



GREATER
DANDENONG
City of Opportunity

AGENDA MONDAY 15 NOVEMBER 2021

Commencing at 7:00 PM

COUNCIL MEETING

Statement - Coronavirus (COVID-19)

At the time of printing this Agenda, the Council Meeting to be held on Monday 15 November 2021 will be closed to the public under the COVID-19 *Omnibus (Emergency Measures) Act 2020 and the Local Government Act 2020*.

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

COUNCIL CHAMBERS
225 Lonsdale Street, Dandenong VIC 3175

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	MEETING OPENING	1
1.1	ATTENDANCE	1
1.2	ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND	1
1.3	OFFERING OF PRAYER	2
1.4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
1.5	DISCLOSURES OF INTEREST	3
2	OFFICERS' REPORTS - PART ONE	4
2.1	DOCUMENTS FOR SEALING	4
	2.1.1 Documents for Sealing	4
2.2	DOCUMENTS FOR TABLING	6
	2.2.1 Petitions and Joint Letters	6
2.3	STATUTORY PLANNING APPLICATIONS	12
	2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013)	12
	2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535)	38
	2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167)	71
3	QUESTION TIME - PUBLIC	157
4	OFFICERS' REPORTS - PART TWO	159
4.1	CONTRACTS	159
	4.1.1 Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1)	159

4.1.2	Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch	170
4.2	FINANCE AND BUDGET	181
4.2.1	Financial Report 1 July 2021 to 30 September 2021	181
4.3	OTHER	236
4.3.1	Maralinga Community Garden Inc. Request for Rate Rebate Under a Lease	236
4.3.2	Draft Minutes of Springvale Community Hub Committee Meeting - 5 October 2021	242
4.3.3	2021 Community Support Grants Program - Round 2	249
4.3.4	New Art Gallery Name	262
4.3.5	Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 11, 18 & 25 October 2021	275
4.3.6	List of Registered Correspondence to Mayor and Councillors	280
5	NOTICES OF MOTION	284
6	REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS	285
7	URGENT BUSINESS	286

1 MEETING OPENING

1.1 ATTENDANCE

Apologies

1.2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND

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

1.3 OFFERING OF PRAYER

As part of Council's commitment to recognising the cultural and spiritual diversity of our community, the prayer this evening will be offered by Mr Shamim Navidi from the Spiritual Assembly of the Baha'is in Greater Dandenong, a member of the Greater Dandenong Interfaith Network.

1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Meeting of Council held 25 October 2021.

Recommendation

That the minutes of the Meeting of Council held 25 October 2021 be confirmed.

1.5 DISCLOSURES OF INTEREST

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

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

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

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

2 OFFICERS' REPORTS - PART ONE

2.1 DOCUMENTS FOR SEALING

2.1.1 Documents for Sealing

File Id:	A2683601
Responsible Officer:	Manager Governance

Report Summary

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

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

Recommendation Summary

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

2.1.1 Documents for Sealing (Cont.)

Item Summary

There are two [2] items being presented to Council's meeting of 15 November 2021 for signing and sealing as follows:

1. An Instrument of Appointment of Authorised Officer under the provisions of the *Local Government Act 1989*, the *Local Government Act 2020*, the *Environment Protection Act 1970*, the *Environment Protection Act 2017*, the *Heritage Act 2017*, the *Infringements Act 2006*, the *Land Acquisitions and Compensation Act 1986*, the *Planning and Environment Act 1987*, the *Sex Work Act 1994*, the *Subdivisions Act 1988*, the *Victorian Civil and Administrative Tribunal Act 1998* and the Regulations made under each of those Acts; the Local Laws made under the *Local Government Act 1989* and the *Local Government Act 2020*; and any other Act, Regulation or delegated legislation (including the Greater Dandenong Planning Scheme) which relates to the powers of the Council made under the provisions and enactments described. This instrument enables the following Council officer to carry out the statutory responsibilities of the above Acts and is subject to policy and delegations previously adopted by Council:
 - Andrew Papanastasiou; and
2. A letter of recognition to Donna Arnephy, Corporate Services for 20 years of service to the City of Greater Dandenong.

Recommendation

That the listed documents be signed and sealed.

2.2 DOCUMENTS FOR TABLING

2.2.1 Petitions and Joint Letters

File Id:	qA228025
Responsible Officer:	Manager Governance
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 Governance Rules. These are also tabled.

2.2.1 Petitions and Joint Letters (Cont.)

Petitions and Joint Letters Tabled

Council received no new petitions and no joint letters prior to the Council Meeting of 15 November 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 this report and Attachment be received and noted.

2.2.1 Petitions and Joint Letters (Cont.)

DOCUMENTS FOR TABLING

PETITIONS AND JOINT LETTERS

ATTACHMENT 1

PETITIONS AND JOINT LETTERS

PAGES 4 (including cover)

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

2.2.1 Petitions and Joint Letters (Cont.)

Date Received	• Petition Text (Prayer)	No. of Petitioners	Status	Responsible Officer Response
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If the details of the attachment are unclear please contact Governance on 8571 1000.

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2.2.1 Petitions and Joint Letters (Cont.)

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

2.3 STATUTORY PLANNING APPLICATIONS

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013)

File Id:	310710
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Assessed Plans

Application Summary

Applicant:	AnC Planning Consultants
Proposal:	AMENDMENT TO: Planning Permit PLN20/0321 and associated endorsed plans for the use of the land for a food and drink premises (Bar) and the sale and consumption of liquor.
Zone:	Comprehensive Development Zone – Schedule 2
Overlay:	Design and Development Overlay – Schedule 2 Special Building Overlay
Ward:	Dandenong

The application seeks consent to amend Planning Permit PLN20/0321 to allow for an additional use of the land for a food and drink premises (Bar) and the sale and consumption of liquor.

The use is proposed to operate alongside the existing Place of Assembly (Shisha Lounge).

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

- Clause 37.02-1 – A planning permit is required for the use of the land for a Tavern (Bar).
- Clause 52.27 Licensed premises - A planning permit is required for the use of the land for the Sale and Consumption of Liquor.

Pursuant to Section 72 of the Planning and Environment Act 1987, the ambit of discretion is limited to the proposed changes sought by the applicant. Consideration cannot be given to elements already approved as part of the original application that are not sought to be amended.

Councils assessment is limited to the changes sought through this application, being the use of the land for a bar and the sale and consumption of liquor on the subject site.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Assessment Summary

As detailed in this report, the proposal responds appropriately to the provisions of the Greater Dandenong Planning Scheme.

It is considered that the issue of an amended planning permit to include the use of the land for a Bar and Sale and Consumption of Liquor, will not adversely affect existing land uses nor cause loss of amenity to the sites surrounds.

As the two uses are similar by way of potential operation, the existing Permit Conditions, endorsed patron management plan and Alcohol Management Plan satisfactorily address all additional requirements to ensure the business can continue to operate safely and with minimal amenity impacts.

The proposed hours for the use of the Bar remain aligned with the existing operational hours of the Shisha Lounge, with the recommendation proposing that the sale of liquor is to cease an hour prior to close on Friday to Sunday nights (midnight) to reduce any potential increase of alcohol related harms that may occur once patrons leave the site.

Lastly, the application does not propose any increase in patron numbers and seeks to continue to operate the business with a maximum of thirty (30) patrons on the premises at any one time.

Recommendation Summary

As assessed, the proposal is consistent with and appropriately responds to the provisions of the Greater Dandenong Planning Scheme. The proposal appropriately responds to policy seeking to activate Central Dandenong and will contribute to the revitalisation of a street superior attributes by way of access and location.

This report recommends that the application be supported, and that an **Amended Permit** be granted subject to amended conditions as set out in the recommendation.

If the application was considered by VCAT, it is the officer's view that it is highly likely that VCAT would also issue an amended permit for this proposal.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Subject Site and Surrounds

Subject Site

The subject site is identified as Lot 1 on the Plan of Subdivision 254989, and is more commonly known as No. 3/24 Langhorne Street, Dandenong.

- The site is located on the southeast side of Langhorne Street and within the Central Dandenong Activity Centre.
- The site is one (1) of three (3) existing tenancies located within the one building at no. 24.
- The current use on the premises is a Place of Assembly (Shisha lounge).
- The older styled red brick building contains large expanse of glazing to the street frontage.
- To the western side boundary of the buildings is a laneway that provides access to the subject's sites rear carpark.
- Two (2) of the fifteen (15) car spaces are allocated to the subject site.

Surrounding Area

- Established commercial area with a mixture of predominantly single storey offices, shops and food and drinks premises.
- Restricted on-street car parking located to the frontage.
- Council operated car park abuts the subject site to the east.
- The Dandenong Police Station and Law Courts are located approximately 100 metres southeast of the site.
- The Dandenong Plaza is located approximately 270 metres to the northeast of the site.
- The site is located within the Principal Public Transport Network Area (PPTN) and is bounded by two Category 1 Road Zones: Foster and Lonsdale Street.
- The Dandenong Train Station is located approximately 700 metres to the west.
- The site is within walking distance of several bus routes.
- The site benefits from superior access to a wide range of services and facilities within the activity centre.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Locality Plan



Background

Permit History

Planning Permit PLN20/0321 was issued under delegation on 21 October 2020 for the use of the land for a Place of Assembly (Shisha Lounge) and to reduce the car parking requirements.

A site plan and a Patron Management Plan were endorsed on 1 December 2020.

Coinciding with the approved maximum of thirty (30) patrons associated with the use, the use generated a statutory requirement to provide a total of nine (9) car parking spaces on the site. As only two (2) car spaces are allocated to the premises, a reduction of seven (7) car parking spaces was subsequently assessed and supported by Councils traffic engineer.

Importantly, the assessment highlighted the Local policy support for the shift away from the use of the private vehicle in Central Dandenong. This shift would by default, encourage the use of public transport while supporting the policy aim of increasing pedestrian activity for the dominance of pedestrian environments.

This policy has not altered since the issue of the permit.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Proposal

The application proposes to seek consent to amend Planning Permit PLN20/0321 to allow for an additional use of the land for a food and drink premises (Bar) and the sale and consumption of liquor.

The use is proposed to operate alongside the existing Place of Assembly (Shisha Lounge).

Key details of the proposal are as follows:

Use of the land as a Bar

- 'Tavern' is a section 2 use in the CDZ2.
- The term 'tavern' was renamed to 'bar' in August 2019 by Amendment VC159, however the CDZ2 has not been updated to reflect this.
- 'Tavern' and 'Bar' have the same definition:
 - *Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.*
- The sale and consumption of liquor is proposed within the entire area of the approved place of assembly.
- As the Tavern/bar use is not ancillary and can operate independently of the Shisha Lounge (and vice versa), the land is proposed to be used for both a Place of Assembly and a Tavern/Bar.
- Accordingly, planning permit is required for the use of the land as a Tavern/Bar.

NB: for ease of reading, 'Bar' will be used for the remainder of the report.

Liquor license (On-premises license)

- Monday to Thursday: 4 p.m. – 11 p.m.
- Friday to Sunday: 2 p.m. to 1 a.m.
- Maximum patron capacity: 30 (as approved under PLN20/0321)
- Total number of staff: 4
- A Redline plan outlines the area(s) permitted to sell and consume liquor. The Redline plan is confined internal to the building.

Amendment to the Planning Permit Preamble

Consent to amend the planning permit preamble from:

- The use of the land for a Place of Assembly and to reduce the car parking requirements.

To (with changes highlighted in **bold**):

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

- The use of the land for a Place of Assembly **and a Food and Drink premises (Bar), the sale and consumption of liquor**; and to reduce car parking requirements.

Amendment to Planning Permit Conditions

Consent to amend Condition 9 of Planning Permit PLN20/0321 is requested.

Condition 9 provides:

9. Only the consumption of food, non-tobacco shisha and non-alcoholic beverages are to take place on the subject site, consumption of any other item or product is not permitted. Only food, non-tobacco shisha and non- alcoholic beverages are to be sold and consumed on the premises by patrons.

To avoid any conflict if a permit is to issue, the condition is required to be amended as follows. The words to be deleted have been struck out and bolded for ease.

9. Only the consumption of food, non-tobacco shisha and ~~non-alcoholic~~ beverages are to take place on the subject site, consumption of any other item or product is not permitted. Only food, non-tobacco shisha and ~~non-alcoholic~~ beverages are to be sold and consumed on the premises by patrons.

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:

- Clause 37.02-1 – A planning permit is required for the use of the land for a Bar.
- Clause 52.27 Licensed premises - A planning permit is required for the use of the land for the sale and consumption of liquor.

The applicant has applied for an amendment to Planning Permit PLN20/0321 under Section 72 of the *Planning and Environment Act* 1987. Pursuant to Section 72(1) a person who is entitled to use or develop land in accordance with a permit may apply to the responsible authority for an amendment to the permit.

The ambit of discretion is limited to the proposed changes sought by the applicant.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Consideration cannot be given to elements already approved as part of the original application but not sought to be amended.

In this regard, Council's assessment is limited to the new additional use of the land as a Bar and the use of the land for the sale and consumption of liquor.

Zoning Controls

The subject site is located in Precinct B of the Comprehensive Development Zone (CDZ), Schedule 2, as is the surrounding area.

The purposes of the CDZ as outlined at Clause 37.02 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.*

Pursuant to Clause 37.02-1, a permit is required for the use of the land as a Bar as outlined in Clause 1.0 of Schedule 2 to the Zone.

Overlay Controls

The subject site is located in the Design and Development Overlay – Schedule 2, as is the surrounding area.

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

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

A permit is not required for the proposal as no buildings and works are proposed.

The subject site is also located in the Special Building Overlay, as is the surrounding area.

The purpose of the Special Building Overlay outlined at Clause 44.05 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*

A permit is not required for the proposal as no buildings and works are proposed.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

State 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.

Clause 11 Settlement

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

Planning is to recognise the need for, and as far as practicable contribute towards:

- *Health, wellbeing and safety.*
- *Diversity of choice.*
- *Adaptation in response to changing technology.*
- *Economic viability.*
- *A high standard of urban design and amenity.*
- *Energy efficiency.*
- *Prevention of pollution to land, water and air.*
- *Protection of environmentally sensitive areas and natural resources.*
- *Accessibility.*
- *Land use and transport integration.*

Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

Clause 13.05-1S Noise abatement

Clause 13.05-1S (Noise abatement) seeks to assist in the control of noise effects on sensitive land uses by ensuring that development is not prejudiced, and community amenity is not reduced by noise emissions. This can be achieved by using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)Clause 13.07-1S Land use compatibility

Clause 13.07-1S (Land use compatibility) seeks to safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects. This can be achieved by ensuring the use is compatible to the area through the provision of building design urban design, operation and land use separation measures as well as directing land uses to appropriate locations.

Clause 17 Economic Development

Clause 17 (Economic Development) contains a number of subclauses that seeks to strengthen the objectives of:

- *Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity.*
- *Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.*

Importantly, the clauses recognise the role of business in appropriate locations in encouraging development that meets the community's needs for retail, entertainment, office and other commercial services.

Clause 19.02-3S Cultural facilities

Clause 19.02-3S (Cultural facilities) seeks to develop a strong cultural environment and increase access to arts, recreation and other cultural facilities by encouraging a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.

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:

Central Dandenong is one of the largest retail and commercial centres in metropolitan Melbourne. Its local and regional role needs to be protected and promoted.

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, transport networks, transport services and inland ports (considered individually under Clauses 21.04 to 21.07).

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Of particular relevance to this application is Clause 21.04-2 Retail, Commerce and Entertainment as follows:

Clause 21.04-2 Retail, Commerce and Entertainment

Clause 21.04-2 (Retail, Commerce and Entertainment) acknowledges the extent of retail, commercial, industrial and entertainment uses in providing a range of jobs the municipality, while ensuring that these centres are appealing visitors from outside the municipality.

Clause 21.04-2 includes a number of relevant objectives and strategies that seek to:

- *To promote and further develop central Dandenong as the pre-eminent Metropolitan Activity Centre for retail, commercial, entertainment and community services in Melbourne's south east;*
- *To reinforce and develop the role, character and identity of activity and neighbourhood centres outside of central Dandenong.*
- *To encourage a mix of complimentary land uses that increase an activity centre's commercial variety without compromising its core commercial strengths.*
- *To encourage greater visitation to all activity centres; and*
- *To create positive social, cultural and economic perceptions of all activity centres.*

Clause 22.07 Central Dandenong Local Planning Policy

Schedule 2 of the CDZ implements the Central Dandenong Local Planning Policy at Clause 22.07. This policy articulates Council's vision, which is the culmination of extensive strategic planning and sets the framework for future land use and development over the next thirty years. Activities within central Dandenong are to be supported by a strong economic foundation through commercial activities, recognising that Central Dandenong will have to become more complex and diverse, with integrated land uses.

Particular Provisions

Clause 52.06 Car Parking

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

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

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Pursuant to Clause 52.06-3, a planning permit is not required to reduce the required number of car parking spaces for a new use where the number of car parking spaces required under Clause 52.06-5 is less than the number of car parking spaces required under Clause 52.06-5 for the existing use of the land.

Planning permit approved a reduction of reduction of seven (7) car parking spaces under primary consent PLN20/0321. The new use would require five (5) car spaces, which is less than the existing use of the land.

No planning permit is required to further reduce the number of car spaces required.

Clause 52.27 Licensed Premises

The purposes of Clause 52.27 Licensed Premises are:

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

These provisions apply to premises licensed, or to be licensed, under *the Liquor Control Reform Act 1998*. The applicant seeks a on-premises liquor license.

Pursuant to Clause 52.27, a planning permit is required to use land to sell or consume liquor.

General ProvisionsClause 64.01 Land Used for More Than One Use

Clause 64.01 (Land Used for More Than One Use) specifies that where land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme. This provision is relevant in the assessment of this application.

Clause 65 Decision Guidelines

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.

Operational Provisions

The City of Greater Dandenong Planning Schemes operational provisions as set out in Clauses 70 to 74. These clauses detail the operation, administration and enforcement of the Greater Dandenong planning scheme.

Notably, **Clause 71.02-3 - Integrated decision making**, stipulates society's various needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

Considerations

In considering this application, regard has been given to the State and Local Planning Policy Frameworks, the provisions of the Greater Dandenong Planning Scheme, objections received and the individual merits of the application.

There are no primary Council policy matters to consider as part of the request to amend the plans.

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

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

Diversity (Access & Equity)

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

Community Safety

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

Safe Design Guidelines

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

Referrals

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

However, notice was given under Section 52 of *Planning and Environment Act 1987* to the following authorities for comments:

External notice	
Victoria Police	No objection.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)**Internal**

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

Internal Referrals	
Community Services	No objection, subject to conditions.

Advertising

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

- Sending notices to the owners and occupiers of adjoining land.
- Placing 1 sign on site facing Langhorne Street.

The notification has been carried out correctly.

Council has received zero (0) objections to date.

Assessment**Use**

The use of the land for Bar, is a Section 2 (permit required) use of the land in the CDZ2.

The proposal seeks to operate as a Bar in addition to the existing use of the subject site as a Place of Assembly (Shisha lounge).

It is important to note that while the premises operates as a Shisha Lounge, when considering planning applications, Council can only consider this as a Place of Assembly. Any potential concerns with the interaction of a Shisha Lounge and Bar cannot be considered, and rather it is the interaction of a Place of Assembly and Bar that can be considered. Furthermore, in terms of what can be considered, these considerations are limited to what planning permissions are being sought. In this instance, this is a Bar and the potential cumulative impacts of the Bar and the Place of Assembly.

No additional patrons are proposed with the new use.

The total patron numbers are linked with the premises rather than the uses, therefore, the total patron numbers allowed on the premises at any one time remains at 30 in accordance with Condition 6 of the permit.

Schedule 2 to the CDZ, outlines a number of guidelines for a use of the land. The site is located in precinct B of the CDZ.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

The precinct seeks to:

- *... 'promote a greater diversity of use including a mixture of commercial uses at ground level with offices, accommodation above to enliven the public realm 24 hours a day'.*

The specific objectives relevant in the assessment of the use in precinct B are:

- *To encourage a variety of commercial, shops, food and drink premises at ground floor level. Commercial uses may include food and drink premises, offices, shops and service industry facilities such as a postal agency, which are compatible with the location.*
- *To encourage community and entertainment based facilities on and south of Walker Street.*

Policy clearly encourages the use of the land for a Food and Drink premises (Bar) at this subject site. The site is also located south of Walker Street, and whilst strictly not 'entertainment' the additional use of the land as a bar will contribute to the vitality of Langhorne Street.

As recognised throughout local policy, this will require the integration of an extensive range of recreation and leisure activities and consideration to the effective management of adjoining land uses.

Underpinning the economic viability of the subject site will assist in contributing to the vibrancy of the commercial centre, that in this locale is lacking in trade.

Uses in Precinct B are sought to promote a greater diversity of use including a mixture of commercial uses at ground level with offices, accommodation above to enliven the public realm 24 hours a day.

The use of the land as a Bar will encourage an increase in the businesses patronage and visitation to the activity centre. It is evident that in supporting a new use at this site, commercial activities will increase and contribute to the economic base of the city.

The applicant proposes that the hours of the Bar will remain in accordance with the operating hours of the Shisha Lounge as outlined in Condition 7 of the Planning Permit.

These hours are:

- Monday to Thursday - 4:00pm to 11:00pm; and
- Friday to Sunday - 2:00pm to 1:00am.

The appropriateness of these hours are discussed later in this report.

Clause 2 of Schedule 2 to the CDZ outlines a number of decision guidelines relating to the impact of uses on amenity.

Specifically, a new use must not detrimentally affect the amenity of the neighbourhood, including through the:

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

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

- *Appearance of any building, works or materials.*
- *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.*

In this regard, the use of the land as a Bar, is not dissimilar from a Place of Assembly and the largest potential impacts that may arise are from noise and patron behaviour.

It is noted that the subject site is not proximate to any residential dwellings.

Given that the Zone and supporting policy at Schedule 2 and 22.07 seeks to activate this area of Central Dandenong and envisions 24 hour uses, it is considered that the existing conditions of the permit will manage any potential or perceived third party amenity impacts.

Furthermore, Clause 64.01 specifies that if land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.

It is considered that the use of the land as a Bar complies with the Greater Dandenong Planning Scheme.

In summary, the use of the land as a Bar benefits from substantial policy support.

Car parking

As outlined earlier in the report, a planning permit is not required to reduce the number of parking spaces required under Clause 52.06-5 for the use of the land as a Bar.

The previously approved Place of Assembly (PLN21/0321) required 9 car parking spaces to comply with the Planning Scheme requirements. A reduction was approved based on the sites location within the Dandenong Activity Centre, and access to various modes of public transport.

The proposed Bar would require 5 car parking spaces to comply with the Planning Scheme requirements.

Pursuant to Clause 52.06-3, a planning permit is not required to reduce the required number of car parking spaces for a new use where the number of car parking spaces required under Clause 52.06-5 is less than the number of car parking spaces required under Clause 52.06-5 for the existing use of the land.

As such, no planning permit is required to further reduce the number of car spaces required.

Licenced Premises

The application seeks consent pursuant to Clause 52.27 – Licenced Premises, to allow for the sale and consumption of liquor (On-premises licence).

A number of Decision Guidelines are required to be considered when determining the appropriateness of an application for a Licensed Premises.

These are detailed here below.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

The Municipal Planning Strategy and the Planning Policy Framework.

The subject site is located within a commercial strip in the Central Dandenong Activity Centre.

The objective and strategies of the various policies within the Greater Dandenong Scheme clearly support the commercial, retail and entertainment functions of the land with the view to underpin the economic base of the centre and promote Central Dandenong as a more attractive place to live, work and visit.

The proposed use of the land for the sale and consumption of liquor in association with a Bar, enjoys broad policy support in the Planning Policy Framework and strongly aligns with Local Planning Policy Framework.

Encouraging the provision of additional and diversified uses will support this policy intention in a key area with limited (if any) sensitive uses where regular amenity impacts of noise, traffic generation and parking as generated by similar uses proximate to residential areas, are of no concern on this site with sufficient on and off street parking and excellent public transport access.

The amended Patron Management Plan and a number of existing conditions of permit, will limit negative impacts of the sale and consumption of liquor namely with regard to patron behaviour.

Combined, the proposed use of the land as a Bar and the sale and consumption of liquor is a modest increase in the business activities sought on the land, where the number of patrons and site area is not sought to be increased.

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

Located within the Central Dandenong Activity Centre, the liquor license is sought to complement an existing business.

As reflected by the red line area, the sale and consumption of liquor will be confined to within the existing building.

Notwithstanding, amenity impacts are required to be considered.

Section 3A of the *Liquor Control Reform Act 1998*, specifies that amenity of an area is the quality that the area has of being pleasant and agreeable.

Factors that may be taken into account in determining whether the grant of a licence would detract from or be detrimental to the amenity of an area include:

- *The possibility of nuisance or vandalism; and*
- *the harmony and coherence of the environment.*

The building is located within a commercial strip with a number of vacant commercial tenancies and no sensitive ie, residential or education uses located within 100 metres of the subject site.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Given that existing conditions will manage any off-site impacts associated with any issue of an amended planning permit and the balance of surrounding uses are in no way considered to be sensitive, it is considered that potential amenity impacts to the surrounding uses as a result of consent for the sale and consumption of liquor are negligible.

This is reflected in the response by Victoria Police, who did object to the grant of a permit, offer any comments or recommend further conditions to be applied to the planning permit.

Similarly, the application was also referred to Councils Community Services department who advised that the applicant has submitted a satisfactory Alcohol Management Plan, *'highlighting their commitment to ensuring compliance, and reducing the likelihood of alcohol-related behavioural risks inside and external to the venue'*.

It was recommended that that venue management engage security to support venue, staff, and patrons' safety, particularly when leaving the premises at a minimum on Friday and Saturday nights.

This is already addressed on the permit by way of Condition 12 that requires the permit holder to ensure adequate security and surveillance staff are provided so as to control the behaviour of patrons.

The impact of the hours of operation and the number of patrons on the amenity of the surrounding area.

The application seeks planning consent to allow for the sale and consumption of liquor during the following hours:

- I. Monday – Thursday: 4 pm - 11pm.
- II. Friday to Sunday - 2:00 pm to 1:00 am

The *Liquor Control Reform Act* 1998 authorises the licensee of an on-premises licence to supply liquor on the licensed premises during ordinary trading hours.

Ordinary trading hours are defined as:

- I. the hours between 7 a.m. and 11 p.m. on each day, other than Sunday, Good Friday or ANZAC Day; and
- II. the hours between 10 a.m. and 11 p.m. on Sunday; and
- III. the hours between 12 noon and 11 p.m. on Good Friday and ANZAC Day.

The applicants proposed hours are outside the ordinary trading hours for Fridays to Sundays.

Councils Community Service department has reviewed the proposed hours, noting that 'late-night trading hours for licensed premises have been associated with increased harm, including violence. Licensed premises open after 11pm are considered a greater risk to the surrounding area.'

Amongst other matters raised (discussed later in the report), they have requested the applicant to include the hours expected for Good Friday or ANZAC Day.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

The application does not define any trading hours for these days and despite the later trading start times, the finish times sought are later than the ordinary trading hours.

It is for these reasons that the request to include the ordinary trading hours for Good Friday and ANZAC Day is reasonable.

When regard is given to the increased risk for violence and anti-social behaviour in Central Dandenong that may result from trading until 1am, it is recommended that the 1am finish for the sale and consumption of liquor on Fridays to Sundays is reduced to 12am.

Accordingly, to reduce any increased risk associated with later trading, it is recommended that the proposed finishing hours for the sale of liquor for Fridays to Sundays are brought into line with the following hours:

- I. the hours between 4 p.m. and 11 pm. Monday – Thursday;
- II. the hours between 2 p.m. and 12 a.m. Friday to Sunday; and
- III. the hours between 2 p.m. and 11 p.m. on Good Friday and ANZAC Day.

This one-hour reduction will not affect the closing hours of the Shisha Lounge or the Bar and will allow patrons to remain on premises but will require 'last drinks' (the sale of liquor) served at 12pm.

In regard to Patron numbers, the planning permit does not allow for more than a total of thirty (30) patrons on the premises at any one time. No changes are sought to this number as a result of this amendment.

These changes will be reflected in amended permit conditions.

Existing EPA noise guidelines conditions will continue to reduce the amenity impacts of noise pollution into the future.

The recommendation for an amended Alcohol Management Plan to detail strategies to maximise amenity and public safety for all visitors and staff to be included as a condition of any permit to issue is supported and included as an amended permit condition.

In summary, with the inclusion of new conditions to manage any impacts of the issue of a permit for the sale and consumption of liquor, the amended hours as discussed above are considered to be reasonable and unlikely to create undue detriment to the amenity of the surrounding area.

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

Cumulative impact refers to both positive and negative impacts that can result from the clustering of a particular land use or type of land use.

'A cluster occurs when three or more licensed premises (including the proposed premises) within a radius of 100 metres from the subject land; or 15 or more licensed premises (including the proposed premises) within a radius of 500 metres from the subject land.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

Clustering of licensed premises may lead to a negative impact even though any given venue in the cluster may be well run and have minimal impact.

Potential cumulative impacts arise depending on the number and type of licensed premises including, whether the area is a destination for activities associated with the supply of alcohol and when a cluster of 15 or more licenses premises are located proximate to each other.

Saturation point is when an additional licensed premise or a particular type of licensed premises is likely to impact negatively on the surrounding area.

Including the proposed application, three (3) licensed premises are found within 100 metres of the subject site.

It is noted that one of the licenses is associated with a food and drink premises, where the consumption of liquor is ancillary to the consumption of food which is the predominate activity.

For these reasons, it is considered that the introduction of this license will not trigger the saturation point over the threshold that may lead to an increase in alcohol related harm.

Within a 500-metre radius, over fifteen (15) licensed premises are found, which would indicate saturation point. It is noted however, that the majority of these licenses are BYO permits where there is a significantly reduced risk of alcohol related harm due to the type of activities associated with the license.

Consequently, it is considered that the issue of a planning permit for consent to sell and consume liquor on this site will have a negligible impact to any the threshold of alcohol related harms and the cumulative impacts by the introduction of an additional license is negligible.

Conclusion

Subject to the additional conditions bolded and italicised and as contained within the recommendation section of this report below, the proposed liquor license will result in satisfactory outcomes. The proposal will not generate unacceptable amenity impacts to any third parties or the surrounding area.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)**Recommendation**

That Council resolves to Grant a planning permit in respect of the land known and described as No. 3/24 Langhorne Street, DANDENONG, for the purpose of *the use of the land for a Place of Assembly and a Food and Drink Premises (Bar), the sale and consumption of Liquor; and to reduce car parking requirements* in accordance with the plans submitted with the application subject to the following conditions:

1. Before the use starts, a revised patron management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended patron management plan must be generally in accordance with the plan submitted and assessed with the application but modified to show:

- 1.1. Clarification of accurate staffing numbers as 'Section 5.5 – Security' states "additional staff employed during peak hours" but 'Section 3 – Staffing Numbers' lists "a maximum of 4 staff members...comprising of the manager and 3 waiters/waitresses".

- 1.2. The statement "unless with further approval from the relevant authorities, including the Environmental Health Department of the City of Greater Dandenong" to be deleted from 'Section 5.1 – Overall Management'

The statement "night as they enter and leave" to be deleted from 'Section 5.4 – Patron Behaviour'.

- 1.3. The correct business/operator to be identified in 'Section 5.10 – First Aid'.

- 1.3 An amended Alcohol Management Plan in accordance with condition 2.

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

2. *Prior to the commencement of the bar use and the associated liquor license, an amended Alcohol Management Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.*

The plan must include the following details of:

- 2.1. *Responsible Service of Alcohol (RSA)*

- 2.2. *Refusal of Service*

- 2.3. *Signs of Patron Drunkenness/Intoxication*

- 2.4. *Selling or Supplying Liquor to Minors (Under 18s)*

- 2.5. *Proof of Age: Power to Demand*

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)***To the Satisfaction of the Responsible Authority.***

3. Except with the prior written consent of the Responsible Authority, the layout of the use on the endorsed plan/s must not be altered.
4. ***Once the uses have commenced, the land may only be used for the permitted uses and the use must be conducted to the satisfaction of the Responsible Authority.***
5. ***Except with the prior written consent of the Responsible Authority, the approved uses must not commence, and the land must not be occupied until all conditions of this permit have been complied with.***
6. Except with the prior written consent of the Responsible Authority, no more than thirty (30) patrons may be present on the premises at any one time.
7. Except with the prior written consent of the Responsible Authority, the number of tables and chairs available for the seating of patrons must not exceed the number shown on the endorsed plans and the arrangement of the seating must be generally in accordance with the endorsed plans.
8. ***The approved uses must only operate between the following hours:***
 - 8.1. ***Monday to Thursday – 4:00 pm to 11:00 pm; and***
 - 8.2 ***Friday to Sunday – 2:00 pm to 1:00 am.***
9. ***Except with the prior written consent of the Responsible Authority, the sale of liquor may only occur between the following hours:***
 - 9.2 ***the hours between 4 p.m. and 11 pm. Monday – Thursday;***
 - 9.3. ***the hours between 2 p.m. and 12 a.m. Friday to Sunday; and***
 - 9.4. ***the hours between 2 p.m. and 11 p.m. on Good Friday and ANZAC Day.***
10. Before the approved use starts, a prominent notice must be erected at each exit point of the building requesting patrons be quiet when leaving the premises after 10:00pm.
11. ***Only the consumption of food, non-tobacco shisha and beverages are to take place on the subject site, consumption of any other item or product is not permitted. Only food, non-tobacco shisha and beverages are to be sold and consumed on the premises by patrons.***
- 12 The permit holder must ensure adequate security and surveillance staff are provided so as to control the behaviour of patrons.

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

- 13** Before the use starts, video surveillance cameras and recorders must be installed to the satisfaction of the Responsible Authority. The video surveillance cameras must record video footage of sufficient quality to visually identify patrons and which is imprinted with the date and time of recording.
- The video surveillance cameras and records must be used to monitor and record continuous images of all areas of the venue (with exception of toilet/s) whilst it is open for business and for half an hour after closure.
- Video footage must be retained for at least 3 months and made available for viewing and copying by a member of staff of the responsible authority.
- 14.** The site must be kept in a neat and tidy condition at all times, to the satisfaction of the Responsible Authority.
- 15.** There must be no use of shisha products or of like product external to the building.
- 16.** Noise levels must not exceed the permissible noise levels stipulated in State Environment Protection Policy N-2 (Control of Music Noise from Public Premises) and State Environment Protection Policy N-1 (Control of Noise from Commerce, Industry and Trade) to the satisfaction of the Responsible Authority
- 17.** The car parking area must be lit if in use during the hours of darkness and all lights must be designed and fitted with suitable baffles. The lighting must be positioned to prevent any adverse effect on adjoining land and must not be considered excessive for the area, all to the satisfaction of the Responsible Authority.
- 18.** All glazing facing Langhorne Street is to remain clear and is not be obscured at any time.
- 19.** This permit will expire if one of the following circumstances applies:
- 19.1.** The use does not start within two (2) years of the date of this permit, or
- 19.2.** The use is discontinued for a period of two (2) years.

Notes

Use of Security Cameras must comply with the *Surveillance Devices Act 999* (Vic) which outlines a permit holder's responsibility in relation to surveillance devices. Please ensure compliance with the relevant legislation at all times the security cameras are in use.

House Rules signage at all entry/exit points and in car parks, are required to be installed stating:

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

‘Alcohol is not to be consumed in any public places in the municipality such as in car parks and connected areas, and that up to a \$1,000 Local Laws fine applies.’

Install the following House Rule in the venue bathrooms, stating:

‘Alcohol is not to be taken into or consumed in the venue’s bathrooms.’

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)

STATUTORY PLANNING APPLICATIONS

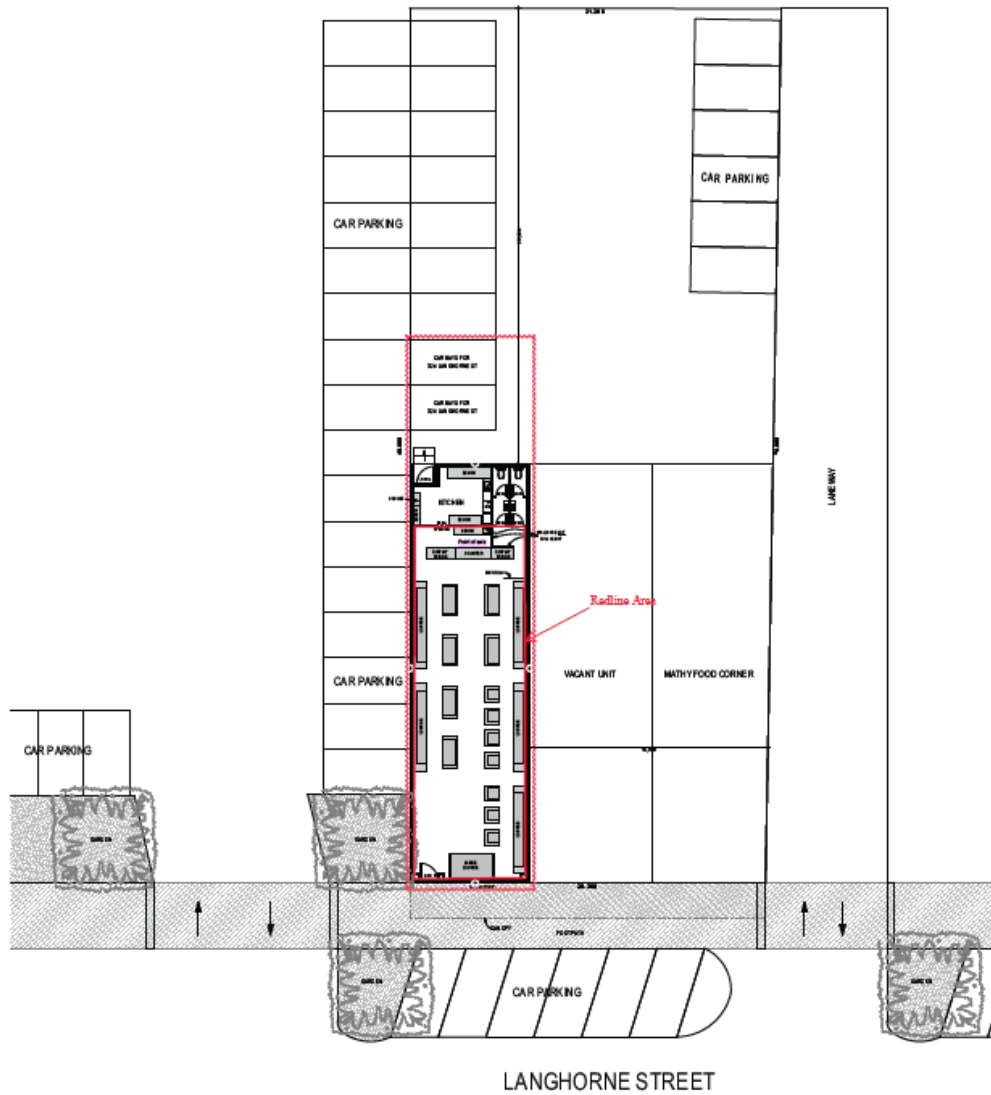
**TOWN PLANNING APPLICATION - NO. 3/24 LANGHORNE STREET,
DANDENONG (PLANNING APPLICATION NO. PLA21/0013)**

ATTACHMENT 1

ASSESSED PLANS

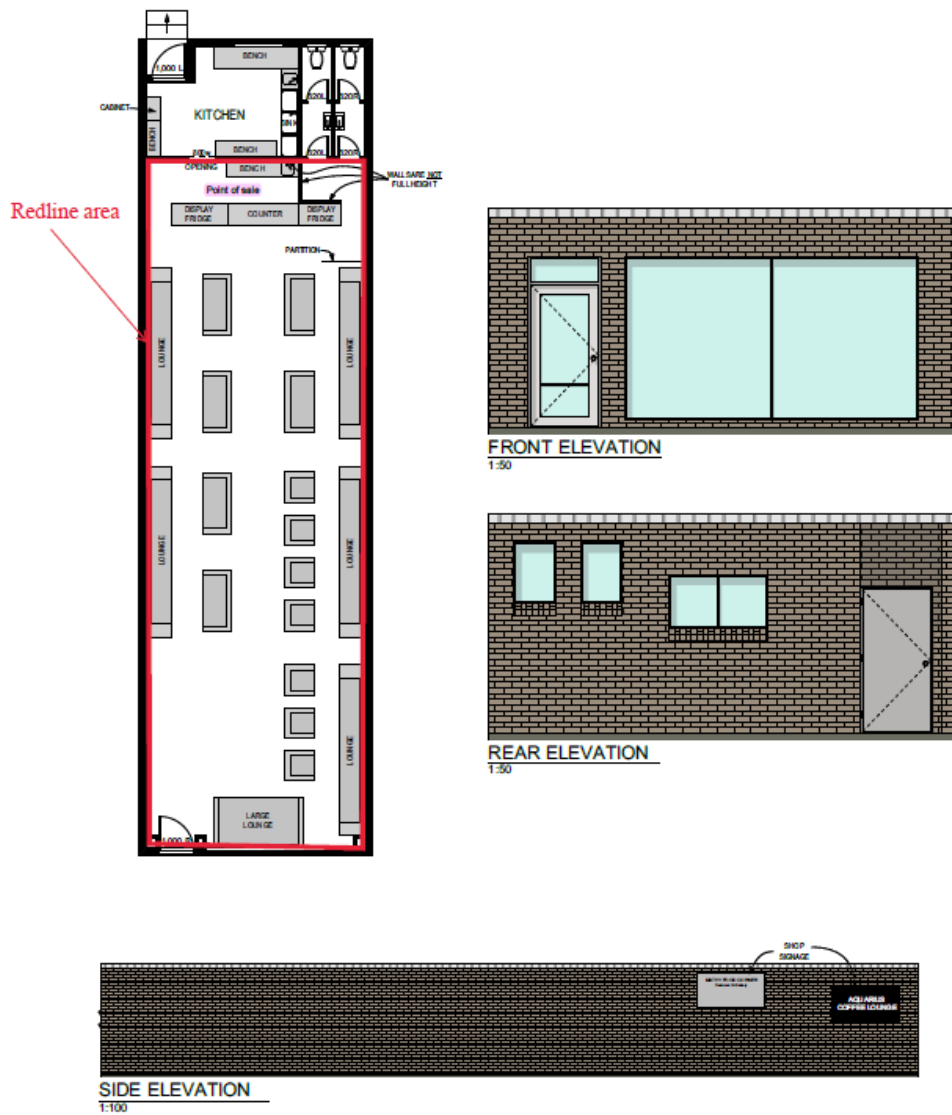
PAGES 3 (including cover)

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

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)**Proposed Tavern**

SITE PLAN	
3/24 LANGHORNE STREET, DANDENONG VIC	SCALE: 1:200
REVISION: B	DRAWN BY: RF
FERRIS DRAFTING	DATE: 04/06/21
	PAGE: 2 of 3

2.3.1 Town Planning Application - No. 3/24 Langhorne Street, DANDENONG (Planning Application No. PLA21/0013) (Cont.)



FLOOR PLAN & ELEVATIONS	
3/24 LANGHORNE STREET, DANDENONG VIC NO. PATRONS: UP TO 30 REVISION: 8	SCALE: 1:100 DRAWN BY: RF DATE: 04/06/21
FERRIS DRAFTING	PAGE: 3 of 3

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535)

File Id:	23150
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Assessed Plans

Application Summary

Applicant:	Change of Plan
Proposal:	The use of the land for the sale and consumption of liquor (on-premises license) associated with the existing Function Centre, minor building and works, and the construction and display of two (2) business identification signs; and one (1) internally illuminated sign.
Zone:	Clause 35.04 Green Wedge Zone
Overlay:	Clause 420.02 Vegetation Protection Overlay, Schedule 1
Ward:	Keysborough South

The application proposes the use of the land for the sale and consumption of liquor (on-premises license) associated with the existing Function Centre, minor building and works, and the construction and display of two (2) business identification signs and one (1) internally illuminated sign and. A permit is required pursuant to:

- Clause 35.04-5 (GWZ) – A planning permit is required to construct or carry out a building or works associated with a use in Section 2 (Function Centre) of Clause 35.04-1.
- Clause 52.05-2 Signs – A planning permit is required for development of the land for to construct or put up for display three (3) section 2 signs.
- Clause 52.27 Licensed premises - A planning permit is required for the use of the land for the sale and consumption of liquor.

This application is brought before the Council as the application proposes to use the land for the sale and consumption of liquor associated with a Function Centre.

Assessment Summary

As detailed in this report, the proposal responds appropriately to the provisions of the Greater Dandenong Planning Scheme.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

It is considered that the issue of a permit to facilitate the expansion of activities at the existing Function Centre, which benefits from existing use rights, will not adversely affect existing land uses or compromise the establishment of future preferred land uses to the surrounding green wedge land, nor cause loss of amenity to the sites surrounds.

The proposed use of the subject land for the sale and consumption of liquor in association with the Function Centre does require a planning permit, and with the inclusion of conditions to manage the hours of the sale of liquor and potential amenity impacts resulting from the liquor license it has been found to be acceptable.

The application has also been assessed for the planning permit requirements for minor buildings and works relating to the construction of new car parking areas, the formalisation of the existing car spaces and the (retrospective) construction of a front fence; and is found to be not only wholly acceptable, but an improved outcome than what currently exists on site.

Lastly, the three proposed signs to identity the business will not detract from the values associated with the natural or built environment in the surrounding green wedge area nor generate any traffic or safety issues related to their designs, location or illumination.

The application will provide a contribution to the municipalities economic base and as identified within Councils Green Wedge Management Plan (Revised, January 2017), will assist in reviving a site whose ongoing viability has been compromised by reduced patronage.

Recommendation Summary

As assessed, the proposal is consistent with and appropriately responds to the provisions of the Greater Dandenong Planning Scheme. The proposal appropriately responds to strategic policy as contained within the Greater Dandenong Planning Scheme and the Greater Dandenong Green Wedge Management Plan (GWMP) relating to land uses and building and works, with the with this report recommending that the application be supported, and that a **Permit** be granted subject to conditions as set out in the recommendation.

If the application was considered by VCAT, it is the officer's view that it is highly likely that VCAT would also issue an amended permit for this proposal.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)**Subject Site and Surrounds****Subject Site**

The subject site is identified as Lot 1 on the Plan of Subdivision 205399K, and is more commonly known as No. 11 Soden Road, Bangholme.

- The site is located on the east side of Soden Road, Bangholme.
- The site is generally flat in topography and sparsely treed.
- The irregular shaped site has an area of approximately 20,000 square metres and is currently occupied by a large building.
- Vehicle access is provided by one double width crossover located to the frontage.
- The site is located in an area of cultural heritage sensitivity.
- The site has historically operated as 'Planica' (Slovenian Club),
- The site is currently used as a Function Centre and contains an existing car parking area with 132 car spaces.
- The site forms part of the 'Bangholme Lowland' precinct and the preferred land uses for this area are 'agriculture and other rural uses, open space, recreation uses'.
- The site is located within the Principal Public Transport Network Area (PPTN) and is proximate to Springvale Roads public transport (buses) and the Mornington Peninsula Freeway, both Category 1 Road Zones.

Surrounding Area

- Abutting the site to the north is a single storey weatherboard dwelling (that was converted to an office), storage sheds and surrounding hardstand.
- Abutting the site to the south is a Place of Worship.
- The Public use Zone (PUZ) and Urban Floodway Zone (UFZ) account for land to the northeast surrounding the Mordialloc Creek.
- The surrounding green wedge land is used less for agricultural purposes, and is reflected by the various uses including dwellings, an equestrian Centre, solid fuel depot, dog boarding and recreational facilities.
- Land further adjacent to the site to the sites southern and western boundary contains vacant grassed paddocks and commercial uses located within the City of Kingston.
- A minimum of 400 metres away and buffered by Springvale Road and grasslands/paddocks are two housing estates to the north and southwest.
- More broadly, the site is located in a large green wedge section of Melbourne's outer south-east, outside the Urban Growth Boundary.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Locality Plan



Background

Previous Applications

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

- Planning Permit TP83400 issued 4 October 1976 for the use of the land for a social and sports club.
- Planning Permit TP 92213 for the purpose of a clubhouse (stage 2) and associated facilities issued 28th April 1978.
- Planning Permit TP99/088 issued 23 April 1999 for an extension of trading hours for the existing place of assembly permitted under PP 83400.

Subject Application

The use of the land at the subject land for a Function Centre, is a Section 2 (permit required) use and a permit may be issued where certain conditions are met.

These conditions require that the use:

- *Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.*

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

- *The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.*
- *The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone (40 hectares).*

As the use of the land did not meet the above conditions, the use of the land for a Function Centre was prohibited ie. a planning permit cannot be issued under the Greater Dandenong Planning Scheme *unless* existing use rights could be established.

Planning Application PCCO21/0001 lodged in early 2021, assessed the application to establish existing use rights by proving 15 years continuous use of the land for the use of the land as a Function Centre on the subject site.

On the basis of Clause 63.01 and Clause 63.11 of the Greater Dandenong Planning Scheme, proof of continuous use was established. No planning permit is required for the use of the land as a Function Centre.

Subsequently, Council issued a Certificate of Compliance on 26 April 2021 stating that the subject land benefits from existing use rights of the land as a Function Centre with a maximum of 500 patrons.

As existing use rights have been established, Council cannot seek to manage or impose additional conditions on this permit to regulate the use of the land as a Function Centre, however, the previously imposed operational hours remain in effect and is discussed within this report.

Council can however, seek to manage or impose conditions on this permit to regulate the use of the land for the sale and consumption of liquor include the hours for which liquor can be sold and consumed.

Proposal

The application seeks consent for the use of the land for the sale and consumption of liquor (on-premises license) associated with the existing Function Centre, the construction and display of one (1) business identification sign and two (2) internally illuminated signs and minor building and works.

Key details of the proposal are as follows:

Liquor license

- Monday – Friday: 10 am – 12 am.
- Saturdays and Public holidays: 10 am – 1 am
- Sundays 10am – 11 pm.
- Maximum patron capacity: 500
- A Redline plan outlines the area(s) permitted to sell and consume liquor.
- The Redline plan is confined internal to the building.
- One hundred and thirty-two car spaces are existing on the site.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Signs

- One 3m (w) and 1.5m (h) business identification sign sited on the existing fence.
- One 16.85m (w) and 1m (h) business identification sign sited on the building facia.
- One 5.3m (w) x 1m (h) internally illuminated business sign sited above the building facia.

Building and works

- The construction of new and formalisation of the existing car spaces.
- The construction of a front fence.

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:

- Clause 35.04-5 (GWZ) – A planning permit is required to construct or carry out a building or works associated with a use in Section 2 (Function Centre) of Clause 35.04-1.
- Clause 52.05-2 Signs – A planning permit is required for development of the land for to construct or put up for display three (3) section 2 signs.
- Clause 52.27 Licensed premises - A planning permit is required for the use of the land for the sale and consumption of liquor.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in the Green Wedge Zone, as is the surrounding area.

The purpose of the Green Wedge Zone as outlined at Clause 35.04 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.*

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

- *To encourage use and development that is consistent with sustainable land management practices.*
- *To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.*
- *To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.*
- *To protect and enhance the biodiversity of the area.*

Pursuant to Clause 35.04-5, a planning permit is required to construct or carry out a building or works associated with a use in Section 2 (Function Centre).

Overlay Controls

The subject site is covered by a Vegetation Protection Overlay – Schedule 1, as is the surrounding area.

The purpose of the Vegetation Protection Overlay outlined at Clause 42.02 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To protect areas of significant vegetation.*
- *To ensure that development minimises loss of vegetation.*
- *To preserve existing trees and other vegetation.*
- *To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.*
- *To maintain and enhance habitat and habitat corridors for indigenous fauna.*
- *To encourage the regeneration of native vegetation.*

The application does not propose any vegetation removal.

State 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.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Clause 11 Settlement

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

Planning is to recognise the need for, and as far as practicable contribute towards:

- *Health, wellbeing and safety.*
- *Diversity of choice.*
- *Adaptation in response to changing technology.*
- *Economic viability.*
- *A high standard of urban design and amenity.*
- *Energy efficiency.*
- *Prevention of pollution to land, water and air.*
- *Protection of environmentally sensitive areas and natural resources.*
- *Accessibility.*
- *Land use and transport integration.*

Planning is to prevent environmental and amenity problems created by siting incompatible land uses close together.

Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

These overall objectives are reinforced by a number of sub-clauses, including Clause 11.01-1R2 (Green Wedges – Metropolitan Melbourne), which seeks to protect the green wedges of Metropolitan Melbourne from inappropriate development.

Clause 14 Natural Resource Management

Clause 14 (Natural Resource Management) is supported by a number of sub-clauses including Clause 14.01-1S (Protection of agricultural land) which seeks to protect the state's agricultural base by preserving productive farmland.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

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 15.01-5S (Neighbourhood character) which has an objective to recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.01-6S (Design for rural areas) has an objective to ensure development respects the rural character.

Clause 17 Economic Development

Clause 17 (Economic Development) contains a number of subclauses that seeks to strengthen the objectives of:

- *Planning is to provide for a strong and innovative economy, where all sectors are critical to economic prosperity.*
- *Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.*

Importantly, the clauses recognise the role of business in appropriate locations in encouraging development that meets the community's needs for retail, entertainment, office and other commercial services.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)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**.

A **Vision for Greater Dandenong** is outlined at **Clause 21.03**.

A city whose green wedge provides a green, spacious relief from the surrounding urban development and supports a range of activities including agriculture, water treatment, recreation, education, and rural living that are carefully located and designed to respect the important environmental, cultural heritage, water management, landscape, and amenity values and functions of the region.

The objectives and strategies of the MSS are under four (4) main themes including: land use; built form; open space and natural environment; and, infrastructure and transportation (considered individually under Clauses 21.04 to 21.07).

Of particular relevance to this application is Clause 21.04-4 Green Wedge which includes:

Land use:

Objectives of Clause 21.04-4 Green Wedge;

1. *To support the expansion and diversification of agricultural activity.*
2. *To ensure new uses and development do not adversely impact on existing land uses or compromise the establishment of preferred land uses in the Green Wedge.*

Built form:

Objectives of Clause 21.05-1 Urban design, character, streetscapes and landscapes:

1. *To facilitate high quality building design and architecture.*
2. *To facilitate high quality development, which has regard for the surrounding environment and built form.*

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Objectives of Clause 21.05-4 Green Wedge;

1. *To ensure the open, landscape-dominated vistas throughout the Greater Dandenong Green Wedge are maintained and protected.*
2. *To identify, protect and promote existing heritage values.*

Relevant local planning policies include Clause 22.02 (Green Wedge Policy).

Clause 22.02 Green Wedge

Clause 22.02 (Green Wedge) outlines green wedge land use and development objectives.

Those relevant include:

- *To give effect to Council's vision for the Greater Dandenong Green Wedge.*
- *To carefully locate and manage land uses to be consistent with the vision of the Greater Dandenong Green Wedge.*
- *To improve water quality and protect infrastructure assets and private property.*
- *To give priority to the protection and management of ecological areas of the highest value.*
- *To encourage sustainable land use practices.*
- *To provide clear guidance to stakeholders with regard to appropriate uses and forms of development.*
- *To support vehicles and active transport in a safe, efficient and legible manner.*
- *To protect and conserve areas of known and unknown Aboriginal cultural heritage.*
- *To respect landscape values.*

The policy is based on the Green Wedge Management Plan (Revised, January 2017) (GWMP) which identifies the subject site as being within the 'Bangholme Lowland' precinct where the preferred land uses for this area are 'agriculture and other rural uses, open space, recreation uses'.

Green Wedge Management Plan Revised January 2017

The GWMP has a number of Siting and Design objectives under the heading of Built Form & Heritage which seek to improve the amenity of the Greater Dandenong Green Wedge. The objectives are supported by a number of guidelines. These are intended to guide development and assist in the determination of planning permit applications once the guidelines are integrated into the Greater Dandenong Planning Scheme.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

The GWMP includes the following relevant objectives:

Vehicle Access & Surfaces	<ul style="list-style-type: none">• Minimise the impact of vehicle access and car parking on the landscape
Fencing & Gates	<ul style="list-style-type: none">• Encourage fencing and gate styles that reflect the rural, open character of the Green Wedge.
Signage & Lighting	<ul style="list-style-type: none">• Encourage low scale and low impact signage and lighting.

Clause 22.11 Advertising policy

This policy applies to outdoor signs on all land within the City of Greater Dandenong and contains a number of objectives that must be considered.

The policy contains a number of themes including sign design (Clause 22.11-3.1), and Illuminated and animated signs (Clause 22.11-3.3). These themes support the following relevant objectives:

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

Particular Provisions

Clause 52.05 Signs

The four purposes of Clause 52.05 Signs are:

- *To regulate the development of land for signs and associated structures.*
- *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

This clause applies to the development of land for signs.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Pursuant to Clause 52.05-2, a planning permit is required to construct or put up for display a Section 2 sign in a Category 3 - High amenity area.

Clause 52.06 Car parking

The purposes of 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.*

No planning permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 for the use of the land as a Function Centre.

Clause 52.27 Licensed Premises

The purposes of Clause 52.27 Licensed Premises are:

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

These provisions apply to premises licensed, or to be licensed, under the *Liquor Control Reform Act 1998*. The applicant seeks a on-premises liquor license.

Accordingly, pursuant to Clause 52.27, a planning permit is required to use land to sell or consume liquor.

General Provisions

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

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Clause 71.02-3 - Integrated decision making, stipulates society's various needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

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

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

Diversity (Access & Equity)

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

Community Safety

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

Safe Design Guidelines

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

Referrals

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

However, notice was given under Section 52 of *Planning and Environment Act 1987* to the following authorities for comments:

External notice	
Department of Transport	No objection.
Victoria Police	No objection.

Internal

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

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Internal Referrals	
Transport Department	No objection, subject to standard conditions.
Community Services	No objection, subject to conditions.
Asset Planning	No objection.

Advertising

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

- Sending notices to the owners and occupiers of adjoining land.
- Placing two (2) signs on site facing Soden Road.

The notification has been carried out correctly.

Council has received zero (0) objections to date.

Assessment**Use**

The existing Function Centre, with a maximum of 500 patrons, benefits from existing use rights, as it was demonstrated that the use has operated continuously for a period of more than 15 years.

A Certificate of Compliance establishing these rights was issued by Council on 26 April 2021.

As existing use rights are established, Council cannot further restrict the permitted use, hours or the number of patron numbers.

The Function Centre must, however, continue to comply with the conditions of the last planning permit.

Planning permit TP99/088 issued 23 April 1999, outlined the Function Centres permitted operating hours. These hours are:

- between 10 a.m. and 12 midnight Monday to Friday.
- between 10 a.m. and 1 a.m. the following day on Saturdays and Public Holidays.
- between 10 a.m. and 10 p.m. on Sunday

Accordingly, Councils consideration can only turn to the proposed liquor license, the minor building and works and the construction and display of signage.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Licenced Premises

Clause 52.27 of the Greater Dandenong Planning Scheme sets out the following Decision Guidelines to consider when determining the appropriateness of an application for a Licensed Premises:

The Municipal Planning Strategy and the Planning Policy Framework.

The subject site is located within the Green Wedges 'Bangholme Lowland' precinct where the preferred land uses for this area are 'agriculture and other rural uses, open space, recreation uses'.

Furthermore, the site benefits from existing use rights, and the extent of the proposal does not diminish the future potential of the site for agricultural activity, noting that the fragmented 2 hectare lot and building in which the use is carried out, has remained largely unchanged in floor area since the initial grant of a permit for a social and sports club in 1976 and is significantly smaller than the 40 hectare minimum.

In fact, the addition of a liquor licence may assist in fostering economic growth and providing employment to the municipality by way of supporting a new business on the site where previous operators had noted a significant decline in patronage.

This issue is identified in Councils GWMP's Land Use objectives that amongst other purposes, seeks to facilitate better land use management by:

- *C2.5 - Facilitate land aggregation and leasing in the Greater Dandenong Green Wedge to assist operations needing more land for agricultural viability.*
- *C5.1 - Assist with the appropriate use of unused and poorly maintained land by establishing and sustaining a database of landowners and interested agricultural, education, recreational, sporting and cultural operators.*
- *C6.2 - Continue to engage with existing sporting clubs and organisations within the area regarding their ongoing viability and any future plans for expansion or relocation.*

The proposal benefits from policy support as contained within the PPF.

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

Located within a green wedge area, the liquor license will complement the existing use of the land as a Function Centre. As reflected by the red line area plan, the sale and consumption of liquor will be confined within the existing building.

Notwithstanding, amenity impacts are required to be considered.

Section 3A of the *Liquor Control Reform Act 1998*, specifies that amenity of an area is the quality that the area has of being pleasant and agreeable.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Factors that may be taken into account in determining whether the grant of a licence would detract from or be detrimental to the amenity of an area include:

- *The possibility of nuisance or vandalism; and*
- *the harmony and coherence of the environment.*

The building is located to the rear of the 20,000 square metre site, with the closest sensitive use - a residential dwelling, located approximately 100 metres north of the building and buffered by the adjoining allotment.

Given that proposed conditions will manage any off-site impacts associated with any issue of planning permit and the balance of surrounding uses are in no way considered to be sensitive, it is considered that potential amenity impacts to the surrounding uses as a result of consent for the sale and consumption of liquor are negligible.

The impact of the hours of operation and the number of patrons on the amenity of the surrounding area.

The application seeks planning consent to allow for the sale and consumption of liquor during the following hours:

- I. Monday – Friday: 10 am – 12 am.
- II. Saturdays and Public holidays: 10 am – 1 am
- III. Sundays 10 am – 11 pm.

The *Liquor Control Reform Act* 1998 authorises the licensee of an on-premises licence to supply liquor on the licensed premises during ordinary trading hours.

Ordinary trading hours are defined as:

- I. the hours between 7 a.m. and 11 p.m. on each day, other than Sunday, Good Friday or ANZAC Day; and
- II. the hours between 10 a.m. and 11 p.m. on Sunday; and
- III. the hours between 12 noon and 11 p.m. on Good Friday and ANZAC Day.

The applicants proposed hours are outside the ordinary trading hours for Mondays – Saturdays, Good Friday and ANZAC Day.

The proposed time of Sundays 10 am – 11 pm is also outside the Function Centres permitted operating hours of Sundays 10 am – 10 pm.

Council's community service department has reviewed the proposed hours, noting that 'late-night trading hours for licensed premises have been associated with increased harm, including violence. Licensed premises open after 11 pm are considered a greater risk to the surrounding area'.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Amongst other matters raised (discussed later in the report), Councils community service department have requested the applicant to include the hours expected for Good Friday or ANZAC Day. This request is considered to be reasonable.

Notification was also given to Victoria Police. Although no comments were provided regarding the proposed hours, concerns were raised with the maximum number of patrons, specifically the increased risk 'particularly with large functions'.

As the use of the land for a Function Centre with a maximum of 500 patrons does not require planning consent, the acceptability of the patron numbers and associated functions sizes cannot be considered.

For completeness however, in instances where the Victorian Commission for Gambling and Liquor Regulation (VCGLR) sets the maximum patron numbers, this site could accommodate a maximum of 684 patrons.

Similarly, where maximum patron numbers on the site are set by the Building Code of Australia (BCA) 2019, the maximum would equate to 582 patrons.

It can also be confidently assumed that for a Function Centre wishing to host weddings etc. a number of minors will be present. For the purposes of the planning applications liquor license and maximum patron numbers, the numerical figure does not distinguish between an adult and a minor.

For these reasons, is it considered that the operational hours sought for the sale of liquor, rather than the patron numbers are the compounding risk factor.

Accordingly, it is recommended that the proposed hours for the sale of liquor are revised to finish one (1) hour prior to the Function Centres closing time.

Restricting 'last drinks' to one hour prior to close, aligns the permitted hours for the sale of liquor closer to the ordinary trading hours and is likely to diminish the potential increase in negative impacts both on and off the premises.

These are outlined at Condition 3 of the permit and for ease of reading, is replicated here below including the Function Centres permitted operating hours:

Function Centre trading hours

2. The use of the land as a Function Centre may only occur between the following hours:

2.1 between 10 a.m. and 12 midnight Monday to Friday;

2.2 between 10 a.m. and 1 a.m. the following day on Saturdays and Public Holidays; and

2.3 between 10 a.m. and 10 p.m. on Sunday.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Hours of Liquor license trading

3. Except with the prior written consent of the Responsible Authority, the sale of liquor may only occur between the following hours:

3.1 between 10 a.m. and 11 p.m. Monday to Friday;

3.2 between 10 a.m. and 12 midnight on Saturday;

3.3 between 10 a.m. and 11 p.m. on Sunday; and

3.4 between 12 noon and 11 p.m. on Good Friday and ANZAC Day.

Other amenity matters raised concerned music. As detailed in the Alcohol Management Plan accompanying the application, measures to mitigate amenity impacts were outlined, however, the measures concerning the management of noise pollution were deficient.

While Council's community service department recommended the requirement for an acoustic assessment it is considered to be onerous given that with the exception of the one residential dwelling 100 metres to the north, the distances to the balance of adjoining residential areas are generous.

In this instance, conditions requiring the submission of a Noise Management Plan and conditions to accord with EPA noise guidelines are considered to be adequate in reducing the amenity impacts of noise pollution.

The recommendation for an amended Alcohol Management Plan to detail strategies to maximise amenity and public safety for all visitors and staff to be included is recommended for inclusion at Condition 13.

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

Cumulative impact refers to both positive and negative impacts that can result from the clustering of a particular land use.

In regards to liquor licenses, potential cumulative impacts arise depending on the number and type of licensed premises including, whether the area is a destination for activities associated with the supply of alcohol and when a cluster of 15 or more licenses premises are located proximate to each other.

As a standalone out of centre - Function Centre with the sole licensed premises within a 500-metre radius being a Restricted Club licence associated with an Obedience Dog Club, the proposal cannot equate to a cluster of licensed premises.

Consequently, any issue of liquor license to the subject land does not increase the threshold of alcohol related harms and the issue of permit will not compound any negative cumulative impacts.

This does not mean that negative impacts cannot arise, but rather, that they can be addressed through conditions of permit.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Conditions 3, 9, 10, 11, 12 and 13 explicitly deal with the management of amenity impacts of the proposed liquor license and have been recommended should a permit issue.

Signage

The application proposed three business identification signs, one of which is internally illuminated.

The key sign details are:

Sign (1) - Business identification sign

- 3-metre-wide and 1.5 metres high, sited on the existing fence.
- Total display area of 4.5 square metres.
- Inset 7.1 metres from the title boundary and angled to face oncoming southbound vehicle traffic on Soden Road.
- Non-illuminated adhesive vinyl.
- Sign content: Business name.

Sign (2) - Internally illuminated sign

- 5.3-metre-wide and 1 metre high, sited above the building fascia.
- Total display area of 5.3 square metres.
- Located approximately 100 metres from the title boundary.
- LED internally illuminated white lettering on dark background.
- Sign content: Business activities.
- Illuminated until 12am.

Sign (3) - Business identification sign.

- 16.85-metre-wide and 1 metre high, sited on the building fascia.
- Total display area of 16.85 square metres.
- Located approximately 100 metres from the title boundary.
- Gold lettering on dark background with vertical design features.
- Sign content: Business name.

Pursuant to Clause 52.05-13 (Signs) the subject site is located in a Category 3 – High amenity area.

The purpose of the High amenity area is to ensure that signs are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

On advance to the site, sign (1), is proposed to be located on the fence immediately adjacent the accessway, which is inset 7.1 metres from the frontage. The sign is angled north towards south bound traffic from Soden Road.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

Signs 2 and 3 are located on the Function Centre building facade. Located in excess of 100 metres from the frontage, the wide business sign located on the fascia is not illuminated, whilst the smaller sign proposed above the fascia is to be illuminated until 12am.

Both vinyl business signs are finished in a dark blue background with font in bright lettering, to highlight the business name. The signs are simple and subdued in design.

The illuminated sign is representative of a standard sign of this type. Simple lettering and its distance to the boundary negate any potential impacts on long range views and vistas or impact on road safety by way of its illumination.

Similarly, whilst not illuminated, the business sign proposed at the subject sites entrance will not obstruct a driver's line of sight at access or egress.

This position is supported by the Department of Transport who considered the application and had no objection to the proposal.

These signs are the only signs on the site. As such, they will be orderly, are of a good design and will not detract from the appearance of the building on which it is displayed.

Further, the signs do not detract from the character of the green wedge site and the constrained design has shown regard for the surrounding environment and built form.

In accordance with the GWMP, the signs are low impact, designed, positioned and displayed in an appropriate and attractive manner.

The proposed signage is worthy of support.

Minor building and works**Car Parking**

Table 1 at Clause 52.06-2 (Car parking) identifies the statutory car parking rate for uses.

Although the site benefits from existing use rights and no requirement to provide the statutory requirement is required, the applicant seeks to deliver the full rate that would otherwise apply where existing use rights had not established.

The use of land as a Function Centre attracts a statutory rate of 1 car space per 0.3 patrons. Five hundred (500) patrons result in a statutory requirement of 150 car spaces.

The plans detail 153 car spaces. Some of these spaces are not formally line marked and/or constructed.

The application was referred to Council's traffic engineer who raised no concerns with the car parking arrangement subject to formalising the car spaces, the provision of three (3) disabled car parking spaces and lighting. These are found at Condition 1.4, and 15 to 17 (inclusive).

Lastly, a number of the proposed car spaces to the northern boundary are located proximate to vegetation located in the adjoining allotment. It is highly likely that the tree protection zones (TPZ) of this vegetation extend into the subject site.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

To ensure that the long-term viability and health of the adjoining vegetation is not compromised as result of any works in the TPZ of any vegetation, it is recommended that spaces 4, 5, 8 and 14 are deleted. This will also minimise the impact of vehicle access and car parking on the Green Wedge landscape as sought by the GWMP.

Accordingly, 149 spaces will be delivered in the event that a permit is to issue.

These matters will be addressed via permit condition 1.3.

Fence

Retrospective planning consent is sought for a new fence and gate to the subject site's frontage.

Replacing a dilapidated timber fence, a black steel blade fence and rust coloured gate with a maximum height of 1.8 metres (fence) to 2.4 metres (gate) from natural round level is proposed.

The fence comprises wide slats that allows oblique views through the site and encourages passive surveillance.

The gate is inset approximately seven (7) metres from legal title boundary. The fence follows the natural contours of the land, spanning the wide frontage on a convex in the road, and continuing in the same design to the neighbouring property to the north at 3 Soden Road. The height, style and location of the fence is seamless in this context and visual impacts are limited.

The colour and transparent style of the fence is in keeping with the semi-rural character of the commercial use on the subject site. The materials are of a high quality and long lasting and will require minimal upkeep to maintain.

Importantly, the fence and associated gate, do not obscure any vehicle site lines and allows excellent views to the public domain and pedestrians.

The rust colour of the gate is a discordant feature and to better integrate the gate and the fence with the rural surrounds, a condition of permit will require the gate to be painted black. This recommendation is provided at Condition 1.2.

In regard to the proposed heights, higher fences and gates are prominent in the immediate surround where associated with commercial premises.

Additionally, given the site is proximate to Springvale Road and a stone's throw to the Peninsula Link and the Mordialloc bypass currently under construction, the design is considered to be an appropriate security response for a site with high exposure to passing traffic.

While the proposed fence is supported, conditions of permit will require scaled elevations to be provided. This recommendation is provided at Condition 1.3.

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)**Conclusion**

Subject to the additional conditions contained within the recommendation section of this report, the proposed liquor license and building and works will result in satisfactory outcomes. The proposal will not generate unacceptable amenity impacts to any third parties or the surrounding area.

Accordingly, it is recommended that the application be supported.

Recommendation

That Council resolves to Grant a planning permit in respect of the land known and described as 11 Soden Road, BANGHOLME for the use of the land for the sale and consumption of liquor (on-premises license) associated with the existing Function Centre, the construction and display of two (2) business identification signs and one (1) internally illuminated signs; and minor building and works in accordance with the plans submitted with the application subject to the following conditions:

- 1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans prepared but modified to show:**
 - 1.1. An elevation of each sign drawn to scale and dimensioned on a separate sheet.**
 - 1.2. The entrance gate to be painted black.**
 - 1.3. An elevation of the front fence, drawn to scale and dimensioned from natural ground level on a separate sheet.**
 - 1.4. A car parking plan drawn to scale and dimensioned on a separate sheet showing:**
 - 1.4.1. All parking areas and accessways line-marked or provided with some other adequate means of showing the car parking spaces.**
 - 1.4.2. Deletion of car spaces 4, 5, 8 and 15.**
 - 1.4.3. A minimum of three (3) disabled parking spaces near the building entrance.**
 - 1.5. Low intensity lighting to car parking areas and pedestrian accessways to be adequately illuminated.**
 - 1.6. An amended Alcohol Management Plan in accordance with Condition 12.**
 - 1.7. A Noise Management Plan in accordance with Condition 13.**

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)**Function Centre trading hours**

- 2. The use of the land as a Function Centre may only occur between the following hours:**
 - 2.1. between 10 a.m. and 12 midnight Monday to Friday**
 - 2.2. between 10 a.m. and 1 a.m. the following day on Saturdays and Public Holidays**
 - 2.3. between 10 a.m. and 10 p.m. on Sunday**

Hours of Liquor license trading

- 3. Except with the prior written consent of the Responsible Authority, the sale of liquor may only occur between the following hours:**
 - 3.1. between 10 a.m. and 11 p.m. Monday to Friday;**
 - 3.2. between 10 a.m. and 12 midnight on Saturday;**
 - 3.3. between 10 a.m. and 9 p.m. on Sunday; and**
 - 3.4. between 12 noon and 11 p.m. on Good Friday and ANZAC Day.**

All to the satisfaction of the Responsible Authority.

- 4. The sale and consumption of liquor may only occur within the licenced area as shown on the endorse plan.**
- 5. The licensed area shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority and VCGLR (Victorian Commission for Gambling and Liquor Regulation).**
- 6. Not more than 500 patrons may be present on the premises at any one time without the prior written consent of the Responsible Authority.**
- 7. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.**
- 8. The permit holder must obtain approval from the relevant authorities to build over any easement(s).**
- 9. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.**

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

- 10. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view (except when collection is to occur the following morning).**
- 11. The operator or security staff of the premises must take reasonable steps to ensure that patrons leaving the premises act in an orderly manner and to the extent reasonably practicable must discourage patrons from loitering within the vicinity of surrounding residences.**
- 12. At all times when the approved use is operating, a person over the age of 18 years (Manager) must be present at the premises. The Manager must ensure that activities on the Land and the conduct of persons entering, leaving and present on the Land do not have a detrimental impact on the amenity of the area to the satisfaction of the Responsible Authority.**

The operator must authorise the Manager on behalf of the operator:

- 12.1. to make statements at any time to any officer of the Responsible Authority, the Victoria Police or an authorised person defined under the Liquor Control Reform Act 1998; and**
- 12.2. to take action in accordance with a direction by such officer.**

Alcohol Management Plan

- 13. Prior to the endorsement of plans under Condition 1, an amended Alcohol Management Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.**

The plan must include details of:

- 13.1. Strategies for maximising amenity and public safety for all visitors and staff's access and egress to the premises and property line, its public toilets, around the venue, its car parks.**

Noise Management Plan

- 14. Prior to the endorsement of plans under Condition 1, a Noise Management Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.**

The plan must include details of:

- 14.1. The type of entertainment and music to be provided and proposed attenuation equipment**

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

- 14.2. Venue speakers' positions and directions**
- 14.3. The site plan of the type and location of noise attenuation equipment**
- 14.4. Other strategies to effectively mitigate music and other noise emissions**
- 14.5. Noise measurement and monitoring processes, procedures and recording of results.**
- 14.6. A complaints procedure and actions taken to address them.**

Traffic and carparking

- 15. The car parking area must be lit if in use during the hours of darkness and all lights must be designed and fitted with suitable baffles. The lighting must be positioned to prevent any adverse effect on adjoining land and must not be considered excessive for the area, all to the satisfaction of the Responsible Authority.**
- 16. The car parking provided on the land must always be kept available for its intended purpose at all times. No measures must be taken to restrict access to the car park.**
- 17. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.**

Acoustic Measures

- 18. Noise levels must not exceed the permissible noise levels stipulated in the Environment Protection Regulations under the *Environment Protection Act 2017* and the Incorporated Noise Protocol (Publication 1826.4, *Environment Protection Authority*, May 2021) as may be amended from time to time to the satisfaction of the Responsible Authority.**
- 19. Amplified music (including background music) is not permitted to be played other than through a sound system calibrated to ensure compliance with the Environment Protection Regulations under the Environment Protection Act 2017 and the Incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) as may be amended from time to time, with details submitted demonstrating how compliance will be achieved to the satisfaction of the Responsible Authority.**
- 20. Any works required to ensure and maintain the noise levels must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.**
- 21. The amenity of the area must not be detrimentally affected by the use of land, including through the:**
 - 21.1. transportation of materials, goods or commodities to or from the land;**

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

- 21.2. appearance of any building, works or materials;**
- 21.3. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot,**
- 21.4. ash, dust, waste water, waste products, girt or oil;**
- 21.5. presence of vermin;**
- 21.6. adverse behaviour of patrons to or from the land; or**
- 21.7. in any other way.**

Security Management Plan

- 22. Before the use and/or development starts, a Security Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.**

The Security Management Plan must provide for the following:

- 22.1. an attendant or doorman responsible for monitoring the number of patrons on the premises after 11.00pm;**
- 22.2. the keeping of a register recording the number of patrons on the premises each hour between 11.00pm and closing time;**
- 22.3. the measures to be taken by management and staff to ensure patrons depart the premises and the surrounding area in an orderly manner;**
- 22.4. the measures to be taken by management and staff to ensure that patrons queue to enter the premises in an orderly manner and maintain satisfactory clearance for other pedestrians on the footpath;**
- 22.5. the measures to be taken by management and staff to ensure that patrons do not cause nuisance or annoyance to persons beyond the land;**
- 22.6. liaison with Victoria Police, the City of Greater Dandenong and local residents;**
- 22.7 a telephone number provided for residents to contact the premises and linked to the complaints register;**
- 22.8 the maintenance of a complaints register, which must, on reasonable request, be made available for inspection by the Responsible Authority;**
- 22.9 staff being trained in the responsible service of alcohol; and**
- 22.10 encourage smokers to use the designated smoking area within the premises.**

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

- 23. The provisions, recommendations and requirements of the endorsed security management plan must be implemented and complied with to the satisfaction the Responsible Authority.**
- 24. Except with the prior written consent of the Responsible Authority, the security management plan must not be modified.**

Crowd Controller

- 25. The permit holder must ensure adequate security and surveillance staff are provided so as to control the behaviour of patrons.**

Video Surveillance

- 26. Before the use starts, video surveillance cameras and recorders must be installed to the satisfaction of the Responsible Authority. The video surveillance cameras must record video footage of sufficient quality to visually identify patrons and which is imprinted with the date and time of recording.**
- 27. The video surveillance cameras and records must record 60 minutes before and after supply of liquor and must be able to identify persons clearly.**
- 28. The video surveillance cameras must monitor and record continuous images of the entrances, exits, bars, outside bathrooms, staff/management areas, entertainment/dance floor areas and across car parks of the venue.**
- 29. Video footage must be retained for at least 3 months and made available for viewing and copying by a member of staff of the responsible authority.**

Loudspeakers

- 30. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts, playing of music or similar purposes, to the satisfaction of the Responsible Authority.**

Signs

- 31. The location, layout, dimensions, structures and features of the approved sign/s (including the design, colours, materials, degree of illumination, and sign type shown on the endorsed plans must not be altered (unless the Greater Dandenong Planning Scheme specifies that a permit is not required) without the prior consent of the Responsible Authority.**
- 32. The illuminated sign must not be illuminated after 12am any night to the satisfaction of the Responsible Authority.**
- 33. All signs must be constructed and maintained to the satisfaction of the Responsible Authority.**

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

34. The sign/s must not be illuminated by external light except with the written consent of the Responsible Authority.

Signage Expiry

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

Permit Expiry

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

In accordance with Section 69 of the Planning and Environment Act 1987, a request may be submitted to the Responsible Authority within the prescribed timeframes for an extension of the periods referred to in this condition.

Notes

No building or works are constructed or carried out without a permit.

Use of Security Cameras must comply with the *Surveillance Devices Act 999* (Vic) which outlines a permit holder's responsibility in relation to surveillance devices. Please ensure compliance with the relevant legislation at all times the security cameras are in use.

House Rules signage at all entry/exit points and in car parks, are required to be installed stating:

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

Install the following House Rule in the venue bathrooms, stating:

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

- ***‘Alcohol is not to be taken into or consumed in the venue’s bathrooms.’***

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 11 SODEN ROAD, BANGHOLME
(PLANNING APPLICATION NO. PLN20/0535)**

ATTACHMENT 1

ASSESSED PLANS

PAGES 3 (including cover)

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



ORDINARY COUNCIL MEETING - AGENDA

2.3.2 Town Planning Application - No. 11 Soden Road, BANGHOLME (Planning Application No. PLN20/0535) (Cont.)

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167)

File Id:	117655
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:	Abacus Design & Planning
Proposal:	Development of the land for four (4) double storey dwellings
Zone:	General Residential Zone, Schedule 3 (GRZ3)
Overlay:	No overlays apply
Ward:	Springvale North

This application is brought before the Council because it has received two (2) objections.

The application proposes to develop the land for four (4) double storey dwellings on a lot.

A permit is required pursuant to:

- Clause 32.08-6 (General Residential Zone) of the Greater Dandenong Planning Scheme to construct two or more dwellings on a lot.

Objectors Summary

The application was advertised to the surrounding area through the erection of a notice on-site and the mailing of notices to adjoining and surrounding owners and occupiers. Two (2) objections were received to the application. Issues raised generally relate to matters of:

- Bulk and built form; and
- Overshadowing

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Assessment Summary**

The site is located within an established residential area and is well suited for medium density housing given that the site is zoned for incremental change. The proposal seeks to provide a medium density development which is generally consistent with the emerging pattern of development and surrounding neighbourhood character. It is noted that the development complies with most of the design principles, as demonstrated in the attachments to this report.

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 highly compliant with all of the relevant provisions of the Greater Dandenong Planning Scheme. All grounds of objection have been considered, and Council 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. Therefore, a **Notice of Decision** (which provides appeal rights to objectors) to grant a permit be issued subject to 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.

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Subject Site and Surrounds

Subject Site

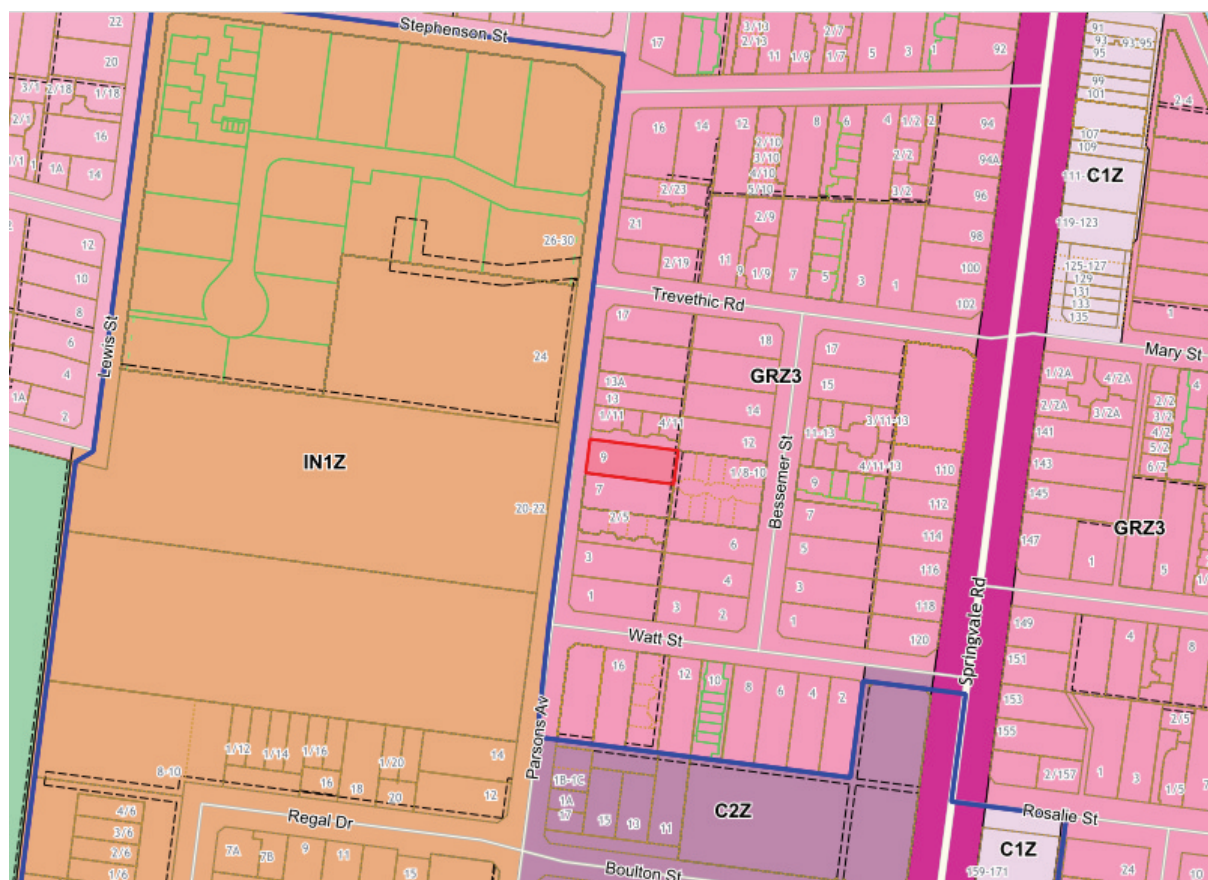
- The subject site is located along the eastern side of Parsons Avenue.
- It has a western frontage of 16.15m, a northern side boundary of 41.96m, a southern side boundary of 41.96m, and an eastern rear boundary of 16.15m giving the site an area of 678m².
- The site is oriented east-west, is regular in shape and is relatively flat in topography. A 2.44m wide drainage and sewerage easement is present along the western rear and southern side boundaries of the site.
- The subject site is currently occupied by an existing single storey weatherboard dwelling.
- The site is currently accessed via a crossover on the northern side of the western frontage to Parsons Avenue. There is limited vegetation on the subject site.

Surrounding Area

- The subject site is located on the edge of a residential area of Springvale which is opposite an industrial area to the east and the Springvale Activity Centre which is located approximately 125 metres to the south.
- Buildings generally consist of double storey dwellings, including single dwellings on lots and multi-unit developments.
- The area is currently experiencing incremental change, with two – four dwelling developments replacing single dwellings on a lot.
- Public transport is available close by with Springvale train station approximately 670 metres to the southeast as the crow flies and bus routes running along Springvale Road approximately 150m to the east.
- Public open space is available at Springvale Reserve approximately 150m to the west and Warner Reserve approximately 370m to the east.

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Locality Plan



☐ Subject Site North ↑

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 four (4) new double storey dwellings as follows:

Type of proposal	Multi dwellings
Number of dwellings	Four (4)

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Levels	Double storey
Height	7.6 metres
Orientated to	Parsons Avenue
External materials	Brick at ground floor level and render cladding at first floor level
Setbacks	<p>Dwelling one</p> <p>Ground floor</p> <p>North – 3.11 metres</p> <p>South – 4.2 metres</p> <p>West (frontage) – 5 metres</p> <p>First floor</p> <p>North – 2.9 metres</p> <p>South – 4.275 metres</p> <p>West (frontage) – 5.3 metres</p> <p>Dwelling two</p> <p>Ground floor</p> <p>North – 3.11 metres</p> <p>South – 4.8 metres</p> <p>First floor</p> <p>North – 2.9 metres</p> <p>South – 5.3 metres</p> <p>Dwelling three</p> <p>Ground floor</p> <p>North – 1.74 metres</p>

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

	<p>East (rear) – 4.27 metres</p> <p>First floor</p> <p>North – garage along boundary, dwelling 1.37 metres</p> <p>East (rear) – 4.47 metres</p> <p>Dwelling four</p> <p>Ground floor</p> <p>South – 1.08 metres</p> <p>West (rear) – 3.37 metres</p> <p>First floor</p> <p>South – 2.95 metres</p> <p>West (rear) – 2.9 metres</p>
Open space type	<p>Dwelling one</p> <p>A total area of 83.3 square metres consisting of 25 square metres to the side with a minimum dimension of 3 metres and convenient access from a living area.</p> <p>Dwelling two</p> <p>A total area of 40 square metres to the side of the dwelling with a minimum dimension of 3 metres and convenient access from a living area.</p> <p>Dwelling three</p> <p>A total area of 40 square metres consisting of 28.9 square metres to the rear with a minimum dimension of 3 metres and convenient access from a living area.</p> <p>Dwelling four</p> <p>A total area of 40 square metres consisting of 33.2 square metres to the rear with a minimum dimension of 3 metres and convenient access from a living area</p>

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Number of Car parking Spaces provided	Five (5) spaces provided
Number of Car parking Spaces required	Five (5) spaces required
Type of car parking	Double garage provided for dwelling one and a single garage is provided for dwellings two to four
Access	Access located to the west of the development connecting to Parsons Avenue with a minimum width of 3 metres
Front Fence	No front fence is proposed
Garden Area:	
Provided	Not applicable (GRZ3)
Required	Not applicable (GRZ3)

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 A permit is required to construct two or more dwellings on a lot in a General Residential Zone.

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

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 to the north, south and east.

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 Schedule 3 to the zone, different requirements are set out as following:

- *Standard B6 (Street Setback) – As per B6 or 5 meters, whichever is the lesser;*
- *Standard B8 (Site Coverage) – The site area covered by buildings should not exceed 70%;*
- *Standard B13 (Landscaping) – 70% of ground level front setback, and side and rear setbacks planted with substantial landscaping and canopy trees;*
- *Standard B28 (Private Open Space) – An area of 40 square metres, with one part to consist of secluded private open space at the side or rear of the dwelling or dwelling with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or a balcony with a minimum area of 10 square metres with a minimum width of 2 metres and convenient access from a living room; or a 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*

Overlay Controls

No overlays affect the subject site or surrounding area.

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.

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

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.*

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

These overall objectives are reinforced by a number of sub-clauses, including

Clause 15.01-1S (Urban design)

and

Clause 15.01-1R (Urban design – Metropolitan Melbourne)

, which seek to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

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

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

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

Clause 16 Housing

Clause 16 (Housing) contains 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.

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

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.*

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

- *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*

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

- *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.

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

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 the preferred housing type, building height, landscaping, setbacks, front boundary, width, private open space and the bulk and built form.

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:

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

- *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 subject to strict conditions on any planning permit issued.

Safe Design Guidelines

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

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

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	
Transport Planning	No objection, subject to condition on permit
Civil Development	No objection, subject to conditions on permit
ESD / Sustainability	Concerns raised with the provided SDA – conditions required. A review of the Sustainable Design Assessment and town planning drawings submitted as part of application PLN21/0167 finds that in the context of this development, this application satisfies councils expectations for environmental sustainability subject to conditions. A set of conditions and supporting commentary outlining the issues and requirements to be undertaken are listed below.

Advertising

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

- Sending notices to the owners and occupiers of adjoining land.
- Placing one (1) sign on site facing Parsons Avenue to the west.

The notification has been carried out correctly. Council has received two (2) objections to date.

The location of the objectors is shown in Attachment 2.

Consultation

A consultative meeting was not held 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*).

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

- **Bulk and Built Form**

Concerns are raised by the objector relating to the two, side by side, double storey dwellings proposed along the rearmost boundary of the subject site. The objectors site abuts the subject site to the rear and has stated that the built form will impact on the existing view lines and open spaces.

The subject site is located within a General Residential Zone, Schedule 3, suitable for development, and is surrounded by multi-unit developments of a similar nature to either side and to the rear. The proposed dwellings of concern, are dwelling three (3), which will be a minimum of 4.27 metres from the neighbouring area of private open space to the concerned site and dwelling four (4) proposed to be a minimum of 3.486 metres from the neighbouring dwelling and internal accessway. These setbacks appropriately allow for ample open space, clear view lines to the sky, and designed to limit amenity impact potential.

Furthermore, the proposal complies with the relevant requirements to both Clause 22.09 (Residential Development and Neighbourhood Character) and to Clause 55 (Two or more dwellings on a lot) including side and rear setback, overshadowing and overlooking requirements. Given the overall compliance with the Greater Dandenong Planning Scheme, it is considered that a development of this type and size is suitable for the site.

- **Overshadowing**

Concerns have been raised that the proposed development will overshadow existing areas of open space, particularly the area of open space directly to the rear (east) of proposed dwelling three.

Based on the shadow diagrams provided with the application material, minimal overshadowing will occur to the south and east on the September 22nd equinox. The proposed development complies with Standard B23 Overshadowing to Clause 55 allowing a minimum of 5 hours unaffected by the proposed shadowing to all adjoining areas of secluded private open space.

Assessment

The subject site is located within an established residential area and is well suited for the development of dual occupancy housing given that the site has good access to many community facilities and public transport. The proposal also seeks to reduce pressure on the urban fringe by providing four (4) 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 3 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 discussed below.

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**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 four dwelling 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 four (4) new double storey dwellings.

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Whilst dwelling three and four along the rear are proposed to be double storey in form, it is considered appropriate in this instance for the following reasons:

- The site is located in the General Residential Zone – Schedule 3 (GRZ3), which supports double storey dwellings to the rear of sites. The GRZ3 is different to the GRZ1 and GRZ2 in this respect, as both of these other zones only support double storey dwellings to the rear of sites in limited scenarios, whereas the GRZ3 provides much broader support for double storey to the rear.
- The surrounding area is significantly built up with seven triple storey dwellings currently under construction to the south of the site, four double storey dwellings constructed to the north and ten double storey dwellings constructed to the east. The modernistic, double storey design mirrors the approved development to No. 7 Parsons Avenue.
- Separation is not required to be provided between dwellings at first floor for subject sites within the GRZ3, provided that an appropriate design response is achieved.
- The proposed dwellings three and four along the rear will not cause any overlooking or overshadowing impacts to habitable room windows or areas of secluded private open space.
- Suitable setbacks are provided along either sides and the rearmost boundary for landscaping purposes.

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 including overlooking, overshadowing and side and rear setbacks. It is considered that the areas of ground level open space are sufficient to allow for substantial landscaping to be provided throughout the development.

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

As per the internal referral request:

The applicant is to submit a revised set of town planning drawings that includes:

- Revised hatched roof area demonstrating at least 50m² of roof area draining to the rainwater tank per dwelling;
- Annotation on the plans specifying rainwater connection to toilets and (if necessary) laundry;
- Site plan confirming all any other water quality treatment areas such as permeable paving/driveway, bioretention or the like;
- Additional fixed or adjustable shading to all eastern and western orientated habitable room windows (if applicable);

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

- Additional window to bedroom 2 of TH2 to facilitate cross ventilation to this room; and
- Any other measures in accordance with the revised SDA.

Conditions are to be included on the permit (Condition 1.1 and 4) to address the above.

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	0%	NA		
Water	50%			
		Rainwater tank capacity of 2,000L per dwelling connected to Toilet flushing and laundry (to be revised)		
		High WELS star rated water fittings, fixtures and appliances		
		Potable water consumption reduced by 45% compared to same building following minimum standards.		
Energy	50%			
		High efficiency reverse cycle air conditioning specified with 5-star energy rating.		
		Thermal performance energy rating (NatHERS) of 6 stars (to be completed)		
		Gas (5-star) hot water system supplied.		
		Estimated greenhouse gas emissions reduced by 69% compared to compared to same building following minimum standards		
Stormwater	100%			
		Stormwater design meets industry best practice requirements though incorporation of rainwater collection (to be revised)		
Indoor Environment Quality	100%			

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

		Double glazing provided to all habitable rooms
		Cross ventilation to each dwelling (to be revised)
		Majority of dwelling living areas orientated to the north
Transport	50%	
		Space allocated for bicycle parking in P.O.S and/or Garage
Waste	0%	
Urban Ecology	62%	
		44% of the site is vegetated or pervious
Innovation	0%	NA

Conclusion

The proposed development of four (4) dwellings is considered acceptable and is of an appropriate design response in terms of height, scale, setbacks, private open space, car parking and landscaping with minimal amenity impacts on the adjoining residential properties and surrounding area.

The application has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the Planning Policy Framework, Local Planning Policy Framework and Municipal Strategic Statement as set out in this assessment. It is considered that the application complies with these policies and it is therefore recommended that the proposal is approved.

Recommendation

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as No. 9 Parsons Avenue SPRINGVALE VIC 3171, for the Development of the land for four (4) 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 provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:**

- 1.1. the SDA requirements of Condition 5;**

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

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

- 2. Before the approved development starts, and before any trees or vegetation are removed, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:**

- 2.1. the landscaping plan to show at least two (2) advanced canopy tree with a minimum planting height of 1.5 metres within the front yard;**
- 2.2. The landscaping plan to show any paving or deck areas within the secluded open space area of the proposed dwelling on a permeable base;**

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. 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.**
- 4. 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.**
- 5. Prior to the endorsement of plans, the applicant is to submit a Revised Sustainable Design (SDA) Assessment 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 Abacus Design and Planning) but modified to include the following:**
 - 5.1. Submission of a preliminary energy rating (NatHERS) assessment for each dwelling. The rating must achieve a rating beyond 6-stars per dwelling.**
 - 5.2. Revised site stormwater section that includes all impervious surfaces and their associated treatments prior to entering the legal point of discharge.**
 - 5.3. Revised assessment using Insite Water that includes specifies:**
 - 5.3.1. A minimum 50m² of roof area to be connected to the rainwater tank.**

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

- 5.3.2. All remaining roof areas untreated.**
 - 5.3.3. All driveway areas draining to the drainage network on the site (unless specified as permeable).**
 - 5.3.4. Confirmation on the connections of toilet and (if necessary) laundry to the rainwater tanks.**
 - 5.3.5. The score must achieve an equivalent STORM score of 100%.**
- 5.4. Revised BESS Energy section that includes the revised energy rating inputs in accordance with the preliminary NatHERS ratings.**
- 5.5. A revised BESS water section that:**
 - 5.5.1. confirms connection points to the rainwater tank**
 - 5.5.2. confirms washing machine efficiency if proposed as part of base building (otherwise set as “default or unrated”)v**
- 5.6. Revised BESS IEQ section that confirms:**
 - 5.6.1. That confirms if IEQ credit 2.2 can be achieved via incorporation of additional operable windows to bedroom 2 of TH2. Otherwise remove the credit**
 - 5.6.2. Confirmation on the fixed or adjustable shading devices to habitable east and west facing windows. Otherwise remove the credit.**

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 endorsed SDA must not be altered without the prior written consent of the Responsible Authority.

- 6. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.**
- 7. Stormwater discharge is to be retained on site to the pre-development level of peak stormwater discharge, to the satisfaction of the Responsible Authority.**
- 8. 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.**
- 9. 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.**

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

- 10. 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.
- 11. Service units, including air conditioning/heating units, must not be located on any of the balcony areas or where they will be visible from any public area.**
- 12. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
- 13. 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.**
- 14. 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.**
- 15. All glazing must at all times be maintained to the satisfaction of the Responsible Authority.**
- 16. Before the approved building is occupied, all boundary walls in the development must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**
- 17. Letterboxes and all other structures (including visually obstructive fencing and landscaping) must 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.**
- 18. This permit will expire if:**
 - 18.1. The development or any stage of it does not start within two (2) years of the date of this permit, or**
 - 18.2. The development or any stage of it is not completed within four (4) years of the date of this permit.**

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

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. A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.**
- 2. Approval of any retention system within the property boundary is required by the relevant building surveyor.**
- 3. Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.**
- 4. 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.**
- 5. 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.**
- 6. No buildings or works shall be constructed over any easement without the written consent of the relevant authorities.**
- 7. 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.**

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

- 8. An application must be made with Council's Parks Department for the street tree removal. The street tree must only be removed by or under the supervision of the Council. Prior to removal of the tree the replacement cost must be paid to Council.**
- 9. Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority.**
- 10. Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.**
- 11. Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.**

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 9 PARSONS AVENUE,
SPRINGVALE VIC 3171 (PLANNING APPLICATION NO. PLN21/0167)**

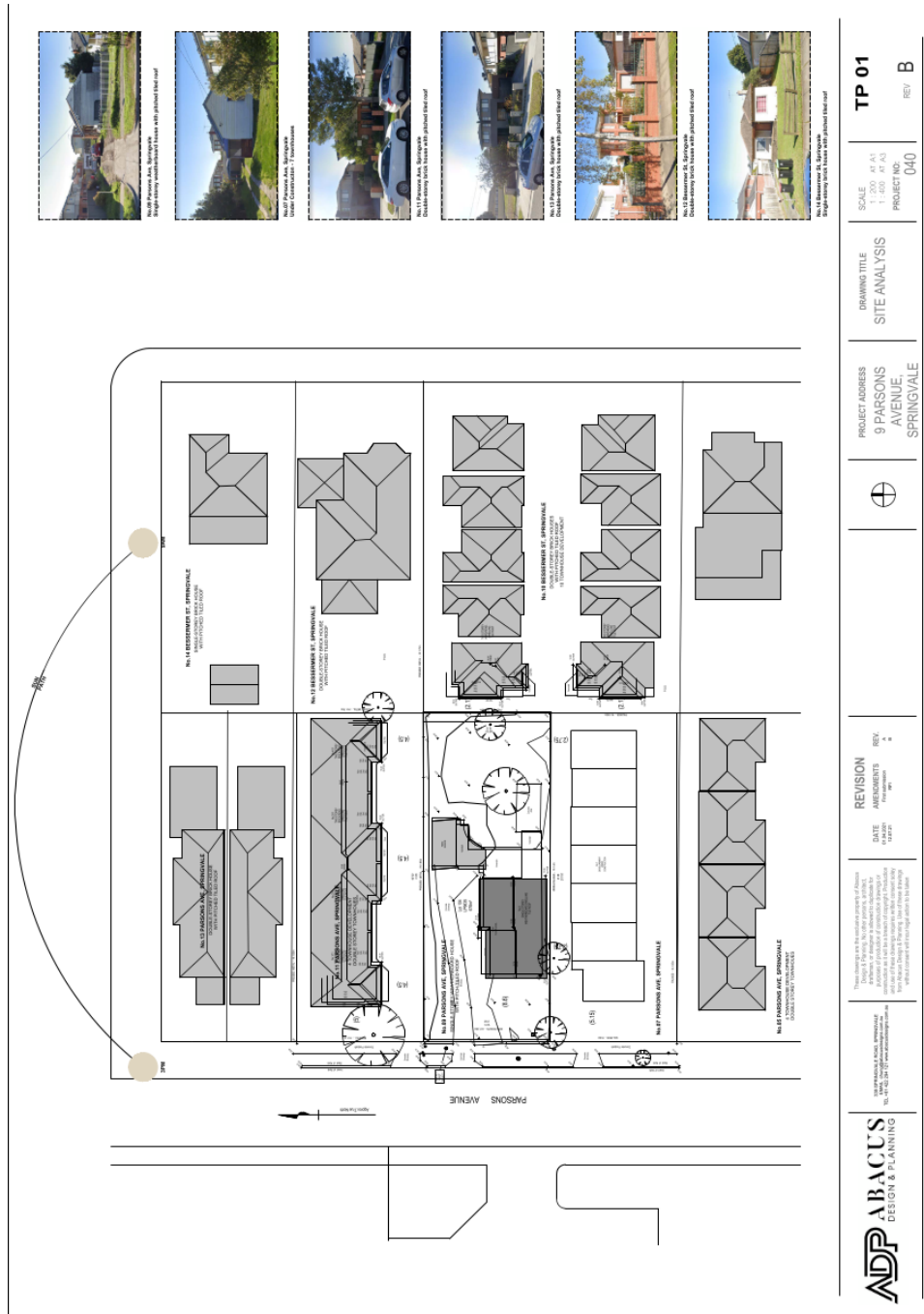
ATTACHMENT 1

SUBMITTED PLANS

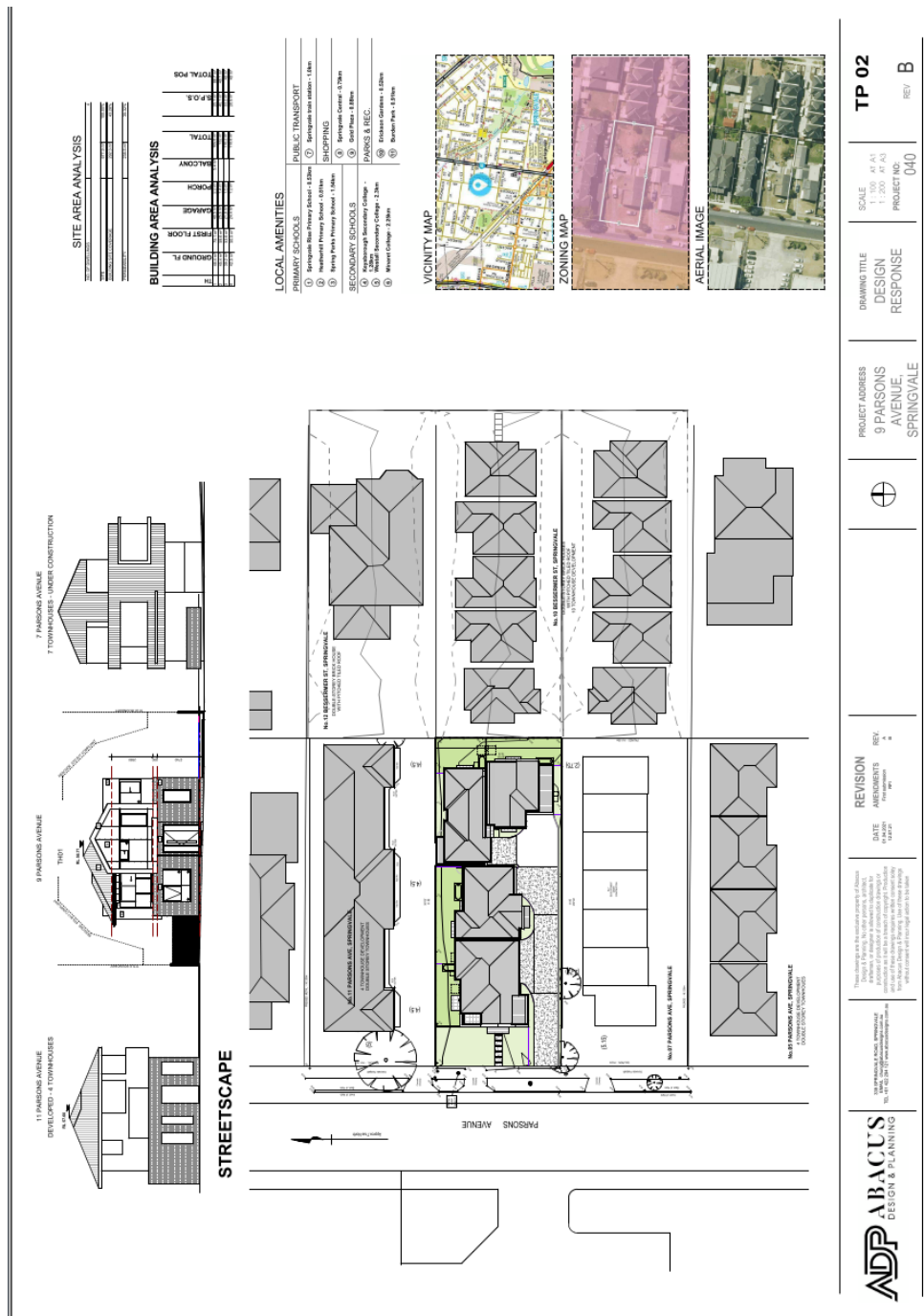
PAGES 11 (including cover)

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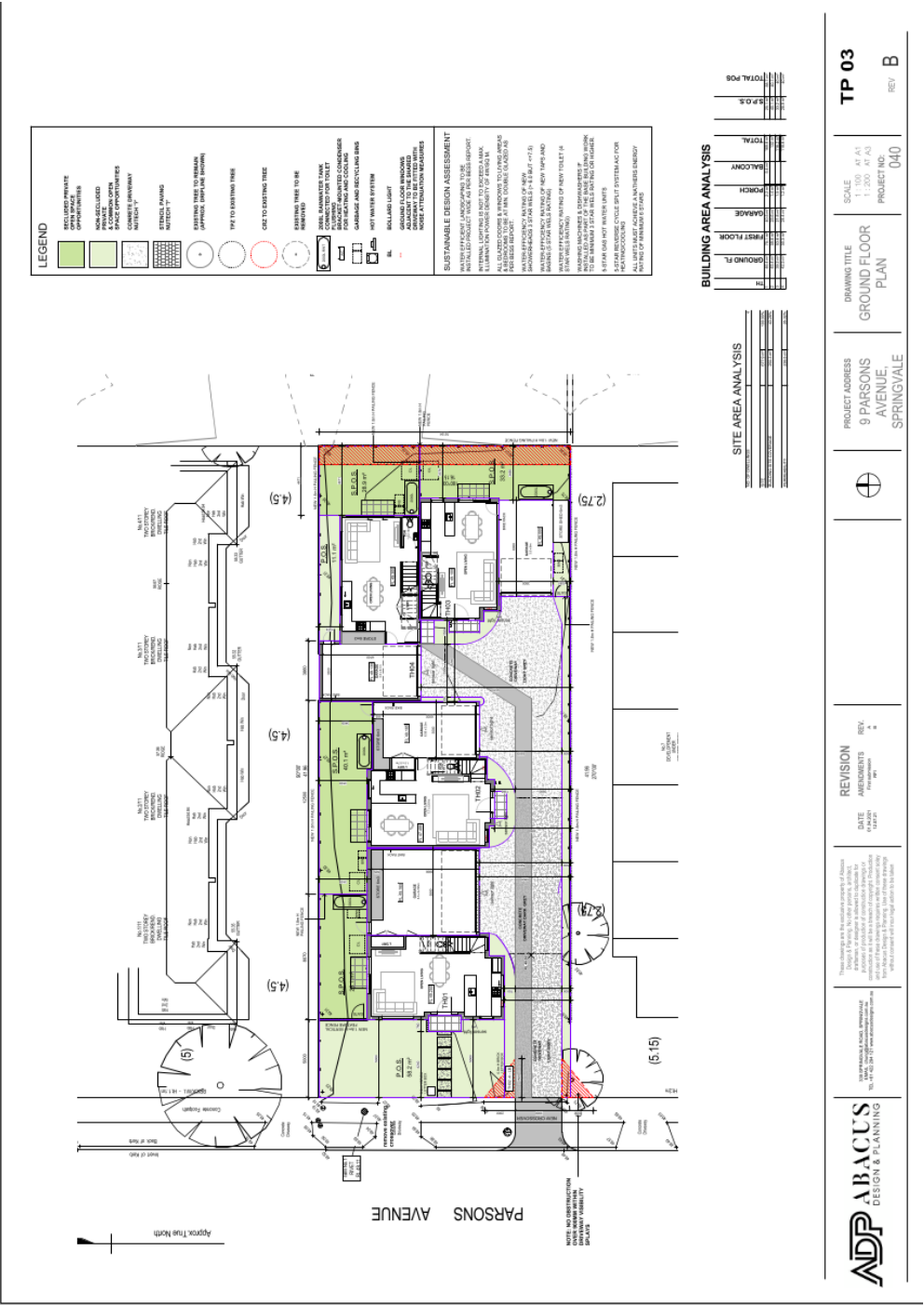
2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)



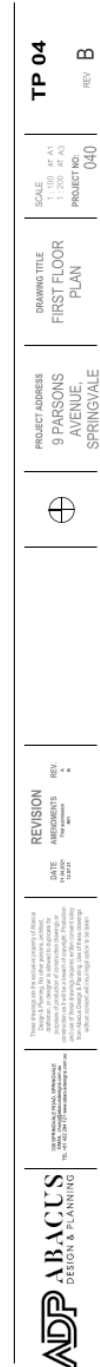
ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)



2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)



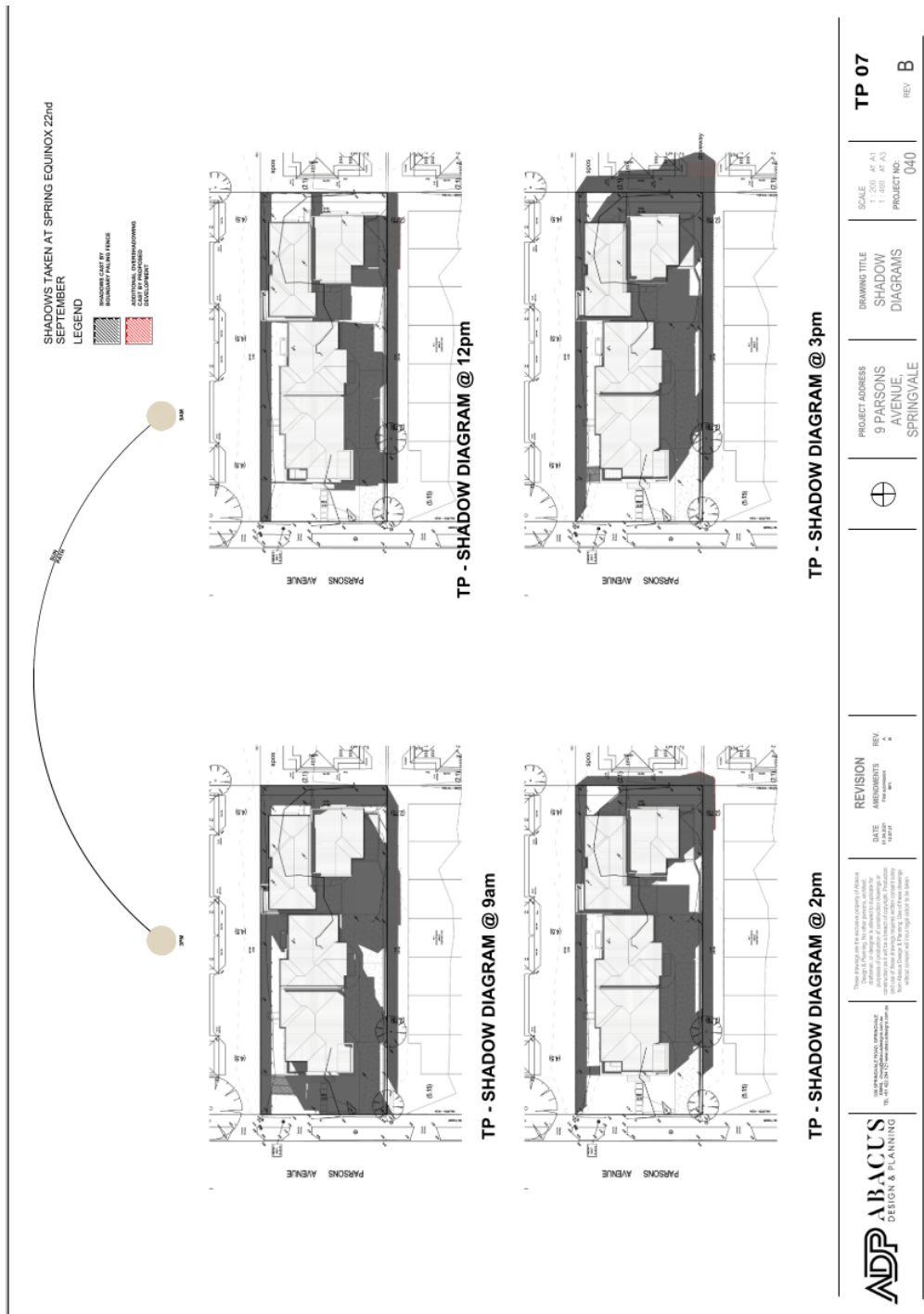
2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)



ADP ABACUS DESIGN & PLANNING 100/102 MARLBOROUGH AVENUE ST. ALBANS VIC 3170 TEL: 03 95 07 1111 www.adpabacus.com.au	This drawing is the property of ADP Abacus Design & Planning. It is to be used for the purpose of the project only and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without the prior written permission of ADP Abacus Design & Planning.	DATE 12/02/21 REVISION AMENDMENTS 1. Revision 2. Revision	PROJECT ADDRESS 9 PARSONS AVENUE, SPRINGVALE	DRAWING TITLE ROOF PLAN	SCALE 1:100 1:150 1:200 PROJECT NO. 040	TP 05 REV B
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2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)



2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)



2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)



MATERIALS & FINISHES SCHEDULE

1. EXTERIOR WALL - Brickwork	2. EXTERIOR WALL - Stone	3. EXTERIOR WALL - Wood Cladding	4. EXTERIOR WALL - Painted Brickwork
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TP 09

SCALE: 1:200 (P. A1, P. A2, P. A3)

PROJECT NO: 040

REV: B

ADP ABACUS DESIGN & PLANNING

10/100 Dandenong Road, Dandenong VIC 3175

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REVISION

NO.	DATE	DESCRIPTION	BY	CHKD
1	15/11/2021	Initial Design	ADP	AB
2	15/11/2021	Revised Design	ADP	AB

PROJECT ADDRESS

9 PARSONS AVENUE, SPRINGVALE

DRAWING TITLE

3D PERSPECTIVE VIEWS

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 9 PARSONS AVENUE
SPRINGVALE (PLANNING APPLICATION NO. PLN21/0167)**

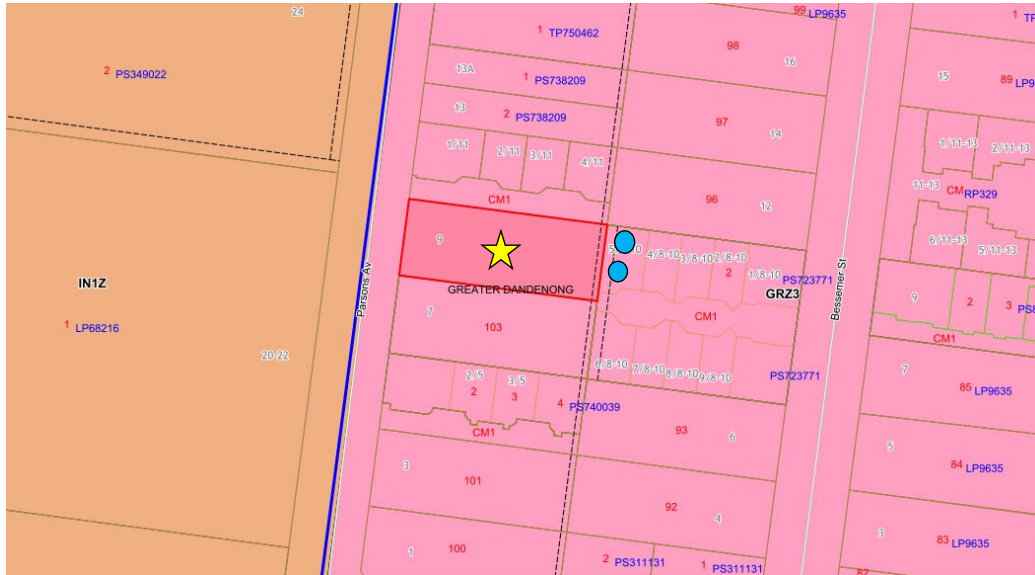
ATTACHMENT 2

OBJECTOR LOCATIONS

PAGES 2 (including cover)

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

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)



★ = SUBJECT SITE

● = OBJECTORS LOCATIONS

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 9 PARSONS AVENUE,
SPRINGVALE (PLANNING APPLICATION NO. PLN21/0167)**

ATTACHMENT 3

CLAUSE 22 ASSESSMENT

PAGES 9 (including cover)

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

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Assessment Table for Clause 22

Clause 22.09-3.1 Design Principles for all residential developments

Title / Objective	Principles	Principle met/Principle not met/NA
Safety	To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:	
	Incorporate active frontages including ground floor habitable room windows.	✓ Principle met Active frontages are provided per dwelling to overlook the street and internal accessway where possible
	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.	✓ Principle met
	Use semi-transparent fences to the street frontage.	✓ Principle met No front fence
	Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.	✓ Principle met External lighting provided to each garage and porch
	Ensure that all main entrances are visible and easily identifiable from the street.	✓ Principle met Main entrances are visible to either the street or internal accessway
	Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.	✓ Principle met Non habitable rooms are located to the sides and rear of the proposal
	Residential development should:	
Landscaping	Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.	✓ Principle met Sufficient landscaping provided along the front, sides and rears of dwellings

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

	Provide substantial, high quality landscaping along vehicular accessways.	✓ Principle met Adequate landscaping provided along the accessway
	Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.	✓ Principle met At least one canopy tree is provided to the front and to each secluded private open space areas
	Planting trees that are common to and perform well in the area.	✓ Principle met
	Avoid the removal of existing mature trees by incorporating their retention into the site design.	✓ Principle met
	Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.	✓ Principle met
	Ensure that landscaping also addresses the Safety Design Principles.	✓ Principle met
	Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.	✓ Principle met
	Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.	✓ Principle met
	Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.	✓ Principle met
	The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.	✓ Principle met An additional single width crossover proposed to the 16.15 metre wide frontage, on street parking will be not reduced
Car parking	On-site car parking should be: <ul style="list-style-type: none"> Well integrated into the design of the building, Generally hidden from view or appropriately screened where necessary, Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. 	✓ Principle met Car parking is well integrated into the sides and rears of each dwelling

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

	Where car parking is located within the front setback it should be: <ul style="list-style-type: none"> Fully located within the site boundary; and Capable of fully accommodating a vehicle between a garage or carport and the site boundary. Developments with basement car parking should consider flooding concerns where applicable.	<p>✓ Principle met Car parking is fully located to the sides and accessways of the development</p> <p>Not Applicable</p>
Setbacks, front boundary and width	Residential developments should: <ul style="list-style-type: none"> Provide a front setback with fence design and height in keeping with the predominant street pattern. Maintain the apparent frontage width pattern. Provide appropriate side setbacks between buildings to enable screen planting where required, and at least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity. Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting. 	<p>✓ Principle met Car parking is fully located to the sides and accessways of the development</p> <p>✓ Principle met A suitable front setback is provided with sufficient planting proposed</p> <p>✓ Principle met Suitable side and rear setbacks are provided for screen planting and at least one mature canopy tree within each secluded private open space area</p> <p>✓ Principle met No front fence proposed</p>
Private open space	<ul style="list-style-type: none"> All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area. Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space. Private open space should be positioned to maximise solar access. 	<p>✓ Principle met Private open spaces are easily accessible from the main ground floor living and dining areas</p> <p>✓ Principle met Private open spaces are appropriately dimensioned and can accommodate for domestic services and outdoor furniture</p> <p>✓ Principle met</p>

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

	Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to ensure the solar access, useability and amenity of the space is not adversely affected.	✓ Principle met
	Upper level dwellings should avoid encroaching the secluded private open space of a separate lower level dwelling so as to ensure good solar access and amenity for the lower level dwelling.	✓ Principle met
Bulk & Built Form	All residential developments should respect the dominant façade pattern of the streetscape by: <ul style="list-style-type: none"> Using similarly proportioned roof forms, windows, doors and verandahs; and Maintaining the proportion of wall space to windows and door openings. 	✓ Principle met
	Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.	✓ Principle met No balconies proposed
	The development of new dwellings to the rear of existing retained dwellings is discouraged where: <ul style="list-style-type: none"> The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or The retention of the existing dwelling detracts from the identified future character. 	✓ Principle met Existing dwelling proposed to be demolished
	On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by: <ul style="list-style-type: none"> Not exceeding the height of the neighbouring significant building; Minimising the visibility of higher sections of the new building; and Setting higher sections back at least the depth of one room from the frontage. 	Not Applicable There are no heritage buildings adjacent to the site
Site Design	Residential development should: <ul style="list-style-type: none"> Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties. 	✓ Principle met No overlooking or overshadowing issues as mentioned in Clause 55 assessment above
	Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance	✓ Principle met
	Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.	✓ Principle met
	Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.	✓ Principle met

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

	Provide suitable storage provisions for the management of operational waste	<p>✓ Principle met Space for bins are conveniently located</p> <p>✓ Principle met</p>
	Appropriately located suitable facilities to encourage public transport use, cycling and walking.	
Materials & Finishes	Residential development should:	
	Use quality, durable building materials and finishes that are designed for residential purposes.	<p>✓ Principle met</p>
	Avoid the use of commercial or industrial style building materials and finishes.	<p>✓ Principle met Materials are suited for residential developments</p>
	Avoid using materials such as rendered cement sheeting, unarticulated surfaces and excessive repetitive use of materials.	<p>Principle met</p>
	Use a consistent simple palette of materials, colours finishes and architectural detailing.	<p>✓ Principle met The materials are consistent throughout</p>
	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.	<p>✓ Principle met The materials are durable and typical for this type of development</p>
	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:	
Domestic services normal 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.	<p>✓ Principle met Bin and recycling enclosures, mailboxes, meter boxes, clothes lines and water tanks have all been provided and are easily accessible for each dwelling</p>
	Be designed to avoid the location of domestic and building services:	
	<ul style="list-style-type: none"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	<p>✓ Principle met Domestic services are located within the front and rear boundary</p>

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Internal Amenity	Residential development should:	
	Ensure that dwelling layouts have connectivity between the main living area and private open space.	✓ Principle met Main living areas and private open space have good connectivity
	Be designed to avoid reliance on borrowed light to habitable rooms.	✓ Principle met
	Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.	✓ Principle met
	Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 & 7, 55.05-3, 4 & 5.	✓ Principle met

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**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.	✓ Principle met Four dwellings each fronting the street
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 storey
Landscaping	Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties	✓ Principle met
Setbacks, front boundary and width	Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.	✓ Principle met Car parking and access is to the sides of the dwellings
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 Private open spaces are provided are to the sides and rears of dwellings
Bulk & Built Form	Residential development should:	
	Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;	✓ Principle met
	Provide separation between dwellings at the upper level;	✓ Principle met Separation is not required to developments within a General Residential Zone, Schedule 3.
	Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;	✓ Principle met Each area of secluded private open space connects to an adjoining area to retain spines of landscaping

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ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

	<p>Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.</p>	<p>✓ Principle met Double storey dwellings are permitted to be constructed to the rear for sites within a General Residential Zone, Schedule 3.</p>
	<p>The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.</p> <p>Two storey dwellings to the rear of a lot may be considered where:</p> <ul style="list-style-type: none"> • The visual impact of the building bulk does not adversely affect the identified future character of the area; • Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties; • The building bulk does not adversely affect the planting and future growth of canopy trees to maturity; • Sufficient side and rear boundary landscaping can be provided to screen adjoining properties; • Upper storey components are well recessed from adjoining sensitive interfaces. 	<p>✓ Principle met Proposed development has a double storey footprint across the site.</p> <p>The adjoining developments constructed to either side of the site have a similar or more intense double storey impact across the site with four double storey dwellings constructed to the north and seven triple storey dwellings to the south. Likewise, the development to the rear (east) is developed for 10 double storey dwellings, two along the rearmost boundary.</p> <p>The proposed rear setbacks and separation between dwellings ensures that the built form does not adversely affect the adjoining areas of secluded private open space. There are no overlooking or overshadowing issues, as mentioned in Clause 55 assessment.</p>
	<p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>	<p>✓ Principle met</p>

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

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

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 9 PARSONS AVENUE,
SPRINGVALE (PLANNING APPLICATION NO. PLN21/0167)**

ATTACHMENT 4

CLAUSE 52 ASSESSMENT

PAGES 6 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Assessment Table - Clause 52****Clause 52.06-9 Design standards for car parking**

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

Design Standards	Assessment	Requirement met/Requirement not met/NA
Design standard 1 - Accessways	Accessways must:	✓ Standard met
	• Be at least 3 metres wide.	Accessway is a minimum of 3m throughout
	• Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.	✓ Standard met
	• Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.	✓ Standard met
	• Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.	✓ Standard met No apparent obstructions
	• If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed to that cars can exit the site in a forward direction.	✓ Standard met
	• Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in Road Zone.	✓ Standard met
	• Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.	✓ Standard met The front corner splay area either side of the accessway is proposed clear of all obstructions greater than 0.9 metres in height
	If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.	✓ Standard met
	If entry to the car space is from a road, the width of the accessway may include the road.	✓ Standard met

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

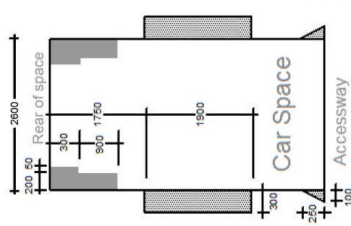
ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Design standard 2 – Car parking spaces	<p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p>Table 2: Minimum dimensions of car parking spaces and accessways</p> <table><tr><th>Angle of car parking spaces to access way</th><th>Accessway width</th><th>Car space width</th><th>Car space length</th></tr><tr><td>Parallel</td><td>3.6 m</td><td>2.3 m</td><td>6.7 m</td></tr><tr><td>45°</td><td>3.5 m</td><td>2.6 m</td><td>4.9 m</td></tr><tr><td>60°</td><td>4.9 m</td><td>2.6 m</td><td>4.9 m</td></tr><tr><td>90°</td><td>6.4 m</td><td>2.6 m</td><td>4.9 m</td></tr><tr><td></td><td>5.8 m</td><td>2.8 m</td><td>4.9 m</td></tr><tr><td></td><td>5.2 m</td><td>3.0 m</td><td>4.9 m</td></tr><tr><td></td><td>4.8 m</td><td>3.2 m</td><td>4.9 m</td></tr></table> <p><i>Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).</i></p>	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length	Parallel	3.6 m	2.3 m	6.7 m	45°	3.5 m	2.6 m	4.9 m	60°	4.9 m	2.6 m	4.9 m	90°	6.4 m	2.6 m	4.9 m		5.8 m	2.8 m	4.9 m		5.2 m	3.0 m	4.9 m		4.8 m	3.2 m	4.9 m	<p>✓ Standard met</p> <p>Double garage to dwelling one is dimensioned 6m x 5.5m</p> <p>Single garage to dwellings two – four are dimensioned 6m x 3.5m</p>
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length																															
Parallel	3.6 m	2.3 m	6.7 m																															
45°	3.5 m	2.6 m	4.9 m																															
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ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

	<p>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:</p> <ul style="list-style-type: none"> • A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1. • A structure, which may project into the space if it is at least 2.1 metres above the space. <p>Diagram 1 Clearance to car parking spaces</p>  <p>Dimensions in millimetres</p> <p>Clearance required</p> <p>Tree or column permitted</p> <p>Accessway</p>	<p>✓ Standard met No structures are encroaching</p>
	<p>Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.</p>	<p>✓ Standard met</p>
	<p>Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.</p>	<p>✓ Standard met No tandem spaces proposed</p>
	<p>Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.</p>	<p>✓ Standard met</p>
	<p>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.</p>	<p>✓ Standard met</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Design standard 3: Gradients	Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.	✓ Standard met Site is relatively flat with no point exceeding 1:10																
	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.	✓ Standard met																
	<table><tr><th colspan="3">Table 3: Ramp gradients</th></tr><tr><th>Type of car park</th><th>Length of ramp</th><th>Maximum grade</th></tr><tr><td rowspan="2">Public car parks</td><td>20 metres or less</td><td>1:5 (20%)</td></tr><tr><td>longer than 20 metres</td><td>1:6 (16.7%)</td></tr><tr><td rowspan="2">Private or residential car parks</td><td>20 metres or less</td><td>1:4 (25%)</td></tr><tr><td>longer than 20 metres</td><td>1:5 (20%)</td></tr></table>	Table 3: Ramp gradients			Type of car park	Length of ramp	Maximum grade	Public car parks	20 metres or less	1:5 (20%)	longer than 20 metres	1:6 (16.7%)	Private or residential car parks	20 metres or less	1:4 (25%)	longer than 20 metres	1:5 (20%)	
	Table 3: Ramp gradients																	
Type of car park	Length of ramp	Maximum grade																
Public car parks	20 metres or less	1:5 (20%)																
	longer than 20 metres	1:6 (16.7%)																
Private or residential car parks	20 metres or less	1:4 (25%)																
	longer than 20 metres	1:5 (20%)																
Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.	✓ Standard met																	
Design standard 4: Mechanical parking	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																
	Mechanical parking may be used to meet the car parking requirement provided: <ul style="list-style-type: none">At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres.	Not applicable No mechanical parking proposed																
	Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation.	Not applicable																
	The design and operation is to the satisfaction of the responsible authority.	Not applicable																
Design standard 5: Urban design	Ground level car parking, garage doors and accessways must not visually dominate public space.	✓ Standard met																
	Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.	✓ Standard met																

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

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

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 9 PARSONS AVENUE,
SPRINGVALE (PLANNING APPLICATION NO. PLN21/0167)**

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 32 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Assessment Table - Two or More Dwellings on a Lot and Residential Buildings (Clause 55)****Clause 55.02-1 Neighbourhood character objectives**

Title & Objective		Standard Met/Standard Not Met/NA
Standard B1	Standard (Summarised)	Standard met
	The design response must be appropriate to the neighbourhood and the site.	<p>✓ Standard met</p> <p>The surrounding area is significantly built up with seven triple storey dwellings currently under construction to the south of the site, four double storey dwellings to the north and ten double storey dwellings to the east.</p> <p>The limited recession to the first floors and sheer walls are considered acceptable to the development given the substantial setbacks to both ground and first floor, the large areas of open space at ground level and the separation provided between dwellings two and three.</p> <p>The proposed development is in keeping with the General Residential Zone, Schedule 3 with ground floor open space, substantial landscaping and a variation to the colours and materials. The modernistic design to dwellings one to the west mirrors the development to No. 7 Parsons Ave.</p>
Decision Guidelines	The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.	<p>✓ Standard met</p> <p>See Clause 22.09 assessment</p>
	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
	The neighbourhood and site description.	
Objectives	The design response.	
	To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.	<p>✓ Objective met</p>
	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.

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.02-2 Residential policy objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B2	An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the PPF and the LPPF, including the MSS and local planning policies.	✓ Standard met The application was accompanied by a written statement against all relevant clauses 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 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 55.02-3 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: <ul style="list-style-type: none"> • 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. 	Not Applicable Application is for four (4) dwellings
Objective	To encourage a range of dwellings sizes and types in developments of ten or more dwellings.	

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.02-4 Infrastructure objectives**

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**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 The vehicle and pedestrian links provided are appropriate
	Developments should be oriented to front existing and proposed streets.	✓ Standard met
	High fencing in front of dwellings should be avoided if practicable.	✓ Standard met No proposed front fence
	Development next to existing public open space should be laid out to complement the open space.	✓ Standard met
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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.03-1 Street setback objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA															
Standard B6	<p>Walls of buildings should be set back from streets at least the distance specified in a schedule to the zone:</p> <p>RGZ: 5 metres or as per Table B1, whichever is the lesser.</p> <p>GRZ: 7.5 metres or as per Table B1, whichever is the lesser.</p> <p>NRZ: As per Table B1.</p> <p>Table B1 Street setback</p> <table border="1"> <thead> <tr> <th>Development context</th><th>Minimum setback from front street (metres)</th><th>Minimum setback from a side street (metres)</th></tr> </thead> <tbody> <tr> <td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td><td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td><td>Not applicable</td></tr> <tr> <td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td><td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td><td>Not applicable</td></tr> <tr> <td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td><td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td><td>Not applicable</td></tr> <tr> <td>The site is on a corner.</td><td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td><td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td></tr> </tbody> </table>	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable	There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable	The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.	<p>Standard met</p> <p>GRZ3 5 m or as per table B1, whichever the lesser</p> <p>Abutting lots:</p> <p>5 metres and 5.15 metres = 5.07 metres average</p> <p>5 metres minimum required</p> <p>5 metres minimum provided</p>
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)															
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable															
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There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Not applicable															
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.															

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme. The design response. Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots. The visual impact of the building when viewed from the street and from adjoining properties. The value of retaining vegetation within the front setback.	
Objective	To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.	✓ Objective met
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. RGZ: 13.5 metres discretionary maximum (refer Clause 32.07-8 for details) GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9) NRZ: 9 metres / 2 storeys mandatory maximum (refer Clause 32.09-9) 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. Changes of building height between existing buildings and new buildings should be graduated.	✓ Standard met Maximum building height at any point is 7.66 metres The proposal complies with the GRZ maximum building height of 11m Not Applicable ✓ Standard met
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme. Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land. The design response. The effect of the slope of the site on the height of the building. The relationship between the proposed building height and the height of existing adjacent buildings. The visual impact of the building when viewed from the street and from adjoining properties. To ensure that the height of buildings respects the existing or preferred neighbourhood character	
Objective	To ensure that the height of buildings respects the existing or preferred neighbourhood character	✓ Objective met

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.03-3 Site coverage objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B8	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p>RGZ1: 70% RGZ2: 70% RGZ3: 70% GRZ1: 60% (none specified) GRZ2: 60% (none specified) NRZ1: 50%</p>	<p>Standard met</p> <p>Site Coverage is 325.3 sqm or 48%, this is compliant with the GRZ3 maximum of 70%</p>
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development or the features of the site.</p> <p>The site coverage of adjacent properties</p> <p>The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</p>	
Objective	<p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p>Objective met</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.03-4 Permeability objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B9	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> • The minimum areas specified in a schedule to the zone, or • If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p><u>RGZ1: 20%</u> <u>RGZ2: 20% (none specified)</u> <u>RGZ3: 20% (none specified)</u> <u>GRZ1: 30%</u> <u>GRZ2: 20% (none specified)</u> <u>NRZ1: 40%</u></p>	<p>Standard met</p> <p>Permeability is 221.6 sqm or 32.7%, this complies with the GRZ3 minimum of 20%</p>
Decision Guidelines	<p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development.</p> <p>The capacity of the drainage network to accommodate additional stormwater.</p> <p>The capacity of the site to absorb run-off.</p> <p>The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.</p>	
Objectives	<p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>	<p>Objective met</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.03-5 Energy efficiency objectives**

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.03-6 Open space objective**

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

Clause 55.03-7 Safety objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B12	Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.	✓ Standard met Entries are not obscured or isolated
	Planting which creates unsafe spaces along streets and accessways should be avoided.	✓ Standard met Planting areas do not appear to create unsafe areas.
	Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.	✓ Standard met Sensor lighting provided to garages and porches
	Private spaces within developments should be protected from inappropriate use as public thoroughfares.	✓ Standard met Private spaces are fenced or blocked by buildings
	The design response.	
Decision Guidelines Objectives	To ensure the layout of development provides for the safety and security of residents and property.	✓ Objective met

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.03-8 Landscaping objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B13	<p>The landscape layout and design should:</p> <ul style="list-style-type: none"> • Protect any predominant landscape features of the neighbourhood. • Take into account the soil type and drainage patterns of the site. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should meet any additional landscape requirements specified in a schedule to the zone.</p> <p>All schedules to all residential zones: "70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."</p>	<p>✓ Standard met</p> <p>A complete landscaping plan is provided with adequate space along the front, side and rear setbacks for landscaping</p> <p>At least one canopy tree is provided within the front setback and to each spot area</p> <p>✓ Standard met</p> <p>✓ Standard met</p> <p>✓ Standard met</p> <p>✓ Standard met</p> <p>Total front setback area is 81.3 square metres</p> <p>65 square metres set aside</p> <p>Proposal has set aside 80% of ground level front setbacks for landscaping</p>
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any relevant plan or policy for landscape design in the SPPF and the LPPF, including the MSS and local planning policies.</p> <p>The design response.</p> <p>The location and size of gardens and the predominant plant types in the neighbourhood.</p> <p>The health of any trees to be removed.</p> <p>Whether a tree was removed to gain a development advantage.</p>	
Objectives	<p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p>✓ Objective met</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.03-9 Access objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B14	The width of accessways or car spaces should not exceed: <ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	✓ Standard met Eastern frontage = 16.15 metres Accessways = 3 metres = 18.6% Complies with the standard of less than 40%
	No more than one single-width crossover should be provided for each dwelling fronting a street.	✓ Standard met One crossover proposed
	The location of crossovers should maximise retention of on-street car parking spaces.	✓ Standard met
	The number of access points to a road in a Road Zone should be minimised.	✓ Standard met Not a RDZ1
	Developments must provide for access for service, emergency and delivery vehicles.	✓ Standard met The 3m accessway minimum would be accessible for emergency and delivery vehicles
Decision Guidelines	The design response.	
	The impact on neighbourhood character.	
	The reduction of on-street car parking spaces.	
	The effect on any significant vegetation on the site and footpath.	
Objectives	To ensure the number and design of vehicle crossovers respects the neighbourhood character.	✓ Objective met

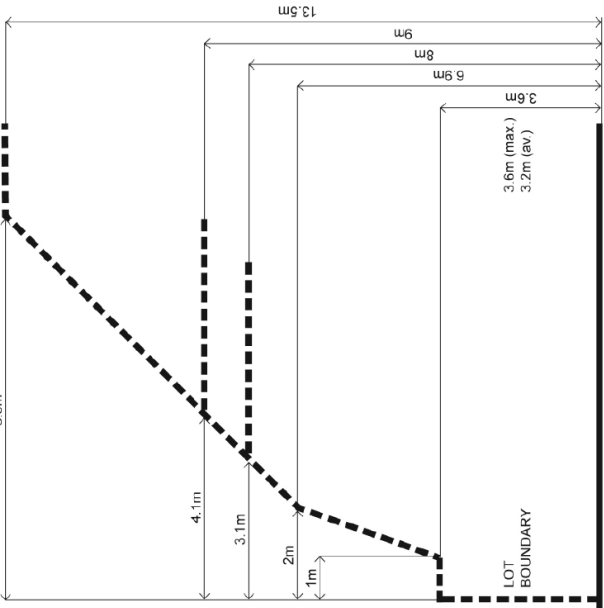
ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.03-10 Parking location objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B15	Car parking facilities should: <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.	Standard met Proposed garages are well connected and integrated into the design of the site and will allow safe and efficient movement on and off the site
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.	

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.04-1 Side and rear setbacks objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B17	<p>A new building not on or within 200mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or NRZ1: "A building wall opposite an area of secluded private open space or a window to a living room of an existing dwelling should be setback a minimum of 2 metres." If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. <p>Diagram B1 Side and rear setbacks</p> 	<p>Standard met</p> <p>Dwelling one Ground floor (3.2 metres max height = 1 metre required) North – 3.11 metres South – 4.2 metres West (frontage) – 5 metres</p> <p>First floor (6.4 metres max height = 1.84 metres required) North – 2.9 metres South – 4.275 metres West (frontage) – 5.3 metres</p> <p>Dwelling two Ground floor (3.5 metres max height = 1 metre required) North – 3.11 metres South – 4.8 metres</p> <p>First floor (6 metres max height = 1.72 metres required) North – 2.9 metres South – 5.3 metres</p> <p>Dwelling three Ground floor (2.7 metres max height = 1 metre required) North – 1.74 metres East (rear) – 4.27 metres</p> <p>First floor (5.5 metres max height = 1.57 metres required) North – garage along boundary, dwelling 1.37 metres East (rear) – 4.47 metres</p> <p>Dwelling four Ground floor (3.4 metres max height = 1 metre required) South – 1.08 metres West (rear) – 3.37 metres</p> <p>First floor (5.8 metres max height = 1.66 metres required) South – 2.95 metres West (rear) – 2.9 metres</p> <p>Complies</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

	<p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	<p>✓ Standard met There are no encroachments more than 0.5m</p> <p>✓ Standard met No landings encroach into the setback standard</p>
Decision Guidelines	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
	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.	
Objectives	Whether the wall abuts a side or rear lane.	
	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.	<p>✓ Objective met</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.04-2 Walls on boundaries objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B18	<p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> • For a length of more than the distance specified in the schedule to the zone; or • If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. <p>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.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p>Standard met</p> <p>Northern boundary garage three</p> <p>Boundary length is 41.96 metres = 17.99 metres maximum permissible</p> <p>3.86 metres provided</p> <p>Not applicable</p> <p>Standard met</p> <p>No other structure within 200mm from a boundary</p> <p>Standard met</p> <p>Northern wall on boundary heights</p> <p>3.1 metres average</p> <p>3.2 metres maximum</p>
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The extent to which walls on boundaries are part of the neighbourhood character.</p> <p>The impact on the amenity of existing dwellings.</p> <p>The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.</p> <p>The orientation of the boundary that the wall is being built on.</p> <p>The width of the lot.</p> <p>The extent to which the slope and retaining walls or fences reduce the effective height of the wall.</p> <p>Whether the wall abuts a side or rear lane.</p>	

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Objectives	The need to increase the wall height to screen a box gutter. 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
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Clause 55.04-3 Daylight to existing windows objective		
Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B19	<p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Diagram B2 Daylight to existing windows</p>	<p>✓ Standard met All existing windows have a minimum light court of 1 metre and 3 square metres clear to the sky</p> <p>✓ Standard met</p>

ORDINARY COUNCIL MEETING - AGENDA

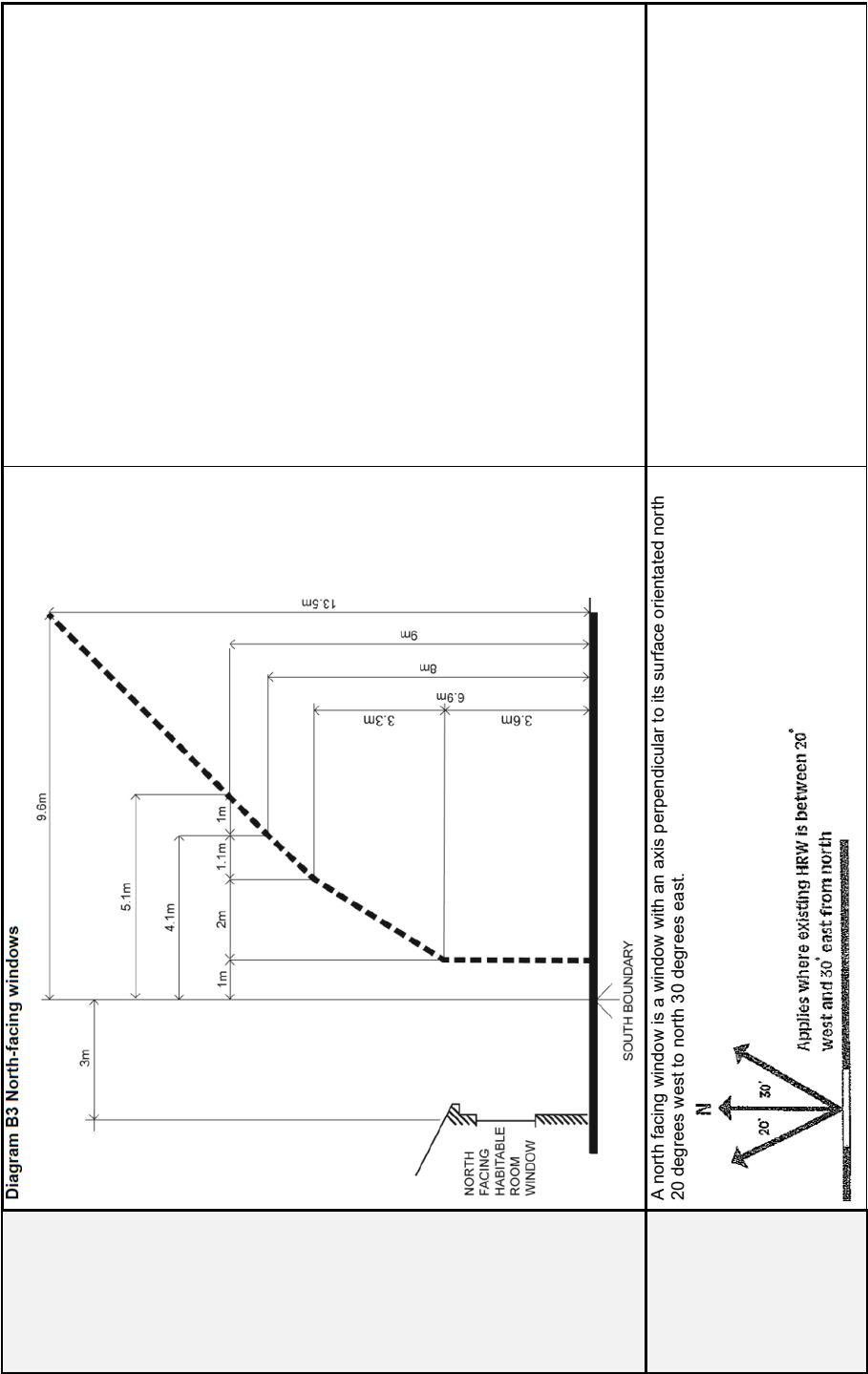
2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Decision Guidelines	The design response. 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

Clause 55.04-4 North-facing windows objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B20	If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.	✓ Standard met No north facing windows within 3 metres of the boundary Adjoining dwellings No. 6/7 and 7/7 parsons to dwelling four and carport four are setback a minimum of 3.8 metres. The balconies are setback 1.8 metres and are 2.5 metres above natural ground level. No overshadowing north facing windows possible

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)



ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

Decision Guidelines	The design response.	
	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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.04-5 Overshadowing open space objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B21	Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.	<p>Standard met</p> <p>Shadow diagrams provided</p> <p>The proposal overshadows the ground floor secondary open space to the adjoining development at No. 7 Parsons.</p> <p>The primary areas of open space are provided at first floor to the adjoining development which will not be overshadowed by the proposed development. The majority of overshadowing will be caused by the existing fence along the boundary.</p>
Decision Guidelines	If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.	<p>Standard met</p> <p>Existing SPOS at first floor exceeds this requirement</p>
	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 time of day that sunlight will be available to the secluded private open space of the existing dwelling. The effect of a reduction in sunlight on the existing use of the existing secluded private open space.	
Objective	To ensure buildings do not significantly overshadow existing secluded private open space.	<p>Objective met</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.04-6 Overlooking objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B22	<p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>Diagram B4 Overlooking open space</p>	<p>Standard met</p> <p>✓ All first floor habitable room windows and balconies are appropriately screened or highlighted</p>
	<p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. 	<p>Standard met</p> <p>✓</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

	<ul style="list-style-type: none"> Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. 	
	Obscure glazing in any part of the window below 1.7 metres above floor level may be operable provided that there are no direct views as specified in this standard.	✓ Standard met
	Screens used to obscure a view should be: <ul style="list-style-type: none"> Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. Permanent, fixed and durable. Designed and coloured to blend in with the development. 	✓ Standard met
	The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.	✓ Standard met
Decision Guidelines	The design response.	
	The impact on the amenity of the secluded private open space or habitable room window.	
	The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings.	
	The internal daylight to and amenity of the proposed dwelling or residential building.	
Objective	To limit views into existing secluded private open space and habitable room windows.	✓ Objective met

Clause 55.04-7 Internal views objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B23	Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.	✓ Standard met No internal views possible
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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.04-8 Noise impacts objectives**

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

Clause 55.05-1 Accessibility objective

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B25	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	Standard met The design ensures easy accessibility to into each dwelling
Objective	To encourage the consideration of the needs of people with limited mobility in the design of developments.	Objective met

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.05-2 Dwelling entry objective**

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

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.05-4 Private open space objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B28	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>RGZ1: None specified</p> <p>RGZ2: "As per B28; or a balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from a living room."</p> <p>RGZ3: "As per B28; or a balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</p> <p>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 minimum area of 30 square metres and a minimum dimension of 5 metres and convenient access from a living room; or</p> <p>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</p> <p>GRZ2: "As per the B28 40 sq m requirement, with the 25 sq m of secluded private open space at ground level having a minimum dimension of 5 metres; or</p> <p>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</p> <p>NRZ1: "An area of 60 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a minimum area of 40 square metres with a minimum dimension of 5 metres and convenient access from a living room; or</p> <p>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</p>	<p>Standard met</p> <p>Ground floor private open space</p> <p>Dwelling one A total area of 83.3 square metres consisting of 25 square metres to the side with a minimum dimension of 3 metres and convenient access from a living area.</p> <p>Dwelling two A total area of 40 square metres to the side of the dwelling with a minimum dimension of 3 metres and convenient access from a living area.</p> <p>Dwelling three A total area of 40 square metres consisting of 28.9 square metres to the rear with a minimum dimension of 3 metres and convenient access from a living area.</p> <p>Dwelling four A total area of 40 square metres consisting of 33.2 square metres to the rear with a minimum dimension of 3 metres and convenient access from a living area.</p>

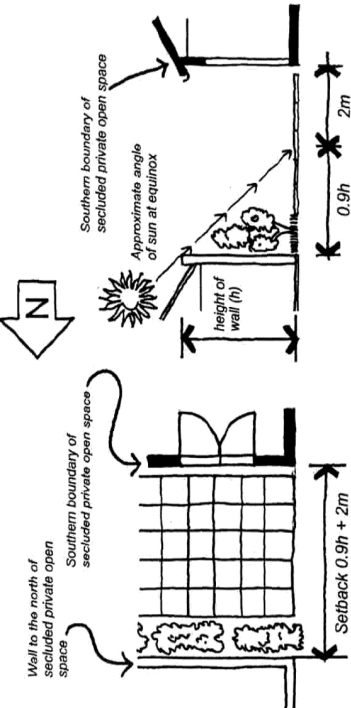
ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.05-5 Solar access to open space objective**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B29	<p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Diagram B5 Solar access to open space</p> 	<p>✓ Standard met</p> <p>✓ Standard met No area of SPOS is to the south of a wall</p>
Decision Guidelines	<p>The design response.</p> <p>The useability and amenity of the secluded private open space based on the sunlight it will receive.</p>	
Objective	<p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<p>✓ Objective met</p>

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.05-6 Storage objective**

Title & Objective		Standard Met/Standard Not Met/NA
Standard B30	Standards	
	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	✓ Standard met 6 cubic metres of externally accessible storage within the garages and SPOS areas
Objective	To provide adequate storage facilities for each dwelling.	✓ Objective met

Clause 55.06-1 Design detail objective

Title & Objective		Standard Met/Standard Not Met/NA
Standard B31	Standards	
	The design of buildings, including: <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.	✓ Standard met The proposed development is keeping in line with the policy of ground floor open space, a variation of materials to each level and appropriate articulation details
Decision Guidelines	Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.	✓ Standard met Garages are provided to the sides and rears of dwellings
	Any relevant neighbourhood character objective, policy or statement set out in this scheme.	
	The design response.	
	The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.	
Objective	Whether the design is innovative and of a high architectural standard.	
	To encourage design detail that respects the existing or preferred neighbourhood character.	✓ Objective met

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.06-2 Front fences objective**

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

ORDINARY COUNCIL MEETING - AGENDA

2.3.3 Town Planning Application - No. 9 Parsons Avenue, Springvale (Planning Application No. PLN21/0167) (Cont.)**Clause 55.06-3 Common property objectives**

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B33	Developments should clearly delineate public, communal and private areas.	✓ Standard met Common property limited to the accessway and landscaping associated
Objectives	Common property, where provided, should be functional and capable of efficient management.	✓ Standard met
	To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.	✓ Objective met
	To avoid future management difficulties in areas of common ownership.	

Clause 55.06-4 Site services objectives

Title & Objective	Standards	Standard Met/Standard Not Met/NA
Standard B34	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.	✓ Standard met Sufficient setbacks are provided to allow for site services to be easily installed and maintained
	Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	✓ Standard met
	Bin and recycling enclosures should be located for convenient access by residents.	✓ Standard met Bins are able to manoeuvre from the spos areas through the garage to the frontage of the site
	Mailboxes should be provided and located for convenient access as required by Australia Post.	✓ Standard met Mailboxes are provided along the frontage connecting to pedestrian and vehicular access points
Decision Guidelines	The design response.	
Objectives	To ensure that site services can be installed and easily maintained.	✓ Objective met
	To ensure that site facilities are accessible, adequate and attractive.	

3 QUESTION TIME - PUBLIC

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

QUESTIONS FROM THE GALLERY

Questions are limited to a maximum of three (3) questions per individual. Where time constraints deem it likely that not all questions can be answered within the time allowed for Question Time, the Mayor at his/her discretion may determine only the first question may be presented verbally with others deferred to be managed in the same manner as public questions not verbally presented. Priority will be given to questions that relate to items on the Council Agenda for that meeting. Questions including any preamble should not exceed 300 words.

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

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

- i) the commencement time (7.00pm) of the Ordinary meeting if questions are submitted in person; or
- ii) noon on the day of the Ordinary meeting if questions are submitted by electronic medium.

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

- i) does not relate to a matter of the type described in section 3(1) of the *Local Government Act 2020* (confidential information);
- ii) does not relate to a matter in respect of which Council or a Delegated Committee has no power to act;
- iii) is not defamatory, indecent, abusive or objectionable in language or substance, and is not asked to embarrass a Councillor, Delegated Member or Council officer; and
- iv) is not repetitive of a question already asked or answered (whether at the same or an earlier meeting).

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

- i) must advise the Meeting accordingly; and
- ii) will make the question available to Councillors or Members upon request.

3 QUESTION TIME - PUBLIC (Cont.)

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

4 OFFICERS' REPORTS - PART TWO

4.1 CONTRACTS

4.1.1 Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1)

File Id:	qA452069
Responsible Officer:	Director Business, Engineering & Major Projects
Attachments:	TENDER INFORMATION (CONFIDENTIAL)

1. Report Summary

This report details the public tender process undertaken by Council to select a suitably qualified and experienced contractor for the **Frederick Wachter Reserve – Construction of a District Level Playground (Stage 1)** within the City of Greater Dandenong.

2. Recommendation Summary

This report recommends that Council awards Contract 2122-07 to **Warrandale Industries Pty Ltd** for a fixed lump sum price of **Five Hundred and Forty-One Thousand and Forty-Two Dollars and Sixty-Seven Cents (\$541,042.67)** including GST.

4.1.1 Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1) (Cont.)**3. Background**

Frederick Wachter Reserve is a 13.5 hectare park in Keysborough. The City of Greater Dandenong's Open Space Strategy 2020 describes the reserve as being significant and supports the implementation of the Frederick Wachter Reserve Master Plan 2018.

The master plan provides direction for ways to improve and maximise the potential of the reserve through the development and provision of sporting, recreational and community facilities. The master plan specifically notes that the existing (southern) playground be upgraded to a district level facility.

The upgrade of the existing playground is also in keeping with Council's Playground Strategy and Action Plan 2013-2023 which notes the following: *"it is proposed to elevate this neighbourhood playground to a lower level end district level playground..."*

The works which are the subject of this contract address the key upgrade elements identified in the Master Plan:

- Provision for a range of play opportunities including traditional play equipment, social or group play structures and nature play areas; and
- Provision of new formal shade structures.

3.1 Playground Design

The design for the playground upgrade was completed in June 2021. The design allows for the development of the playground to occur in three stages with this contract being for the Stage 1 works. Stage 2 works is themed around adventure play and includes a senior climbing tower with slides and rope courses along with balance beams. Stage 3 is a waterplay area and includes a junior climbing tower, carved rocks and sand table.

4. Tender Process

This tender was advertised in The Age newspaper and on Council's website on Saturday 31 July 2021 and at the close of tenders at 2pm Wednesday 25 August 2021 eight (8) tender submissions were received as follows:

- A & R Landscaping
- Civilised Construction & Landscaping Pty Ltd
- Commercialscape Pty Ltd
- JMAC Constructions
- PTA Landscapes
- Terraform Civil Pty Ltd
- Warrandale Industries
- Yellowstone Landscaping Pty Ltd

4.1.1 Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1) (Cont.)

5. Tender Evaluation

The evaluation panel consisted of Council's Project Manager City Improvement, Co-ordinator Strategic Design and Sustainability Planning, Urban Designer, Capital Works Program Officer and Senior Contracts Officer, with Occupational Health & Safety and Environmental Management consultants providing specialist advice.

The tenders were evaluated using Council's Weighted Attributed Value Selection Method. The advertised evaluation criteria and the allocated weightings for evaluation are as follows:

	Evaluation Criteria	Weighting
1	Price	45%
2	Relevant Experience	25%
3	Capability	15%
4	Social Procurement	5%
5	Local Industry	5%
6	Environmental	5%
7	OH&S Systems	Pass/Fail
8	Environmental Systems	Pass/Fail

The Evaluation Criteria 7 and 8 are given a Pass or Fail. The Evaluation Criteria 1 – 6 are given a point score between 0 and 5 as detailed in the following table.

Score	Description
5	Excellent
4	Very Good
3	Good, better than average
2	Acceptable
1	Marginally acceptable (success not assured)
0	Not Acceptable

Each submission was assessed against all evaluation criteria, to ensure that the tenderers met the standards required for Council contractors. A fail in any criterion would automatically exclude tenderers from further consideration for this contract.

4.1.1 Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1) (Cont.)

Tenderer	Price Points	Non-Price Points	OH&S EMS	Total Score
Warrandale Industries P/L	1.13	2.27	Compliant – Rapid Global	3.40
Yellowstone Landscaping P/L	1.27	2.09	Complaint – Rapid Global	3.36
Commercialscape P/L	1.13	2.20	Not registered with Rapid Global	3.33
Civilised Construction & Landscaping P/L	1.13	1.89	Complaint – Rapid Global	3.02
PTA Landscapes	0.63	1.79	Complaint – Rapid Global	2.42
A & R Landscaping	1.12	1.29	Not registered with Rapid Global	2.41
JMAC Constructions	0.15	2.10	Complaint – Rapid Global	2.25
Terraform Civil P/L	0.10	1.53	Not registered with Rapid Global	1.63

Note:

The higher the price score – lower the tendered price.

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

The evaluation matrix and other supporting documents have been placed in the relevant Objective contract procurement file/s.

6. Financial Implications

The funding requirement associated with this report is \$447,142.70 (Excl. GST) plus a 10% contingency amount of \$44,714.27. This is compared to the annual budget allocation of \$450,000.00 for this purpose.

The 10% contingency, while included in the lump sum figure and contract amount is only expended if variations are approved. So, if there are no contract variations, the claims against the contract will be within the allocated budget. If there are variations additional budget will be required and this amount can be accommodated from savings expected across the broader playground program.

4.1.1 Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1) (Cont.)

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

7. Social Procurement

Warrandale Industries employ 1st, 2nd and 3rd year landscape apprentices. Warrandale Industries aim to offer equal employment opportunities for all and look at how they can assist other cultural groups and demographics through their work. Warrandale work with Rotary International, and the existing playground will be dismantled and donated to Rotary who take these playgrounds and relocate them to third world countries where they reinstall them into disadvantaged communities.

8. Local Industry

Warrandale Industries have indicated that they anticipate spending approximately \$19,000 with Greater Dandenong businesses in the form of concrete for this project. Warrandale Industries are located in Scoresby.

9. Consultation

Contract 2122-07 Frederick Wachter Reserve – Construction of a District Playground (Stage 1) was a publicly advertised contract. In compliance with the Local Government Act 2020 (VIC) and Local Government Regulations 2015, Council has advertised this tender in the relevant newspapers (The Age), Council's website and via VendorPanel.

10. The Overarching Governance Principles of the Local Government Act 2020

Section 9 of the *Local Government Act 2020* (the LGA 2020) states that a Council must in the performance of its role give effect to the overarching governance principles. When a tender process is undertaken it is fundamentally underpinned by the following overarching governance principles:

- Section 9(a) of the LGA2020 - Council decisions are to be made and actions taken in accordance with the relevant law;
- Section 9(b) of the LGA2020 - Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- Section 9(c) of the LGA2020 - the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- Section 9(e) of the LGA 2020 - innovation and continuous improvement is to be pursued;
- Section 9(f) of the LGA 2020 - collaboration with other councils and governments and statutory bodies is to be sought;
- Section 9(g) of the LGA2020 - the ongoing financial viability of the Council is to be ensured; and
- Section 9(i) of the LGA2020 - the transparency of Council decisions, actions and information is to be ensured.

4.1.1 Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1) (Cont.)

In giving effect to the overarching governance principles above, the following supporting principles were also considered throughout the tender process:

- Section 89 of the LGA2020 - the strategic planning principles; and
- Section 1010 of the LGA 2020 - the financial management principles.

11. 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.

Included in the tender submissions, successful contractors have completed the Modern Slavery Questionnaire, Questionnaire for Potential Contractors (Fair work) and the Victorian Child Safe Standards Questionnaire (Schedule 9).

The responses provided to these statements by all successful contractors were assessed and determined to be satisfactory in the context of the Victorian Charter of Human Rights and Responsibilities.

12. 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. The content of this report is administrative in nature and does not benefit any one gender group over any other.

Three of the five members of the tender evaluation panel that contributed to this report are female Council employees.

13. 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.

4.1.1 Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1) (Cont.)

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.

14. Conclusion

At the conclusion of the tender evaluation process, which included a preselection interview, the evaluation panel agreed that the tender submission from **Warrandale Industries Pty Ltd** represented the best value outcome for Council and should be accepted due to:

- 1) its conforming and competitively priced tender submission;
- 2) its relevant experience working with Victorian government authorities and private organisations on similar construction projects;
- 3) its level of experience, staff resources and sub-contractor selection;
- 4) receiving a Pass for their Occupational Health and Safety (OH&S) and Environmental Management Systems;
- 5) it is registered and pre-qualified with Rapid Global (Council's Contractor Risk Management Compliance database); and
- 7) it successfully completed the high profile All Abilities Playground in Ross Reserve.

15. Recommendation

That Council:

1. **awards Contract 2122-07 for the Frederick Wachter Reserve – Construction of a District Playground (Stage 1) to Warrandale Industries Pty Ltd for a fixed lump sum price of Five Hundred and Forty-One Thousand and Forty-Two Dollars and Sixty-Seven Cents (\$541,042.67) including GST; and**
2. **signs and seals the contract documents when prepared.**

4.1.1 Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1) (Cont.)

REPORT

15 November 2021

Contract 2122-07 Frederick Wachter Reserve - Construction of a District Playground (Stage 1) (Cont.)

CONTRACTS

CONTRACT NO. 2122-07
Contract 2122-07 Frederick Wachter Reserve - Construction
of a District Playground (Stage 1)

ATTACHMENT 1

TENDER INFORMATION
(CONFIDENTIAL)

PAGES 4 (including cover)

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

Page 8

4.1.2 Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch

File Id:

Responsible Officer:

Director Business, Engineering & Major Projects

Attachments:

Tender Information (CONFIDENTIAL)

1. Report Summary

This report outlines the tender process undertaken to select a suitability qualified and experienced contractor for the construction of a synthetic soccer pitch at Ross Reserve.

2. Recommendation Summary

This report recommends that Council award Contract No. 2122-06 Ross Reserve – Synthetic Soccer Pitch to Tuff Group Holdings Pty Ltd T/A Turf Tuff 'N' Co Pty Ltd for a lump sum of Two Million, One Hundred & Seventeen Thousand, Four Hundred & Eighty Two Dollars and Twenty One Cents (\$2,117,482.21) including GST and including contingency.

4.1.2 Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch (Cont.)

3. Background

This contract is for the construction of a new senior-level synthetic soccer pitch at Ross Reserve in Noble Park and includes floodlighting, coaches' boxes, fencing and associated infrastructure. These works are supported financially by the Community Sports Infrastructure Stimulus Program and aim to increase capacity for soccer participation while enhancing community recreation opportunities.

4. Tender Process

Tender 2122-06 was advertised on Saturday 24 July 2021 in The Age newspaper and on the Greater Dandenong City Council Website. The tender closed at 2.00pm on Thursday 19 August 2021.

At the close of the tender period, tender submissions were received from four (4) contractors as indicated below:

- Global Turf Project Pty Ltd;
- Polytan Asia Pacific Pty Ltd;
- Turf Group Holdings Pty Ltd t/a Tuff Turf 'N' Co Pty Ltd; and
- Turf One Pty Ltd.

5. Tender Evaluation

The tender evaluation panel comprised of a Capital Works Program Officer, a Project Manager, a Contracts & Administration Officer and a Civil Engineer from SportEng. All panel members signed Council's probity forms declaring that they would evaluate tenders fairly and would disclose any conflicts of interest.

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

The tenders were evaluated using Council's Weighted Attribute Value Selection Method. The advertised evaluation criteria and the allocated weightings for evaluation are as follows:

Evaluation Criteria	Weighting	
Price	45%	
Relevant Experience	25%	
Capability	15%	
Social Procurement	5%	
Local Industry	5%	
Environmental	5%	

4.1.2 Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch (Cont.)

	OHS Management System	Pass/Fail
	Environmental Management System	Pass/Fail

The evaluation criteria 2 – 6 (non-price criteria) are given a point score between 0 and 5 as detailed in the following table.

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

The four (4) submissions were assessed and ranked against all evaluation criteria in accordance with the tender documents to ensure that each tenderer met the standards required for Council contractors. A fail in any criterion would automatically exclude a tenderer from further consideration for this contract.

The total of the five weighted non-price attribute points along with the weighted price attribute resulting from the assessment are shown in the following table:

Tenderer	Price Point	Non-Price Points	Total Score	OHS	EMS
Turf One Pty Ltd	1.47	2.32	3.79	Certified & Compliance with Rapid Global	
Polytan Asia Pacific Pty Ltd	1.10	2.39	3.49	Certified & Compliance with Rapid Global	
Turf Group Holdings Pty Ltd trading as Turf Tuff 'N' Co Pty Ltd	1.08	2.21	3.29	Certified & Compliance with Rapid Global	
Global Turf Project Pty Ltd	1.15	1.73	2.88	Not assessed	

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

4.1.2 Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch (Cont.)**Tender Interviews**

The three (3) highest scoring tenderers Turf One Pty Ltd, Polytan Asia Pacific Pty Ltd and Turf Group Holdings Pty Ltd t/a Turf Tuff 'N' Co Pty Ltd were interviewed by the tender evaluation panel.

While all three tenderers were able to demonstrate the successful completion of projects comparable to the Ross Reserve synthetic pitch, the panel considered Turf Group Holdings t/a Turf Tuff 'N' Co presented a superior offer to Council. This was based on their successful construction of many synthetic playing surfaces across Australia and their clear understanding of the project's specifications and requirements. They are fully invested and specialise in the construction of synthetic turf playing surfaces. Their synthetic product, Vmax50, is FIFA certified and is tried and tested in all climates and supported by an 8-year warranty.

Turf Group Holdings Pty Ltd t/a Turf Tuff 'N' Co highlighted the successful completion of the Tattersson Park synthetic soccer pitch and the quality outcome that has been delivered.

During the panel interview there were three major items that were discussed to assess the experience levels of each tenderer. These were:

- their understanding of the subgrade conditions outlined in the geotechnical report, which would require in-situ stabilisation and the methodology they would use. This is extremely important for this project as council officers have experienced significant construction issues in delivering other civil projects at Ross Reserve due to the poor subgrade conditions;
- Their knowledge and experience of installing vertical draining profiles as specified, which is a less common detail to drain the surface compared to the more widely use plastic drainage cell solution; and
- their experience in installing synthetic surfaces for sport fields.

Turf One did not demonstrate a good understanding of the Geotechnical Report provided in the tender package and their methodology proposed for the in-situ stabilisation wasn't satisfactory as they couldn't explain how they will reconfigure the lime and cement mix based on the varying site conditions. Tuff Group successfully demonstrated that they have a good understanding of the Geotechnical Report for Ross Reserve and that their stabilisation sub-contractor will be responsible for amending the stabilisation mix based on the varying ground conditions.

Turf One demonstrated their knowledge and experience in vertical draining profile solutions but Tuff Group provided a more thorough explanation and details of their knowledge and experience of how this element of the project will be implemented.

Both tenderers demonstrated their relevant experience in the installation of synthetic turf playing surfaces.

4.1.2 Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch (Cont.)

Tender Clarification

The three interviewed tenderers were given the opportunity to review their tender submissions and confirm their submitted price. Turf Group Holdings Pty Ltd t/a Turf Tuff 'N' Co identified an error in their submission and reduced their tender price.

Post Tender Interview and Clarification

Following the tender interviews and tender clarifications, the tender submissions were reassessed and again ranked against the evaluation criteria in accordance with the information provided.

The total of the five weighted non-price attribute points along with the adjusted weighted price attribute resulting from the reassessment are shown in the following table:

Tenderer	Price Point	Non-Price Points	Total Score	OHS	EMS
Tuff Group Holdings Pty Ltd T/A Turf Tuff 'n' Co Pty Ltd	1.19	2.35	3.54	Certified & Compliance with Rapid Global	
Turf One Pty Ltd	1.39	2.11	3.50	Certified & Compliance with Rapid Global	
Polytan Asia Pacific Pty Ltd	1.00	2.41	3.41	Certified & Compliance with Rapid Global	
Global Turf Project Pty Ltd	1.06	1.73	2.79	Not assessed	

Relevant Experience

Tuff Group Holdings Pty Ltd t/a Turf Tuff 'n' Co Pty Ltd is based in Kingston City Council. It is a well-established company that specialises in the construction of synthetic pitches. With over 10 years of experience, they have demonstrated experience in projects of a similar nature and value to the Ross Reserve synthetic soccer pitch including the following projects:

- Design & Construction of 1 x FIFA pitch with lighting, fencing and a retaining wall with a project value of \$4.4 million – City of Parramatta completed June 2020;
- Design & Construction of a synthetic FIFA pitch with a project value of \$2.5 million – Frankston City Council; and
- Construction of 1 x FIFA/AFL pitch with a project value of \$2.8 million – Latrobe City Council.

Tuff Group Holdings t/a Turf Tuff 'n' Co successfully constructed the Tattersson Park synthetic soccer pitch for the City of Greater Dandenong.

6. Financial Implications

The lump sum contract price of \$2,117,482.21 (including GST and including contingency) is within the budget allocation available for the project.

4.1.2 Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch (Cont.)

7. Social Procurement

Tuff Group employ a diverse group of people from a range of ethnic backgrounds, beliefs and values. Tuff Group will make every effort to engage local contractors and suppliers on this project. Tuff Group is 100% Australian owned and operated.

Tuff Group is currently investigating sponsorship of a disadvantaged youth organisation such as Headspace.

8. Local Industry

The preferred tenderer has nominated spending 2.5% on labour, 17% on materials and 12% on plant in the City of Greater Dandenong.

9. Environmental Management

Tuff Group Holdings t/a Turf Tuff 'n' Co tender submission lists several methods they employ to enhance their environmental management including using recycled rubber for the pitch infill and the use of reclaimed aggregates in the pitches profile.

Tuff Group Holdings t/a Turf Tuff 'n' Co is committed to environmental management of the site and has an ISO 14001:2015 certified Environmental Management System.

10. Consultation

The Ross Reserve synthetic soccer pitch forms a part of the implementation of the Ross Reserve Master Plan (City of Greater Dandenong, August 2021). The Master Plan was developed and adopted following extensive community and stakeholder consultation and engagement.

11. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* (the LGA 2020) states that a Council must in the performance of its role give effect to the overarching governance principles. When a tender process is undertaken it is fundamentally underpinned by the following overarching governance principles:

- Council decisions are made and actions taken in accordance with the relevant law;
- Priority is given to achieving the best outcomes for the municipal community, including future generations;
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is promoted;
- innovation and continuous improvement is pursued;
- collaboration with other councils and governments and statutory bodies is sought when available and appropriate;
- the ongoing financial viability of the Council is ensured; and
- the transparency of Council decisions, actions and information is ensured.

4.1.2 Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch (Cont.)

In giving effect to the overarching governance principles above, the following supporting principles are also considered throughout any tender process:

- Section 89 of the LGA2020 - the strategic planning principles; and
- Section 1010 of the LGA 2020 - the financial management principles.

12. 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.

Included in the tender submissions, successful contractors have completed the Modern Slavery Questionnaire, Questionnaire for Potential Contractors (Fair work) and the Victorian Child Safe Standards Questionnaire (Schedule 9).

The responses provided to these statements by all successful contractors were assessed and determined to be satisfactory in the context of the Victorian Charter of Human Rights and Responsibilities.

13. 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.

The issuing of a tender contract does not have a direct and significant impact on members of the Greater Dandenong community therefore a gender impact assessment is not required. The contract itself is purely administrative in its nature and does not have the potential to influence broader social norms and gender roles.

14. 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.

4.1.2 Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch (Cont.)

Section 9 of this report outlines how the successful tenderer will employ several methods to enhance its environmental management during the project and Council's Weighted Attribute Value Selection Method considers impacts on the environment.

15. Conclusion

At the conclusion of the tender evaluation process, which included a preselection interview, the evaluation panel agreed that the tender submission from **Tuff Group Holdings Pty Ltd t/a Turf Tuff 'n' Co Pty Ltd** represented the best value outcome for Council and should be accepted due to:

1. their conforming and competitively priced tender submission;
2. their thorough understanding of the Geotechnical requirements for the project;
3. their relevant experience working with Victorian government authorities and private organisations on similar construction projects;
4. they specialise in the construction of synthetic turf playing surfaces as their core business;
5. their level of experience, staff resources and sub-contractor selection;
6. the successful delivery of the Tatterson Park synthetic soccer pitch project.
7. receiving a Pass for their Occupational Health and Safety (OH&S) and Environmental Management Systems; and
8. they are registered and pre-qualified with Rapid Global (Council's Contractor Risk Management Compliance database).

16. Recommendation

That Council:

1. **awards Contract No. 2122-06 Ross Reserve – Synthetic Soccer Pitch to Tuff Group Holdings Pty Ltd T/A Turf Tuff 'n' Co Pty Ltd for a lump sum of Two Million, One Hundred & Seventeen Thousand, Four Hundred & Eighty Two Dollars and Twenty One Cents (\$2,117,482.21) including GST; and**
- 2 **sign and seals the contract documents when prepared.**

4.1.2 Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch (Cont.)

REPORT

15 November 2021

Contract No. 2122-06 Ross Reserve - Synthetic Soccer Pitch (Cont.)

CONTRACTS

**CONTRACT NO. 2122-06 ROSS RESERVE – SYNTHETIC
SOCCER PITCH**

ATTACHMENT 1

**TENDER INFORMATION
(CONFIDENTIAL)**

PAGES 3 (including cover)

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

Page 8

4.2 FINANCE AND BUDGET

4.2.1 Financial Report 1 July 2021 to 30 September 2021

File Id:

Responsible Officer:

Executive Manager Finance & Information
Technology

Attachments:

Financial Report 1 July 2021 – 30 September
2021

1. Report Summary

This report details Council's financial performance during the first quarter of the 2021-22 financial year.

2. Recommendation Summary

This report recommends that Council notes the Financial Report for the period 1 July 2021 to 30 September 2021.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)**3. Background**

The attached financial report is designed to inform Councillors of the results of operations for the period 1 July 2021 to 30 September 2021 including financial performance against the Amended Budget adopted by Council on 13 September 2021.

The financial report incorporates a set of Financial Statements and a Directorate Analysis of financial performance by Business Unit. The following are contained in the Attachment:

- Income Statement
- Balance Sheet
- Cash Flow Statement
- Capital Expenditure Statement
- Capital Expenditure report
- Investment Report
- Directorate Analysis

Whilst the Financial Statements are prepared in accordance with Australian Accounting Standards, they contain several items which are “non-cash” in nature such as depreciation on assets and the written down (book) value of assets sold. They also exclude capital expenditure, new borrowings and loan repayments and as such, these Statements do not provide an accurate indication of the surplus/deficit cash position within a financial year.

The table on the following page provides a management accounting summary of the financial performance for the period 1 July 2021 to 30 September 2021 which removes non-cash items and adds back cash items that are excluded from the financial statements.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

3.1 Management Accounting Summary – 1 July 2021 to 30 September 2021

Description	YEAR TO DATE			FULL YEAR		
	AMENDED ACTUAL	VARIANCE BUDGET	AMENDED FAV(UNFAV)	ORIGINAL BUDGET	VARIANCE BUDGET	AMENDED FAV(UNFAV)
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income Statement						
Income	56,251	55,825	426	238,764	235,462	3,302
Expenditure	47,544	50,544	3,000	212,624	204,057	(8,567)
Net surplus - ongoing operations	8,707	5,281	3,426	26,140	31,405	(5,265)
Management Accounting reconciliation						
<i>Add back (less) non cash items</i>						
Depreciation	8,316	8,316	-	33,277	33,277	-
Amortisation - right of use assets	149	149	-	604	604	-
Amortisation - intangible assets	15	15	-	60	60	-
Contributions non-monetary assets	-	-	-	(10,000)	(10,000)	-
Prior year capital expenditure unable to be capitalised	80	-	80	-	-	-
Written down value of assets sold/disposed	32	30	2	301	301	-
Sub total	8,592	8,510	82	24,242	24,242	-
Net operating surplus	17,299	13,791	3,508	50,382	55,647	(5,265)
<i>Add/less non operating cash items</i>						
Capital expenditure	6,425	7,157	732	95,255	63,362	(31,893)
Net transfers to (from) reserves	4,492	4,496	4	(9,492)	(5,656)	3,836
Repayment of borrowings	836	836	-	3,372	3,372	-
Proceeds from borrowings	-	-	-	(6,120)	(6,120)	-
Repayment of lease liabilities	168	172	4	689	689	-
Sub total	11,921	12,661	740	83,704	55,647	(28,057)
Cash surplus (deficit)	5,378	1,130	4,248	(33,322)	-	(33,322)
Accumulated surplus brought forward	-	-	-	35,202	-	35,202
Surplus (deficit) position	5,378	1,130	4,248	1,880	-	1,880

The overall management accounting result (after removing non-cash items) for the period 1 July 2021 to 30 September 2021 shows a favourable variance between the budget and actual of \$4.25 million. The variance is mainly due to a favourable surplus from ongoing operations, caused by lower than anticipated operating expenditure to date.

Capital expenditure is \$732,000 lower than the year to date budget (with a further \$25.91 million committed at 30 September 2021).

3.2 2021-22 Budget and the COVID-19 pandemic

A detailed review of the 2021-22 first quarter impact from COVID-19 is currently underway and will be adjusted as part of the Mid-Year Budget review.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

The 2021-22 Annual Budget (and subsequently the Amended Budget incorporating carry overs from the prior year) was largely based on a return to some degree of economic normality. The Budget assumptions were based on what was largely seen as a return to “business as normal”. It was not anticipated that a further hard lockdown would occur (Lockdown 6). As the roadmap to easing of restrictions continues to evolve, the financial impacts from Lockdown 6 will continue to severely impact on Council for 2021-22 as seen in the results through to 30 September 2021. Council officers are currently reviewing budget forecasts and the impacts will be reported in the Mid-Year Budget Review.

3.3 2021-22 Year-to-date Result (net surplus – ongoing operations)

Income

Income for the period ended 30 September 2021 is favourable against budget. This is primarily due to the following:

Contributions – monetary (\$657,000 favourable) – Favourable variance due to better than anticipated income from public open space contributions (Non-Directorate \$631,000). The nature of these receipts makes timing difficult to predict. These funds are transferred to reserves.

Grants – operating (\$470,000 favourable) – Receipt of unbudgeted grant funding for New Directions – Mothers and Babies (\$85,000) and Drug Strategy program (\$35,000) combined with additional funding received for Family Day Care (\$471,000) and Child First (\$100,000) and grant funding received earlier than anticipated for School Crossing (\$438,000).

These favourable variances are partly offset by lower than anticipated grant funding based on target achievement for Home and Community Care (\$207,000) and Planned Activity Group (\$54,000) and delay in receipt of grant funding Library Services (\$412,000).

Grants – capital (\$223,000 favourable) – Receipt of unbudgeted grants for Douglas Street Streetscape (\$133,000), Springvale Boulevard (\$50,000) and Tatterson Park Oval (\$22,000).

These items will be considered during the Mid-Year Budget review.

The favourable variances in income are partly offset by unfavourable variances in:

Other income (\$441,000 unfavourable) – Due to lower than anticipated income from rent and recoveries due to COVID-19 lockdown restrictions (Communications and Customer Service \$149,000, Community Development Sports and Recreation \$111,000 and Community Arts, Cultural and Library \$78,000) and interest returns on investments mainly due to lower interest rates driven by the current economic environment (Non-Directorate \$115,000).

User fees (\$297,000 unfavourable) – Mainly due to a lower fee income from parking ticket machines/meters, health renewal fees, building and inspection permits (City Planning, Design and Amenity \$288,000 due to COVID-19 restrictions).

Statutory fees and fines (\$131,000 unfavourable) – Mainly due to lower than anticipated income from parking and animal infringements, planning applications, health and food infringements (City Planning, Design and Amenity \$177,000).

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

It is anticipated that the above unfavourable variances will be permanent in nature and the full year impact will be reviewed as part of the Mid-Year Budget Review process.

Expenditure

Actual expenditure at 30 September 2021 against the budget is favourable by \$3.00 million. The major variances are in employee costs and materials and services.

Employee costs (\$1.50 million favourable) – This favourable variance is mainly due to staff recruitment occurring later than planned and a delay in commencement of grant funded projects (Community Services \$923,000, Corporate Services \$228,000 and City Planning, Design and Amenity \$214,000). Of the \$923,000 favourable variance in Community Services, \$906,000 relates to grant funded programs which require an acquittal.

Materials and services (\$1.73 million favourable) – The major items contributing to this favourable variance are:

- Contract services (\$879,000) – mainly due to delay in commencement of works, projects and receipt of invoices (Engineering Services \$514,000 and Community Services \$348,000).
- Materials, maintenance and services (\$360,000) – mainly due to lower than anticipated expenditure for materials, delay in receipt of invoices and commencement of projects (Community Services \$254,000, City Planning, Design and Amenity \$60,000 and Engineering Services \$54,000).
- Administration costs (\$346,000) – lower than anticipated expenditure across a range of accounts including promotions, community education, postage/courier, printing/stationery, Council publications, fuel, postage, advertising and events (Community Services \$159,000, Corporate Services \$73,000, Engineering Services \$65,000 and Non Directorate \$46,000).
- Utilities (\$312,000) – mainly due to lower than anticipated electricity and water costs to date (Engineering Services \$232,000, Corporate Services \$44,000 and Community Services \$32,000).

It is anticipated that some of the above favourable variances will be permanent in nature, such as the printing and utilities. The full year impact of any identified savings will be reviewed as part of the Mid-Year Budget Review process.

3.4 Capital expenditure

Total capital expenditure at 30 September 2021 was \$6.43 million. A further \$25.91 million was committed at the end of September. The capital works program comprises of asset renewal, expansion, upgrade and the investment in new assets.

4. Proposal

That Council notes the Financial Report for the period 1 July 2021 to 30 September 2021.

5. Financial Implications

The financial position of the Council will be monitored against the approved Amended Budget to ensure that Council achieves its financial goals.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

Whilst the 2021-22 Annual Budget was largely based on a return to some degree of economic normality, some areas of Council's revenue were anticipated to continue to be impacted by the outcomes of the pandemic. Budget assumptions have been particularly difficult to predict in the current COVID-19 environment. Given that Victoria has mostly been in lockdown since August 2021, it is likely that the negative financial impact will be greater than anticipated in the 2021-22 Budget. A detailed review of the 2021-22 first quarter impact is currently underway and will be adjusted as part of the Mid-Year Budget review. It is noted that Council transferred \$2 million to the Major Projects Reserve to maintain a COVID-19 contingency fund for future COVID-19 impacts.

6. Consultation

The Financial Services department has prepared the financial statements and other sections contained in the Financial Report with feedback from Business Unit Managers. This report will be presented to both Council and the Audit and Risk Committee.

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'

Opportunity

- *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:

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 has been prepared in accordance with these principles and provides transparency of Council's actions and financial resources over the past financial year. The quarterly budget report is required under section 97 of the *Local Government Act 2020* and indicates the impact on existing budgets and how prudently and efficiently funding and resources have been managed.

It highlights Council's priority in achieving the best outcomes for the municipal community, including future generations.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

It also considers the supporting principles regarding financial management (section 101), public transparency (section 58), strategic planning (section 89) and service performance (section 106).

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 *Victorian Charter of Human Rights and Responsibilities Act 2006* has been considered in relation to whether any human right under the Charter is restricted or interfered with in any way by this report. It is considered that this report is consistent with the rights outlined in the Charter.

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.

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. The content/topic/issue (of this report) is purely administrative in nature and does not benefit any one gender group over any other.

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. Most of the comments included in this report are high level, however, a small number of comments may include financial impacts of Council's mitigation and planning for climate change risks.

13. Related Council Policies, Strategies or Frameworks

This report is in accordance with Council's policy of providing regular information and feedback to Council and the community about Council's financial position.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)**14. Conclusion**

The financial operation of Council is a significant business. Council actively manages the financial performance of Council over the course of the financial year, particularly in light of COVID-19. Council will be kept informed of the financial position on a quarterly basis, as is the current practice.

15. Recommendation

That Council notes the Financial Report for the period 1 July 2021 to 30 September 2021.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

FINANCE AND BUDGET

FINANCIAL REPORT 1 JULY 2021 TO 30 SEPTEMBER 2021

ATTACHMENT 1

**FINANCIAL REPORT 1 JULY 2021 – 30
SEPTEMBER 2021**

PAGES 47 (including cover)

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

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



FINANCIAL REPORT
1 July 2021 to 30 September 2021

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

Contents

Financial Report

CGD – Operating Result (Income Statement)
Balance Sheet
Cash Flow Statement
Capital Expenditure Statement

Notes to the Financial Statements

Accounting policies
Operating income
Operating expenditure

Reference

A
B1
B2

Balance Sheet

Current assets
Non-current assets
Current liabilities
Non-current liabilities
Net assets and equity

C
C1
C2
C3
C4
C5

Cash Flow Statement

D

Statement of Capital Works

E

Capital Expenditure

Appendix 1

Investment analysis

Appendix 2

Directorate analysis

Appendix 3

Operating initiatives

Appendix 4

ORDINARY COUNCIL MEETING - AGENDA

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

CGD – Operating Result

For the period 1 July 2021 - 30 September 2021

Note	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
B1					
Rates and charges	40,742	40,720	22	156,253	156,253
Statutory fees and fines	2,005	2,136	(131)	8,227	8,227
User fees	2,082	2,379	(297)	7,972	7,972
Grants - operating	6,730	6,260	470	24,607	30,551
Grants - capital	2,558	2,335	223	17,933	9,996
Contributions - monetary	1,182	525	657	5,845	4,935
Contributions - non-monetary	-	-	-	10,000	10,000
Net gain (loss) on disposal of property, infrastructure, plant and equipment	69	146	(77)	403	403
Other income	883	1,324	(441)	7,524	7,125
Total income	56,251	55,825	426	238,764	235,462
Expenses					
B2					
Employee costs	19,934	21,430	1,496	91,236	86,802
Materials and services	17,170	18,903	1,733	78,216	74,566
Prior year capital expenditure unable to be capitalised (non-cash)	80	-	(80)	-	-
Bad and doubtful debts	2	-	(2)	1,568	1,568
Depreciation	8,316	8,316	-	33,277	33,277
Amortisation - intangible assets	15	15	-	60	60
Amortisation - right of use assets	149	149	-	604	604
Borrowing costs	718	718	-	2,802	2,802
Finance costs - leases	-	-	-	22	22
Other expenses	1,160	1,013	(147)	4,839	4,356
Total expenses	47,544	50,544	3,000	212,624	204,057
Net surplus (deficit)	8,707	5,281	3,426	26,140	31,405

Overview

The surplus at 30 September 2021 is favourable to budget by \$3.43 million due mainly to the following year to date variances:

- **Materials and services (\$1.73 million)** - due to delay in commencement of projects, works and receipt of invoices (Engineering Services \$822,000, Community Services \$727,000 and Corporate Services \$138,000).
- **Employee Costs (\$1.50 million)** - mainly due to delay in recruitment in Community Services (\$923,000) Corporate Services (\$228,000) and City Planning, Design and Amenity (\$214,000).
- **Contributions – monetary (\$657,000)** – better than anticipated income from public open space contributions to date. The nature of these receipts makes timing difficult to predict. These funds are transferred to reserves.
- **Grants – operating (\$470,000)** – mainly due to receipt of School Crossing grant received earlier than anticipated (City Planning, Design and Amenity \$438,000).
- **Grants – capital (\$223,000)** – due unbudgeted grants received for Douglas Street Streetscape (\$133,000), Springvale Boulevard (\$50,000), Tatterson Park Oval (\$22,000).

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)Financial Report for the period 1 July 2021 – 30 September 2021

The above favourable variances are partly offset by:

- **Other Income (\$441,000)** – lower rental income resulting from facility closures due to COVID-19 restrictions (Corporate Services \$166,000 and Community Services \$146,000) and lower than anticipated interest income (Non-Directorate (\$115,000)).
- **User fees (\$297,000)** – mainly due to lower than anticipated car parking income (City Planning, Design and Amenity \$288,000) associated with continued COVID-19 restrictions reducing activity.
- **Other expense (\$147,000)** – mainly due to expenditure relating to South East Leisure (Community Services \$295,000) which is partly offset by lower expenditure for grant and contributions in the Pandemic unit (Non-Directorate \$90,000).
- **Statutory fees and fines (\$131,000)** – mainly due to lower than anticipated income from parking and animal infringements, planning applications, health and food infringements (City Planning, Design and Amenity \$177,000)

COVID-19 and 2021-22 impacts

The 2021-22 Annual Budget was largely based on a return to some degree of economic normality for 2021-22. The Budget assumptions were based what was largely seen as a return to “business as normal”. It was not anticipated that a further hard lockdown would occur.

Since the introduction of Lockdown 6 in July/August 2021 and as the roadmap to easing of restrictions continues to evolve, it will continue to severely impact on Council for 2021-22.

A detailed review of the 2021-22 first quarter impact from COVID-19 and Lockdown 6 restrictions is currently underway and will be adjusted as part of the Mid-Year Budget review.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Balance Sheet As at 30 September 2021

	Note	2021-22 ACTUAL 30 Sep 2021 \$'000	2020-21 ACTUAL 30 Jun 2021 \$'000	2021-22 AMENDED BUDGET \$'000	2021-22 ORIGINAL BUDGET \$'000
ASSETS					
Current assets	C1				
Cash and cash equivalents		196,382	177,428	131,191	112,384
Trade and other receivables		127,632	26,530	26,818	28,013
Other assets		752	4,894	4,004	2,872
Total current assets		324,766	208,852	162,013	143,269
Non-current assets	C2				
Property, infrastructure, plant and equipment		2,444,776	2,446,778	2,518,455	2,296,195
Investment property		10,860	10,860	10,860	11,814
Right-of-use assets		414	563	1,085	1,073
Intangible assets		187	202	142	4
Trade and other receivables		295	295	295	305
Total non-current assets		2,456,532	2,458,698	2,530,837	2,309,391
Total assets		2,781,298	2,667,550	2,692,850	2,452,660
LIABILITIES					
Current liabilities	C3				
Trade and other payables		4,856	19,019	22,551	24,965
Prepaid rates		114,901	-	-	-
Trust funds and deposits		11,688	4,427	4,870	8,925
Unearned income		57,840	60,293	52,293	40,340
Provisions		22,591	22,366	22,366	19,983
Interest-bearing liabilities		2,536	3,372	4,083	4,083
Lease liabilities		247	415	570	571
Total current liabilities		214,659	109,892	106,733	98,867
Non-current liabilities	C4				
Provisions		1,596	1,424	1,424	900
Trust funds and deposits		2,137	2,035	2,035	311
Interest-bearing liabilities		53,264	53,264	55,301	55,300
Lease liabilities		160	160	442	442
Total non-current liabilities		57,157	56,883	59,202	56,953
Total liabilities		271,816	166,775	165,935	155,820
NET ASSETS	C5	2,509,482	2,500,775	2,526,915	2,296,840
EQUITY					
Accumulated surplus		928,172	923,957	959,589	979,146
Asset revaluation reserve		1,511,604	1,511,604	1,511,604	1,269,823
Reserves		69,706	65,214	55,722	47,871
TOTAL EQUITY		2,509,482	2,500,775	2,526,915	2,296,840

Note - *Prepaid Rates*: Rate revenue (excluding supplementary rates) is accrued evenly over the year, although cash is received in quarterly instalments, nine direct debit payments or a lump sum, depending on how the ratepayer chooses to pay. Rate revenue in the Income Statement is a monthly accrual of the rates determined for the year in July.

For comments regarding movements in other Balance Sheet items, please refer to explanatory notes located at C1 to C5.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Cash Flow Statement

	2021-22 ACTUAL 30 Sep 2021 Inflows/ (Outflows) \$'000	2021-22 ANNUAL AMENDED BUDGET Inflows/ (Outflows) \$'000	2021-22 ANNUAL ORIGINAL BUDGET Inflows/ (Outflows) \$'000
Cash flows from operating activities			
Cash inflows			
Rates and charges	56,481	155,965	155,936
Statutory fees and fines	1,781	6,659	6,084
User fees	(225)	9,431	8,441
Grants - operating	7,681	26,496	32,400
Grants - capital	82	9,933	9,996
Contributions - monetary	1,932	5,845	4,935
Interest received	61	761	758
Trust funds and deposits taken	10,912	28,495	28,052
Other receipts	806	7,509	7,070
Net GST refund	2,612	14,471	10,948
Employee costs	(21,640)	(91,236)	(85,981)
Materials and services	(26,058)	(91,875)	(85,273)
Trust funds and deposits repaid	(3,390)	(28,052)	(27,552)
Other payments	(1,217)	(5,323)	(4,792)
Net cash provided by operating activities	29,818	49,079	61,022
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	(9,248)	(95,255)	(63,362)
Proceeds from sale of property, infrastructure, plant and equipment	100	704	704
Net cash used in investing activities	(9,148)	(94,551)	(62,658)
Cash flows from financing activities			
Finance costs	(712)	(2,802)	(2,802)
Proceeds from borrowings	-	6,120	6,120
Repayment of borrowings	(836)	(3,372)	(3,372)
Interest paid - lease liability	-	(22)	(22)
Repayment of lease liabilities	(168)	(689)	(689)
Net cash provided by (used in) financing activities	(1,716)	(765)	(765)
Net increase (decrease) in cash and cash equivalents	18,954	(46,237)	(2,401)
Cash and cash equivalents at the beginning of the year	177,428	177,428	114,785
Cash and cash equivalents at the end of the period	196,382	131,191	112,384
Represented by:			
Operating cash	49,504	20,418	35,062
Restricted cash	146,878	110,773	77,322
Total	196,382	131,191	112,384

- Details regarding Council's cash movements are contained in **Note D - Cash Flow Statement**.
- The dissemination of Council's restricted and operating cash is provided in the graph "Restricted and Unrestricted Cash" in **Appendix 2 Investment Analysis** in this report.
- Cash inflows and outflows are inclusive of GST where applicable.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

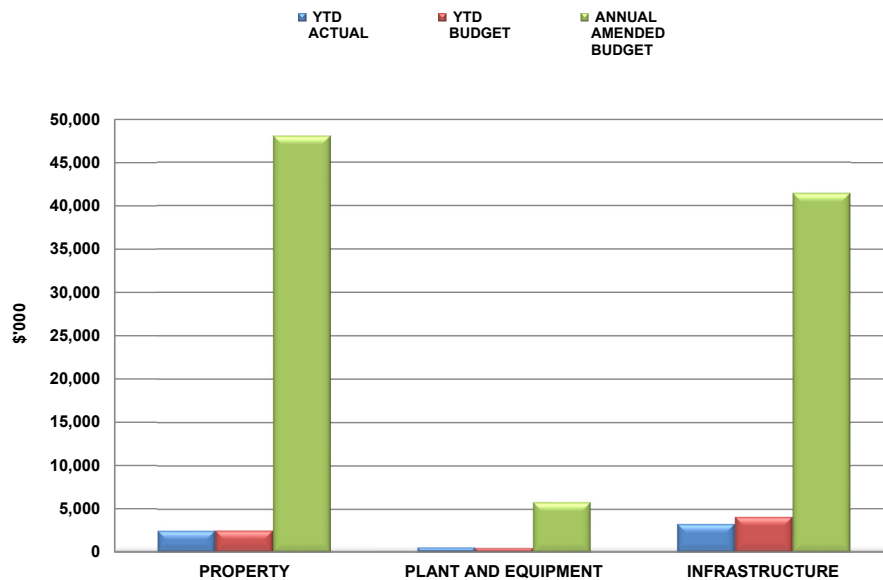


Financial Report for the period 1 July 2021 – 30 September 2021

Capital Expenditure Statement

The detailed program under each of the capital groups is contained in **Appendix 1 – Capital Expenditure**.

	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	COMMIT \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
PROPERTY	2,517	2,533	16	15,055	48,024	34,798
PLANT AND EQUIPMENT	589	507	(82)	842	5,808	4,295
INFRASTRUCTURE	3,319	4,117	798	10,015	41,423	24,269
TOTAL EXPENDITURE	6,425	7,157	733	25,912	95,255	63,362



4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

Financial Report for the period 1 July 2021 – 30 September 2021

Notes to the Financial Statements**A. Accounting Policy Notes**

The financial report is prepared on the principles of accrual accounting. Accrual accounting recognises income when earned and expenditure when incurred, regardless of whether cash settlement has taken place. The basis of recognition of major income and expenditure in these statements are defined below.

1. **Rate revenue:** Rate revenue (excluding supplementary rates) is accrued evenly over the year, although cash is received in quarterly instalments or a lump sum, depending on how the ratepayer chooses to pay. Rate revenue in the Income Statement is a monthly accrual of the rates determined for the year in July.
2. **Grants revenue:** Council receives two types of grants, namely a General Purpose Grant (Financial Assistance Grant funding from the Victoria Grants Commission) which is not tied to any programs and Special Purpose Grants for various programs. In accordance with new Accounting Standards, AASB 15 'Revenue from Contracts with Customers' and AASB 1058 'Income of Not-For-Profit Entities', grant income is now generally recognised in the Income Statement to the extent of satisfied performance obligations. Alternatively, grant funding which does not have sufficiently specific performance obligations are recognised as income when the cash is received. Any grant income relating to unsatisfied performance obligations are recognised as unearned income in the Balance Sheet at balance date. Grants comprise of operating and capital (recurrent and non-recurrent in nature).
3. **Fees and charges:** Most fees and charges are recognised when cash is received. Generally, where Council raises a debtor's invoice, income is recognised at the point of the invoice and not when cash is received. Car parking permit income relating to a future period at balance date are recognised as unearned income in the Balance Sheet.
4. **Contributions - cash:** Cash contributions are essentially from developers towards open space works. These monies are treated as income when received. Council is obligated to spend these monies for the purpose for which they are given by the developers. Council also receives external contributions for other capital projects. Cash contributions received are held in reserves and treated as "restricted cash" until they are spent (see **note 9** below).
5. **Employee costs:** Salaries expenditure is based on fortnightly salaries paid and accruals for salary on-costs such as leave entitlements, superannuation and workcover.
6. **Capital expenditure:** The two broad areas of capital are the capital improvement program (CIP) (which includes infrastructure and major projects) and 'other' which includes fleet, computers, plant and furniture. Expenditure is recognised as capital if it is significant in value and results in assets which have a useful life in excess of at least one year.
7. **Budget information:** The Original Budget information contained in the report is the budget approved by Council on 28 June 2021. The year to date budget in this report reflects the Amended Budget as adopted by Council on 13 September 2021. The Amended Budget represents the adopted budget incorporating net carry forward capital and operating amounts from 2020-21.
8. **Cash Flow Statement:** Reflects the actual cash movements during the year.
9. **Restricted cash:** These are monies set aside for specific purposes and are not readily available for day to day operations or general capital works. They include funds set aside towards meeting long service leave commitments (required by government regulations), statutory reserves (eg. open space contributions) and other funds that are committed towards specific purposes.

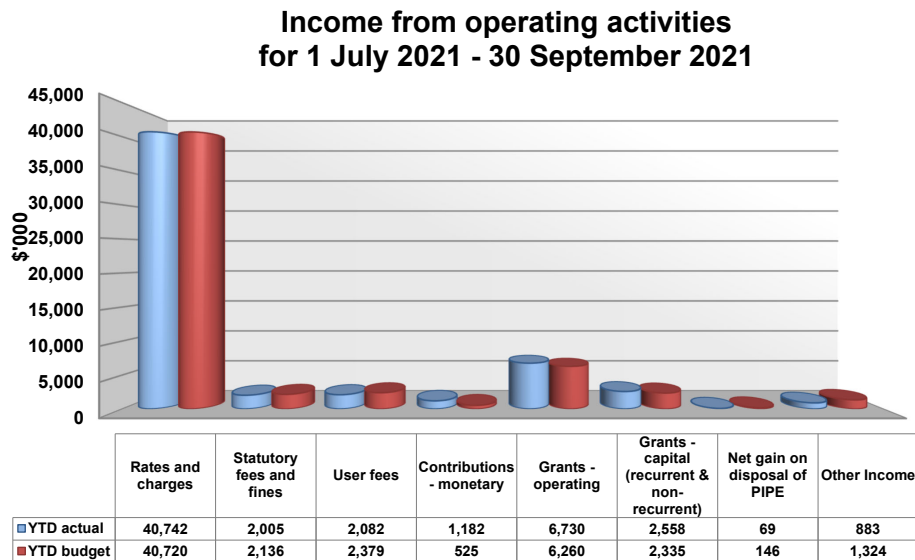
4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

B1. Operating Income

The chart below shows the categories of operating income against their respective budgets (excludes non-cash accounting entries such as non-monetary contributions or gifted assets).



Income for the period ended 30 September 2021 is favourable against budget. This is primarily due to the following:

Contributions – monetary (\$657,000 favourable) – Favourable variance due to better than anticipated income from public open space contributions (Non-Directorate \$631,000). The nature of these receipts makes timing difficult to predict. These funds are transferred to reserves.

Grants – operating (\$470,000 favourable) – Receipt of unbudgeted grant funding for New Directions – Mothers and Babies (\$85,000) and Drug Strategy program (\$35,000) combined with additional funding received for Family Day Care (\$471,000) and Child First (\$100,000) and grant funding received earlier than anticipated for School Crossing (\$438,000).

These favourable variances are partly offset by lower than anticipated grant funding based on target achievement for Home and Community Care (\$207,000) and Planned Activity Group (\$54,000) and delay in receipt of grant funding Library Services (\$412,000).

Grants – capital (\$223,000 favourable) – Receipt of unbudgeted grants for Douglas Street Streetscape (\$133,000), Springvale Boulevard (\$50,000), Tatterson Park Oval (\$22,000).

These items will be considered during the Mid-Year Budget review.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)Financial Report for the period 1 July 2021 – 30 September 2021

The favourable variances in income are partly offset by unfavourable variances in:

Other income (\$441,000 unfavourable) – Due to lower than anticipated income from rent and recoveries due to COVID-19 lockdown restrictions (Communications and Customer Service \$149,000, Community Development sports and Recreation \$111,000 and Community Arts, Cultural and Library \$78,000) and interest returns on investments mainly due to lower interest rates driven by the current economic environment (Non-Directorate \$115,000).

User fees (\$297,000 unfavourable) – Mainly due to a to lower fee income from parking ticket machines/meters, health renewal fees, building and inspection permits (City Planning, Design and Amenity \$288,000 due to COVID-19 restrictions).

Statutory fees and fines (\$131,000 unfavourable) – Mainly due to lower than anticipated income from parking and animal infringements, planning applications, health and food infringements (City Planning, Design and Amenity \$177,000).

It is anticipated that the above unfavourable variances will be permanent in nature and the full year impact will be reviewed as part of the Mid-Year Budget Review process.

The 2021-22 Annual Budget (and subsequently the Amended Budget incorporating carry overs from the prior year) was largely based on a return to some degree of economic normality. The Budget assumptions were based on what was largely seen as a return to "business as normal". It was not anticipated that a further hard lockdown would occur (Lockdown 6). As the roadmap to easing of restrictions continues to evolve, the financial impacts from Lockdown 6 will continue to severely impact on Council for 2021-22 as seen in the results through to 30 September. Council officers are currently reviewing budget forecasts and the impacts will be reported in the Mid-Year Budget Review.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

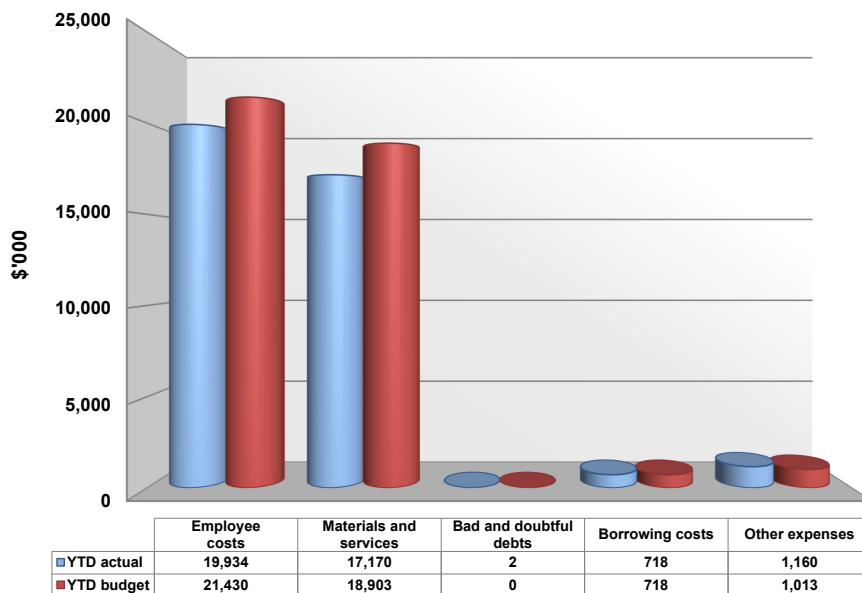


Financial Report for the period 1 July 2021 – 30 September 2021

B2. Operating Expenditure

The chart below shows the categories of operating expenditure against their respective budget (excludes non-cash accounting entries including depreciation, amortisation, asset write offs and prior year capital expenditure unable to be capitalised).

**Expenditure from operating activities
for 1 July 2021 to 30 September 2021**



Actual expenditure at 30 September 2021 against the budget is favourable by \$3.00 million. The major variances are in employee costs and materials and services.

Employee costs (\$1.50 million favourable) – This favourable variance is mainly due to staff recruitment occurring later than planned and a delay in commencement of grant funded projects (Community Services \$923,000, Corporate Services \$228,000 and City Planning, Design and Amenity \$214,000). Of the \$923,000 favourable variance in Community Services, \$906,000 relates to grant funded programs which require an acquittal.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

Financial Report for the period 1 July 2021 – 30 September 2021

Materials and services (\$1.73 million favourable) – The major items contributing to this favourable variance are:

- Contract services (\$879,000) – mainly due to delay in commencement of works, projects and receipt of invoices (Engineering Services \$514,000 and Community Services \$348,000).
- Materials, maintenance and services (\$360,000) – mainly due to lower than anticipated expenditure for materials, delay in receipt of invoices and commencement of projects (Community Services \$254,000, City Planning, Design and Amenity \$60,000 and Engineering Services \$54,000).
- Administration costs (\$346,000) – lower than anticipated expenditure across a range of accounts including promotions, community education, postage/courier, printing/stationery, Council publications, fuel, postage, advertising and events (Community Services \$159,000, Corporate Services \$73,000, Engineering Services \$65,000 and Non Directorate \$46,000).
- Utilities (\$312,000) – mainly due to lower than anticipated electricity and water costs to date (Engineering Services \$232,000, Corporate Services \$44,000 and Community Services \$32,000).

It is anticipated that some of the above favourable variances will be permanent in nature, such as the printing and utilities. The full year impact of any identified savings will be reviewed as part of the Mid-Year Budget Review process.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

Financial Report for the period 1 July 2021 – 30 September 2021

C. Balance Sheet

Council's net assets are valued at \$2.51 billion at 30 September 2021.

C1. Current assets (cash and other assets that can be readily converted to cash)

Cash and cash equivalents (\$196.38 million) – Represent the amount held by Council in cash or term deposits. Please note that this amount includes \$146.88 million of funds "restricted" for various purposes. These are detailed in the notes to the cash flows that follow in **section D** and a graphical presentation in **Appendix 2**.

Funds are invested in accordance with Council's Investment Policy. The policy requires Council to invest with prudence, consideration of acceptable risks and relevant legislation.

The details of Council's investments are contained in **Appendix 2**. In selecting investment products, Council has paid due consideration to risk by investing in products that have a minimum Standard and Poor's (S&P) rating of 'A'.

Trade and other receivables (\$127.63 million) – This balance includes:

- Rate debtors \$109.96 million.
- Infringement debtors of \$9.55 million (net of provision for doubtful debts).
- General debtors \$8.12 million (net of provision for doubtful debts).

Rate revenue (excluding supplementary rates) is accrued evenly over the year, although cash is received in quarterly instalments, nine direct debit payments or a lump sum, depending on how the ratepayer chooses to pay. Rate revenue in the Income Statement is a monthly accrual of the rates determined for the year in July.

Other assets (\$752,000) – This balance includes:

- Prepayments \$142,000 - expenses prepaid at 30 September 2021.
- Other deposits \$559,000 – represents \$75,000 deposit for Metropolitan Resource Recovery organic waste processing contract, \$250,000 deposit paid for Metropolitan Resource Recovery Landfill Services Gate Fee and \$234,000 deposit paid to South East Water for 5 Mason Street, Dandenong works.
- Accrued income \$51,000 – income earned but cash not yet received at 30 September 2021.

C2. Non-current assets

Property, infrastructure, plant and equipment (\$2.44 billion) – Includes Council roads, drains, buildings, plant and other fixed assets. These values are reflected after recognising the depreciation allowed against each asset.

Investment property (\$10.86 million) is separately classified from 'Property, infrastructure, plant and equipment' in accordance with Australian Accounting Standards. Any adjustment to the fair value of these assets is recorded in the Comprehensive Income Statement and these assets are not depreciated.

Right-of-use assets (\$414,000) – Represents leased (right of use) assets in accordance with the Accounting Standard AASB 16 'Leases'. Includes property, fleet, IT and office equipment that has been leased under ordinary lease arrangements.

Intangible assets (\$187,000) – Represents computer software assets. These values are reflected after recognising the associated amortisation expense.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

Financial Report for the period 1 July 2021 – 30 September 2021

Trade and other receivables (\$295,000) - \$222,000 for Council's share of funds held in trust by Whitehorse City Council relating to the former Narre Warren landfill site and a \$73,000 refundable bond with Western Health (originally related to Community Chef) which is expected to be returned upon completion of the contract.

C3. Current liabilities (debts due to be repaid within 12 months)

Trade and other payables (\$4.86 million) – This balance includes trade creditors arising from operations and capital works.

Trust funds and deposits (\$11.69 million) – Trust funds and deposits includes other refundable monies in respect of:

- Fire services property levy funds collected by Council on behalf of the State Government, but not yet paid on to the State Revenue Office (\$7.78 million). These monies are remitted to the State Revenue Office in accordance with legislative timeframes (28 days after each quarterly rate instalment date).
- Other deposits (\$1.72 million).
- Road deposits (\$562,000).
- Landscape deposits (\$1.09 million).
- Open space contributions (\$539,000).

Unearned income (\$57.84 million) – Represents income not yet earned in accordance with the new Accounting Standards AASB 1058 'Income of Not-For-Profit Entities' and AASB 15 'Revenue from Contracts with Customers' based on specific performance obligations that were not complete at 30 September 2021 in respect of:

- Developer Contribution Plan liabilities (DCP) – (\$40.21 million)
- Operating grants (\$6.76 million)
- Capital grants (\$10.71 million)
- Other (\$156,000).

Provisions (\$22.59 million) – This balance represents the provision for employee entitlements and landfill restoration works.

- Employee entitlements:
 - Long service leave entitlements - \$12.95 million.
 - Annual leave entitlements - \$8.76 million.
 - Rostered days off (RDO) - \$552,000.
- Landfill provision - \$331,000 - provision for the restoration and aftercare management of the former Spring Valley landfill site (closed). The former closed landfill is owned by the Council and is used as recreational open space. Council's share is 19.88% of the total future estimated costs.

Interest-bearing liabilities (\$2.54 million) – Represent the remaining repayment of long-term borrowings during 2021-22.

Lease liabilities (\$247,000) - Represents the lease repayments in respect of the right-of-use assets that are payable during 2021-22 and mainly comprise of property and information technology related lease obligations.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)Financial Report for the period 1 July 2021 – 30 September 2021

C4. Non-current liabilities (debts due to be repaid in future years)

Provisions (\$1.60 million) – Represents the provisions estimated to be paid beyond the 2021-22 financial year and comprises long service leave entitlements for employees (\$873,000) and landfill provision for restoration of Spring Valley landfill site (\$723,000) (Council's share is 19.88% of the total future estimated costs).

Trust funds and deposits (\$2.14 million) – Represents deposits that are payable beyond the 2021-22 financial year and comprises landscape deposits of \$139,000, contractor deposits of \$115,000 and asset protection bonds of \$1.88 million.

Interest-bearing liabilities (\$53.26 million) – Comprises the amount of outstanding borrowings to be repaid beyond the next 12 months.

Lease liabilities (\$160,000) – represents the amount of lease payments in respect of the right-of-use assets to be repaid beyond the next 12 months and mainly comprise of property and information technology related lease obligations.

C5. Net assets and equity

Net assets - Represents the difference between total assets and total liabilities. It is the Council's net worth to the City's ratepayers.

Reserves – Includes both statutory reserves (S) and discretionary reserves (D). The statutory reserves apply where funds are gained from the application of legislative requirements to contribute – and where expenditure of the funds is not entirely discretionary (i.e. the funds need to be used for certain expenditure only). The reserves listed below are explained in the notes to the cash flows that follow.

The discretionary reserves are:

- Major projects reserve
- Insurance fund reserve
- Council funded – Development Contribution Plans reserve
- Spring Valley landfill rehabilitation reserve
- Springvale Activity Precinct – Parking and Development reserve
- Dandenong Activity Precinct – Parking and Development reserve
- Native re-vegetation reserves
- Keysborough South Maintenance Levy reserve
- General reserve (Aged Care)
- Future maintenance reserve

The statutory reserves are:

- Open space – planning, development and improvements
- Open space – land acquisitions

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

D. Cash Flow Statement

Cash and investment holdings total \$196.38 million at 30 September 2021, an increase of \$18.95 million since 30 June 2021. Total cash and investment holdings are made up of operating cash (\$49.50 million) and restricted cash (\$146.88 million).

Please refer to the next page for a detailed listing of Restricted Cash items, which are set aside for specific purposes.

Cash flows from operating activities – net inflow of \$29.82 million.

The major inflows are rates \$56.48 million, grants \$7.71 million, trust funds and deposits taken \$10.91 million, user fees \$1.41 million, monetary contributions \$1.93 million and statutory fees and fines \$1.78 million.

The major outflows are materials and services \$27.70 million, employee costs \$21.64 million and trust funds and deposits repaid \$3.39 million.

Trust funds and deposits taken and repaid mainly relate to fire services property levies (FSPL). The remittance of the FSPL and FSPL levy interest amounts are made to the State Revenue Office (SRO) in four payments in accordance with Section 41(1) of the FSPL Act. An instalment is due and payable to the Commissioner of State Revenue 28 days after the due date of rates instalments. Council collects FSPL on behalf of the State Government.

Cash flows from investing activities – net outflow of \$9.15 million, including:

- \$9.25 million for capital works expenditure. The detailed capital works schedule is included in this report as Appendix 1. Please note the difference between the two capital expenditure amounts is due to the movement in capital trade creditors at the start and end of the reporting period. Appendix 1 is on an accrual basis.
- \$100,000 proceeds on asset sales mainly relating to the fleet replacement program.

Cash flows from financing activities – outflow of \$1.72 million. Council incurred \$712,000 in finance costs on its borrowings and repaid \$836,000 of existing loans. Council repaid \$168,000 of its leased liabilities as at 30 September 2021.

Restricted cash - Restricted cash represents funds that are set aside for specific purposes, as detailed in the following tables.

Type	30 Sep 2021	Notes
Reserve funds	\$'000	
Council funded Development Contribution Plans (DCP) reserve	20,107	Reserved for specific expenditure in accordance with the published DCP.
Open space – planning, development and improvements	5,516	Reserved for enhancing the City's open space by planning, development and improvements.
Open space – acquisitions	6,000	To fund acquisitions of new open space land.
Major projects reserve	28,954	Holds funds realised from the sale of Council's property assets or surplus Council funds that will be utilised for investing in other properties or funding future major projects.

Page 14

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Type	30 Sep 2021	Notes
Keysborough South Maintenance Levy	3,251	Reserved for specific maintenance expenditure relating to this area.
Spring Valley landfill rehabilitation	1,510	This reserve is for the rehabilitation of the Spring Valley landfill site.
Re-vegetation reserves	333	These funds are to meet native re-vegetation requirements on Council's reserves.
Insurance fund reserve	880	This fund has been created to meet large and unexpected policy excesses on multiple insurance claims.
Springvale Activity Precinct Parking and Development reserve	236	This reserve is to fund development in the Springvale Activity Centre.
Dandenong Activity Precinct Parking and Development reserve	1,610	This reserve is to fund development in the Dandenong Activity Centre.
General reserve (Aged Care)	1,103	Funds set aside for the aged care reforms.
Future maintenance reserve	206	Contribution funds for future works to address level crossing removal authority defects.
Total reserve funds	69,706	

Type	30 Sep 2021	Notes
Employee provisions	\$'000	
Long service leave	13,817	Funds set aside to meet long service leave commitments.
Annual leave and other	9,316	Funds set aside to meet annual leave and rostered days off (RDO) commitments.
Employee provisions	23,133	
Trust funds and deposits	\$'000	
Fire services property levy (FSPL) collected and due	7,782	Payable to State Revenue Office – legislative requirement.
Open space contributions	539	Pending completion of works.
Landscape deposits	1,232	Pending completion of works.
Road deposits	562	Pending completion of works.
Other trust funds and deposits	3,710	Refundable upon finalisation of programs.
Total trust funds and deposits	13,825	
Other restricted funds	\$'000	
DCP unearned income	40,214	Pending completion of works by developers.
Other restricted funds	40,214	
Total restricted cash	146,878	

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)Financial Report for the period 1 July 2021 – 30 September 2021

Statement of Capital Works

Total capital expenditure at 30 September 2021 was \$6.42 million. A further \$25.91 million was committed at the end of September. The following **CIP Expenditure Report** contains the expenditure status of each of the approved capital projects.

The timing of cash outflows and project completion can differ for capital projects. Commentary on the status of each project with major year to date variances are reported if the variance is greater than \$300,000.

No major variances to report this month.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Appendix 1

Capital Expenditure

ORDINARY COUNCIL MEETING - AGENDA

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

CIP Expenditure Report

	YTD ACTUAL	YTD BUDGET	YTD VARIANCE	COMMIT	ANNUAL AMENDED BUDGET	ANNUAL ORIGINAL BUDGET
	\$	\$	\$	\$	\$	\$
PROPERTY						
Buildings						
1796. Wal Turner Reserve Master Plan	13,571	-	(13,571)	1,082	150,000	150,000
1818. Safety, Security & Space Activation	-	-	-	-	193,994	193,994
1869. Feasibility Study D'ng Comm. Hub	-	10,000	10,000	-	325,000	325,000
3044. Roof Safety Program	-	5,000	5,000	-	157,000	157,000
3179. Shepley Regional Multipurpose Ctr	-	-	-	-	150,000	150,000
3219. Thomas Carroll Pavilion	111,125	110,000	(1,125)	23,333	5,294,615	3,000,000
3361. Springers Leisure Works	22,860	21,500	(1,360)	0	31,500	31,500
3543. Public Toilet Strategy-Implement	4,500	-	(4,500)	252,342	840,000	840,000
3547. George Andrews Reserve-Bld Modific.	-	-	-	-	328,435	-
3548. Keysborough South Community Hub Dev	58,618	62,205	3,587	182,280	12,754,272	10,229,862
3793. Dandenong Market Utility Srv Infra	-	-	-	-	100,000	-
3804. CCTV/Security Capital Program	-	-	-	-	105,000	105,000
3820. Noble Park Aquatic Ctr Mechan.&Pump	1,947	2,000	53	-	36,000	36,000
3821. Oasis Leisure Ctr Mechan. & Pump	-	-	-	-	10,000	10,000
3874. Building Renewal Prg.- HVAC	-	35,000	35,000	4,150	297,000	297,000
3876. Building Renewal Prg.- Bathroom	12,618	45,000	32,382	144,832	385,000	385,000
3877. Building Renewal Prg.- Flooring	-	12,000	12,000	23,860	103,000	103,000
3878. Building Renewal Prg.- Lift Refurb.	-	-	-	-	100,000	100,000
3879. Building Renewal Prg.- Minor Works	9,511	10,000	489	39,403	92,000	92,000
3880. Building Renewal Prg.- Roof	700	23,000	22,300	53,986	203,000	203,000
3883. Building Renewal Prg.- Kitchen & Eq	25,587	33,000	7,413	167,180	280,000	280,000
3902. Ross Reserve Pavilion	998,153	983,474	(14,679)	5,975,917	8,386,948	7,900,000
3904. Building Renewal Prg. - Theatre	7,689	6,000	(1,689)	-	175,762	52,000
3906. Greater D'ng Gallery of Art	64,057	72,431	8,374	44,128	2,504,863	-
3946. Building Renewal Prg.-Aquatic & Lei	87,784	33,000	(54,784)	21,874	289,000	289,000
3947. Building Renewal Prg.- Project	3,000	18,000	15,000	19,400	156,000	156,000
3949. NPAC Redevelopment	504,729	505,000	271	5,313,056	6,525,203	4,200,000
3951. Ross Res P/grnd-Change Plc Toilet	121,078	103,555	(17,523)	4,914	103,555	-
3952. S/Vale Library/Civic-Storage&Equip	1,860	5,000	3,140	2,268	97,005	-
3957. Audio Visual Equipment Renewal	-	13,000	13,000	99,493	110,000	110,000
3974. Dandenong Oasis Replacement	442,279	425,000	(17,279)	2,336,665	4,967,942	3,300,000
4000. MCH Centres (x6) Works	-	-	-	-	26,000	26,000
4001. Dandenong Market Works	1,540	-	(1,540)	8,197	420,000	420,000
4002. Springvale Reserve Boardroom	-	-	-	-	20,000	20,000
4003. Springvale Reserve Changerooms (x2)	12,900	-	(12,900)	58,060	325,000	325,000
4004. Balmoral Car	-	-	-	-	942,793	942,793
4026. Springvale Town Hall Works	-	-	-	7,300	18,000	18,000
Leasehold Improvements						
3941. Police Paddocks Res. Grandstand	-	-	-	82	434,860	-
4005. Keysb PS Kinder Fitout	-	-	-	-	50,000	50,000
4006. Police Paddocks Soccer Function Rm	-	-	-	-	300,000	300,000
4028. Police Paddocks Batting Cage	7,450	-	(7,450)	45,520	123,750	-
4029. Police Paddocks Fence/Dugout	3,414	-	(3,414)	225,783	-	-
Total property	2,516,970	2,533,165	16,195	15,055,106	48,024,137	34,797,149

ORDINARY COUNCIL MEETING - AGENDA

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

CIP Expenditure Report

	YTD ACTUAL	YTD BUDGET	YTD VARIANCE	COMMIT	ANNUAL AMENDED BUDGET	ANNUAL ORIGINAL BUDGET
	\$	\$	\$	\$	\$	\$
PLANT AND EQUIPMENT						
Plant, machinery and equipment						
1445. Fleet Purchases	151,938	29,000	(122,938)	66,115	3,542,000	2,837,000
Library books						
3104. Library Resources	133,896	172,000	38,104	714,664	878,000	878,000
Computers and telecommunications						
3914. Asset Management System	207,993	210,000	2,007	50,135	337,197	-
3959. Emergency Relief Centres-Equipment	2,098	3,000	902	1,639	24,803	-
4007. Merit CRM Replacement	-	-	-	-	500,000	500,000
Fixtures, fittings and furniture						
3198. Public Art Program	-	-	-	-	20,000	20,000
3314. Public hall equipment	92,792	93,000	208	9,396	300,937	60,000
Total plant and equipment	588,718	507,000	(81,718)	841,948	5,807,937	4,295,000
INFRASTRUCTURE						
Parks, open space and streetscapes						
1629. 275 Lonsdale St Dnong-Vanity Lane	65,183	67,249	2,066	63,834	1,244,499	134,000
1747. Barry Powell Reserve Master Plan	-	47,973	47,973	-	95,947	-
1818. Safety, Security & Space Activation	-	17,270	17,270	-	182,116	164,846
2126. Herbert St Pocket Park	-	-	-	2,750	548,588	275,000
3065. Public Place Recycling Bin Instal.	-	-	-	-	55,000	55,000
3192. NPR Douglas St Streetscape	298,241	300,000	1,759	369,517	1,177,543	1,177,543
3272. Indigenous Public Art SCP	2,605	-	(2,605)	-	31,015	-
3438. Hemmings St N'hood Act Ctr	-	-	-	-	40,000	40,000
3442. NPR Noble Park Revitalisation	-	-	-	11,635	610,000	610,000
3454. Dogs off leash program	-	15,963	15,963	-	31,927	-
3490. Springvale Road Boulevard	300,781	302,426	1,645	4,900,991	5,284,684	1,385,939
3631. Dandenong Park Master Plan	4,927	160,506	155,579	-	321,011	-
3747. Streetscapes - Activity Centres	5,416	-	(5,416)	0	-	-
3848. LRCl Hemmings SC Streetscape	3,055	-	(3,055)	5,143	29,637	-
3849. Frederick Wachter Res. Master Plan	13,074	306,156	293,082	492,036	612,308	-
3853. Parkfield Res. Master Plan Impl.	1,300	67,914	66,614	11,541	135,824	-
3900. Ross Reserve Plaza/Play/Oval/Path	50,343	50,277	(66)	28,810	714,797	200,000
3929. Act Crt Strat Plan Imp - D'nong	216	-	(216)	75,987	49,760	-
3931. Guardrail Upgrade Program	-	5,000	5,000	-	113,411	113,411
3932. Open Space Infra Renewal Prg	4,008	5,000	992	930	165,000	165,000
3933. Sports Lighting Plan Imp.	-	-	-	23,860	147,377	-
3934. Parking Sensor Implementation	67,911	68,000	89	-	408,000	300,000
3936. Glendale Reserve Landscaping	-	5,000	5,000	-	150,000	150,000
3970. Alan Corrigan Exercise Equipment	24,810	25,000	190	41,914	270,000	270,000
3973. Signage Renewal Program	-	-	-	-	30,000	30,000
3977. LXRA Rectification Works	-	-	-	53,355	40,000	40,000
4012. Alex Wilkie Wetlands & S/Water	-	-	-	-	50,000	50,000
4013. Charlotte Resv Local Park Fur.&L/SC	-	5,000	5,000	-	80,000	80,000
4014. NPR Frank Street Open Space	3,436	5,000	1,564	300	500,000	500,000
4015. Lonsdale/Halpin Pedestrian Lights	-	5,000	5,000	167,081	166,000	166,000
4016. Neighbourhood Act Ctr F/Wrk Imp	-	5,000	5,000	32	100,000	100,000
4017. Pocket Parks (x4) NPark & S/vale	-	-	-	-	40,000	40,000
4018. Tirhatuan Park Wetland	-	-	-	-	50,000	50,000
4019. Turner Close Resv Work	-	5,000	5,000	-	100,000	100,000
4020. Railway Parade SC S/Scape	5,220	5,000	(220)	380	100,000	100,000
4021. Browns Reserve Upgrade Works	-	-	-	-	70,000	70,000
4022. Burden Park Bowls BBQ Area	-	-	-	-	60,000	60,000
4027. NPR Ian St S/Scape Upgrade Construc	-	-	-	-	850,000	850,000
4030. Tatterson Park Oval 1 Lighting	22,334	24,000	1,666	30,680	313,652	-

Page 19

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

CIP Expenditure Report

	YTD ACTUAL	YTD BUDGET	YTD VARIANCE	COMMIT	ANNUAL AMENDED BUDGET	ANNUAL ORIGINAL BUDGET
	\$	\$	\$	\$	\$	\$
Recreational, leisure and community facilities						
1747. Barry Powell Reserve Master Plan	-	10,000	10,000	-	235,000	235,000
1859. Rowley Allan Reserve	2,350	15,000	12,650	-	300,000	300,000
3029. Playground Improvements	5,017	25,000	19,983	1,400	500,000	500,000
3687. Roth Hetherington Reserve	5,638	-	(5,638)	13,156	20,000	20,000
3849. Frederick Wachter Res. Master Plan	548	1,000	452	-	450,000	450,000
3853. Parkfield Res. Master Plan Impl.	3,370	12,500	9,130	-	250,000	250,000
3854. Burden Park Res. Master Plan Impl.	936	1,000	64	-	500,000	500,000
3900. Ross Reserve Plaza/Play/Oval/Path	161,912	96,686	(65,226)	178,284	96,686	-
3925. Active Fencing Program	7,463	10,000	2,537	187,874	200,000	200,000
3966. Tirhatuan Park - Basketball Court	478	10,000	9,522	-	220,300	220,300
3969. Thomas Carroll-Cricket/Play/Light	-	12,500	12,500	-	250,000	250,000
4008. Greaves Resv Netball Crt & Car Pk	1,600	5,000	3,400	-	100,000	100,000
4011. Hennessy Reserve Playgrnd & L/Scape	-	5,000	5,000	-	100,000	100,000
4023. Warner Reserve Community Garden	-	-	-	-	40,000	40,000
4024. Noble Park Reserve Plgmd Shade	-	5,000	5,000	-	80,000	80,000
4025. Noble Park Comm Ctr Petanque	-	-	-	-	50,000	50,000
4031. Ross Reserve Soccer Pitch	478	-	(478)	-	616,000	-
Roads						
1629. 275 Lonsdale St Dnong-Vanity Lane	14,736	15,000	264	6,181	29,523	-
3080. Abbots Road DCP item L102	269,463	272,216	2,753	1,314,122	6,434,433	2,090,000
3373. Municipal wide, Kerb and Channel	145,327	80,000	(65,327)	155,283	500,000	500,000
3418. Municipal Wide, LATM Program	59,678	34,000	(25,678)	-	600,000	600,000
3752. Local Road Rehab. Prg-Implement R2R	-	100,000	100,000	196,363	1,515,113	1,017,807
3753. Local Road Surf./Rehab. Prg.	325,847	243,000	(82,847)	314,397	2,919,436	2,656,596
3828. Activity Centre Proj. Mason St	-	-	-	7,350	422,852	-
3938. Kerb & Channel Resurfacing Program	375,575	377,000	1,425	215,973	664,149	664,149
3942. Black Spot Works Program	14,071	15,000	929	529,849	2,140,581	-
3944. Keysb Sth Comm Hub Access Road	518,390	518,000	(390)	201,306	584,125	-
3962. Bakers Road Service Road	-	-	-	-	206,200	206,200
4009. LRCI-Colemans Rd Reconstruction	-	20,000	20,000	-	1,226,500	1,226,500
Bridges						
3185. Municipal Wide - Bridges	-	10,000	10,000	-	100,000	100,000
Footpath and cycleways						
3174. Active Transport Infra. Priority Pat	6,995	7,675	680	20,099	475,347	300,000
3355. Municipal Wide-Footpath Renewal	227,510	484,000	256,490	90,672	1,400,000	1,400,000
3589. Dandenong Creek Trail User Paths	-	10,000	10,000	-	430,000	430,000
Off street car parks						
1747. Barry Powell Reserve Master Plan	-	-	-	-	60,000	60,000
3937. Car Park Renewal Program	-	5,000	5,000	-	46,000	46,000
Drainage						
3019. Major Drainage Renewal Prg.	187,757	20,000	(167,757)	130,926	523,029	400,000
3939. Drainage Reactive Renewal Program	100,359	100,000	(359)	142,964	300,000	300,000
4010. LRCI-Callander Rd Drain	10,810	100,000	89,190	28,190	1,759,808	1,700,000
Total infrastructure	3,319,167	4,117,311	798,144	10,015,163	41,423,200	24,269,291
GRAND TOTAL	6,424,855	7,157,476	732,621	25,912,217	95,255,274	63,361,440

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Appendix 2

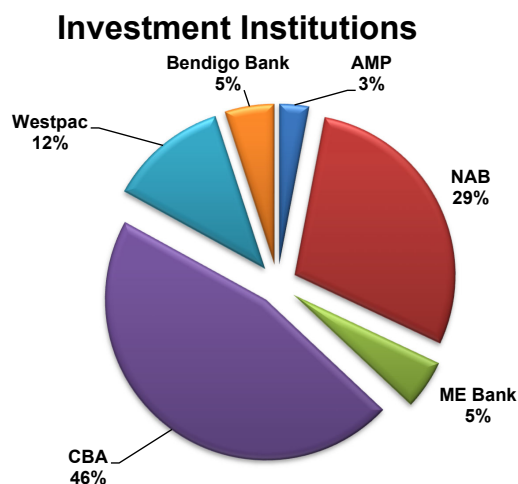
Investment Analysis

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



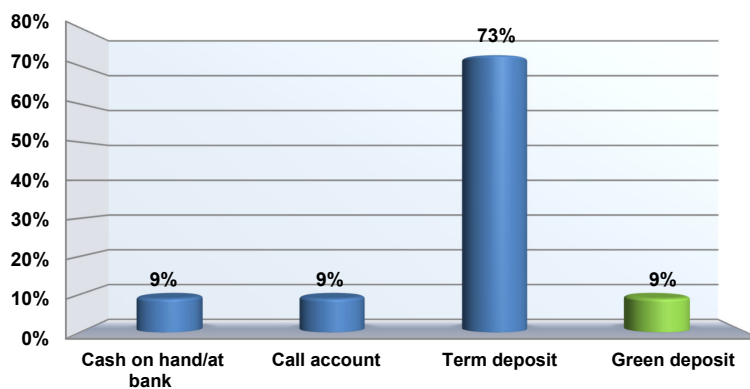
Financial Report for the period 1 July 2021 – 30 September 2021

Cash and Investments



Policy limit - no single institution shall comprise more than 35% of the total investment portfolio, unless the investment is with Council's banker (CBA).

Portfolio Products



Note: Green deposit: 9% (or \$18.27 million) was invested at 30 September 2021. These investments are certified against Climate Bonds Initiative – Climate Bonds Standard, the same certification as green bonds.

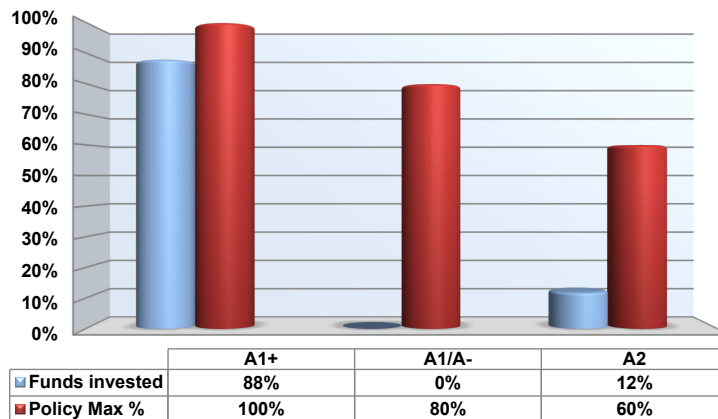
4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



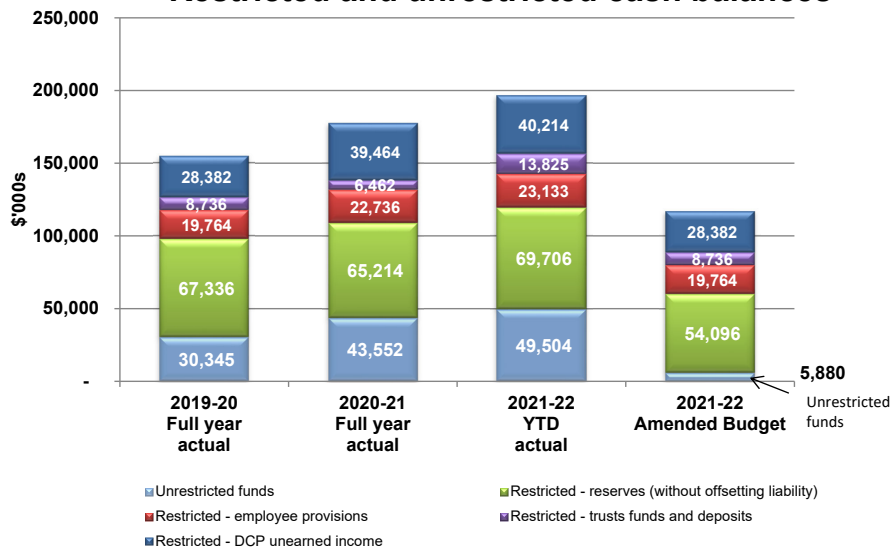
Financial Report for the period 1 July 2021 – 30 September 2021

Cash and Investments

Investment Credit Rating



Restricted and unrestricted cash balances

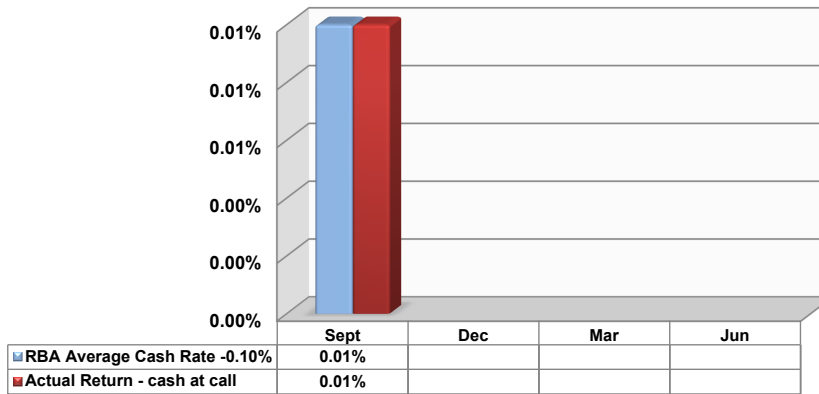


4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)

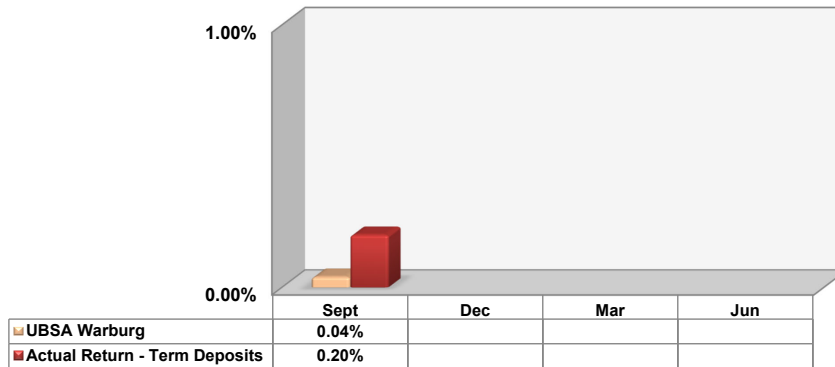


Financial Report for the period 1 July 2021 – 30 September 2021

Benchmark Indicator - Cash at Call



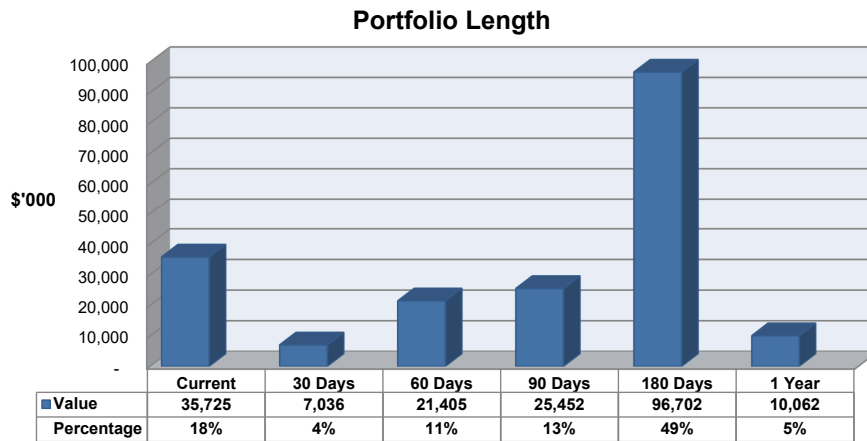
Benchmark Indicator - Term/Green Deposits



4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021



4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Appendix 3

Directorate Analysis

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Total Operating Results

CGD BY DIRECTORATE

	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Chief Executive Office	-	-	-	-	-
Greater Dandenong Business	165	127	38	258	258
Corporate Services	652	808	(156)	4,002	4,002
Engineering Services	6,364	6,396	(32)	26,346	25,914
City Planning Design and Amenity	3,696	3,725	(29)	12,938	12,938
Community Services	5,185	5,425	(240)	22,065	21,691
Non-Directorate ^(a)	37,613	37,014	599	151,678	158,028
Capital Works Program	2,608	2,360	248	21,778	12,931
Total income	56,283	55,855	428	239,065	235,762
Expenses					
Chief Executive Office	130	142	12	703	703
Greater Dandenong Business	1,055	1,104	49	5,349	4,236
Corporate Services	7,536	7,944	408	24,074	23,608
Engineering Services	13,528	14,408	880	67,996	66,466
City Planning Design and Amenity	4,009	4,241	232	19,087	18,882
Community Services	11,891	13,247	1,356	56,930	51,849
Non-Directorate ^(a)	9,427	9,488	61	38,786	38,613
Capital Works Program	-	-	-	-	-
Total expenses	47,576	50,574	2,998	212,925	204,357
Net surplus (deficit)	8,707	5,281	3,426	26,140	31,405

^(a) Non Directorate includes non-attributable items such as rates income, developer's contributions, interest income, non-monetary assets, finance costs and depreciation.

Note. Total income and total expenditure may differ to the operating result on the previous page due to the treatment of proceeds from asset sales and associated written down value.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

CEO DIRECTORATE

OPERATING RESULT

Notes	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Other income	-	-	-	-	-
Total income	-	-	-	-	-
Expenses					
Employee costs	127	139	12	589	589
Materials and services	3	3	-	108	108
Other expenses	-	-	-	6	6
Total expenses	130	142	12	703	703
Net surplus (deficit)	(130)	(142)	12	(703)	(703)

BUSINESS UNITS

	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
CEO	-	-	-	-	-
Total income	-	-	-	-	-
Expenses					
CEO	130	142	12	703	703
Total expenses	130	142	12	703	703
Net surplus (deficit)	(130)	(142)	12	(703)	(703)

Notes:

No notes/comments required for this directorate.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

GREATER DANDENONG BUSINESS GROUP

OPERATING RESULT

Notes	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
User fees	-	-	-	6	6
Grants - operating	153	115	38	115	115
Other income	12	12	-	137	137
Total income	165	127	38	258	258
Expenses					
Employee costs	650	678	28	2,855	2,731
Materials and services	403	412	9	2,218	1,373
Other expenses	1	14	13	276	132
Total expenses	1,054	1,104	50	5,349	4,236
Net surplus (deficit)	(889)	(977)	88	(5,091)	(3,978)

BUSINESS UNITS

	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Greater Dandenong Business Executive	-	-	-	-	-
Business Networks	143	125	18	165	165
Activity Centres Revitalisation	-	-	-	6	6
Major Projects	21	-	21	81	81
Economic Development	1	2	(1)	6	6
Total income	165	127	38	258	258
Expenses					
Greater Dandenong Business Executive	100	96	(4)	407	407
Business Networks	192	223	31	1,031	757
Activity Centres Revitalisation	376	376	-	1,901	1,231
Major Projects	102	127	25	515	456
Economic Development	284	282	(2)	1,495	1,385
Total expenses	1,054	1,104	50	5,349	4,236
Net surplus (deficit)	(889)	(977)	88	(5,091)	(3,978)

Notes:

No notes/comments required for this directorate.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

CORPORATE SERVICES DIRECTORATE

OPERATING RESULT

Notes	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Statutory fees and fines	35	25	10	100	100
User fees	(1)	-	(1)	22	22
Grants - operating	49	48	1	48	48
Other income	1 569	735	(166)	3,832	3,832
Total income	652	808	(156)	4,002	4,002
Expenses					
Employee costs	2 3,325	3,553	228	14,805	14,588
Materials and services	3 3,833	3,971	138	7,934	7,685
Other expenses	378	420	42	1,335	1,335
Total expenses	7,536	7,944	408	24,074	23,608
Net surplus (deficit)	(6,884)	(7,136)	252	(20,072)	(19,606)

BUSINESS UNITS

	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Corporate Services Executive	-	-	-	-	-
Communications and Customer Service	63	213	(150)	853	853
Governance	449	447	2	2,749	2,749
Information Technology	5	-	5	-	-
Financial Services	66	91	(25)	323	323
People and Procurement Services	69	57	12	77	77
Total income	652	808	(156)	4,002	4,002
Expenses					
Corporate Services Executive	33	146	113	612	612
Communications and Customer Service	1,172	1,425	253	5,912	5,912
Governance	675	795	120	3,210	3,210
Information Technology	2,538	2,614	76	5,720	5,470
Financial Services	657	695	38	2,961	2,961
People and Procurement Services	2,461	2,269	(192)	5,659	5,443
Total expenses	7,536	7,944	408	24,074	23,608
Net surplus (deficit)	(6,884)	(7,136)	252	(20,072)	(19,606)

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Corporate Services Directorate

Income

Note 1 Other income (\$166,000 unfavourable) – Unfavourable variance is due mainly to the COVID-19 lockdown restrictions resulting in lower rental of facilities (Civic Facilities \$99,000, Jan Wilson Community Centre \$19,000, Paddy O'Donoghue \$17,000 and Senior Citizen Facilities \$16,000). Some of this variance will be permanent. Full year impacts will be assessed as part of the Mid-Year Budget Review.

It is anticipated lower rental income from Council facilities will be permanent in nature and the full year impact will be reviewed as part of the Mid-Year Budget Review process.

Expenditure

Note 2 Employee costs (\$228,000 favourable) – The favourable variance is primarily due to vacant positions, a reduction in the use of casuals and temporary staff (Civic Facilities \$83,000, Corporate Services Executive \$77,000, Call and Service Centres \$60,000 and Emergency Management Grants \$26,000).

This favourable variance is partly offset by two unbudgeted positions and higher than anticipated overtime (Organisational Development Executive \$46,000).

Note 3 Materials and services (\$138,000 favourable) - Favourable variance due to delay in receipt of invoices, commencement of projects and lower than anticipated printing and stationery, postage and storage, subscriptions and professional services (Technical Services \$54,000, Property Revenue \$46,000, Property Management Administration \$41,000, Organisational Development Executive \$29,000, Communications and Customer Service Executive \$29,000, Records Management \$28,000, Governance \$24,000, Business Systems \$24,000, Jan Wilson Community Centre \$18,000 and Civic Facilities \$17,000).

This favourable variance is partly offset by higher than anticipated insurance premiums (Risk Management \$95,000 and is a permanent variance), advertising and IT costs (Organisational Development Executive \$49,000). The advertising costs will be reallocated to the relevant business units in the next quarter, whereas the IT costs relate to the new PULSE onboarding and recruitment modules which is expected to be included in the Mid-Year Budget Review as it is unable to be managed within the annual budget allocation.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

ENGINEERING SERVICES DIRECTORATE

OPERATING RESULT

Notes	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Rates and charges	5,871	5,862	9	23,317	23,317
Statutory fees and fines	137	111	26	444	444
User fees	159	146	13	586	586
Grants - operating	7	-	7	31	-
Contributions - monetary	2	-	2	-	-
Asset sales	4 100	177	(77)	704	704
Other income	88	100	(12)	1,264	863
Total income	6,364	6,396	(32)	26,346	25,914
Expenses					
Employee costs	5 4,373	4,437	64	18,800	18,677
Materials and services	6 9,085	9,907	822	48,783	47,376
Bad and doubtful debts	-	-	-	1	1
Carrying amount of assets sold	32	30	(2)	301	301
Other expenses	38	34	(4)	111	111
Total expenses	13,528	14,408	880	67,996	66,466
Net surplus (deficit)	(7,164)	(8,012)	848	(41,650)	(40,552)

BUSINESS UNITS

	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Engineering Services Executive	-	-	-	-	-
Infrastructure Services	5,985	6,045	(60)	24,997	24,565
City Projects and Asset Improvement	11	19	(8)	19	19
Infrastructure Planning	368	332	36	1,330	1,330
Total income	6,364	6,396	(32)	26,346	25,914
Expenses					
Engineering Services Executive	-	-	-	-	-
Infrastructure Services	10,758	11,314	556	54,060	52,970
City Projects and Asset Improvement	2,294	2,561	267	11,797	11,357
Infrastructure Planning	476	533	57	2,139	2,139
Total expenses	13,528	14,408	880	67,996	66,466
Net surplus (deficit)	(7,164)	(8,012)	848	(41,650)	(40,552)

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Engineering Services Directorate

Income

Note 4 Asset sales (\$77,000 unfavourable) – Unfavourable variance due to a delay in disposing retired service vehicles (retained for use during COVID-19 restrictions) (Fleet Management \$77,000).

Expenditure

Note 5 Employee costs (\$64,000 favourable) – Favourable variance due to delay in recruitment and lower temporary agency staff costs (Parks Services \$149,000, CIP Implementation \$104,000, Roads \$33,000 and Infrastructure Service and Planning Executive \$17,000).

This favourable variance is partly offset by a higher than anticipated temporary agency staff costs (Cleansing \$116,000, Waste Management \$24,000 and City Improvement Executive \$24,000) and higher than anticipated salary expenditure (Asset Management System Implementation \$43,000).

Note 6 Materials and services (\$122,000 favourable) - Favourable variance due to timing of works, delay in receipt of invoices from contractors and lower utility costs, mainly electricity and water (Parks Services \$316,000, Building Maintenance \$207,000, Roads & Drains \$93,000, Fleet Management \$89,000 and Cleansing \$82,000) and higher asset protection reinstatement costs which are offset by higher recovery income received (Asset Protection \$37,000).

This favourable variance is partly offset by higher than anticipated professional services (City Improvement Executive \$41,000 and Spring Valley Landfill \$24,000).

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

CITY PLANNING, DESIGN & AMENITY

OPERATING RESULT

	Notes	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income						
Statutory fees and fines	7	1,786	1,963	(177)	7,533	7,533
User fees	8	1,365	1,653	(288)	4,631	4,631
Grants - operating	9	544	107	437	685	685
Other income	1	2		(1)	89	89
Total income		3,696	3,725	(29)	12,938	12,938
Expenses						
Employee costs	10	3,134	3,348	214	14,128	14,128
Materials and services		869	882	13	3,340	3,135
Bad and doubtful debts		2	-	(2)	1,558	1,558
Other expenses		4	11	7	61	61
Total expenses		4,009	4,241	232	19,087	18,882
Net surplus (deficit)		(313)	(516)	203	(6,149)	(5,944)

BUSINESS UNITS

	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
City Planning, Design and Amenity Exec.	-	-	-	-	-
Building Services	1,134	1,350	(216)	2,465	2,465
Planning and Design	536	476	60	1,905	1,905
Regulatory Services	2,026	1,899	127	8,568	8,568
Total income	3,696	3,725	(29)	12,938	12,938
Expenses					
City Planning, Design and Amenity Exec.	133	114	(19)	470	470
Building Services	1,118	995	(123)	4,041	3,868
Planning and Design	1,236	1,363	127	5,507	5,475
Regulatory Services	1,522	1,769	247	9,069	9,069
Total expenses	4,009	4,241	232	19,087	18,882
Net surplus (deficit)	(313)	(516)	203	(6,149)	(5,944)

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

City Planning, Design and Amenity Directorate

Income

Note 7 Statutory fees and fines (\$177,000 unfavourable) – Unfavourable variance due to lower than anticipated fines issued (Planning Compliance \$109,000, Parking Management \$64,000, General Law Enforcement \$45,000, Health \$40,000 and Animal Management \$30,000). This is due to current COVID-19 restrictions impacting activity levels and is forecast to be permanent in nature. A full review will be undertaken and reported in the Mid-Year Budget Review.

The unfavourable variance is partly offset by higher than anticipated income from planning (Statutory Planning \$77,000) and building applications (Building \$38,000).

Note 8 User fees (\$288,000 unfavourable) – Unfavourable variance is due to COVID-19 state government restrictions resulting in lower activity in the following areas:

- Ticket machines/meters (Parking Management \$242,000).
- Car parking permits (Car Parks \$78,000).
- Health and food fees (Health \$60,000).
- Permit and inspection fees (Building \$45,000)

This unfavourable variance is offset by higher than anticipated income from the Walker Street carpark (Car Parks \$61,000).

This will continue to be monitored and reviewed as part of the Mid-Year Budget process however it is anticipated the majority of the above variances will be permanent in nature.

Note 9 Grant-operating (\$437,000 favourable) – Favourable variance is due to receipt of grant earlier than anticipated (School crossing \$437,000). This will correct in October.

Expenditure

Note 10 Employee costs (\$146,000 favourable) – Favourable variance due to a delay in filling vacant positions (Statutory Planning \$79,000, Animal Management \$44,000, Public Safety and Security \$38,000, Parking Management \$38,000, Regulatory Services \$23,000, General Law Enforcement \$23,000, LG Capacity Building Grant \$20,000 and School Crossing \$19,000)

This favourable variance is offset by higher than anticipated temporary staff costs (Health \$42,000 and Planning Compliance \$21,000).

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

COMMUNITY SERVICES DIRECTORATE

OPERATING RESULT

	Notes	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income						
User fees		558	579	(21)	2,728	2,728
Grants - operating	11	4,488	4,562	(74)	18,013	17,638
Other income	12	139	284	(145)	1,324	1,325
Total income		5,185	5,425	(240)	22,065	21,691
Expenses						
Employee costs	13	8,324	9,247	923	38,995	35,060
Materials and services	14	2,876	3,603	727	15,295	14,352
Bad and doubtful debts		-	-	-	9	9
Amortisation - intangible assets		-	-	-	6	6
Other expenses	15	691	397	(294)	2,625	2,422
Total expenses		11,891	13,247	1,356	56,930	51,849
Net surplus (deficit)		(6,706)	(7,822)	1,116	(34,865)	(30,158)

BUSINESS UNITS

	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Community Services Executive	-	-	-	-	-
Community Wellbeing	2,974	2,256	718	9,452	9,084
Community Care	1,502	1,778	(276)	9,909	9,909
Community Arts, Culture and Libraries	663	1,224	(561)	1,970	1,964
Community Development, Sports and Recreation	46	167	(121)	734	734
Total income	5,185	5,425	(240)	22,065	21,691
Expenses					
Community Services Executive	187	186	(1)	803	744
Community Wellbeing	3,904	4,578	674	19,768	15,244
Community Care	3,240	3,288	48	14,234	14,090
Community Arts, Culture and Libraries	2,699	2,911	212	10,676	10,609
Community Development, Sports and Recreation	1,861	2,284	423	11,449	11,162
Total expenses	11,891	13,247	1,356	56,930	51,849
Net surplus (deficit)	(6,706)	(7,822)	1,116	(34,865)	(30,158)

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Community Services Directorate

Income

Note 11 Grants – operating (\$74,000 unfavourable) - Unfavourable variance due to:

Delay in receipt of grant funding:

- Library and Information Services \$412,000
- Sleep and Settling Initiative \$44,000

Lower than anticipated grant funding based on target achievement for (to be assessed during the Mid-Year Budget review):

- HACC – Assessments & Team Leaders \$207,000
- Home and Community Care \$58,000
- Planned Activity Group \$54,000

These favourable variances are partly offset by:

Additional or grant funding received earlier than anticipated:

- Family Day Care \$471,000
- Child First \$100,000
- Y-Space \$13,000

New (unbudgeted) grant funding received (to be addressed in the Mid-Year Budget):

- New Directions – Mothers and Babies \$85,000
- Drug Strategy \$35,000

Note 12 Other income (\$145,000 unfavourable) – Unfavourable variance due to lower than anticipated rental income (Dandenong Indoor Sports Stadium \$52,000, Sports Planning \$60,000 and Drum Theatre \$46,000) due to COVID-19 lockdown closures, and recovery income (Library Services \$32,000). It is anticipated that this unfavourable variance will be permanent in nature and the full year impact will be reviewed as part of the Mid-Year Budget Review process.

Expenses

Note 13 Employee costs (\$923,000 favourable) – \$906,000 of this favourable variance relates to grant funded programs (which require an acquittal) caused by a delay in recruitment (Enhanced MCH Program \$325,000, Child First \$244,000, Sleep and Settling Initiative \$160,000, Playgroups Initiative \$70,000, Pre-School Field Officer \$47,000, Right@Home \$37,000 and Drug Strategy \$27,000).

The remaining favourable variance is due to a delay in recruitment (Children's Support Services \$58,000, Library and Information Services \$52,000, Youth Development \$46,000, PYP Linkages \$39,000, HACC – Assessments and Team Leaders \$28,000, Cultural Development \$19,000, Planned Activity Group \$18,000, Community Transport \$17,000, Maternal and Child Health \$17,000, Community Development \$16,000 and Food Services \$16,000).

The favourable variance is partly offset by higher temporary/agency staff (Home and Community Care \$219,000 and Community Funding \$32,000), increased hours due to COVID-19 social distancing requirements (Immunisation \$33,000) and change of working conditions (The Drum Theatre \$47,000).

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)Financial Report for the period 1 July 2021 – 30 September 2021

Note 14 Material and services (\$727,000 favourable) – Favourable variance due to:

- Delay in receipt of contract management fee invoices (Leisure Centres \$747,000) combined with actual expenditure for South East Leisure company establishment occurring in 'Other expenses' but budgeted in 'Materials and services' (see Note 15 below). The South East Leisure budget will be reallocated to different expense line items as part of the Mid-Year Budget review.
- Lower than anticipated expenditure for materials, delay in receipt of invoices and commencement of projects (Home and Community Care \$95,000, Library Services \$83,000, Cultural Development \$48,000, Festivals and Events \$37,000, Food Services \$21,000, PYP Linkages \$21,000, Drum Theatre \$18,000, Cultural Venues \$14,000, Enhanced MCH Program \$13,000 and Community Funding \$11,000).

This favourable variance is partly offset by higher payments to educators (Family Day Care \$436,000) relating to additional service delivery requirements which is offset by higher grant income and higher than anticipated professional services expenditure (Community Development \$13,000).

Note 15 Other expenses (\$295,000 unfavourable) – Unfavourable variance mainly due to establishment expenditure relating to South East Leisure which has been budgeted in 'Materials and Services' (\$300,000 – see Note 14 above). This will be reviewed and reallocated in the Mid-Year Budget.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

NON-DIRECTORATE

OPERATING RESULT

Notes	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Rates and charges	34,871	34,857	14	132,936	132,936
Statutory fees and fines	47	38	9	150	150
Grants - operating	16 1,490	1,429	61	5,715	12,066
Contributions - monetary	17 1,130	500	630	2,000	2,000
Contributions - non-monetary	-	-	-	10,000	10,000
Other income	18 75	190	(115)	877	876
Total income	37,613	37,014	599	151,678	158,028
Expenses					
Employee costs	-	27	27	1,064	1,028
Materials and services	101	125	24	537	537
Prior year capital expenditure unable to be capitalised (non-cash)	19 80	-	(80)	-	-
Depreciation	8,316	8,316	-	33,277	33,277
Amortisation - intangible assets	15	15	-	60	60
Amortisation - right of use assets	149	149	-	598	598
Borrowing costs	718	718	-	2,802	2,802
Finance costs - leases	-	-	-	22	22
Other expenses	20 48	138	90	426	289
Total expenses	9,427	9,488	61	38,786	38,613
Net surplus (deficit)	28,186	27,526	660	112,892	119,415

BUSINESS UNITS

	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income					
Governance	-	-	-	-	-
Corporate Accounting	36,482	36,514	(32)	149,678	156,028
Planning and Design	1,131	500	631	2,000	2,000
Total income	37,613	37,014	599	151,678	158,028
Expenses					
Governance	-	-	-	31	31
Corporate Accounting	9,427	9,486	59	38,737	38,564
Planning and Design	-	2	2	18	18
Total expenses	9,427	9,488	61	38,786	38,613
Net surplus (deficit)	28,186	27,526	660	112,892	119,415

Non-Directorate includes non-attributable items such as rates income, fire services levy payable on Council properties, developer's contributions, interest income, gifted assets, carrying amount of assets disposed/written off and finance costs. Non attributable COVID-19 pandemic costs are included here.

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)Financial Report for the period 1 July 2021 – 30 September 2021

Non-Directorate**Income**

Note 16 Grants - operating (\$61,000 favourable) – Better than anticipated general purpose grant (Corporate Services \$61,000).

Note 17 Contributions – monetary (\$630,000 favourable) – Better than anticipated income from public open space contributions to date. The nature of these receipts makes timing difficult to predict. These funds are transferred to reserves.

Note 18 Other income (\$115,000 unfavourable) – Unfavourable variance due to lower than anticipated interest income to date attributable to lower interest rates in the current COVID-19 economic environment (Corporate Accounting \$115,000). It is anticipated that this unfavourable variance will be permanent in nature and the full year impact will be reviewed as part of the Mid-Year Budget Review process.

Expenditure

Note 19 Prior year capital expenditure unable to be capitalised (non-cash) (\$80,000 unfavourable) – This unfavourable variance is due to works in progress (prior year capital expenditure) that is not able to be capitalised to the asset register because it is not capital in nature, does not meet the capitalisation threshold or relates to non-Council owned assets (Corporate Accounting \$80,000). This is a non-cash entry that does not impact on Council's cash position. Examples of non-capital expenditure includes asset relocation, asset removal/demolition, operating services, projects cancelled, repairs and maintenance expenditure, studies/surveys and concept planning.

Note 20 Other expenses (\$90,000 favourable) – Lower than anticipated local partnership grants and contribution expenditure (Pandemic \$92,000).

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

CAPITAL WORKS PROGRAM

OPERATING RESULT

	Notes	YTD ACTUAL \$'000	YTD BUDGET \$'000	YTD VARIANCE \$'000	ANNUAL AMENDED BUDGET \$'000	ANNUAL ORIGINAL BUDGET \$'000
Income						
Grants - capital	21	2,558	2,335	223	17,933	9,996
Contributions - monetary		50	25	25	3,845	2,935
Other income		-	-	-	-	-
Total income		2,608	2,360	248	21,778	12,931
Expenses						
Employee costs		-	-	-	-	-
Materials and services		-	-	-	-	-
Bad and doubtful debts		-	-	-	-	-
Other expenses		-	-	-	-	-
Total expenses		-	-	-	-	-
Net surplus (deficit)		2,608	2,360	248	21,778	12,931

Notes:

Income

Note 21 Grants - operating (\$223,000 favourable) – Favourable variance due to receipt of unbudgeted grant for Douglas Street Streetscape (\$133,000), Springvale Boulevard (\$50,000), Tatterson Park Oval (\$22,000).

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Appendix 4

Operating Initiatives

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Operating Initiatives

Operating initiative project	2021-22 YTD Actuals \$	2021-22 YTD Budget \$	YTD Variance (Unfav) Fav \$	2021-22 Full Year Original Budget \$	2021-22 Full Year Amended Budget \$	Project update - 30 Sep 2021
Community Services						
Barry Powell Sports Pavilion - Concept design	0	0	0	80,000	80,000	Concept Plan is progressing, with procurement of architects currently being undertaken.
Dandenong Community Hub - Business Case and Concept Plan	23,288	25,000	1,713	0	55,750	Concept plan currently open for public comment. Due for endorsement by Council in December 2021.
Chandler Reserve Community Gardens Contribution	0	0	0	0	19,280	Planning Permit issued by Council on 11 October 2021. Council report on the lease to be considered on 15 November 2021.
	23,288	25,000	1,713	80,000	155,030	
City Planning, Design and Amenity						
Community Gardens Strategy Development	0	0	0	0	16,360	Community Gardens on Council Owned Public Open Space Policy was adopted on 13 September 2021. A graphic designer has been engaged to package up the Guidelines into a Council publication for community use. The remaining budget is awaiting outcomes from the planning advertising process for the Chandler Road community gardens application.
	0	0	0	0	16,360	

...table continued on next page

Notes re Operating Initiative reporting:

The reporting on operating initiatives excludes the following:

- salary related initiatives
- operating initiatives that add to an existing budget (eg - 'Greening Our City' Tree Strategy)
- ongoing initiatives

4.2.1 Financial Report 1 July 2021 to 30 September 2021 (Cont.)



Financial Report for the period 1 July 2021 – 30 September 2021

Operating Initiatives

Operating initiative project	2021-22 YTD Actuals \$	2021-22 YTD Budget \$	YTD Variance (Unfav) Fav \$	2021-22 Full Year Original Budget \$	2021-22 Full Year Amended Budget \$	Project update - 30 Sep 2021
Business, Engineering and Major Projects						
Business Case for Dandenong Sports and Events Centre	40,000	40,000	0	51,000	110,480	Project progressing well. Timelines for completion to be extended to June 2022.
Compost subsidy	0	3,332	3,332	20,000	20,000	Quotations for the service delivery by a suitable contractor have been issued. Project delivery is expected to commence by January 2022.
Landscaping - Robinson Street and Princes Highway Intersection	0	0	0	0	188,000	Site meeting proposed with interested parties when lockdown conditions are eased.
Building demolition - Ross Reserve Junior Soccer Pavilion	0	0	0	0	20,000	Works to be completed by March 2022.
Building demolition - Ross Reserve O'Donahue Pavilion (Football)	0	0	0	0	20,000	Works to be completed by March 2022.
Building demolition - 275 Lonsdale Street, Dandenong	0	0	0	0	106,750	Works to be completed by December 2021.
Building demolition - 280 Lonsdale Street, Dandenong	0	0	0	0	60,591	Works to be completed by June 2022.
Building demolition - 14 Stuart Street, Dandenong	0	0	0	0	10,000	Works to be completed by June 2022.
Building demolition - 77 Herbert St, Dandenong	0	0	0	0	10,000	Works to be completed by June 2022.
Building demolition - 89 Douglas St, Noble Park	0	0	0	0	25,000	Works to be completed by March 2022.
Asset demolition - Barry Powell Tennis Pavilion and Tennis Courts (x 2)	683	1,000	317	90,000	90,000	Works to be completed by May 2022.
Asset demolition - Glendale Reserve Scout Hall	3,486	3,000	(486)	75,000	75,000	Works to be completed by November 2021.
Street lighting - install and replacement	0	0	0	400,000	400,000	Negotiations in progress with two selected tenderers for the installation of the lights.
	44,170	47,332	3,162	636,000	1,135,821	
TOTAL	67,457	72,332	4,875	716,000	1,307,211	

4.3 OTHER

4.3.1 Maralinga Community Garden Inc. Request for Rate Rebate Under a Lease

File Id: A8122463
Responsible Officer: Director Community Services

1. Report Summary

Maralinga Community Garden Inc. were granted a planning permit by Council at the Council meeting on 11 October 2021 to occupy and develop part of the land on Chandler Road Reserve for the development of a community garden.

Council officers have commenced drafting a lease agreement between Council and Maralinga Community Garden Inc. to formalise the occupation of the land. The draft lease is for a period of 2 years.

Under a Council lease, the tenant of Council property is required to pay rates. Council officers have received a request from the Maralinga Community Garden Inc. requesting the waiver of the payment of rates. A decision is now required to determine if Council will consider waving the rates in full for the term of the lease for the occupation of the community garden at Chandler Road Reserve.

2. Recommendation Summary

This report recommends that Council provides a 100% rebate (waiver) for rates payable by Maralinga Community Garden Inc. under the first proposed lease agreement with Council for part of the land located at Chandler Road Reserve and notes that any future leases and subsidies would be subject to further review.

4.3.1 Maralinga Community Garden Inc. Request for Rate Rebate Under a Lease (Cont.)

3. Background

Maralinga Community Garden Inc. approached Council approximately 2 years ago with a vision to establish a community garden. Council together with the Maralinga Community Garden Inc. entered discussions on the requirements of the association and the Council for a community garden and identified a proposed location at Chandler Road Reserve.

Maralinga Community Garden Inc. was registered as an incorporated association on 10 September 2020. Council have approved a planning permit for a community garden to be located at Chandler Road Reserve. Maralinga Community Garden Inc. have requested to occupy this site and now require a lease agreement for the occupation of Council land.

4. Discussion

The Maralinga Community Garden Inc. is a newly formed not for profit incorporated association. The association does not have the funds nor the ability to raise the funds to cover the cost of the Council rates. This may change overtime and should be reviewed when the lease term expires. While the association will charge a fee to members of the community for the use of the garden, this fee will be kept to a minimum to encourage the community to be actively engaged in the garden. The association will initially need to rely on donations and Council support as any profit from members fees will go directly towards the community gardens development and expenses for the term of the lease.

The development of the community garden will be a direct benefit to the community by providing families and individuals without land of their own with the opportunity to produce food.

Participation in gardening activities is known to improve wellbeing through increased social contact, culturally valued activities and mitigation of food poverty. This can be particularly important for people from different cultures looking to grow traditional produce and brings together people from a variety of backgrounds, offering a cultural exchange between gardeners. Children and youth will also benefit for the community garden by learning about where food comes from and about [living sustainably](#) and caring for their environment.

5. Proposal

This report proposes to waive the rates payable to Council by the Maralinga Community Garden Inc. for the term of the lease between Council and the Maralinga Community Garden Inc. for part of the land at Chandler Road Reserve.

6. Financial Implications

The financial implications associated with this report involve a cost in the current financial year of \$11,282. There is no current amount allocated in Council's Annual Budget for these costs.

The Maralinga Community Garden Inc. will be responsible for all other costs associated with the garden, including (but not limited to) the following:

- Construction of the garden (excluding the elements detailed in 'Council contribution' below);
- Lease of the site;

4.3.1 Maralinga Community Garden Inc. Request for Rate Rebate Under a Lease (Cont.)

- Utility bills, including water and electricity;
- Insurance for any of the groups goods or materials kept on site;
- Any costs associated with being an incorporated association.

These are standard costs, and the same as those set out for other community groups that utilise Council facilities.

Council contribution

Council has allocated \$20,000 towards this community garden through its annual budget process. It is intended that this will contribute to the provision of one water tap connection and to fence 'Stage 1' of the community garden.

7. Consultation

Under the *Local Government Act 2020* a community engagement process is not required for a rate rebate request under a lease. Council's Community Services and Finance departments engaged in a consultation and it was determined that the rates could not be waived for the term of the lease under the *Local Government Act 2020*, the Council's Rates and Charges Hardship Policy or any other council policy. As such, this report is presented to Council for consideration.

Significant consultation also occurred with the Maralinga Community Garden Inc.

8. 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
- *Lifecycle and Social Support* – The generations supported

Place

- *Sense of Place* – One city many neighbourhoods

4.3.1 Maralinga Community Garden Inc. Request for Rate Rebate Under a Lease (Cont.)

9. 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*
- *A city planned for the future*

Opportunity

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

10. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles.

The proposed request for rate rebate under a lease does this by ensuring that:

- a. decisions made and actions taken in relation to the request for a rate rebate under a lease is in accordance with the relevant law;
- b. priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- c. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- d. the municipal community is to be engaged in strategic planning and strategic decision making – see section 7 of this report;
- e. the ongoing financial viability of the Council is to be ensured; and
- f. the transparency of Council decisions, actions and information and compliance with the requirements of the *Local Government Act 2020* in relation to the request for rate rebate under a lease is ensured by this Council report.

11. 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).

4.3.1 Maralinga Community Garden Inc. Request for Rate Rebate Under a Lease (Cont.)

The *Charter of Human Rights and Responsibilities Act 2006* has been considered in the preparation of this report but is not relevant to its contents.

12. The Gender Equality Act 2020

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 content.

The content of this report is purely administrative in nature and does not benefit any one gender group over any other.

13. Consideration of Climate Change and Sustainability⁷

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 largely 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.

14. Related Council Policies, Strategies or Frameworks

The following Council documents relate to this report:

- Rates and Charges Hardship Policy
- Leasing and Licencing of Community Facilities
- Community Gardens on Council Owned Public Open Space Policy
- Make Your Move Strategy 2020 - 2030

15. Conclusion

The Maralinga Community Garden Inc. would not be sustainable to operate without Council's support in waving the rates for the term of the lease.

4.3.1 Maralinga Community Garden Inc. Request for Rate Rebate Under a Lease (Cont.)

16. Recommendation

That Council:

- 1. provides a 100% rebate (waiver) for rates payable by Maralinga Community Garden Inc. under the first proposed lease agreement with Council for part of the land located at Chandler Road Reserve; and**
- 2. notes that any future leases and subsidies would be subject to further review.**

4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 5 October 2021

File Id:

Responsible Officer:

Director Community Services

Attachments:

Draft Minutes of Springvale Community Hub
Committee on 5 October 2021

1. 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 also allowed interested Councillors (and those that attend these Committees and Reference Groups) to speak to the meeting about items discussed at these meetings.

2. Recommendation Summary

This report recommends that the draft Minutes of the Springvale Community Hub Committee meeting provided in Attachment 1 to this report be noted and endorsed by Council.

4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 5 October 2021 (Cont.)

3. Background and Proposal

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 Annual meeting to elect the Mayor and Deputy Mayor 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 information purposes, for noting and for endorsement (not adoption).

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

There are no financial implications associated with the development and submission of this report.

4. 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

Opportunity

- *Education, Learning and Information* – Knowledge
- *Tourism and visitors* – Diverse and interesting experiences

5. 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:

4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 5 October 2021 (Cont.)

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*

6. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* (LGA2020) states that a Council must in the performance of its role give effect to the overarching governance principles.

The establishment of the Springvale Community Hub Committee and the work that it undertakes gives particular consideration to the following overarching governance principles:

- priority is given to achieving the best outcomes for the municipal community, including future generations (section 9(b) of the LGA2020);
- the municipal community is engaged in strategic planning and strategic decision making – many advisory committees and reference groups have community members as participants (section 9(d) of the LGA2020);
- innovation and continuous improvement is pursued (section 9(e) of the LGA2020);
- collaboration with other councils, governments and statutory bodies is sought – many advisory committees and reference groups have representatives attending from these organisations (section 9(f) of the LGA2020);
- the ongoing financial viability of Council is ensured (section 9(g) of the LGA2020);
- regional, state and national plans and policies are taken into account in strategic planning and decision making – diverse representation within these groups ensures this occurs (section 9(h) of the LGA2020); and
- the transparency of Council decisions, actions and information is ensured by this regular reporting mechanism (section 9(i) of the LGA2020).

7. 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.

8. 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.

4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 5 October 2021 (Cont.)

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.

9. 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.

10. Recommendation

That Council notes the draft Minutes of meeting for the Springvale Community Hub Committee as provided in Attachment 1 to this report.

4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 5 October 2021 (Cont.)

OTHER

**DRAFT MINUTES OF SPRINGVALE COMMUNITY HUB
COMMITTEE MEETING**

ATTACHMENT 1

**SPRINGVALE COMMUNITY HUB
COMMITTEE ON 5 OCTOBER 2021**

PAGES 3 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 5 October 2021 (Cont.)

Advisory Committee or Reference Group Name: *Springvale Community Hub Committee*

Date of Meeting: *5 October 2021*

Time of Meeting: *5.30pm – 7pm*

Meeting Location: *Online -Microsoft Teams*

Attendees:

Dani Holl (DH) (Chair), Anna Leticia Demuth (AD), Lissette Brearley (LB), Mmaskepe Sejoie (MS), Melanie Virtue (MV), Director of Community Services (City of Greater Dandenong [CGD]), Community Precincts Strategic Operations Coordinator (CGD), and Community Development Officer (CGD). Guest presenters: Library Services Senior Coordinator (CGD) and Library Programs and Learning Coordinator (CGD).

Apologies:

Cr Loi Truong, Cr Richard Lim, Heather Duggan, Chris Keys, Sarita Kulkarni, Vivienne Fernandes

Minutes:

Community Development Officer (CGD)

Item No.	Item	Action	Action by
1.	Welcome and Apologies The Chair acknowledged the Traditional Owners of the Land, welcomed attendees, and noted the apologies.		
2.	Endorsement of Minutes of Previous Meeting Committee endorsed the previous meeting minutes.		
3.	Review of Committee strategic workshops The Chair gave a review of the Committee strategic workshops and invited members to provide feedback. The Chair noted that the workshops were well-regarded and progressive, and noted the following outputs from the workshops: (a) Committee Governance Rules and Communication Protocols (b) Template reporting format for information and updates to the Committee; (c) Structured agenda allowing for consideration of current issues affecting the Hub and opportunities for Committee members to provide community information to Council. The Chair noted the above documents were a key starting point and would be continually developed over time as the Committee progresses.	Complete development of Governance Rules and Communication.	All

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

ORDINARY COUNCIL MEETING - AGENDA

4.3.2 Draft Minutes of Springvale Community Hub Committee Meeting - 5 October 2021 (Cont.)

4.	Springvale Community Hub report review Council officers provided a report on activities and usage of the Springvale Community Hub (SCH). Feedback was sought. Members requested additional information.	Updated report template at next meeting	Community Precincts Strategic Operations Coordinator (CGD), and Community Development Officer (CGD)
5.	Springvale Community Hub Action Plan update Council officers provided an update on selected actions in the Springvale Community Hub Strategic Plan. Members requested information on actions impacted by COVID	Update report template at next meeting	Community Precincts Strategic Operations Coordinator (CGD), and Community Development Officer (CGD)
6.	City of Greater Dandenong Library Services CGD Library Services provided an update on their services and programs and how they have adapted to the current situation. Members provided ideas for future programs and services for Libraries to consider.		
7	Current events effecting SCH – COVID-19 Impacts The members had a discussion on how COVID has affected SCH and the community. Members were asked: <ul style="list-style-type: none"> - Are there areas of the community that are not being reached by the public health messaging? And, how do we get information to those groups? - Where is there a gap in information for the community? Feedback was provided and the option to provide feedback confidentially was offered.		
8	Community Voice – emerging issues A member (LB) raised a barrier to accessing the SCH for grass roots, non-incorporated groups A member (MV) has seen an increase of community need for Justice of the Peace service. Request to be notified as soon as the service as recommenced at SCH.	Table discussion for next meeting. Including fee rational	Community Development Officer (CGD)
Next meeting date: 30 November 2021			

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

4.3.3 2021 Community Support Grants Program - Round 2

File Id:	A8128114
Responsible Officer:	Director Community Services
Attachments:	Arts Festivals and Events Grants – Round Two Community Development Grants – Round Two

1. Report Summary

Council offers fit-for-purpose funding programs to support community-led responses to emerging needs and facilitate community inclusion, place activation and broad participation.

This report outlines the assessment of applications submitted to two grant categories under the 2021 Community Support Grants Program:

- Arts, Festivals and Events Grants – Round Two
- Community Development Grants – Round Two.

All applications have been checked for eligibility by Council Officers and assessed by an independent Community Grants Assessment Panel. The Panel recommendations are presented in this report.

2. Recommendation Summary

This report recommends that Council endorses the recommendations for Community Support Grants as outlined in the Attachments to this report.

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

3. Background and Discussion

The Community Support Grants Program policy contains two grant categories:

1. Arts, Festivals and Events Grants
2. Community Development Grants.

Under the program there are two funding rounds per annum. This report considers Round Two applications.

3.1 Eligibility Checks

Applications made to the Community Support Grants Program undergo an eligibility check by Council officers to ensure that applicants are incorporated non-profit organisations (unless auspiced) are meeting key compliance requirements of Consumer Affairs Victoria, and have met past grant acquittal reporting requirements of Council.

Applications deemed eligible are progressed for assessment. Ineligible applications do not progress and officers will advise applicants of this outcome upon endorsement of this report.

3.2 Community Grants Assessment Panels

Community Grants Assessment Panels include councillors nominated at the Annual Statutory Meeting of 19 November 2020, community representatives who submitted expressions of interest for a two-year period on 15 March 2020, and Council officers with broad experience and diverse knowledge.

Panel members are governed by a Terms of Reference and a signed Code of Conduct. Each member completed an induction process and throughout the training and assessment process were supported by Council officers.

For each grant category eight individual panel members were tasked to complete an initial online assessment. These assessment scores were then consolidated and presented to a scheduled panel meeting for qualitative discussion and final recommendations.

3.3 Round Two of the 2021 Community Support Grants

Round Two of the 2021 Community Support Grants was opened online on 5 July and closed 9 August 2021.

The round was highly promoted via electronic and printed material, through Council networks and social media. Unsuccessful applicants from Round One of the 2021 Community Support Grants were directly contacted and offered support to develop applications.

The Victorian Government declared a five-day snap lockdown on 16 July which was then extended to 27 July. Restrictions then eased to 5 August when the state entered back into lockdown. Due to the COVID-safety and lockdown requirements grant information and writing workshops were provided via online platforms. Applicants also had opportunity for remote support from officers to assist them develop grant applications.

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

3.4 Arts, Festivals and Events Grants

This grant category offers single year grants of up to \$10,000 to support projects that promote community connection, cross cultural exchange appreciation of cultural diversity. Individual artists may apply for funding of up to \$5,000 for projects with high artistic merit that attract new audiences, are accessible and inclusive, and activate public spaces.

A total of 22 applications were submitted to the Arts, Festivals and Events Grants category. One application was withdrawn by the applicant.

This left a total of 21 applications to be assessed seeking total funding of \$142,541.

The Community Grants Assessment Panel members individually assessed applications online between 21 September – 5 October. The Panel convened on 7 October to qualitatively discuss the consolidated applications and make final recommendations. Following this it is recommended that 14 applications be funded a total of \$75,230.

A list of all applications recommended for funding through the Arts, Festivals and Events category is provided in Attachment One.

3.5 Community Development Grants

This grant category offers single year grants of up to \$10,000 to support projects that build community capacity, foster social inclusion, community harmony and participation.

A total of 51 applications were submitted to the Community Development category. Two applications were ruled ineligible and one application was withdrawn by the applicant.

This left a total of 48 applications to be assessed seeking total funding of \$342,007.

The Community Grants Assessment Panel members individually assessed applications online between 23 September – 11 October. The Panel convened on 13 October to qualitatively discuss the consolidated applications and make final recommendations. Following this it is recommended that 22 applications be funded a total of \$123,790.

A list of all applications recommended for funding through the Community Development category is provided in Attachment Two.

3.6 Support for Unsuccessful Applicants

All unsuccessful applicants will be contacted by officers and offered feedback and assistance to support them submit an application to the 2022 Community Support Grants Round One.

This round is scheduled to open for applications in February and close in March 2022.

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

3.7 Grant Acquittal Reports

Grant recipients are required to submit a grant acquittal report within one month of the project being completed. The report will include a description of the activities delivered and outcomes achieved by the grant recipient, and detail on how the funds were spent.

4. Proposal

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

- Attachment 1 – Arts, Festivals and Events Grants – Round Two
- Attachment 2 – Community Development Grants – Round Two.

For the 2021 Arts, Festivals and Events Grant Round Two there are 14 applications recommended for funding as listed in Attachment One.

For the 2021 Community Development Grant Round Two there are 22 applications recommended for funding as listed in Attachment Two.

5. Financial Implications

The financial implications associated with this report are a one-off cost of \$199,020 with no ongoing costs in future year budgets. A total of \$21,500 was expended from this program for Round One of the Community Support Grants in the 2021/22 financial year.

The Community Support Grants Program has a Budget of \$269,088 for the 2021/22 financial year.

With no further rounds for the 2021/22 financial year, \$48,568 remains unallocated.

6. Consultation

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

Officers conducted extensive eligibility checks of applications including compliance documentation, financial reports, past grants acquittal history and other matters where relevant.

All eligible applications were assessed by Community Grants Assessment Panels. Panels included councillors nominated at the Annual Statutory Meeting of 19 November 2020, community representatives who submitted expressions of interest, and council officers with broad experience and diverse knowledge.

Community Grants Assessment Panels' recommendation of eligible applications for funding are presented for endorsement.

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

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*
- *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*
- *Travel and Transport – Easy to get around*

Opportunity

- *Education, Learning and Information – Knowledge*
- *Tourism and visitors – Diverse and interesting experiences*
- *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:

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*

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)**9. The Overarching Governance Principles of the *Local Government Act 2020***

Applications to both categories of the Community Support Grants were assessed by an independent Community Grants Assessment Panel including councillors nominated at the Annual Statutory Meeting of 19 November 2020, community representatives and council officers with broad experience and diverse knowledge.

Panel members assess grants against specific criteria for each grant category as listed in the grand guidelines. These criteria ensure grants align with Council's Community Vision and Council Plan. Qualitative discussion of applications ensured that Council funds are prudently allocated to deliver responsive outcomes at good value for the community.

The assessment process ensures that grants are assessed in compliance with overarching governance principles of the *Local Government Act 2020*.

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 but is not relevant to its contents.

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 Community Support Grants Program aims to promote access and inclusion of individuals or groups that may experience exclusion, including because of their gender. To deliver this outcomes gender equality and promoting diversity, access and equity is embedded in every stage of the program.

The grant application directly asks applicants to advise if the project will include people of all genders, cultural backgrounds and abilities in their project, and if so, how.

The grant assessment criteria explicitly includes criteria on whether the application specifically targets groups who may be at risk of experiencing exclusion.

Grant Assessment Panels are formed with an aim to represent the diversity of the community.

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.

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

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.

The Community Support Grants Program explicitly encourages submission of applications that achieve environmental and sustainability outcomes.

13. Related Council Policies, Strategies or Frameworks

The strategies and plans that contribute to the grant recommendations in this report include:

- Council Plan 2017-21
- Community Wellbeing Plan 2017-21
- Imagine 2030 Community Plan
- Children’s Plan 2021-26.
- Disability Policy 2017-21 and Action Plan
- Community Safety Plan 2015-22
- Greater Dandenong People Seeking Asylum and Refugee Action Plan 2018-21
- Make Your Move Physical Activity Strategy 2020-2030
- Reconciliation Action Plan 2017-19
- Youth Strategy 2016-19.

The related Council policies that contribute to the grant recommendations in this report include:

- Community Support Grants Program Policy
- Community Engagement Policy and Framework 2021-25
- Diversity, Access and Equity Policy 2021-25.

14. Conclusion

This report recommends funding of the 2021 Community Support Grants Program – Round Two.

These recommendations are presented to Council for endorsement.

15. Recommendation

That Council endorses the recommendations as detailed in:

1. **Arts Festivals and Events Grants – Round Two as provided in Attachment 1 to this report; and**

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

- 2. Community Development Grants – Round Two as provided in Attachment 2 to this report.**

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

OTHER

COMMUNITY SUPPORT GRANTS PROGRAM – ROUND 2

ATTACHMENT 1

**ARTS FESTIVALS AND EVENTS GRANTS –
ROUND TWO**

PAGES 2 (including cover)

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

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

Arts, Festivals and Events Grants – Round 2

Organisation	Project Title	Amount (\$)
Afghan Australia Philanthropic Association Inc.	Afghan New Year 2022	\$ 5,000
Casey Tamil Manram Inc.	The Tamil Festival	\$ 7,000
Dandenong West Primary School	Dandenong West Art Precinct	\$ 5,000
Fijian Community Association Victoria Inc.	Victoria Tauvu Festival	\$ 5,311
Melbourne 7-Melody Notes Inc.	2022 Chinese Tiger New Year Festival (online)	\$ 2,880
Miss Kuichiang Kuiy	NEWPRINT: SEVO Sessions (South East's Very Own Sessions)	\$ 4,923
Moru Community of Victoria Inc.	Muro Traditional and Cultural Day.	\$ 4,031
Mr Craig Dent	The Future Wild	\$ 5,000
Mr Phoenix Chung	The Area Collective Presents - Inner Style Intensives	\$ 3,750
Ms Natasha Brennfleck	Expanded Interpretive Drawing (Working Title)	\$ 5,000
Polish Community Council Of Victoria Inc.	Seniors Re-Ablement Picnic	\$ 3,835
Somaliland Union Of Victoria Inc.	Indoor Soccer Tournament and EID Festival	\$ 5,000
Springvale Mandarin Network Inc.	Dream of the Red Mansions Theme Music Festival	\$ 10,000
Vietnamese Community In Australia - Victoria Chapter Inc.	Vietnamese Community Re-engagement Concert	\$ 8,500
	Total	\$ 75,230

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

OTHER

COMMUNITY SUPPORT GRANTS PROGRAM – ROUND 2

ATTACHMENT 2

**COMMUNITY DEVELOPMENT GRANTS –
ROUND TWO**

PAGES 3 (including cover)

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

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

Community Development Grants – Round 2

Organisation	Project Title	Amount (\$)
Afghan Women's Organisation in Victoria Inc.	Afghan Senior Women's Programme 2022	3,863
Afri-Aus Care Inc.	Ubuntu Youth Mentoring	5,000
Arabic Women Seniors Group Inc.	Age is not a Barrier	4,280
Australia Ceylon Fellowship Inc.	Project Community Interaction	5,000
Concern Australia Welfare Inc.	CREWY - Building positive memories that last a lifetime	5,000
Cornerstone Contact Centre Inc.	From Garden to Plate: Enriching and Growing Community	10,000
Dandenong District Cricket Association	Junior boys and girls cricket training support	5,000
Dandenong Low Vision Group	Annual Outings for people have low vision	984
Doveton Special Soccer School Inc.	All Abilities Friendship Day 2022	6,029
Friends of Refugees Inc.	A friendly therapeutic space for people seeking asylum	4,867
Jesuit Social Services Limited	Being prepared for a changing climate in Dandenong	9,980
Lions Club of Dandenong Inc.	SENIORS CHRISTMAS OUTING	1,200
Southern Migrant and Refugee Centre Inc.	Refugee, People Seeking Asylum & CALD Community Suicide Prevention Initiative	10,000
Springvale & District Historical Society Inc.	The stories of the CGD Reserves	2,980
Springvale Neighbourhood House Inc.	Springvale & North Dandenong Women's Friendship Cafes	9,208
St Martin's Youth Arts Centre	Dandenong Outreach Program 2022	7,500
Te Wero Ki Poipiripi	Te Wero Ki Poipiripi (The Challenge in Melbourne)	9,930
The Men's Table Limited	Healthy Men, Healthy Masculinities, Healthy	5,000

ORDINARY COUNCIL MEETING - AGENDA

4.3.3 2021 Community Support Grants Program - Round 2 (Cont.)

	Communities in Greater Dandenong	
Vic Vipers Futsal Club Inc.	VIC FUTSAL CUP - Futsal tournament for all.	2,969
Victorian Masters Athletics Inc.	Run Safely Tonight	2,000
Wellsprings for Women Inc.	Parenting Support and Education for Refugee Mothers	8,000
Windana Drug and Alcohol Recovery Limited	Art Therapy Open Studio	5,000
	Total	123,790

4.3.4 New Art Gallery Name

File Id:	A8142921
Responsible Officer:	Director Community Services
Attachments:	Gallery Naming Submissions De-identified

1. Report Summary

At its ordinary Meeting on 12 July 2021, Council endorsed 'in principle' the proposed name for the new gallery in central Dandenong as 'Dandenong New Art' (DNA). Council officers have progressed the naming process which has included a 30-day public consultation period promoted through a range of avenues.

This report outlines consultation undertaken, notes and contextualises feedback received, and seeks formal endorsement of the proposed name in order to register and gazette the name with the Office of Geographic Names and continue to prepare branding and signage in a timely manner for the opening of the new gallery.

2. Recommendation Summary

This report recommends that Council:

- Notes consultation methodologies, broader context and feedback received
- Formally endorses the name 'Dandenong New Art' (DNA) for the new gallery in central Dandenong
- Approves council officers to progress the registration of the name with the Office of Geographic Name

4.3.4 New Art Gallery Name (Cont.)

3. Background and Discussion

At its ordinary Meeting on 12 July 2021, Council resolved the following:

1. Council endorses, “in principle”, the proposed name for the new gallery in central Dandenong as ‘Dandenong New Art’ (DNA);
2. Council officers commence the statutory processes required under the Naming Rules for Places in Victoria and Council policy; and
3. a further report be presented to Council for formal endorsement of a name for the new gallery after the required public consultation has been undertaken.

In accordance with Victorian Statutory Requirements for Naming Roads, Features and Localities – 2016, a required minimum 30-day consultation period is to take place for any proposed names before being lodged with the Office of Geographic Names to be formally gazetted.

Following Council’s in principle endorsement of the name ‘Dandenong New Art’ (DNA), the required community consultation took place from 16 August – 14 September. The opportunity was promoted via a range of communication channels which are outlined in the ‘consultation’ section below.

In total, 32 submissions were received. This is in addition to prior consultation with council’s Arts Advisory Board (AAB), who were unanimously in favour of the proposed name, and Council’s in principle support of the name. The 32 submissions received during this consultation period were categorised as ‘in favour’ of the proposed name, ‘against’ the proposed name and ‘other’ (which mainly consisted of suggestions of alternative naming options).

Categorisation	Number of Submission
In favour	5
Other	12
Against	15

It is important to note that many people who did not take issue with the proposed name may not have chosen to respond directly to the consultation opportunity, as this is consistent with other consultation experiences. When placed into this context, and considering the reach of consultation methodologies and previous consultation with the AAB (5 members), it can be estimated that less than 0.25% of those offered the opportunity to provide feedback have communicated that they are not in favour of the proposed name.

4. Proposal

In consideration of the consultation undertaken to date, the broad reach of methodologies promoting the consultation process, and the resulting submissions, it is proposed that the name *Dandenong New Art (DNA)* be formally endorsed and the process of registration with the Office of Geographic Names be progressed, and relevant branding and signage be prepared in the lead up to the opening of the new gallery.

4.3.4 New Art Gallery Name (Cont.)

5. Financial Implications

There are no financial implications associated with this report, as signage costs are budgeted within the capital works for the facility.

6. Consultation

Consultation is a key component in the process of naming features and localities. The consultation process undertaken meets the Victorian Statutory Requirements for Naming Roads, Features and Localities - 2016, including the required minimum 30-day consultation period.

In addition, before the 30-day consultation period took place, the Arts Advisory Board (5 members) reviewed and endorsed the proposed name, as did Council.

Following Council's in principle endorsement of the name 'Dandenong New Art' (DNA), the required 30-day consultation took place from 16 August – 14 September. To promote this consultation opportunity, officers undertook the following:

- 10,500 letters sent to traders and residents in the Dandenong Ward
- Promotion of the consultation opportunity shared on Council's website
- Promotion of the opportunity posted on Council's organisational and Arts specific social media accounts
- Media release printed in local newspaper
- Public notice advertisement printed in local newspaper.

Unfortunately, due to the timing of the consultation and broader Victorian COVID-19 lockdown restrictions in effect at that time, it was not possible to share the consultation opportunity at any of the physical customer service 'Have your Say' stands.

In total, 32 submission were received across the following methodologies. Whilst Facebook was not a formal submission methodology, it has been included for reference:

Methodology	Number of Submissions
Online form submission	22
Facebook comments (on consultation opportunity post)	4 (+ 2 comments not directly related to feedback)
Email	5
Phone	1
TOTAL	32 (+2 not directly related)

4.3.4 New Art Gallery Name (Cont.)

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*

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*
- *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:

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

- *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.

These principles have been considered and are covered within this report.

4.3.4 New Art Gallery Name (Cont.)

10. Victorian Charter of Human Rights and Responsibilities

Council, Councillors and members of Council staff are a public authority under the *Charter of Human Rights and Responsibilities Act 2006* and, as such, are all responsible to act in accordance with the *Victorian Charter of Human Rights and Responsibilities 2006* (the Charter).

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

- Section 14 – Right to freedom of thought, conscience, religion and belief;
- Section 15 – Right to freedom of expression;
- Section 18 – Right to have the opportunity to take part in public life and to vote;

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 content and topic of this report is purely administrative in nature and does not benefit any one gender group over any other.

12. Consideration of Climate Change and Sustainability

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 as it is purely administrative in nature.

13. Related Council Policies, Strategies or Frameworks

- Create and Connect: Arts and Cultural Heritage Strategy
- Activity Centres Placemaking Framework

14. Conclusion

Consultation on the proposed name for the new gallery in central Dandenong occurred in line with the required 30-day timeframe. In lead up to this consultation period, the name of *Dandenong New Art (DNA)* was endorsed by council's Arts Advisory Board and endorsed by Council in principle.

During the consultation period a range of methodologies were used to promote the opportunity to the community – including direct mailouts to 10,500 residents and traders, online, social and print media. As a result, 32 submissions were received.

When considering the context of the promotional reach of the consultation opportunity, submissions received, previous endorsement by both the Arts Advisory Board and (in principle) Council, the numbers between those clearly 'for' and those clearly 'against' the proposed name are very close.

4.3.4 New Art Gallery Name (Cont.)

As such, it is proposed that the name *Dandenong New Art (DNA)* be formally endorsed, the registration process of the name with the Office of Geographic Names be progressed, and the appropriate branding and signage be pursued in a timely manner for the opening of the new gallery.

15. Recommendation

That Council:

- 1. Notes the consultation methodologies, broader context and feedback received;**
- 2. Formally endorses the name 'Dandenong New Art' (DNA) for the new gallery in central Dandenong; and**
- 3. Approves council officers to progress the registration of the name with the Office of Geographic Names.**

4.3.4 New Art Gallery Name (Cont.)

OTHER

NEW ART GALLERY NAME

ATTACHMENT 1

NAMING SUBMISSIONS DEIDENTIFIED

PAGES 7 (including cover)

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

ORDINARY COUNCIL MEETING - AGENDA

4.3.4 New Art Gallery Name (Cont.)

Submission type	Entry Date	Post Code	What is your submission?	In Favour / Against Name & Other comments
Online form 103427	18/08/2021	3175	Love and support DNA, a title signifying the beauty and uniqueness of our diverse city. Looking forward to the outcome.	In favour
Online form 103537	19/08/2021		Good name	In favour
Telephone	23/08/2021	3175	A resident, rang to say that he really likes the new name DNA for the Masonic hall art gallery and just wants to pass the message to you.	In favour
Online form 104374	03/09/2021	3175	I love the name, keep it. DNA implies that it is something that has the potential to develop & grow.	In favour
Email received	06/09/2021		Thank you for your notice on the above in reference to the Arts precinct at 5 Mason St Dandenong. I feel that the council's endorsed name has been chosen to highlight the initials DNA which reflects the fabric and pulse of Artistic creations. In line with your thinking I would like to suggest "Dandenong New-Age Artistry". "New-Age Artistry" to encompass the modern medium of digital imagining in combination with traditional art styles. Wishing you success in your endeavours	In favour
Facebook comment	18/08/2021		DART - Dandenong Art R..... Theatre It's a work in progress	Other Comments
Facebook comment	18/08/2021		I will do proper feedback as requested but wanted to also share an important point on social media. Having studied nomenclature at graduate level, my advice to all is to never, ever, ever name something NEW. Things are new for five minutes and then what? It's meaningless; please don't do it.	Other Comments (note: formal submission also received by same person)
Facebook comment	18/08/2021		I hope rate payers who will fund this get to know of this if they aren't on social media platforms.	Other Comments

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

4.3.4 New Art Gallery Name (Cont.)

Submission type	Entry Date	Post Code	What is your submission?	In Favour / Against Name & Other comments
Online form 103484	18/08/2021		Dandenong Art Now	Other Comments
Online form 103486	18/08/2021	3150	Dandenong gallery or art and innovation	Other Comments
Online form 103540	19/08/2021	3199	NongCon	Other Comments
Online form 103541	19/08/2021	6051	Yes, it's cute that Dandenong New Art gives us the abbreviation of DNA. However, having studied nomenclature at graduate level, my advice to all is to never, ever, ever name something NEW. Things are new for five minutes and then what? It's meaningless; please don't do it. The simplest name would be Dandenong Art Gallery, but that leaves us with the unfortunate abbreviation of DAG. Let's keep it simple and timeless - Art Gallery of Dandenong. Thanks for the opportunity to provide my submission	Other Comments
Email received	20/08/2021		Hi I would like to suggest 3 names for our new art gallery: 1. Multicultural Dandenong Art Gallery (MDAG) 2. Greater Dandenong Art Gallery (GDAG) 3. Art Gallery of Greater Dandenong (AGGD) Hope you like these names, and I am very excited and looking forward to see another beautiful building in our city	Other Comments
Online form 103606	20/08/2021	3175	I do strongly believe in history of our city of Dandenong.. To name the new art gallery it would be in my taste is.. Masonic Mason History Art of Dandenong.	Other Comments
Email received	22/08/2021		Hi - This is my naming proposal - Warterelsa	Other Comments

ORDINARY COUNCIL MEETING - AGENDA

4.3.4 New Art Gallery Name (Cont.)

Submission type	Entry Date	Post Code	What is your submission?	In Favour / Against Name & Other comments
Online form 103624	21/08/2021	3175	<p>i like the name that has been proposed for the new gallery "Dandenong new art" or DNA for short however, i feel that the name is somewhat restrictive to the local area or city of dandenong. i believe to achieve wider appeal and interest from further afield that perhaps a name offering wider appeal and interest could be used. I would propose a name such as " Great Southern Art" or GSA Dandenong.</p> <p>A name such as this may appeal to a greater geographical / regional area and as such may add more commercial appeal across melbourne or from interstate and perhaps even international arrivals if the intent is to only appeal locally then perhaps its not so important Regards Leon</p>	Other Comments
Online form 103715	23/08/2021	3175	Hello All, I would like to recommend the name of "Dandenong Diverse Nations Art " as new name for the gallery. This would suit and represent the character of the council 's residents and artists.	Other Comments
Online form 103788	24/08/2021	3175	Tanjenong : The correct name for Dandenong.	Other Comments
Online form 103846	25/08/2021	3175	<p>Harmony Art - HART</p> <p>The new regional art centre located in the 'HART' of central Dandenong, situated along the corridor connecting not only Harmony Square but Lonsdale street (our Main Street), and the station.</p> <p>This historic building will be the 'HART' of Dandenongs arts precinct, facilities and galleries, linking the Walker Street Gallery and Arts Centre and Heritage Hill Museum and Historic Gardens.</p>	Other Comments
Facebook comment	18/08/2021		Do not like the name. Like the project	Against
Facebook comment	18/08/2021		New Art? How BLAND!	Against
Facebook comment	18/08/2021		DNA is an awful name for a building that so much has been spent on restoring it so it will be a state of the art facility. "New Art "what does that even mean it resonates with NOTHING.	Against

ORDINARY COUNCIL MEETING - AGENDA

4.3.4 New Art Gallery Name (Cont.)

Submission type	Entry Date	Post Code	What is your submission?	In Favour / Against Name & Other comments
Online form 103460	18/08/2021	3171	It should keep the Mansonic name as "The Mansonic Gallery" or "The Manson Gallery" for more easier to remember.	Against
Email received	20/08/2021		I must admit the renaming the Art Gallery to the suggestion of Dandenong New Art , colloquially to be known as: "DNA" is extremely misleading. Everyone would know what it would mean if it was simply called: Dandenong Arts Cultural Centre, colloquially to be known as: "DACC".	Against
Online form 103565	20/08/2021	3175	Unfortunately, new art, new age, new product, new packaging, new, new new, is so overdone in our very commercial world that Dandenong New Art sounds like a sign writing company or a tattooist. New does not mean better or innovative, wondrous or creative - isn't that what art and art galleries are all about? New is overused, time-bound and trite. If you want to tell people that the building is newly refurbished as a gallery, that is a different concept to the art being new and 'newness' is a limited factor in art and architecture. As for the DNA thing, have you considered that most people, due to television and films, associate DNA with crime investigation especially murder? For most people, DNA would have a more negative than positive connotation. As cute as some person may think DNA is, it is open to all sorts of negative quips and jokes. Imagine the opening press review - Dandenong's new art gallery, DNA, died a terrible death last night with it's origins yet to be identified and its remains being picked over by ... Considering Dandenong's multicultural profile wouldn't something like the Endless Palette Art Gallery, Stories Art Gallery or Head to Hand Gallery - be better? Anything that doesn't sound like a new brand of dog food would be an improvement.	Against
Online form 103572	20/08/2021	3175	I do not believe the new name chosen to the new art gallery is not suitable for the landmark. As the building has historical presence and referring it to has 'Dandenong New Art' does not seem suitable. Thank You	Against

4.3.4 New Art Gallery Name (Cont.)

Submission type	Entry Date	Post Code	What is your submission?	In Favour / Against Name & Other comments
Online form 103629	21/08/2021	3175	Dandenong New Art is too boring, missed opportunity to go for something creative; DA's office - Dandenong Arts Office DSA - Dandenong Studio/Salon/Showroom of Arts NASDAQ - New Australian Showroom of Dandenong Arts (O) ;Q can stand for anything, like how anything can be contemporary art. I just haven't thought of a good word. DND - Dandenong New Designs Can't think of anymore at the moment but anything would be better than Dandenong New Art, who suggested that even, boring, conservative and no culture embedded at all. Clearly not someone who's part of the Arts culture for sure.	Against
Online form 103709	23/08/2021	3175	DNA is not so catchy and emotion-capturing. Not appealing to the younger audience too. Suggestion: could be a part of the visual system from eye to the brain like maybe "The Retina" or occipital lobe (in artistic/trendy form). Just a suggestion.	Against
Online form 103724	24/08/2021	3164	I find "DNA" in part offensive. Google Search : DNA or deoxyribonucleic acid is a long molecule that contains our unique genetic code. Like a recipe book it holds the instructions for making all the proteins in our bodies. Your genome? is made of a chemical called deoxyribonucleic acid, or DNA for short. DNA is used in crime analysis DNA is a complex issue with many legal implications DNA is used in courts over custody, rape, assault, family law, adoption, incest etc. Maybe also consider the name "Dandenong New Art" New Art Does that mean Indigenous and classical old art are excluded What is NEW ART? I Object to DNA being used for an Art Gallery Too many implications and people upset	Against
Email received	25/08/2021		This is the worst name that could be chosen for the Art Gallery at 5 Mason St Dandenong. I don't think you understand what is going on in the World at the moment regarding Freemasons and their desire to change the DNA of common people with a Gene altering therapy. I suggest you come up with a common sense name such as Dandenong Art Gallery and drop the "N". Otherwise Dandenong Rate payers will think that Dandenong Councilors are influenced greatly by the Freemasons Cult which will not be looked upon favourably in years to come.	Against

ORDINARY COUNCIL MEETING - AGENDA

4.3.4 New Art Gallery Name (Cont.)

Submission type	Entry Date	Post Code	What is your submission?	In Favour / Against Name & Other comments
Online form 104162	31/08/2021	3175	My submission for a name for the art gallery would be either Dandenong New Art Gallery or Dandenong New Art Centre. This is due to two reasons: 1. "Dandenong New Art" appears to be incomplete. Visitors to Dandenong may not assume that it is an art gallery 2. Most of the famous art places in Australia and overseas almost always have Gallery or Centre after its name and I think we should follow suit	Against
Online form 104179	31/08/2021	3175	I am so excited about this new gallery and I cannot wait for the launch, however the name seems a little lacklustre and unimaginative for what it's aiming to become. DNA is definitely catchy but using the word "new" in the title is too basic. Think of all the main galleries in Victoria: - National Gallery of Victoria - Australia Centre for Contemporary Art - Heidi Museum of Modern Art I understand that the space won't be anywhere close to the above galleries, but considering the type of art you'll be showcasing and the kind of artists you will be representing, perhaps Dandenong Modern Art (DMA) or Dandenong Contemporary Art (DCA) would be more suitable? Even Dandenong Modern Art Gallery (DMAG) - in this scenario I feel people would start calling it D-MAG). Happy to discuss further via phone if required.	Against
Online form 104666	09/09/2021	3175	I don't like the proposed name as it refers only to new art. The name should encompass all art so my suggestion is The "Mason St Art Gallery". It could be known as MSAG. By referring the street name it allows visitors to know where to find the building.	Against
Online form 104667	09/09/2021	3175	I object to the name (DNA) as it is a reminder of genetic make up. My preference is either 1. Dandenong Art Precinct or 2. Dandenong Art Centre	Against

4.3.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 11, 18 & 25 October 2021

File Id: fA25545

Responsible Officer: Manager Governance

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 October 2021.

2. Recommendation Summary

This report recommends that the information contained within it be received and noted.

4.3.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 11, 18 & 25 October 2021 (Cont.)

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 October 2021.

4. Matters Presented for Discussion

Item		Councillor Briefing Session/Pre-Council Meeting
1	<p>General Discussion</p> <p>Councillors and Council officers briefly discussed the following items:</p> <ul style="list-style-type: none"> a) Current COVID-19 status. b) Workcover/MAV Insurance status. c) COVID Response Grants Program guidelines. d) Agenda items for the Council Meeting of 11 October 2021. 	11 October 2021
2	<p>Revitalising Central Dandenong Foster Street Precinct Master Plan Update</p> <p>Councillors were updated on the project and provided with details about the proposed Masterplan, proposed community engagement process and intended next steps. Councillors were given an opportunity to ask questions about the project directly to Development Victoria and Capital Alliance.</p>	18 October 2021
3	<p>Regional Land Use Framework Plan</p> <p>Councillors were briefed on the Plan Melbourne 2017-2050 Draft Southern Metro Land Use Framework Plan (LUFP) and advised of the consultation program.</p>	18 October 2021

4.3.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 11, 18 & 25 October 2021 (Cont.)

4	A COVID Future Councillors discussed protocols and procedures under Victoria's COVID Roadmap and Chief Health Officer Directions and their effects on opening up Council facilities fully to Councillors, Council staff and members of the community.	18 October 2021
5	General Discussion Councillors and Council officers briefly discussed the following items: a) Current COVID-19 status. b) COVID Response Grant received for material aid. c) Agenda items for the Council Meeting of 25 October 2021.	18 October 2021
6	General Discussion Councillors and Council officers briefly discussed the following items: a) Issues at Number 8 Balmoral Avenue multideck carpark, Springvale b) COVID Relief Update. c) Agenda items for the Council Meeting of 25 October 2021.	25 October 2021

5. Apologies

- Cr Loi Truong submitted an apology for the Pre-Council Meeting on 11 October 2021.
- Cr Lana Formoso and Cr Rhonda Garad submitted apologies for the Pre-Council Meeting on 25 October 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

4.3.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 11, 18 & 25 October 2021 (Cont.)

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* (LGA2020) 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.

4.3.5 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings - 11, 18 & 25 October 2021 (Cont.)

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 the information contained in this report be received and noted.

4.3.6 List of Registered Correspondence to Mayor and Councillors

File Id:	qA283304
Responsible Officer:	Manager Governance
Attachments:	Correspondence Received 18 October – 5 November 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 18 October – 5 November 2021.

Recommendation

That the listed items provided in Attachment 1 for the period 18 October – 5 November 2021 be received and noted.

4.3.6 List of Registered Correspondence to Mayor and Councillors (Cont.)

OTHER

**LIST OF REGISTERED CORRESPONDENCE TO
MAYOR AND COUNCILLORS**

ATTACHMENT 1

**CORRESPONDENCE RECEIVED
18 OCTOBER – 5 NOVEMBER 2021**

PAGES 3 (including cover)

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

4.3.6 List of Registered Correspondence to Mayor and Councillors (Cont.)

Objective

CONNECTED COLLABORATIVE COMMUNITY

Correspondences addressed to the Mayor and Councillors received between 18/10/21 & 05/11/21 - for officer action - total = 0

Correspondence Name

Correspondence
Dated

Date Record Created

Objective ID

User Assigned

No correspondence received for this period.

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

ORDINARY COUNCIL MEETING - AGENDA

4.3.6 List of Registered Correspondence to Mayor and Councillors (Cont.)**Objective**

CONNECTED. COLLABORATIVE. COMMUNITY.

Correspondences addressed to the Mayor and Councillors received between 18/10/21 & 05/11/21 - for information only - total = 5

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Assigned
A letter from the Eastern Region Group of Councils encouraging Council to participation in the 2022 City Nature Challenge.	20-Oct-21	20-Oct-21	A8162506	Mayor & Councillors EA
A letter of response from the Minister for Energy, Environment and Climate Change in regards to Silver Gull (Sea Gull) numbers in Dandenong.	14-Oct-21	25-Oct-21	A8171899	Mayor & Councillors EA
A letter from Humanity First Australia requesting Council to nominate a site in the municipality where it can distribute rations.	24-Oct-21	25-Oct-21	A8173373	Mayor & Councillors EA
Information from Banyule City Council about its inclusive Employment Program.	05-Oct-21	27-Oct-21	A8179557	Mayor & Councillors EA
A request for support from the Net Zero Emissions for National Construction Code Campaign.	01-Nov-21	03-Nov-21	A8196445	Mayor & Councillors EA

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

5 NOTICES OF MOTION

A notice of motion is a notice setting out the text of a motion proposed to be moved at the next relevant meeting. It must be in writing, signed by a Councillor, and be lodged with the Chief Executive Officer in sufficient time for him or her to give each Councillor at least 72 hours notice of such notice.

The guidelines for submitting a notice of motion to a Council meeting are included in the current Governance Rules.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS

The principle purpose of this item in the Council Meeting Agenda is for Councillors to report on their attendance, observations or important matters arising from their liaison or representation with groups for which the Councillor has been formally appointed by Council. In accordance with the documented 'protocol' that applies to either liaisons or representatives, Councillors should raise matters of importance during this item. Other matters may also be reported.

If a Councillor chooses to speak, the name of the conference/event and the Councillor will be noted in the Minutes for that meeting. If a Councillor requires additional information on the conference/event to be listed in the Minutes, they must submit it in writing to a Governance staff member by 12.00pm the day following this Council Meeting.

Question time is provided to enable Councillors to address questions to members of Council staff. The guidelines for asking questions at a Council meeting are included in the current Governance Rules.

Councillors have a total of 15 minutes each to report on their attendances at meetings, conferences or events and to ask questions of Council staff.

7 URGENT BUSINESS

No business may be admitted as urgent business unless it:

- a. Relates to or arises out of a matter which has arisen since distribution of the Agenda.
- b. Cannot safely or conveniently be deferred until the next ordinary meeting and unless agreed to by a majority of those Councillors present at the meeting.