front landscaped setback is required for most residential zoned land in the centre. Refer to Map 9 on page 31 for further detail.

3. High quality design considered during all stages of development

Buildings must be designed to make a positive contribution both at street level and when viewed from a distance. Consolidation of smaller lots is encouraged to ensure appropriate setbacks and built form articulation. Upper level balconies and terraces are to be contained within the development envelope. An avoidance of repetitive stepped forms is required.

Buildings must have a high standard of facade design articulation and distinctive tops to their street frontages. Exposed blank walls or large portions of exposed blank walls where visible from the public realm are to be avoided.

4. An appropriate transition to existing residential areas

Development must provide an appropriate transition in height to reduce amenity impacts to the surrounding established residential areas. The surrounding residential interface (particularly adjoining residential properties located outside of the Activity Centre boundary) must be protected and development will only be permitted to three storeys if appropriate setbacks and a transition in height is proposed.

For land within the General Residential Zone 1 included within the Activity Centre boundary, a preferred height of 9m/2 storeys remains.

5. Maintain a human scale at street level

New development should avoid visually dominant building forms adjacent to pedestrian oriented streets and public open spaces. The street wall response must be proportionate to the abutting street widths and should not overwhelm the pedestrian experience at street level. Buildings greater than 5 storeys must not appear as a continuous wall at street level, or from the residential hinterland outside the activity centre. Buildings above 15m must not cause unsafe wind conditions.

6. A network of active frontages

Encourage ground level uses that provide active frontages over extended hours of the day along identified pedestrian-oriented streets, laneways, open spaces and near transport interchanges and the train station. Weather protection areas are encouraged along commercial frontages in the form of verandahs, awnings or other design features.

A greater degree of 'enclosed' built form, due to increased heights along typically narrower existing and new laneways, is acceptable to encourage

increased levels of activation and surveillance.

Retain vehicular access, services and loading areas from the rear/side laneways, or secondary semiactive frontages. Refer to Map 19 on page 64 for details of these streets.

The widening of identified laneways in this Structure Plan will assist in achieving this.

7. Amenity for future occupants

Amenity requirements for both existing and future occupants of a development must be considered. This includes consideration of building setbacks, cross ventilation and the orientation of buildings to ensure solar access in winter and shading in summer. Habitable rooms must have a window facing an outdoor space open to the sky. Light wells as the primary source of daylight to habitable windows must be avoided.

Private open space for apartments that rely on side/ rear setbacks for outlook and amenity must have adequate setbacks to secure their long-term onsite amenity. Appropriate noise attenuation measures are required particularly where new dwellings are constructed on Heatherton Road or adjacent to the rail line. The VicTrack Rail Development Interface Guidelines (August 2019) and relevant sections of the Greater Dandenong Planning Scheme must be considered for any development adjacent to the rail corridor and major roads.

8. Incorporate environmentally sustainable design (ESD)

All future development should be undertaken in a manner that adapts to, and mitigates the impacts of climate change, including the heat island effect.

Development should incorporate ESD measures that address energy efficiency, water efficiency and stormwater management, construction materials and waste management in response to the Greater Dandenong Planning Scheme.

9. Respond to site features and constraints

Development must respond to its surrounds and any constraints such as heritage, flooding or service infrastructure requirements. Development must also consider the view lines identified in Figure 3D on pages 40 and 41 of the Structure Plan as relevant. Proposed development must consider any existing flood risk, protect the development from flooding and consider the provision of overland stormwater drainage flow paths.

Any future redevelopment of the Paddy O'Donoghue Centre must not result in an adverse impact on the heritage fabric of the building.

10. Ian Street Design Principles

Development along Ian Street should respond to:

- The fine grain character of the streetscape and provide for active frontages, with access provided at the rear
- · The retail role of lan Street
- The architectural features of the street such as awnings, parapets, large windows and centralised doors as this provides consistency in the streetscape and influences the existing character of lan Street.

Effects of wind

Tall buildings can intensify windy conditions and adversely affect pedestrian comfort and the safety and amenity of public and private space. This occurs as taller buildings can block the natural path of wind, change its course and channel it to ground level. The effect of wind is an important consideration as the Structure Plan proposes heights in excess of 15m/5 storeys for several sites throughout the Activity Centre.

The Department of Environment, Land, Water and Planning (DELWP) have proposed, through the Better Apartments in Neighbourhoods Discussion Paper released in 2019, to create new standards for apartment buildings of five or more storeys to:

- Ensure wind effects on streets are considered
- Define comfortable and unsafe wind conditions.

Council supports the State Government providing state wide guidance on this issue. Until this is a formal consideration of the Planning Scheme, the Structure Plan defers to Council's current guidance where:

Buildings and works in excess of 15m must be accompanied by a wind analysis report prepared by a suitably qualified person to ensure development is:

- Designed to minimise any potential increase in the level of wind at ground level and any adverse effect on pedestrian comfort
- Explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all facades, or half the total height, whichever is greater
- At a minimum, undertake a desktop analysis
 to model the wind effects of the proposed
 development and its surrounding buildings
 (existing and proposed) in specific cases a wind
 tunnel test may be required to the satisfaction of
 the responsible authority
- Identify the principal role of the publicly accessible areas for sitting, standing or walking purposes
- Demonstrate how the development does not rely on street trees or any other element such as screens, within public areas, for wind mitigation.

5.1.1 Land Use and Economic Activity *Density in appropriate locations*

The Structure Plan boundary encompasses the commercial core of Noble Park and contains seven Key Redevelopment Blocks (KRB) where site consolidation and higher built form development (generally five to six storeys) will be strongly encouraged. Refer to Map 12 on page 47 for the location of the KRB.

Major land uses in the centre include the Coles Supermarket to the west and the Noble Park RSL to the north. These are both anchor tenants in the centre and are encouraged to redevelop to attract more activity in the centre.

Encouraging higher density housing in and around the centre will increase the resident population and therefore the available expenditure of the catchment, thus contributing to the renewal and revitalisation of the centre.

Gateway locations

The Heatherton Road/Douglas Street intersection and roundabout is the key entry point in to the centre from the north-west. A landmark built form development and gateway treatment at 1-5 Douglas Street (KRB1) is encouraged to increase the profile of the centre and encourage visitation.

Further design treatments and cues at the Heatherton Road/Douglas Street intersection will also be investigated to 'announce' this entrance to the centre. This could take the form of a piece of art, sculpture or form of signage.

Encouraging taller built form at 51A-57A Douglas Street (KRB6) will also contribute to a sense of arrival to the centre when viewed from the Noble Park Train Station.

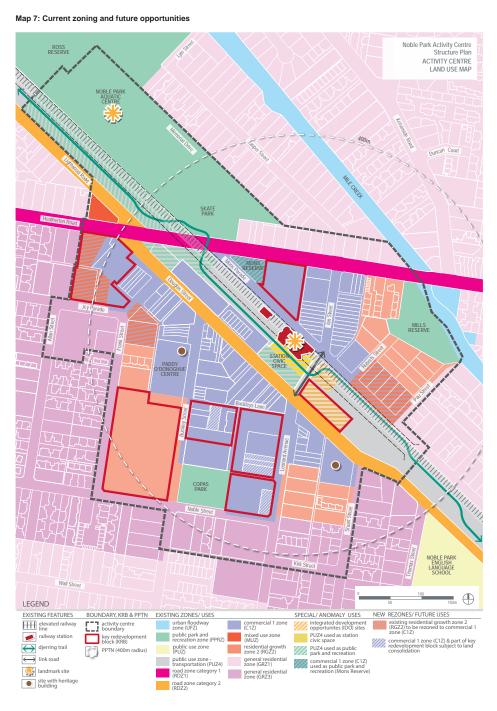
Mills Reserve is a key pedestrian entry point to the centre from the north and entrance treatments/ visual cues will be investigated to welcome people to the centre. Streetscape design treatments along Heatherton Road from Mills Reserve to the Douglas Street roundabout are also encouraged.

Promoting the retail core

There are no visual cues (signage for example) informing passing traffic of the retail core of Noble Park. Lowering speed limits along Heatherton Road and encouraging quality development of the RSL site (KRB7) will assist to promote the centre to passing traffic, as well as improve pedestrian safety. Welcome signage along Heatherton Road should also be investigated.

The signalisation of the Heatherton Road/Douglas Street intersection (and removal of the roundabout) will improve safety and further slow motorists therefore making the centre more prominent to passing traffic.

The Structure Plan proposes several areas are rezoned from a Residential to Commercial zoning to extend the commercial spine of the centre and attract and encourage further investment and development.



5.1.2 Built Form and Urban Design

This section of the Structure Plan provides the following detail:

- Introduces the three precincts (Gateway, Core and Transition) of Noble Park and the types of development envisioned
- Nominates and justifies recommended building heights and setbacks for development across the Activity Centre from two to six storeys
- Nominates proposed laneway widenings across the Activity Centre
- Depicts cross sections of the proposed heights and setbacks
- Examines the seven Key Redevelopment Blocks (KRB) and a provides a justification for each.

Noble Park Precincts

Refer to Map 8 on page 30 for details of the precincts.

Precinct 1: Gateway Precinct

Defines the north-western edge of the Noble Park Major Activity Centre and is anchored around the key junction of Heatherton Road and Douglas Street. It defines the centre's main entry point and encompasses key community assets such as NPAC and Ross Reserve, as well as a retail node including the Coles Supermarket and specialty retail shops which front Heatherton Road and Douglas Street.

This Precinct will be defined by development that transitions from three or five storeys at its periphery, to six storeys at the key junction of the Heatherton Road/Douglas Street roundabout.

Precinct 2: Core Precinct

Represents the commercial, retail, community and transport hub of Noble Park. It is defined by Douglas Street and the rail line. The shops are predominantly low rise and narrow (fine grain) with rear laneway access. Douglas Street and lan Street feel intimate and local, with well-defined shops built to the boundaries with continuous weather protection. The existing open space adjacent to the Noble Park Train Station allows for easy pedestrian entry in to the core of the centre. The elevated rail line is a dominant structure in the centre.

Key heritage sites include the Noble Park Public Hall (Paddy O'Donoghue Centre) and a neo-brutalist building containing shops and offices at 49-54 Douglas Street. Both sites are on large blocks in the Activity Centre.

This Precinct will continue to grow and prosper as a vibrant, mixed-use destination and key hub allowing for commuting, working, shopping and leisure.

The diverse size and scale of the buildings will be enhanced through the predominance of 'shop top' apartments over shops, punctuated by taller developments at designated Key Redevelopment Blocks.

Enhancing the quality and amenity of mid-block pedestrian connections is supported as well as the continuation of the existing laneway network which will support the increased development activity in this precinct.

Ian Street Case Study

lan Street is a small (approximately 140m long) retail strip located in the Core Precinct. It is significant as it is an intact example of a traditional fine grain retail strip with a range of shops including a grocery shop, variety shop, computer parts shop and laundromat. It has a strong homogenous character of narrow shopfronts, many with angled windows that are over 50 years old.

It is envisaged that the direct road link which has been constructed across the railway corridor (as a result of the Level Crossing Removal Project) is going to change how lan Street is used by both customers and traders. Ian Street needs to be able to appropriately respond to significantly higher levels of customer activity and vehicle traffic, whilst seeking to preserve its unique character.



Precinct 3: Transition

This Precinct surrounds Precinct 2 (Core) and includes urban blocks along the Activity Centre boundary to the north-east, south and west. The area to the north-east includes residential blocks fronting Heatherton Road (northern side) between Mile Creek and Mills Reserve. This area is a key entrance in to the Activity Centre for pedestrians. The area of Precinct 3 in the south contains recently constructed medium density townhouses. The area of Precinct 3 in the west has a large church in the north-west corner, well setback from the street to allow street planting and car parking.

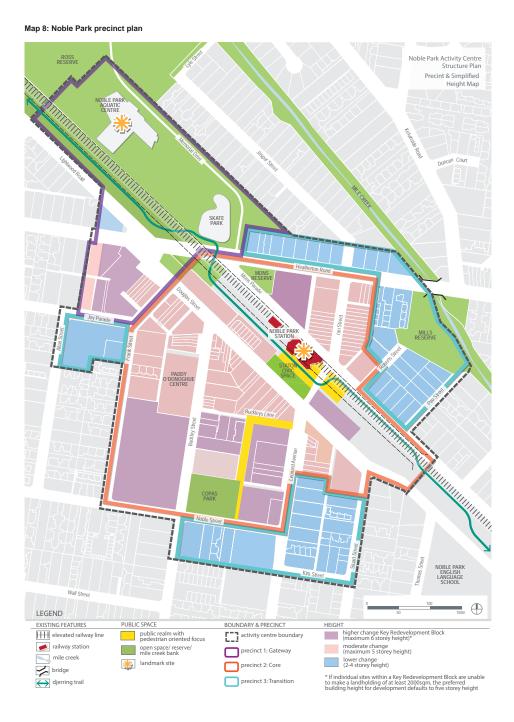
The future development scale (of two to four storeys) reflects the low level of change expected for this area and the broader residential area outside the Activity Centre boundary.

Map 9 on page 31 details the preferred height and setback controls for the centre.



ORDINARY COUNCIL MEETING - MINUTES

4.1.1 Noble Park Major Activity Centre Structure Plan – Consideration of Submissions (Cont.)





Height calculation and justification

The preferred maximum building heights have been determined after considering the necessary street wall height, front upper level setback and rear boundary transition conditions.

The following measurements have underpinned the heights and storeys proposed:

- Ground floor: 4m (floor to floor) to allow for commercial/retail use.
- Level 1 and above: 3.5m (floor to floor) to allow for commercial/retail use/residential uses.
 This will result in compliance with the Better Apartments Design Standards.

The recommended built form premise has recognised the following site features:

- · Size of site
- Solar access to footpaths and public spaces
- Residential abuttal
- · Gateway opportunity
- Retention and framing of key view lines
- · Heritage considerations.

Ground level setbacks

The Structure Plan considers ground floor setbacks of development throughout the Activity Centre.

Street wall/podium heights

In commercial areas or on sites identified as KRB, the nominated street wall/podium height is between three and five storeys. This height is dependent on:

- The width of the street
- Whether the development is located south of open space (to avoid overshadowing)
- If the development is located on a street or laneway that is to be widened/activated.

Designating street wall heights:

- Confirms a consistent image and profile for the Activity Centre, of three to five storeys (with any further heights setback behind this street wall)
- Retains pedestrian amenity and comfort at street level along key streets
- Maximises activation along key retail spines by encouraging services and car parking to secondary streets or rear laneways.

Residential landscape setbacks

A 5m setback from the front boundary (to the street) in residential streets is proposed to encourage ground level landscaping. This will contribute to the 'greening' of Noble Park's streets and contribute to the attractiveness of the centre.

A 3.5m landscape setback is proposed along the western boundary of KRB5 to widen Buckleys Lane.

Development is required to provide a 1.5m landscape setback on sites adjacent to Mills Reserve and Ross Reserve to provide a softened interface to the open space. Map 9 on page 31 provides further detail of this.

Laneway widening setbacks

Map 9 on page 31 details the development setbacks required to facilitate the widening/creation of several laneways to either 5.5m or between 5.5m and 9m (Buckleys Lane).

Widening of laneways will encourage the utilisation of the existing laneway network for pedestrian access, encourage active uses at upper levels to improve surveillance, and provide future internal amenity for residents and workers adjacent to these laneways as a result of increased ground floor and upper level setbacks.

The widening of identified laneways will also ensure adequate access widths are provided for new development.

Upper level setbacks behind street walls

In commercial areas, a common urban design guideline is to introduce a 'street wall' and 'upper level front setback' measure. The purpose of these setbacks is to ensure a low to medium rise street definition that is proportionate to the street width, while also managing solar access to the public realm including footpaths and open spaces.

Generally, and subject to the street wall conditions and solar tests, a setback distance of 3m above the street wall podium is required. This allows for the form of the building to be articulated and provide visual interest. A 3m setback allows for usable terraces on outdoor spaces above the street wall podium.

Whilst this is not a definitive test, the default setback also generally supports acceptable solar access across the streetscape along pedestrian-oriented streets at the equinox (from 10am to 2pm on 22 September). In some locations, where building heights greater than the 5-storey default scale is sought, additional upper level setbacks will be required to minimise any adverse impact on the public realm (including shadow and wind).

Providing separation (between 6-9m) between buildings (above street wall/podium) will facilitate outlook and amenity to existing and future occupants. Providing consistent setback guidance seeks to avoid overtly stepped upper level forms.

Figure 3 from page 34 is to be read in conjunction with Map 9 on page 31 and is divided into three sections:

- Figure 3A provides the preferred maximum building heights, preferred street wall height, and upper level setbacks for the centre by Precinct.
- Figure 3B provides specific setback requirements for open space, pedestrian and service laneway interfaces and for Buckleys Lane. Guidance regarding preferred podium heights and ground and upper level setbacks is also provided.
- Figure 3C details the various zone interface scenarios present in Noble Park and the side and rear setbacks to be employed.
- Figure 3D details key view lines within and to the centre and provides development guidance.

These design guidelines are required to be followed by all development in the Activity Centre.

Refer to Maps 9,10 and 11 on pages 31,42 and 44 and the accompanying cross section diagrams on pages 43 and 45 which provide diagrammatic examples of several of the typologies described in Figure 3 from page 34.

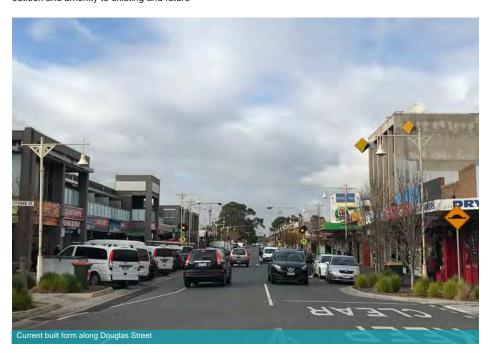


Figure 3: Levels of anticipated change and design guidance

3A: Built form and setback guidance

Precinct	Preferred maximum building height (1a, 1b)	Preferred street wall height	Preferred street level setback	Preferred minimum setback above street wall (2)
Precinct 1 Gateway Precinct	11 metres (3 storeys) (1111-1115 Heatherton Road) 18 metres (5 storeys) (C1Z) 21.5 metres (6 storeys) (KRB)	18 metres (5 storeys) (South side Heatherton Road and south side Douglas Street) 11 metres (3 storeys) (Other streets)	0 metre 7 metres (along eastern boundary of 1111-1115 Heatherton Road)	3 metres (greater if required for overshadowing/ key view purposes)
Precinct 2 Core Precinct	18 metres (5 storeys) 21.5 metres (6 storeys) (KRB)	18 metres (5 storeys) (Heatherton Road, Buckleys Lane, rear of Douglas Street sites) 11 metres (3 storeys) (Other streets)	0 metre (C1Z) 5 metres (RGZ)	3 metres (greater if required for overshadowing purposes)
Precinct 3 Transition Precinct	9 metres (2 storeys) (GRZ1) 11 metres (3 storeys) (GRZ3) 14.5 metres (4 storeys) (RGZ, C1Z)	9 metres (2 storeys) (North side Heatherton Road) 11 metres (3 storeys) (Other streets)	0 metre (C1Z) 5 metres (all other sites)	

Note:

(1a) If individual sites within a Key Redevelopment Block are unable to make a land holding of at least 2000sqm, the preferred building height for development for the site defaults to five storeys.

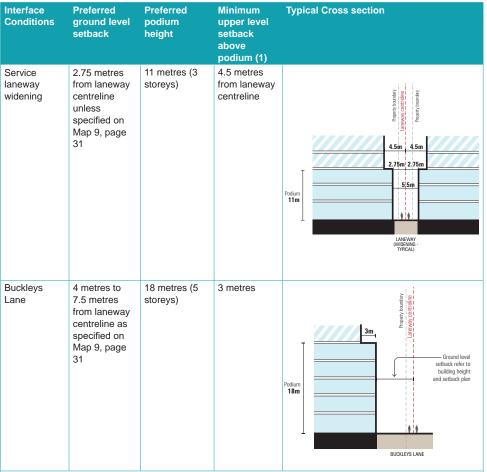
⁽¹b) If any other site in the centre is unable to obtain its preferred height through lack of consolidation, the preferred maximum building height for development defaults to the recommended street wall height.

⁽²⁾ Greater setback is expected above podium to minimise overshadowing to meet the overshadowing tests and avoid adverse wind impacts/preserve key views.

3B: Interface requirements for Precinct variables

Interface Conditions	Preferred ground level setback	Preferred podium height	Minimum upper level setback above podium (1)	Typical Cross section
Ross Reserve	1.5 metres	9 metres (2 storeys)	Not applicable	ROSS RESERVE (PRECINCT 3) POSIUM 9m
Mills Reserve	1.5 metres	11 metres (3 storeys)	3 metres	MILLS RESERVE (PRECINCT 3) (PRECINCT 3) (PRECINCT 3) (PRECINCT 3)
1 Noble Street southern boundary and 3 – 7 Noble Street western and southern boundaries	3.5 metres	11 metres (3 storeys)	3 metres	3.5m 3m Podium 11m COPAS PARK CPRECINCT 1) PARK PRECINCT 1) EAST

Interface Conditions	Preferred ground level setback	Preferred podium height	Minimum upper level setback above podium (1)	Typical Cross section
1111-1115 Heatherton Road and adjoining open space/ surrounding residential hinterland	0 metres 6 metres (west boundary) 7 metres (east frontage)	11 metres (3 storeys)	Not applicable	1157 HEST-RETORN BAND 1111 HIST-RECORDING BAND 1110 HEST-RECORDING B
Service laneway (no widening)	0 metres	11 metres (3 storeys)	4.5 metres from laneway centreline	Podium 11m
Pedestrian laneway (new)	1.5 metres from laneway centreline	11 metres (3 storeys)	4.5 metres from laneway centreline	4.5m 1.5m Podium 11m

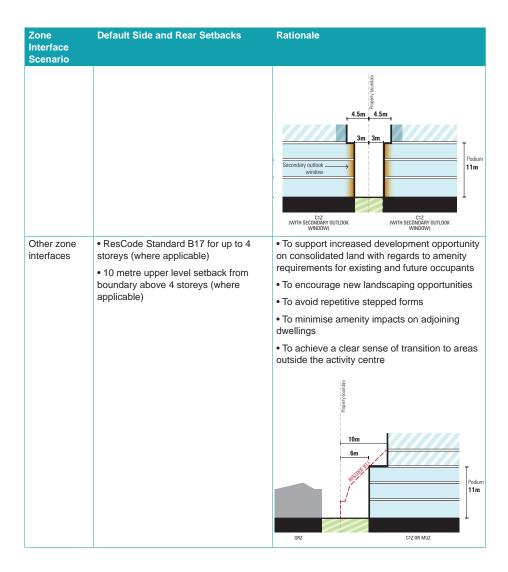


Note:

^{1.} Greater setback is expected above podium to minimise overshadowing to meet the overshadowing tests and avoid adverse wind impacts.

3C: Typical interface requirements for common boundaries

Zone Interface Scenario	Default Side and Rear Setbacks	Rationale		
C1Z/C1Z	• 11 metre (3 storey) podium	To support increased development density within the commercial core and areas where moderate to high change is expected. To provide separate between buildings (above		
	0 metre setback to 3 storey podium (11 metres), in the absence of habitable windows/balconies			
	• 3 metre setback to 3 storey podium (11 metres) measured from the edge of residential balcony/habitable window	podium) to facilitate outlook and amenity to existing and future occupants (residents and workers).		
	4.5 metre setback above podium to 3 storey podium (11 metres) measured from the edge of residential balcony/ habitable window	Property Town days		
C1Z/RGZ	3 metre setback above 3 storey podium (11 metres) measured from common boundary where a commercial or non-habitable window is proposed	3m 3m Podium 11m (COMMERCIAL OR NON - HABITABLE WINDOW) IS		
		Poperty bounds		
		4.5m 4.5m Primary outbook balcony Primary outbook Time C12 (WITH PRIMARY OUTLOOK BALCONY) (WITH PRIMARY OUTLOOK BALCONY)		

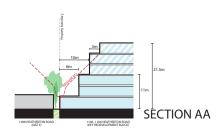


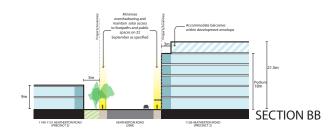
3D: Key view line guidance

View line **Design Guidance Current conditions** From Lightwood Landmark development and Road through to gateway treatment for the Douglas Street (the Douglas Street/Heatherton Road main entrance in to roundabout. the centre) 1-5 Douglas Street site (KRB1) will need to consider its 'gateway' response and consider the view line down Douglas Street View of centre from Lightwood Road with the roundabout in the centre and KRB1 to the right North and south 51A-57A Douglas Street (KRB6) of the Noble Park should consider the view line between Ian Street and Douglas Train Station from Leonard Avenue Street (along the Leonard and Ian Street. Avenue extension) to retain this 'cross view' through the centre. This will also assist with wayfinding through the centre 1128 Heatherton Road (KRB7) should consider any future built form and the resultant views of the train station from Ian Street/ View lines from Douglas Street through to Ian Street with KRB6 to the right Heatherton Road View from Ian Street towards Douglas Street KRB7 with elevated rail in background

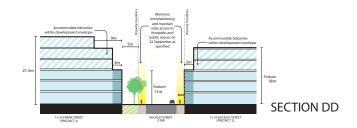
View line	Design Guidance	Current conditions
From Douglas Street/Heatherton Road roundabout looking north-east and north-west to Ross Reserve	A 7 metre setback (at ground and upper levels) is required to maintain a visual link between the existing pedestrian crossing (south of Heatherton Road) and the Aquatic Centre to the north	
From Mons Reserve looking north-west and south-west across to the skate park and Mons Parade	The front setback at 1133-1135 Heatherton Road is required to be retained	Open space for retention looking across to Ross Reserve Front setback to be retained to the right, with skate park in background

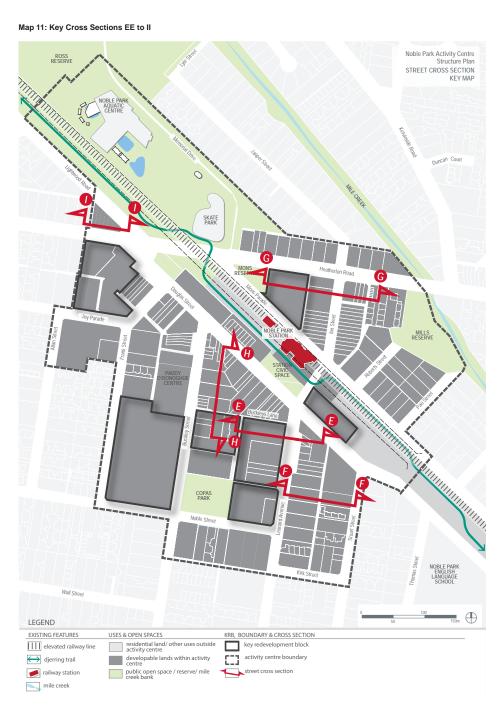


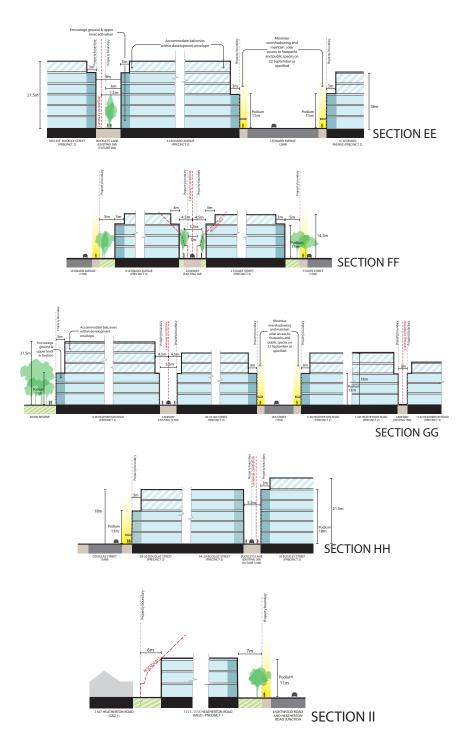












5.1.2.1 Key Redevelopment Blocks

The Structure Plan supports increasing the density of the centre, in line with its Major Activity Centre status. Key Redevelopment Blocks (KRB) provide opportunity to achieve greater heights in specific locations, while allowing for moderate or low change across the balance of the centre.

A Key Redevelopment Block is land that is:

- · Located within the Activity Centre boundary
- Within the Commercial 1, Mixed Use or Residential Growth Zones
- With common land ownership, or land with opportunity for consolidation
- With notable land holding of 2000sqm or greater
- Having multiple frontages to either street or laneway
- Having limited sensitive interfaces to residential areas outside of the Activity Centre boundary.
- It can be a single site, or a number of sites that are grouped together

If a KRB is unable to make a land holding of at least 2000sqm due to lack of consolidation, the preferred maximum building height defaults to five storeys.

Seven sites are nominated as Key Redevelopment Blocks (KRB). One of these sites (KRB6) at 51A-57A Douglas Street is owned by VicTrack who refer to this site as an 'Integrated Development Opportunity (IDO) site'. Refer to Map 12 on page 47 and Figure 4 on pages 48 and 49 for further details.

Site consolidation

KRB3, KRB4 and KRB5 are not currently in single ownerships greater than 2000sqm and will require site consolidation in order to develop to six storeys.

If any other site in the centre is unable to obtain its preferred height through lack of consolidation, its preferred height defaults to the recommended street wall height.

Refer to Map 9 on page 31 for further details regarding street wall/podium heights across the centre

Map 12 on page 47 identifies further sites through the Activity Centre that due to location, lot ownership and/or lot size has the potential for moderate change.

Noble Park Activity Centre Structure Plan ANTICIPATED LEVEL OF CHANGES AND KEY REDEVELOPMENT BLOCK MAP SKATE PARK 4 2 **(5)** LEGEND EXISTING FEATURES PUBLIC SPACE, USE & INFRASTRUCTURE ANTICIPATED LEVEL OF FUTURE CHANGE IDO site subject to potential higher change area (KRB) railway station victrack land integrated development opportunities (IDO) site

Map 12: Key Redevelopment Blocks and Precinct Boundaries

Figure 4: Key Redevelopment Blocks - this figure is to be read in conjunction with Map 12 on page 47 - all land sizes are approximate

KF	RB	Current site conditions	Comment	
1	1-5 Douglas Street (Coles site) and 1100-1106 Heatherton Road Landmark built form development		Current split zoning may result in varied built form requirements	5 to 6 storeys 18 to
	Block is 7300sqm in two separate ownerships comprising: 1-5 Douglas Street - 5300sqm		Could accommodate a taller mixed-use development, including full line	21.5m
	1100-1106 Douglas Street - 2000sqm		supermarket Future redevelopment should consider existing residential uses to the west, the potential amenity impact along Joy Parade and Frank Street, as well as providing a sense of transition to adjoining properties outside the Activity Centre	
			Will define the key entry in to the centre from northwest	
			Mid block access through the site will be required	
2	Noble Manor Residential Aged Care 15-35 Frank Street Block is in one single ownership of 14200sqm		Future redevelopment should consider the existing residential abuttal and allow for mid-block access	6 storeys 21.5m
3	Buckley Street West Precinct Block is 3960sqm in four separate ownerships comprising: 31 - 41a Buckley Street (3 sites, 1 owner) - 1040sqm 43 - 49 Buckley Street - 1320sqm Rear 35 Buckley Street - 630sqm 6/35D - 35F Buckley Street (2 sites, 1 owner) - 970sqm		Future development should contribute to improvements for Buckleys Lane Without consolidation, no sites in this precinct qualify as KRB	6 storeys 21.5m
4	Council car park and 4, 6, 12 and 14- 14A Leonard Avenue Block is 6240sqm in five separate ownerships comprising: 4 Leonard Avenue - 3240sqm 6-10 Leonard Avenue - 1520sqm		4 Leonard Avenue currently accommodates a Council car park All other sites will need to be consolidated to qualify as a KRB	6 storeys 21.5m

KRB	Current site conditions	Comment	
1/12 Leonard Avenue - 370sqm			
2/12 Leonard Avenue - 370sqm			
14 Leonard Avenue - 740sqm			
MiCare Aged Care	The second second	Existing approval for	6
1 and 3-7 Noble Street	Control of the last of the las	five storey aged care development at 3-7	storeys
Block is 3660sqm in two separate		Noble Street. Without	21.5m
ownerships comprising:		consolidation, 1 Noble Street (730sqm) does not	
1 Noble Street - 730sqm		qualify as a KRB	
3 - 7 Noble Street - 2930sqm			
Integrated Development Opportunity (IDO) site		Owned by VicTrack. Known as an Integrated	6 storeys
51A-57A Douglas Street		Development Opportunity	21.5m
Landmark built form development	Rosen S	(IDO) Site Future redevelopment	
Block is in one single ownership of 2500sqm		with a taller mixed-use development will positively	
A smaller IDO site is in one single ownership of 650sqm	The state of the s	contribute to the train station civic space	
		Future development should consider potential amenity	
		impact on the public realm along Douglas Street and	
		the need to accommodate	
		the future duplication of the rail corridor with further	
		elevated rail tracks	
		A smaller IDO site, located	
		north-east of the main IDO site, is located underneath	
		the rail bridge. Any future	
		built form height will be determined by the height of	
		the bridge. It is possible this	
		site may be used for further	
		open space or a 'pop up' type space in the future.	
7 RSL		Future redevelopment will	6
1128 Heatherton Road		contribute to defining the north-western entry into the	storeys
Block is in one single ownership of	A CONTRACTOR OF THE PARTY OF	centre and should consider	21.5 metres
3700sqm	#	the potential amenity impact on the public realm along	
	I B B T	Mons Parade	
		Future redevelopment to	
	The state of the s	consider its presentation to Heatherton Road and its	
		entry into the centre	
	The state of the s		

Noble Park Activity Centre Structure Plan **EXISTING CONDITION - KRB1** ROSS RESERVE SKATE PARK Heatherton Road Douglas Street Joy Parade Buckley Street Frank Street LEGEND developable land following the residential interface, carpark & building setback requirement djerring trail land parcels ||||| elevated railway line service access existing land title open space/ reserve existing tree residential interface

Map 13: Detail of existing layout and configuration of part of KRB1, including existing service access and car parking.

SCENARIO 1
PETROL STATION SITE REMAINS OR DEVELOPED
INDEPENDENTLY FROM COLES SITE + FINE GRAINED LOTS REMAIN/
PARTLY CONSOLIDATED - APPROX. 67% DEVELOPABLE LAND SCENARIO 2
PETROL STATION CONSOLIDATED TO COLES SITE + THE LARGEST
TREE RETAINED + FINE GRAINED LOTS REMAIN
APPROX.80% DEVELOPABLE LAND Heatherton Road Heatherton Road Joy Parade Joy Parade emong tree retained ALL SITES INCLUDING FINE GRAINED LOTS CONSOLIDATED + CREATE 1 BLOCK DEVELOPMENT APPROX. 90% DEVELOPABLE LAND ALL SITES INCLUDING FINE GRAINED LOTS CONSOLIDATED + 2 BLOCKS CREATED WITH A NEW OPEN SPACE LINK APPROX. 80% DEVELOPABLE LAND ROSS RESERVE ROSS RESERVE SKATE PARK Heatherton Road Heatherton Road Joy Parade Joy Parade

Map 14: Four development scenarios for how street activation and secondary service access could operate depending on how the block is developed. Pedestrian access and open space requirements have also been considered.

5.1.3 Access and Movement

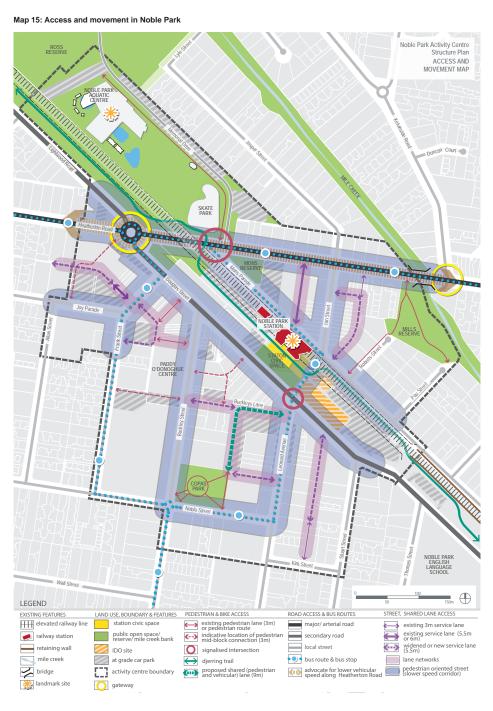
The Noble Park Train Station and bus interchange are in the core of the Activity Centre. The primary road network comprising Douglas Street, Mons Parade and Heatherton Road serve as the centre's principal address for visitors and residents arriving by either car or public transport.

The Level Crossing Removal Project has significantly improved connections across the centre. For example, the key retail streets of lan Street and Douglas Street are now connected via the Link Road. The introduction of the shared user path (Djerring Trail) is an additional mode of transport that contributes to the connectivity of the centre to other destinations.

Over the life of this Structure Plan, the provision of a third and fourth rail track along the Dandenong Corridor could occur. Should this ensue (and likely involve heavy freight movements) this would have implications on the amenity of the centre. VicTrack, who are the owner of all railway land, assets and rolling stock, have produced detailed guidance on how to establish an appropriate interface with railway land.

The VicTrack Rail Development Interface Guidelines (August 2019) will need to be considered for any redevelopment adjacent to the rail corridor.





Pedestrian centre

Noble Park is a very walkable centre and has few barriers to movement. The centre has a high level of pedestrian activity, with 61 per cent of those accessing the centre doing so by foot.

The Activity Centre is relatively compact and has good connections from the surrounding residential area, with 21,000 people living within a 20-minute walk of the train station.

Accessing the centre through Mills Reserve is the most common route when walking from the north (for both commuters and school children). Leonard Avenue is the most common route to the station from the south. Walking through Copas Park and along Buckleys Lane is also a notable route used.

The smaller scale of Noble Park allows pedestrian priority at crossings and results in fewer traffic or parking issues than are experienced in other Activity Centres in Greater Dandenong. It is imperative that future development continues to support high pedestrian movement and does not compromise pedestrian amenity.

Map 15 on page 53 shows the existing road and laneway network and identifies improvements to the centre. Key improvements include the widening of Buckleys Lane along the north-south alignment to 9m and the lowering of the speed limit along Heatherton Road to 40km/h. Improved pedestrian connections are proposed as part of any redevelopment of several of the KRB.

The Douglas Street/Heatherton Road roundabout is difficult for pedestrians to cross in a safe or timely manner and creates a significant barrier between open space assets and the core of the Activity Centre.

Wayfinding measures, such as in Central Dandenong and Springvale, are required to link key destinations across Noble Park. Clear connections through the centre will improve the pedestrian experience.

Laneways

The laneways in Noble Park provide an important structure to the centre, enhancing pedestrian activity and allowing for mid-block connections. Most are located at the rear of shops and have traditionally been used for service access and car parking.

Many laneways are poorly maintained, lack activity, have perceived safety concerns and are arranged in an ad hoc fashion that provides poor connections between key destinations. Many do not meet the minimum width standards for their function (such as for two-way traffic) or allow sufficient width for emergency vehicle access.

This Structure Plan seeks to resolve these issues through the following options:

- Widen laneways
- Alter the function of laneways (to make them pedestrian only for example)
- · Close, sell or resolve titles
- Include way-finding signage and other place making opportunities.

Map 16 on page 55 illustrates the existing pedestrian and service laneways in the centre. The map also details pedestrian, service and shared laneways (including Buckleys Lane) which are to be created/widened

Buckleys Lane

Buckleys Lane is a key route from the south of the centre through to the core. Widening of the laneway will create shared pedestrian and vehicular access with opportunity for landscaping at ground level.

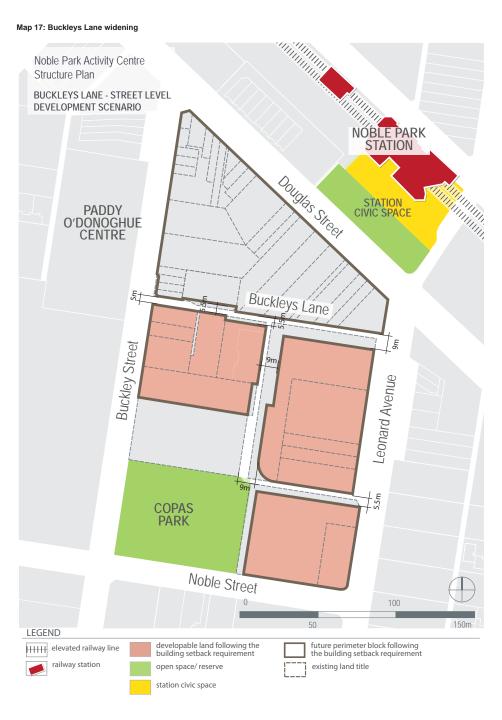
Future development along this laneway should contribute to the activation of the laneway, with zero lot setbacks encouraged along most of the laneway to establish a robust street wall.

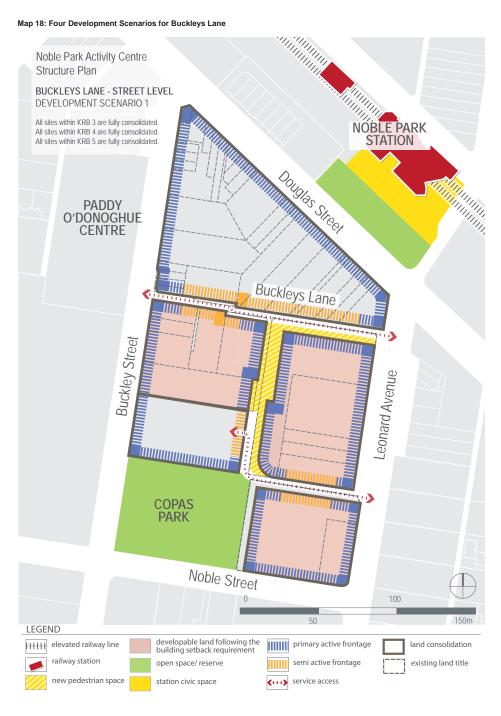
The widening of Buckleys Lane is proposed as follows:

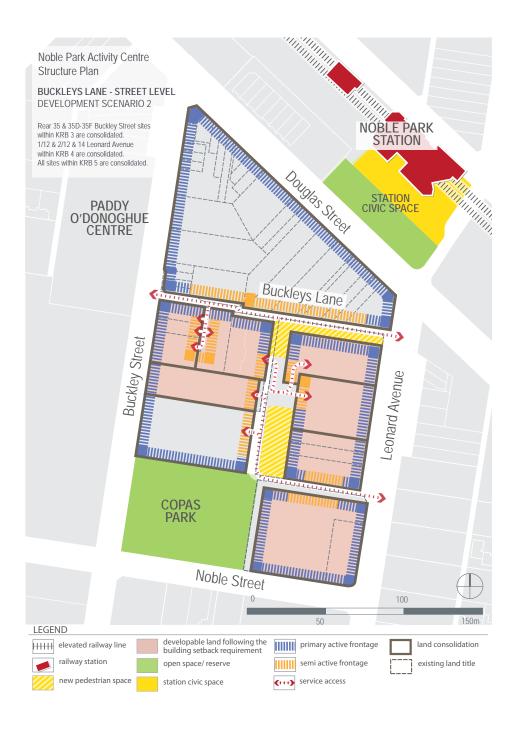
- 9m along the north–south alignment
- 5.5m along the east-west alignment.

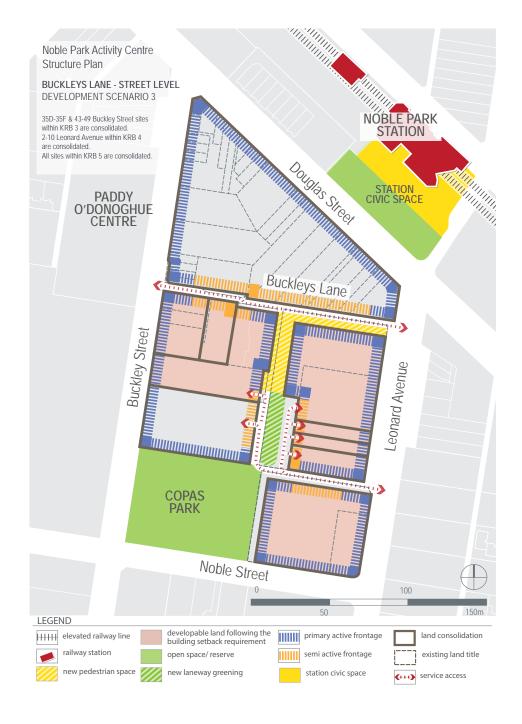
Map 17 on page 56 provides further detail of the laneway widening proposal and Map 18 provides four development scenaios for how street activation and secondary services could operate depending on how the surrounding sites are developed.

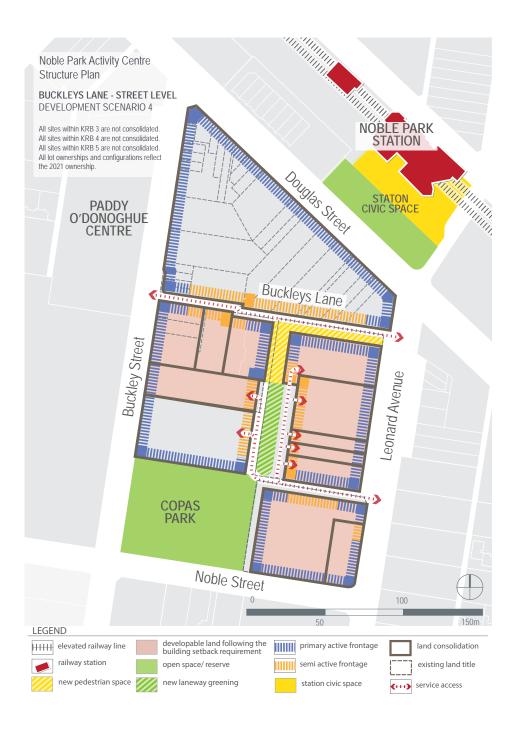


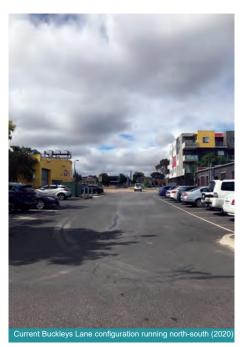














Accessibility

Noble Park's public spaces have been progressively upgraded through a range of improvement projects, such as the Douglas Street Streetscape improvements, Level Crossing Removal Project and Ross Reserve park improvements. Due to the spacing of these projects, a comprehensive review of Disability Discrimination Act (DDA) Accessibility of the centre has not occurred since 2010.

Consequently, there are issues with incorrect tactile markings and signage in some locations that continue to present barriers to allowing everyone to be able to move through the centre with ease.

Some private sites such as the Coles Supermarket, a key anchor of the centre, has a current configuration that is also difficult to navigate for people with limited mobility.

A full Accessibility Audit of the centre should be undertaken, including recommendations for rectification.

Cycling

Historically, cycling infrastructure and cycling routes in to Noble Park have been absent. The construction of the Djerring Trail, linking Caulfield and Dandenong, has been a major improvement.

The State Government categorises the Djerring Trail and the cycle route heading south from the train station along Leonard Avenue, Noble Street and Buckley Street as 'Strategic Cycling Corridors'. Place-based behaviour mapping of the centre and the station civic space has shown an increase in cycling since 2017 of more than 2000 per cent.

A Multi Modal Transport Infrastructure Plan will be developed to encourage greater efficiency of movement and to further consider cyclist infrastructure and routes.

Traffic

There are several very busy roads within the Activity Centre, including through the Douglas Street/ Heatherton Road roundabout. The roundabout causes a poor pedestrian connection from the core of the centre to Ross Reserve and NPAC. The removal of this roundabout will improve pedestrian safety and connections to these open space assets and is an important action of this Structure Plan.

The installation of traffic signals at Mons Parade and Heatherton Road has improved pedestrian and cycle access and resulted in improved traffic and bus movements within the centre.

The Link Road and Mons Parade/lan Street intersection requires a redesign to improve safety. The pedestrian crossings are not raised to slow

traffic and have poor visibility. The vehicle volumes along the new Link Road are also higher than desirable (3,000 per day) adjacent to the station civic space.

The intersection of Douglas Street and Leonard Avenue will have a four-way traffic light signal installed. This will result in improvements to traffic circulation, including for buses and pedestrian safety.

Car Parking

Within the boundary of the Activity Centre, there are approximately 904 on-street public car parking spaces and 839 off-street public car parking spaces. On weekdays, all day car parking in the core of the centre is full by 11am. There is ample car parking available on the weekend.

There is underutilised off-street all-day parking on the fringe of the centre which provides an opportunity to relocate commuter parking from the core and encourage commuters to walk through the centre. The Noble Park Parking Precinct Plan, currently being developed, supports this approach.

Short term customer and visitor parking during the weekday and weekend operates well with parking available despite good utilisation and turnover. This suggests that the current parking restrictions are adequate. This may need to be reassessed as circumstances change.

Overall, Noble Park's traffic and parking are extremely efficient, and this is expected to continue into the future, even with a large increase in population in the centre over the next 20 years.





5.1.4 Public Realm

The public realm includes the natural and built environment used by the public on a day-to-day basis. It includes streets, plazas, parks and public infrastructure.

Noble Park benefits from community leisure facilities and open space assets including Ross Reserve, Mills Reserve, Copas Park and the Djerring Trail. The Noble Park Train Station and station civic space are the heart of Noble Park and provide a strong community focus for the centre.

Further public realm improvements are planned for Douglas Street and Ian Street. The station civic space also provides significant placemaking opportunities and is a key site for revitalisation.

As the population of Noble Park increases, public open space will continue to provide a diverse range of recreational activities for residents, workers and visitors.

Pedestrian Oriented Streets and Slow Speed Road Corridors

Streets play a key role as public spaces. Key pedestrian-oriented streets in the centre include Douglas Street, Mons Parade, Ian Street, Joy Parade, Buckley Street, Noble Street and Leonard Avenue. Development will need to provide a high-quality public realm which maintains sunlight and comfortable wind conditions to these streets.

The Structure Plan designates Heatherton Road as a slow speed corridor to encourage the lowering of vehicle speeds through this section of the centre to make for a more pleasant and safe pedestrian experience.

The proposed widening of Buckleys Lane to between 5.5-9m will result in a pedestrian priority focus that allows opportunities for landscaping and further activation of the laneway.

The streets are divided in to three main types as follows (and are shown on Map 19 on page 64):

Primary Active Frontages (Retail and commercial)

These streets are generally located along the retail and commercial spine of the centre where active frontages are strongly encouraged. Design responses include main entrances that open towards the street, glazed windows, and cafes with street seating.

Secondary semi-active frontages

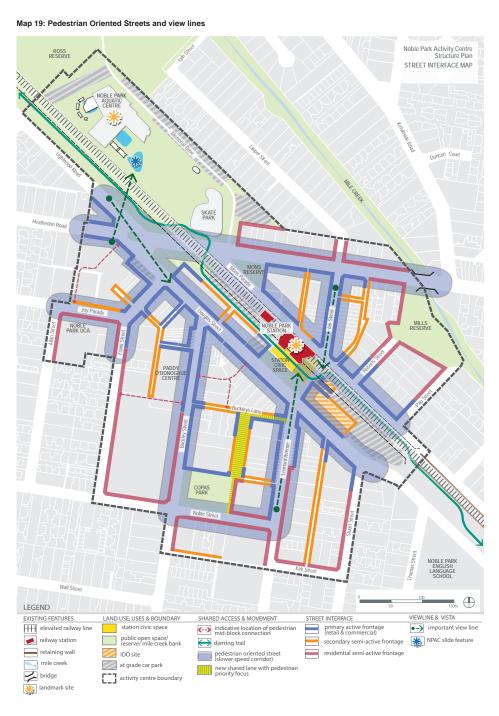
These are the 'secondary' frontages for a building and are located to the side or rear of the 'primary' street frontage of the building. Shops and upper level dwellings require car park entries and service/ utility areas and these elements of the development are generally located in side/rear laneways or along secondary frontages. There can still be some opportunities for some activation of these frontages.

Residential semi-active frontages

These types of streets contain residential uses. Therefore, landscaping setbacks will be required in the front setbacks to facilitate the greening of Noble Park's streets. Ground floor habitable room windows encourage surveillance of the public realm by occupants of the buildings.







View lines through the centre

The most notable feature in Noble Park today is the elevated rail line and train station and it is important that future development does not prevent view lines to these features from the street. Other key views include to open space and through to the commercial core of the Activity Centre.

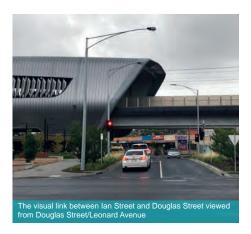
The following key view lines through the centre need to be considered as part of any redevelopment on or adjacent to them. These are:

- View lines from Lightwood Road through to Douglas Street (the main entrance into the centre)
- Views to Noble Park Train Station from Leonard Avenue
- The visual link between Ian Street and Douglas Street.

The Structure Plan seeks to protect these views. Refer to Figure 3D on pages 40 and 41 and Map 19 on page 64 for design guidance.







Open Space Connections

The centre has open space assets to the north-west, east and south. However, the connection between them is poor. The Structure Plan proposes an open space connection from Copas Park travelling north along the widened Buckleys Lane to the station civic space, continuing north-east to Mills Reserve via Pau Street and north-west along Mons Parade to Ross Reserve. Refer to Map 20 on page 67. A Wayfinding Strategy is proposed to be developed for this centre.

KRB1 and KRB2 are sites where, when developed, a future public open space opportunity has been identified. This could take the form of a plaza, laneway or small park and would allow for a new pedestrian connection through the block. A further mid-block connection from Douglas Street through to Buckley Street and Buckleys Lane is also encouraged through any redevelopment of these sites.

Residential landscape setbacks

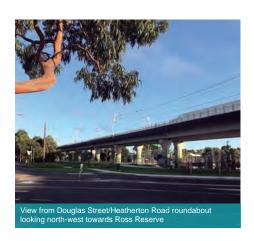
A 5m setback from the front boundary of the site to a new development in residential streets is proposed to encourage ground level landscaping. This will contribute to the 'greening' of Noble Park's streets and contribute to the attractiveness of the centre. Map 20 on page 67 nominates the streets in the centre where this is encouraged.

View lines to open space

The Structure Plan identifies three key views to open space through the centre. These are:

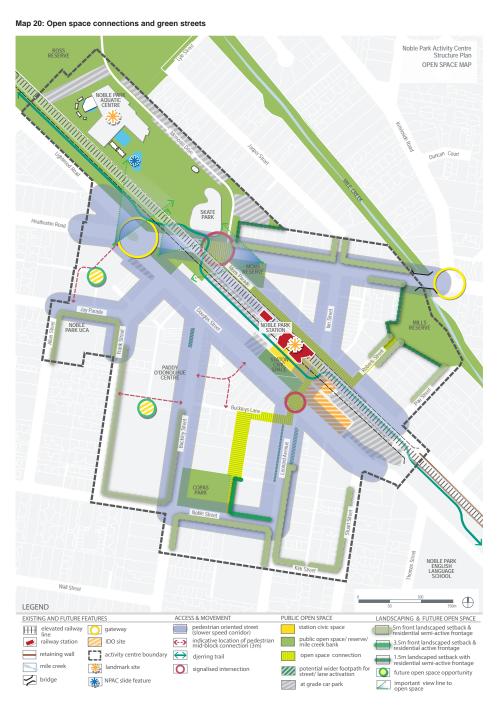
- View from Douglas Street/Heatherton Road roundabout looking north-east and north-west to Ross Reserve
- View from Mons Parade/Heatherton Road looking north and north-east towards the skate park and Ross Reserve
- View from Mons Reserve looking north-west and south-west across to the skate park and Mons Parade.

The Structure Plan seeks to protect these views. Refer to Figure 3D on pages 40 and 41 and Map 20 on page 67 for further design guidance.









6 Implementation

To ensure that the land use and development outcomes are delivered, the objectives of this Structure Plan need to be translated to form part of the Greater Dandenong Planning Scheme.

This translation will be achieved by undertaking a Planning Scheme Amendment. This will commence following Council's adoption of the Structure Plan.

As well as Council implementing the Structure Plan, cooperation will be needed from other State Government bodies such as VicTrack, Department of Transport and Melbourne Water as well as the private sector, local business groups and the community.

While the strategies listed in this Structure Plan are considered within Council's sphere of influence, resources to enable the implementation of some of the recommendations are not necessarily available currently or in to the future and will be the subject of the usual budget approval processes.

6.1 Non-statutory implementation

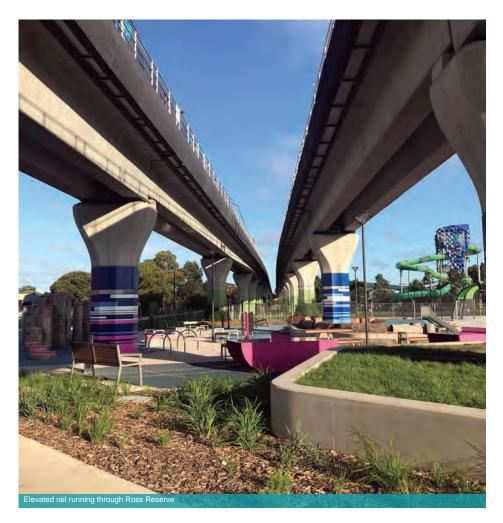
This involves any strategy in the Structure Plan that Council has no statutory obligation to undertake. These are actions generally at Council's discretion and often conducted as a result of the allocation of funds within Council's budget, or through advocacy to another body. These include:

- · Streetscape and pedestrian improvements
- · Public art and place making
- Development of strategies such as the Laneway Strategy
- Advocacy.

7 Monitoring and Review

Ongoing monitoring and review of the implementation of the plan will involve:

- Reporting in the Council Plan against the relevant actions
- An officer desktop review in 2026 to examine the objectives and actions, including an update of demographic changes and development activity during the period.



8 Policy References

The following documents informed the Structure Plan:

Accessibility Audit of Noble Park Retail Precinct, Equal Access, 2010

Activities Centres Place Score Report – Ian Street, Placescore, 2015-2017

Activity Centre Placemaking Framework, City of Greater Dandenong, 2016

Better Apartment in Neighbourhoods Discussion Paper, DELWP, 2019

City of Greater Dandenong Gateways Strategy, December 2011

Floorspace projections for Noble Park Activities Area, SGS, 2012

Greater Dandenong Business Audit, City of Greater Dandenong, 2016 and 2019

Greater Dandenong Climate Emergency Strategy, 2020-2030

Greater Dandenong Council Plan, City of Greater Dandenong, 2017-2021

Greater Dandenong Flood Management Plan, City of Greater Dandenong and Melbourne Water, August 2018

Greater Dandenong Gateway Strategy, Planisphere, 2011

Greater Dandenong Housing Analysis Final Report, SGS, 2015

Greater Dandenong Housing Strategy, City of Greater Dandenong, 2014

Greater Dandenong Open Space Strategy, 2020-2030

Greater Dandenong Planning Policy and Control's Project Final Report, Planisphere, 2015

Greater Dandenong Sustainable Stormwater Strategy, City of Greater Dandenong, 2017-37

Ian Street Noble Park Streetscape Assessment Report, Tract, 2011

Imagine 2030 Community Plan, City of Greater Dandenong, 2011

Noble Park Activity Centre Building Heights and Setbacks Study, Hansen 2019

Noble Park Activity Centre History, City of Greater Dandenong, September 2015

Noble Park Activity Centre Profile, City of Greater Dandenong, 2016

Noble Park Activity Centre Retail and Office Economic Analysis, Essential Economics, 2011

Noble Park Activity Centre Structure Plan, City of Greater Dandenong, 2009

Noble Park Activity Centre Structure Plan Review Discussion Paper, Hansen, 2017

Noble Park Centre Residential Demand Study, SGS, 2018

Noble Park Pedestrian and Traffic Counts, City of Greater Dandenong, 2019

Plan Melbourne, DELWP, 2017

VicTrack Rail Development Interface Guidelines (August 2019)



Glossary of Terms

Term	Definition			
Active frontages	Street frontages where there is an active visual engagement between those in the street and those on the ground and upper floors of buildings. This quality is assisted where the front facade of buildings, including the main entrance, faces and opens towards the street. Ground floors may accommodate uses such as cafes, shops or restaurants. However, for a frontage to be active, it does not necessarily need to be a retail use, nor have continuous windows. A building's upper floor windows and balconies may also contribute to the level of active frontage. Active frontages can provide informal surveillance opportunities and often improve the vitality and safety of an area.			
Anchor tenant	An occupant (such as Coles) of a retail shopping centre that brings in a significant volume of customers to drive business for other tenants in that centre.			
Climate Change Emergency Declaration	A formal resolution from a government body or institution that puts action on climate change at the centre of all government policy and planning decisions. The City of Greater Dandenong made this declaration in January 2020.			
Comfortable wind conditions	A mean wind speed from any wind direction (minimum 16 wind direction sectors) with probability of exceedance of 0.1%, equal to or less than:			
	5m per second for sitting areas			
	7m per second for standing areas			
	9m per second for walking areas.			
Feature form	A distinctive or prominent building or structure.			
Fine grain	The general subdivision pattern of a traditional shopping strip where shops are on sites that are long and narrow, often with rear laneway access.			
Floor-to-floor	Building height measurement from the top of the floor to the top of the floor on the level above.			
Gateway	A place of entry or a point of transition from one area to another. It can include a municipal (boundary) entry marker, a key building or structure at the entrance to an Activity Centre or a strong built form and landscape entrance in to a suburb.			
Integrated Development Opportunity Site	A site identified in this Structure Plan as being available for development as a result of the Level Crossing Removal Project freeing up land.			
Interface	The relationship between one building or area and how it looks or responds to an adjoining building or area. For example, the relationship a new residential apartment building has with the adjoining residential area.			
Internal amenity	Elements of a building (both residential and office/retail) which make it enjoyable for occupants, visitors, workers and the general public. This includes good levels of light (both sunlight and daylight), natural ventilation to enable the flow of fresh air, and visual and acoustic privacy between neighbouring buildings.			
Key Redevelopment Blocks (KRB)	Blocks identified in this Structure Plan as having large landholdings (of 2000sqm or greater) in either single or multiple land ownerships (subject to land consolidation). Sites that have multiple frontages to either streets or laneways and have limited sensitive interfaces to residential areas. These sites are designated as having high change potential with heights of up to six storeys.			
Laneway	A narrow roadway which can serve dual purposes of providing servicing/access to parking on lots with another street frontage and/or providing a pedestrian and bicycle pathway.			

Term	Definition
Level Crossing Removal Project (LCRP)	A State Government project involving the removal of 75 level crossings across metropolitan Melbourne, in addition to other rail network upgrades such as new train stations.
Major Activity Centre	Major Activity Centres are places that provide a suburban focal point for services, employment, housing, public transport and social interaction. There are 121 existing and future Major Activity Centres across Melbourne, including the Noble Park Major Activity Centre.
Mean wind speed	The maximum of:
	Hourly mean wind speed or
	Gust equivalent mean speed (3 second gust wind speed divided by 1.85).
Pedestrian oriented street	Identified streets where development will need to deliver a high-quality public realm which maintains sunlight and comfortable wind conditions for pedestrians.
Placemaking	A multi-faceted approach to the planning, design and management of public spaces. Placemaking capitalises on a local community's assets, inspiration, and potential, with the intention of creating public spaces that promote people's health, happiness, and well-being.
Primary active frontage – retail and commercial	Active frontages (see definition) that are located on land with a retail or commercial ground floor use.
Public realm	The natural and built environment used by the public on a day-to-day basis. It includes streets, plazas, parks, and public infrastructure. Privately owned spaces and buildings contribute to the public realm, but are not the public realm themselves.
Renewal and revitalisation	A program of land redevelopment to make improvements to a centre. It aims to create opportunities for higher quality housing and businesses. Revitalisation is closely related to renewal and provides the potential for the future growth and redevelopment of a centre. It can include public realm improvements such as footpath upgrades and the encouragement of high-quality shops and apartments.
Residential semi-active frontage	The street frontage of a residential development that will have a landscaped setback with ground floor habitable room windows looking out to the public realm.
Secondary semi-active frontage	Is any road, other than the primary street address, that shares a boundary with the site on which the building is situated (or is to be situated).
	Car park entries and service/utility areas are generally located along these secondary frontages. There can be some opportunities for some activation of these frontages.
Street wall	Any part of the building constructed within 5m of a lot boundary facing the street.
Street wall height	The vertical distance from natural ground level to the highest point of the street wall.
Unsafe wind conditions	Defined as the hourly maximum 3 second gust which exceeds 23m per second from any wind direction (maximum 16 wind direction sectors) with a probability of exceedance of 0.1 per cent.
Wayfinding	The act of finding one's way around an area, and the experience of orientation and choosing a path within the built environment. Wayfinding can be aided by logical space planning and a consistent use and organisation of definite sensory cues, such as visual, audible or tactile elements along paths and at destinations. Signs can aid way-finding.
Weather protection area	A permanent structure designed to minimise any potential increase in the level of wind at ground level and any adverse effect on pedestrian comfort.
Urban design	The design and shaping of the physical features of a city or town. Includes buildings, infrastructure, streets and public spaces with the goal of improving the quality of the place for residents, visitors and workers.

Action Plan

The Action Plan recommends a staged timeline for implementation. The timelines nominated have taken in to account the complexity and nature of each action and whether further collaboration with other parties is required.

The relevance of some actions, or their timing, may change due to the availability of resources.

The recommended timing for these actions is:

- Immediate to commence within 18 months (before 2023)
- Short to commence within five years (before 2027)
- Medium to commence within five to ten years (before 2032)
- · Ongoing actions.

No	Objective	Action	Timeframe	Responsibility	Measurement		
Land	Land Use and Economic Activity						
1	Encourage major development and activity to occur in the retail core and on identified Key	Rezone land at 4, 5, 6, 7 and 8 Mons Parade, 1, 3 and 5 Frank Street and 1100- 1106 Heatherton Road, Noble Park from the Residential Growth Zone 2 to the Commercial 1 Zone	Immediate	Planning and Design	Planning Scheme Amendment approved and gazetted		
2	Redevelopment Blocks	Prepare a local planning policy that strongly encourages lot consolidation and highest built form to the nominated Key Redevelopment Blocks and discourages further lot fragmentation within the retail core	Immediate	Planning and Design	Planning Scheme Amendment approved and gazetted		
3		Support and advocate for the expansion and/or refurbishment of the existing Coles Supermarket to support the retail role of the centre	Ongoing	Business and Revitalisation Planning and Design	Land adjacent to Coles rezoned to C1Z		
4		Support the expansion and/or refurbishment of the key anchor tenant of the RSL	Ongoing	Business and Revitalisation	RSL expanded/ refurbished		
5	Encourage high quality residential development to support a range of housing types and affordability options	Prepare a local planning policy that strongly encourages: A mix of well-located dwelling types and sizes which provide housing for a range of people with diverse needs Residential uses above retail and commercial premises, to enable more people to live in the centre and create greater surveillance of streets and public spaces Student accommodation at suitable locations	Immediate	Planning and Design	Planning Scheme Amendment approved and gazetted		

No	Objective	Action	Timeframe	Responsibility	Measurement
Lanc	Use and Economic A	Activity			
6	Provide a strong sense of arrival in to the centre	Encourage a landmark future built form development and a gateway treatment at 1-5 Douglas Street (KRB1) and 51A-57A Douglas Street (KRB6)	Immediate	Planning and Design	Planning Scheme Amendment approved and gazetted
7		Investigate opportunities (such as visual cues) to announce the entrance to the Activity Centre along Heatherton Road from Mills Reserve to the Douglas Street/Heatherton Road intersection	Short	Business and Revitalisation Transport and Civil Development Department of Transport	Further design treatments and visual cues investigated
8	Improve the ongoing viability of the centre	Strongly support measures to have people 'stay' including supporting: Streetscape upgrades Placemaking opportunities Cultural Precincts Traders and shop owners to maintain a high standard of maintenance and visual appearance of their shopfronts	Ongoing	Business and Revitalisation	Budget bids for street improvements granted Continued support for place- based measures to monitor key attributes such as behaviour, business mix, pedestrian activity and placescore Higher standard of visual presentation of shops
9		Continue to identify and approach businesses essential for the economic growth and prosperity of Noble Park	Ongoing	Business and Revitalisation	Business investment and attraction work undertaken Business Audits continue to be conducted at three yearly intervals
10		Assess street, laneway, car park and open space lighting levels and: Advocate for funding to respond and resolve problem areas, including along lan Street. Future urban and road design to accommodate the installation of public lighting upgrade works, including smart lighting installations	Medium	Infrastructure Services and Planning	Street and lighting level study conducted and appropriate mitigation measures taken

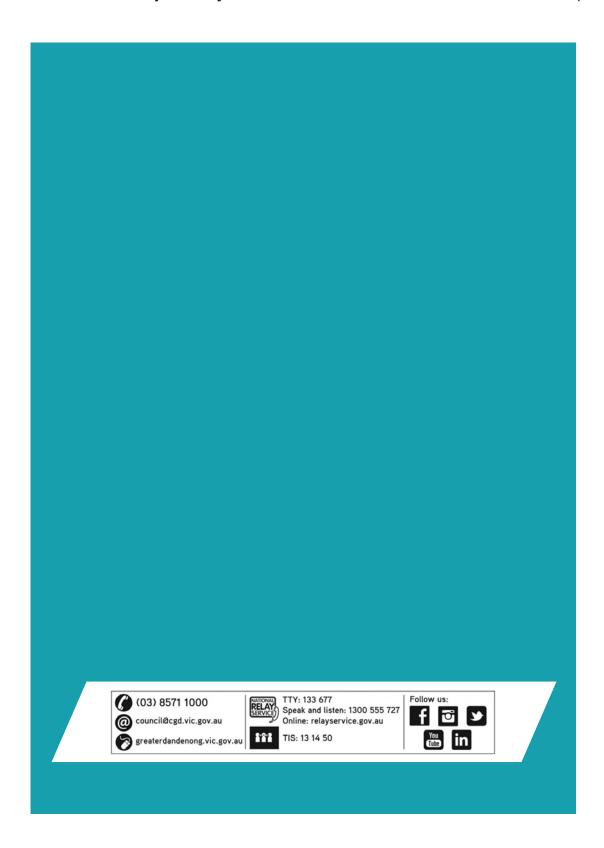
No	Objective	Action	Timeframe	Responsibility	Measurement		
Built	Built Form and Urban Design Objectives						
11	Ensure urban design, including climate change mitigation and adaptation is a central consideration during all stages of project development	Prepare a local planning policy and Design and Development Overlay that incorporates the Urban Design Principles and key design and development guidance of the Structure Plan	Immediate	Planning and Design	Planning Scheme Amendment approved and gazetted		
12	Ensure consideration of design elements to protect from flooding and allow for the passage of overland flows	Drainage infrastructure upgrades to cater for increased stormwater discharge arising from higher density development including to: Investigate an upgrade of stormwater drainage infrastructure along Douglas Street Consider design mechanisms such as raised kerbs Examine the removal of the embankment along the railway line to facilitate overland flows Preserve ability for a pipe to access Pau St from the Douglas Street car park	Immediate	Infrastructure Services and Planning Melbourne Water Planning and Design	Planning Scheme Amendment approved and gazetted Drainage improvements made with installation of pipes and examination of railway line embankment		
13		Continue to advocate to Melbourne Water for the naturalisation of Mile Creek	Medium	Infrastructure Services and Planning Melbourne Water	Channelization removed and Mile Creek restored to natural creek		
14		Investigate funding mechanisms for infrastructure upgrades within the Noble Park Major Activity Centre	Short	Infrastructure Services and Planning	Funding mechanisms investigated		

No	Objective	Action	Timeframe	Responsibility	Measurement		
Acce	Access and Movement						
15	Improve walkability within the centre	Analyse existing infrastructure, including footpaths, roads, street furniture, signage, lighting, carparks and laneways and ensure pedestrian movement and amenity is prioritised through any maintenance or upgrade projects. Prioritise amenity improvements that support high pedestrian movements.	Ongoing	Transport and Civil Development Business and Revitalisation	Infrastructure analysed Amenity maintained Upgrades made as required		
16		Continue to strongly advocate to Department of Transport for the removal of the Heatherton Road/Douglas Street roundabout and for 40km/h vehicle speed limits along Heatherton Road where it passes through the centre	Ongoing	Transport and Civil Development Department of Transport	Heatherton Road/ Douglas Street roundabout removed Heatherton Road to have 40km/h vehicle speed limits through Noble Park		
17		Redesign the Link Road to improve pedestrian safety	Immediate	Transport and Civil Development	Link Road safety improvements made		

No	Objective	Action	Timeframe	Responsibility	Measurement
Acce	ess and Movement				
18		Conduct an Accessibility Audit to see how Noble Park is performing and implement its findings	Short	Planning and Design Infrastructure Services and Planning Community Access	Accessibility Audit conducted and improvements made
19	Facilitate new pedestrian connections and mid-block links within the centre	Support the widening of key identified laneways and the creation of pedestrian oriented streets and strongly encourage investment and activation of streets and lanes as identified in this Structure Plan	Immediate	Planning and Design Transport and Civil Development	Planning Scheme Amendment approved and gazetted Widening of laneways and creation of pedestrian oriented streets in all relevant planning decisions Laneway functions are resolved
20		Strongly advocate that development along existing laneways and key pedestrian-oriented streets consider the lanes as an amenity source that contributes to surveillance and activation	Immediate	Planning and Design Transport and Civil Development Business and Revitalisation	Planning Scheme Amendment approved and gazetted Activation of laneways considered in all relevant planning decisions Laneway Strategy development for the centre
21		Develop a Wayfinding Strategy for Noble Park to link the key sites of Copas Park, NPAC, the Skate Park, Train Station, Ross Reserve and Paddy O'Donoghue Centre	Medium	Business and Revitalisation Planning and Design	Wayfinding Strategy developed and implemented
22		Support the Noble Park Parking Precinct Plan which seeks to locate long-term parking (both for commuters and workers) on the edge of the centre, ensuring short-term parking availability in the core	Medium	Transport and Civil Development	Ongoing parking availability to cater for short- term parking demand within the core
23		Investigate closing off/selling of laneways in the centre that no longer have public access	Medium	Governance Transport and Civil Development	Investigation completed in consultation with the Laneway Strategy (see Action No. 20)

No	Objective	Action	Timeframe	Responsibility	Measurement	
Acce	Access and Movement					
24	Encourage greater efficiency of movement and sustainable trips through improved public transport services, walking and cycling opportunities	Develop a Multi Modal Transport Infrastructure Plan. The plan should include but not be limited to: Identify the anticipated future function of all existing rights of way with regards to the Victorian Governments Movement and Place Framework Identify opportunities for increased pedestrian space and shared urban space within existing road reserves Identify existing barriers to movement and investigate the costs and benefits of infrastructure projects to address these Outline a plan for progressive upgrading of transport infrastructure through Council's CIP program and other Government funding sources	Short	Transport and Civil Development Business and Revitalisation	Multi Modal Plan developed and implemented	
25		Consider cyclist facilities and safety though public realm design	Ongoing	Transport and Civil Development Business and Revitalisation	Cyclist facilities and safety considered when designing for the public realm	
26		Advocate to the Department of Transport for the continued rationalisation of bus services in and around Noble Park.	Ongoing	Transport and Civil Development, Department of Transport	Bus services reviewed and rationalised	

No	Objective	Action	Timeframe	Responsibility	Measurement		
Ope	Open Space						
27	Enhance existing and create new open spaces for recreation and leisure for residents, workers and visitors	Strongly support and encourage development of identified Key Redevelopment Blocks to facilitate opportunities for new urban open spaces which contribute to the centre's liveability, and are useable and accessible to the public	Ongoing	Planning and Design	Planning Scheme Amendment approved and gazetted		
28		Ensure the station civic space design encourages people to visit and spend more time in the centre	Ongoing	Business and Revitalisation	As evidenced by place-based measures monitoring key attributes including behaviour, pedestrian activity and placescore		
29		Encourage the integration of development with surrounding public spaces to create a well-defined public realm with useful community spaces	Immediate	Planning and Design Business and Revitalisation	Planning Scheme Amendment approved and gazetted		
30		Support the 10-year Infrastructure Plan for the Activity Centre that prioritises a program of public realm and streetscape improvements	Ongoing	Business and Revitalisation Infrastructure Services and Planning	Infrastructure Plan implemented		
31	Encourage the greening of streets and appropriate landscape setbacks	Prepare a Design and Development Overlay that includes the provision for a five-metre landscaped setback on residentially zoned land and the creation of pedestrian oriented streets as identified in this Structure Plan	Immediate	Planning and Design Transport and Civil Development	Planning Scheme Amendment approved and gazetted Widening of laneways, the creation of pedestrian oriented streets and the consideration of landscaped setbacks considered in all relevant planning decisions		
32		Identify pedestrian oriented streets and semi- active streets for a street planting program and identify suitable tree species. This should be considered in unison with public realm and urban design initiatives	Short	Business and Revitalisation Conservation and Horticultural Services	Streets for planting program identified Considered when conducting public realm and urban design initiatives Activity Centre 10 Year Planting Plan		
33	Protect and create key views within the centre	Prepare a Design and Development Overlay that details the key view lines guidance of the Structure Plan	Immediate	Planning and Design	Planning Scheme Amendment approved and gazetted		



POLICY AND STRATEGY

NOBLE PARK MAJOR ACTIVITY CENTRE STRUCTURE PLAN – CONSIDERATION OF SUBMISSIONS

ATTACHMENT 2

SUMMARY OF SUBMISSIONS RECEIVED

PAGES 22 (including cover)

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

Recommended Structure Plan change to None None None realm (page 24). Map 9 has carefully considered building unable to require major changes to it at present. If there regarding overshadowing. Urban Design Principles have were to be any significant redevelopment of the site, it action to redesign the Link Road to improve pedestrian Heatherton Road/Douglas Street roundabout (page 76) been established including to Maintain solar access to key component of the Structure Plan includes seeking residential landscaped setbacks of 5m to encourage identified pedestrian oriented streets and the public Provisions already in place in the Planning Scheme height and setbacks including identifying sensitive Action 17 of the Structure Plan (page 76) has as an arrangement is a private accessway and Council is Department of Transport for the removal of the Action 16 Continue to strongly advocate to the The current Coles car park entrance and exit would include amendments to its access ground level landscaping (page 66) residential interfaces (page 31) Officer Response Noted Access and Movement Access and Movement Built Form and Urban Design Theme Public Realm Coles car park needs a complete restructure as currently the entrance and exit are on Douglas Make sure new residential developments do Once signalisation complete, people will use crossing at Noble Park railway station is also dangerous not unreasonable overshadow neighbouring Supports signalisation of Heatherton Road lan Street to avoid the lights. Pedestrian roundabout as it is a really high risk for Supports removal of roundabout More tree planting Submission accidents Supports Vision N/S N/S N/S Sub

Attachment 2: Summary of submissions received

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		Various comments relating to parking and traffic incidents in Noble Park		Noted	
		Will the widening of Buckleys Lane running south mean that shops on Buckley Street will be demolished?	Buckleys Lane widening	The widening of the laneway will only be able to occur if individual sites seek redevelopment. There will be no compulsory demolition of shops	
		New traffic plan is needed on Joy Parade from Allan Street and Frank Street as there are issues with people leaving the public car park and also Noble Park Manor		A response to Frank Street and the sight distancing concerns relating to Noble Manor has been provided to the submitter from the Transport team in September 2019	
				The Transport team are aware of some 'rat running' on Joy Parade and are investigating potential traffic calming options which would involve consultation with the affected residents	
4	S/N	Likes that forward planning is being undertaken for Noble Park	Public Realm	Noted	None
		The parks/playgrounds are outdated and not appealing to kids/families. Mills Reserve and Ross Reserve need a more modern approach to equipment and amenities to draw a larger crowd		Both reserves are well patronised and Ross Reserve in particular has had significant public investment in recent years. These comments were forwarded to Council's open space team for consideration	
		The native gum trees are dull and not attractive. The Plan talks about making a statement when entering the suburb, careful consideration needs to be taken when selecting the plants (e.g. Olive trees, oak trees)		Noted. The Structure Plan has as an emphasis to further green Noble Park's streets. A 10-year tree planting program for Noble Park is also in development	

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Sub	Supports Vision	Submission	Theme	Officer Response ch	Recommended change to Structure Plan
		Currently the setback to residential properties is not consistent and would like to see a greater setback (more than 3m from the road). This is to reduce overshadowing	Built form and Urban Design	The Structure Plan on page 66 proposes 'Residential landscape setbacks' of 5m from the front boundary of a residential site for new development in residential streets. This will contribute to the 'greening' of Noble Park's streets and reduce overshadowing of residential streets	
		Leonard Street is a great example of quality shops that attract people. I would like to see more eateries and produce in the area and for Noble Park to be known for its great produce and food	Land Use and Economic Activity	Noted. This comment has been forwarded to Council's Business and Revitalisation Team for reference	
		lan Street would be a great area for cafe, patisseries and restaurants, currently it is awful and an undesirable location to visit		Noted. Ian Street Streetscape upgrades are at design stage currently. This comment has been forwarded to Council's Business and Revitalisation Team for reference	
		Like to see a stronger sporting precinct in Noble Park and the Ross Reserve area		The Ross Reserve Master Plan was adopted by Council in 2012. The Plan seeks to maximise, improve and complement the Noble Park Aquatic Centre (NPAC) and balances and supports the sporting, recreational and community facilities and environmental benefits the park provides	
				Since the adoption of the master plan, Council has invested significantly in the design and construction of the contemporary urban park in Ross Reserve, including the recently constructed multi-purpose court with basketball, futsal and netball goals. Future projects	

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to
					Structure Plan
				within the urban park include the construction of further picnic and barbecue facilities, an All Abilities Children's playground and a new sports pavilion	
S	ON.	Provides a detailed history of Noble Park's development including Copas Park, the primary school site, AMES and Noble Manor	Access and Movement	Noted. This submission has been forwarded to Council's Business and Revitalisation Team for reference	None
		Supports widening of Buckleys Lane but asks who would it benefit? Residential properties or the overnight truck parking?	Buckleys Lane widening	Noted. The widening of Buckleys Lane will create a shared pedestrian and vehicular access with the opportunity for landscaping at ground level. The widening aims to benefit the entire centre	
		The Leonard Street continuation to lan Street has a deceptive pedestrian traffic light which drivers assume give them right of way over Douglas Street traffic		Action 17 of the Structure Plan (page 76) has as an action to redesign the Link Road to improve pedestrian safety	
				The Douglas Street/Leonard Avenue intersection is to have a 4-way traffic light signal installed which will result in improved traffic circulation and pedestrian safety	
		The Ian Street/Heatherton Road intersection also needs attention		Action 16 (page 76) seeks to reduce speeds along Heatherton Road through the centre (including past lan Street) to 40kms/h. Drivers are encouraged to use the Mons Parade lights for safe right hand turns in to Heatherton Road	
9	S/N	Object to proposal to rezone property from Residential Growth Zone 2 to Commercial 1	Land Use and	Noted	None
		Zone	Economic		
		Do not want to be forced out due to increase	rezoning	Preliminary advice is that there would be little change to	

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to
		in rates or a decrease in land value		the valuation of the property if it were to be rezoned as proposed	Structure Plan
6A	N/S	Further points to the above are concerns regarding changes to bin collections and issues with already limited parking Do not want to sell the property or relocate	Land Use and Economic Activity – rezoning	Preliminary advice is that there would be little change to the rates charged for the property if it is to remain as a residential use. If the use was to change to commercial, the rates would rise substantially. There would be no change to bin collections if the use is to remain as a residential use.	None
2	O N	Fails to see how the proposed heights for the KRS will protect the 'village character' of the area which is dominated by one and two storey buildings. The Plan will compromise the 'village character'	Built Form and Urban Design	In recognition of the 'village character' of the centre, all text and mapping that refers to 'eight' storeys for Key Redevelopment Blocks has been revised to 'six' storeys, with this height only permitted if the development site is a minimum of 2000sqm in size	All text and mapping amended to allow development up to 6 storeys on KRB if the site is a minimum of 2000sqm in size
		There is precedent elsewhere of developers exceeding these heights anyway due to 'flexibility'		These are the preferred maximum heights for Noble Park. Proposing mandatory heights in a Major Activity Centre would prove difficult to justify	Page 24 of the Structure Plan Urban Design Principles
		Good design information is given for the non- KRB remainder of the centre which could improve the character and amenity of Noble Park		The Urban Design Principles on page 24 apply to all sites across the centre	updated to updated to clear that they apply to all sites in the Activity Centre, including KRB

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		The outsized buildings will create many issues. Namely shading and wind. Cross sections on page 40 indicate that setbacks would ensure pavements have sun from 22 September. This means pavements will be without sun for six months and outside those hours even longer		Access to sunlight and wind effects have been carefully considered and form a key basis of the Structure Plan and any future planning scheme policy and controls	
		BADS may ensure better airflow or sunlight but they are still 'dog boxes'		The Urban Design Principles encourage high quality design, which includes consideration of internal layout	
		The need for a sizeable gateway treatment at the Heatherton Road/Douglas Street intersection is highly debatable and why does it need to be so large? At 6-8 stories. How is this compatible with the concept of 'village character'?	Land Use and Economic Activity – Gateways	Page 26 of the Structure Plan discusses a gateway treatment for this intersection. The Structure Plan seeks a strong gateway treatment in this area as it is a key entry point in to the centre. This section of the Structure Plan redrafted to ensure clarity	Page 26 of the Structure Plan updated to ensure clarity regarding Gateway design and intent
		The fundamentals of the KRS portion of this Plan are bad and no amount of tinkering can change that		The Urban Design Principles apply to all sites within the Activity Centre boundary, including KRB. KRB heights have also been revised down to a preferred maximum height of six storeys	All text and mapping amended to allow development up to 6 storeys on KRB if the site is a minimum of 2000sqm in size
		Query the lan Street laneway response (page	Access and	The northern section of the lan Street laneway (to the	Map 9 on page

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		49) and that the existing subdivision patterns do not differ between the north and south parts of the east-west lane	Movement	rear of the lan Street shops) to Heatherton Road has been carefully reviewed. Widening of the laneway to the north and south of the east-west lane is hampered by the existing subdivision pattern to the east. In order to achieve the 5.5m widening of the laneway, most properties along the western side of lan Street will be required to provide the land for this. Map 9 on page 31 and cross section GG on page 45 have been revised to reflect this	31 and cross section GG on page 45 updated to clarify lan Street laneway widening requirements
		The N-S lane from the E-W lane could be stopped with the use of bollards in the E-W lane at the intersection of the two lanes		As sites develop in these areas access will be required to them from the laneway	
		lan Street is too narrow for two way traffic. Turning in to Heatherton Road is dangerous- especially when turning right. Making lan Street one way running from Heatherton Road to Mons Parade would make sense. At a minimum parking could be removed from one side of lan Street and the Heatherton/lan Street intersection being left turn only from lan Street		The signalisation of the Mons Parade/Heatherton Road intersection is a safe way for motorists to turn right into Heatherton Road and this is what is encouraged. Ian Street is a local street where high pedestrian usage is encouraged and through traffic will be increasingly discouraged	
		Cross-section G (page 43) does not extend to the lane east of lan Street. I could expect a five storey wall fronting the lane which would shade my unit for most or all afternoons of the year	Built Form and Urban Design	Cross section GG widened to include the laneway and properties further east. Whilst five storeys is preferred for properties to the east, it has a preferred street wall height of three stories. Properties opposite the units described will be required to provide the whole laneway widening width on their sites – thus further setting back	Cross section GG on page 45 updated to clearly show laneway widening

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
				these developments from these units	intentions to the east
		Bought in Noble Park because I love the village feel of the shopping strip. Do not want to dwarfed by new towers, no matter how elegant	Land Use and Economic Activity	The core of the centre, being Douglas Street, the area around Buckley Street, Leonard Avenue and lan Street has proposed preferred heights generally of five storeys. For many of these sites this will only be possible if sites are consolidated as setback and car parking requirements are unlikely to be met otherwise. The	All text and mapping amended to allow development up to 6 storeys
				default height if there is no consolidation for smaller sites is three storeys (five storeys on wider streets) - which is considered to be in keeping with the village feel. Development at a human scale at street level has been embedded in to the Urban Design Principles and in the setting of preferred street wall heights across the	on KRB if the site is a minimum of 2000sqm in size
				unter the control of the 'village character' of the centre, all text and mapping that refers to 'eight' storeys for Key Redevelopment Blocks has been revised to 'six' storeys, with this height only permitted if the development site is a minimum of 2000sqm in size	
		Like the roundabout at Heatherton Road/Douglas Street. It works well	Access and Movement	The removal of the roundabout will improve safety for pedestrians and better connect the centre	
		To improve traffic flow along Douglas Street a narrow median strip (or similar) would prevent drivers causing delays by parking on the right side of the street		Current vehicle speeds and traffic volumes along Douglas Street encourage a safe and pleasant pedestrian experience. Council's Traffic Department does not want to see speeds increase along Douglas Street	

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		Supports more trees, greenery, pedestrian friendly spaces, street furniture		Noted	
		Suggests: Reduce heights on the KRS from eight to five storeys or from five to three/four storeys		Noble Park is designated as a Major Activity Centre and due to this, an increase in density is both expected and supporting greater heights on larger sites	All text and mapping amended to
				across the centre (which include the KKB) allow for more moderate or low change (heights) across the rest of the centre. However, to strike a balance between the need	allow development up to 6 storeys
				for development and the 'village character' of the centre, it is proposed that the preferred maximum heinhte for Kay Badayalonmant Blocks he revised to giv	on KRB if the site is a
				storeys (from eight) and only if the development site is a minimum of 2000sqm in size	2000sqm in size
		Prioritising and starting on the non-KRS work so not reliant on the KRS developments		Several KRB will need to consolidate to make landholdings of at least 2000sqm. If this cannot be	
		For the KRS sites produce a simplified and accessible document explaining the changes		acrileved, the fielgils will drop to etitler triflee of live storeys. Development at a human scale at street level has been embedded in to the Urban Design Principles	
		so as to ensure significant - and sincere - consultation with the community		and in the setting of preferred street wall heights across the centre	
				The market will determine which sites are developed and when. Council is not able to control this	
				The Structure Plan underwent extensive consultation over an extended period of time (8 weeks instead of the normal 4 weeks). A succinct summary brochure was	

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to
				produced showing the heights proposed and direct contact details of Council officers were given for residents to discuss the project	Structure Plan
7A	<u>0</u>	The height limits for the KRS are much too high. I can't imagine how anyone could pretend they are in keeping with the 'village character'. The eight storeys need to be reduced to five and the five storeys to three (four). And even then there is some 'flexibility' with the eight storey limit for the Coles site given it may contain a 'landmark gateway treatment'. I think with the transformative neture of these KRS height limits there needs to be far more consultation. It is remarkable to think that the KRS sites could be two storeys higher than the already dominant station (but at least that is a public benefit). As such I am sure many will feel - like me - that six (or seven) towers surrounding our low rise centre will irrevocably change the feel of the place. I worry developers are driving this and they have little sensibility for 'village character'	Built Form and Urban Design	Noble Park is designated as a Major Activity Centre and due to this, an increase in density is both expected and supported. Supporting greater heights on larger sites across the centre (which include the KRB) allow for more moderate or low change (heights) across the rest of the centre. However, to strike a balance between the need for development and the 'village character' of the centre, it is proposed that the preferred maximum heights for Key Redevelopment Blocks be revised to six storeys (from eight) and only if the development site is a minimum of 2000sqm in size	All text and mapping amended to allow development up to 6 storeys on KRB if the site is a minimum of 2000sqm in size
		Many of the treatments and discussions re the non-KRS sites are worthwhile and there is much that can be started while the KRS issue is discussed further		The Urban Design Principles on page 24 apply to all sites across the centre	Page 24 of the Structure Plan Urban Design Principles updated to ensure it is

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
					clear that they apply to all sites in the Activity Centre, including KRB
∞	No	Stuart Street traffic flow and parking needs to be looked at. Currently it is a 2 way street with parking on both sides. However, because there is parking on both sides the street is only wide enough for one car. It gets particularly congested on Friday's or whenever the Mosque has services. It is almost impossible to turn into Stuart Street from Douglas Street	Access and Movement	The most recent traffic surveys conducted in the centre in 2019 did not raise traffic along Stuart Street as being of concern. Council will continue to monitor conditions	None
6	Yes	Removing roundabout is essential. Lights needed. Lights at corner of Leonard Street, where there is 4 way intersection, may be safer, especially going straight up Leonard towards lan Street	Access and Movement	Action 16 Continue to strongly advocate to the Department of Transport for the removal of the Heatherton Road/Douglas Street roundabout (page 76) The Douglas Street/Leonard Avenue intersection is to have a 4-way traffic light signal installed which will result in improved traffic circulation and pedestrian safety	None
10	No	Having a library, small cinemas, water parks etc where the community can have an indoor place to go would be good	Land Use and Economic Activity	At this time, the Structure Plan is not proposing a library or cinema given there are similar existing facilities in surrounding suburbs. However, if this were to be deemed appropriate at a later date, this could be considered then. Action 28 of the Structure Plan seeks to Ensure the station civic space design encourages people to visit and spend more time I the centre	None
11	No	Limiting height of buildings in the business area as well as residential streets, housing is	Built Form and Urban	The core of the centre, being Douglas Street, the area around Buckley Street and Leonard Avenue and Ian	

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		now too dense and street parking out of control	Design	Street has proposed preferred heights of generally five storeys. For many of these sites this will only be possible if sites are consolidated as setback and car parking requirements are unlikely to be met otherwise. The default height if there is no consolidation for smaller sites is three storeys - which is in keeping with the village feel	
		Public Transport e.g. buses have never been improved the only difference was introduction of 709 but time between services are way too long 30-60 mins	Movement Movement	Structure Plan updated to include an advocacy action regarding the continued rationalisation of the bus services in and around Noble Park	Structure Plan updated to include an advocacy action (Action 26, page 78) regarding the continued rationalisation of the bus services in and around Noble Park
		Streets surrounding mosque are dangerous during prayer time New road crossing (Leonard/Mons/lan Street) is extremely dangerous	Land Use and Economic Activity	The most recent traffic survey conducted in the centre in 2019 did not raise traffic around the mosque as being of concern. Council will continue to monitor conditions Action 17 of the Structure Plan (page 76) has as an action to redesign the Link Road to improve pedestrian safety	

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		Coles back car park always looks dirty and tired Limiting \$2 type shops in shopping centre		An objective to 'Improve the ongoing viability of the centre' with Action 8 on page 75 seeks to strongly support having traders and shop owners maintaining a high standard of maintenance and visual appearance of their shopfronts	
		Birds being feed in Copas is ongoing problem	Public Realm	This issue has been forwarded to Council's Local Laws Department to investigate	
12	NO	Need traffic lights at the new intersection Leonard Avenue/Douglas Street/lane to lan Street	Access and Movement	The Douglas Street/Leonard Avenue intersection is to have a 4-way traffic light signal installed which will result in improved traffic circulation and pedestrian safety	Structure Plan updated to include an
		We need more bus services so people actually can get to Noble Park (E.g. from Corrigan Road/Harold Road area)		Structure Plan updated to include an advocacy action regarding the continued rationalisation of the bus services in and around Noble Park	advocacy action (Action 26, page 78) regarding the continued rationalisation of the bus services in and around Noble Park
13	Yes	The shops need updating and better pedestrian crossing areas	Land Use and Economic Activity	An objective to 'Improve the ongoing viability of the centre'. Action 8 on page 75 seeks to strongly support having traders and shop owners maintaining a high standard of maintenance and visual appearance of their shopfronts	None
		Railway crossing is dangerous and it's good to hear that it will be getting removed	Access and movement	Action 16 Continue to strongly advocate to the Department of Transport for the removal of the Heatherton Road/Douglas Street roundabout (page 76)	

Sub	Supports	Submission	Theme	Officer Response	Recommended
o N	Vision				change to Structure Plan
				(Assumes this comment relates to the removal of the Heatherton Road/Douglas Street roundabout)	
14	Yes	Roundabout change definitely needed	Access and Movement	Action 16 Continue to strongly advocate to the Department of Transport for the removal of the Heatherton Road/Douglas Street roundabout (page 76)	None
15	Yes	Thrilled you're considering removing the roundabout, or as I call it, the Hellabout. Crossing that thing as a pedestrian is a nightmare and I'm convinced I'm going to get run over every time	Access and Movement	Action 16 Continue to strongly advocate to the Department of Transport for the removal of the Heatherton Road/Douglas Street roundabout (page 76)	None
16	o Z	Like parts of the Plan but there are other parts we have concerns about What we like about the vision is that it is aiming to protect the 'village character' of Noble Park. We like the focus on the walkability and the idea of 'arrival', that when you arrive in the centre of Noble Park you are arriving at the central activity hub. We like how the new Plan is going to be encouraging the planting of trees and integrating lots of public transport as well as walking and cycling	Vision	Noted	
		While we understand that Noble Park's population is set to increase by 42% by 2036 and is highlighted as a major activity centre within Metro Melbourne, we are concerned about the focus on high level buildings and accommodation – i.e. apartments. The relatively new apartments at Copas Park on	Built Form and Urban Design	Noble Park is designated as a Major Activity Centre and due to this, an increase in density is both expected and supported. Supporting greater heights on larger sites across the centre (which include the KRB) allow for more moderate or low change (heights) across the rest of the centre. However, to strike a balance between the need for development and the 'village character' of the	All text and mapping amended to allow development up to 6 storeys on KRB if the

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		Buckley Street are NOT in line with the 'village' feel. In fact they are an eyesore		centre, it is proposed that the preferred maximum heights for Key Redevelopment Blocks be revised to six storeys (from eight) and only if the development site is a minimum of 2000sqm in size	site is a minimum of 2000sqm in size
		Concerned that multi-storey buildings around the main Activity Centre will make the main part of town feel cold, dark shadowy and dingy		Provisions already in place in the Planning Scheme regarding overshadowing. Urban Design Principles have been established including to Maintain solar access to identified pedestrian oriented streets and public spaces (page 24). Map 9 has carefully considered building height and setbacks including identifying sensitive residential interfaces (page 31)	
		We understand the significance of the 'stump' in central Noble Park – the remnants of an old river red but with the loss of such a significant number of river reds along the train line in Noble Park and down towards Yarraman Station, what we really want is a replacement. Or at least more trees/landscaping to recreate the treescape that we once had	Public Realm	The Level Crossing Removal Project resulted in significant removal of river red gums along the railway track. The Structure Plan advocates for more landscaping and tree planting throughout the centre. A 10-year tree planting program for Noble Park is also in development	
		Would be great if we could have a community garden that provides good access to the public perhaps around/near/on Copas Park. Not only would the aged care residents be able to look out at a thriving community garden, but it could be a good opportunity to promote residents in the Copas Park apartments to come out and enjoy the garden and the		This suggestion was forwarded at the time to Council's Draft Open Space Strategy, 2020-2030. Reference has been made at Action 29 (page 79) to encourage community spaces	Action 29 (page 79) amended to refer to community spaces

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		community			
		At the moment that old car park on Leonard Street/Noble Street is all bolted up, what is that prime real estate going to be used for? Why not create some sort of green thoroughfare right in the centre of our town?		The car park on the corner of Leonard Avenue and Noble Street is privately owned. However, the proposal to widen Buckleys Lane aims to create a 'green thoroughfare' in the centre of Noble Park	
		Need some examples of what the proposed Gateway at the roundabout could look like - are we talking about curved poles like in Narre Warren or a big cultural gateway like the one in Springvale?		Page 26 of the Structure Plan discusses a gateway treatment for this intersection. The Structure Plan seeks a strong gateway treatment in this area as it is a key entry point in to the centre. This section of the Structure Plan redrafted to ensure clarity	Page 26 updated to ensure clarity regarding Gateway design and intent
17	O _Z	Make central noble park more walkable. Less cars. More cycling infrastructure	Access and Movement	The Structure Plan notes the importance of Noble Park's existing walkability and aims to improve this through the provision of key pedestrian streets. The Structure Plan supports the development of a Multi Modal Transport Infrastructure Plan (Action 24, page 78) to encourage greater efficiency of movement through and to the centre and further consider cyclist infrastructure and routes	None
		More pocket parks	Public Realm	This suggestion was forwarded at the time to Council's Draft Open Space Strategy, 2020-2030	
18	No	Council has declared a climate emergency in January 2020, and yet Climate Change is not	Vision	In January 2020, Greater Dandenong City Council, declared a 'Climate and Ecological Emergency'. The	Pages 12, 18, 21 and 70. Built
		mentioned in this draft version. Why Not?		Structure Plan updated to include details of this in the	Form and
		Sustainability is barely mentioned - this needs		Introduction section (page 12). A new key outcome of the Structure Plan has also been added to refer to this	Urban Design Objective 1 and

gns	Supports	Submission	Theme	Officer Response	Recommended
o Z	Vision				change to Structure Plan
		to be addressed		on pages 12 and 21. The State Policy and Policy Reference section has been updated on page 18 and page 70	the Urban Design Principles on
				Built Form and Urban Design Objective 1 and the Urban Design Principles updated to include reference to climate change mitigation	pages 24-25 updated to reflect the Climate and
				Urban Design Principle 8 amended to make reference to all future development being undertaken in a manner that adapts to, and mitigates the impacts of climate change, including the heat island effect	Emergency declaration
19	O Z	This plan is supported and provides us with a perfect opportunity to shape this great town in the long term. The sky rail has made access so much better for cars and pedestrians and more green spaces has improved the area	Vision	Noted	None
		More is needed here to help green the area more as development grows. The type of development needs to be good quality with range of housing types and not just small apartments. Good materials, mix of bedroom numbers and environmental green design will make them attractive and comfortable to live in. The safety of the area is much better now than in the past but needs more attention through mix of buildings more better security surveillance	Built Form and Urban Design	The Structure Plan places great importance on the 'greening of Noble Park' and through the Urban Design Guidelines strongly advocates for high quality design during all stages of development	

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		Would like to see more green spaces in public areas and how development will be of good quality			
		The council has spoken a lot about climate		In January 2020, Greater Dandenong City Council,	Pages 12, 18,
		change since last year but there is nothing in this plan about it so it should be included		deciared a Climate and Ecological Emergency . The Structure Plan has been updated to include details of	21 and 70, built Form and
				this in the Introduction section (page 12). A new key	Urban Design
				outcome of the Structure Plan has also been added to	Objective 1 and
				refer to this on pages 12 and 21. The State Policy and	the Urban
				Policy Reference section has been updated on page 18	Design
				and page 70	Principles on
					pages 24-25
				Built Form and Urban Design Objective 1 and the Urban	updated to
				Design Principles updated to include reference to	reflect the
				climate change mitigation	Climate and
					Ecology
				Urban Design Principle 8 amended to refer to all future	Emergency
				development being undertaken in a manner that adapts	declaration
				to, and mitigates the impacts of climate change,	
				including the heat island effect	
20	Yes	-	Vision	Noted	None
21	Yes	It is great to see Council advancing the future	Built Form	Noted and heights are proposed to be discretionary. For	None
		redevelopment of Noble Park and it is great to	and Urban	development within a designated Major Activity Centre	
		see that Council are getting 'head start' on	Design	boundary this is considered appropriate	
		setting the rules in place now before the			
		private sector dictates the future growth of			
		the suburb, compared with other centres. I			
		urge Council ensure that the heights remain as			
		discretionary, and not mandatory			

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		Council's strategic planning unit should consider liaising or discussing with Vic Track in terms of facilitating development over the railway corridor (i.e. within the air space of the rail corridor). Council should at least revise part the structure plan to at least acknowledge a potential for it. Council should note that there many other centres all throughout Melbourne that have done thisfor example Ormond Railway Station, Box Hill Structure Plan and Glen Waverley		Sky rail opens land underneath the rail corridor for use. For Noble Park, this has included public realm upgrades for the community including a cycling corridor along the Djerring Trail. This contributes to the village feel of the centre. The three examples cited are not comparable to Noble Park's situation, with two of the stations below ground and the third is at ground level	
22	Yes	Railway station has made a great impact in Noble Park and the flow on effect has been tremendous. It would be great to have something or a place named after Premier Mr Daniel Andrews as he is from our electorate and the only premier in the history of Noble Park. Noble Park station today is due to his government 's vision. That vision transformed Noble Park for the better	Vision	Noted Geographic Names Victoria (GNV) led by the Registrar of Geographic Names, administers the naming or renaming or roads, features and localities in Victoria. This suggestion has also been forwarded to Council's Business and Revitalisation Team for reference	None
23	Yes	Recommend that pedestrian crossing lights be installed at the intersection of Mons Parade and Ian Street as this pedestrian crossing is easily missed by drivers	Access and Movement	Action 17 of the Structure Plan (page 76) has as an action to redesign the Link Road to improve pedestrian safety	None
24	ON	Roundabout is not a problem. Replacing it with lights could just end up creating long lines of cars with no improvement to the Village feel. We've just had that horrible rail crossing	Access and Movement	The roundabout is difficult and dangerous to navigate as a pedestrian and replacing it will lights will improve safety. Slowing traffic to 40kms along Heatherton Road through the centre helps to create a 'Village feel' as it	

Sub	Supports Vision	Submission	Theme	Officer Response	Recommended change to Structure Plan
		removed freeing up traffic flow. Why would you want to slow it back down?		improves the pedestrian experience	
		Surprising Council is not insisting on 'green walls' for all new commercial buildings	Built Form and Urban Design	Urban Design Principle 8 amended to refer to all future development being undertaken in a manner that adapts to, and mitigates the impacts of climate change, including the heat island effect	Urban Design Principles on pages 24-25 updated to
		Planting trees will be sparse, there'll be very little tree coverage overall and almost no shading. Given increased temperatures expected with Climate change the open village areas could well be a concrete oven. No one will want to walk or shop there on hot days	Public Realm	The Structure Plan places great importance on the 'greening of Noble Park' and through the Urban Design Guidelines strongly advocates for maintaining pedestrian oriented streets. It is noted that weather protection in the form of shop awnings exists in Noble Park which assists to shade on hot days	Climate and Ecology Emergency declaration
		Nowhere is there a community garden nearby		This suggestion was forwarded at the time to Council's <i>Draft Open Space Strategy, 2020-2030</i>	Action 29 (page 79) amended to refer to community spaces
		Put signs up telling people the shops are there but that's all	Land Use and Economic Activity	The Structure Plan seeks a strong gateway treatment at the Douglas Street/Heatherton Road intersection as it is a key entry point in to the centre	
		Does not talk about sustainability or climate anywhere in this plan	Vision	In January 2020, Greater Dandenong City Council, declared a 'Climate and Ecological Emergency'. The Structure Plan updated to include details of this in the Introduction section (page 12). A new key outcome of	Pages 12, 18, 21 and 70, Built Form and Urban Design

Sub	Supports	Sub Supports Submission	Theme	Officer Response	Recommended
Š	Vision				change to
					Structure Plan
				the Structure Plan has also been added to refer to this	Objective 1 and
				on pages 12 and 21. The State Policy and Policy	the Urban
				Reference section has been updated on page 18 and	Design
				page 70	Principles on
					pages 24-25
				Built Form and Urban Design Objective 1 and the Urban	updated to
				Design Principles updated to include reference to	reflect the
				climate change mitigation	Climate and
					Ecology
				Urban Design Principle 8 amended to refer to all future	Emergency
				development being undertaken in a manner that adapts	declaration
				to, and mitigates the impacts of climate change,	
				including the heat island effect	

File Id:

Responsible Officer: Director Community Services

Attachments: Draft Policy - Plaques, Memorials and Interpretive

Signage

1. Report Summary

Council policies are in place to ensure accordance with relevant legislation, regulations and best practices. They provide a consistent approach to Council's operational requirements and promote accountability and transparency of Council decisions and actions.

Council first adopted the Plaques, Memorials and Interpretive Signage Policy in June 2011, having subsequently updated and endorsed a revised Policy on 9 November 2015, with the provision of reviewing the policy after five years. This policy has now been reviewed to ensure currency and compliance with relevant legislation and Council's current operational requirements and is now presented to Council for readoption.

2. Recommendation Summary

This report recommends that the Plaques, Memorials and Interpretive Signage Policy be readopted.

3. Background

Essentially, policies developed by Council are aimed at ensuring good governance and decision-making processes, as well as the effective and efficient management of community resources and the day-to-day business of Council. They help govern how Council operates and provide a clear set of principles that provide a definite direction for Council.

Each policy is developed in order to address specific matters and objectives as outlined in the Council Plan 2017-21 or as required by legislation. Policies promote consistency across the organisation and also enable the community to be familiar with the principles behind administrative and council decisions.

Existing council policies are subject to an ongoing review process to ensure they remain up-to-date and comply with current legislation. Policies should be reviewed and updated if legislation requires it; or when Council's functions, structure or activities change; or when technological advances or new systems are implemented.

Council policies should be read in conjunction with any related legislation, relevant internal policies, codes of practice or guidelines. A Council policy is considered to be automatically revoked upon readoption of the latest version of that policy.

Policies that are superseded or superfluous to Council's needs require formal abolition by Council.

4. Proposal

It is proposed that Plaques, Memorials and Interpretive Signage Policy be readopted by Council with the following changes:

- Articulated distinction between processes relating to Council Initiated versus Community Initiated requests, noting that to this end an Application Form has been developed to capture Community Initiated requests.
- Identification of budget and funding streams for requests received, noting that plaques, memorials
 and interpretive signage installed at the request of community members or organisations will be
 actioned at the applicant's expense.
- A commemorative plaque, memorial or interpretive sign will not be considered where there is a
 religious, ethnic, cultural or political affiliation in memorialising events that might have, or be
 perceived as having, the effect of maintaining instead of healing divisions. For this reason,
 applications for culturally specific war memorials relating to international affairs will not be
 approved.

5. Financial Implications

There are no financial implications associated with this report.

6. Consultation

Prior to reporting to Council, the Plaques, Memorials and Interpretive Signage Policy was reviewed and evaluated by the:

Executive Management Team.

7. Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

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

Community Plan 'Imagine 2030'

People

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

Place

- Sense of Place One city many neighbourhoods
- Appearance of Places Places and buildings

Opportunity

- Education, Learning and Information Knowledge
- Tourism and visitors Diverse and interesting experiences

8. Council Plan 2017-21

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

People

- A vibrant, connected and safe community
- A creative city that respects and embraces diversity

Place

A healthy, liveable and sustainable city

Opportunity

An open and effective Council

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.

This report and associated policy has been drafted with consideration to the overarching principles that guide the Local Government Act 2020. Such considerations have included, but are not limited to:

- Benchmarking similar policies endorsed by other councils;
- The integration of an online application form in support of continuous improvement and accessibility for our municipal community;
- The development of a collaborative framework of application review with contributions from a broad cohort of Council units ensuring that best outcomes can be delivered for the municipal community;
- Clearly setting out ownership of responsibilities for internal stakeholders to ensure efficient management of the policy within existing operational resource allocations;
- Flexibility to respond to changing circumstances in consideration of new cultural interpretations or historical revisionism;
- Transparency in target timelines for application review; and
- Consideration of financial viability impacts on existing and future budgets and cost mitigation.

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).

The Charter of Human Rights and Responsibilities Act 2006 has been considered in the preparation of this report and associated policy. As a result, special consideration has been given to ensuring the policy appropriately accommodates cultural rights. This is supported by the engagement of Community Advocacy Officers as part of the internal consultation process to inform and steer outcomes as part of the review process.

11. The Gender Equality Act 2020

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

The *Gender Equality Act 2020* has been considered in the preparation of this report and associated policy but is not relevant to its contents. The administration of this policy does not negatively or positively impact any gender groups within the municipality. All applications will be considered with respect to promoting equality, inclusion and access throughout our municipality.

12. Consideration of Climate Change and Sustainability

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this 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.

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 report and associated policy but are not directly relevant to its contents. Where practicable sustainable products will be sourced in implementing actions. Furthermore, where practicable, local suppliers will be sought in the process of procuring quotes for delivery of policy outcomes.

13. Related Council Policies, Strategies or Frameworks

- Greater Dandenong City Council Activity Centre Design Frameworks and Interpretive Signs In Activity Centres Design Manual
- Greater Dandenong City Council Application Form for a Plaque, Memorial or Interpretive Signage within the City of Greater Dandenong
- Greater Dandenong City Council Asset Management Policy
- Greater Dandenong City Council Corporate Style Guide
- Greater Dandenong City Council Civic and Cultural Heritage Collection Policy
- Greater Dandenong City Council Interpretive Sign Program
- Greater Dandenong City Council Open Space Strategy
- Greater Dandenong City Council Plaques, Memorials and Interpretive Signage Guidelines
- Greater Dandenong City Council Springvale & Noble Park Structure Plans
- Cultural Heritage Management Plans and Conservation Management Plans for appropriate locations
- Greater Dandenong Climate Change Emergency Strategy

14. Conclusion

A review of the Plaques, Memorials and Interpretive Signage Policy was conducted and is now presented to Council for readoption.

The principal objective of the review was to ensure that the policy is current with legislative requirements and remains relevant and up to date.

15. Recommendation

That the Plaques, Memorials and Interpretive Signage Policy be readopted.

MINUTE 168

Moved by: Cr Tim Dark

Seconded by: Cr Bob Milkovic

That the Plaques, Memorials and Interpretive Signage Policy be readopted.

CARRIED

POLICY AND STRATEGY

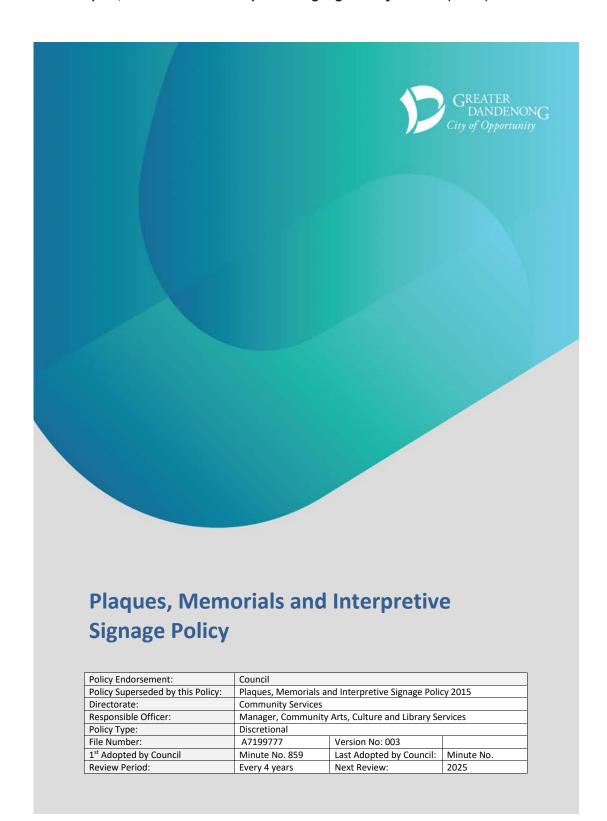
PLAQUES, MEMORIALS AND INTERPRETIVE SIGNAGE POLICY REVIEW

ATTACHMENT 1

DRAFT POLICY - PLAQUES, MEMORIALS AND INTERPRETIVE SIGNAGE

PAGES 10 (including cover)

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





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1. POLICY OBJECTIVE (OR PURPOSE)

This policy has been developed to manage all new and existing plaques, memorials and interpretive signs within the City of Greater Dandenong on Council owned or managed land.

The purpose of this policy is to:

- deliver a clear, open, equitable and accountable process for the request, placement and management of plaques, memorials and interpretive signs;
- regulate the placement of memorials, plaques and interpretive signs in public spaces, public facilities and buildings;
- regulate management of existing memorials, plaques interpretive signs; and
- outline how to manage requests for the installation of new memorials commemorative plaques and interpretive signs.

2. BACKGROUND

Council's Plaques, Memorials and Interpretive Signage Policy was first endorsed by Council in June 2011, having subsequently been reviewed with updates being adopted by Council on 9 November 2015.

3. SCOPE

This policy applies to all proposed plaques, memorials and interpretive signs to be installed within the City of Greater Dandenong, on Council owned or managed land, whether in or on buildings or facilities, on the pavement, in parks, gardens, streets or any other public space. The policy applies to both council-initiated and community-initiated signs, memorials or interpretive signs.

All artwork for proposed plaques, memorials and interpretive signs must be consistent with the guidelines set out in Council's 'Corporate Style Guide'.

All new plaques and memorials will be required to conform to this policy, with the exception of the following:

- general signage for the purposes of either wayfinding, advertising or regulatory outcomes;
- public artworks or temporary roadside memorials;
- war memorials;
- naming of places, roads or facilities; and
- the policy does not cover roadside memorial plaques.

This policy and associated documents sit alongside the Interpretive Sign Program which is delivered by the Place Making and Revitalisation team through the approval processes of their Directorate.



Collection: Items which have been formally acquired for / into as being part of the City of Greater Dandenong's Civic and Cultural Heritage Collection. (Public Artworks are excluded from this terminology). The Civic and Cultural Heritage Collection may also be referred to as 'The Collection', 'Collection Items' or 'CC (name of sub collection)'.

Deaccession: The process of deregistering an item or items from the Collection, for stated reasons and conforming to clear policy and procedure.

Interpretive Sign: A freestanding or wall mounted sign that uses text and/or images to provide an interpretation of a culturally or historically significant site, person, object or story. The interpretation or message aims to enhance understanding and enjoyment of a place or explain why a story is important to a place. It is erected to be visible to all viewers and can be constructed of different materials, according to agreed design approaches and styles.

Plaque: A flat tablet of metal, stone of other material which includes text and/or images which commemorates an event or a person and/or provides historical or other information relevant to its location. Such a tablet is fixed to a wall or other surface.

Memorial: An object, monument, garden or civic area named or established in memory of a person, association, anniversary or event.

5. POLICY

Plaques, memorials and interpretive signs are important in celebrating the achievements of the Greater Dandenong City Council and its community. They provide historical and cultural context and serve as records of events, as well as tell important narratives of the city.

Plaques, memorials and interpretive signs can enrich public places and open spaces. However, the placement of plaques, memorials and interpretive signs needs to be carefully considered to ensure that they do not impact negatively on their surrounds.

Plaques, memorials and interpretive signs fall under two categories in this policy, Council initiated and community initiated.

Council Initiated

- Plaques installed by Council (including State and/or Federally funded projects) on Council owned or managed land and/or facilities to commemorate the opening or refurbishment of a community building or facility or to commemorate an event which might be of historical significance in the future. Installation of a plaque may be associated with an official launch event or opening.
- Plaques, memorials and interpretive signage installed by Council in conjunction with other bodies to
 provide historical or heritage information about buildings, facilities or people significant to the
 history of the municipality.
- Interpretive signage installed by Council in public open spaces to acknowledge culturally or historically significant sites, people, objects or stories in the municipality.



Community Initiated

1. Plaques, memorials and interpretive signage installed by Council in public open space at the request and cost of community members or organisations wishing to commemorate a person, place or group. Applications for such must be made using the Application Form for a Plaque, Memorial or Interpretive Sign in the City of Greater Dandenong. It should be noted that in such instances, should approval be granted, Council will coordinate all design and installation outcomes to preserve consistency with all other signage in public places. Plaques, memorials and signage may not be installed by community in public spaces outside of this application process.

Any proposal for a plaque, memorial or interpretive sign that is three dimensional, and is a sculptural or artistic work which is out of scope of this policy will be subject to Council's Public Art Policy and may be referred to the Arts Advisory Board for consideration.

Existing plaques and memorials will not be taken as a precedent for future proposals and each request will be considered on its merits in accordance with current policy guidelines. All new plaques, memorials and interpretive signs will require a formal application and will be reviewed by Council.

Eligibility Criteria

Council will review a request for a plaque, memorial or interpretive sign, if it meets the following criteria:

- a) the item support Council's corporate strategies, aims and objectives;
- the item reflects local geographical relevance;
- the item can demonstrate to be of lasting value to the community for social, cultural, historical, educational or aesthetic reasons and add to the existing community amenity of the proposed location, within the context of the current use of the area;
- the item is considered in the context of the number of existing memorials, interpretive signs, public artwork and other objects in the area;
- the item commemorates a person or group that has made a significant contribution to the community and who has not already been memorialised;
- the item adheres to Council's Risk Management Framework and to relevant Occupational Health & Safety and Environmental Management Policies and Procedures; and
- g) the item meets with any relevant legislative measures.

A commemorative plaque, memorial or interpretive sign will not be considered where there is a religious, ethnic, cultural or political affiliation in memorialising events that might have, or be perceived as having, the effect of maintaining instead of healing divisions. For this reason, applications for culturally specific war memorials relating to international affairs will not be approved.

Plaques, memorials and interpretive signs that have been placed in any location without authorisation, or which do not meet the general requirements of this policy, may be removed. Attempts will be made to consult with the person(s) responsible for initially installing the plaque or memorial prior to its removal.

Deaccession Criteria

There is recognition that, from time to time, there may be reasons to review the retention of existing plaques, memorials and interpretive signs. Accordingly, Council reserves the right to deaccession and disposal of such items. Council will always approach the deaccessioning of items with caution, with appropriate delay and review mechanisms in its procedures.



The nomination for deaccessioning may occur only where the item/s meets one or more of the following criteria:

- a) the item no longer meets the current eligibility criteria;
- the item is in poor condition and is considered of insufficient merit for allocation of conservation resources;
- c) the item is damaged beyond repair or destroyed;
- d) the retention of the item may put people and/or other items at risk;
- e) the item is lost, stolen or mislaid with no likelihood of return; and
- A public request is received for removal in consideration of new cultural interpretations or historical revisionism

Proposals for deaccessions will be prepared by relevant officers and experts (where necessary) with a report provided to the Civic Collection Acquisition and Deaccession Working Group for review. Items reviewed and recommended by the working group for deaccession will be submitted to Director Community Services for approval.

Methods of Disposal

The disposal procedure for an item identified for deaccession will adhere to the following order of options, in accordance with the ICOM Code of Professional Ethics (2013), Section 4.3: Deaccessioning Policies and Procedures. The options for disposal in order of priority are that the item may be:

- relocated;
- stored; or
- destroyed where no other options are appropriate.

Council's Public Art Projects Lead must maintain records of items deaccessioned including their method of disposal.

Ongoing Maintenance

Council will maintain the item as part of its Asset Management program for the life of the asset and any costs relating to this will be at Council's expense. Should significant maintenance be required to prolong the life of the asset such maintenance expenses will be considered within Capital Improvement Program (CIP) budget bids aligned with Council's Asset Management Policy.

RESPONSE TO THE OVERARCHING GOVERNANCE PRINCIPLES OF THE LOCAL GOVERNMENT ACT 2020

This policy has been drafted with consideration to the overarching principles that guide the *Local Government Act 2020*. Such considerations have included, but are not limited to:

- benchmarking similar policies endorsed by other councils;
- the integration of an online application form in support of continuous improvement and accessibility for our municipal community;
- the development of a collaborative framework of application review with contributions from a broad cohort of Council units ensuring that best outcomes can be delivered for the municipal community;

4.1.2 Plaques, Memorials and Interpretive Signage Policy Review (Cont.)

- clearly setting out ownership of responsibilities for internal stakeholders to ensure efficient management of the policy within existing operational resource allocations;
- flexibility to respond to changing circumstances in consideration of new cultural interpretations or historical revisionism;
- transparency in target timelines for application review; and
- consideration of financial viability impacts on existing and future budgets and cost mitigation.

CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 – COMPATIBILITY STATEMENT

The Charter of Human Rights and Responsibilities Act 2006 has been considered in the preparation of this policy. As a result, special consideration has been given to ensuring the policy appropriately accommodates cultural rights. This is supported by the engagement of Community Advocacy Officers as part of the internal consultation process to inform and steer outcomes as part of the review process.

8. RESPONSE TO THE GENDER EQUALITY ACT 2020

The Gender Equality Act 2020 has been considered in the preparation of this policy but is not relevant to its contents. The administration of this policy does not negatively or positively impact any gender groups within the municipality. All applications will be considered with respect to promoting equality, inclusion and access throughout our municipality.

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 directly relevant to its contents. Where practicable sustainable products will be sourced in implementing actions. Furthermore, where practicable, local suppliers will be sought in the process of procuring quotes for delivery of policy outcomes.

10. RESPONSIBILITIES

The responsibilities that arise under this policy are:

Director Community Services is responsible for the final approval of all plaques, memorials and interpretive signs.

Directors are responsible for the preliminary approval of plaques, memorials and interpretive signs pertaining to their areas of responsibility.

Manager, Community Arts, Culture and Library Services is responsible for the approval of all artwork relating to plaques, memorials and interpretive signs prior to final sign off by the Director. Furthermore, they will ensure that other managers are made aware as to the existence of the policy so that they may communicate more broadly with their respective teams.

4.1.2 Plaques, Memorials and Interpretive Signage Policy Review (Cont.)

Managers are responsible for monitoring staff under their supervision to ensure that they understand and comply with this policy and the requirements within it.

Public Art Projects Lead is responsible for listing new plaques, memorials and interpretive signs in both Council's Civic and Cultural Heritage Collection Catalogue and Assets Register and for advising relevant internal stakeholders. The Public Arts Project Lead will be available to assist and advise staff in relation to implementing any aspect of this policy.

Civic Collection Acquisition and Deaccession Working Group is comprised of nominated representatives of external independent professional members with a variety of relevant cultural heritage and collection management-related professional skills and backgrounds, Presidents of the Dandenong and Springvale Historical Societies, a Spirit of Enterprise Group representative and Council officers. This group will review proposed items based on acquisition and deaccession criteria outlined in this policy and provide recommendations for consideration. It will meet every six months or more regularly as required.

All staff are responsible for compliance with the policy and the requirements within it should they be involved with any plaques, memorials or interpretive signage.

11. REPORTING, MONITORING AND REVIEW

The policy will be further reviewed and updated in 2025. The success of the policy will be measured continuously through alignment with target timelines for application review. The target timeline to review applications is 70 days, noting that in certain instances applications may be referred to either executive and/or Council for consideration in which case the review timelines may extend accordingly. Upon review of the policy, past applications will be monitored for compliance to test the efficacy of the policy and analyse where improvements can be made.

12. REFERENCES AND RELATED DOCUMENTS

Legislation

- Charter of Human Rights and Responsibilities Act 2006
- Crown Land Reserves Act 1978 (amended)
- Gender Equality Act 2021
- Geographical Place Names Act 1998
- Heritage Act 2017
- ICOM Code of Professional Ethics (2013), Section 4.3: Deaccessioning Policies and Procedures
- Local Government Act 2020
- Planning and Environment Act 1987

Related Council and Other Policies, Procedures, Strategies, Protocols, Guidelines

- Greater Dandenong City Council Activity Centre Design Frameworks and Interpretive Signs In Activity Centres Design Manual
- Greater Dandenong City Council Application Form for a Plaque, Memorial or Interpretive Signage within the City of Greater Dandenong
- Greater Dandenong City Council Asset Management Policy
- Greater Dandenong City Council Corporate Style Guide

4.1.2 Plaques, Memorials and Interpretive Signage Policy Review (Cont.)

- Greater Dandenong City Council Civic and Cultural Heritage Collection Policy
- Greater Dandenong City Council Interpretive Sign Program
- Greater Dandenong City Council Open Space Strategy
- Greater Dandenong City Council Plaques, Memorials and Interpretive Signage Guidelines
- Greater Dandenong City Council Springvale & Noble Park Structure Plans
- Cultural Heritage Management Plans and Conservation Management Plans for appropriate locations
- Greater Dandenong Climate Change Emergency Strategy

4.2 OTHER

4.2.1 Draft Minutes of Sustainability Advisory Committee Meeting - 3 March 2021 - Report

File Id: A7607057

Responsible Officer: Director City Planning Design & Amenity

Attachments: Draft Minutes of Sustainability Advisory

Committee Meeting – 3 March 2021

Report Summary

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

Recommendation Summary

This report recommends that the draft Minutes of the Sustainability Advisory Committee meeting on 3 March 2021 provided in Attachment 1 to this report be noted by Council.

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

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

There are no financial implications associated with this report.

Consultation

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

Recommendation

That Council notes the draft Minutes of the meeting held 3 March 2021 for the Sustainability Advisory Committee as provided in Attachment 1 to this report.

MINUTE 169

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

That Council notes the draft Minutes of the meeting held 3 March 2021 for the Sustainability Advisory Committee as provided in Attachment 1 to this report.

CARRIED

OTHER

DRAFT MINUTES OF SUSTAINABILITY ADVISORY COMMITTEE MEETING

ATTACHMENT 1

SUSTAINABILITY ADVISORY COMMITTEE MEETING HELD ON 3 MARCH 2021

PAGES 4 (including cover)

Advisory Committee or Sustainability Advisory Committee Meeting

Reference Group Name:

Date of Meeting: Wednesday 3 March 2021

Time of Meeting: 5:30 to 7:00pm

Meeting Location: Online meeting – Microsoft Teams

Attendees:

Jody Bosman (JB), Cr. Rhonda Garad (RG), Judith Sise (JS), Graeme Pearman (GP), Asher Coleman (AC), Brian Congues (BC), Bryan Hunter (BH), Aurore Pont (AP), Jess Harrison (JH)

Apologies:

Ward Petherbridge (WP)

Minutes:

Stephanie Karras (SK)

Item No.	Item	Action	Action by
1. Welcome	Welcome by the Chairperson.		JB
2. New Councillor representative	Welcome and introduction to Cr. Rhonda Garad.	Cr. Rhonda Garad introduced herself to the Committee.	RG
3. Previous minutes	Previous meeting minutes No. 15 agreed upon and adopted.	Minutes confirmed.	ALL
4. Actions from previous meeting	Council is no longer able to further engage with Sacyr (organics composting facility). However, Council's Media and Communications team have advised that committee members are free to contact Sacyr directly. Matter regarding pollution abatement notice on Argus Recycling. Council was denied entry to the Directions Hearing, however, they will be attending and observing the public hearing.	JH to double check information regarding Sacyr organics facility development (as well as Argus Recycling case) and share with RG prior to the next Sustainability Advisory Committee meeting. JH to circulate native flowers species guide to the group prior to the next Sustainability Advisory Committee meeting.	JH
	The next public planting day will be held on Saturday 10 July 2021 at Tatterson Park from 10am – 1pm.		
	JB gave an update regarding the draft Community Gardens policy. JB noted that two potential	per planes contact Covernance on 9574 5225	

5. General update	mechanisms of control are being discussed further: 1. Establish a committee of management (therefore business of Council) for each community garden, or 2. Planning permit is required o AC would like to see a streamlined process for developing community gardens to remove any barriers to uptake. JB noted that this would be included in the Community Gardens Policy being developed by the Strategic Planning team. This is a high priority. o The intent is to create a community gardens policy solution that balances the use of public open space for community gardens and public open space for recreation and associated usages.	JH to send copy of climate change risk audit report to RG prior to the next meeting. JH to send through more information to	JH
	completed. All Council senior managers are members of the Internal Climate Emergency Implementation Group. The Mobile Community Centre will be used by the Sustainability, Parks, Environment Education and Waste teams for all related community events and education programs.	RG regarding Council's climate change projection timeframes prior to the next meeting. • JH to share the draft Sustainability Strategy refresh once complete to the group.	JH
6. ESDv2.0 update	RG gave praise to Council officers for their progress on ESDv2.0.		
7. DELWP ESD Roadmap		JH to flag the commencement of Stage Two of the DELWP ESD Roadmap with the group to enable participation in the consultation process.	JH
8. Forever Fest and Sustainability Awards	The 'Forever Fest' Ambassador Dianne McGrath is a sustainability advocate, is completing a PHD at RMIT University on food waste and is a	Group to please select 'going' and share the 'Forever Fest' Facebook event with their networks: https://www.facebook.com/events/771093677175229	ALL

	public Mars Astronaut candidate		
9. Draft Urban Forest Strategy	Group discussion surrounding the Draft Urban Forest Strategy 2021-28 and Greening Our Neighbourhoods 2021-28 Strategy: • Focus on community education and engagement as an outcome of the draft Urban Forest Strategy. • The group suggested pragmatic opportunities for draft Urban Forest Strategy actions to be included in the planning process. • RG on behalf of the group passed on congratulations to the team who worked on the consultation animation.	AC to share thoughts on strategies with JB offline.	AC
10. Food and Garden Organics (FOGO)	RG noted that a compost rebate has also been passed by Council.		
11. Working Groups	ESDv2.0: the next meeting will be determined by the timing of the release of the draft provisions. Climate Change: JB suggested engaging Young Leaders to join future working group meetings. AC emphasised that members of the Southern Migrant Resource Centre would be interested in joining the working groups.	 JH to send Doodle Poll to determine next meeting for the Climate Change Working Group by 10 March 2021. JH to send working group calendar invitations to RG. RG to approach Young Leaders at the upcoming March meeting to establish interest in participation in the Climate Change Working Group. AC to contact the Southern Migrant Resource Centre to establish interested in joining the working groups prior to the next Sustainability Advisory Committee meeting. 	JH RG AC
12. General business	The group suggested the need to create more linguistically and culturally diverse resources relating to climate change and sustainability. GP expressed desire to be more proactive in facilitating uptake of electric vehicles in the community and notes that Australia is lagging behind other countries in this regard. This will be further addressed in the next Climate Change Working Group meeting.	JH/JB to share upcoming key timeframes of draft Urban Forest Strategy and draft Greening Our Neighbourhoods Strategy with group.	JH/JB

File Id: A7520935

Responsible Officer: Director Community Services

Attachments: Draft Minutes of Meeting on 9 March 2021

Report Summary

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

Recommendation Summary

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

Background

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

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

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

Proposal

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

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

Community Plan 'Imagine 2030'

People

- Pride Best place best people
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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

Victorian Charter of Human Rights and Responsibilities

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

Financial Implications

There are no financial implications associated with this report.

Consultation

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

Recommendation

That Council notes the draft Minutes of meeting for the Multicultural and People Seeking Asylum Advisory Committee as provided in Attachment 1 to this report.

MINUTE 170

Moved by: Cr Eden Foster Seconded by: Cr Richard Lim

That Council notes the draft Minutes of meeting for the Multicultural and People Seeking Asylum Advisory Committee as provided in Attachment 1 to this report.

CARRIED

OTHER

DRAFT MINUTES OF MULTICULTURAL AND PEOPLE SEEKING ASYLUM ADVISORY COMMITTEE MEETING

ATTACHMENT 1

MULTICULTURAL AND PEOPLE SEEKING ASYLUM ADVISORY COMMITTEE MEETING ON 9 MARCH 2021

PAGES 5 (including cover)

Advisory Committee or Multicultural and People Seeking Asylum Advisory Committee

Reference Group Name:

Date of Meeting: 9 March 2021

Time of Meeting: 3pm

Meeting Location: Online via Microsoft Teams Meeting

Attendees:

Kylie Reid (Chisholm Institute) – Chairperson, Sarita Kulkami (Community Member), Community Development Coordinator (CGD), Binita Maskey (Women's Association South East Melbourne Australia [WASEMA]), Sri Samy (Friends of Refugees [FOR]), Siv Yogonathan (Life Without Barriers [LWB]), Kadira Pethiyagoda (Community Member), Sarita Kulkami (Community Member), Anita J (WAYSS) (Standing in for Sean Quigley (WAYSS)), Tomasa Ruiz (CGD).

Apologies:

Cr Eden Foster (City of Greater Dandenong [CGD], Kudzayi Nhatarikwa (Red Cross), Peter McNamara (South East Community Links [SECL]), Nabila Marzouk (Multicultural Muslim Women's Network), Minwen Wu (Community Member), Nagamuthu R. Wickiramasingham (Community Member), Chaw Po (Burmese Women's Alliance [BWA]), Jane Lazzari (Red Cross, Jacquie McBride (Monash Health), Sean Quigley (WAYSS).

Minutes:

Community Advocacy Officer (CGD).

Guest:

Community Advocacy Officer No. 2 (CGD).

Item No.	Item	Action	Action By
1.	Welcome and Introductions		
	Chair welcomed Committee Members and acknowledged Traditional Owners.		
	Chair noted that MAPSAAC Meeting was moved forward so to provide members with the opportunity to give feedback regarding Council's updating of the Diversity, Access and Equity Policy, and to address member queries.		
2.	Endorsement of previous meeting minutes Previous minutes moved by Binita Maskey, seconded		
3.	by Coordinator Community Development. Review of outstanding action items		
	Outstanding action – further investigate and circulate list of the 26 playgroups servicing families seeking asylum in Victoria.	Investigate and circulate list of the 26 playgroups.	Community Advocacy Officer

			(CGD).
4.	Feedback – Diversity, Access and Equity Policy		(000)
	Community Advocacy Officer No. 2 spoke to members about Council's revision of the Diversity, Access and Equity Policy, and the importance of acknowledging and respecting diversity within our community.		
	Two broad goals of the Draft Policy are to ensure Council staff treat people with different backgrounds, cultures, abilities etc with respect and to consider community differences in needs and preferences when planning services and policies.		
	MAPSAAC members provided advice regarding several aspects of the draft policy. These included addressing discrimination, increasing community engagement amongst underrepresented segments, and ensuring community safety and accessibility to open spaces.		
5.	All feedback was considered and noted down by Community Advocacy Officer No. 2 Update – Multicultural Communities Network		
3.	Establishment of the Multicultural Communities Network (MCN) was temporarily placed on hold earlier this year due to information being received about the creation of other multicultural networks in the region that may fulfil a similar purpose.		
	The networks included the planned establishment of a southeast region Ethnic Communities Council linked and supported by the Ethnic Communities Council of Victoria (ECCV), and the CALD Communities Taskforce (established through project work by the Department of Premier and Cabinet, and made up of regional bi-cultural workers and community champions).		
	Concerns were raised by Council Officers as to whether the MCN was still necessary in light of the newly devised networks in the region.		
	MAPSAAC members agreed that there was still a unique need for the MCN to be established. Reasons given included that the longevity of the other networks was questionable as oppose to the MCN which would be guaranteed by Council.		
	The focus of the MCN was also raised as an important factor for its establishment, as it differed from the other networks, with its focus on local community and council issues.		
	MAPSAAC resolved that the MCN be established.	Expression of interest to be advertised.	Community Advocacy Officer (CGD).
6.	Update – Back Your Neighbour Campaign and Mayoral Taskforce Supporting People Seeking Asylum		
	Mayoral Taskforce Supporting People Seeking Asylum is currently focusing on the recruitment of new Council members, including those from the following councils; Kingston, Frankston, Stonnington, Glen Eira, Bayside.		

ngston, Frankston, Stonnington, Glen Eira, Bayside,

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

		I	
	Knox, and Borroondara.		
	Letters have been formalised and will be sent to newly elected Councillors within the above-mentioned Councils. The letters requests that Councillors raise Taskforce Membership with their respective Councils.		
	Taskforce will also be participating in this year's Palm Sunday Walk for Refugees on Sunday 28 March. The rally will take place in Melbourne CBD, with Taskforce Mayors and Councillors invited to attend.		
	In line with the Campaign Strategy and Plan, Back Your Neighbour has decreased the intensity of its advocacy until the next Federal Election is announced. During the election period, Back Your Neighbour will once again escalate its advocacy efforts. In the interim ongoing social media and twitter posts will be posted so that an ongoing but reduced active presence is maintained.		
7.	Part B Action Plan Progress Report		
	Discussions were held with Rob Koch (Monash Health) to discuss possible ways in which the People Seeking Asylum at Risk of Destitution (PSAARD) Taskforce could assist with fulfilling actions within the Part B Action Plan.		
	MAPSAAC members reviewed Part B Actions 1.2, 3.2, 3.5, 4.1.1, 5.1, and 5.2; and provided feedback as to how the actions may be kickstarted. All feedback was noted in the Part B Action Plan Progress Report.	Pro forma to be circulated with agenda for next MAPSAAC Meeting.	Community Advocacy Officer (CGD).
	MAPSAAC members agreed that greater emphasis in future meetings will be placed on discussions regarding the Part B Action Plan. It was also agreed that information sharing would be kept to a minimum, with the addition of a pro forma to be circulated amongst MAPSAAC members to complete and there after included in the minutes. Entire Part B Action Plan to be reviewed by MAPSAAC at next meeting.		
8.	Information Sharing		
	WAYSS Staff returning back to office. More face-to-face assessments taking place, however majority are still done over the phone. Concerns over rental moratorium ending soon and increased rental arrears growing amongst local residents. 200 individuals still remain in motel accommodation in the southern region, a decrease from 1,500 in mid last year.		
	Sarita Kulkami WASEMA operating nine local cafes in the southeast region. Sarita has been appointed as a member of the Springvale Hub Committee.		
	LWB Significant increase in clients, due to release of people seeking asylum from community detention. All have moved into short, medium and long-term housing.		

Department of Home Affairs has been providing	
additional support to LWB for working with clients.	
FOR	
Online programs still continuing. Face-to-face	
programs to recommence in term two.	
Food and material aid provided in the office by	
appointment.	
Chisholm TAFE	
Adult Migrant English Program (AMEP) 500-hour cap	
is due to be lifted sometime in term two.	
Reconnect Program is now open to people seeking	
asylum, and Temporary Protection Visa (TPV) and	
Safe Haven Enterprise Visa (SHEV) holders. The	
program is designed for individuals wanting to re-	
engage with education.	
Meeting closed at 4:55PM.	



File Id: A7648125

Responsible Officer: Director City Planning Design & Amenity

Attachments: Final Draft General Local Law

Local Law Community Impact Statement Final

1. Report Summary

This report presents the results of the review and consolidation of Greater Dandenong City Council's Local Law No.2 (Municipal Amenity), Local Law No.3 (Road Management and Asset Protection) and Local Law No.4 (Municipal Places) into a single draft City of Greater Dandenong Local Law No.2 (General Local Law), and seeks Council's approval to commence the statutory process as specified in Section 119 of the *Local Government Act* 1989 relating to the making of a Local Law, which includes placing the draft Local Law No.2 (General Local Law) on public exhibition under the provisions of Section 223 of the *Local Government Act* 1989.

2. Recommendation Summary

This report recommends that Council resolves to commence the statutory process as specified in Section 119 of the *Local Government Act* 1989 relating to the making of a Local Law, including placing the draft Local Law No.2 (General Local Law) on public exhibition under the provisions of Section 223 of the *Local Government Act* 1989.

3. Background

Local Laws are a form of local regulation that enables councils to make legislative controls reflecting the different circumstances of each municipality. The power to make a Local Law is provided to councils via the *Local Government Act* 1989.

In addition to the requirements of the *Local Government Act* 1989, the State Government has also introduced guidelines that Councils are required to follow when they are reviewing and introducing a new local law.

These guidelines, which are found in Local Government Victoria's "Guidelines for Local Laws Manual", (the guidelines) are now regarded as being "best practice" for the creation and enforcement of Local Laws, and it is Local Government Victoria's expectation that Council's will review and create their local laws in line with the guidelines.

The guidelines are relatively complex, however the key aspects of them can be summarised as being:

- The key aim is to improve transparency, accessibility, consistency, efficiency, accountability and the enforceability of local laws.
- Councils need to consider whether there is a possible alternative to creating a local law that better suits the needs of the community, as regulation should be viewed as being the last resort used in preventing a mischief, because it imposes burdens of compliance on the community and enforcement on the Council.
- Local laws should incorporate relevant Council policies.
- Overlap, duplication of, or inconsistency or conflict with, existing legislation or local planning schemes must be avoided.
- Councils must produce a Local Law Community Impact Statement for all new or materially altered local laws, which amongst other things needs to be able to demonstrate a real need for a Local Law.
- Under the provisions of the *Local Government Act* 1989, all local laws sunset ten (10) years after the date they commence.

The review of the current Greater Dandenong City Council's Local Law No.2 (Municipal Amenity), Local Law No.3 (Road Management and Asset Protection) and Local Law No.4 (Municipal Places) (current Local Laws), is in response to the fact that these current Local Laws are due to sunset on 25 July 2021.

Council must have a Local Law, otherwise all the controls and powers used by Council to protect council's assets, or control activities on Council's land via the issuance of permits would be lost. It is thus important that the City of Greater Dandenong has its new Local Law/s in place by 26 July 2021 so as to seamlessly transition from the current local laws which are due to sunset on 25 July 2021.

As Council's current local laws are due to sunset on 25 July 2021, it was decided that the opportunity should be taken to incorporate council's current local laws into one omnibus local law with the view of improving the consistency, transparency and accessibility of Council's Local Laws.

Throughout the preparation and drafting process of the draft *City of Greater Dandenong Local Law No.2 (General Local Law)*, officers have sought legal advice from Council's solicitors on issues as they have arisen, and where necessary that advice has been used in the drafting of the draft *City of Greater Dandenong Local Law No.2 (General Local Law)*.

The draft City of Greater Dandenong Local Law No.2 (General Local Law) has also been reviewed to ensure that it is consistent with the National Competition Policy and the Charter of Human Rights and Responsibilities Act 2006.

The requirements of Section 119 of the *Local Government Act* 1989, relating to the statutory process which must be followed by a council when it is making a local law will need to be commenced once Council has resolved to publicly exhibit the draft *City of Greater Dandenong Local Law No.2 (General Local Law)*.

4. Proposal

The City of Greater Dandenong has undertaken a review of its current Local Laws.

This review was necessary as Council's current Local Laws expire on 25 July 2021.

Section 119 of the *Local Government Act* 1989 outlines the statutory process which a council must follow when it is making a local law.

This includes a formal public consultation during a public exhibition and submission process which is required to be undertaken as per Section 223 of the *Local Government Act* 1989.

The draft *City of Greater Dandenong Local Law No.2 (General Local Law)* (Attachment 1) as proposed, has been created to ensure the structure, procedural and administrative arrangements conform with the State Government's "Guidelines for Local Laws Manual".

Whilst the majority of the current local law requirements have been incorporated into the draft *City* of *Greater Dandenong Local Law No.2 (General Local Law)*, several changes have been proposed. The details of those changes form part of the Local Law Community Impact Statement (Attachment 2)

Those changes include:

- The review and update of the definitions in the local law to improve clarity and enforceability of the local law. This change has also led to council being able to remove the number of permits it requires for different activities by 14 permit types.
- The incorporation of Council's policies into the local law, meaning where applicable those policies now form part of the Local Law.
- Clarifying that the approval/ consent requirements of Council as a Road Authority under the Road Management Act 2004 is evidenced by the granting of the applicable local law permit.
- Introducing the ability for Council to approve the consumption of liquor in an outdoor dining area via the local law permit, as per the VCAT matter of TAN V KINGSTON 2011 VCAT 470 23 March 2011. (VCAT RED DOT CASE). This change removes the need for a trader, who already has

a liquor licence applicable to their premises, from needing to also apply for a planning permit to allow liquor to be consumed in their outdoor dining space. This proposed change saves the trader both time and money, by removing the red tape currently faced by traders who wish to operate in this manner in the municipality.

- New obligation to obtain a permit from Council prior to the discharging of fireworks in the municipality. This proposed change also means the requirements of Council's existing *Fireworks Policy* become enforceable through the Local Law.
- New obligation for commercial premises not to place or store vehicles, items, or equipment
 associated with their operations on Council land. This proposal is aimed at improving the amenity
 of our industrial areas.
- New obligation for residents not to place their rubbish bins out for collection more than 24 hours before the waste collection is due.
- Introduces the same owner/operator onus as exists under State Legislation for parking related matters that are contained in the local law.
- Creating a specific offence for parking (storing) an unregistered trailer or vehicle in a public place.
- Introduces the requirement to ensure landowners who discharge any groundwater into Council's stormwater system, only discharge groundwater that has been properly filtered or treated.
- Introducing an exemption to Clause 39 Incinerators, Fires and Open-Air Burning to allow the use of a chimenea, fire pit or other appliance constructed for the purposes of heating, when it is being used for that purpose. This proposed change as been introduced in order to comply with the Notice of Motion (NoM 90) passed by Council at its meeting on the 14 September 2020.
- Permitting occupiers and landowners to plant vegetation on a nature strip, without the need to
 obtain a local law permit, as long as the planting is carried out in accordance with Council's
 guidelines for such plantings.
- Introducing a new Local Law at the request of Victoria Police, to provide the Police with the
 ability to control "hoon events", and to give the Police the ability to discourage spectators or
 bystanders who are attracted to such events. This clause has been introduced, as the Police
 have indicated that State legislation does not provide them with the tools necessary to manage
 such events, which by their very nature can put spectators or bystanders of hoon events at risk
 of serious injury or even death.

This report proposes that Council resolves to publicly exhibit the draft *City of Greater Dandenong Local Law No.2 (General Local Law)* (Attachment 1) and the Local Law Community Impact Statement (Attachment 2) for public consultation in accordance with Sections 119 and 223 of the *Local Government Act* 1989.

5. Financial Implications

There are no financial implications associated with this report.

The review of Council's current local laws, and the costs associated with the preparation of the draft City of Greater Dandenong Local Law No.2 (General Local Law) has been funded and resourced from within Council's budget for the 2020-2021 financial year.

6. Consultation

Section 119 of the *Local Government Act* 1989, requires that a council must place the draft local law on public exhibition for at least 28 days, and invite written submissions from those people who may be affected by the making of the local law as per Section 223 of the *Local Government Act* 1989.

Section 223 of the *Local Government Act* 1989 also provides for the opportunity for those people who as part of their written submission, indicate they wish to be heard by Council in support of their submission.

Advertising of this process inviting public input and comment on the draft local law will be conducted throughout the exhibition period via newspaper advertisements, Council's website, and via Council's social media sites.

7. Community Plan 'Imagine 2030' and Council Plan 2017-21 – Strategic Objectives, Strategies and Plans

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

Community Plan 'Imagine 2030'

People

- Pride Best place best people
- Outdoor Activity and Sports Recreation for everyone

Place

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

Opportunity

- Jobs and Business Opportunities Prosperous and affordable
- Leadership by the Council The leading Council

8. Council Plan 2017-21

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

<u>People</u>

A vibrant, connected and safe community

Place

- A healthy, liveable and sustainable city
- A city planned for the future

Opportunity

- A diverse and growing economy
- An open and effective Council

9. 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 are consistent with the standards set by the Charter.

10. Related Council Policies, Strategies or Frameworks

Although the making of a local law does not require a council policy to support any local law, it is important that an underlying justification and rationale for a local law is provided.

In preparing the draft *City of Greater Dandenong Local Law No.2 (General Local Law)*, care has been taken to ensure consistency with existing Council Policies, such as for events, permit issuance, and outdoor dining.

Some policies have been incorporated (as amended from time to time) into the draft *City of Greater Dandenong Local Law No.2 (General Local Law)*, however this only occurs where the policy is so detailed that it stands in place of discretionary guidelines that are available to officers.

It should be noted that once incorporated, these Council Policies become part of the Local Law.

11. Recommendation

That Council:

- resolves to undertake the commencement of the statutory process as specified in Section 119 of the Local Government Act 1989, relating to the making of a Local Law;
- 2. resolves that the draft *City of Greater Dandenong Local Law No.2 (General Local Law)* and the Local Law Community Impact Statement go out for public exhibition and submissions as per the requirements of Section 223 of the *Local Government Act* 1989:

- 3. gives public notice of the exhibition of the draft *City of Greater Dandenong Local Law No.2 (General Local Law)* via the Government Gazette and public advertisement, and invites written submissions in relation to the draft *City of Greater Dandenong Local Law No.2 (General Local Law)* to be received by Council for consideration until the close of business on 07 June 2021; and
- 4. in accordance with Section 223 of the Local Government Act 1989, notes that if it is required, submitters who indicate in their written submission, that they wish to be heard in support of their written submission, that those submitters will be heard by Council on 15 June 2021 at its meeting of Council.

MINUTE 171

Moved by: Cr Tim Dark

Seconded by: Cr Rhonda Garad

That Council:

- resolves to undertake the commencement of the statutory process as specified in Section 119 of the Local Government Act 1989, relating to the making of a Local Law;
- resolves that the draft City of Greater Dandenong Local Law No.2 (General Local Law) and the Local Law Community Impact Statement go out for public exhibition and submissions as per the requirements of Section 223 of the Local Government Act 1989;
- 3. gives public notice of the exhibition of the draft *City of Greater Dandenong Local Law No.2 (General Local Law)* via the Government Gazette and public advertisement, and invites written submissions in relation to the draft *City of Greater Dandenong Local Law No.2 (General Local Law)* to be received by Council for consideration until the close of business on 07 June 2021; and
- 4. in accordance with Section 223 of the Local Government Act 1989, notes that if it is required, submitters who indicate in their written submission, that they wish to be heard in support of their written submission, that those submitters will be heard by Council on 15 June 2021 at its meeting of Council.

CARRIED

OTHER

REVIEW AND UPDATE OF THE CITY OF GREATER DANDENONG LOCAL LAW

ATTACHMENT 1

FINAL DRAFT GENERAL LOCAL LAW

PAGES 53 (including cover)

City of Greater Dandenong

Local Law No. 2

(General Local Law)

Date: --/--/ 2021

Notes on the City of Greater Dandenong Local Law No.2 (Community Amenity)

- 1. This document is a consolidation and re-structure of Council's previous:
 - Greater Dandenong City Council Local Law No.2 of 2011 (Municipal Amenity)
 - Greater Dandenong City Council Local Law No.3 of 2011 (Road Management and Asset Protection)
 - Greater Dandenong City Council Local Law No.4 of 2011(Municipal Places)



City of Greater Dandenong

Local Law No. 2 of 2021

(General Local Law)

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CITY OF GREATER DANDENONG

LOCAL LAW NO.2 of 2021 (General Local Law)

PART 1 - PRELIMINARY PROVISIONS

1. Title

This is the City of Greater Dandenong Local Law No. 2 of 2021 (General Local Law).

2. Purpose

The purpose of this Local Law is to provide for the safety, order and good governance of the City of Greater Dandenong in a way that is complementary to *Council's* Council Plan by:

- (1) managing the uses and activities on *roads* and *Council land* so that *Council* is aware of uses or activities which may:
 - interfere with the safety and convenience of people travelling on or using roads or land; and
 - impede free and safe access for people, in particular for those with sight and movement impairment or disabilities; and
 - (c) cause damage to Council and community assets; and
 - (d) create a danger or expose others to risk; and
 - (e) be detrimental to the amenity of the area or the enjoyment of facilities on *roads* or *land*:
- (2) managing, regulating and controlling uses and activities which may:
 - (a) be dangerous, cause a nuisance or be detrimental to the amenity of the area or the environment; and
 - interfere with a healthy and safe environment in the municipal district for residents, workers and visitors;
- (3) identifying uses and activities where a permit is not required but conditions are applicable to the use or activity so that the purposes identified in sub-clauses (1) and (2) are achieved; and
- (4) providing for the administration of *Council's* powers and functions.

3. Authorising Provision

This Local Law is made under Section 111(1) of the *Local Government Act 1989* and Section 42 of the *Domestic Animals Act 1994*.

4. Commencement, revocation and area of operation

This Local Law:

- (1) commences on 1 July 2021;
- (2) ceases to operate on 30 June 2031, unless revoked earlier; and
- (3) operates throughout the whole municipal district.

5. Revocation of other Local Laws

From the date of commencement of this Local Law, the following local laws are revoked:

- Greater Dandenong City Council General Local Law's No.2 of 2011(Municipal Amenity);
- (2) Greater Dandenong City Council General Local Law's No.3 of 2011(Road Management and Asset Protection); and
- (3) Greater Dandenong City Council General Local Law's No.4 of 2011(Municipal Places).

6. Definitions of Words used in this Local Law

In this Local Law:

Act means the Local Government Act 1989.

advertising sign

means any placard, sign, real estate signage/pointer board, notice, poster, mobile billboards, banner or projected image or other similar device, whether portable or affixed or attached to any bicycle or *vehicle*, which is used for the purposes of:

- soliciting sales including:
 - advertising real estate open for inspections or pending sales or auctions;
- notifying the presence or location of a property where goods or services may be obtained;
- advertising and seeking support for a candidate in an upcoming political election; or
- notifying an event or competition, including a political, community or recreational event,

but does not include an advertising sign which requires and has been granted a permit under the *Planning Scheme*.

animal

includes every species of four-footed animal and every species of bird (including, without limitation, poultry).

animal litter device

means a device suitable for the purpose of collecting, removing and disposing of an *animal's* faeces and includes a paper or plastic bag.

Final Draft Greater Dandenong City Council Local Law – 17 May 2021.

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appropriate fee

means the fee determined by *Council* and listed in *Council's* Annual Budget documents.

Asset Protection Permit means a written *permit* issued by *Council* for the protection of public assets and infrastructure during *building works*.

authorised officer

means a person appointed pursuant to Section 224 of the *Local Government Act 1989* as an authorised officer for the purposes of this Local Law.

barbeque

Means any fixed or portable device designed exclusively for meals preparation and fired by gas, electricity or a flammable material.

builder

means:

- the person who is nominated as the builder in a building permit issued under the Building Act 1993 allowing building works to be conducted on a building site; or
- the person in charge of any building works being carried out on a building site; and/or
- the owner of a building site.

builder's refuse

includes any solid or liquid domestic or commercial waste, debris or rubbish, and, without limiting the generality of the above, includes any glass, metal, plastic, paper, fabric, wood, food, vegetation, soil, sand, concrete, rocks and other waste material, substance or thing generated by or in connection with *building works*.

building

includes any structure or building, whether temporary or permanent, or part of such structure or building.

building site

includes any land on which building works are being undertaken.

building works

Includes any work that is involved with:

- the construction, demolition, renovation or removal of a building, including landscaping and concreting;
- the delivery of machinery, products or materials used or intended to be used in the construction, demolition, renovation or removal of a building; or
- excavation, road making, drainage or any other preparatory or ancillary works relating to a building site.

bulk rubbish container means a bin, container or other structure designed or used for holding a substantial quantity of rubbish that is unable to be lifted or relocated without mechanical assistance but does not include bins or containers used in connection with the regular collection of domestic, commercial, industrial or trade waste.

busk and busking means entertainment that involves playing any musical

instrument, singing, haranguing, reciting, performing, juggling, dancing or engaging in miming or puppetry, and any like performance for money, gifts or other

reward.

camp means using a tent, caravan, motorhome, vehicle,

shipping container, or any other movable or temporary form of accommodation (including sleeping bags or

swags).

carriageway means the portion of the road generally available for

traffic by vehicles (whether sealed, formed or

unconstructed).

charity bin includes clothing recycling bin and any other receptacle

used to collect donated goods for charities.

Chief Executive Officer means the Chief Executive Officer of Council.

Civil Works Permit

means the written consent from *Council* where *Council* is the coordinating road authority to undertake any activity which digs up or opens any part of a *road* reserve or *Council* land.

This includes the:

- digging up;
- excavating;
- · trenching,
- core sampling; or
- connecting of services such as:
 - water;
 - o gas;
 - stormwater;
 - o communication infrastructure; and
 - underground power.

It also includes any works associated with the:

- reinstatement of:
 - footpaths;
 - o nature strips;
 - laneways;
 - car parks; or
 - o roadways.

clothing recycling

bin

means a bin or similar container used for the collection of used clothing.

commercial premises means premises used:

- primarily for commercial purposes, including educational purposes; or
- as a hostel, rooming house or student dormitory; or
- for short-term accommodation or other accommodation, for financial gain.

construction period

means the period during which building works are carried out.

Final Draft Greater Dandenong City Council Local Law – 17 May 2021

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Council means Greater Dandenong City Council.

Council assets and public assets

means footpaths, kerb and channel, nature strips, parking signs, irrigation or sprinkler systems, trees, shrubs and other vegetation, street furniture, *vehicle crossings* or other *Council* property or works forming

part of a road or Council land.

Council land means land, buildings and facilities which are owned or

occupied by or vested in *Council* or in respect of which *Council* has the care and management and to which the public has access (whether an entry fee is paid or not), and includes a *public place* and *roads* and *road related*

areas

crane has the same meaning as the Occupational Health and

Safety Regulations 2017.

declared road means a road for which the Department of Transport or Head, Transport for Victoria is the co-ordinating road

authority under the Road Management Act 2004.

designate and designated by Council means designated by *Council*, or an *authorised officer* through the exercise of a delegated power or performance of a delegated function, the details of

which appear on Council's website.

footpath means the area between the property boundary and the kerbside of a road that is provided for use by

pedestrians, cyclists, people in wheelchairs, or persons

pushing a pram or similar.

emergency services worker means a member of the Country Fire Authority, a member of Fire Rescue Victoria, an Ambulance Victoria paramedic, or any other worker called to the scenes of an emergency or crime and whose role is to minimise risk after an event or to provide assistance to those individuals at the scene of an emergency or crime.

heavy vehicle

has the same meaning as in Rule 200(3) of the Road Safety Road Rules 2017.

Hoon Event

means one or more *vehicles* being driven in a manner that intentionally or recklessly leads to the *vehicle/s*:

- losing traction;
- · racing;
- time trialling; or
- emitting undue noise or smoke.

incorporated document

means any document identified by clause 7 of this Local Law as incorporated into this Local Law.

itinerant trading means:

offering goods or services free of charge;

selling or offering for sale goods or services;

hiring or offering to hire goods or services; or

conducting market research

from a temporary location, from place to place, from a

vehicle or by going from door to door.

has the same meaning as in the Planning and land

Environment Act 1987.

means a road which is not a declared road. local street

minor building works

means building works valued at less than \$5,000 but excludes demolition and removal of buildings and other

structures (regardless of value).

means the amount prescribed by Section 110(2) of the penalty unit

Sentencing Act 1991 for a local law.

permit means:

> a permit issued under this Local Law which authorises a use or activity;

an Asset Protection Permit;

a Civil Works Permit; or

a Vehicle Crossing Permit

and, if applicable, may also include a licence or a lease.

place, placed, places, placing and placement

means permitting the relevant object or skip bin to remain on a footpath or road, as well as the actual act of putting the object or skip bin on a footpath or road.

Planning Scheme

means the Greater Dandenong Planning Scheme operating in the municipal district and made under the provisions of the Planning and Environment Act 1987.

planter boxes

means a container made of any material designed to display plants on footpaths or for segregating parts of the footpath (whether containing plants or not)

Police Officer

means a sworn member of the Victoria Police.

public body

means a body established for a public purpose by or

under any Act.

public place

has the same meaning as in the Summary Offences Act

1966.

public space event

means an organised sporting, recreational, cultural, commercial, political rallies, protests or social gathering of thirty (30) or more people, including a market, promotional activity or wedding, which is held on a road

or Council land.

redundant

means no longer required or of use, whether because of a change in the use of the land in respect of which the vehicle crossing was constructed or otherwise.

refuse facility

means a suitable rubbish receptacle capable of retaining all waste material and *builder's refuse* within the *building site* and preventing removal by unauthorised persons or the intervention of wind or water.

registered

means, in respect of a *vehicle* or *trailer*, registered by the Department of Transport or Head, Transport for Victoria under the *Road Safety Act 1986* or by an equivalent registration authority in another State or Territory.

reserve

means any park, garden, reserve or other place of public recreation or resort which is owned or maintained by *Council*.

residential premises

road

means premises used primarily for residential purposes.

includes:

- a street;
- a right of way;
- a laneway;
- any land reserved or proclaimed as a street or road under the Crown Land (Reserves) Act 1978 or the Land Act 1958;
- a road as defined by the Road Management Act 2004;
- a passage;
- a cul de sac;
- a by-pass;
- a bridge or ford;
- a footpath, bicycle path or nature strip; and
- any culvert or kerbing or other land or works forming part of the road.

road related area

has the same meaning as in rule 13 of the *Road Safety Road Rules 2017*.

screen

means a covered frame or the like, movable or fixed, serving as a partition between the *footpath* and the *road* or segregating parts of the *footpath*.

security bond

means a payment or guarantee made to *Council* for the purposes of securing *public assets* and infrastructure from the cost of reinstating damage caused during *building works*.

senior officer

means the member of *Council* staff holding the office or position to which has been delegated a power by the *Chief Executive* Officer, under the provisions of Section 78(d) of the *Act* and clause 64 of this Local Law.

standard condition

means any condition identified as a standard condition by *Council*.

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stormwater system means a system which provides for the conveyance of

stormwater run-off, including kerb and channel, open channels, underground pipe systems and natural

waterways.

street party means an organised social gathering of up to 150

people which is held on a *road* or *Council land* for the sole purpose of bringing together people in an area or

community.

temporary vehicle

crossing

means a Council approved crossing, that extends from the boundary of land over any public assets such as footpaths, nature strips, kerbs and channels to the road, and is designed to minimise damage to public assets caused by vehicles and materials entering and leaving the land during the currency of building works.

trailer has the same meaning as in the Road Safety Act 1986.

unregistered means, in respect of a vehicle or trailer, a vehicle or

trailer that is not registered.

vehicle has the same meaning as 'motor vehicle' in the Road

Safety Act 1986 but does not include a bicycle,

motorised scooter or tram.

vehicle crossing means a concrete slab structure constructed in

accordance with Council's engineering standards which allows or facilitates access from a road to land

which abuts that road.

7. Incorporation of Documents

- (1) The document titled "Footpath Activity Code of Practice", as made and amended by Council from time to time and published on Council's website, is hereby incorporated into this Local Law.
- (2) The document titled "Policy Use of Fireworks", as made and amended by Council from time to time and published on Council's website, is hereby incorporated into this Local Law.
- (3) The document titled "Nature Strip Guidelines", as made and amended by Council from time to time and published on Council's website, is hereby incorporated into this Local Law.

8. Interpretation

- (1) The provisions of the Interpretation of Legislation Act 1994 are to be applied to assist in the interpretation of this Local Law, and in ensuring the delivery of the objectives of this Local Law.
- (2) Any activity or other matter that requires consent or approval of Council under the Road Management Act 2004 is to be evidenced by way of the grant of a permit under this Local Law.
- (3) Introductions to Parts and Notes do not form part of this Local Law. They are provided to assist understanding.

PART 2 - ACTIVITIES AND USES REQUIRING A PERMIT

9. Introduction to Part 2.

In this Part, provision is made for a *permit* or consent (as the case may be) to be obtained from *Council* **before** a person carries out the following uses or activities:

- o placing footpath objects as specified in clause 11;
- placing advertising signs as specified in clause 12;
- itinerant trading as specified in clause 13;
- o occupation of a road as specified in clause 14;
- o opening or excavation of a road or road related areas as specified in clause 15;
- o having a public space event as specified in clause 16;
- o holding a street party as specified in clause 17;
- busking as specified in clause 18;
- fundraising and promotional activities and any form of street stall as specified in clause 19;
- o placing bulk rubbish containers as specified in clause 20;
- o connecting into Council drains except where exempted by clause 21,
- o keeping excess numbers of animals as specified in clause 22;
- commencing, carrying out or allowing to be carried out building works as specified in clause 23;
- carrying out works where those works may damage Council assets as specified in clause 24;
- o discharging fireworks as specified in clause 25; and
- keeping or allowing to be kept a heavy vehicle on residential premises as specified in clause 26.

DIVISION 1 – MANAGEMENT BY PERMIT

10. Permits and Offences

(1) A person who fails to obtain a permit when a permit is required under this Local Law is guilty of an offence against this Local Law.

Penalty: 20 penalty units (unless provided otherwise)

- (2) In addition to the requirement to obtain a permit, a person must comply with:
 - any requirements or limitations that this Local Law applies to a use or activity under this Part;
 - (b) any requirement that an *incorporated document* applies to the use or activity authorised by the *permit*, and
 - (c) any conditions placed on the issuing of a permit.

Penalty: 20 penalty units (unless provided otherwise)

- (3) In deciding whether to grant a *permit* under this Local Law, *Council* may take into consideration whether the proposed use or activity will:
 - (a) comply with any related policies of Council;
 - (b) cause a danger or hazard to pedestrians, other users or vehicles;
 - (c) disturb, annoy or disrupt adjacent property owners or occupiers;
 - (d) be detrimental to the amenity of the area;
 - (e) be done without destruction to vegetation on roads or Council land;
 - (f) have the potential to cause damage to Council assets;
 - (g) require approval or compliance with requirements under any other legislation;
 - require the consent, or should be referred to obtain the opinion, of any other public authority;
 - require additional arrangements to be made for wastewater disposal, litter and garbage disposal, lighting and security and advertising signs;
 - (j) obstruct a footpath; shared user path or cycleway;
 - (k) necessitate the applicant to have insurance against any risk;
 - necessitate a written indemnification of Council against liability arising from activities authorised by the permit; and
 - require consideration of any other matters relevant to the circumstances of the application.

DIVISION 2 - EXPANDED REQUIREMENTS, LIMITATIONS AND EXEMPTIONS

11. Footpath Activities

Permit requirement

- (1) A permit is required to place one or more of the following objects on a footpath:
 - (a) tables;
 - (b) chairs;
 - (c) umbrellas;
 - (d) screens;
 - (e) planter boxes;
 - (f) goods for sale; or

(g) other equipment ancillary to a business;

Criteria for grant of permit

- (2) In deciding whether to grant a permit for the placement of an object on a footpath, Council may have regard to:
 - the effect on pedestrian traffic flows, cyclists, or other persons using an active transport mode and their safety;
 - (b) the impact on the appearance of the street and its surroundings;
 - (c) the impact on residential amenity;
 - (d) the duration of the use;
 - (e) the effect on vehicular traffic flows and safety;
 - (f) safety and compatibility with other uses in the street;
 - (g) whether it is complementary to the primary adjoining use;
 - (h) whether it is less intensive than the primary adjoining use;
 - (i) the applicant's previous record of compliance;
 - (j) any relevant policies of Council; and
 - (k) any other matter relevant to the application.

Placement of footpath objects to comply with Code of Practice

(3) A person placing an object on a footpath must comply with the Footpath Activity Code of Practice.

Offence not to comply with Code of Practice

(4) A person who fails to comply with the requirements of the *Footpath Activity Code of Practice* is guilty of an offence against this Local Law.

Sale and consumption of liquor

(5) Liquor can be sold or consumed on a *footpath*, providing this condition has been included in the relevant person's *permit*.

12. Advertising Signs

Permit requirement

(1) A permit is required to place an advertising sign on or in a reserve or on Council land

Advertising Signs Placed on Land That is Not Council Land

(2) In order to provide clarity, where an advertising sign is proposed to be placed on land or fixtures that are not Council land, the requirements of the Planning Scheme apply, and not the provisions of this Local Law.

Note: This clause of the local law does not relate to Bill Posting. Bill Posting is a littering offence under the provisions of the *Environment Protection Act 2017*, and *authorised officers* will respond to bill posting under those provisions.

Offence to fail to comply with this clause

- (3) If an advertising sign is placed in breach of this clause 12:
 - the person who is the owner of the business, event or activity to which the advertising sign relates; and
 - the person who has the management and control of premises, property, business, event or activity to which the advertising sign relates; and
 - (c) the person who is the promoter of the premises, property, business, event or activity to which the advertising sign relates; and
 - (d) the person who is responsible for the placement, siting or distribution of the advertising sign (including, without limitation, the person who engages another whether as an employee or agent to place, site or distribute the advertising sign),

is each guilty of an offence against this Local Law, whether or not the person who placed the *advertising sign* is identified or prosecuted.

13. Itinerant Trading

Permit requirement

- (1) A *permit* is required to engage in *itinerant trading*, from:
 - (a) a vehicle; or
 - (b) any other temporary method of transport, including a caravan, bicycle, trailer, table, stall or other similar structure or thing;

on a *road related area* or in a *public place* adjacent to a *road* or to sell or offer for sale goods or service to a person on a *road* or in a *public place*.

Exemption from permit requirement

(2) The requirement to obtain a permit for itinerant trading does not apply where a person (including a benevolent or charitable organisation) has written permission from Council for the provision of free services at a designated location.

14. Occupation of Roads

Permit requirement

- (1) A permit is required to occupy (whether wholly or partially) a road:
 - (a) for any works that involve/s:
 - (i) fencing off part of the road;
 - (ii) erecting a hoarding, scaffolding or overhead protective awning;
 - (iii) using a mobile crane or travel tower for any building works;
 - (iv) making a hole or excavation;
 - (v) reinstating a hole or excavation; or
 - (vi) leaving or storing any building, paving or other construction materials or any tools, machinery, plant or equipment; or
 - (b) for any other non-road purpose which does not involve a public space event.

15. Opening or Excavation of Roads and Road Related Areas

 A Civil Works Permit is required to open or excavate (whether wholly or partially) a road or road related area.

Exemption from permit requirement

- (2) The requirement to obtain a Civil Works Permit or permit under sub-clause (1) does not apply to the works of service authorities:
 - (a) in an emergency or urgent circumstance as defined by the *Road Management Act 2004*; or
 - (b) when works are being carried out in accordance with the Road Management Act 2004.
- (3) The requirement to obtain a Civil Works Permit or permit under sub-clause (1) does not apply to the works of contractors undertaking any works within a road or road related area for or on behalf of Council.
- (4) Nothing in sub-clause (2) or (3) exempts a person from an obligation to notify Council of the location of the works prior to them beginning or, in an emergency or urgent circumstances, on the next working day following the works beginning.

Additional criteria for grant of a permit

- (5) In considering whether to grant a permit to occupy a road under sub-clause (1), in addition to the matters specified in clause 10(3) Council must have regard to:
 - (a) the nature and duration of the works;

- (b) the likely hazard that the works may constitute to users of the road;
- (c) the impact of the works on the amenity of the adjoining area;
- (d) whether an indemnity/guarantee has been provided to Council; and
- (e) any other matter relevant to the circumstances of the application.

16. Public Space Events

Permit requirement

(1) A permit is required to conduct a public space event on a road or on Council land.

Application requirements

- (2) An applicant for a *permit* to hold a *public space event* must provide:
 - (a) details of the event in the format required by Council;
 - (b) detailed event operations and management plans;
 - (c) detailed traffic management plans;
 - (d) evidence of support from emergency service providers;
 - (e) proof that approval has been sought for all other regulatory requirements, including (but not limited to) liquor licences, Phonographic Performance Company of Australia Ltd (PPCA) licences and building permits; and
 - a certificate of currency indicating that the applicant has public liability insurance with a cover of at least \$10 million.

Conditions on permit for public space event

- (3) Without limiting Council's powers under Part 5 of this Local Law, in granting a permit for a public space event, Council may require:
 - (a) additional applications for *permits* for extended street trading; and
 - additional applications for liquor licences from licensed premises for consideration by Council.

Notice to affected persons

- (4) If Council grants a permit for a public space event then, having regard to the type of public space event that is to occur, the applicant must if required in writing by an authorised officer to do so:
 - (a) provide specific details to affected residents and businesses in writing on the extent of traffic closures and other measures to be taken relating to the *public space event*; and
 - (b) undertake any other notification that *Council* considers relevant to the circumstances or that is required by this Local Law.

Council may alter parking restrictions

(5) If Council has granted a permit for a public space event, Council may apply revised parking restrictions for the period of the public space event.

17. Street party

Consent to hold a street party

(1) A person must not conduct or hold a street a street party without Council's written consent to hold a street party.

Consent may be subject to conditions

(2) In granting consent to hold a street party, Council may impose any condition it considers appropriate in the circumstances.

Street parties not to be held on declared roads

(3) A street party may be held on a local street but <u>must not be</u> held on a declared road

18. Busking

A permit is required to busk on a road or Council land.

19. Fundraising and Street Stalls

A permit is required to engage in:

- (a) a fundraising activity; or
- (b) conduct a street stall,

on a road or Council land.

20. Bulk Rubbish Containers (Skip bins)

Permit requirement

(1) A permit is required to place a bulk rubbish container on a road or Council land.

Additional criteria for grant of a permit

- (2) In considering whether to grant a permit for a bulk rubbish container under this clause, in addition to the criteria specified in clause 10(3) Council must have regard to:
 - (a) whether the placement will obstruct the passage of vehicles and pedestrians, obscure the view of motorists or present a physical hazard.
 - (b) whether the *placement* will contravene any traffic control signs;

- (c) whether hazard lights can be securely attached on the side nearest passing traffic or placed on a *carriageway*, so as an approaching motorist can identify the extent and form of the container;
- (d) the need to protect Council assets;
- (e) whether the activity is covered by appropriate insurance and the applicant has provided an indemnity/guarantee to Council, and
- (f) any other matter relevant to the circumstances of the application.

Offence to place unidentified bulk rubbish container

(3) A person must not *place* or allow to remain on *Council land* a *bulk rubbish* container which does not prominently display the name and contact details of the person responsible for the *bulk rubbish container*.

21. Connecting into Council drains

Permit requirement

(1) Subject to sub-clause (2), a *Civil Works permit* is required to tap into or interfere with any *Council* drain.

Exemption from permit requirement

(2) The requirement to obtain a Civil Works permit does not apply where Council has certified a plan of subdivision or given its approval for the drain to be tapped under other legislation administered by it.

22. Keeping an excess number of animals or roosters

Permit requirement

(1) Unless permitted under the *Planning Scheme*, an owner or occupier of *land* must obtain a *permit* to keep or allow to be kept on *land*, any more of each species or group of *animals* than is specified in this clause.

Type of Animal	Property Size 400sqm or less Maximum numbers allowed.	Property Size More than 401sqm but less than 5000sqm Maximum numbers allowed.	Property Size 5001sqm or more Maximum numbers allowed.
Birds (including Poultry)	5 (in total combined)	20 (in total combined)	As per any Planning Scheme Requirement
Roosters	NIL	NIL	Allowed
Cats	2	2	4
Dogs	2	2	4
Ferrets, Guinea Pigs, Rabbits or Rodents	3 (in total combined)	8 (in total combined)	As per any Planning Scheme Requirement

Penalty:10 penalty units

Further permit required

- (2) A permit issued under sub-clause (1) is valid for the animals named in the permit at the address stated in the permit. A new permit is required if:
 - (a) any additional animals are acquired; or
 - (b) the animals are moved to a new address within the municipal district.

Standard Permit conditions

- (3) In addition to any other permit conditions required by Council, the standard conditions for a permit allowing an excess number of animals to be kept must require:
 - the permit holder to comply with any applicable condition or standard imposed by the *Planning Scheme* now or in the future;
 - (b) that poultry or animal housing is located on the property so that the amenity of the area or other premises is not affected by nuisance, noise or odour experienced because of proximity of the poultry or animal housing;
 - (c) the permit holder to only construct or use poultry or animal housing that, in the opinion of an authorised officer, has adequate roofing,

drainage, is rat proof and has a floor paved with impervious material; and

(d) all poultry and animal housing to be maintained so that it does not cause a nuisance or offensive conditions or harbour vermin.

Period of permit

(4) A permit for the keeping of excess numbers of animals is valid for the life of those animals originally permitted.

Animals to be adequately housed

- (5) An owner or occupier of *land* must keep *animals* housed on that *land* in a way which:
 - (a) is adequate and appropriate for the type and numbers of animals being kept;
 - (b) is not offensive;
 - (c) protects adjoining properties from animal noise; and
 - (d) does not adversely impact on the amenity of the area.

Penalty: 10 penalty units

Offence to keep a rooster on land sized 5000 square metres or less

(6) An owner or occupier of a block of land sized 5000 square metres or less must not keep, allow to be kept or harbour on that block of land any rooster.

Penalty: 10 penalty units

23. Building Works - Times When Work Is Not Permitted

Permit required to work outside of certain hours

- (1) A *permit* is required to carry out or cause or allow to be carried out any *building works* between the hours of:
 - (a) 6:00 p.m. and 7:00 a.m. Monday to Friday (other than a public holiday); or
 - (b) 6:00 p.m. and 9:00 a.m. on any other day, including a Public Holiday.
- (2) Nothing in this clause applies to building works carried out during times allowed in a permit issued under:
 - (a) the Environment Protection Act 2017;
 - (b) the Planning and Environment Act 1987; or
 - (c) any regulations made under those Acts.

24. Asset Protection Permits and Requirements for a Builder

Permit requirement

 A builder requires an Asset Protection Permit prior to commencing, carrying out or allowing to be carried out building works on land.

Council may exempt

(2) Council may exempt a builder from the operation of this clause whether in whole or in part.

Conditions on Asset Protection Permit

- (3) Without limiting *Council's* powers under this Local Law, an *Asset Protection Permit* issued under this clause may be subject to such conditions as *Council* determines including:
 - requirement to maintain a public liability insurance policy with a cover of not less than \$10 million per claim, for the duration of the building works;
 - (b) to pay a security bond in accordance with the provisions of this Local Law
 - (c) requirement that a copy of the permit be available on the building site always;
 - that all works and deliveries are carried out in accordance with any relevant and specified Construction Standards that Council may have adopted;
 - that no works or deliveries affect access to, or the safe navigation of, a road or a road related area may be undertaken, unless prior approval is granted by an authorised officer;
 - that materials may not be stored on a road or a road related area, unless prior approval is granted by an authorised officer;
 - (g) that, where permission is granted to undertake works or material storage on a road or a road related area, such area must be restored to a safe, clean and tidy condition to Council's satisfaction, by conclusion of the works;
 - that any or all public assets or infrastructure damaged as a result of the works or deliveries be repaired, replaced or re-instated within a specified time, in accordance with this Local Law;
 - that Council be notified prior to the commencement of any works or deliveries, in accordance with the provisions of this Local Law;
 - that Council be notified of any pre-existing asset damage prior to the commencement of any works or deliveries, in accordance with the provisions of this Local Law;
 - (k) that Council be notified when works have been completed;

- that a temporary vehicle crossing be installed to Council's specification before commencement of any building works or deliveries:
- (m) that any construction of any permanent vehicle crossing be completed within a specified time; and
- (n) a waiver of the requirements for onsite refuse containers.

Expiry period of an Asset Protection Permit

(4) Contrary to any expiry date specified for other permits issued under this Local Law, an Asset Protection Permit expiries on the date specified in the permit, or if not specified, 12 months after the date of its issue unless Council extends or renews it following application to do so by the builder.

Permanent or temporary vehicle crossings required

- (5) On any land at which building works are being or is to be carried out, vehicular entry to the land must only take place across:
 - (a) a permanent vehicle crossing; or
 - (b) a temporary vehicle crossing authorised by a Vehicle Crossing Permit and an Asset Protection Permit issued in respect of that land.

Council to be notified of certain event

- (6) Regardless of whether a building permit has been issued, a builder proposing to carry out building works must:
 - (a) notify Council in writing of the proposed building works at least seven (7) days before building works commence;
 - (b) provide to Council written notice of any prior damage to any part of the road or road related area at least seven (7) days before building work commence or the delivery of any equipment or materials to the land; and
 - (c) notify Council in writing of the completion of the building works, other than minor building works, within one (1) business day of such completion.

Effect of failing to notify Council

(7) If the builder fails to give written notice in accordance with sub-clause (6), such failure will be construed as evidence no part of the road or road related area was damaged prior to the commencement of the building works.

Damaged Council Assets to be repaired

- (8) The builder must:
 - (a) repair to Council's satisfaction any damaged:
 - (i) road;

- (ii) channel;
- (iii) drain;
- (iv) vehicle crossing;
- (v) nature strip;
- (vi) street tree; or
- (vii) other asset

vested in Council adjacent to the land where the building works take place, which was not identified in any pre-building inspection report.

(b) Council, at its sole discretion, may accept payment from the builder for the likely costs of repairing any such damage, in lieu of the builder carrying out the repair.

Penalty: 20 penalty units

Amount of security bonds

(9) The value of any security bond required under an Asset Protection Permit will be proportionate to the likely cost of repairing potential damage to existing assets vested in Council and will be set by Council as part of its Annual Budget.

Return or retention of the security bond

- (10) Upon completion of the building works, the amount of the security bond:
 - (a) must be refunded to the person who lodged it, provided that:
 - (i) Council is satisfied that no damage has been caused to its assets; or
 - (ii) that any damage caused has been repaired by, or on behalf of, that person to Council's satisfaction; or that person has paid to Council the likely costs of repairing any such damage, in lieu of the builder carrying them out.
 - (b) Where damage has been caused and sub-clause (10)(a)(i) does not apply, the security bond may be retained by Council to offset the costs of carrying out any works in accordance with this Local Law.

Measures required to manage debris and runoff from building sites

- (11) Where any building works are being carried out on a building site, the builder must, to the satisfaction of Council, adopt measures and manage the site to:
 - (a) minimise the risks of stormwater pollution from builder's refuse;
 - (b) prevent building clean-up, washdown or other wastes being discharged offsite or allowed to enter the stormwater system; and
 - (c) minimise the amount of mud, dirt, sand, soil or stones deposited on the abutting *roads* or washed into the *stormwater system*.

Penalty: 20 penalty units

Builders refuse facility requirements

- (12) Where any building works (other than minor building works) are being carried out on any land, the builder carrying out the building work on the building site must:
 - (a) provide a refuse facility for the purpose of disposal of builder's refuse:
 - (b) place the refuse facility on the land and keep it in place (except for such periods as are necessary to empty the refuse facility) for the construction period;
 - not place the refuse facility on any Council land or road without a permit, and
 - empty the refuse facility whenever full, and, if necessary, provide a replacement refuse facility during the emptying process.

Penalty: 20 penalty units

- (13) Provided the *refuse facility* referred to in sub-clause (13) contains all *builder's* refuse on the *land* to the satisfaction of *Council*, its size, design and construction will be at the discretion of the *builder*.
- (14) The requirement to provide a refuse facility may be waived at Council's discretion.

Builders refuse to be correctly disposed of

- (15) During building works:
 - (a) all builder's refuse which requires containment must be placed in the refuse facility referred to in sub-clause (13);
 - (b) the *builder's refuse* must not be deposited in or on any *land* other than in accordance with sub-clause (13); and
 - (c) the builder's refuse must not be deposited in or over any part of the stormwater system.

Penalty: 20 penalty units

Builder refuse and refuse facility to be removed at the end of building works

(16) On any building site where building works have been carried out, the builder must remove and lawfully dispose of all builder's refuse, including the refuse facility referred to in sub-clause (13), within seven (7) days of completion of the construction period or issue of an occupancy permit, whichever occurs later.

Penalty: 20 penalty units

25. Fireworks

Permit requirement

(1) A *permit* is required to discharge or cause or allow to be discharged any fireworks.

Penalty: 10 penalty units

Requirement to comply with the Policy – Use of Fireworks

(2) Any person discharging or causing or allowing any fireworks to be discharged must comply with the *Policy – Use of Fireworks*.

Penalty: 10 penalty units

Note: Any person discharging fireworks must also adhere to and comply with all Worksafe requirements.

26. Heavy Vehicles

Permit requirement

A *permit* is required to keep or allow to be kept a *heavy vehicle* on *residential* premises.

Penalty: 10 penalty units

PART 3 - CONDITIONAL ACTIVITIES AND USES

27. Introduction to Part 3.

In this Part, provision is made for a person to observe the requirements of this Local Law applicable to:

- industrial, trade and commercial waste by clause 29;
- commercial premises by clause 30;
- domestic waste and recyclable materials by clause 31;
- the location of trees, plants and signs on a property by clause 32;
- the display of property numbers by clause 33;
- vehicle crossings by clause 34;
- parking of vehicles by clause 35;
- the use of Council reserves for organised activities by clause 36;
- the maintenance of stormwater pipes by clause 37; and
- the management of groundwater by clause 38.

DIVISION 1 – MANAGING POTENTIAL NUISANCE USES AND ACTIVITIES

28. Offences

A person who fails to comply with the requirements applied to any of the uses or activities in this Part is guilty of an offence against this Local Law and liable to the penalty specified.

Penalty: 20 penalty units (unless provided otherwise)

29. General Requirements Applying to Industrial, Trade and Commercial Waste

Premises to have adequate waste management arrangements

- (1) The occupier of a property must ensure that any container used for the storage of industrial, trade or commercial waste is:
 - (a) not kept on a road or Council land and is kept on the property for which the container has been obtained unless Council has approved, in writing, an alternative location;
 - (b) constructed of material to prevent leakage, and is water-tight and fly and vermin proof;
 - (c) of a sufficient size to contain all waste generated on the property in between clearances;
 - (d) kept in a clean, sanitary and inoffensive condition; and
 - (e) emptied at least weekly or more regularly if the contents become offensive.

- (2) The occupier of a property must ensure that any area where any container used for the storage of industrial, trade or commercial waste is kept is:
 - (a) always maintained in a clean, sanitary and inoffensive condition;
 - (b) adequately screened from adjoining properties; and
 - adequately fenced or otherwise constructed so that access to the public is not possible.

30. Additional requirements applying to commercial premises

Commercial premises not to place, store, or keep items on Council Land.

(1) An owner or occupier of commercial premises must not allow the use of the premises to detrimentally affect the amenity of the neighbourhood or create a nuisance, by allowing any items, vehicles, or equipment associated with or used by the commercial premises, or forming part of the commercial premises' activities, to be placed, stored or kept on any Council land.

Activities not to cause nuisance

- (2) An owner or occupier of commercial premises must not create or allow a nuisance or detrimentally affect the amenity of an area through:
 - (a) deliveries and collections of goods or waste;
 - (b) noise emissions; or
 - (c) odour or waste emissions

that are associated with the activities of the commercial premises.

Penalty: 10 penalty units

31. Domestic waste and recyclable materials

General obligations in respect of waste

- (1) An owner or occupier of residential premises must:
 - (a) place all domestic waste and recyclable material for collection in bins ready for collection on the days from time to time specified by Council;
 - (b) not use Council supplied bins for any other purpose except for domestic waste or recyclable material;
 - (c) place bins on the verge of the vehicle crossing or road abutting the premises or other location confirmed in writing by Council not earlier than 24 hours before the day of collection;
 - (d) ensure that once the waste has been collected by or on behalf of Council, the empty bins are returned to the premises as soon as practicable but within 24 hours from the collection day;

- (e) ensure that any material that may cause a hazard (or a safety risk) is not placed in bins provided by Council for domestic waste or recycling;
- (f) ensure that, if Council has notified occupiers of a green waste or hard garbage collection, the material to be collected (of the type of green waste or hard garbage) is left for collection in accordance with Council's instructions;
- ensure that any waste from a container that has spilled onto the road, nature strip or surrounding area before collection is removed as soon as practicable; and
- (h) ensure that bins are maintained in a clean and tidy manner so that they do not cause a health threat or offence to any person.

Penalty: 4 penalty units

Storage area to be provided and utilised

(2) The owner or body corporate of any flats or units must provide a clearly defined storage area for the storage of bins and must ensure every occupier keeps the bin allocated to the flat or unit in that defined storage area.

Penalty: 4 penalty units

NOTE: If a bin storage area is shown on the plans of an approved planning permit for the applicable development, then the provisions of the *Planning and Environment Act 1987* regarding *Planning Scheme* and permit compliance and enforcement will apply.

Care and control of waste bins

- (3) A bin allocated to residential premises:
 - (a) is owned by Council; and
 - (b) must be kept and remain on the residential premises unless it is or has been placed out for collection in accordance with this Local Law.

DIVISION 2 – PUBLIC SAFETY AND THE PROTECTION OF ASSETS

32. The location of trees, plants and signs

Pedestrian and vehicular traffic not to be obstructed by overhanging branches etc.

A person must not plant, locate or allow to be located a tree, plant, sign or other similar object in a way that it is obstructing or interfering with pedestrian or vehicular traffic by:

- (1) overhanging any footpath or other part of the road used by pedestrians to any extent up to a height of 3 metres or so that it gets in the way of pedestrians or is likely to cause injury or damage; or
- (2) extending over any part of the road in such a way that it:
 - (a) obstructs the view between *vehicles* at an intersection; or
 - (b) obstructs the view between vehicles and pedestrians; or

- (c) obstructs any Council assets, including drains; or
- obscures a traffic control item from an approaching vehicle or pedestrian; or
- (e) obscures street lighting; or
- (f) constitutes a danger to vehicles or pedestrians or compromises the safe and convenient use of the road.

Penalty: 5 penalty units

33. Display of property numbers

Where *Council* has allocated street numbers to a property the owner or occupier of that property must ensure that the number allocated is clearly displayed by ensuring that it can be clearly read in normal lighting conditions from the *road* immediately adjacent to the front boundary.

Penalty: 2 penalty units

34. Vehicle crossings

Permit requirement

 A permit is required to construct, or cause to be constructed, a temporary vehicle crossing or permanent vehicle crossing.

Penalty: 20 penalty units

Power to require construction or repair vehicle crossing

- (2) An authorised officer may, when satisfied:
 - (a) that an owner or occupier of any adjacent *land*, is or may in the future be accessing or egressing the *land* via a *vehicle*; or
 - (b) that any future owner or occupier of the land may require access or egress to or from the land in a vehicle,

by giving notice in writing, require the owner or occupier of any adjacent land:

- to construct a temporary vehicle crossing or permanent vehicle crossing; or
- (d) repair or reconstruct an existing vehicle crossing.

Land to be accessed by vehicle crossings

(3) A person must not access or egress *land* in a *vehicle* other than via a *Council* approved *vehicle crossing*.

Penalty: 10 penalty units

Power to require removal of vehicle crossing

(4) Council or an authorised officer may, by giving notice in writing, require the owner or occupier of any adjacent land that would be, or is accessed or egressed by a vehicle crossing, to:

- (a) remove the vehicle crossing; and
- (b) reinstate any kerb, drain, footpath, nature strip or other part of a road.

if, in the opinion of Council or an authorised officer, the vehicle crossing:

- (c) is redundant,
- (d) has been constructed in breach of any provision of this clause or a permit;
- (e) has not been properly maintained; or
- (f) is in a state of disrepair.
- (5) Council or an authorised officer may, by giving notice in writing, require the owner or occupier of any adjacent land that is accessed (or is capable of being accessed) or egressed (or is capable of being egressed) by means of access other than a vehicle crossing to:
 - (a) reconstruct the means of access to a standard specified by *Council*;
 - (b) carry out any related works to the kerb, drain, footpath, nature strip or other part of a road.

Owner / occupier to comply with notice

(6) An owner or occupier of land to whom a notice in writing is given under subclause (2), (4) or (5) must comply with that notice.

Penalty: 20 penalty units

(7) Any work in respect of a vehicle crossing must be constructed in accordance with Council's Engineering Standards, as published and made available to the public from time to time.

Penalty: 10 penalty units

35. Parking offences

Operator onus offences

(1) The offences contained in this clause are "operator onus" offences for the purposes of Part 6AA of the *Road Safety Act 1986*.

Note: Readers should refer to Part 6AA of the *Road Safety Act 1986* for more information about "operator onus" offences.

Offence to drive or park a vehicle on reserve

(2) A permit is required to drive a vehicle or leave a vehicle standing on any reserve or Council land, but not a road.

Penalty: 4 penalty units

Council may seek costs to rectify damage

(3) Where damage is caused to a reserve or Council land, or anything in or on a reserve or Council land, by a person in breach of sub-clause (2), Council may institute proceedings to recover the costs incurred by or on behalf of Council in rectifying the damage.

Exemption available to certain classes of persons

- (4) Sub-clause (2) does not apply:
 - (a) to a staff member of Council or a public body (or other person authorised by Council or the public body for this purpose), a Police Officer or a staff member of an emergency service acting in the course of his or her duties. or
 - (b) when a driver is driving a vehicle in that part of a reserve or Council land designated and constructed as being an area of access or egress to or within the reserve or Council land, or
 - (c) when a driver leaves standing a vehicle in a designated parking area within a reserve or Council land.

Offence to leave unregistered vehicle or trailer in public place

(5) A person must not park, or leave standing, an unregistered vehicle or trailer in a public place.

Penalty: 4 penalty units

36. Use of Council Reserves

A *permit* is required to use a *reserve* for the purpose of organised training or conducting an organised sporting activity.

Penalty: 20 penalty units

37. Maintenance of stormwater pipes

An owner of *land* must not allow a stormwater drain (including the legal point of discharge) servicing the *land* to be in disrepair.

Penalty: 5 penalty units

38. Ground table water management

Prevention of contamination of stormwater systems

(1) The owner of any land that is developed and on which a groundwater pump and filtration system to pump filtered groundwater into the stormwater system operates must, upon being requested by Council to do so, provide Council with evidence that the pump and filtration system have been serviced within the previous 12 months and are operating in accordance with relevant standards.

Authorised officer can direct equipment to be serviced

(2) An authorised officer may direct the owner of land to arrange a suitably qualified person to service and test the ground water pump and filtration system, if it has not been serviced within the previous 12 months.

Owner of land must comply

(3) A failure to comply with a request under sub-clause (1) or a direction under sub-clause (2) is an offence.

Penalty: 10 penalty units

39. Incinerators, fires and open air burning

Open air fires / incinerators not to be lit

- (1) A person must not, without a permit:
 - (a) light a fire;
 - (b) allow a fire to be lit; or
 - (c) allow a fire to remain alight

in the open air or in an incinerator on any land.

Penalty: 10 penalty units

(2) When considering to issue a permit under sub-clause (1), Council may only grant a permit to burn within the area designated rural, industrial or commercial under the Planning Scheme for the purpose of fuel reduction, regeneration of indigenous plants, eradication of prohibited weeds or diseased plants, or for a purpose required under any other legislation, or as is deemed necessary by Council.

Barbecues excepted

(3) Subject to the requirements of any other legislation, the prohibition in subclause (1) does not apply to a person who uses a *barbecue* for the purposes of cooking food.

Chimenea & Fire Pits excepted

(4) Subject to the requirements of any other legislation, the prohibition in subclause (1) does not apply to a person who lights a fire in a chimenea, fire pit or other appliance constructed for the purposes of heating while it is being used for that purpose.

Note: This clause is not intended to adversely affect or impact on the community's use of fire as part of their cultural tradition or religious observance.

PART 4 - ACTIVITIES AND USES NOT PERMITTED

40. Introduction to Part 4.

This Part contains prohibitions on several activities and uses of *land*. Any person who breaches any provision of the Part is guilty of an offence and liable to the penalty which is indicated.

41. Repairing Vehicles on a Road

A person must not dismantle, paint, carry out maintenance or repair a *vehicle* on a *road* except where it is necessary to enable the *vehicle* to be removed or so that it can be driven away within one hour of receipt of a request by an *authorised officer*.

Penalty: 20 penalty units

42. Interfering with Council Assets

- (1) A person must not interfere with or use Council assets in such a way that:
 - (a) damage or detriment could be caused to Council assets; or
 - (b) any other person could be injured or suffer loss as a result of that interference or use.

Penalty: 20 penalty units

Nature strip plantings and modifications (exempt if guidelines complied with).

- (2) Notwithstanding sub-clause (1), a person may:
 - (a) plant vegetation on; or
 - (b) otherwise modify the appearance of

the nature strip immediately outside *land* which they own or occupy if such planting or modification:

- (c) complies with the Nature Strip Guidelines; or
- (d) is approved by an authorised officer.
- (3) A person must not plant out or modify a nature strip outside land which they own or occupy in contravention of:
 - (a) the Nature Strip Guidelines; or
 - (b) an authorised officer's written instruction.

Penalty: 10 penalty units

43. Damage from Adjoining Properties

A person must not allow any tree or plant on *land* owned or occupied by him or her to cause damage to or interfere with a *road* or *Council land* or any drain vested in or under the control of *Council*.

Penalty: 10 penalty units

44. Repair Any Damage

- (1) An *authorised officer* may direct a person who has damaged or interfered with *Council assets* contrary to clause 42 or 43 to repair any damage.
- (2) A person to whom a direction is given under sub-clause (1) must comply with that direction.

Penalty: 20 penalty units

45. Behaviour on Council Land

- (1) A person must not behave on Council land:
 - in a manner which causes interference with the quiet enjoyment by any other person using or living near the Council land;
 - (b) contrary to any conditions, or signs that contain conditions applying to the use of, or entry to, the Council land; or
 - (c) contrary to any direction by an authorised officer.

Penalty: 10 penalty units

46. Camping and Temporary or Provisional Forms of Accommodation

Camping prohibited on Council Land or in a Public Place.

(1) A person must not *camp* on any *Council land* or in any *public place* in a *vehicle*, tent, caravan or any other type of temporary or provisional form of accommodation.

Penalty: 2 penalty units

Use of temporary or provisional accommodation not permitted on land.

(2) A owner or occupier of land must not allow or permit another person or persons, for a period exceeding 28 days in any one calendar year, to inhabit a vehicle, tent, caravan or any other type of temporary or provisional form of accommodation, on that land, unless the land is a licensed caravan park, or that use is permitted under the provisions of the Planning Scheme.

Penalty: 10 penalty units

47. Behaviour Involving Vehicles

(1) A person must not participate in, encourage, or attend a *Hoon Event*.

Penalty: 10 penalty units

(2) The driver of a motor vehicle must not stop or park within 200 metres of a vehicle involved in a Hoon Event.

Penalty: 10 penalty units

48. Consumption of liquor

Offence to consume or possess liquor in an unsealed container

- (1) A person must not:
 - (a) in or at a public place; or
 - (b) in or on a vehicle which is on or at a public place

consume any liquor or have in his or her possession or control any liquor other than liquor in a sealed container.

Penalty: 10 penalty units

Exceptions

- (2) Sub-clause (1) does not apply to a person:
 - taking part in a public space event in respect of which Council has granted a permit for persons to consume liquor or to have in their possession or control any liquor other than liquor in a sealed container; or
 - (b) within authorised premises or licensed premises under the Liquor Control Reform Act 1998 or any subsequent legislation relating to the serving and consumption of liquor.

Authorised officer may issue directions

(3) Where an authorised officer believes on reasonable grounds that a person is contravening or has contravened sub-clause (1), the authorised officer may direct the person to seal any container or dispose of or tip out the contents of any unsealed container.

Offence to fail to comply with a direction

(4) A person to whom a direction is given under sub-clause (3) must comply with that direction.

Penalty: 10 penalty units

49. Dangerous or unsightly land

(1) An owner or occupier of *land* must not allow that *land* to be kept in a manner which is dangerous or unsightly.

Penalty: 20 penalty units

- (2) In determining whether *land* is dangerous or unsightly, an *authorised officer* may have regard to whether:
 - there are any materials or substances on the *land* that are kept in such a way that they may be flammable or explosive;

- the way in which the land is kept, or items are stored on the land may constitute or contribute to it being a health hazard;
- (c) the condition of the land, or any part of it, may promote the presence of vermin and pests;
- (d) the appearance of the land is one of neglect and is out of character with other land in the vicinity; or
- (e) a combination of any of the above factors renders the land to be dangerous or unsightly.

Penalty: 20 Penalty Units

50. Clothing/Charity Recycling Bins

A person must not place a clothing recycling bin or a charity bin on Council land.

Penalty: 10 penalty units

51. Animal Litter

Animal litter to be collected

(1) The owner or person for the time being in charge of an animal must immediately collect and remove all the excrement left by the animal on a road or Council land or in a public place.

Penalty: 4 penalty units

Person in charge of an animal must carry a bag or animal litter device

(2) The owner or person for the time being in charge of an *animal* must carry an *animal litter device* in which to place the excrement of the *animal* when with the *animal* on a *road* or *Council land* or in a *public place*.

Penalty: 4 penalty units

52. Shopping Trolleys

Shopping Trolley Requirements

- (1) The proprietor of any premises, or the manager of a shopping complex, which makes shopping trolleys available for use must ensure that each shopping trolley clearly has displayed information that contains:
 - the name and address of the of the premises or the shopping complex providing the shopping trolley for use;
 - (b) a message to customers about their responsibility to return the shopping trolley to a recognised collection point; and
 - (c) details of how to report an abandoned shopping trolley belonging to the proprietor of the premises, or the management of a shopping complex, which has made the shopping trolley available for use.

Penalty: 10 penalty units

Proprietors and shopping complex management responsibilities regarding shopping trolleys

- (2) The proprietor of any premises, or the manager of a shopping complex, which makes shopping trolleys available for use, must
 - (a) not allow a shopping trolley to be removed from that premise or complex or
 - (b) from any carpark area provided by the premise or complex for customer use.

Penalty: 10 penalty units

- (3) Notwithstanding the requirements of Sub-Clause (2), the proprietor of any premises, or the manager of a shopping complex, which has made shopping trolleys available for use must collect shopping trolleys ordinarily kept within those premises or complex from:
 - (a) Council land; or
 - (b) any other *land* which is not under the care and control of the owner of the shopping trolley

within 24 hours of being notified to do so by Council or an authorised officer.

Penalty: 10 penalty units

PART 5 - ADMINISTRATION AND ENFORCEMENT

53. Introduction to Part 5.

Part 5 contains provisions setting out how the Local Law will be administered and enforced.

DIVISION 1 - PERMITS, FEES AND DELEGATIONS

54. Applying for a permit

- (1) A person who wishes to apply for a *permit* may do so by:
 - (a) lodging with *Council* an application that contains any information required by this Local Law; and
 - (b) paying to Council the appropriate fee.
- (2) An applicant may be requested to provide additional information before an application for a *permit* or for exemption is dealt with.
- (3) Council may require a person making an application for a permit to give public notice which will entitle any person to make a submission and to be heard.

55. Fees and Charges

- (1) Council may, from time to time, by resolution determine security bonds, fees and charges for the purposes of this Local Law.
- (2) In determining any security bond, fees and charges Council may establish a system or structure of fees and charges, including a minimum or maximum fee or charge, if it considers it is appropriate to do so.
- (3) Council may waive, reduce or alter a fee or charge with or without conditions.

56. Issue of permits

Where Council receives an application for a permit, Council may:

- (1) issue a *permit* in the approved form with or without conditions; or
- (2) refuse to issue a permit.

57. Duration of permits

- (1) Subject to a specific clause in this local law, a *permit* is in force until the expiry date indicated on the *permit*, unless it is cancelled before the expiry date.
- (2) If no expiry date is indicated on the *permit*, the *permit* expires on 30 August next after the day on which it is issued.

58. Conditional permits

Power to impose conditions

- (1) A *permit* may be issued which contains conditions considered to be appropriate in the circumstances including (but not limited to) the following:
 - (a) the payment of a fee or charge;
 - (b) the payment of a security bond, other bond or guarantee to Council to secure the proper performance of conditions on a permit or to rectify any damage caused to Council assets as a result of the use or activity allowed by the permit;
 - (c) a time limit to be applied specifying the duration, commencement or completion date;
 - (d) that the applicant be insured against the risk and to provide a written indemnification of *Council* against liability arising from the activity or use:
 - the rectification, remedying or restoration of a situation or circumstance;
 - (f) where the applicant is not the owner of the subject property, the consent of the owner; and
 - (g) the granting of some other permit or authorisation.

Standard conditions presumptively imposed

(2) Unless Council decides otherwise, a permit must contain the standard conditions contained in any relevant incorporated document.

Conditions to be set out in permit

(3) The conditions of a permit must be set out in the permit.

Power to amend conditions

- (4) An *authorised officer* may, during the currency of a *permit*, amend the conditions of a *permit* if he or she considers it to be appropriate to do so.
- (5) In considering whether it is appropriate to amend the conditions on the permit, an *authorised officer* must have regard to:
 - (a) the purposes for which the conditions were imposed;
 - (b) whether those purposes are adequately achieved by the current conditions;
 - the impact of the proposed amendment on the permit holder and any relevant third parties; and
 - (d) any other relevant matter.

Process to be followed in amending conditions

- (6) If an authorised officer proposes to amend the conditions on a permit, he or she must:
 - give the permit holder an opportunity to make submissions on whether the amendment should be made; and
 - (b) consider those submissions in deciding whether to amendment the permit.

59. Cancellation of permit

Power to cancel permits

- (1) A senior officer may cancel a permit if they consider that:
 - (a) there has been a serious or ongoing breach of the conditions of the permit;
 - (b) a Notice to Comply has been issued, but not complied with within seven days after the time specified in the Notice to Comply;
 - (c) there was a significant error or misrepresentation in the application for the *permit*; or
 - (d) in the circumstances, the *permit* should be cancelled.

Process to be followed in cancelling permits

- (2) If a senior officer proposes to cancel a permit, they must:
 - (a) give the permit holder an opportunity to make submissions on whether the cancellation should occur; and
 - (b) consider those submissions in deciding whether to cancel the *permit*.

60. Correction of permits

Power to make corrections

- (1) An authorised officer may correct a permit in relation to:
 - (a) an unintentional error or an omission; or
 - (b) an evident material miscalculation or an evident material mistake of description of a person, thing or property.

Process to be followed in making corrections

- (2) If an authorised officer proposes to correct a permit, he or she must:
 - (a) give the permit holder an opportunity to make submissions on whether the correction should be made; and
 - (b) consider those submissions in deciding whether to correct the permit.

61. Record of Permits Must be Maintained

Council must maintain a record of *permits* issued and refused, including details of corrections or amendments made to *permits* and the reasons why a *permit* was cancelled.

62. Exemptions

- (1) A senior officer may by written notice exempt any person or class of persons from the requirement to have a permit, either generally or at specified times.
- (2) In considering whether to grant an exemption under this clause, a senior officer must have regard to:
 - (a) the reasons for which the exemption is sought;
 - (b) the period for which the exemption is sought;
 - (c) whether it would be reasonable, in all the circumstances, to grant the applicant an exemption to apply for a *permit*;
 - (d) whether the grant of the exemption would be consistent with the purposes of this Local Law;
 - (e) any benefits or detriments that might arise from the grant of the exemption; and
 - (f) any other relevant matter.
- (3) An exemption may be granted subject to conditions.
- (4) A person must comply with the conditions of an exemption.
- (5) An exemption may be amended, cancelled or corrected as if it were a permit.

63. Offences

A person who makes a false representation or declaration (whether oral or in writing), or who intentionally omits relevant information in an application for a *permit* or exemption is guilty of an offence.

Penalty: 10 penalty units

64. Delegations

In accordance with Section 78(c) of the *Act, the Chief Executive Officer* is delegated any and all powers specified in the *Local Law,* including the power to delegate a power to the holder of an office, or to a position or member of *Council* staff, in accordance with Section 78(d) of the *Act.*

DIVISION 2 - ENFORCEMENT

65. Compliance with directions

(1) A person must comply with any reasonable direction or instruction of an authorised officer, a Police Officer or an emergency service worker when

requested to do so in urgent circumstances or for public safety reasons whether or not the person has a *permit* issued under this Local Law allowing them to do something, conduct an activity, or to occupy *Council Land*.

Penalty: 10 penalty units

66. Power of authorised officer

An *authorised officer* may, on behalf of *Council*, issue a warning, a Notice to Comply and/or an infringement notice on the person who is breaching the Local Law and commence legal proceedings and may impound items, goods or equipment in accordance with clause 70.

67. Notices to Comply

- (1) A Notice to Comply must include enough detail and information, to ensure the person served with the Notice to Comply is aware of:
 - (a) the nature of any breach of the Local Law; and
 - (b) the time and date by which the breach must be remedied.
- (2) The time required by a Notice to Comply must be reasonable in the circumstances having regard to:
 - (a) the amount of work involved; and
 - (b) the degree of difficulty; and
 - (c) the availability of necessary materials or other necessary items; and
 - (d) climatic conditions; and
 - (e) the degree of risk or potential risk; and
 - (f) any other relevant factor.

68. Failure to comply with a Notice to Comply

A person who fails to comply with a Notice to Comply served on that person is guilty of an offence.

Penalty: 20 penalty units

Note: Failure to comply with a Notice to Comply may also result in the revocation of a relevant *permit* under clause 63.

69. Power of authorised officers to act in urgent circumstances

- (1) In urgent circumstances arising as a result of a failure to comply with this Local Law an authorised officer may take action to remove, remedy or rectify a situation without first serving a Notice to Comply if:
 - (a) the authorised officer considers the circumstances or situation to be sufficiently urgent and that the time involved, or difficulties

- associated with the serving of a notice, may place a person, animal, property or thing at risk or in danger; and
- (b) wherever practicable, a senior officer is given prior notice of the proposed action; or
- (2) An authorised officer may take action to remove, remedy or rectify a situation where a Notice to Comply has been served on a person and that person has not complied with the Notice to Comply if:
 - the authorised officer considers the circumstances or situation to be sufficiently urgent and the non-compliance with the notice may place a person, animal, property or thing at risk or in danger; and
 - (b) wherever practicable, a *senior officer* is given prior notice of the proposed action.
- (3) In deciding whether circumstances are urgent, an authorised officer must take into consideration, to the extent relevant:
 - (a) whether it is practicable to contact:
 - the person by whose default, permission of sufferance the situation has arisen; or
 - (ii) the owner or the occupier of the premises or property affected;
 - (b) whether there is an urgent risk or threat to public health, public safety, the environment or *animal* welfare.
- (4) The action taken by an authorised officer under sub-clause (1) or (2) must not extend beyond what is necessary to cause the immediate abatement of or minimise the risk or danger involved.
- (5) An authorised officer who takes action under sub-clause (1) or (2) must ensure that, as soon as practicable:
 - (a) details of the circumstances and remedying action are forwarded to the person on whose behalf the action was taken; and
 - (b) a report of the action taken is submitted to the Chief Executive
 Officer or a senior officer to whom the authorised officer reports.

70. Power of authorised officers to impound

- (1) Where a person owning or responsible for items, goods and equipment has ignored a request from an authorised officer to remove them, the items, goods and equipment may be removed and impounded.
- (2) If an authorised officer has impounded anything in accordance with this Local Law, Council may refuse to release it until the appropriate fee or charge for its release has been paid to Council.
- (3) As soon as it is reasonably practicable to do so, an authorised officer must serve a Notice of Impoundment, on the owner or person responsible for the

impounded item setting out the fees and charges payable and time by which the item(s) must be retrieved.

- (4) If, after the time required in a Notice of Impoundment, an impounded item is not retrieved, an authorised officer may take action to dispose of the impounded item according to the following principles:
 - (a) where the item has no saleable value, it may be disposed of in the most economical way; and
 - (b) where the item has some saleable value the item may be disposed of either by tender, public auction or private sale but failing sale may be treated as in paragraph (a); and
 - (c) where the owner has advised Council in writing that Council may dispose of the goods because he or she does not intend to retrieve them, Council may dispose of them by the method identified in either paragraph (a) or (b).
- (5) When the identity or whereabouts of the owner or person responsible for the impounded item is unknown, the authorised officer must take reasonable steps to ascertain the identity or whereabouts of that person and may proceed to dispose of the impounded item in accordance with sub-clause (4) once he or she is satisfied that all reasonable efforts have been made to contact the owner or person responsible for the impounded item.
- (6) Any proceeds from the disposal of impounded items under this Local Law must be paid to the owner or to the person who, in the opinion of *Council*, appears to be authorised to receive the money except for the reasonable costs incurred by *Council* in the administration of this Local Law.
- (7) If a person described in sub-clause (6) cannot be identified or located and the money is held by Council for 12 months, Council must comply with requirements of the Unclaimed Money Act 2008.

71. Infringement Notices

- (1) As an alternative to a prosecution, an authorised officer may issue an infringement notice to any person committing an offence against this Local Law.
- (2) The fixed penalty in respect of an offence for which an infringement is issued is the amount set out in Schedule 1 or if no amount is set out two (2) *penalty units*.

NOTE: An offence against this local law is deemed to be an Infringement Offence in line with the requirements of the *Infringements Act 2006*.

72. Penalties for continuing offences

- (1) In accordance with Section 79(1)(b) and (c) of the *Act* a person who after the finding of guilt or conviction by a Court:
 - (a) continues to commit the same offence against the Local Law is liable to a penalty not exceeding 2 *penalty units* for each day after the finding of guilt or conviction that the contravention continues; or
 - (b) commits a subsequent offence against the Local Law is liable to a penalty not exceeding 20 *penalty units*.



Schedule 1 Penalties Fixed for Infringements

Clause	Offence Summary	Penalty Units
10(1)	Failing to obtain a <i>permit</i>	5
10(2)	Failing to comply with the requirements, limitations or conditions of a <i>permit</i> or <i>incorporated document</i>	5
11(1)	Failing to obtain a permit to place an object on the footpath	5
11(4)	Failure to comply with the Footpath Activity Code of Practice	5
12(1)	Failing to obtain a permit to place an advertising sign	5
12(2)	Placing advertising signs contrary to Local Law	5
13(1)	Itinerant trading, whether house to house or otherwise, without a permit	2.5
14(1)	Occupation of a road without a permit	10
15(1)	Open or excavate a <i>road</i> or a <i>road related area</i> without a <i>permit</i>	10
16(1)	Conducting a public space event without a permit	5
17(1)	Conducting or holding a street party without Council's consent	1
16(2)	Failing to comply with any conditions required by Council consent to hold a street party	1
18	Busking without a permit or being in breach of conditions of a permit	1
19	Failing to obtain a <i>permit</i> to conduct a fundraising activity or street stall or being in breach of conditions of a <i>permit</i>	1
20(1)	Failing to obtain a <i>permit</i> to place a <i>bulk rubbish container</i> on a <i>road</i> or <i>Council land</i>	5
21(1)	Failing to obtain a Civil Works Permit to tap into or interfere with a Council drain	10
22(1)	Keeping of excess animals or birds without a permit or failing to comply with conditions or requirements	2
22(5)	Failing to provide adequate housing for animals	2
22(6)	Keeping a rooster or roosters on <i>land</i> sized under 5000m ² or less	2
23(1)	Conduct building works outside of the permitted hours	2.5

Clause	Offence Summary	Penalty Units
24(1)	Failing to obtain an Asset Protection Permit	5
24(8)(a)	Failing to repair to the satisfaction of Council a damaged asset vested in Council	5
24(11)	Failing to manage debris and runoff from a building site	5
24(12)	Failing to provide, correctly place or empty a refuse facility on a building site	5
24(15)	Failing to correctly dispose of builder's refuse	5
24(16)	Failing to remove builders refuse or a refuse facility at the completion of building works	5
25(1)	Discharging fireworks without a permit	2.5
25(2)	Failing to comply with <i>Council's</i> Policy – Use of Fireworks when discharging or allowing or causing fireworks to be discharged	2.5
26	Keeping or allowing to be kept a heavy vehicle on residential land without a permit	2.5
29(1)	Failing to comply with requirements applicable to industrial trade and commercial waste	5
29(2)	Failing to ensure the area where a container used for the storage of industrial, trade or commercial waste is kept clean, appropriately screened and adequately fenced	5
30(1)	Failing to comply with requirements applying to commercial premises	5
30(2)	Creating or allowing nuisance or detrimentally affecting amenity	5
31(1)	Failing to comply with requirements applicable to domestic waste and recyclable materials	1
31(2)	Failing to provide or utilise the required bin storage area	1
32	Failing to comply with requirements applicable to trees, plants and signs	2.5
33	Failing to adequately display property numbers	0.5
34(1)	Failing to obtain a permit to construct a temporary vehicle crossing or permanent vehicle crossing	5
34(3)	Accessing land other than via vehicle crossing	2.5
34(6)	Failing to comply with notice	5

Clause	Offence Summary	Penalty Units
34(7)	Failing to perform work in respect of a <i>vehicle crossing</i> to the satisfaction of an <i>authorised officer</i>	5
35(2)	Parking a vehicle or trailer on a reserve	1
35(5)	Parking an unregistered vehicle or trailer in a public place	1
36	Organised training or sporting activity in a reserve without a permit	5
37	Allowing a stormwater drain to be in disrepair	1
38(3)	Failing to comply with a request requiring evidence of the servicing of a groundwater pump and filtration system, or failing to the servicing and testing of a groundwater pump and filtration system	2.5
39(1)	Lighting incinerators and open-air fires	2.5
41	Repairing and maintaining vehicles on a road	5
42(1)	Interfering with Council assets	5
42(3)	Modifying a Council nature strip not in compliance with Council's guidelines or an authorised officer written approval	2
43	Damaging roads or Council land from adjoining property	2
44(2)	Failing to comply with direction to repair damage	5
45(1)(a)	Behaving on Council land contrary to Local Law	1
45(1)(b)	Failing to comply with any conditions or signs that contain conditions that apply to the use of Council land	1
45(1)(c)	Fail to comply with a direction of an authorised officer regarding the use of, or the behaviour displayed by a person on, Council land	1
46(1)	Camping on Council land	0.5
46(2)	Permitting the use of temporary or provisional accommodation on <i>land</i>	2.5
47(1)	Participate in, encourage, or attend a <i>Hoon Event</i> without a lawful excuse	2.5
47(2)	Park or stop a motor vehicle near a <i>Hoon Event</i> without a lawful excuse	2.5
48(1)	Consumption or possession of liquor contrary to Local Law	1
48(4)	Failure to comply with a direction to tip out	1

Clause	Offence Summary	Penalty Units
49(1)	Allowing land to be kept in a dangerous or unsightly manner	5
50	Placing clothing recycling bin on Council land without a permit	5
51(1)	Failing to remove animal excrement	1
51(2)	Failing to carry a receptacle, bag or similar device in which to place <i>animal</i> excrement	1
52(1)	Making a shopping trolley available without meeting specified requirements	2.5
52(2)	Allowing a shopping trolley to leave a premise, complex or land	2.5
52(3)	Failing to comply with the instruction of an authorised officer or Council to remove a shopping trolley within 24 hours	2.5
63	Making false representation or omission of relevant information in application for a <i>permit</i> , <i>Council's</i> consent or an exemption	5
65	Failing to comply with directions of an authorised officer, Police Officer or and emergency services worker when requested to so in urgent circumstances, or for public safety reasons	2.5
68	Failing to comply with a Notice to Comply	5

OTHER

REVIEW AND UPDATE OF THE CITY OF GREATER DANDENONG LOCAL LAW

ATTACHMENT 2

LOCAL LAW COMMUNITY IMPACT STATEMENT (FINAL)

PAGES 21 (including cover)

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

Local Law Community Impact Statement

City of Greater Dandenong Local Law No.2 (General Local Law)

Council provides the following information to the community in respect of the proposed Local Law.

1. Introduction

Under the provisions of the *Local Government Act* 1989, all local laws sunset ten (10) years after the date they commence. With Council's current local laws due to sunset on 25 July 2021, it now opportune for to review its existing local laws.

Therefore, Council is proposing to update its current suite of local laws (current Local Laws). Those local laws being:

- Local Law No.2 (Municipal Amenity)
- Local Law No.3 (Road Management and Asset Protection)
- Local Law No. 4 (Municipal Places).

The proposed new City of Greater Dandenong Local Law No.2 (General Local Law) (proposed local law) will supersede and replace the current Local Laws.

This Community Impact Statement has been prepared to inform the community about the proposed Local Law and to assist any member of the public who may wish to make a submission to Council during the public consultation process required under the *Local Government Act* 1989.

2. Background

Local Laws are a form of local regulation that enables councils to make legislative controls that reflect the different circumstances of each municipality. The Local Law-making power attributed to councils comes from the *Local Government Act* 1989.

It should be noted that although the State Government has introduced the new *Local Government Act* 2020 (the new Act), under the transitional arrangements for the new Act, the provisions relating to the making of a local law do not come into force until 01 July 2021. Therefore, Council has been required to ensure that this proposed local law is made in accordance with the provisions of the *Local Government Act* 1989 (the Act)

The current Local Laws sunset at midnight on 25 July 2021, and therefore they need to be renewed and updated before that date to incorporate changes in legislation and to reflect current issues within the municipality.

3. Overview of the Proposed Local law

The proposed Local Law is being made under s 111(1) of the Act and will operate throughout Council's municipal district.

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The making of the proposed local law has also been an opportunity to combine Council's current local laws into one omnibus local law, in order to clarify and simplify the operation of our local law for the community and council officers.

In addition to the requirements of s 111 of the Act, the requirements of the State's 'Guidelines for Local Laws Manual' (the Guidelines), have also been followed as per the requirements of s 111A of the Act.

The key aims of the guidelines are:

- to improve accessibility, accountability, compliance, consistency, currency, efficiency, enforceability, necessity, and transparency;
- to reinforce that regulation should be viewed as a last resort, because it imposes a burden of compliance on the community and a burden of enforcement on the council;
- to reinforce that Local Laws should not allow discretions on the part of those administering
 or enforcing them without clear guidelines being in place.
- to ensure when Local Laws rely on other documents, such as Council policies, as performance measures, those documents are accessible to the public; and
- to have councils produce a Local Law Community Impact Statement for all new local laws.

The proposed Local Law will commence on the day following notice of its making being published in the Victoria Government Gazette and, unless it is revoked earlier, it will expire 10 years after commencement.

On commencement of the proposed Local Law, the current Local Law will be revoked.

The objectives of the proposed Local Law are to provide for the safety, order, and good governance of the City of Greater Dandenong in a way that is complementary to Council's Council Plan by:

- managing the uses and activities on roads and Council land so that Council is aware of uses or activities which may:
 - interfere with the safety and convenience of people travelling on or using roads or land; and
 - impede free and safe access for people, and in particular for those with sight and movement impairment or disabilities; and
 - o cause damage to Council and community assets; and
 - o create a danger or expose others to risk; and
 - be detrimental to the amenity of the area or the enjoyment of facilities on roads or land;
- managing, regulating and controlling uses and activities which may:

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- be dangerous, cause a nuisance or be detrimental to the amenity of the area or the environment; and
- interfere with a healthy and safe environment in the municipal district for residents, workers and visitors; and
- providing for the administration of *Council's* powers and functions.

Under s 223 of the Act, Council is required to give public notice of the proposed Local Law and invite submissions for a period of at least 28 days.

The statutory consultation period will run from 25 May 2021 to 5:00pm on 22 June 2021.

Anyone who makes a written submission can request to be heard in support of their submission at the Ordinary Council Meeting which considers the making of the proposed Local Law, details of which will be provided.

4. Main changes

All the provisions of council's current local laws have been reviewed.

With council's current local laws being revoked on the commencement of the proposed local law, where a reference is made to a clause being amended or otherwise modified, reference is being made to a change of the current local law.

Not all changes have been included in this section, as by creating a single proposed local law, instead of the current three local laws, many areas of duplication in the current local laws have been addressed.

The focus of the review has been on improving:

- Clarity which means improving the simplicity of the Local Law and removing ambiguity.
- Accountability which means the openness and integrity of the process is improved.
- Accessibility which means the user-friendliness of the local law and it ease of access and use is improved.
- Transparency- which means considering the explanation of processes and assessments associated with the local law.
- Safety which means improving and protecting the wellbeing and health of the community by making a place safe through the minimisation of potential risks and/or dangers.
- Amenity which means improving and protecting the quiet enjoyment of residents and visitors.

As an example, this focus has seen the removal of 14 permit types that were required under the current local laws. These changes have been made by improving the clarity (simplicity) and accessibility (user-friendliness) of the proposed local law, and by simply redefining some activities found under the current local laws.

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Further as per the requirements of Schedule 8(2)(i) of the *Local Government Act* 1989, which requires that a "local law must not duplicate, overlap or conflict with other statutory rule or legislation", the review has also seen several clauses of the current local law identified as being no longer required as the issue is managed via other legislation.

As an example, but not exhaustive:

Existing Clause	Legislation in Place
Local Law No.2 – Clause 7 – Vermin and noxious weed control	Catchment and Land Protection Act 1994 – the local law duplicates the same obligations placed on landowners, as are contained in this legislation.
Local Law No.2 - Clause 32 – Fencing of Land Holding Livestock – Fencing to be erected and maintained to prevent livestock trespassing	Impounding of Livestock Act 1994 – s 16A creates the same requirements
Local Law No.3 – Clause 21 – Abandoned Vehicles	Local Government Act 1989 – Schedule 11 – Powers of Councils over traffic – s 3 identifies Council's powers regarding the management of both unregistered and abandoned vehicles, and at Schedule 11 s 3(4) identifies when a council may consider a vehicle to be abandoned. (After a vehicle has not moved for 2 months.)

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General Drafting Changes

Drafting Action/change	The problem the drafting of the proposed Local Law intends to address	What change? How does the drafting of the proposed local law help achieve objectives?	Benefit
Consolidation, restructure and alignment with best practice guidelines, updated legislative analysis and the use of competent legal advice.	Difficult to find clauses and to navigate current suite of local laws Confusing local laws Lack of relevance or need Fails to address need Introduction of conflict between legislation, planning requirements and the local law	Consolidation into one local law. Improved structure Aligns to the State's guidelines for best practice Ensure the clauses of the local law are complimentary to existing legislation and the planning scheme	Clarity Accountability Accessibility Transparency Safety Amenity
Council's policies and guidelines becoming part the local law	Lack of clarity around requirements Inaccessibility of information	Applicable council guidelines identified and available to the community	Clarity Accessibility Accountability
Improved enforceability	Lack of clarity as to what mischief a clause is seeking to prevent Clauses included in the current local law that are not reflective of current issues	Redrafting of clauses to ensure they are enforceable Removing laws no longer required in the municipality	Clarity Accessibility Safety Amenity
Better identification of the issue needing to be managed by way of permit	Long, complex and sometimes confusing existing local laws. Provision to seek a permit for a use that is prohibited	Ensure it is easily understood what uses require a permit. Improved articulation of the permit process.	Clarity Accessibility Safety Amenity

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Specific Clause Changes (not exhaustive)

Action/Change as per	The Problem	Aimed Improvement	Suggested By
proposed local law.			
Clause 6 - Definitions	Potential for lack of clarity in the meaning of words and phrases	Some previous definitions amended, as well as the provisions of new definitions to aid improved understanding, clarity, enforceability and accessibility	Staff State Government Guidelines Legal Advisors
Clause 7 – Incorporation of Documents	Council's assessment processes not easily accessible.	Incorporation of council's guidelines into the local law improves accessibility and transparency	Staff State Government Guidelines Legal Advisors
Clause 8 – Clarity of approval process in relation to the requirements of the Road Management Act 2004	Confusion as to what is considered an approval under the provisions of the <i>Road Management Act</i> 2004	Clarity is achieved by ensuring approval/consent as required by the <i>Road Management Act</i> 2004 is deemed to be evidenced by the granting of the applicable permit under the proposed local law.	Staff Legal Advisors
Clause 9 – Clarity as to what activities require a permit or council's consent	Difficulty in identifying the need to obtain a permit, and/or the type of permit required.	Clarifies and lists activities that require a permit. Due to redefinition of permit types, number of permit types reduced by 14 to simplify and clarify Council's permit processes for	Staff State Government Guidelines

		community members.	
Clause 10 Clarity: 55	Lack of consistence:	Improved consists	Staff
Clause 10 – Clarity as	Lack of consistency in	Improved consistency	Starr
to offence and penalty	considering an	and transparency in	State Government
for failing to obtain a	application for a	the permit issuing	Guidelines
permit when required.	permit.	process.	
Provides transparency			Legal Advisors
and direction as to the			
matters council may			
consider when			
assessing an			
application for a			
permit.			
•			
Clause 11 – Footpath	Lack of consistency in	Improved consistency	Staff
Activities – Provides	considering an	and transparency in	State Government
transparency and	application for a	the permit issuing	Guidelines
direction as to the	permit.	process.	Guidelines
matters council may			Legal Advisors
consider when			
assessing an			Planning (VCAT)
application for a			Precedent
footpath activity			
permit.			
Clause 11(5) -New			
Provision –Covers off	Current local law is	Eliminates the need to	
the requirements of	silent on whether	obtain a planning	
TAN V KINGSTON 2011	liquor is permitted to	permit to allow liquor	
VCAT 470 23 March	be sold or consumed	to be consumed in a	
2011. (VCAT RED DOT	once a local law permit	footpath trading area.	
CASE)	allowing outdoor	This proposed change	
	dining has been	therefore represents a	
	approved.	saving in both time and	
	This means that a	money for the trader.	
	planning permit is		
	currently required to		
	be applied for to		
	permit liquor being		
	consumed in a		
	footpath trading area.		
Clause 12 –	Lack of clarity as to	Clarifies who is	Staff
Advertising Signs –	who is responsible for	responsible for the	
Clarifies those	the placing of an	placing of an	

responsible for the	advertising sign	advertising sign	
placing of an	without a permit.	without a permit.	
advertising sign on		Improved	
council land or in a		enforceability.	
council reserve.		emorecubility.	
Clause 14 –	Lack of clarity	Clarifies uses that	Staff
Occupation of Roads -	concerning uses that	requires a permit to	
Clarifies uses that	trigger the need for a	occupy a road	
requires a permit to	permit to occupy a		
occupy a road	road.		
Clause 15- Opening or	Need to better detail	Provides alignment	Staff
Excavation of Roads	exemptions from	with the <i>Road</i>	
and Road Related	obtaining a permit as	Management Act 2004	
Areas	per the <i>Road</i>	and provides clarity for	
– Clarifies the	Management Act	Council's contractors.	
exemptions from	2004, and for Council's		
obtaining a permit in	contractors perform		
line with the Road	works on Council's		
Management Act 2004	behalf.		
& clarifies the			
exemption provided			
to Council's			
contractors when			
doing works on behalf			
of Council.			
		Provides clarity to	
- Informs applicants of	Lack of clarity as to	permit applicants and	
what Council will be	assessment criteria for	allows them to better	
assessing when	a Civil Works Permit.	consider their	
considering a permit		responses to issues	
application under this		concerning the impact	
clause.		their works may have	
		on the community.	
Clause 17 – Street	Given the very poor	Whilst enabling council	Staff
Parties – Need for a	uptake in this permit	to monitor and control	
permit removed.	use, and the	competing activities	
	demonstrated benefits	occurring on its	
Council's consent to	that flows from living	streets, removing the	
conduct a street party	in a connected	cost associated with	
is required, however,	neighbourhood, this	this use, may	
to encourage our	activity should be	encourage the activity.	
community coming			

	T		
together, the need for a permit and the subsequent permit fees, are abolished.	encouraged.		
Clause 25 – Fireworks (New Obligation) – Introduces the need to obtain a permit and formalises the need for the City of Greater Dandenong's Fireworks Policy to be complied with.	No current need to obtain a permit for this activity. Additionally, there is a need to reinforce the enforceability of council's Fireworks Policy.	This change clarifies the need to both obtain a permit prior to discharging fireworks and comply with council's existing Fireworks Policy. This will help ensure that resident and pet owners are provided with advanced notice of when fireworks are to be discharged. Improved enforceability	Staff Community Feedback Legal Advisors
Clause 30 – Additional	Need to be able to	Improves	Staff
Requirements	compliment the	enforceability by	
Applying to	current Dandenong	complimenting existing	Community Feedback
Commercial Premises	planning scheme	legislation.	Logal Advisara
- (New Obligations)	obligations and	5	Legal Advisors
(1) Aims to prevent a commercial operator from placing or storing items, vehicles, or equipment associated with their business activity on Council's land.	Environment Protection Act requirements regarding business operators using council land as a storage area, which then impacts on the safety and amenity of other commercial operators, their staff and visitors/customers to the area. Need to ensure a		
amenity of a	premise through		
neighbourhood is	deliveries or		
not affected by	collections, noise, or		
the operation of	odour or waste		
the operation of			

commercial or educational premise. Clause 31(1)(c) — Domestic Waste, Recyclable & Green Waste — (New Obligation) Amendment required to formalise the time before a bin collection that a bin should be left out for collection.	emissions does not affect the amenity of a neighbourhood. Under the current local law a bin must be put inside the property within 24 hours of the bin being collected. There is no time limit indicating how long before a collection a bin may be left out.	Improves enforceability and is aligned with the intent of the existing local law.	Staff Legal advisors
Clause 35 – Parking Offences – (New Obligation) Aims to align the parking offences contained in the local law, with the owner / operator onus requirements as per Part 6AA of the Road Safety Act 1986, that applies to parking offences committed under State legislation.	It is often difficult and time consuming for officers to identify who was a vehicle's driver when the vehicle was driven onto or parked on Council land, as illegally parking a vehicle on council land is not an offence covered under the State's Road Rules.	Improves enforceability and ensures action can be taken to protect council's land and other public places from the damage caused through people illegally using/parking vehicles.	Staff
(5) Creates the specific offence of parking an unregistered trailer or vehicle in a public place. Clause 38 – Groundwater Management – (New	Officer's are unable to act when unregistered vehicles are parked or left standing, not on a road or road related area, but in a public place. Currently there are no controls imposed on developers or	Improved stormwater and environmental	Staff

Obligation) As more developments are built with basement or underground car parks, the issue of unfiltered groundwater containing contaminates entering council's stormwater system, and then eventually natural waterways needs to be considered.	landowners to ensure any groundwater being pumped from private basement carparks into council's stormwater system as a result of new development, is properly filtered/treated prior to it entering council's stormwater drainage system.	outcomes.	
Clause 39 – Incinerators, fires and open air burning. As per the requirements of Council's Notice of Motion 90, an exemption has been provided to allow the use of a chimenea, fire pit or other appliance constructed for the purposes of heating, and for while it is being used for that purpose. Clarity is also provided as to when a permit to burn in an industrial, rural or commercial area my be granted.	Need for the clause to be modified in order to meet the requirements of Notice of Motion 90 passed by Council on 14 September 2020, and subsequently as per the recommendation of a report to Council on 14 December 2020.	Clause modified to meet the requirements of Council.	Council via Notice of Motion 90 passed by Council on 14/09/2020 and the recommendation of a report to Council passed on 14/12/2020.
Clause 42(2) – Nature Strip Plantings and modifications (New Exemption) Creates the ability for	The current local law does not provide the ability for a person to plant vegetation on their nature strip,	Provides an exemption from the need to obtain a local law permit to plant vegetation on a nature	Staff

a person to plant vegetation on the nature strip of the property they own or occupy, without the need for them obtaining a permit, if any planting is done in accordance with the City of Greater Dandenong Nature	without first obtaining a permit.	strip, if the planting is carried out in accordance with council's guidelines.	
Strip Guidelines. Clause 47 – Behaviour Involving Vehicles – (New Obligation) New clause introduced at the request of the Victoria Police to provide them (Victoria Police) the ability to take action to control both "hoon events" and to discourage spectators or bystanders that are attracted to such events.	Due to the lack of appropriate State legislation, Victoria Police have sought Council's assistance in developing a Clause under the proposed local law that will enable them to take enforcement action to control attendances at "hoon events."	Improved amenity and community safety.	Victoria Police
NOTE: This offence will only be enforced by Victoria Police, in their role as authorised officers of council as per the requirements of the Local Government Act 1989, not by council officers.			
Clause 52 – Shopping Trolleys Clarifies Council's expectations of both	Council's requirements regarding the management of shopping trolleys	Clause has been modified to better detail Council's expectations of proprietors and	Staff

proprietors and shopping complex management, in responding to issues concerning the management of shopping trolleys.	needs to be clarified.	shopping management complexes in managing shopping trolleys left in the public realm.	
Clause 59 – Cancellation of a Permit Clause 60 – Correction of permits Creates the process and introduces procedural fairness into the decision- making requirements of the senior officer or an authorised officer, when they are considering whether a permit should be cancelled or corrected.	Need to create a process to be followed when a senior officer is considering cancelling a permit, or when an authorised officer is considering correcting a permit.	These two clauses have been introduced to provide clarity to the process of cancelling or modifying a permit, and to ensure that procedural fairness is followed as part of that process.	Staff State Government Guidelines Legal advisors
Clause 62 – Exemptions Formalises that a senior officer can exempt a person or class of persons from the need to obtain a permit and identifies what the senior officer must have regard to when considering providing an exemption.	Need to create a process and identify who can provide an exemption to obtaining a permit.	This clause has been introduced to provide clarity to the process of providing an exemption to obtaining a permit, and to ensure that procedural fairness is followed as part of that process.	Staff State Government Guidelines Legal advisors

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5. Evaluation of the proposed local law.

In accordance with the Guidelines issued by the Minister for Local Government in relation to the making of local laws, Council has conducted an evaluation of the proposed Local Law. The evaluation is outlined in the following table.

Issue	Evaluation and Response	
Objectives	The objectives of the proposed local law are to provide for:	
	the peace, order and good government of the municipality	
	 a safe and healthy environment so that the community can enjoy a quality of life that meets its expectations; 	
	the safe and equitable use and enjoyment of public places;	
	the protection and enhancement of the amenity and environment of the municipality;	
	the fair and reasonable use and enjoyment of private land; and	
	the uniform and fair administration of this Local Law	
Measures of success of the proposed	Source and source and source proposed 2000 201 at 10101010	
Local Law	 recording levels of compliance/non-compliance using inspection data; 	
	 review of enforcement actions taken, including official warnings, notices to comply, infringements and direct prosecutions; and 	
	volume of complaints.	
Legislative framework	The Act gives councils broad powers to make local laws with respect to the functions or powers of a council.	
	The proposed Local Law addresses matters within Council's functions and powers.	
Existing legislation that may be used instead	There are several pieces of legislation that deal with some issues covered by the Local Law, such as, but not limited to, the	
instead	 Building Act 1993 Building Regulation 2018 Domestic Animals Act 1994 	
	• Environment Protection Act 1970	

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- Filming Approval Act 2014
- Fire Rescue Victoria Act 1958
- Impounding of Livestock Act 1994
- Infringements Act 2006
- Local Government Act 2020,
- Local Government Act 1989,
- Planning and Environment Act 1987
- Public Health and Wellbeing Act 2008
- Road Management Act 2004
- Road Safety Act 1986 and
- Summary Offences Act 1966

However, in order to compliment existing State legislation, the proposed Local Law supports or adds to existing legislation. For example:

- The *Domestic Animals Act* 1994 does not provide a limit to the number of pets kept on a property, whereas these limits are defined within the Local Law.
- The objectives of the Environment Protection Act 1970 are supported by the controls proposed in the Local Law in relation a range of activities with adverse environmental impacts.
- The objectives of the Fire Rescue Act 1958 are supported by the controls proposed in the Local Law in relation to burning off.
- The objectives of the Planning and Environment Act 1987 are supported by the controls proposed in the Local Law in relation issues of community amenity and liveability.
- The Public Health and Wellbeing Act 2008 does not provide the ability to intervene promptly to support immediate abatement of situations, such as nuisance issues, where there may be risks to public health. The proposed local law provides for this.
- The provisions of the Road Management Act 2004 regarding the management of road openings and controlling works on roads are supported and complimented.
- The Road Safety Act 2004 does not adequately cover the activities relating to vehicles left on a roadway for purposes of painting or dismantling a vehicle, nor does it provide Police with adequate powers to manage spectators who are attracted to attend "hoon driving events".
- The provisions of the Summary Offences Act 1966 are supported regarding issues affecting the amenity and safety of the community.

In line with these examples, the proposed Local Law, like the Local Laws

	it replaces, contains several provisions which complement existing legislation and provide a more appropriate local response, whilst not overlapping, duplicating or conflicting with existing State legislation. Therefore, the proposed Local Law does not contain any clauses where it is considered that state legislation alone would provide a more appropriate response to the issues concerned.
Overlap with existing legislation	As highlighted above, both the <i>Environment Protection Act</i> 1970 and the <i>Road Management Act</i> 2004 cover noise and work on roads, respectively.
	The provisions of the proposed Local Law supplement this State legislation. Council does not believe that any provision of the proposed Local Law overlaps, duplicates or causes an inconsistency with any existing legislation.
Overlap with the planning scheme	The proposed Local Law will be subordinate to the provisions of the Planning and Environment Act 1987.
	To the extent that there is any conflict or inconsistency, then the provisions of the <i>Greater Dandenong Planning Scheme</i> will prevail.
Risk assessment	No formal risk assessment has been undertaken.
	Council does not consider that there are any risks associated with the proposed Local Law.
Legislative approach adopted	The proposed Local Law adopts a minimal to medium impact regulatory approach, in as much as it prescribes with a level of detail the conduct and behavior of members of the public within council's municipality.
	This approach is considered appropriate in that the proposed local law provides for:
	Reasonable penalties
	 A minimal number of offence provisions Where possible, inclusion of permits rather than prohibition of activities
	Clear and transparent permit application, review processes and general conditions
	Clear and transparent enforcement procedures
	The approach taken by the City of Greater Dandenong is consistent with other Councils and is in line with best practice.
	The decision regarding which regulatory approach to take varies according to the level of mischief sought to be prevented, the

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perceived extent of non-compliance and the enforcement resources available.

Importantly the proposed Local Law aims to educate the community, and the enforcement tools provided in the proposed Local Law allow for those breaching the Local Law to be made aware of their breach, and for them to take action to make the breach right, without the need for more punitive enforcement action.

The proposed Local Law aims to ensure that the safety of the community and the potential for damage to Council assets is minimised where possible.

Penalties

The penalties applying to all existing Local Law clauses were considered and reviewed.

The monetary value for a penalty unit regarding a Local Law breach is controlled by State Legislation via the applicable provisions of the *Local Government Act* 2020 and the *Monetary Units* Act 2004.

This means a penalty unit applicable for a breach of Local Law is set at \$100. Penalty units for breaches of a Local Law are not indexed annually, as are the penalty units(fines) for breaches of State legislation.

This legislative control means that the maximum penalty a Magistrate can impose for a breach of a Local Law is 20 penalty units or \$2000. Courts rarely impose the maximum penalty that is available to them.

The level of penalties fixed in the Local Law generally reflect: -

- relative risks to community health, safety and amenity;
- potential cost to the community of a breach (say due to potential damage to Council assets and infrastructure); and
- the deterrent benefit in each case.

Infringement Penalty

An infringement penalty is the penalty which appears on an Infringement Notice.

The Victorian Attorney-General's Guidelines to the Infringements Act 2006 (the guidelines) has provided, in part, guidance concerning the setting of penalty levels when a breach of an offence is able to be enforced by the issuing of an infringement notice.

The annexure to the guidelines' states that,

	"As a general rule, the infringement penalty should be no more than approximately 25% of the maximum penalty for the offence. However, a proportion of up to 50% can be considered where there are strong and justifiable public interest grounds.	
	Accordingly, the proposed Local Law has followed the guidelines by setting all infringement penalties at 25% of the maximum penalty for the breach, except for three matters, where Council has set the infringement penalty at 50% of the maximum penalty for a breach.	
	Those matters being:	
	Occupied a road without a permit	
	Opened or excavated road or road related area without a permit, or	
	 Tapped into or interfered with a Council drain without obtaining a Civil Works Permit. 	
	In these matters Council has considered that there are strong and justifiable public interest grounds in setting the infringement penalty at 50% the maximum penalty in that the value of the penalty needs to represent a proper deterrent in order to protect Council's infrastructure and assets in these specific cases.	
Permits	To satisfy the transparency and accountability principles of best practice Local Law making, permit applications and consideration of permits are detailed in Part 5 of the proposed Local Law, <i>Administration and Enforcement</i> .	
Fees	The proposed Local Law makes provision for Council to prescribe fees from time to time by resolution – it is expected that fees will be set annually as part of Council's Budget process.	
Performance standards or prescriptive	Where possible drafting of the Local Law has adopted a performance-based approach, rather than using prescriptive measures.	
Comparison with neighbouring and like Councils	A comparison has been done with like Councils, particularly Monash City Council, Casey City Council, Kingston City Council and Knox City Council, in order to ensure that there is a similar approach between municipalities.	
Charter of Human Rights and	The City of Greater Dandenong, as a public authority under the <i>Charter of Human Rights and Responsibilities Act</i> 2006 ('the Charter'),must ensure that a proposed local law is not incompatible with a human right	

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Responsibilities

or, in making a decision, fails to give proper consideration to a relevant human right.

If a proposal restricts or interferes with a right, consideration needs to be given to determining whether the restrictions are reasonable and demonstrably justified under the Charter.

The rights prescribed under the Charter have been reviewed to determine whether the proposed Local Law is incompatible with any of those rights.

In summary, it is acknowledged that there is a minimal possibility that some of the controls, such as preventing camping on roads or Council land, may be considered incompatible with a person's right to the Freedom of Movement.

Additionally, Council's ability to seize and confiscate (impound) items such a shopping trolley left on a road, may be considered incompatible with a persons' property rights.

Consideration of the proposed Local Law against the Charter concluded that the ability to undertake a use or activity so long as certain standards were met or complied with, and the ability to apply for a permit or for alternate remedies to be found was a reasonable justification of the controls.

The proposed Local Law provides procedural fairness and limits any impacts under the Charter through a person's ability to appeal a decision or permit made under this Local Law.

The impact is further reduced by a person's right to have an enforcement penalty referred to a Court of competent jurisdiction for a decision.

Additionally, the enforcement of Local Laws has been designed around processes that have regard to procedural fairness

When conducting any investigations under the Local Law, authorised officers will also have regard to their obligations under the *Charter for Human Rights and Responsibilities*.

The City of Greater Dandenong recognises that there are people within our community that are homeless or may have complex needs, such as a mental illness, addiction or are victims of domestic violence.

Authorised officers will continue to perform their duties with consideration and compassion and provide referrals to other work areas in Council to assist in these circumstances.

Unless a matter is urgent or could compromise public safety, council's enforcement processes provide ample opportunities to a person to

	remedy a breach of the Local Law.
	In conclusion, there are no amendments to the proposed Local Law that are incompatible with a human right under the Charter.
	The application of National Competition Policy (NCP) to local
National	government in Victoria flows from the Competition Principles
Competition Policy	Agreement which was signed by the Commonwealth, State and
	Territory Governments in 1995.
	The Act requires councils to ensure NCP principles are applied to local
	laws as follows:
	A local law must not restrict competition unless it can be demonstrated that
	 the benefits of the restriction to the community as a whole outweigh the costs; and
	the objectives of the local law can only be achieved by
	restricting competition.
	An analysis of changes in the proposed local law indicates that there
	are no issues adversely impacting National Competition Policy.
Consultation and Submission process	The proposed Local Law has been reviewed in consultation with Councillors, members of Council staff and Council's legal advisers.
	A community consultation process will be conducted in accordance with ss 119(2) and 223 of the Act.
	This will require Council to give public notice of its intention to make the proposed Local Law and provide members of the public with an opportunity to make a written submission to Council in relation to the proposed Local Law. Council will consider submissions received before
	making a final decision on the proposed Local Law.
	A person who makes a written submission is entitled to request (in the submission) to be heard by Council in support of his/her submission. When Council makes a final decision on the proposed Local Law, it must notify in writing each submitter of the decision and the reasons for the decision.
	This Community Impact Statement has been prepared to inform the community about the proposed Local Law and to assist any member of the public who may wish to make a submission to Council.

File Id: fA25545

Responsible Officer: Director Corporate Services

1. 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 Council meetings.

The matters listed in this report were presented to Councillor Briefing Sessions & Pre-Council Meetings in April & May 2021.

2. Recommendation Summary

This report recommends that the information contained within it be received and noted.

3. Background

The Executive Management Team and associated staff at Greater Dandenong City Council host Councillor Briefing Sessions and Pre-Council Meeting on a regular basis (weekly) to inform Councillors about the work officers are undertaking, share information, obtain feedback and discuss strategies and options for current and future work.

To ensure transparency in this process matters discussed at Councillor Briefing Sessions and Pre-Council Meetings (other than those matters designated to be confidential under the *Local Government Act 2020*) are reported on at Council meetings. This report represents matters discussed at the Councillor Briefing Sessions & Pre-Council Meetings in April & May 2021.

4. Matters Presented for Discussion

Item		Councillor Briefing Session/Pre-Council Meeting
1	General Discussion Councillors and Council officers briefly discussed the Agenda items for the Council Meeting of 26 April 2021.	26 April 2021
2	Dandenong Community Hub Session External Consultants Croxon Ramsay provided Councillors with a business case and concept planning process proposal for the Dandenong Community Hub.	3 May 2021
3	Advanced Waste Processing Contract Procurement The Metropolitan Waste & Resource Recovery Group, Councillors and council officers discussed the procurement process for an advanced waste processing facility as an alternative to disposal of waste to landfill in the south east region.	3 May 2021
4	I Cook Foods (Confidential)	3 May 2021
5	General Discussion Councillors and Council officers briefly discussed the Agenda items for the Council Meeting of 10 May 2021.	3 May 2021

5. Apologies

Cr Jim Memeti submitted an apology for the Councillor Briefing Session on 3 May 2021.

6. 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'

Opportunity

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

Council Plan 2017-21

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

Opportunity

An open and effective Council

7. 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.

Reporting on matters discussed at Councillor Briefing Sessions and Pre-Council Meetings gives effect to the overarching governance principles (in particular, section 9(i) of the *Local Government Act 2020*) in that the transparency of Council actions and information is ensured.

8. Victorian Charter of Human Rights and Responsibilities

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

9. The Gender Equality Act 2020

The Gender Equality Act 2020 came into operation on 31 March 2021 and requires councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report but are not relevant to its contents because it is a reporting mechanism only. The report does not have the potential to influence broader social norms and gender roles nor does it benefit any one gender group over any other.

10. Consideration of Climate Change and Sustainability

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this 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 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 because it is purely administrative in nature and is a reporting mechanism only.

11. Recommendation

That:

- 1. the information contained in this report be received and noted; and
- the information discussed at the above listed Councillor Briefing Session that was declared confidential in Item 4 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 172

Moved by: Cr Sophie Tan

Seconded by: Cr Lana Formoso

That:

1. the information contained in this report be received and noted; and

2. the information discussed at the above listed Councillor Briefing Session that was declared confidential in Item 4 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

4.2.5 List of Registered Correspondence to Mayor and Councillors

File Id: qA283304

Responsible Officer: Director Corporate Services

Attachments: Correspondence Received 3-14 May 2021

Report Summary

Subsequent to resolutions made by Council on 11 November 2013 and 25 February 2014 in relation to a listing of incoming correspondence addressed to the Mayor and Councillors, Attachment 1 provides a list of this correspondence for the period 3-14 May 2021.

Recommendation

That the listed items provided in Attachment 1 for the period 3-14 May 2021 be received and noted.

MINUTE 173

Moved by: Cr Richard Lim Seconded by: Cr Loi Truong

That the listed items provided in Attachment 1 for the period 3-14 May 2021 be received and noted.

CARRIED

4.2.5 List of Registered Correspondence to Mayor and Councillors (Cont.)

OTHER

LIST OF REGISTERED CORRESPONDENCE TO MAYOR AND COUNCILLORS

ATTACHMENT 1

CORRESPONDENCE RECEIVED 3-14 MAY 2021

PAGES 3 (including cover)

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

4.2.5 List of Registered Correspondence to Mayor and Councillors (Cont.)

Objective

Correspondences addressed to the Mayor and Councillors received between 3/05/2021 & 14/05/2021 - for information - total = 4	eceived between 3	//05/2021 & 14	i/05/2021 - tor information - total = 4
Correspondence Name A letter of invitation to Councillors from Circolo Pensionati Italiani di Oakleigh & Clayton for events in 2021.	Date Created 07-May-21	Objective ID A7673838	user Assigned Mayor & Councillors Office
A request for contact details of a former Councillor of City of Greater Dandenong.	10-May-21	A7680042	Mayor & Councillors Office
An invitation to the Mayor to attend the 2021 Asia Pacific Cities Summit and Mayors' Forum Special Edition in Brisbane from 8-12 September 2021.	11-May-21	A7680615	Mayor & Councillors Office
A Letter of Introduction to Mayor from Tennis Victoria	11-May-21	A7683188	Mayor & Councillors Office

4.2.5 List of Registered Correspondence to Mayor and Councillors (Cont.)

Objective connected community

Correspondences addressed to the Mayor and Councillors received between U3/U3/ZUZ1 & 14/U3/ZUZ1 - for action - total = 1	Date Created Objective ID User Assigned 10-May-21 fA215716 Business, Engineering & Major Projects
correspondences addressed to the Mayor and Co	correspondence Name A letter of complaint requesting an upgrade to the Jacksons Road service and shopping precinct.

5 NOTICES OF MOTION

Nil.

Comment Cr Loi Truong

On Monday 17 May 2021, I attended the Disability Advisory Committee Meeting with the Mayor, Cr Angela Long.

On Saturday 22 May 2021, I attended the annual Fundraising Dinner for the Rotary Club of Springvale with the Mayor and Cr Sean O'Reilly.

Comment

Cr Sean O'Reilly

I attended many functions and events but notably the Municipal Association of Victoria (MAV) State Council at Melbourne Town Hall last Friday where we had Councils across Victoria gather and pass motions advocating for increased funding to various areas.

I also attended Sandown Racecourse with the Mayor and received my COVID vaccine with no after-effects. The needle was long but it did not hurt much at all. I have no trepidation going for the second one which we all should have.

The Victorian Government Budget was announced with a couple of wins for Greater Dandenong which was good to see including the signalisation of Virginia Street and Springvale Road, which is something that I have been advocating for quite a while. I would like to thank the Victorian Government for funding approximately \$4 million because it has been a safety issue.

I also thank the Director of the Traffic Engineers for advocating for this. I know they did quite a bit of work behind the scenes. This does not all happen straight away. It takes quite a bit of assistance work to get it done and it was a great result.

Question

Cr Sean O'Reilly

The second project funded by the Victorian Government was the Springvale Boulevard project with approximately \$1 million contribution. I understand project has commenced but could I ask the Director of Engineering on how the Springvale Boulevard progress is progressing generally and specifically concerning trader engagement?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

It is very good timing. Work commenced last night so we have the first phase which was the removal of the lighting in the median. As of 9.30pm last night, that started so we are happy to say it is underway. It will be quite a journey. It will not be completed until mid-2022 so we have targeted the traders in the best way possible by going door to door, taking those that also speak the language with officers and also with staff from the contractor, MACA Infrastructure Pty Ltd. They engaged directly with us, our staff and with traders and we intend to keep that going throughout the whole project. I do have

an example here of the materials that we will be using but the positive message is we are still open for business. Unfortunately, due to timing, we were not able to get these translated but the next bulletin which will go out in a few weeks will be in a number of different languages. Most of the work I can say at this point is taking place at night commencing at 6.30pm through to 5.30am in terms of not impacting directly on traders but also importantly, not impacting on the movement of vehicles and traffic on what is usually a very busy road. I would be happy to provide an update as we proceed over the coming weeks but the work has begun.

Comment

Cr Lana Formoso

It has been a very busy couple of weeks attending many events in the past few weeks but more importantly, I would like to welcome our Young Leaders of 2021 in our Chamber with us tonight. We had a meet and greet so it was really good to meet all of you and thank you so much for staying here and I hope we have kept you awake. Look forward to working with all of you in the very near future.

Question

Cr Lana Formoso

I have brought this to Council's attention on numerous occasions in regard to the Oakwood Park Scout Hall in Heyington Crescent, Noble Park North. I found a few syringes there last week and I would like to thank the officers for removing those very, very quickly. However, the neighbours have been telling me that there has been a little bit of untoward behaviour happening there. There is a lot of rubbish and some safety concerns with how hidden the area is and even some paraphernalia that have also been found there by local residents. There is also really overgrown grass which needs to be managed as soon as possible please. Could the appropriate officer please contact the Oakwood Park Scout Hall management to see how we could manage this a little bit better in the future please?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Yes, we will certainly do that with regards to the grass and the rubbish. With regards to inappropriate behaviour, we always advise the best place to go to is Victoria Police.

Comment

Cr Lana Formoso

I do believe they have done that in the past but are fed up with not having any results so if Council could maybe just communicate with the Scouts Hall people to see what we could do would be really, really good.

Question

Cr Lana Formoso

Another little issue that I have is the Dandenong Alevi Cultural Centre who have their events every Sunday at the Jan Wilson Centre in Noble Park North. This is a beautiful Turkish community group that uses the facility quite often. Their numbers have been declining particularly post-COVID and it has been very, very difficult to get families involved and interested in coming to spend time at the

Centre, particularly so since all of the sporting equipment have been removed from Jan Wilson Centre. The one in particular that is of concern are the table tennis tables. These are the fold up table tennis tables which can be brought out each Sunday for the kids to use and to keep them active within their community and are very easily put away without disturbing anyone. Could the relevant officer please find out why have they been removed and what can we do about bringing them back?

Response

Mick Jaensch, Director Corporate Services

I will take that question on notice.

Question

Cr Lana Formoso

There is an amazing documentary that I saw on the 7.30 report in January 2021 and I found this report extremely interesting. I do not know if anyone has ever noticed before but the bread tags that we have are very difficult to recycle. They do not go through the machines and we have millions of them in this country. What this company in South Australia is doing is collecting these bread bag tags and 200 of them can support the purchase of a wheelchair in South Africa. It is incredible. St Elizabeth's Primary School in Noble Park North is currently collecting these bread bag tags and also certain plastic lids which can be recycled. It is a great initiative that I would really like all of our schools in this municipality to be a part of. It disturbs me that we do not have a single collection point here in the City of Greater Dandenong. If we could organise that and perhaps get the entire community involved, I think it would be absolutely amazing. The work goes towards funding wheelchairs so it is fantastic.

This question was noted for further action.

Comment

Cr Eden Foster

Last week was Volunteer Week and I would like to acknowledge all the hard work that our volunteers do in our municipality. I do wish that we could boost our numbers given my statistics that I spelled out for you last time. We do have a very low rate of volunteerism in our community and I do hope that we have more volunteers putting their hands up in our local area particularly the young people, because they have so much to offer.

Question

Cr Eden Foster

Given that we did meet with the Young Leaders for 2021 today, one of the things that came up as an issue that does concern young people predominantly in this area is mental health. There are at least a couple of municipalities in the area: Glen Eira and Bayside Councils, that I have come across that do run youth mental health first aid programs for schools in their area for free. It is available to State schools, Catholic schools and independent schools. Is this something that the City of Greater Dandenong could look at implementing?

Response

Martin Fidler, Director Community Services

I believe those Councils who provide those support services are funded through the State Government School Focus Youth Service which is a program that we have in this region but it is not run by this Council. It was in the past. We work very closely with the Education Department on a range of programs relating to mental health, but particularly the responsibilities of training their staff on the Education Department's budget really. We are always happy to work in partnership with the schools particularly with school leavers, those young people that are exiting early for a range of reasons. The programs that you mentioned are funded through the State Government and we do not have that program in Greater Dandenong.

Question

Cr Eden Foster

Can I clarify if the Ross Reserve Football Ground new plans does not include a scoreboard? This is what I have been informed by one of the parents of a player.

Response

Paul Kearsley, Director Business, Engineering and Major Projects

I will take that question on notice and have a look at the Master Plan with regards to whether there would be one. I am surprised if there is none so we will investigate and advise.

Question

Cr Eden Foster

This is another item that I have brought up before and I know Cr Formoso has also brought up the same topic. In terms of racism, we know that Victoria is experiencing a little bit more racism post-COVID, particularly our Asian community who have been subjected to increased racism. Victoria is rated second to New South Wales in terms of racism issues. Recently, only last week Maribyrnong Council has passed a motion for the Racism Not Welcome campaign. To the relevant officer, is this something that our Council is willing to investigate to promote anti-racism once again?

Response

Martin Fidler, Director Community Services

Yes, we have done a fair bit of investigation into this program and it is one that has much merit. I think we do have a lot of information about all the other ways that this Council is trying to tackle particularly racism and discrimination. We are more than happy to sit down and go through those findings with interested Councillors and then we can see if that is the best way for this Council to pursue to an anti-racism campaign. It does cost money. We also know that program has been specifically targeted to schools so there are many schools across the country that are doing that program; and whether or not that is a way that this Council could support schools delivering that program. I think the answer is we would be more than happy to meet with interested Councillors to go through the details of that program and also what we are currently doing in that space as well around our policy positions.

Question Cr Eden Foster

I do think it is a great idea to get schools on board but I do believe that it is not just school students who are victims of racism, whether it be in this municipality or beyond. I know the 'Racism Not Welcome' campaign promotes awareness of the impacts of racism and highlights that we will not stand for it. Many municipalities in New South Wales have passed the motion and have put up street signs in their activity centres which I think is a great way of promoting a safe and harmonious municipality. I think doing what you suggested with schools is great but I think we can go a little bit further as well.

Response

Martin Fidler, Director Community Services

The other forum that we have had ongoing conversations with about this is with Council's Multicultural Advisory Network so we can obtain their advice and view on it as well. Obviously anything we do is not specifically for one cohort but it is a whole community approach and again we are happy to give you their feedback as well.

Comment Cr Rhonda Garad

I had the pleasure this week of attending the Launch of the Victorian Energy Collaboration. This is in fact the most exciting development that I have seen since I have come onto Council. More than half of Victorian Councils have signed up to a renewable energy partnership that will not only tackle climate change, but it will slash electricity prices leaving more money to be spent on local services. 46 Victorian Councils have pooled their energy contracts to source all of our electricity needs from wind. The partnership is predicted to reduce Council energy costs by up to 35 percent. Not only does this stop toxic pollution by the equivalent of emissions of 90,000 cars per year, but it puts money back into services that keep our community healthy. Every single resident in the City of Greater Dandenong will benefit from this partnership. However, it was not easily established and took three long years and I wish to commend the Council, the Chief Executive Officer, John Bennie, for making the decision to enter the partnership, and for Jody Bosman and his team who spent many hours negotiating these contracts. The Victorian Energy Collaboration is the largest emission reduction project by Local Government in Australia. It once again puts Local Government as leading the way in weaning the government sector off fossil fuels towards cleaner and cheaper renewable energy. I am so proud of the City of Greater Dandenong for being part of this energy revolution.

I also attended the Forever Fest event at the Springvale Hub along with Madam Mayor and Crs Lim and O'Reilly. I had the pleasure of meeting our ambassador, Dianne McGrath, who was interested in living sustainably on any planet, perhaps including Mars. I also met Barney Swan, who is an extraordinary example of fantastic leadership in the next generation on sustainability. Congratulations to the Sustainability Team for their organisation of both face to face and online events. The events run until next Saturday so please people, take the opportunity of attending some of these.

I also had the pleasure of attending the School Climate Strike on Friday with thousands of young and old Melbournians. I was so inspired by just how well informed the younger generation are on the impacts of climate change and their willingness to stand up and demand a future on a liveable planet.

Today I was able to have a briefing on the updates with the relevant officer on the Keysborough South Community Hub and I am delighted to see the pleasing progress but also that the new improvements to the hub are highly responsive to the input from the local community. I am also extremely pleased that we are going for accreditation with a five-star green star. This is the first time I understand the Council has gone for this and I think it is extremely impressive. Once again, I think Greater Dandenong is leading the way in sustainability.

Cr Lim and I attended the Neighbourhood Watch Public Forum which was extremely well attended. We heard from Senior Sergeant Debra Lay and our Community Safety Committee, Peter Johnstone and Dona Macik. Very important issues were raised by residents that were taken on by the Police and the Council. Well done to the organisers Dawn and Reg Vernon and the committee members.

Lastly, I had the privilege of attending the premiere performance of Opera Australia's 25th Anniversary Tour with Bizet's Carmen with Madam Mayor and Cr Formoso. It was a wonderful performance and I congratulate the Arts team for securing such a high profile event for the City of Dandenong, which is in fact was a sold out house I believe on the Friday and the Saturday so an extremely impressive event.

Question

Cr Rhonda Garad

What is the status of the Tirhatuan Park Nature Sensory Trail Concept Plan and when will it be ready for public consultation?

Response

Jody Bosman, Director City Planning, Design and Amenity

Construction of the Tirhatuan Park Nature Sensory Trail Concept Plan was not successful in receiving funding in this year's budget. I have an ideas and opportunities plan that have been developed for the Sensory Trail and it is proposed to undertake four weeks of community consultation in the warmer months of the year. In other words, late 2021 or early 2022 so we are progressing. Notwithstanding that we did not get budget for it, we have developed an ideas and opportunities concept plan which we will be taking to the community boards at the end of this calendar year.

Question

Cr Rhonda Garad

Council consulted the community and could not afford a concept plan so we come up with an ideas plan and now taking the ideas plan back to the community. Is that what is happening?

Response

Jody Bosman, Director City Planning, Design and Amenity

That is correct and hopefully in doing that we will be able to show the community how we have responded to the input that we have received from them. It is to keep it alive and moving and hopefully then in the next financial year we will see some ability to put that into effect.

Comment

Cr Rhonda Garad

So it is the concept plan that is not a concept plan but an ideas plan.

Question

Cr Rhonda Garad

Many Councils are promoting on their website and social media a project called YourGround which is mapping a safer Victoria for women and gender diverse people. The YourGround online interactive map will be active and open for community submissions in July 2021. Can we start promoting this via our website and social media?

Response

Martin Fidler, Director Community Services

Greater Dandenong is one of the 18 Councils involved in this pilot project and it is being currently promoted on our website, Council's intranet which is our internal staff website and Council's social media sites. It has been active for a while and it goes from April through to the end of July 2021.

Question

Cr Jim Memeti

I attended the Doveton Football Club event on the weekend and they had the White Ribbon Round. It was great to see a football club where young, big and strong men, wearing the White Ribbon logo on their guernseys. It was great to have the Minister for Women, the Hon. Ms Gabrielle Williams MP, speak at that event. I think that is a great way of bringing awareness to these football clubs. I know our Council has the march from the Dandenong Market through to Harmony Square every year but, have we ever looked at trying to get into the different sporting organisations within our City to promote White Ribbon Awareness? The Minister mentioned in her speech that the numbers continue to increase. With Greater Dandenong being one of the highest areas of violence against women, can we look at tapping into these football clubs, soccer clubs and other clubs as an avenue of raising awareness? It needs to be better and people need to own it.

Response

Martin Fidler, Director Community Services

I believe we currently do. We promote the White Ribbon walk to a range of our community agencies. We have many community groups, not for profit agencies and a range of sporting clubs that attend on the day but we can probably do more. There is a whole range of other programs that we do with

sporting clubs particularly around mental health, drug and alcohol education. I am sure there are other family violence prevention initiatives in there as well but I will take that question on notice and I am happy to provide more details on that back to the Councillors.

Comment Cr Jim Memeti

I think it is a strong statement for these guys who play a tough game of football and wearing it on their guernseys every game so it sends the right message and I think we can learn from that. I was told they are the only football club in the country that have it on their guernsey so we congratulate the Doveton Football Club.

I also attended the Eid Dinner Event hosted by the Alamdar Society of Victoria Inc at the Jan Wilson Centre in Noble Park North. I am learning a lot about the Afghan community and I think we are starting to have one of the largest Afghan communities in our City. They come from different tribes and it was good to share an evening with them and learn about their culture.

I also had the opportunity to open the Hazara Trade Centre on Springvale Road at their Grand Opening. It is a fantastic story about two migrants who arrived as refugees and took on any employment they were offered including tiling around Melbourne. It is a great success story for Irfan Mohammadi and Isa Zarkari who arrived in Australia as two young men who worked really hard and have now opened up their own business as the Hazara Trade Centre. Hundreds of people from around the community attended the opening congratulating Irfan and Isa on their great achievement. Irfan is a local resident of my Dandenong Ward so it is unbelievable to hear these kind of stories which are so inspirational for many people particularly with COVID which has caused many people to struggle yet these gentlemen have continued to work hard and now have opened up their own business which is so fantastic.

Cr Lana Formoso left the Chamber at 8.36pm.

Question Cr Jim Memeti

We celebrated National Volunteer Week last week and as we proudly celebrate the contribution of volunteers, I would like to mention a gentleman who has been volunteering at the Dandenong Thunder Football Club for about 15 years. Ragip (Gips) Jusufi has been putting up the nets, washing the matchday guernseys and filling up the water bottles because he loves his Club, he loves the community and he loves the work he does as a volunteer. People like Ragip need to be recognised. COVID has prevented us from celebrating big like we used to but I think we need to identify these champions in our community and making sure that they are acknowledged for their ongoing contributions. I know they do not do it for recognition but this gentleman's heart is such an inspiration and an important part of the Club and they are few and far between. He is a very humble person who goes about his work quietly so I think it would be nice to acknowledge Ragip Jusufi with a letter of thanks.

This question was noted for further action.

Question

Cr Jim Memeti

I was trying to work out what 'Forever Festival' was. I do not believe we had a good turnout this year. Why was the name changed from the Greater Dandenong Sustainability Festival which was a fantastic name? People relate to this name better so how did the change of name come about?

Response

Jody Bosman, Director City Planning, Design and Amenity

This is the same question that Mr Kirwan has asked during the Question Time – Public and I have given a detailed answer to that. Basically, we will review everything at the end of the festival including its name and whether that name has got traction. This is definitely a new foray into different kinds of festivals. Place based festivals are going out of fashion. Digital festivals are the way to go and you see that across the world now. As part of that obviously, we needed to look at things like the name and the brand that it creates. All of that will be considered as part of the post-mortem at the end of the festival. The fact that you might not have had as many people there on the day does not mean you are not getting the attendance online that that compensates or in fact maybe even exceeds that. Generally, the evidence shows that digital festivals are attracting a greater variety of people and a greater number of people than the place based physical festivals do. Given that we are promoting it as a digital festival, one of the things that we will be looking at is to review the patronage of the festival from a digital point of view in terms of access once the week's festival is over.

The other thing of course that one must bear in mind is that when it is a place based festival, you can go to the festival once and that is it - the experience is over. A digital festival becomes archived and you can have access to it over and over again and it continues so you are then able to promote those festivals year after year. You can end up with more than one festival that then becomes part of your library of festivals. All of this will be considered when we do the review of the festival.

Comment

Cr Jim Memeti

'A' for effort. 'A' for new initiatives but I still find it hard to believe that it is better than what we used to have so while I will struggle with that, we will wait for the results and then we will challenge those results. I am still a little bit concerned that I did not even know what Forever Festival was.

Question

Cr Jim Memeti

I understand that in the 2021/22 Budget, we are not going to have free parking on Lonsdale Street after 30 June 2021. What advertising or what grace period has been planned for people to transition when they need to pay for parking meters in Lonsdale Street? How is that going to work come 1 July 2021?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

We will be bringing back some data and some information with regards to the continuation or non-continuation of that particular 'No Parking Fee' for Lonsdale Street. I am not aware that that matter has been resolved. I understand that it may be targeted in the Budget but if this Council makes a decision as it has done in the past to continue that, then that is a matter for Council to take on board. We will be bringing that matter back at a time in the coming months to address that. We have given one extension already and with regards to the impact of COVID and other matters, it is probably worthwhile for Council to consider that. We can put a number of options in front of Council before you make that call.

Comment Cr Jim Memeti

I like that response that it is coming back and the decision has not been completely made yet. It is great to see the Central Business Districts of Springvale, Noble Park and Dandenong are absolutely thriving. You drive to Fitzroy Street or Chapel Street which have the traditional shops, they are struggling. You go to Noble Park, it is doing well. You go to Springvale, you cannot find a carpark. In Dandenong, the shops in Lonsdale Street are starting to be tenanted which is a good outcome. I will be waiting for that report and going through the evidence.

Question Cr Jim Memeti

A few lovely old ladies mentioned to me that they normally wait for the bus on Hammond Road, Dandenong South where there is a seat at the bus stop but there is no shelter. Unfortunately, winter is around the corner and these poor old ladies catch the bus every day. I do not know who removed the shelter but it was never replaced. It is probably not Council who put up the bus shelters but can we advocate on installing a bus shelter at the Hammond Road and Kirkham Road intersection in Dandenong South?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

It is a very topical question. I think we have an article in tomorrow's newspaper with regards to the issue around who should be supplying bus shelters and not. It is a matter that we will take up with the Department of Transport. We are currently in discussions with them about how it is best for them to replace them. The issue is that those that are currently being removed, although we have put a moratorium on any further removals, are those that were about 20 years old that were installed by this Council under a different agreement and different regime. This was back when Councils undertook the installation of bus shelters themselves, prior to the Department of Transport having a program to do that. However, we are in discussions with the Department of Transport to get them to understand that it is a public service that they provide in terms of bus transportation and it is in the *Road Management Act* that they are responsible for shelters but we seem to be having an issue on that point. We will continue to raise it and hopefully we will be able to provide Councillors with a more

in-depth briefing in the coming weeks at one of the Engineering 101 sessions that we have instigated as part of the Councillor Briefing Session program; and outline a program that we think is best dealt with and that continues to put the focus on the State Government providing them.

Cr Lana Formoso returned to the Chamber at 8.41pm.

Comment Cr Jim Memeti

I look forward to that as well.

Question Cr Jim Memeti

I drive past Hammond Road and Kirkham Road in Dandenong South on a daily basis. About six weeks ago, I complained that the road where Hammond Road meets Kirkham Road was very patchy. A couple of weeks later, the workers came in and ripped it up and resealed it which was fantastic. Yesterday, I saw them ripping it up again. I am not sure what has happened but can we please look into that? If it was not done properly the first time and we got them to come back to fix it, I am hoping that we did not pay for it twice.

Response

Paul Kearsley, Director Business, Engineering and Major Projects

I will make an enquiry on that in terms of the approaches that have been made on that piece of work.

Comment Cr Sophie Tan

This is my report for the last two weeks.

On 12 May 2021, I attended the Community Safety Advisory Committee meeting. We had a speaker from the Monash University who spoke about the YourGround project as mentioned earlier by Cr Garad which can be downloaded via the following link

https://yourground.crowdspot.com.au/page/welcome. It is a crowd-mapping website for a safer Victoria especially for women and gender diverse people. It enables you to anonymously share an experience you have had at a specific location whether it is safe or unsafe and by sharing, it will help other people as well especially women. It is a great initiative which will be launched on 21 July 2021.

On 18 May 2021, I attended the National Volunteer Week event with the Mayor Cr Long and Cr Richard Lim. I just want to say thank you to our volunteers. We have at least 200 volunteers in Greater Dandenong. Josephine who is 91 years of age still serves as a volunteer so thank you to her, out there helping the community.

Question

Cr Sophie Tan

Regarding dumped rubbish, I know we keep bringing it up again and again in this Council, especially in my Noble Park Ward. Apart from Dandenong, I think Noble Park is second on the list in terms of dumped rubbish. Is there anything that Council can do, plan a strategy or anything that we can do to help reduce dumped rubbish on the streets?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Council runs many programs such as the At Call service where people can get rid of rubbish with one free service a year. If they need it more than once, they can book directly with the contractor. The information for this service is on Council's website.

There was some information out a couple of weeks ago about a program where people can use their existing bins at certain times to place material that can be recycled outside the normal bin programs.

Coming up fairly soon is a program where people have the opportunity to take their waste to Greaves Reserve. This was not done last year due to COVID but I do believe there is one planned in the next couple of months whereby people load up their rubbish for recycling on trailers and take them to Greaves Reserve in Dandenong. Council officers and Contractors coordinate the process at Greaves Reserve.

From Council's point of view, we do have many services available. But people often take the easy way out and place the rubbish on the nature strip or dump it in other places. Unfortunately it is up to our community to improve and not take that approach but avail of one of the services that this Council provides which generally comes with no charge as mentioned above. If people want to make more than one collection through the hard waste collection, they have to pay for those.

In terms of picking up dumped rubbish, we have a hot spot collection services that frequent particular streets where we know of dumped rubbish and collect that quickly so it does not encourage others but at the end of the day, the resident has to make a determination not to dump rubbish.

Comment

Cr Angela Long, Mayor

The event at Greaves Reserve is scheduled for 26 June 2021 between 8am and 1pm.

Question

Cr Sophie Tan

Do we not introduce fines or any payment if they get caught dumping rubbish without booking?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Yes, we do. That is a matter for Mr Bosman's team with regards to the local laws, if we are able to track people down through an investigation we can fine them so yes, it can be done. It is usually very difficult to do that because people tend to undertake the dumping in the evening or at night when it is dark. We also have a program of enforcement but at the end of the day, I still believe it is up to the resident to do the right thing.

Question

Cr Sophie Tan

With regards to the local law that we endorsed this evening in relation to hooning, that is usually a matter for the Police but now Council has a role in that. What will be the difference now regarding the issue of hooning? Do we go to the Police first or do we go to the Council?

Response

Jody Bosman, Director City Planning, Design and Amenity

Within the local law there is a provision in there now about hooning. When we were developing and when we were consulting various stakeholders on their vision to our local law, part of that consultation included the Police. At their request we have put into our local law the provision around hooning and attending hooning as a spectator, not just as a driver, as a spectator as well. That does not necessarily mean that officers, wherever there is a provision in a local law, that the local law officers of Council in fact have the responsibility for enforcing those provisions. In this particular case, here under hooning legislation, notwithstanding that it is a local law, it is enforced by Victoria Police so at this stage, Victoria Police did not have anything that they could use to act upon but we have put it into our local law that they are the authorised office. Hopefully that answers the question.

Question

Cr Sophie Tan

I have a similar question to that asked by Cr Memeti regarding bus shelters. Along Corrigan Road close to Kingsclere Avenue, there is a bus stop without a seat or a shelter. Can we advocate to the Department of Transport to install seats and shelters at these bus stops? There are many in the area and with winter, it gets cold and wet or it gets too hot in summer. Who is responsible for the bus shelters?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

That is a matter for the State Government through the Department of Transport and also the bus service provider. It also depends on the bus route. Any issues relating to late services, I would certainly ring up and make a complaint to the bus service providers.

With regards to the seating and the shelters, as I have indicated before, this is an ongoing concern that we have with the Department of Transport and it is a matter that soon Council will be fully informed of the action that it can take. We do have a program currently with a company called oOh!media but

the installation of bus shelters is essentially based on advertising return. You would have seen bus shelters with advertising on them. That essentially pays for the maintenance and installation of non-advertising shelters. I think in the changing nature of advertising, the internet and other things, we are seeing the company oOh!media take a different approach to where they intend to install bus shelters. They only will be on areas where the advertising will get significant exposure and not on small bus stops around the streets at the back of certain parts of our municipality. I would ask the residents that do have those concerns to contact their local Member of Parliament.

Comment Cr Sophie Tan

I would like to thank Paul Kearsley and his Business and Engineering team for their work on the various projects. Thanks also to the State Government for the sport and recreation funding. I think Council received another \$1.5 million for the synthetic soccer pitch construction at Ross Reserve. I want to say thank you to your team for the hard work and thanks to the Noble Park Suburban Revitalisation Board who is chaired by Mr Lee Tarlamis, a member of South Eastern Metropolitan. We have done a lot for Noble Park which is great so thanks.

Comment Cr Richard Lim

The last fortnight has been very busy for me.

On 17 May 2021, I attended the Road Management Plan Briefing.

On 18 May 2021, I attended the National Volunteer Week event at Springvale Town Hall. It was great to be a part of this event as I have been volunteering since I came to Australia 40 years ago and it is something that is close to my heart.

On 19 May 2021, I attended the Citizenship Ceremony at Springvale Town Hall. As always, it is great to help welcome another group of new Australians. Later on, I attended the City of Greater Dandenong Neighbourhood Watch Public Forum at the Paddy O'Donoghue Centre in Noble Park with Cr Garad. There was good interaction between the community, Police and Council officers giving everyone an opportunity to voice their concerns in the City of Greater Dandenong and how to improve it.

On Saturday 22 May 2021, I attended the launch of the Forever Fest event at Springvale Community Hub. It was very impressive to see the layout, the demonstration about living for now and also for the future.

On 23 May 2021, I attended a meeting with Mrs Nora Simkin from Noor Foundation at the Noble Park Community Centre to discuss her organisation and also a newly formed organisation to serve the community of Indigenous Malaysian that come from Sarawak and Sabah Provinces. They contained about 20 tribes in that province. In that afternoon I met with some business owners at Noble Park Shopping Centre. This afternoon, I was invited to a meeting at the Noble Park Activity Centre to discuss some issues from the community.

Question

Cr Richard Lim

In mid-November last year, I proposed the idea of a roundabout at the Royal Avenue and Balmoral Avenue intersection in Springvale as many residents were complaining of frequent accidents and near-misses. Has there been any progress on this request?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Council has a limited budget for road safety infrastructure which is allocated through our Local Area Traffic Prioritisation Program. This location is within the program so it has been identified. However, it is not within the highest priorities. Funding will be prioritised to locations where the road safety risk is higher and I am happy to provide a list of those priorities to you in the coming days.

Question

Cr Richard Lim

I met with Kevin Van Boxtel to discuss the outdoor dining spaces in the parking lots along Buckingham Avenue and the possibility of moving them onto half of the footpath. Mr Van Boxtel mentioned to me that the funds provided by the State Government for COVID outdoor dining will expire at the end of June 2021. Are we able to have that arrangement quickly?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Council officers within Mr Van Boxtel's team and within the traffic team have gone out to inspect potential locations for footpath fixed glass screens and umbrellas and have discussed them directly with traders who are seeking those to be installed. We are expecting to receive costings for a supplier shortly with the intent of placing an order and undertaking the installation as soon as possible using the available grant funds. It is still underway and we hope to have an update on that in the coming weeks.

Question

Cr Richard Lim

I have been working closely with a group of residents to establish a community garden in Springvale since January. The Council stated that they were in the process of creating guidelines for such gardens. Could we get an update on where the Council is with those guidelines?

Response

Jody Bosman, Director City Planning, Design and Amenity

Your question has got good timing because the officers are scheduled to give a briefing to Councillors on 19 July 2021. At the Councillor Briefing Session, you will be given all the information around where we are at on the community garden.

Question

Cr Bob Milkovic

Is there any update regarding a possible relocation of disabled parking on Brady Road shops at Dandenong North from the big parking lot right in front of the shops as requested by quite a few residents who use the shopping strip?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

I will take that question on notice.

Question

Cr Bob Milkovic

I have received calls from residents who get annoyed by this happening at the East end of Brady Road, Dandenong North towards the Police Paddocks, where trucks inadvertently turn into Brady Road thinking that it is some sort of an extension to the freeway. They have these big B-doubles and semi-trailers turning into a dead end lane and to organise the turning takes half an hour. They have their beepers in the middle of the night and lights shining which wakes up the whole neighbourhood down in Sylvan Court and Cardinia Close, Dandenong North. There is a sign that says 'Dead End', but it is only when you enter Brady Road. Is there a possibility that we can look at maybe somehow organising some sort of signage where it actually warns the drivers of these big trucks not to turn into this end, that it is not a freeway entrance, it is not a through road, it is a complete dead end, if possible?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

We are aware of this issue. I think we had some recent other issues raised by residents in that area on that matter. I will double-check with the Traffic Transport Engineers in terms of where that is. It could take some time because again if they are turning off a Department of Transport road, any signage requires their approval.

Question

Cr Bob Milkovic

Bus shelters seem to be on point tonight. I guess there is no further update. I have spoken to our local Member of Parliament regarding a bus shelter at Rosewood Downs Christian Retirement Village and I know that quite a few residents use that bus stop to travel to Waverley Gardens for their shopping. Being independent in their 90s is obviously remarkable but it is presenting a challenge especially in winter months. Is there anything that can be done to speed things up or nothing at all?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

That issue has driven us to write a letter to the Minister of Public Transport with regards to the actions taken by the Department of Transport in not delivering what we believe to be state infrastructure and a copy of that letter has gone to the local Member of Parliament. We are also in discussions with both the local member's office and the Department of Transport in order to try and resolve this matter. As I have said before, it is fairly complex, it does involve a number of existing agreements, one that expires in 2023 between the Department of Transport and oOh!media, and one that expires in 2025 between this Council and oOh!media. It is a fairly simple view, the bus shelter should be installed and it should be installed by the Department of Transport whether they have an agreement with oOh!media or not, that is for their matter but we hope to get a response from the Minister's department and also the local member through the Minister, in the coming weeks and we will certainly keep everybody informed.

Comment Cr Bob Milkovic

I would like to inform my residents that I understand there is quite a significant concern regarding people speeding along Brady Road past the shops. I have read the latest reports from the Transport Department and I am happy to say that although there are people still speeding, 85 percent of people driving past those shops on the measuring device are actually travelling at 54 kilometres per hour. That should put residents' minds a little bit at ease to say that the vast majority of people are abiding by the speed limits. If anything, they are probably below the speed limits. Not to say that there are members of the public out there who blatantly disregard all speed limits or the safety sort of things that are there but at least for now the issue while not contained, the vast majority of people are actually responding to the campaigns so thank you to the Transport Department for that report.

Comment Cr Tim Dark

I just wish to echo the sentiments of some of my colleagues particularly around National Volunteer Week. It is always something that is good to get out and celebrate, not only the people who volunteer within Council but also people as Cr Memeti said before, within the community who are the unsung heroes; those who man the canteens, those who make sure that the grounds are ready to go so that if they do get broadcasted on television or taking photos, everything looks top shape. I do wish to thank everybody for all the work that they do do.

Over the last couple of weeks, I attended a couple of key events. The first is the start of the season of the 75th Anniversary of Australian Filipino relations. The City of Greater Dandenong is the second largest region after the western suburbs to do with the Filipino diaspora in Melbourne. It was good to be able to attend. Unfortunately, it was held down in Werribee and for those who have never been to Werribee, you are not missing much but it was certainly a very, very well attended event. The Filipino community across all of Melbourne came out to attend, many local groups and some owners of Filipino restaurants. There is one which I only became aware of in Springvale South on Henderson Road in the shopping complex there and they have become quite well-known with regards to their setup.

Question Cr Tim Dark

The second event that I attended was at the Keysborough Cricket Club who held their award presentations slightly later after dealing with COVID-19 but it was a very well attended event. A few years back, former Cr Blades, Cr Tan and myself were aware at the time that the Keysborough Cricket Club was in dire straits. There were issues to do with the number of players they had, they were struggling to fill junior teams and there were a whole lot of functional issues at the time. The club and the members reached out and formed a new committee. The secretary of that committee is Jerome Gauder who is on the Dandenong Market Board, a very active participant in the Keysborough Cricket Club. The President is Daniel McConville, who is around my age and he took the helm when nobody else would get involved. Over the last three years, the club has gone from having a \$15,000 debt that they were worried about, to being one of the most profitable clubs within the Dandenong District Cricket Association (DDCA) and they now have a full executive. They have got teams that are competing and winning two flags so within three years, the turnaround has been absolutely phenomenal. I think it might be worthwhile if we could write to the executive committee of the Keysborough Cricket Club congratulating them on winning the flags; and for the turnaround that they have had.

This question was noted for further action.

Comment Cr Tim Dark

A special mention to Daniel McConville and his parents, Debbie and Robert McConville, who are down there every single weekend during cricket season. Mr McConville is a chef by trade and is always there preparing all the food for the cafeteria, making sure that things were set to go so the club was able to raise money. Mrs McConville was coordinating the administrative side of things. It was fantastic.

A special mention as well to Alby Danny Parlby on his achievement as a Life Member. There are not many with life memberships in the Keysborough Cricket Club. Alby has been involved with the Keysborough Cricket Club for many years in many different facets and has done some recent work with kids, getting more of them involved through the youth teams and ensuring that the kids continue to play an important role in the future of the club.

Question Cr Tim Dark

Regarding the racing and speeding that it is happening on Andleon Way in Springvale South. There was a car parked on the bend at Vistula Court which has been sideswiped last weekend and some damage has been caused to it. I believe Cr Foster mentioned the same matter two weeks ago. Could we please investigate the updates on whether we are seeking a spike of increased traffic in Andleon Way and what can be done to deal with any issues around that?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

I was in a discussion with my officers on Friday about this matter and the information that we are receiving with regards to the hooning issue in our region, which is essentially the City of Greater Dandenong, the City of Casey and the City of Cardinia within that police region is that, yes, it has increased quite significantly. Especially following from the COVID lockdown; maybe they did not get enough time in their cars to drive around but the Police are certainly picking up an increase in activity predominantly those that involve what they have classified as more professional hooning, which are groups of a couple of hundred people organised in certain parts of Dandenong South. I think this is where we have to be cautious about a couple of people speeding along a street is not hooning, that is speeding. Hooning is really more of a professional activity where you get groups of people coordinated activities which we know occur in certain parts of Dandenong South in those industrial estates. In talking with the relevant Police officer at the Community Safety night, they are running two programs. They give them interesting names so I do not actually remember what the names are. One is for broader Melbourne and the other one is specifically for this region. They have been quite successful and I think there have been some reports in the local newspapers probably up to about a month or so ago, where they were being successful in catching and impounding vehicles. What I can say is that based on the information we have received, it has increased in the last six months but that the Police are doing more with those particular operations to apprehend those that do it. Where Council can assist is through the provision of appropriate street signs and those things that we have done in the past, especially along the Dandenong Bypass where they can also take action in not complying with those particular street and road signs.

Question Cr Tim Dark

I have been informed that on Cabinda Drive there is quite a large reserve there — Chandler Road Reserve in Keysborough. The reserve has had an update a few years ago with some playground equipment. I have been informed that there was a near-miss incident due to the fact that this particular property is not fenced so when a kid ran across Chandler Road to fetch a ball, he ran out in the path of a car and thankfully the driver was able to stop. It has been raised by the resident who lives directly across the road from the reserve that they have seen it happen quite a few times where people are not paying attention and there is no fence line to stop kids, particularly younger kids, from running around. Is it possible to investigate costing and what options are available with regards to fencing it off or some sort of design to make it look like it is fenced off? The last thing we want is a kid getting hit.

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Yes. If you can provide the details which you have outlined, we can follow up and determine if a fence should be installed what the cost could be.

Question Cr Tim Dark

I have raised this via email to the relevant officer but residents have asked me to raise it publicly as well. There were some incidents regarding a truck being parked in Narellan Drive in Keysborough. It is a very large truck that is obstructing the views and causing many issues for people driving down Narellan Drive, particularly given it has become a thoroughfare for people leaving Parkmore Shopping Centre heading through to Kingsclere Avenue and then down to Corrigan Road in Keysborough. Could we please have an update? If not, can someone from the local laws team investigate? I believe the truck owner is aware because I was informed again via a phone call today that apparently the truck parks in the Parkmore Shopping Centre car park during the week and then on the weekend it miraculously reappears back on Narellan Drive.

Response

Jody Bosman, Director City Planning, Design and Amenity

We have received a Merit request for it. In fact, I expect that my officers will have been out there again this evening. In recent months we have conducted either 14 or 15 inspections of the site on that particular stretch of road and in that time we have issued three infringements. The number of infringements related to the number of inspections is not that high but nonetheless it is an area that we are familiar with and I hope to get a report back in the course of the next day or two on patrols that happened either today or will be happening tomorrow.

Question Cr Tim Dark

My next question is an issue that I have also raised via email. It has to do with the Rowley Allan Reserve in Keysborough. There have been some instances where dogs that have been let off their leashes for a play and when fetching the dog toys, they are also ripping up the grounds. On top of that, there have been dog waste in the middle of the pitch which has caused issues for the local clubs. They were wondering whether it might be possible to get some signs installed at the entrance to Rowley Allan Reserve on the fence as you walk into the middle of the ground to say 'Dogs should be kept on a leash'. Could we put up some sort of signage?

Response

Jody Bosman, Director City Planning, Design and Amenity

We are aware of that and we are having our Animal Management Team look at that with regards to not just signage, but maybe a bit of animal owner education in the area as well. Hopefully that will have some results.

Question Cr Tim Dark

My final question was put to me by a resident during the week after I had a conversation with them at the local shopping complex. In Snow Gum Court in Keysborough at the top end, I believe it is No.1 Snow Gum Court according to IntraMaps, there is a South East or Melbourne Water easement which has a large tree at the front of quite a lot of open space. It could have been a house site at some

stage but apparently, it is being used as a drainage easement. I am a bit perplexed given that there is a lot of soil built up at the site which is now higher than the road below it so it certainly would not hold any water. There have been questions raised on whether there could be any landscaping improvements within that reserve or something added because it is a big ugly tree right in the middle of the easement and residents have said that it has been an issue for quite some time. Could we have a look at it and write to Melbourne Water or South East Water to see what they can do?

Response

Jody Bosman, Director City Planning, Design and Amenity

The first thing I want to say is there are no ugly trees. Certainly, I will take that on board. We will have a look at the situation in terms of existing and possible future landscaping and who we might engage with if that is Melbourne Water land. Leave it with us and we will come back to you as soon as we have been able to undertake those investigations.

Comment

Cr Angela Long, Mayor

On 11 May 2021, I attended the Road Safe South East meeting via Teams.

On Wednesday 12 May 2021, I attended the Community Safety Advisory Committee Meeting.

On 14 May 2021, I attended the premiere performance of Opera Australia's 25th Anniversary Tour of Bizet's Carmen at The Drum Theatre in Dandenong.

On 18 May 2021, I was interviewed by St Vincent de Paul's society regarding homelessness. That is a video that will be shown to the Chief Executive Officers' sleep-out they have usually in June or early July to raise money to accommodate homeless people. I do not know whether anyone around this area is but it is held in Melbourne itself. That afternoon, I attended the National Volunteers Week afternoon tea for Council's volunteers. We have quite a few volunteers that have served for many, many years as volunteers and those services would not have been able to be provided by Council without those volunteers so I thank them very sincerely.

On Wednesday 19 May 2021, I attended a photo shoot at Sandown to promote the new COVID-19 vaccination centre. That night 133 new citizens were at the Citizenship Ceremony in Springvale City Hall.

On 20 May 2021, I attended the Greater Dandenong Volunteers Resource Service National Volunteers Week Celebration. That night I attended Little India's Tour and the meeting to celebrate the success of the shopping market.

On Friday 21 May 2021, I attended the soccer match for Dandenong City v Port Melbourne Sharks. Port Melbourne won, 2:0. It was a freezing cold night.

On 22 May 2021, I attended the Forever Fest at Springvale Community Hub. That night I attended the Rotary Club of Springvale City Annual Polio Fundraising Dinner. On that same night, Cr Truong joined the Rotary Club of Springvale City. Good on you Cr Truong. It is a voluntary service so we need a lot of people to do the work. I know Mr Bennie is part of a Rotary Club and they do fantastic work.

Tonight, we had a meeting with the 2021 Young Leaders Program participants. I also wish to report that the Melbourne City Football Club is a very welcomed addition to our region and city. On behalf of Council I would like to congratulate Melbourne City winning its first piece of A-League silverware in its 11-year existence. By defeating Central Coast at AAMI Park on Saturday night it ensured the club will finish on the top of the A-League ladder for the first time, thus winning them the "Premiers Plate" and qualifying them directly for next year's Asian Champions League. We congratulate the Melbourne City Football Club.

Lastly, I would encourage all people who are eligible, to have their COVID injections. As was mentioned before, Sandown Racetrack is a site where you can have it. You do not need to make a booking because they take walk-ins. Let us all try and eradicate this COVID-19 by getting ourselves all vaccinated. I have already had my first one two weeks ago so I encourage everyone else to have theirs when they are eligible.

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.

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
10/05/21 CQT1	Cr Tim Dark	Rubbish at rear of premises at Parkmore shopping centre/Kingsclere Avenue, Keysborough There is an issue with rubbish at the rear of the Parkmore Shopping Centre along Kingsclere Avenue, Keysborough. Have officers had any conversations with Parkmore Shopping Centre regarding the rubbish issue? There is rubbish material blowing across Cheltenham Road. Could this matter be followed up?	Director City Planning, Design and Amenity	20/05/21	Initial response provided 10/05/21: Yes, between my local laws officers and the education officer in Mr Kearsley's team, we will coordinate communication with the management at Parkmore. Further response provided 20/05/21: Officers have investigated the area including all of the carpark areas around Parkmore Shopping Centre and did not identify any rubbish at the time. Officers however, will continue to monitor the area around the carpark over the coming weeks.
10/05/21 CQT2	Cr Tim Dark	Keysborough Community Park, Loxwood Avenue, Keysborough, who is responsible for maintenance and future plans Regarding the Keysborough Community Park located at the back of Eildon Drive and to the west of Loxwood Avenue, Keysborough. The Freedom Club which is held at Resurrection Parish raised a concern regarding the ground at the rear which had previously been used as a cricket ground. There is an old brick pavilion and a circular field which is no longer being used. I would like an update on what is happening with that field, given Council are maintaining it in the circle fashion,	Director Business, Engineering & Major Projects	20/05/21	Initial response provided 10/05/21: I will take that question on notice. Eurther response provided 20/05/21: The open space at the rear of Eildon Drive, west of Loxwood Avenue, adjacent to Harold Box Reserve is currently under private ownership. The area is currently maintained by Council under a lease agreement that is currently being negotiated with the owners. Future development of this land is subject to the owner's plans for this site.
Reports fro	m Councillors/Delega	Reports from Councillors/Delegates & Councillors' Questions - Questions Taken on Notice	lotice		1/19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		and whether Council propose any future improvements, given the townhouses which soon will be under construction there.			COMPLETED
10/05/21 CQT3	Cr Tim Dark	Green Street, Springvale South and increased parking patrols Whilst doorknocking through Green Street, Springvale South in Green Street, some residents have noted that the nature strips have become quite bare, there are vehicles parking over the nature strips and some other areas have had quite a bit of planting. Is it possible to increase planting along Green Street? Can local law officers increase parking patrols at that location?	Director City Planning, Design and Amenity	20/05/21	Initial response provided 10/05/21: Yes, we will include Green Street on the list for increased patrols in the area. We are developing guidelines for additional planting that will allow residents to do their own planting within the guidelines that are currently being produced. We should see action being taken from the point of view of parking management, but ultimately, improve beautification of the area as well.
					Further response provided 20/05/21: Officers will be increasing parking patrols in this area. COMPLETED
10/05/21 CQT4	Cr Tim Dark	Speeding along Sunnyvale Crescent, Keysborough approaching Chapel Road I received some correspondence from a resident in Sunnyvale Crescent, Keysborough and I know it is and existing issue I have raised on multiple occasions over the years. There has been quite an increase in the amount of speeding along Sunnyvale Crescent in the lead up to Chapel Road. This occurs from early in the morning and also to late at night. A few residents in the street have called me about it. There are	Director City Planning, Design and Amenity	17/05/21	Nith regards to speed humps or other forms of traffic devices, officers will investigate. With regards to noise and hooning, local laws officers are not equipped, trained, or have jurisdiction to take action with hoon behaviour, that is the jurisdiction of Victoria Police. I do have it directed at me fairly often about hoon behaviour and hoon drivers, but I say, it is not an area of local law jurisdiction and my officers are not equipped to deal with that. I
Reports fro	m Councillors/Deleg.	Reports from Councillors/Delegates & Councillors' Questions - Questions Taken on Notice	Votice		2/19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		modified cars that are quite loud, hooning up and down the street disturbing the peace. Can officers investigate the speeding issues and if Council can install			would suggest that the complainant do vigorously engage with Victoria Police in this matter.
		traffic management measures? Also			Further response provided
		what local laws apply to modified			17/05/21: Compoil's most recent speed data for
					this street, identifies there is no
					significant speeding issue, with the
					measured as 53km/h (the speed at
					which 85% of traffic is travelling at or
					below). Whilst this is not considered avcessive for the local context, it is
					interesting to note there is a strong
					demand for westbound movements,
					particularly during the PM peak and
					this is where the outlier higher
					speeds can be observed. We are
					aware sumilyvare crescent is used
					avoiding the left-turn from
					Cheltenham Road into Chapel Road,
					as this particular movement has very
					limited capacity due to the
					intersection configuration. Given the
					above along with some other factors,
					Sunnyvale Crescent is currently
					Area Traffic Management (LATM)
					priority list. Depending on available
					budgets, it is likely to receive traffic
					calming treatments within the next
					year or two. The proposed traffic
					calming treatments will likely include
					devices aimed at deterring 'rat
					running', which will also assist with
					reducing the likelihood and
					frequency of motorists travelling at
Reports fro	m Councillors/Deleg	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	otice		3/19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					inappropriate speeds. You will be kept informed of any progress and community consultation regarding the LATM treatments as per Council's usual processes.
					COMPLETED
10/05/21 CQT5	Cr Tim Dark	Update on Bilbungra Kindergarten, Filer Court, Keysborough Regarding the Bilbungra Kindergarten in	Director Community Services	17/05/21	Initial response provided 10/05/21: I will take that question on notice.
		Filer Court in Keysborough, in my ward. There have been many conversations			Further response provided 17/05/21:
		which have occurred within the			Council has been engaged with the
		kindergarten and its impending move to			Department of Education and Training for several years to ensure
		the Keysborough Primary School site.			an adequate supply of kindergarten
		Some residents nearby in Putt Grove have raised some concerns about			places in the specific local area and also to address the ageing
		distance for them to access the primary			infrastructure and site limitations of
		school. Can we have an update on what			the Bilbungra Kindergarten. The
		is planned for the kindergarten, if it is planned to close when it is planned to			surrounding community of Bilbungra Kindergatten have been consulted
		close, and if you could provide any more			directly by the Keysborough Primary
		information on that			School regarding the new Early
					Years services. Children and
					Reserve kindergartens have also
					been consulted for their views on the
					design for the new Kindergarten.
					Council Officers have commenced
					discussions with the approved provider of Bilbungra Kindergarten
					regarding the relocation of services
	_				to Keysborough Primary School for
					the 2022 year. This is still in planning
					approved provider.
					COMPLETED
Reports fror	m Councillors/Delega	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	Notice		4/19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
10/05/21 CQT6	Cr Bob Milkovic	Monitoring of cleanliness of laneways particularly along Lonsdale Street, Dandenong I wanted to thank officers for sweeping Boyd Lane, Dandenong, regularly over the past couple of weeks. There has been quite a bit of rubbish at that location. Is it possible to regularly monitor this area so traders are not disadvantaged by walking on broken glass in the back lane? Maybe this can be incorporated into Lonsdale Street cleansing.	Director Business, Engineering & Major Projects	20/05/21	Initial response provided 10/05/21: Yes, we can certainly investigate that. 20/05/21: As you are aware, Boyd Lane has been particularly challenging of late with the level of uncleanliness that has resulted from undesirable behaviours from abutting retail operators who have placed discarded items behind their premises and, by some of the disadvantaged cohort within our community. As you have suggested, Council staff will monitor Boyd Lane as part of Dandenong's central business cleaning programs and undertake the cleans as required. In addition to this, Council's Regulatory Services unit is working with the abutting retail operators to maintain a clean area behind their premises.
10/05/21 CQT7	Cr Bob Milkovic	Dumped rubbish at 111-115 Lonsdale Street, Dandenong I have received photos from a local resident regarding one of the charity stores. I think it is St. Vinnies De Paul at 111-115 Lonsdale Street, Dandenong. People donate for charity purposes, but also dump rubbish. It is not so much that it is unsightly, but the wind blows rubbish onto the road. Though it is a private carpark, can officers liaise with the shop	Director City Planning, Design and Amenity	12/05/21	Initial response provided 10/05/21: Yes, officers can engage with them to see if we can get the situation better managed. I will arrange that through our Regulatory Services department. Further response provided 12/05/21: Officers have investigated the property and communicated with the body corporate and shop owners.
Reports fro	m Councillors/Delegն	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	Notice		5/19

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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
		owners or body corporate or whoever controls that carpark to remind them to keep it clean?			COMPLETED
CQT8	Cr Sophie Tan	Noise from Car racing at Sandown Park, Springvale I am following up on a complaint from a resident regarding noise issues caused by car racing at Sandown Park. The resident lives about 1.5 kilometres which is walking distance to the Sandown Park Racecourse. This issue was raised in November 2020 and is an ongoing issue. We have already sent the information to the relevant officer so could you please give an update on this?	Director City Planning, Design and Amenity	14/05/21	Initial response provided 10/05/21: I did have a discussion with Cr Tan and the matter has been investigated. I am sorry if the message has not gone back to the complainant. At the times the motor racing occurred, they were in compliance with the planning permit that has been issued for motor racing at the track, both in terms of the days or at which they were conducted, the races were conducted, the races were conducted and within the sound limits. I will however get a formal response back and see if there were any subsequent dates since the original complaint was lodged. Further response provided 14/05/21: A detailed email response was sent to the resident addressing all the issues raised.
10/05/21 CQT9	Cr Sophie Tan	Anti-social behaviour, lighting and traffic issues in Maureen Crescent, Noble Park A resident from Maureen Crescent, Noble Park complained about some antisocial behaviour with the boarding house in Buckley Street. There are also issues with the street lights, traffic congestion	Director Business, Engineering & Major Projects	17/05/21	Initial responses provided 10/05/21: (1) I am happy to obtain information from Cr Tan regarding the address, the traffic issues and also the street lighting. If you could forward those details through, we could get those underway. Mr Bosman will respond

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response	
		and speeding. Can the relevant officer please provide feedback on this?			to the remainder of the issues raised.	
					(2) In response to the question, there was a similar question from Cr	
					Milkovic. Issues of hooning are not in the iurisdiction of local laws that	
					Council officers attend to. Similarly,	
					that is better attended to by Victoria	
					Police as it is not within our local law to control anti-social behaviour.	
					In consultation with Mr Kearsley, we	
					will investigate the address and that	
					the planning scheme and the	
					building regulations. As to the	
					behaviour of the people who are on	
					site, that is a matter to be pursued through Victoria Police.	
					Further response provided 17/05/21:	
					This is the first time Council's	
					Engineers have been made aware of	
					Such concerns along this street. Given the area has not experienced	
					any significant changes with regards	
					to land use, housing densities or	
					ottel developments, trainc patterns ought to generally remain fairly	
					consistent. Based on the concerns	
					raised and a review of the location, it	
					seems possible the issue relates to a	
					limited number of drivers hooning as	
					opposed to consistently high	
					speeds. If this is the case, the best course of action is for residents to	
Reports fro	m Councillors/Deleg	Reports from Councillors/Delegates & Councillors' Questions - Questions Taken on Notice	lotice		7/19	1

Summary of Response	contact the Police via Crimestoppers (000). Council works closely with Victoria Police to address hooning behaviour. If residents notice any hoon or other anti-social behaviour, we suggest they report it to Crimestoppers via the following link: (https://www.crimestoppersvic.com.a u/report-a-crime) which can be done anonymously. If there is hooning activity occurring which requires immediate attention, residents should call triple-0 (000). By reporting such behaviours, it helps the police to build a profile of the issues and assists in scheduling/ resourcing patrols in the area.	Initial response provided 10/05/21: I will provide an update on that. I am not sure whether they were extended into Noble Park but I can certainly provide an update and also with regards to the commencement and the type of data that we will obtain from them. Further response provided 17/05/21: I am pleased to advise these sensors became operational in late March 2021. Whilst we have been able to observe some of the data which is being collected, it is still too early to be able to identify trends and patterns in parking usage at this time. However, Council's Parking Management Officers are able to	8/19
Date of Completion		17/05/21	
Responsible Officer		Director Business, Engineering & Major Projects	Votice
Subject & Summary of Question		Activation of parking sensors throughout CGD I understand that we have installed the parking sensors City-wide in Springvale, Dandenong and Noble Park. When will we be able to turn them on and obtain useful data out of these sensors?	Reports from Councillors/Delegates & Councillors' Questions - Questions Taken on Notice
Question Asked By		Cr Jim Memeti	m Councillors/Delega
Date of Council Meeting		10/05/21 CQT10	Reports froi

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					use the information to identify areas where overstaying is being regularly identified so they may target their activities accordingly. The next phase of the program is to install sensors in all on-street spaces within the Springvale Activity centre. However, this is subject to funding being approved in the upcoming 21/22 Council Budget.
10/05/21 CQT11	Cr Jim Memeti	Purpose of fencing around Dandenong Park I do see driving past Dandenong Park it does have security fences right around it. What works are we currently doing there that has closed off half of Dandenong Park?	Director Business, Engineering & Major Projects	21/05/21	Initial response provided 10/05/21: I will provide an update. We do have ongoing works there. I think most of those works are related to new pathways. We had the fencing removed on Friday so that the weekend park run could take place but I will provide more information to all Councillors. Further response provided 21/05/21: We are installing a new irrigation system for the entire park and have been fencing off various areas within the park as we undertake works within these areas. It is expected that the majority of the fencing will be removed by 4 June 2021, the project is on track to be completed by the end of June 2021.
10/05/21 CQT12	Cr Jim Memeti	Lighting in Sunset Grove, Dandenong I have had a resident call me regarding street lighting in Sunset Grove,	Director Business, Engineering	20/05/21	Initial response provided 10/05/21: Yes, if you can pass on the details of the property. We will organise for
Keports rro	m Councillors/Delega	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	Votice		9/19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		Dandenong. Can we please investigate lighting in that street?	& Major Projects		someone to inspect. If we do believe they are not of a high quality or a high erandard was then have to
		Comment Cr Jim Memeti Sunset Grove is a very short street so perhaps we can investigate the whole street.			refer that to United Energy and that is where the delay starts. We do have issues with how long that they may take, some months sometimes, but we can investigate and see whether a change is required.
					Further response provided 20/05/21: Council officers are aware of this request and have completed an assessment and confirmed that lighting levels are low in part. The provision of additional lighting has
					already been arranged with its installation to occur approximately midway along Sunset Grove. Council officers are also exploring the installation of additional lighting at the two extents of Sunset Grove.
					Community consultation will be conducted shortly to seek the residents' support for these installations. If favourable, quotes will be sought from United Energy for the provision of the additional lighting, with their installation to
					follow. COMPLETED
10/05/21 CQT13	Cr Rhonda Garad	Asylum seekers There was a Dandenong Journal article	Director Community	20/05/21	Initial response provided 10/05/21: Officers at this stage are not aware
		in the past week about a person seeking asylum in the south-east, who was	Services		of the specifics of this case and we will follow up on the needs of this
		parified from paid work as rie awaits years for a legal outcome to remain in			person once details become available. The Local Government
Reports froi	m Councillors/Delega	Reports from Councillors/Delegates & Councillors' Questions - Questions Taken on Notice	Votice		10 / 19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		Australia. My question is, as Chair and Council of the Local Government Mayoral Taskforce, supporting people seeking asylum, are we taking an advocacy role in this situation of this person seeking asylum and others facing asylum more generally?			Mayoral Taskforce, supporting people seeking asylum, continues with its ongoing general advocacy in collaboration with the Refugee Council of Australia via the Back Your Neighbour campaign, with regular postings via its social media presence. Specific stories about individuals or families, maybe highlighted in these platforms depending on the nature of the circumstances involved.
					Further response provided 20/05/21: Officers will be meeting with the individual (and family) on Tuesday 25 May 2021 to gain further information and to provide advice on support services.
					COMPLETED
10/05/21 CQT14	Cr Rhonda Garad	Amendment of Council's Climate Change Emergency Strategy (Emissions) Given the latest science indicates that we need to reach net zero emissions by 2030 to safely avoid a 1.5 temperature rise, is Council considering amending its own Climate Change Emergency Strategy to reflect this and if not, why not?	Director City Planning, Design and Amenity	20/05/21	Initial response provided 10/05/21: I think there is a lot of work currently being done and the question of whether we are looking at amending I will take on notice. The question deserves a more complex answer than the question itself implies. Further response provided 20/05/21: Council's adopted Climate Emergency Strategy seeks to achieve zero net emissions for Council (corporate) by 2025, and Council remains on track to achieve this. This timeline is well ahead of
Reports fro	m Councillors/Delega	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	Votice		11/19

12/19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					the 2030 timeline. In terms of the community becoming zero net emissions, the strategy seeks to achieve this by 2040. It is not intended to update the strategy at this time, as the timelines set out are those that are considered appropriate given Council's level of influence and authority over the actions of the community. Council continues to undertake significant amounts of work to reduce emissions both for the Council and community and will continue to work with the community to reduce its community's emissions as quickly as possible, which potentially may mean the 2040 target can be met sooner.
10/05/21 CQT15	Garad Garad	Waste to Energy plants health considerations (Hume Council) It is pleasing to me to note the State Government has vastly increased their targets in the last week. My next question, in respect to the Council's Waste Contract and proposed advanced waste solutions including waste to energy plants, is the Council aware that the citizens of Hume Council effectively revoked the proposed waste to energy plants socialises to operate due to health concerns expressed by the community?	Director Business, Engineering & Major Projects	20/05/21	Initial response provided 10/05/21: I personally am not aware of that situation, but I will seek some commentary from my staff and we can investigate by approaching Hume and provide that information to you. Further response provided 20/05/21: Council officers are unaware of the actions taken by Hume City Council of its citizens in relation to health concerns associated with a proposed Waste to Energy Plant.

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

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
10/05/21 CQT16	Garad Garad	Assurance that Waste to Energy plants within CGD will not emit hazardous emissions Will the Council ensure that all waste solutions in the City of Greater Dandenong will not omit cancer causing substance that will impact the health of our community? Comment Cr Rhonda Garad Thanks for the opportunity to clarify. I amreferring only to the advance waste solutions and that the other waste options are not omitting cancer causing substances.	Director Business, Engineering & Major Projects	20/05/21	Initial response provided 10/05/21: I will take this question on notice but just a question of clarity. I know the overarching question you are referring to refers to waste to energy, but in this question, you are referring to all waste solutions. Does that include matters of recycling and Food Organics Garden Organics (FOG)? Further response provided 20/05/21: The Metropolitan Waste & Resource Recovery Group (MWRRG), along with the 16 Councils associated with the South East Melbourne Metropolitan Advanced Waste Processing Contract procurement, have a clear understanding of the need to have reliable, up-to-date and accurate information relating to any proposed technologies, the emissions they generate and how these are controlled, in order to both workers at the plant and the surrounding community. This is imperative in order to gain the trust, confidence and a social licence to operate a facility wherever one may be located. The MWRRG have been tasked to gather this information and report back to Council.
10/05/21 CQT17	Cr Rhonda Garad	Lighting on Djerring trail When will the Council fix the lighting on	Director Business,	20/05/21	Initial response provided 10/05/21: I will take this question on notice. As
Reports fro	m Councillors/Deleg.	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	otice		13/19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		the Djerring Trail between Springvale and Westall stations that is currently creating a risk to public safety?	Engineering & Major Projects		I did indicate with the other enquiry, it may be sitting with United Energy and that is something I will follow up and provide some details.
					Further response provided 20/05/21: The Level Crossing Removal Project (LXRP) have confirmed that the Shared User Path and its lighting between Springvale Road and Westall Road is currently not a Council asset. Council officers are however, still in discussions with LXRP and Metro Trains Melbourne (MTM) regarding the future ownership and management of these assets. Your concerns will be taised with both agencies in an attempt to have these matters rectified as soon as possible.
					TAKEN ON NOTICE
10/05/21 CQT18	Cr Rhonda Garad	Public open space acquisition and promotion With the public open space bought in recent years in Dandenong and Noble Park, can these sites be put on the web page so the public can know our progress in acquiring open space?	Director City Planning, Design and Amenity	21/05/21	Initial response provided 10/05/21: Yes, there have been five started with the Council, four of which have been purchased and I will certainly investigate whether we can put those details on our website. I think that should be relatively easy. Further response provided 21/05/21: Five sites have been presented to Council in 2020/21 for potential purchase as open space, with four of these sites having been purchased, or in the process of being our chased.
Reports froi	m Councillors/Delega	Reports from Councillors/Delegates & Councillors' Questions - Questions Taken on Notice	Notice		14/19

Summary of Response	in this current financial year. Given the costs of purchasing these sites, no further sites are intended to be purchased this financial year and a focus is to be put on identifying an appropriate site in Springvale in the coming years. Sites recently purchased for open space are currently not detailed on the Council website. Officers will investigate the potential for this to occur.	Initial response provided 10/05/21: Transport Engineers will investigate. It is a fairly complex issue in terms of residential parking permits. We have generally found when the matter is introduced or thought about being introduced, many other residents in the street do not necessarily agree with that. However, we will investigate and provide feedback before we proceed any further. Further response provided 17/05/21: Whilst I can appreciate that the demand for on-street parking in some residential streets is higher than others, the on-street parking spaces are public domain and available for use by both visitors and local residents. Many residents may choose to park on-street because it may be more convenient and/or they may be using their garage as a
Date of Completion		17/05/21
Responsible Officer		Director Business, Engineering & Major Projects
Subject & Summary of Question		O5/21 Cr Eden Residential Parking permits Director Cover the weekend, I spent some time doorknocking in the Yarraman Ward particularly in Dandenong. Some of the concerns raised have been in relation to lack of on street parking surrounding residents' homes, particularly where there have been, might I say an overdevelopment of townhouses. A resident from Queen Street, Dandenong has expressed concerns that residents and visitors from the neighbouring block of townhouses, park on the street rather than in the townhouse complex itself and this is impacting on other locals being able to park close to their home. My question to the relevant officer is in relation to resident parking in these areas. Could Council please consider parking permits for this location and also similar areas? Parking permits may serve as a deterrent for non-residents to park there, or at least limit their time parked in the street and would encourage residents of blocks of
Question Asked By		Cr Eden Foster M. Councillors/Delege
Date of Council Meeting		10/05/21 CQT23 Reports fro

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
		townhouses in question to park in the offstreet parking.			storage area for things other than their vehicle. With the above in mind and given most residential properties within Greater Dandenong have onsite parking available within their permises, Council does not offer residential parking permits. Additionally, we do not install accessible (disabled) parking bays on-street in residential areas. Such parking spaces are generally used within activity centres and commercial areas where it may be desirable to have accessible parking closer to publicly accessible facilities. However, in residential areas, if any resident (or visitor) has a disability, we encourage them to prioritise parking on their own premises.
10/05/21 CQT27	Cr Eden Foster	Effective promotion of volunteer events by GDCC How is Council promoting Volunteering events next week?	Director Community Services	20/05/21	All the registered volunteers with Council have been invited to the event on Tuesday. There is also information on the website. I will have to take on notice whether there are things being put on our social media as well but traditionally, it has been older people that volunteer. I know my Positive Ageing team that works with the hundred plus seniors' clubs and groups across the municipality, they certainly try and get the message out there. In fact, the committees of those seniors' clubs are volunteers so, we are creating more support for
Reports fro	m Councillors/Delega	Reports from Councillors/Delegates & Councillors' Questions - Questions Taken on Notice	Votice		16/19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					those volunteers and looking at different ways of getting them back as well.
					Further response provided 20/05/21:
					The following actions were
					implemented to promote Volunteer week:
					website, an article in May Council News Magazine and
					local newspaper, flags on
					display at all gateways,
					promotional displays at both libraries and promotional
					content on big screens.
					 The main Council volunteer
					appreciation activity this
					week was Coulful's Volunteer Afternoon Tea held
					with guest speaker from
					Volunteer Victoria. All
					Council volunteers were
					provided with a letter, Certificate of appreciation
					and national volunteer week
					pin.
					- The Greater Dandenong Volunteer Resource Service
					(GDVRS) will be holding their
					National Volunteer Week
					celebration on Thursday 20
					Dandenong Pavilion.
					The GDVRS has advised that
					Councillors have been invited.
Reports fron	n Councillors/Delega	 	Votice		17/19

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					Discussions were held with our Media and Communications Team repromotion of Council's Volunteer Week event on Council's public social media platforms, however because of the potential for confusion of non-Council volunteers attending it was decided not to post an article in relation to this event but utilise other methods of promotion.
					COMPLETED
10/05/21 CQT28	Cr Loi Truong	Cost/supply of Kitchen caddies Some residents have asked if they were provided with the green kitchen caddies, would their rates increase? Response Paul Kearsley, Director Business, Engineering and Major Projects If you are referring to the kitchen caddies to go with the food organics, that is something that we can provide. Comment Cr Loi Truong Yes.	Director Business, Engineering & Major Projects	20/05/21	Initial response provided 10/05/21: If you provide me with the details of the residents and if it is with regards to the varying sizes of other bins, we can assist with that. Council's Waste Officers can speak to them directly. Further response provided 20/05/21: The impact on the Residential Waste Charge as a result of the introduction of a FOGO service is approximately an additional \$1.60 per property. This additional \$1.60 per property. This additional charge will fund community education, the supply of kitchen caddies to households and increase bin auditing of kerbside FOGO bins. These elements are important steps to drive the minimisation of contamination to the organics bin, as increased contamination will result in a higher contracted gate fee for the service. The contracted rate to process FOGO is slightly higher that garden organics only. Waste disposed at
Reports froi	m Councillors/Deleg	Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice	otice		18/19

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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 Date of Officer	Date of Completion	Summary of Response
					landfill is charged at a higher rate than processing FOGO. The aim here is to remove the food from the waste stream (landfill), thus reducing our landfill costs to offset the increased costs associated with processing FOGO and at the same time generating a better environmental outcome. As the State Government's EPA Landfill Levy increases over time, the more food we can remove from the garbage bin going to landfill, the greater the financial and environmental benefits will be.
					COMPLETED

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.

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

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No urgent business was considered.

The meeting closed at 9.06PM.

Confirmed: / /