



**GREATER  
DANDENONG**  
*City of Opportunity*

# **AGENDA**

## **TUESDAY 11 APRIL 2023**

Commencing at 7:00 PM

### **COUNCIL MEETING**

At the time of printing this Agenda, the Council Meeting to be held on Tuesday 11 April 2023, will be open to the public to attend in person but will be subject to venue seating capacity.

This will be a hybrid meeting consisting of Councillors attending in person and remotely.

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

To view the webcast and stay informed of the status of Council Meetings please visit Council's [website](#).

*The Civic Centre basement carpark will be opened to all members of the public during library opening hours. Any parking in this area will be subject to availability and time limits as notified by any signage posted.*

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

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## **1 MEETING OPENING**

### **1.1 ATTENDANCE**

**Apologies**

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

Council acknowledges the Traditional Owners and Custodians of this land, the Bunurong people and pays our respects to their Elders past, present and emerging while also recognising their deep and continuing connections to climate, culture and country.

We also pay our respect to all Aboriginal and Torres Strait Islander peoples and their Elders and acknowledge their journey.

### **1.3 OFFERING OF PRAYER, REFLECTION OR AFFIRMATION**

As part of Council's commitment to recognising the cultural and spiritual diversity of our community, the prayer, reflection or affirmation this evening will be offered by Venerable Thich Thien Tam from the Buddhist Hoa Nghiem Temple, Springvale South a member of the Greater Dandenong Interfaith Network.

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

Meeting of Council held 27 March 2023.

#### **Recommendation**

**That the minutes of the Meeting of Council held 27 March 2023 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](http://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

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#### **Report Summary**

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

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

#### **Recommendation Summary**

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

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### 2.1.1 Documents for Sealing (Cont.)

#### Item Summary

There are three (3) items being presented to Council's meeting of 11 April 2023 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 *Heritage Act 2017*, the *Infringements Act 2006*, the *Land Acquisition and Compensations 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:
  - Graca Padriack
2. A letter of recognition to Sam Sunn, Community Strengthening for 10 years of service to the Greater Dandenong City Council; and
3. A letter of recognition to Karen Nguyen, Community Strengthening for 20 years of service to the Greater Dandenong City Council.

#### 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

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#### Report Summary

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

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

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

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

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

#### Recommendation Summary

This report recommends that the listed items in Attachment 1, and the current status of each, be received and noted.

### **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 11 April 2023.

***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 6 (including cover)**

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

**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 5235.*

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

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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 5235.*

## 2.3 STATUTORY PLANNING APPLICATIONS

### 2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088)

File Id:	425745
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Assessed Plans

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#### Application Summary

Applicant:	Mr Luyen Le of 2T&D Group Pty Ltd C/o Ratio Consultants
Proposal:	<p>Amendment to planning permit PLA21/0619 (PLN16/0567) which allows for development and use the site for the purposes of a Place of Assembly with an on-premises licence, display business identification signage and reduction in car parking in accordance with the endorsed plans.</p> <p>The amendment seeks to:</p> <ul style="list-style-type: none"><li>• Alter the preamble to allow for a late night on premise licence.</li><li>• Alter conditions and alter endorsed plans to increase the hours of operation and increase patron numbers.</li></ul>
Zone:	Commercial 1 Zone
Overlay:	Design and Development Overlay Schedule 6
Ward:	Springvale Central

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

The application proposes to amend an existing planning permit.

Planning permit (PLA21/0619) PLN16/0567 currently allows for the *development and use of the site for the purposes of a Place of Assembly with an on-premises licence, display of business identification signage and reduction in car parking in accordance with the endorsed plans.*

A permit was required pursuant to:

- Clause 34.01-1 (Commercial 1 Zone) to use land for the purpose of a Place of Assembly.
- Clause 34.01-4 (Commercial 1 Zone) to construct building and works.
- Clause 52.27 (Licensed Premises) to use land to sell or consume liquor.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- Clause 52.05 (Advertising Signs) and Clause 43.02 (Schedule 6 to the Design and Development Overlay) to display business identification signs exceeding 8 square metres and for the display of an above-verandah sign.
- Clause 52.06-3 (Car parking) to reduce the number of car parking spaces required under Clause 52.06-5.

The applicant is now proposing to amend the preamble, amend conditions and amend endorsed plans to increase the hours of operation and increase patron numbers.

**Objectors Summary**

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

**Assessment Summary**

The proposed amendments have been assessed against the relevant provisions of the Greater Dandenong Planning Scheme, including the purpose and intent of the Commercial 1 Zone, the Planning Policy Framework, Local Planning Policy Framework and the particular provisions for car parking and liquor licencing.

While the local policy encourages night-time activity within the Springvale Activity Centre, it is acknowledged that majority of businesses within the centre are currently not late-night activities and all licensed premises are closed by 1am. Council officers find that a small increase in hours should be supported to form a gradual increase as the centre transitions to more night time activity into the future. It is considered that a gradual increase will minimise potential amenity and safety impacts within the Springvale Activity Centre.

This assessment recommends that the permit be amended subject to updated conditions restricting the proposed hours and patron numbers, together with improvements to the Alcohol Management Plan and Patron Management Plan. Subject to these amendments, Council officers find that the proposal would not result in any further unacceptable impact to the safety and amenity of adjoining or surrounding land.

**Recommendation Summary**

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

If the application was to be appealed to VCAT, it is the officer's view that it is highly likely that VCAT would issue a planning permit for this proposal.

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### 2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)

## Subject Site and Surrounds

### Subject Site

The subject site is located on the north side of Balmoral Avenue, approximately 50m west of the intersection with Springvale Road. The site has a frontage of 20.12m, a depth of 25.6m and a site area of 515 square metres.

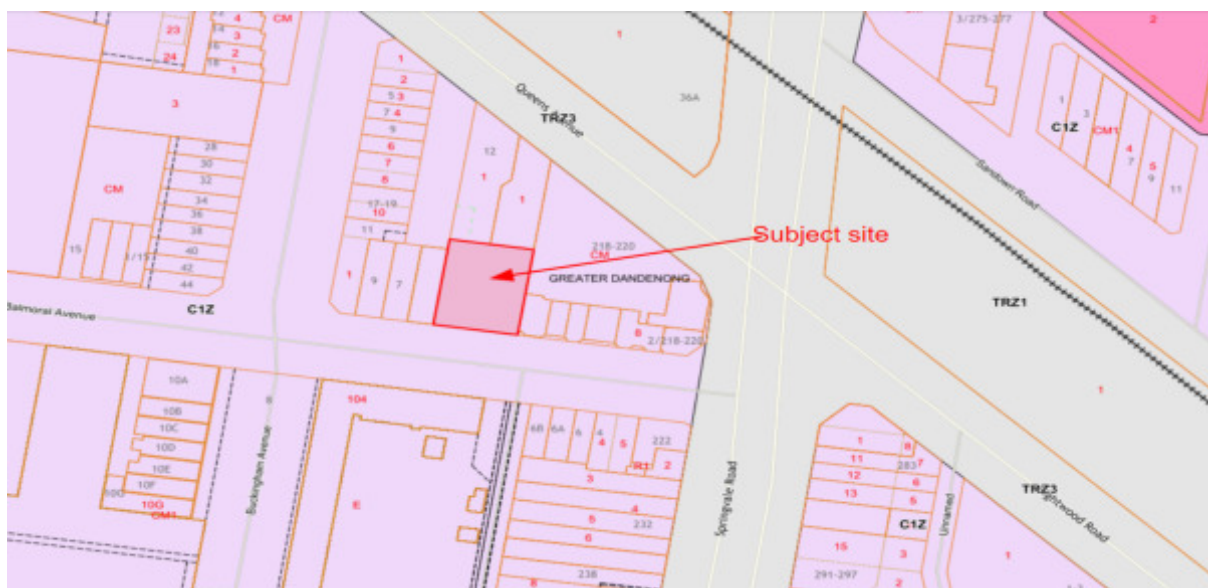
The site contains a double-storey building constructed in 1967. The building is setback approximately 6.5m from the front boundary. There are 6 on-street car parking spaces which partly protrude into the site boundary. A footpath is located between the on-street car parking and the existing building.

The ground level of the existing building contains two (2) shops with one shop occupied by a butcher shop and the other shop is occupied by a restaurant. The first floor is currently used as a Karaoke Bar. Pedestrian access to the first floor is via a stairway from Balmoral Avenue.

### Surrounding Area

The site is located in the Springvale Activity Centre core and is surrounded by retail premises, offices and food and drink premises to the north, east and west. Opposite the site is a multi-storey mixed used development comprising retail uses on the ground level, and residential development on the first and second floor.

### Locality Plan



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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

**Background**

**Previous Applications**

A search of Council records revealed that the following planning permits have been considered for the subject site.

- Planning Permit No. PLN10/0630 was issued on 4 March 2011 to 'use the First Floor Suite 1-2/1-3 Balmoral Avenue for the purpose of a Restricted Recreation Facility (Gymnasium)'.
- Planning Permit No. PLN16/0567 was issued on 13 September 2017 for 'development and use of the site for the purposes of a Place of Assembly with an on-premises licence and display of business identification signage'. This permit was amended on 14 June 2022 (PLA21/0619) and now allows for 'Development and use of the site for the purposes of a Place of Assembly with an on-premises licence, display of business identification signage and reduction in car parking in accordance with the endorsed plans'.

**Proposal**

The application proposes to amend the permit (PLA21/0619) PLN16/0567 to:

- Amend the preamble.
- Amend condition 9 and 10 to increase hours of operation.
- Amend condition 12 to increase maximum patron numbers from one hundred and ten (110) to one hundred and seventy five (175).
- Amend the endorsed Alcohol Management Plan (AMP)
- Amend the endorsed Patron Management Plan (PMP)

A full outline of the proposed amendments is detailed below:

**Preamble**

The preamble currently reads as follows:

*Development and use of the site for the purposes of a Place of Assembly with an on-premises licence, display of business identification signage and reduction in car parking in accordance with the endorsed plans.*

The preamble is proposed to read as follows:

*Development and use of the site for the purposes of a Place of Assembly with a **late night** (on-premises) licence, display of business identification signage and reduction in car parking in accordance with the endorsed plans.*

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

**Condition 9**

Condition 9 currently reads as follows:

*The use, may operate only between the following hours:*

- *Sunday to Thursday: 6pm to 1am the following day*
- *Friday and Saturday: 6pm to 1am the following day*

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

Condition 9 is proposed to read as follows:

*The use, may operate only between the following hours:*

- *Sunday to Thursday: 6pm to **3am** the following day*
- *Friday and Saturday: 6pm to **4am** the following day*

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

**Condition 10**

Condition 10 currently reads as follows:

*The only Liquor Licence which may be applied for shall be an On-Premises Licence and the times for the consumption of alcohol shall be restricted to the following hours:*

- *Sunday to Thursday: 6pm to 1am the following day*
- *Friday and Saturday: 6pm to 1am the following day*

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

Condition 10 is proposed to read as follows:

*The only Liquor Licence which may be applied for shall be a **Late Night (On-Premises)** Licence and the times for the consumption of alcohol shall be restricted to the following hours:*

- *Sunday to Thursday: 6pm to **3am** the following day*
- *Friday and Saturday: 6pm to **4am** the following day*

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

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

**Condition 12**

Condition 12 currently reads as follows:

*Without the written permission of the Responsible Authority, no more than one hundred and ten (110) patrons shall be permitted on the site at any time.*

Condition 12 is proposed to read as follows:

*Without the written permission of the Responsible Authority, no more than **one hundred and seventy five (175)** patrons shall be permitted on the site at any time.*

**Endorsed Plans**

Amend the endorsed Alcohol Management Plan (AMP) and Patron Management Plan (PMP) to reflect the proposed increase in hours and patron numbers.

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

**Victorian Charter of Human Rights and Responsibilities**

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

**Financial Implications**

No financial resources are impacted by this report.

**Planning Scheme and Policy Frameworks**

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

- Clause 34.01-1 (Commercial 1 Zone) to use land for the purpose of a Place of Assembly.
- Clause 34.01-4 (Commercial 1 Zone) to construct building and works.
- Clause 52.27 (Licensed Premises) to use land to sell or consume liquor.
- Clause 52.05 (Advertising Signs) to display business identification signs exceeding 8 square metres and for the display of an above-verandah sign.
- Clause 52.06-3 (Car parking) to reduce the number of car parking spaces required under Clause 52.06-5.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

The relevant controls and policies are as follows:

**Zoning Controls**

The subject site is located in a Commercial 1 Zone, as is the surrounding land on all four (4) sides.

The purposes of the Commercial 1 Zone outlined at Clause 34.01 are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

Pursuant to the Table to Clause 34.01-1, a permit is required to use land for the purpose of a Place of Assembly.

Pursuant to Clause 34.01-4, a permit is required to construct building or works.

The decision guidelines are at Clause 34.01-8.

Pursuant to Clause 34.01-9, advertising sign requirements are at Clause 52.05. This zone is in Category 1.

**Overlay Controls**

The site is affected by the Design and Development Overlay – Schedule 6 and Parking Overlay – Schedule 1.

**Clause 43.02 - Design and Development Overlay Schedule 6**

The purposes of the Design and Development Overlay are:

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

Design Objectives from Schedule 6 to the Design and Development Overlay are:

- *To implement the Springvale Activity Centre Structure Plan (2017) and the Springvale Activity Centre Building Heights and Setbacks Study (2016) to maintain and create a strong and distinct image of the Springvale Major Activity Centre.*
- *To encourage higher density development, whilst maintaining the fine grain rhythm at street level, and achieve a transition down in scale to reduce amenity impacts to the surrounding established residential areas.*

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- *To ensure the height and setbacks of development delivers a high quality public realm which maintains sunlight and comfortable wind conditions.*
- *To encourage high quality buildings and ensure building separation and setbacks achieve high levels of external and internal amenity for occupants, visitors and the general public which may require consolidation of sites.*
- *To enhance the amenity and appearance of the industrial area (Precinct 11).*

Clause 45.09 - Parking Overlay

The purposes of the Parking Overlay are:

- *To implement the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To facilitate an appropriate provision of car parking spaces in an area.*
- *To identify areas and uses where local car parking rates apply.*
- *To identify areas where financial contributions are to be made for the provision of shared car parking.*

Under part 2 of Schedule 1 to the Parking Overlay, a permit cannot be granted to reduce or waive the car parking requirement for the uses specified in part 3.0 of this schedule unless car parking entitlements or credits exist.

Part 4.0 contains the financial contribution requirement which states:

A cash contribution of \$19,000 (excl. GST and current as at July 2010, will be indexed annually in accordance with Consumer Price Index, Melbourne, in Rawlinsons Australian Construction Handbook) in respect of each car parking space or part thereof which is required under this Scheme and which is not provided onsite (but net of car parking entitlements and credits) must be paid to the responsible authority.

Until Council is paid the cash contribution specified in this schedule and/or an agreement has, or agreements have, been made under Section 173 of the Act guaranteeing future payments of cash contributions for 80 parking spaces in the Balmoral Avenue car park, any permit for:

- The use of land for Shop, Office, Industry or Dwelling, as per part 2.0 of this Schedule;
- The expansion of floor area of any use, which results in more leasable floor space;
- The development of any land for a use in Section 1 or 2 of the Business 1 (B1Z) or Business 5 (B5Z) zones.

Must contain a condition to the following effect:

*Prior to the commencement of the use or development allowed under this permit a payment of \$19,000.00 excl. GST (indexed annually by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook), must be paid to the responsible authority in respect of each car parking space required under the Scheme, but which is not provided on the land (net of car spaces provided and parking entitlements and credits) to which the application relates.*

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

Or alternatively:

*Prior to the commencement of the use or development allowed under this permit, the owner of the land must enter into an agreement under section 173 of the Planning and Environment Act 1987 in which the owner agrees to pay a contribution of \$19,000.00 excluding GST (subject to indexation according to the Scheme) in respect of each car parking space which is required under this Scheme, but which is not provided on the land (net of car spaces provided and parking entitlements and credits) to which the application relates.*

*The agreement may provide for the payment of the contribution in instalments, plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest paid within 3 years of the first instalment.*

The proposed use is not a Shop, Office, Industry or Dwelling nor would the proposed development result in more leasable floor space. Therefore, a cash contribution is not relevant to this application.

**State Planning Policy Framework**

The **Operation of the State Planning Policy Framework** outlined at Clause 10 seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The objectives of Planning in Victoria are noted as:

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

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

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

*Clause 11 - Settlement*

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

*Clause 13.05-1S- Noise abatement*

Clause 13.05-1S seeks to assist the control of noise effects on sensitive land uses. The policy documents include Environment Protection Regulations under the Environment Protection Act 2017 and Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (Publication 1826.2, Environment Protection Authority, March 2021).

*Clause 17 – Economic Development*

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

Clause 17.01-1 (Business) has the objective to encourage development which meet's the community's needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

The matter of Transport is considered at Clause 18, with Integrated Transport focused on under Clause 18.01. A relevant objective of that Clause which needs to be considered under this application includes that listed at Clause 18.01-1 relating to Land Use and Transport Planning, with that objective:

*To create a safe and sustainable transport system by integrating land-use and transport.*

**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:

*Clause 21.04-2 Retail, Commerce and Entertainment*

**Environmental issues** – The easy accessibility by train and other modes of public and private transport to the retail and commercial centres of central Dandenong, Springvale and Noble Park helps achieve environmental sustainability. This needs to be maintained and improved by providing facilities and services accessible by bicycle and walking.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

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

The Springvale Activity Centre is a popular and vibrant multicultural retail and business centre in Melbourne's south east. It is one of four major retail precincts in the City of Greater Dandenong.

Supporting higher density residential at upper levels of buildings and the location of office and commercial activities in activity centres will improve the economic viability and sustainability of those centres.

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

The following objectives and strategies are relevant:

2. To reinforce and develop the role, character and identity of activity centres outside of Central Dandenong

2.1 Focus major new retail activities to Springvale, Parkmore and Noble Park – the major activity centres and in neighbourhood centres located throughout the municipality.

2.2 Encourage additional retail diversity that complements the core retail function.

2.3 Reinforce Springvale Activity Centre as a vibrant multicultural focal point in the region.

2.4 Encourage pedestrian activity and ground floor uses with active frontages.

2.5. Encourage businesses and activities that increase opportunities for social interaction and recreation.

4. To encourage a mix of complimentary land uses that increase an activity centre's commercial variety without compromising its core commercial strengths.

4.1. Support and promote complimentary land uses that enhance variety without compromising core commercial strengths

5. To enhance and embrace the multi-cultural identity of the municipality, where relevant, primarily as reflected in the city's built form, signage and urban design.

5.1 Support the promotion of multi-cultural identity as reflected in the city's built form.

6. To encourage greater visitation to the activity centres.

6.1 Support activities and festivals that promote greater visitation to activity centres

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

7. To create positive social, cultural and economic perceptions of activity centres.

7.1 Support activities and festivals that promote greater visitation to activity centres

Under **Clause 21.07 – Infrastructure and Transportation** matters of: physical, community and cultural infrastructure; public transport; walking and cycling; cars and parking; and, transport services are covered.

Within Clause 21.07-2 where the matter of public transport is considered, the following relevant objective and strategies are noted:

*2. To integrate transport and land use.*

*2.1 Ensure residential, commercial and industrial development provides for safe and accessible pedestrian/bicycle movement to the public transport network.*

The objectives and strategies of Clause 21.07-3 which relate to the matter of walking and cycling should also be considered.

**Clause 22.10- Springvale Major Activity Centre**

This policy sets out land use and economic activity policy for the Springvale Activity Centre including (but not limited to) the following;

- *Reinforce the Activity Centre's role in encouraging a diverse mix of land uses that include retail, commercial, industrial and residential.*
- *Support future investment and encourage the development of strategic sites as identified in the Structure Plan to achieve a mix of residential and commercial uses.*
- *Support the retention of existing industrial and commercial areas for employment growth and the local economy.*
- ***Encourage and promote the night-time economy of the Activity Centre.***

Improve awareness and perceptions of the Activity Centre as a tourism destination and support Council and community festivals and events.

Encourage retail diversity that compliments the core retail function and minimise office uses at ground level.

**Clause 22.11 – Advertising Signs Policy**

Clause 22.11 – Advertising Signs Policy sets out the local expectations for signage within this municipality.

The objectives of this policy are:

- *To ensure that signs are designed, positioned and displayed in an appropriate and attractive manner.*

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- *To encourage signs that make a positive contribution to both the day and night time character of activity centres.*
- *To improve the appearance of City gateways through the effective, sensitive display of signs and the avoidance of proliferation of signs and visual clutter.*

There is a number of more specific design outcomes sought under this policy. An assessment against these outcomes is provided at Tables at the end of this report.

**Particular Provisions**

**Clause 52.05 – Advertising Signs**

The purpose of Clause 52.05 – Advertising Signs is:

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

Pursuant to Clause 52.05-8, a permit is required to display business identification signs exceeding 8 square metres or to display an above-verandah sign.

**Clause 52.06 – Car Parking**

The purposes of this provision are:

- *To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the 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 52.06-1 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, with the decision guidelines for such considerations also at that Clause.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

The table at Clause 52.06-5 notes that a Place of Assembly 0.3 car parking spaces to each patron permitted.

*Clause 52.27 – Licensed Premises*

The purposes of this provision are:

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

These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.

*Clause 52.34 - Bicycle Facility*

The purpose of this Clause is:

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

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

Under Clause 52.34-2 states that a permit may be granted to vary, reduce or waive the requirements of Clause 52.34-3 and Clause 52.34-4. An application is exempt from the notice and decision requirements and appeal rights of some sections of the Act.

Under the table to Clause 52.34-3, a Place of Assembly requires 1 bicycle space to each 1500 square metres of net floor area and 2 plus 1 to each 1500 square metres of net floor area

As the area of the first floor is only 320 square metres, a bicycle space is not required.

**General Provisions**

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

**Proposed Planning Scheme Amendments**

There is no Planning Scheme Amendment relevant to this application.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

**Restrictive Covenants**

The applicant has provided information to demonstrate that there are no restrictive covenants or restrictions restricting or prohibiting the proposal.

**Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

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

**Diversity (Access & Equity)**

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

**Community Safety**

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

**Safe Design Guidelines**

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

**Referrals**

**External**

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, the application was externally referred to the following for their consideration (summarised):

<b>External Authority</b>	<b>Response</b>
Victoria Police (S52 comment non-mandatory referral)	No comments.
VCGLR (S52 comment non-mandatory referral)	No objection, no conditions

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### **2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

The application was referred to Victoria Police on 21 December 2022 and further correspondence seeking a response was requested on 08 February 2023. Victoria Police have not provided any comments within the 14-day timeframe specified under Section 59 of the Act. As such, the Responsible Authority may decide an application as soon as this timeframe has elapsed. Given it will be 101 days since the application was referred, and Victoria Police have been followed up twice, it is reasonable to consider that they have no objection to the proposal, and the Responsible Authority may proceed to decide on the application.

#### **Internal**

The application was internally referred to the following Council departments for their consideration (summarised):

<b>Council Referrals</b>	<b>Response</b>
Transport Planning	No objection, subject to amendment to patron numbers from 6pm-9pm. This will be further discussed below.
Building Department	No objection, no conditions
Community Services	No objection, subject to amendment to the hours and patron numbers, and amendments to the AMP and PMP. This will be further discussed below.
Placemaking	No objection, subject to amendments to hours. This will be further discussed 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 a sign on site facing Balmoral Avenue.

The notification has been carried out correctly.

Council has received zero (0) objections to date.

#### **Assessment**

The proposed amendments have been assessed against the relevant provisions of the Greater Dandenong Planning Scheme, including the purpose and intent of the Commercial 1 Zone, the Planning Policy Framework, Local Planning Policy Framework and the particular provisions for car parking and liquor licencing.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

While the local policy encourages night-time activity within the Springvale Activity Centre, it is acknowledged that majority of businesses within the centre are currently not late-night activities and all licensed premises are closed by 1am. Council officers find that a small increase in hours should be supported to form a gradual increase as the centre transitions to more night time activity into the future. It is considered that a gradual increase will minimise potential amenity and safety impacts within the Springvale Activity Centre.

This assessment will outline the reasons for supporting an increase, and why that increase should be limited to 2am. This assessment recommends that the permit be amended subject to a reduction in the proposed hours and patron numbers, together with improvements to the Alcohol Management Plan and Patron Management Plan. Subject to these amendments, Council officers find that the proposal would not result in any further impact to the safety and amenity of adjoining or surrounding land.

An assessment of the proposed amendments is provided below:

**Assessment of increase in patron numbers on the provision of car parking.**

The proposal to increase patron numbers subsequently results in a further reduction of car parking.

The current permit allows for 110 patrons, which required 33 car parking spaces. No car parking spaces are provided on the site (with the exception of the 6 public on street car spaces along Balmoral Avenue which partly protrude into the subject site). Therefore, the current permit allows for a full reduction of the required 33 car parking spaces.

The proposal for 175 patrons requires 52 car parking spaces. Therefore, the application is seeking permission for a further 19 space reduction, in addition to the currently approved 33 space reduction.

The application has been referred to Council's Transport department, who have recommended that patron numbers should be limited to 110 during the hours of 6pm-9pm for the following reasons;

- The applicants traffic survey identifies that the use currently has a higher parking demand than the parking requirements of the planning scheme (traffic survey indicated that the use generates a demand of 0.59 spaces per patron on a Friday night, whereas the planning scheme requires 0.3 spaces per patron).
- The applicants traffic survey identifies that the peak parking demand within the surrounding area is greatest at 6.30pm, and steadily decreases into the night.
- The traffic report identifies that the expected peak operating time for the use is 9pm-12am on Friday and Saturday evenings.

Therefore, restricting patron numbers to 110 from 6pm to 9pm will still allow the operators to operate with proposed full capacity of 175 patrons during the peak times identified (after 9pm), while also reducing potential impacts on carparking for other businesses in the activity centre which have earlier peak times (such as restaurants).

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

Subject to conditions limiting patron numbers to 110 during the hours of 6pm-9pm, the additional reduction in car parking during the hours of 9pm until closing time is considered appropriate for the following reasons:

- The site is located in close proximity to a number of public transport options, including the Springvale Train Station (within 100 metres), bus routes and taxi pick up points.
- The site is located within the Springvale Activity Centre where there is a varied demand of car parking spaces over time.
- There are in-excess of 175 on-street car parking spaces within easy walking distance of the site, with traffic surveys showing that many of these are available in the evenings after 9pm.
- It is likely that patrons of the Karaoke bar would make multi-purpose trips within the Springvale Activity Centre, as the site is in close proximity to a number of restaurants and other entertainment venues.
- There is a public multideck car park within close proximity (50 metres) to the subject site.

Assessment of increased in hours and increased in patron numbers in relation to the liquor licence impact on the amenity of the area.

The site is within the Springvale Activity Centre, where night-time activities are encouraged by local policy. An increase in patron numbers and increase in hours of operation will support the use of the land for night-time activities and ensure the ongoing viability for the business. However, encouraging night-time activity within the Springvale Activity Centre also needs to be balanced with potential amenity and social impact. Pursuant to Clause 71.02-3 (integrated decision making), the Responsible Authority is required to balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

The application has been referred to Council's Community Services department to understand how an increase to hours of operation and patron numbers correlates with personal safety, fear of crime, minimisation of alcohol-related harm and anti-social behaviour. Council's Community Services department have advised that the whilst the proposal is of a good standard, key harm reduction strategies have been omitted from the Patron Management Plan and Alcohol Management Plan. In addition, they recommend that the closing time is limited to 2am, and that additional commitments relating to minimising safety and amenity impacts are included in the Patron Management Plan and Alcohol Management Plan.

Council's Placemaking team have advised that the current predominant business activity within the Springvale Activity Centre is during the day (93% of businesses are open during the day, compared to 21% which are open after 6pm). The Placemaking team have advised that limiting the closing time to 2am, as recommended by Council's Community Services department, would support incremental change in the evolution of the Springvale Activity Centre, from a centre that predominantly operates within weekday business hours to a centre which attracts a vibrant night time economy in the future. Incremental change is sensitive to the aspiration for more activity after 6pm and will allow time for complimentary late night offers to emerge as the precinct grows and recovers from Covid19.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

The applicant has provided an Acoustic Report indicating the venue will operate in accordance with the permissible noise levels stipulated in the Environment Protection Regulations 2021 for Residential Premises, Commercial, Industrial and Trade Premises and Entertainment Venues and Outdoor Entertainment Events. The applicant has stated that potential noise from persons entering/exiting the venue will be managed by strategies outlined in the submitted alcohol and patron management plans. Therefore, it is considered that the proposed amendments will not unreasonably impact on the amenity of the area through noise.

An increase in patron numbers is not considered to negatively impact on the amenity of the area in terms of patron dispersal, given that patrons leaving the premises are not likely to pass through residentially zoned areas, as the site is located within Springvale Activity Centre. The Springvale train station and likely taxi and car pick up points would not require patrons to pass through residential areas.

Therefore, it is considered that an increase in hours and patron numbers should be supported, but limited to a closing time of 2am. This will still allow incremental change to night-time activities within the Springvale Activity Centre, while also limiting potential amenity impact during this transitional period.

In accordance with DPCP Practice Note 61 "Licenced Premises: Assessment Cumulative Impact", a cumulative impact assessment is required if both the clustering and hours of operation tests are met, specifically, if the premises trades after 11pm, and in an area where there is a 'cluster' of licenced premises.

As defined within DPCP Practice Note 61, a 'cluster' occurs where there are:

- 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.

There are 43 liquor licensed venues within 500m of the proposed venue, which form a cluster. These include BYO licenced premises, packaged liquor premises and restaurants/cafes with on premise licences.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

Nine of these venues either allowing late-night trading beyond 11pm or are packaged liquor outlets;

- Pho Dakao Hoang (Liquor licence allowing 1am close)
- Kingvale Pho (Liquor licence allowing 1am close)
- Windows restaurant (Liquor licence allowing 1am close)
- Gold leaf restaurant (Liquor licence allowing 1am close)
- Maxim Saigon restaurant (Planning permit allowing 1am close)
- BWS Springvale (packaged liquor)
- Cellarbrations (packaged liquor)
- MK bottleshop (packaged liquor)

The following is an assessment in considering the cumulative impact:

- Planning policy context

The Springvale Activity Centre Local Policy places the subject site within the Springvale Activity Centre. One of the policy objectives at Clause 22.10-2 is to strengthen and diversify the role of the Asian Food Precinct and promote a 'night-time' economy. The existing use of the land for a karaoke bar is in line with the intent of this policy and it is considered that the proposed amendments to the hours of operation and patron numbers will support the ongoing use.

- Surrounding land use mix and amenity

The subject site is mainly surrounded by retail, restaurant and office uses. It is noted that there are residential apartments on the southern side of Balmoral Avenue, located at first and second floor level, however, given the location within Springvale Activity Centre and the recommended conditions of permit that address amenity matters, it is not considered that the proposal will generate amenity impacts beyond what is considered reasonable for the area.

- The mix of licenced premises

The surrounding licenced premises include a mix of restaurants and packaged liquor.

- Transport and dispersal

Patrons leaving the premises are not likely to pass through residentially zoned areas as the site is located within Springvale Activity Centre. The Springvale train station and likely taxi and car pick up points would not require patrons to pass through residential areas.

- Impact mitigation

Toilets are provided within the building. An Alcohol Management Plan has been submitted which details the house policy for the responsible service of alcohol including prohibiting the selling of alcohol to intoxicated persons and minors.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

While it is acknowledged that the proposal will contribute to the cumulative impact of licenced premises in the area, this impact is not considered to be unreasonable, subject to conditions, given the local planning policy at Clause 22.10 which encourages a 'night time' economy in the Asian Food Precinct, and the fact that this site is located within an Activity Centre.

The proposal will offer economic benefits and consumer choice within the area and support its ongoing viability, enabling an enhanced vitality of the area for uses operating after normal business hours. Conditions limiting the proposed hours of operation and implementation of mitigation measures outlined in the Alcohol Management Plan and Acoustic Report are considered to be appropriate in mitigating any adverse amenity impacts resulting from the cumulative impact of licenced premises in the area.

### **Conclusion**

The application has been assessed against the relevant sections of the Greater Dandenong Planning Scheme, including the State and Local Planning Policy Framework, Municipal Strategic Statement, zones, overlays, Clause 52.27 and Clause 65.

Overall, it is considered that the proposed amendments are appropriate having regard to the site's location within the Springvale Activity Centre.

The following amendments to the permit are recommended (and are shown in red in the recommendation below):

- Amend the permit preamble to include late night (on-premises) liquor licence, as follows:

*Development and use of the site for the purposes of a Place of Assembly with a **late night** (on-premises) licence, display of business identification signage and reduction in car parking in accordance with the endorsed plans.*

- Amend condition 1 and add conditions 1.1.5-1.1.12 to support compliance and reduce potential for alcohol-related harm inside and surrounding the venue.
- Amend condition 4 and add conditions 4.13-4.19 support compliance and reduce potential for alcohol-related harm inside and surrounding the venue.
- Amend Condition 9 to allow closing time of 2am the following day as follows:

*The use, may operate only between the following hours:*

- *Sunday to Thursday: 6pm to **2am** the following day*
- *Friday and Saturday: 6pm to **2am** the following day*

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

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- Amend Condition 10 to allow closing time of 2am the following day as follows:

*The only Liquor Licence which may be applied for shall be a **Late night (On-Premises) Licence** and the times for the consumption of alcohol shall be restricted to the following hours:*

- *Sunday to Thursday: 6pm to **2am** the following day*
- *Friday and Saturday: 6pm to **2am** the following day*

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

- Amend Condition 12 to increase patron numbers as follows:

*Without the written permission of the Responsible Authority, no more than one hundred and ten (110) patrons shall be permitted on the site **from 6pm until 9pm, and no more than on hundred and seventy five (175) patrons shall be permitted on the site from 9pm until closing time.***

- Add conditions 21-23 and renumber subsequent conditions to support compliance and reduce potential for alcohol-related harm inside and surrounding the venue.
- Amend the endorsed Alcohol Management Plan and Patron Management Plan to reflect the amended hours of operation and patron numbers.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

### **Recommendation**

**That Council resolves to Grant an amendment to a planning permit in respect of the land known and described as 1-2/1-3 Balmoral Avenue, Springvale, for the purpose of development and use of the site for the purposes of a Place of Assembly with a late night (on-premises) licence, display of business identification signage and reduction in car parking in accordance with the endorsed plans submitted with the application subject to the following conditions:**

- 1. Before any changes approved under this amended permit (PLA22/0088) commence, amended plans, must be submitted to the Responsible Authority for approval. Once approved, the amended plans will be endorsed and form part of this permit. The amended plans must be in generally in accordance with the plans submitted with the application but modified to show:**
  - 1.1. A revised Alcohol Management Plan to show the following:**
    - 1.1.1 Reference to current Environment Protection Regulations for noise and reference to any required noise control measures identified in the acoustic report required by condition 3 below.**
    - 1.1.2 Correctly identifying the details of the provision of music associated with a Karaoke Bar.**
    - 1.1.3 Deletion of reference to the beer garden.**
    - 1.1.4 The complaints handling process amended to include implementation of a complaints register to be kept at the premises and made available to City of Greater Dandenong or Victoria Police upon request. The register must include details of the complaint received (who, when, where, what), any action taken and the response provided to the complainant.**
    - 1.1.5 Drinks that include spirits will be served in a container no larger than 285ml.**
    - 1.1.6 Drinks will not contain more than 30ml of spirit in each container.**
    - 1.1.7 Any full or partially full bottle of any alcohol or other container holding spirits will not be permitted in a for-hire private room unless a qualified staff member in Responsible Service of Alcohol is present.**
    - 1.1.8 A drink 'shot' will contain no more than 30ml of a straight spirit and no double shots.**
    - 1.1.9 Only one (1) shot will be provided per patron per order round.**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- 1.1.10**    Shots will not be served for the last hour before closing.
- 1.1.11**    The venue should offer a variety of more substantial and appealing food items to provide patrons with the option to reduce the rate of alcohol absorption and potential intoxication.
- 1.1.12**    Food options should be provided during 'Happy Hour', which will cease after two hours maximum and commence at 6pm opening or after, as endorsed on the planning permit.

**1.2.**        An acoustic report to meet the requirements of condition 3.

**1.3.**        A Patron Management Plan to meet the requirements of condition 4.

**All to the satisfaction of the responsible authority.**

**2.**        Prior to the endorsement of plans under condition 1 and before any changes approved under this amended permit (PLA21/0619) commence, an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to the Responsible Authority for approval. When approved, the report will be endorsed and will then form part of the permit. The report must:

- 2.1**        Identify all potential noise sources associated with the subject premises that will impact on adjoining or surrounding noise sensitive premises, having regard to the maximum operating conditions;
- 2.2**        Identify all potential noise sources associated with nearby industrial / commercial/ public transport premises that will impact on the subject premises, having regard to the maximum operating conditions of those premises;
- 2.3**        Provide details of all noise control measures to be incorporated into the development required to achieve compliance with relevant Environment Protection Regulations 2021.

**Once approved, the site must be constructed and used in accordance with the recommendations of the endorsed acoustic report to the satisfaction of the Responsible Authority.**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- 3. Prior to the endorsement of plans under Condition 1 and before any changes approved under this amended permit (PLA22/0088) commence, a patron management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The patron management plan must be prepared by a person with suitable qualifications to the satisfaction of the Responsible Authority and must detail how the licensed venue will operate to ensure any impacts on the surrounding residential uses will be managed, including but not limited to:**
- 3.1 Details of proposed management of the licensed venue including emergency procedure management plan, crowd control, responsible serving of alcohol and external areas;**
  - 3.2 Staffing and security arrangements for the licensed venue including staffing/security to manage patron numbers and behaviour;**
  - 3.3 Staffing and other measures that are designed to ensure the orderly arrival and departure of patrons;**
  - 3.4 Signage to be used to encourage responsible off-site patron behaviour;**
  - 3.5 Training of staff in the management of patron behaviour;**
  - 3.6 Measures to manage queuing patrons;**
  - 3.7 Identification of all noise sources associated with the licensed venue (including, but not limited to, music noise, external areas, queuing lines, entries and exits and courtyards);**
  - 3.8 Identification of noise sensitive areas including residential uses and accommodation in close proximity to the land;**
  - 3.9 Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures;**
  - 3.10 Procedures to be undertaken by staff in the event of a complaint by a member of the public, the Victoria Police, an authorised officer of the Responsible Authority or an officer of the liquor licensing authority;**
  - 3.11 Details of any measures to work with neighbours and other residents to address complaints and general operational issues; and**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- 3.12 Any other measures to be undertaken to ensure minimal amenity impacts.**
- 3.13 The operator is to employ two (2) currently licensed and registered crowd controllers/security guards ('guard') employed for the first 100 patrons on all nights of operation, from 30 minutes prior to opening at 6pm until 30 minutes after closing.**
- 3.14 The operator is to employ one (1) licensed and registered crowd controller/security guard ('guard') for any further 100 patrons or parts thereof from start of operations at 6pm to closing.**
- 3.15 Thirty minutes prior to opening, two (2) guards are to patrol and note any amenity issues along the footpath, in the northwest side car park beside and lane behind the venue, check CCTV camera functionality and manage orderly patron entry and/or queuing.**
- 3.16 From opening to close of trade, one (1) guard is to monitor the bar, stage, dancefloor, stairs and open-lounge.**
- 3.17 From opening to close of trade, one (1) guard is to monitor the four (4) for-hire private rooms, hallways, and toilets.**
- 3.18 Mid-shift, two (2) guards are to patrol and note any safety and amenity issues along the footpath, in the northwest side car park beside and lane behind the venue. The patrol is to remove any litter, bottles or fluids that can be linked to the venue.**
- 3.19 As the venue closes and for 30 minutes after close, two (2) guards are to manage and direct safe and orderly patron dispersal, patrol and note issues along the footpath, in the northwest side car park, and in the lane behind the venue. The patrol is to remove any litter, bottles or fluids that can be linked to the venue.**

**When approved, the patron management plan will be endorsed and will form part of this permit. Except with the prior written consent of the Responsible Authority, the patron management plan must not be modified.**

**The provisions, recommendations and requirements of the endorsed patron management plan must be implemented and complied with to the satisfaction the Responsible Authority.**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- 4. The layout of the site, and the size of the proposed buildings and works as shown on the endorsed plan, shall not be altered or modified (whether or not in order to comply with any Statute, Statutory Rule or Local Law or for any other reason) without the prior consent of the Responsible Authority.**
- 5. The permitted use must not commence and the subject site must not be occupied for that use until the conditions of this permit have been complied with, unless with the further written consent of the Responsible Authority.**
- 6. Liquor must only be consumed within the licensed area, as defined by the red line on the endorsed plan/s.**
- 7. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.**
- 8. The use, may operate only between the following hours:**
  - Sunday to Thursday: 6pm to 2am the following day**
  - Friday and Saturday: 6pm to 2am the following day****Unless with the further written consent of the Responsible Authority.**
- 9. The only Liquor Licence which may be applied for shall be a Late Night (On-Premises) Licence and the times for the consumption of alcohol shall be restricted to the following hours:**
  - Sunday to Thursday: 6pm to 2am the following day**
  - Friday and Saturday: 6pm to 2am the following day****Unless with the further written consent of the Responsible Authority.**
- 10. Goods, materials, equipment and the like associated with the use of the land must not be displayed or stored outside the building/s, without the further written consent of the Responsible Authority.**
- 11. Without the written permission of the Responsible Authority, no more than one hundred and ten (110) patrons shall be permitted on the site from 6pm until 9pm, and no more than one hundred and seventy five (175) patrons shall be permitted on the site from 9pm until closing time.**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- 12. The amenity of the area must not be detrimentally affected by the use or development on the land, through the:**
  - 12.1. Transport of materials, goods or commodities to or from the land.**
  - 12.2. Appearance of any building, works or materials,**
  - 12.3. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,**
  - 12.4. Adverse behaviour of patrons on, to or from the premises,**

**All to the satisfaction of the Responsible Authority.**
- 13. The use must comply with the endorsed Site Management Plan at all times.**
- 14. Noise levels must not exceed the permissible noise levels stipulated in part 5.3 Noise, of the Environment Protection Regulation 2021 for Residential Premises, Commercial, Industrial and Trade Premises and Entertainment Venues and Outdoor Entertainment Events.**
- 15. Bins or other receptacles for any form of rubbish or refuse must not be placed or allowed to remain in view of the public and smell must not be emitted from any such receptacle.**
- 16. All wastes must be disposed of to the satisfaction of the Responsible Authority and no liquid waste or polluted waters shall be discharged into a sewer or stormwater drainage system.**
- 17. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.**
- 18. No gaming machines shall be installed on the premises at any time.**
- 19. At all times during the operation of the use, there must be present on the premises a person over the age of 18 years who is responsible for ensuring the activities on the premises and the conduct of persons attending the premises do not have a detrimental impact on the amenity of the locality to the satisfaction of the responsible authority (referred to in this permit as 'the manager').**

**The manager must be authorised by the operator under this permit to make statements at any time on his/her behalf to any officer of the responsible authority and of the Victoria Police and/or of Liquor Licensing Victoria authorised under section 129 of the Liquor Control Reform Act 1998; and/or to take action on his/her behalf in accordance with a direction by such officer.**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

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- 20. The venue must install CCTV surveillance recording system as per the Liquor License prior to the commencement of the increase in hours and patron numbers. The system at a minimum is to include the following installations, to the minimum standards and regulations outlined by the VLC and its Licensing Inspectors, ie:**
- One (1) camera in each of the for-hire private rooms.
  - Adequate cameras in the open lounge, to cover blind spots and patron activity.
  - One (1) camera at the top of the stairwell.
  - One (1) wide-angle view camera outside the stairwell's entry/exit door that can film each side of the footpath.
  - One (1) camera on each northside corner of the building (east and west), to cover the rear lane, and car park area at the bottom of the stairway beside the kitchen.
- 21. The venue is to install signage in each for-hire private room, outside toilet facilities, at the entry/exit door, and under other external cameras that can be read by passers, prior to the commencement of the increase in hours and patron numbers.**
- To the effect: 'For the safety and amenity of patrons and the public, this area is under CCTV camera video surveillance.'
- The signage is to include a camera pictogram.
- 22. The applicant must document and display the following signage, prior to the commencement of the increase in hours and patron numbers, at entry/exit points and inside the toilets with the House Rules Policy and the Redline area:**
- The purchase of alcohol for, or its supply to minors by patrons, is illegal.'
- 'Alcohol is not to be consumed in any public places in the municipality such as car parks, footpaths, parks and connected areas. Up to a \$1,000 Local Laws fine applies.'
- 'Patrons are asked to enter and leave quietly. The safety and amenity of pedestrians, businesses and property in surrounding areas is to be respected.'
- 23. No sexually explicit entertainment must be carried out on the site, all to the satisfaction of the Responsible Authority.**
- 24. The roller shutters to the first floor windows facing Balmoral Avenue must remain open during the day and must be shut from 8pm until the closing of each day, unless the approve acoustic report requires as alternative outcome. If this occurs, the requirements of the acoustic report are to take precedents.**
- 25. The location, type and dimensions of the signage including those of the supporting structure, as shown on the endorsed plan/s must not be altered unless with the consent of the Responsible Authority.**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

- 26. The signage must not be animated and no flashing or intermittent light/s shall be displayed.**
- 27. The signage must not be illuminated by external or internal lighting.**
- 28. No bunting, streamers and festooning shall be displayed.**
- 29. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.**
- 30. The signage hereby approved will expire ten (10) years after the date of this permit.**
- 31. This permit will expire if:**
  - 31.1 The development or any stage of it does not start within two (2) years of the date of this permit, or**
  - 31.2 The development or any stage of it is not completed within four (4) years of the date of this permit, or**
  - 31.3 The use does not start within one (1) year of the completion of the development, or**
  - 31.4 The use is discontinued for a period of two (2) years.**

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

**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.**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

**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. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Environmental Health Officer before occupation.**
- 3. Except where no permit is required under the provisions of the Planning Scheme, no sign, flashing or intermittent lights, bunting or advertising device may be erected or displayed on the land without the permission of the Responsible Authority.**  
  
**Prior to the erection of any advertising signs on the land, consultation should be made with officers of the Town Planning Department to determine the relevant Planning Scheme Controls.**
- 4. An application will be made to the Victorian Civil and Administrative Tribunal to cancel the permit if the operator, manager or patrons are found guilty of committing any of the following offences in or associated with the use of the land:**
  - 4.1. Allowing the consumption of alcohol on the premises contrary to the Liquor Control Reform Act 1998 (or subsequent replacement Act); or**
  - 4.2. An offence for gambling contrary to the Lotteries, Gaming and Betting Act 1966 (or subsequent replacement act); or**
  - 4.3. For allowing the use or sale of drugs on the premises pursuant to the Drugs, Poisons and Controlled Substances Act 1981 (or subsequent replacement Act).**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

**STATUTORY PLANNING APPLICATIONS**

**TOWN PLANNING APPLICATION - NO. 1-2/1-3 BALMORAL AVENUE,  
SPRINGVALE (PLANNING APPLICATION NO. PLA22/0088)**

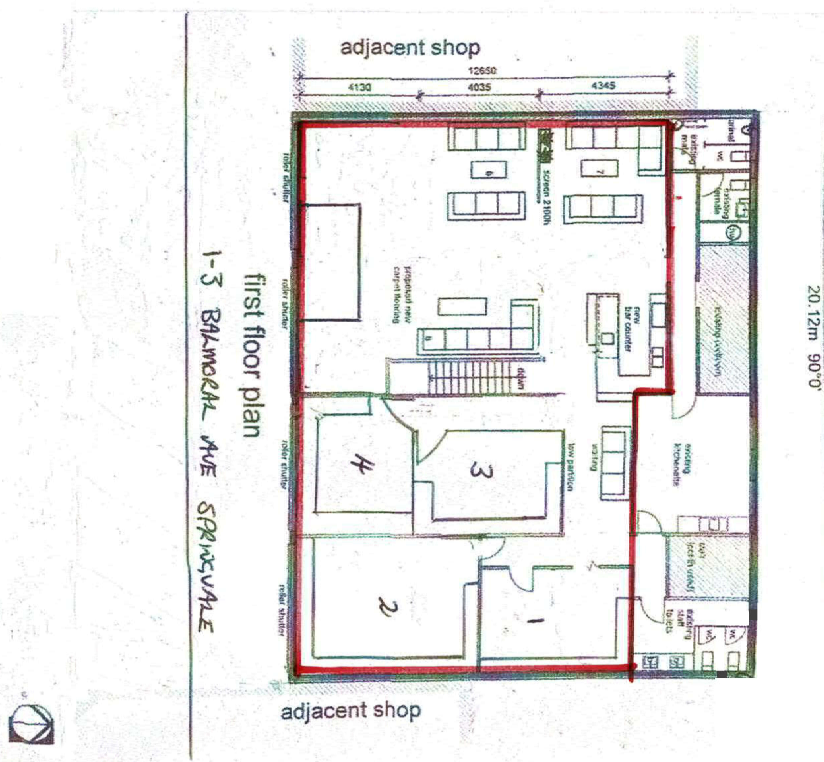
**ATTACHMENT 1**

**SUBMITTED PLANS**

**PAGES 17 (including cover)**

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

**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**



*Balmoral Ave*

**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

Client  
2T&D Group Pty Ltd

Date  
6 September 2022

Planning

Transport

Urban Design

Waste Management

ratio:

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

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<b>Project</b> First Floor Suite 1-2/1-3Balmoral Avenue, Springvale	<b>Prepared for</b> 2T&D Group Pty Ltd  <b>Our reference</b> 19344P
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**Directory path** X:\19001-19500\19344P - First Floor Suite 1-2, 1-3 Balmoral Avenue, Springvale\9. Post-permit\19344PR001 - AMP.docx

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**ratio:**

AMP - First Floor Suite 1-2/1-3Balmoral Avenue, Springvale

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

## 1. Introduction

### 1.1. Purpose

This Alcohol Management Plan (AMP) is a requirement of Condition 1 of Planning Permit No. PLA/0619 for the use of a 'place of assembly' (Karaoke Bar) at No. 1-2/1-3 Balmoral Avenue, Springvale.

It is also a necessary management strategy for the operation of the karaoke bar, which will operate pursuant to a late night (on-premises) liquor licence.

The AMP is intended to allow the premises to provide a good standard of service to patrons, whilst also maintaining an appropriate standard of amenity for any neighbouring businesses and residential properties, with minimal disturbance, particularly from noise emitting from the premises itself, or from patrons leaving the premises on the amenity of the surrounding area.

The operators of the premises will abide by, and have ownership of, the AMP.

The AMP is to form the basis of the sustainable business operation of the licensed premises, allowing the karaoke bar operator/permit holder, surrounding property owners/occupiers and the Greater Dandenong City Council to co-exist peacefully.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

## 2. Details of Plan

### Hours of operation

Sunday – Thursday: 6pm to 3am the following day.

Friday & Saturday: 6pm to 4am the following day.

### The provision of music including the frequency and hours of entertainment

The venue operation will include the playing of music associate with the operation of a karaoke bar. There will be a speaker in each room that will be driven by one domestic amplifier as background music within the Karaoke Bar, while patrons perform. Music will only play indoors throughout the operating hours as outlined above and the noise spill will be limited substantially through the existing walls, a new door at the entry and manual controlling of the speakers.

We note that there will be no live amplified music or DJ's that will be performing at the Karaoke Bar, the playing of music is restricted to recorded background music only.

Any permit conditions relevant to noise attenuation will be met at all times.

### Security arrangements including hours of operation and management to minimise queues outside the venue

No dedicated security is required pursuant to the liquor licence or the planning permit. If there is a queue, the Bar Manager or Night Manager will monitor the queue to ensure the footpath is not blocked and encourage patrons to go elsewhere if the venue is at capacity.

### Training of staff in the management of patron behaviour

Alcohol is only served in accordance with the Liquor Licence and the safety and wellbeing of patrons is the priority. Management undertakes induction of new staff including patron behaviour management and explanation of the following policies:

- *All staff involved in the service of alcohol will be required to undergo Responsible Serving of Alcohol (RSA) training and accreditation before they will be considered for employment.*
- *All staff must ensure their RSA qualifications are up to date.*
- *A copy of the current RSA certificate will be filed in the RSA Register.*
- *Bar staff do not consume alcohol when on duty.*
- *The Bar does not encourage excessive or rapid consumption of alcohol.*
- *When serving non pre-packaged alcohol, standard drink measures will be served at all times.*
- *Drunk patrons will not be permitted to enter the premises.*
- *Alcohol will not be served to any person who is intoxicated or drunk.*
- *Bar staff will follow RSA training procedures when refusing service, including offering a non-alcoholic drink as a substitute.*

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### 2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)

- *Drunk patrons will be asked to leave the premises (after appropriate safe transport options are offered, including asking their friends to take them home).*
- *Tap water is provided free of charge.*
- *The Bar does not have happy hours or other promotions involving discounted alcohol*
- *When there is poor behaviour by patrons, the Bar Manager or Night Manager will speak to the person and ask them to behave appropriately and if they do not comply, ask them to leave.*

We note that this is further detailed within the Patron Management Plan.

**Procedures to be undertaken by staff in the event of complaints by a member of the public, the Victoria Police, an 'authorised officer' of Council or an officer of Liquor Control Victoria.**

The operators will take seriously all amenity-related complaints against the premises, its staff or its patrons, and will deal with such complaints in a professional manner.

Complaints can be made in person or online and Bar management monitor and address issues raised via social media. In person complaints are referred to the Bar Manager.

Upon receiving a complaint, bar management will immediately seek to determine the cause of the complaint and take steps to address it if the complaint is found to be associated with the use of the premises or its patrons. Investigation may include review of CCTV footage and interviews with relevant staff, as necessary.

The permit holder/management will keep an up-to-date register to record any complaints against the licensed premises, including:

- The date, time and nature of the complaint;
- The name, address and phone number of the person and/or organisation lodging the complaint; and
- Measures taken to address the complaint(s), with time and date.
- Any response provided to the complainant.

The register will be kept on the premises and made available for inspection to officers of Victoria Police, the Responsible Authority or Liquor Control Victoria during all hours of operation and upon request to other persons. The operators will not refuse entry to any potential complainant or refuse to register a complaint.

**The management of smokers and on and off-site smoking areas (particularly where liquor may not be allowed to be sold and consumed within the smoking area after a particular time).**

Smoking is prohibited inside and permitted in outdoor areas. Patrons are discouraged from smoking in public areas outside of the red line area.

#### **General rubbish storage and removal arrangements, including hours of pick up**

General rubbish is deposited in the receptacles in the afternoon before opening and these are stored in the lane at the rear of the premises, with permission of the owner of the lane. General rubbish is collected by Council contractors on Tuesday mornings between 9am and 10am.

#### **Bottle storage and removal arrangements including hours of pickup**

Empty bottles for recycling are deposited in the wheelie bins in the afternoon before opening and these are stored in the lane at the rear of the premises, with permission of the owner of

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### 2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)

the lane. Recycling is collected by Council contractors on Tuesday mornings between 9am and 10am.

#### **Noise attenuation measures including the use of noise limiters, if applicable**

We note that amplified noise generated within the Karaoke Bar is limited to background music throughout the premises. There are no outdoor speakers at the front of the Bar (Balmoral Avenue).

The level of noise emitted from the Bar shall not exceed the permissible noise levels for entertainment noise, as specified in the Environmental Protection Regulations 2021 and incorporated EPA Publication 1826 (Noise Protocol).

Acoustic measures are more formally outlined in the endorsed Acoustic Report prepared by Enfield Acoustics under Condition 3.

#### **The management of external outdoor areas to minimise impacts to the amenity of nearby properties**

There are no outdoor areas (footpath) that are expected to have any impact on neighbours. There is signage instructing patrons to leave quietly and staff are also to instruct and direct patrons as needed to leave the venue quietly and avoid loitering.

#### **Electronic security measures to be used including but not limited to lighting and surveillance equipment**

The Bar has CCTV cameras in each room which can be viewed from the main bar and accessed by management remotely. The front of the Bar is adequately lit.

#### **Any other measures to be undertaken to ensure no unreasonable amenity impacts from the licensed premises.**

Staff members will use their best endeavours to ensure that patrons of the venue will conduct themselves in a quiet and orderly manner, without causing detriment to the amenity of the surrounding area by noise and/or by anti-social behaviour.

The venue will ensure that a copy of this Plan is made available to any person freely and without charge.

A phone number for the venue operators will be provided upon request to any person, to facilitate any complaint, at any time during hours of operation or within half an hour thereafter, about noise and/or other disturbances associated with the licensed premises.

**END OF PLAN**

**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

Client  
2T&D Group Pty Ltd

Date  
6 September 2022

Planning

Transport

Urban Design

Waste Management

ratio:

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

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**Project**  
First Floor Suite 1-2/1-3 Balmoral Avenue,  
Springvale

**Prepared for**  
2T&D Group Pty Ltd  
**Our reference**  
19344P

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**Directory path** X:\19001-19500\19344P - First Floor Suite 1-2, 1-3 Balmoral Avenue, Springvale\9. Post-permit\19344PR002 - PMP.docx

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**ratio:**

PMP - First Floor Suite 1-2/1-3 Balmoral Avenue, Springvale

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

## 1. Introduction

### 1.1. Purpose

The purpose of this Patron Management Plan ("Plan") is to provide performance criteria for various aspects of the operations of the karaoke bar ("the venue") and, in particular, obligations under the *Liquor Control Reform Act 1988* and the relevant Planning Permit.

This Plan covers all areas of the Venue which comprise the First Floor Suite 1-2/1-3 Balmoral Avenue, Springvale.

### 1.2. Use of the Plan

All staff shall be made familiar with this Plan and shall be required to read and sign off on their understanding of the Plan at the commencement of employment.

The Plan will be kept on the premises, and all staff will be required to familiarise themselves with this document prior to commencing their first shift. It will be the responsibility of the manager in charge during all hours of operation to ensure that they are aware of and carry out the procedures in the plan.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

## 2. Details of Plan

### 2.1. Management of the licensed venue

Alcohol is only served in accordance with the Liquor Licence and the safety and wellbeing of patrons is the priority. Management undertakes induction of new staff including patron behaviour management and explanation of the following policies:

- *All staff involved in the service of alcohol will be required to undergo Responsible Serving of Alcohol (RSA) training and accreditation before they will be considered for employment.*
- *All staff must ensure their RSA qualifications are up to date.*
- *A copy of the current RSA certificate will be filed in the RSA Register.*
- *Bar staff do not consume alcohol when on duty.*
- *The Bar does not encourage excessive or rapid consumption of alcohol.*
- *When serving non pre-packaged alcohol, standard drink measures will be served at all times.*
- *Drunk patrons will not be permitted to enter the premises.*
- *Alcohol will not be served to any person who is intoxicated or drunk.*
- *Bar staff will follow RSA training procedures when refusing service, including offering a non-alcoholic drink as a substitute.*
- *Drunk patrons will be asked to leave the premises (after appropriate safe transport options are offered, including asking their friends to take them home).*
- *Tap water is provided free of charge.*
- *The Bar does not have happy hours or other promotions involving discounted alcohol*
- *When there is poor behaviour by patrons, the Bar Manager or Night Manager will speak to the person and ask them to behave appropriately and if they do not comply, ask them to leave.*

In addition, staff are expected to manage the footpath outside the venue and are to instruct and direct patrons as needed to leave the venue quietly and avoid loitering.

The Bar Manager or Night Manager are to manage queues that form for patrons seeking to enter the venue.

### 2.2. Staffing / Security Arrangements

The Karaoke bar will have operating hours as follows:

- Sunday – Thursday: 6pm to 3am the following day.
- Friday & Saturday: 6pm to 4am the following day.

No dedicated security is required at the venue, pursuant to the liquor licence or the planning permit.

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### 2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)

The Bar has CCTV cameras in each room which can be viewed from the main bar and accessed by management remotely. The front of the Bar is adequately lit.

If there is a queue, the Bar Manager or Night Manager will monitor the queue to ensure the footpath is not blocked and encourage patrons to go elsewhere if the Bar is at capacity.

Patrons departing the venue will be encouraged to leave quietly and not loiter outside.

#### 2.3. Signage

The venue will ensure that all signage as required by Liquor Control Victoria is prominently displayed at each liquor service area within the premises.

The venue's Liquor Licence must be displayed in a prominent position within the venue which invites public attention.

All staff must read through the conditions of the Liquor Licence prior to the commencement of their first shift.

Responsible Service of Alcohol signage will be displayed behind each liquor service area in the venue in a manner that invites patron attention.

Signage reading "For the safety and security of patrons and staff this area is under electronic surveillance" shall be displayed in all areas subject to camera surveillance.

Signage reading "Please be respectful of our neighbours when leaving the premises and leave in a quiet and orderly fashion" will be displayed at the venue exit.

#### 2.4. Training of Staff

As mentioned above, management will undertake the induction of new staff including patron behaviour management and explanation of the policies listed above (including that all staff have current RSA training and certificate).

#### 2.5. Identification of Noise Sources

We note that amplified noise generated within the Karaoke Bar is limited to background music throughout the premises. There are no outdoor speakers at the front of the Bar (Balmoral Avenue).

There are no outdoor areas (footpath) that are expected to have any impact on neighbours through generated noise.

If there is a queue, the noise level generated will be managed by either the Bar Manager or Night Manager. Patrons will be encouraged to depart the venue in a quiet manner, having regard to surrounding uses.

Bins are proposed to be emptied from receptacles inside the venue to bins stored in the laneway prior to the venue opening at 6pm. This ensures that noise impacts associated with bins, particularly emptying bottles, will occur during the day and not during sensitive hours.

Waste collection occurs via Council collection at times consistent with EPA requirements.

#### 2.6. Noise Sensitive Areas

The site is located within the Springvale Activity Centre, in what is a retail and commercial area. It is unclear whether there are shop-top dwellings in close proximity to the venue, but residential apartments are located opposite the site, at No. 8 Balmoral Avenue. Further, the surrounding residential areas of Springvale are located over 140 metres (approx) away from the site.

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### 2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)

#### 2.7. Noise Attenuation Measures

At all times the venue will consider the amenity of its neighbours and shall take all reasonable measures to ensure that adverse impacts to the surrounding area do not occur. This will be achieved by a combination of the implementation of the strategies as set out in this Plan as well as ensuring that competent, experienced staff are on duty at all times. This will ensure that all situations that may arise at, or in the vicinity of, the premises can be promptly and appropriately dealt with.

The venue shall be conducted in such a manner as not to interfere with, or materially affect, the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.

We note that amplified noise generated within the Karaoke Bar is limited to background music throughout the premises. There are no outdoor speakers at the front of the venue (Balmoral Avenue).

The level of noise emitted from the Bar shall not exceed the permissible noise levels for entertainment noise as specified in the Environmental Protection Regulations and incorporated EPA Publication 1826 (Noise Protocol). We defer further to the Acoustic Report prepared by Enfield Acoustics further in this regard.

Bin emptying occurs during the day, to ensure no impacts through emptying bottles late at night.

#### 2.8. Complaints

The operators will take seriously all amenity-related complaints against the premises, its staff or its patrons, and will deal with such complaints in a professional manner.

Complaints can be made in person or online and Bar management monitor and will also address issues raised via social media. In person complaints are referred to the Bar Manager.

Upon receiving a complaint, bar management will immediately seek to determine the cause of the complaint and take steps to address it if the complaint is found to be associated with the use of the premises or its patrons. Investigation may include review of CCTV footage and interviews with relevant staff, as necessary.

The permit holder/management will keep an up-to-date register to record any complaints against the licensed premises, including:

- The date, time and nature of the complaint;
- The name, address and phone number of the person and/or organisation lodging the complaint; and
- Measures taken to address the complaint(s), with time and date.
- Any response provided to the complainant.

The register will be kept on the premises and made available for inspection to officers of Victoria Police, the Responsible Authority or Liquor Control Victoria during all hours of operation and upon request to other persons.

The operators will not refuse entry to any potential complainant or refuse to register a complaint.

#### 2.9. Bottle Storage and Waste

Empty bottles for recycling are deposited in the wheelie bins in the afternoon before opening and these are stored in the lane at the rear of the premises, with permission of the owner of the lane. Recycling is collected by Council contractors on Tuesday mornings between 9am and 10am.

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**2.3.1 Town Planning Application - No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088) (Cont.)**

General rubbish is deposited in the receptacles in the afternoon before opening and these are stored in the lane at the rear of the premises, with permission of the owner of the lane. General rubbish is collected by Council contractors on Tuesday mornings between 9am and 10am.

**END OF PLAN**

### 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.

a) 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.

b) 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.

c) 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).

d) 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.

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**3 QUESTION TIME - PUBLIC (Cont.)**

- e) The Chairperson shall call on members of the gallery who have submitted an accepted question to ask their question verbally if they wish.
- f) The Chairperson, Chief Executive Officer or delegate may then direct that question to be answered by a nominated Councillor or member of Council staff.
- g) No debate on, or discussion of, a question or an answer will be permitted other than for the purposes of clarification.
- h) 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).
- i) 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.
- j) The text of each question asked and the response will be recorded in the minutes of the Meeting.

## **4 OFFICERS' REPORTS - PART TWO**

### **4.1 CONTRACTS**

#### **4.1.1 Contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works**

File Id:	A9571772
Responsible Officer:	Director Business, Engineering & Major Projects
<b>Attachments:</b>	Confidential Attachment

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#### **1. Report Summary**

This report outlines the tender process undertaken to select a suitably qualified and experienced contractor for the construction of the Leonard Avenue Streetscape Project in Noble Park.

#### **2. Recommendation Summary**

This report recommends that Contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works be awarded to Planned Constructions Group Pty Ltd ABN No. 15 638 036 423 for a fixed lump sum price of Five Hundred & Twenty Three Thousand, Four Hundred & Fifty Three Dollars and Fifty Three Cents (\$523,453.53) including GST.

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**4.1.1 Contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works (Cont.)**

### **3. Background**

The Leonard Avenue Streetscape Project is supported by Noble Park Revitalisation Board which plays a strategic role in revitalisation priorities. Led by the Office of Suburban Development in partnership with Council, several capital and place making projects are being supported to boost activity and build the centre's sense of community spirit and much-loved village character and Leonard Avenue Streetscape upgrade is one (1) of such projects.

The objective of this project is governed by overarching placemaking objectives including:

- a. Deliver places that meet the diverse needs and aspirations of all community members no matter their age, culture, interests or economic position
- b. Support the economic sustainability of key community destinations and self-sustaining activation of shared spaces
- c. Protect and build on the unique characteristics of each activity centre
- d. Support the attraction of government, business and community investment in the activity centres.

### **4. Tender Process**

The tender was advertised on Saturday 21 January 2023 in The Age newspaper, on Vendor Panel and on Council's website. The tender closed at 2:00pm on Tuesday 21 February 2023.

At the close of the tender advertising period, submissions were received from three (3) contractors, being:

- a. Blue Peak Construction ABN No. 88 660 064 079
- b. CDN Constructor Pty Ltd ABN No. 62 884 294 341
- c. Planned Constructions Group Pty Ltd ABN No. 15 638 036 423

### **5. Tender Evaluation**

The evaluation panel comprised of the Coordinator Civil Projects, Coordinator Place Making and Revitalisation, Place Making Officer and the Contracts and Administration Officer. All Panel members signed Council's probity forms declaring that they would evaluate tenders fairly and would disclose any conflict of interest.

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:

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**4.1.1 Contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works (Cont.)**

	<b>Evaluation Criteria</b>	<b>Weighting</b>
	Price	40%
	Experience	25%
	Capability	20%
	Social Procurement	5%
	Local Industry	5%
	Environmental	5%

Points were awarded on a scale 0 – 5 based on the score parameters listed below.

<b>Score</b>	<b>Description</b>
5	Excellent
4	Very Good
3	Good, better than average
2	Acceptable
1	Marginally Acceptable
0	Not Acceptable

The three (3) conforming submissions were assessed and ranked against all evaluation criteria by each member of the evaluation panel to ensure that each tenderer met the standards required for Council contractors. 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.

A fail in any criterion would automatically exclude a tenderer from further consideration for this contract.

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**4.1.1 Contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works (Cont.)**

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

<b>Tenderer</b>	<b>Price Points</b>	<b>Non-Price Points</b>	<b>Total Score</b>	<b>OHS</b>	<b>EMS</b>
Planned Construction Group	1.27	2.27	3.54	Register & Compliant with Rapid Global*	
Blue Peak Constructions Pty Ltd	1.00	2.46	3.46	Register & Compliant with Rapid Global*	
CDN Constructors Pty Ltd	0.45	2.20	2.65	Register & Compliant with Rapid Global*	

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

Note:

*The higher the price score – lower the tendered price.*

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

### **5.1 Relevant Experience**

Planned Constructions Group Pty Ltd has demonstrated experience in projects of a similar nature and value as per the following examples of projects previously delivered:

- Fraser Street Reserve Redevelopment - \$630,000 with Wyndham City Council
- Rosanna Street Reserve Redevelopment - \$535,000 with Glen Eira Council
- Melbourne Cup Walk of Fame Paving - \$205,000 with Victorian Racing Club.

## **6. Financial Implications**

The Lump Sum contract price of \$523,453.53 including GST is within the available external funding of \$500,000.00 and the internal funding of \$85, 000.00 excluding GST.

Note:

*Schedule of Rates A schedule of rates contract is one (1) under which the amount that is payable to the contractor is calculated by applying an agreed schedule of rates to the quantity of work that is performed.*

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

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**4.1.1 Contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works (Cont.)**

## **7. Social Procurement**

Planned Constructions Group Pty Ltd advised they provide employment opportunities and an increase in social outcomes and skill development for their staff. Planned Constructions Group Pty Ltd undertake work with YMCA, Ruibid and HDF Civil.

## **8. Local Industry**

Planned Constructions Group Pty Ltd has indicated that they anticipate spending approximately \$39,000 with Greater Dandenong businesses in the form of labour, materials and plants for this project.

## **9. Environmental Management**

Planned Constructions Group Pty Ltd is ISO14001 certified for Environmental Management System. Planned Constructions has established, implemented and maintained an environmental management system and is committed to managing all aspects of the work to minimise the impacts on the environment using risk management principles

## **10. Consultation**

During the tender evaluation process and in preparation of this report, relevant Council Officers from City Improvement, Asset Management, Business and Revitalisation, Council's Occupational Health & Safety and Environmental Planning were all consulted.

## **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:

- 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.

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#### **4.1.1 Contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works (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.

Included in the submission for this tender, contractors were required to address Council's Social Employment opportunities (Schedule 7B). This includes questions to address Council's Diversity, Access and Equity Policy.

The responses provided to these statements by all successful contractors were assessed and determined to be satisfactory in the context of the Gender Equality Act.

### **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.

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**4.1.1 Contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works (Cont.)**

The wet-pour rubber specified for the project is made from recycled tyres. All containers in which plants are supplied for the project will be retained and returned to the supplier for future re-use. Tree stakes will be made from recycled plastic which, in-turn are also fully recyclable.

The playground design incorporates garden beds, grass areas and sixty-two advanced and semi-mature trees. Construction timbers will be sourced from Forest Stewardship Council – Certified Forests.

## **15. Conclusion**

Following a thorough evaluation of the tender submissions the Tender Evaluation Panel concluded that the **Planned Constructions Group Pty Ltd & ABN No. 15 638 036 423** proposal demonstrated best value. A key consideration beyond price was Planned Constructions Group successful outcome of similar project in the Fraser Street Reserve Re-development project for Wyndham City Council.

## **16. Recommendation**

**That:**

- 1. contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works be awarded to Planned Constructions Group Pty Ltd and ABN No. 15 638 036 423 for a fixed lump sum price of Five Hundred & Twenty Three Thousand, Four Hundred & Fifty Three Dollars and Fifty Three Cents (\$523,453.53) including GST; and**
- 2. the Chief Executive Officer is authorised to execute the contract agreements and any associated documentation with the successful contractor.**

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**4.1.1 Contract No. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works (Cont.)**

**CONTRACTS**

**CONTRACT NO. 2223-33 Leonard Avenue Streetscape Project, Noble Park Revitalisation Works**

**ATTACHMENT 1**

**TENDER INFORMATION  
(CONFIDENTIAL)**

**PAGES 2 (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.

## **4.2 OTHER**

### **4.2.1 Aged Care Reform**

File Id: A9595529

Responsible Officer: Director Community Services

Attachments:

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#### **1. Report Summary**

- The Commonwealth Government has been working through a significant reform agenda for Aged Care for almost a decade for both in home support services and residential aged care.
- Council is contracted to services to eligible residents over the age of 65 years under the Commonwealth Home Support Programme (CHSP) that aims to keep older residents safe and healthy in their own home for as long as possible.
- The current aged care system is complex and confusing, and the reforms intend to deliver a simplified and consistent aged care system, however the implementation date of the reforms have been extended many times since 2018.
- The Commonwealth Government has now announced that the major reform of In-Home Support Services which sees the combining of all existing home support Programs will be implemented 1 July 2024.
- Council must now consider what the implementation of these reforms will impact on Council's provision of Commonwealth funded Aged Services and the associated impact on our community.

#### **2. Recommendation Summary**

This report is for noting.

Additionally, the report recommends that in response to the implementation of the Commonwealth Aged Care Reforms, Council undertake the development of an Options Paper to assist in consideration of all future opportunities in aged care services post June 2024.

In the process of developing this paper, Council aims to promote greater awareness and understanding of the impact of the Commonwealth reforms as part of the significant consultation with clients, affected staff and unions, other key stakeholders and the broader community.

The Options Paper will then be presented to Council for their consideration by the end of August 2023.

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#### 4.2.1 Aged Care Reform (Cont.)

### 3. Background

Over the past decade, Australia's aged care system has undergone significant reform. With a growing focus on client choice, proposed reforms have prioritised competition and marketisation of the service system to increase the capacity of the system and pursued national consistency.

These aged care reforms have occurred at the same time as the aged care sector contends with an ageing population and widespread workforce shortages which have been further exacerbated by the COVID-19 pandemic due to the reliance on immigrants pre-2020 to undertake the low paid caring roles in both residential aged care and in home care.

Over the past 10 years the Coalition Commonwealth Government has been planning to transition the block-funded Commonwealth Home Support Programme (CHSP) to a client-directed care model, where funding is assigned to the client rather than the service provider delivering services based on predetermined targets. This proposed new model, known as the Support at Home program, was slated to commence from 1 July 2023. This date has since been pushed back to 1 July 2024 by the new Albanese Labour Commonwealth Government.

With the further delayed implementation of the new Support at Home program until July 2024, the Commonwealth Government's commitment to consulting with the aged care sector and broader community in general, together with the recent media attention regarding some Victorian local governments who have exited as a provider of CHSP, it is timely to provide Council with an update.

### 4. Discussion and Options

For the past three (3) years a focus for the Commonwealth Government has been responding to the major challenges in residential aged care that came into sharp focus during the COVID-19 pandemic. The current three (3) key aged care programs the Commonwealth Government are responsible for are as follows.

- **Commonwealth Home Support Programme (CHSP)**  
Provides entry level support to keep older people safe and healthy in their own homes.
- **Home Care Packages (HCP)**  
There are four (4) levels of support for older people with more complex needs who wish to remain in their own homes.
- **Residential Aged Care (RAS)**  
This by far is the most expensive form of care and for people that are deemed unable to live safely in their own home.

During the COVID-19 pandemic, additional funding was allocated to residential care and Home Care Packages (HCP), however there has been little discussion about CHSP. It is interesting to note that CHSP has by far the most clients of the three (3) main Commonwealth subsidised aged care programs, however it costs significantly less per client than HCP and Residential Aged Care.

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#### 4.2.1 Aged Care Reform (Cont.)

The key change the Commonwealth has signalled in response to the Aged Care Royal Commission together with client and provider feedback is the combining of all In Home Support Services into one (1) program eg CHSP and HCP, currently referred to as the Support at Home Program. There is general agreement that this is a positive and necessary reform as there will be one (1) In Home Support program that can provide entry level to complex level care based on the need of the client rather than having to move from one (1) program to another as a client's needs increase.

To adapt to expected changes, councils across Victoria who primarily provide CHSP have been individually assessing their ability to continue to deliver services under the future service model. These decisions are usually made through intensive consultation with clients, the community and staff and include detailed assessment of local service systems and council capacity.

Council also currently provides the State Government funded In Home Support Services to residents under the age of 65 years who have a disability but are not eligible for the National Disability Insurance Scheme (NDIS) called the Home and Community Care Program for Younger People (HACC-PYP). This is a significantly smaller program than CHSP and there would need to be consideration of Council's role in this program as part of the broader review into Council's role in Aged Care.

For CGD, some of the key considerations are:

1. **The significant level of socio-economic disadvantage in our municipality, together with a high level of cultural diversity. Will other providers be interested in being a provider in CGD?**

CGD has a high proportion of complex needs in our community, eg family violence, poverty, insecure housing, experience of trauma in some of our newly arrived refugees, together with cultural diversity which can make communication and provision of information more challenging and time consuming between clients and staff. This in turn can increase the cost to deliver the service.

2. **The difference in staffing costs between Council employed staff and staff employed in both the not for profit and profit sectors makes it more difficult to minimise Council's contribution to the service if a decision is made to remain as a provider.**

Local Government is required to pay staff under the Victorian Local Government Authorities Award whereas other providers pay staff primarily under the Social, Community, Home Care and Disability Services Award (SCHADS).

3. During the COVID-19 pandemic, as a **CHSP** and Home and Community Care Program **for Younger People (HACC-PYP)** provider, Council's Community Care staff were able to assist our community by working in partnership with the Emergency Management team to assist in providing necessary supports to residents in isolation, ie offering delivered meals at very short notice. Due to Council's Community Care staff working out in the community, they have significant knowledge of the local service system which was invaluable during the pandemic.

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#### 4.2.1 Aged Care Reform (Cont.)

4. **There is also a concurrent Commonwealth Government reform regarding Assessment Services.** The intended reform for assessment is to combine the Regional Assessment Service (RAS) and the Aged Care Assessment Service (ACAS), which is generally seen as a positive reform. However, the way in which it is likely to be configured (ie a very small number of contracts in each State) could mean that local government would have difficulty remaining as a provider. If local government cannot be a contracted Assessment provider, many councils are considering the need to fund a local 'navigator' resource within Council to continue to assist their community to find the services they need. In our municipality, the work of the Assessment Team in assisting the community in referring and linking the community to services is invaluable.
5. **The new funding and business model for In Home Care.** How would Council ensure as a provider we are sustainable into the future?
6. **The regulatory environment for aged services is increasing in response to the recommendations of the Royal Commission into Aged Care Quality and Safety.** Whilst this is necessary to ensure the health and safety of all users of Commonwealth funded aged care, new provider governance responsibilities are being introduced. More information is needed to understand the implications for Council if they remain a provider.

### 5. Proposal

To develop an Options Paper for Council's consideration on what Council's future role post June 2024 in Commonwealth aged care funded In Home Support Services should be, together with options for Council's consideration on how Council can support our older residents to participate in community life.

### 6. Financial Implications

There are no financial implications associated with this report. Cost associated with the development of the Options Paper will be undertaken within the existing Community Care Operational Budget.

### 7. Consultation

Consultation regarding the development of an Aged Care Options Paper is subject to Council's Community Engagement Policy and the *Local Government Act 2020* community engagement principles. As this project has a direct impact on the community and relates to potential service changes of a sensitive and complex nature, it is recommended that Council undertakes a deliberative process for consultation. This would allow for considered and evidence-based discussions and an opportunity for the community to be closer to the decision-making processes of Council. Broader consultation activities would also be conducted to gain feedback which would inform the deliberative process. A consultation plan will be developed outlining the proposed activities once confirmation of next steps.

#### **4.2.1 Aged Care Reform (Cont.)**

### **8. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

The City of Greater Dandenong is a home to all.  
It's a city where you can enjoy and embrace life through celebration and equal opportunity.  
We harmonise the community by valuing multiculturalism and the individual.  
Our community is healthy, vibrant, innovative and creative.  
Our growing city is committed to environmental sustainability.  
Welcome to our exciting and peaceful community.

#### **8.1 Community Vision 2040**

This report is consistent with the Community Vision 2040 and its accompanying principles:

- Safe and peaceful community
- Education, training, entrepreneurship and employment opportunities
- Sustainable environment.
- Embrace diversity and multiculturalism
- Mind, Body and Spirit
- Art and Culture

#### **8.2 Council Plan 2021-25**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four (4) years. This report is consistent with the following strategic objectives:

- A socially connected, safe and healthy city
- A city that respects and celebrates diversity, our history and the arts
- A city of accessible, vibrant centres and neighbourhoods
- A city that supports entrepreneurship, quality education and employment outcomes
- A Council that demonstrates leadership and a commitment to investing in the community.

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#### 4.2.1 Aged Care Reform (Cont.)

### 9. The Overarching Governance Principles of the *Local Government Act 2020*

Section 9 of the *Local Government Act 2020* states that a Council must in the performance of its role give effect to the overarching governance principles. This Report gives expression to these principles by:

- seeking the best outcomes for the municipal community, including future generations (S. 9b). In particular, the Report seeks to ensure that all residents and key stakeholders are accorded respect, and that considerations of their needs, preferences and circumstances influences the development of Council services, plans and policies. The development of the Options Paper will take into account all of the above considerations.
- addressing the economic, social and environmental sustainability of the municipal district, including efforts to ease the impact of climate change and lessen its risks (S. 9c). This Report will have no direct economic and environmental impact upon the community, as it is a report for noting that outlines the Commonwealth Aged Care Reforms and the steps Council will be taking to understand the impacts for council and the community. There will be a further report back to Council in August that will identify the options for council to consider our future role in aged services.
- ensuring the municipal community is included in strategic planning and strategic decision making (S. 9d and S.56). The Community Engagement Framework emphasises participation in decision-making and engagement by the community, including residents of diverse genders, ages, abilities, cultural background, spoken languages, race and socioeconomic circumstances. The Aged Care Options Paper will be developed in line with the Community Engagement Framework to ensure all stakeholders can be heard and their views considered.
- maintaining innovation and continuous improvement (S. 9e). The Aged Care Options Paper will consider opportunities to identify innovative ways of supporting our older residents to live in their own homes safely whilst continuing to participate in community life to maintain social connection.
- supporting transparency of council decisions, actions and information (S. 9i and S. 58 and S. 106). The development of the Aged Care Options Paper will be guided by the principles of transparency, together with the commitment to tabling the completed Options Paper at Council in the second half of 2023.

Transparency will be reflected in the development of the Options Paper which will be informed after consultation with the community and other key stakeholders.

### 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.

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#### **4.2.1 Aged Care Reform (Cont.)**

The Report preparation emphasises the right of all members of the community to be consulted and heard by Council, to freely express their views and concerns, to give unstifled and open expression to their culture and other aspects of their personal identity, and to enjoy as equals, the opportunity to participate in all cultural, social, economic and civic aspects of community life.

Accordingly, this Report is consistent with the following sections of the Charter:

- Section 14 – Right to freedom of thought, conscience, religion and belief;
- Section 15 – Right to freedom of expression;
- Section 16 – Right to peaceful assembly and freedom of association;
- Section 17 – Right to the protection of families and children;
- Section 18 – Right to have the opportunity to take part in public life and to vote;
- Section 19 – Right to enjoy one's culture, practice religion or use one's own language and in the case of Aboriginal persons, the right to have distinct cultural rights;
- Section 24 - Right to a fair hearing.

#### **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.

In this regard, the objects of the *Gender Equality Act 2020* must be considered in the development of this report if the issue/topic of this report has a direct and significant impact on members of the public. The objects of the Act are as follows:

- a. to promote, encourage and facilitate the achievement of gender equality and improvement in the status of women; and
- b. to support the identification and elimination of systemic causes of gender inequality in policy, programs and delivery of services in workplaces and communities; and
- c. to recognise that gender inequality may be compounded by other forms of disadvantage or discrimination that a person may experience on the basis of Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and other attributes; and
- d. to redress disadvantage, address stigma, stereotyping, prejudice and violence, and accommodate persons of different genders by way of structural change; and
- e. to enhance economic and social participation by persons of different genders; and
- f. to further promote the right to equality set out in the Victorian Charter of Human Rights and Responsibilities and the Convention on the Elimination of All Forms of Discrimination against Women.

#### **4.2.1 Aged Care Reform (Cont.)**

The requirement to conduct a Gender Impact Assessment applies to policies, programs and services for review. In general services up for review within the following areas will require a Gender Impact Assessment: aged care, childcare, health care, safety, environment, emergency and waste management, open space planning, libraries, recreation and other public facilities. Therefore, a Gender Impact Assessment will as be required as part of the development of the Aged Services Options Paper.

The principles of Council's Diversity, Access and Equity Policy will also be considered in the development of the Aged Services Options Paper.

### **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 will be considered in the preparation of the Aged Services Options Paper.

### **13. Related Council Policies, Strategies or Frameworks**

- Positive Ageing Strategy 2017-2025
- Disability Action Plan 2017- 2023
- Diversity, Access and Equity Policy 2021-2025

### **14. Conclusion**

The current Aged Care system is complex and difficult to navigate. In response the Commonwealth Government is implementing a range of reforms to the aged care system that particularly impact on In Home Support Services from July 2024. This report provides an update on the major aged care reforms.

**4.2.1 Aged Care Reform (Cont.)**

**15. Recommendation**

**That Council notes this report in response to the implementation of the Commonwealth Aged Care Reforms, Council undertakes the development of an Options Paper to assist in consideration of all future opportunities in aged care services post June 2024.**

**The Options Paper will then be presented to Council for their consideration by the end of August 2023.**

#### **4.2.2 Draft Minutes of Cultural Heritage Advisory Committee Meeting - 23 February 2023**

File Id:	A9599726
Responsible Officer:	Director Community Services
Attachments:	Draft Minutes of Cultural Heritage Advisory Committee Meeting on 23 February 2023

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### **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 Cultural Heritage Advisory Committee meeting provided in Attachment 1 be noted and endorsed by Council.

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#### **4.2.2 Draft Minutes of Cultural Heritage Advisory Committee Meeting - 23 February 2023 (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 Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

*The City of Great Dandenong is a home to all.  
It's a city where you can enjoy and embrace life through celebration and equal opportunity.  
We harmonise the community by valuing multiculturalism and the individual.  
Our community is healthy, vibrant, innovative and creative.  
Our growing city is committed to environmental sustainability.  
Welcome to our exciting and peaceful community.*

#### **4.1 Council Plan 2021-25**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four (4) years. This report is consistent with the following strategic objectives:

- A socially connected, safe and healthy city
- A city that respects and celebrates diversity, our history and the arts
- A city that supports entrepreneurship, quality education and employment outcomes
- A Council that demonstrates leadership and a commitment to investing in the community.

### **5. 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.

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#### **4.2.2 Draft Minutes of Cultural Heritage Advisory Committee Meeting - 23 February 2023 (Cont.)**

The establishment of the Cultural Heritage Advisory 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).

### **6. 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.

### **7. 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 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 (1) gender group over any other.

### **8. 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 because it is purely administrative in nature and is a reporting mechanism only.

### **9. Recommendation**

**That Council notes the draft Minutes of meeting for the Cultural Heritage Advisory Committee as provided in Attachment 1 to this report.**

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**4.2.2 Draft Minutes of Cultural Heritage Advisory Committee Meeting - 23 February 2023 (Cont.)**

**OTHER**

**DRAFT MINUTES OF CULTURAL HERITAGE ADVISORY  
COMMITTEE MEETING**

**ATTACHMENT 1**

**CULTURAL HERITAGE ADVISORY  
COMMITTEE ON 23 FEBRUARY 2023**

**PAGES 6 (including cover)**

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

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#### 4.2.2 Draft Minutes of Cultural Heritage Advisory Committee Meeting - 23 February 2023 (Cont.)

**Advisory Committee or Reference Group Name:** Cultural Heritage Advisory Committee

**Date of Meeting:** 23 February 2023

**Time of Meeting:** 4 – 5.30pm

**Meeting Location:** Springvale Community Hub  
5 Hillcrest Grove, Springvale  
Community Rooms 2-3; and

Also via Microsoft Teams

**Attendees:**

Chris Keys CK (Chair, Dandenong and District Historical Society / DDHS), Robyn Robie RR (Springvale and District Historical Society/ SDHS), Gaye Guest GG, Maryanne McCubbin MMC (Museums Victoria)

**Ex-Officio:** Library Services Senior Coordinator (CGD), Library Technology and Heritage Coordinator (CGD), Cultural Heritage Program Lead, Community Engagement Officer – Heritage (CGD)

**Apologies:** Cr Angela Long, Acting Manager Community Arts, Culture and Library Service (CGD), Bill Warner, Neil Wanstall

**Minutes:** Cultural Heritage Team (CGD)

Item No.	Item	Action	Action By
1.	<b>Acknowledgement of country</b> <i>"We acknowledge the traditional owners and custodians of this land, the Bunurong People, and pay respects to their Elders past, present and emerging.</i>  <i>We recognise and respect their continuing connections to Climate, Culture and Country and we also pay our respects and acknowledge all Aboriginal peoples and their Elders present here today, in acknowledging their journey."</i>		
2.	<b>Chair welcome, introductions, and apologies</b> The Chair welcomed all present and apologies noted.		
3	<b>Previous Minutes &amp; Business Arising</b> Review of minutes from meeting held 11 August 2022 minutes were accepted – moved Chris Keys and seconded Gaye Guest  No matters arising from the previous Minutes.		
4.	<b>Update on Vanity Lane</b> An update from Placemaking and Revitalisation Team was provided: Challenges have delayed the proposed		

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

**4.2.2 Draft Minutes of Cultural Heritage Advisory Committee Meeting - 23 February 2023 (Cont.)**

	demolition of the fire damaged building. Council is working through these and seeking a resolution. Confirmation of the detailed design will mobilise as soon as the site has been taken to ground.		
5.	<p><b>Update on Masonic Hall Time Capsule and Dandenong New Art (DNA)</b></p> <p>Council advised that there has been some movement on the DNA project, however this is currently under confidential clauses. Council hopes to provide publicly made information available in the next few months</p> <p>The time capsule installation is pending the opening of the gallery.</p>	CGD to further update Committee on opening of DNA, and proposed future use of WSG.	CGD
6.	<p><b>Update on Arts &amp; Cultural Heritage Strategy</b></p> <p>An action from the last meeting for the Committee was to read strategy ahead of proposed discussion of 'How this committee can contribute to the fulfillment of the strategy'.</p> <p>Discussion around how actions are related to the historical societies and how CGD use the strategy and priorities.</p> <p>CGD officers advised the strategy helps plan priorities for the next four years. It assists in setting our priorities related to programming, exhibitions, engagement, digitising, collections management this also includes the completion of the relocation of the SDHS into the Springvale Community Hub.</p> <p>Discussion also related to the Know My Story project which is planning to be on display at the Springvale Community Hub and that SDHS were unaware of the upcoming display.</p> <p>A proposal to document Interfaith's history was raised and suggested that a grant might be a potential way to undertake this project. CoGD will continue provide information on grant opportunities to the committee as they become available if members of CHAC wish to pursue other projects.</p>	<p>Heritage Strategy Action Plan to be discussed with the Historical Societies/CHAC</p> <p>Investigate options for increased communication between SDHS and knowledge of upcoming SCH activities</p> <p>Provide updates on potential funding opportunities as they become available</p>	<p>CGD</p> <p>CGD</p> <p>CGD</p>
7.	<p><b>Historical Society Update</b></p> <p>Dandenong and District Historical Society (DDHS) reported that they now have two extra volunteers, and increased requests for memberships. There is to be a luncheon in June with a speaker. They have recently joined AMAga, looking into training for all people, and getting Victoria Collections up on all computers.</p> <p>Springvale and District Historical Society (SDHS) noted that some of their collections will begin to</p>	Further promotion SDHS once moved into SCH.	CGD

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

#### 4.2.2 Draft Minutes of Cultural Heritage Advisory Committee Meeting - 23 February 2023 (Cont.)

	<p>be relocated on 3 March to Springvale Community Hub and the shared archive.</p> <p>SDHS are looking at Grants for computer and scanning equipment CK advised that items would not be discarded until a further assessment undertaken.</p> <p>RR from SDHS has been recording stories with recent arrivals to the area, along with more longer-term residents.</p> <p>CGD confirmed that once SDHS have moved and more settled into their offices at the Hub, they will look at some further promotion to raise awareness.</p>		
8.	<p><b>Cultural Heritage Advisory Committee Terms of Reference</b></p> <p>CGD reported that the meeting was to be the last under the current Terms of Reference (TOR), and that Expressions of Interest (EOI) are now open for the upcoming term and closing 28 February.</p> <p>CGD provided an overview of main updates.</p> <p>CGD reported that CHAC information is now available on the CGD web page. This is planned to be a permanent page to raise awareness and provide information on the Committee.</p>		
9.	<p><b>Update on the History and Heritage Website</b></p> <p>CGD officers reported on the History and Cultural Heritage website which includes the Libraries local and family history pages.</p> <p>Further work is planned for inclusion to the website including the new Heritage Branding Package.</p>		
10.	<p><b>Hammond Road Archive – Feasibility Extension Study</b></p> <p>CGD reported that they are working towards the use of a dowel type storage system within the existing racks and planning for the conversion of the rear unused toilet block into a small multipurpose basic storage space.</p> <p>CGD thanked Museums Victoria MMC and Chris Keys for their advice on the storage aspect of the project.</p>	Updates to be provided as progressed.	CGD
11.	<p><b>Engagement with Migrant Community and Capture Small Collections.</b></p> <p>Discussion took place around how to approach Multicultural Committee for advice on how the Cultural Heritage and Advisory Committee could more effectively engage with migrant communities and capture small collections</p>	Update to be provided for Committee at next meeting.	CGD

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

#### 4.2.2 Draft Minutes of Cultural Heritage Advisory Committee Meeting - 23 February 2023 (Cont.)

	Chris Keys suggested to delay this agenda item due to time constraints.		
12.	<b>Update on Noble Park Hall Trust</b> Chris Keys suggested to delay this agenda item due to time constraints.	Update to be provided for committee at next meeting.	CGD
13.	<b>Update on Friends of Historic Keysborough Chapel</b> Chris Keys reported that she wrote a letter to local State and Federal politicians, Tim Richardson MP, and Premier Daniel Andrews, about saving the Keysborough Chapel for public use, however had not received a reply.  Gaye Guest (GG) provided an update on the physical state, including recent graffiti and thefts at the church, and the need to keep open space around the buildings for context and greenspace. GG reported she also contacted Tim Richardson MP, who has agreed to meet and discuss. GG reported that 2,060 people have signed the petition on change.org.		
14.	<b>CGD Reserves Video Project</b> CGD officer reported that they have now added subtitles to the video as well as created options where the three videos can also be viewed independently. The videos include: <ul style="list-style-type: none"> <li>• Frederick Wachter Reserve</li> <li>• Rowley Allan Reserve</li> <li>• Tatterson Park.</li> </ul> The videos are now available as part of the rotation on the Council digital screens. And have regularly played on the large outdoor screens at the Civic Centre and Springvale Community Hub.  CGD thanked Chris Keys from Springvale District Heritage Society and Roz Blades for their work on the project, which was funded by a Council Community Grant.		
15.	<b>Merle Mitchell AM – Memorial Event</b> CGD officers provided an overview of the community memorial celebration was held in tribute to the late Greater Dandenong Living Treasure Merle Mitchell AM on Sunday 13 November at the Springvale Town Hall. Merle passed away in September 2021.		
16.	<b>Review of the Greater Dandenong Heritage Study 1999</b> CGD officers advised that discussions are continuing with Council's strategic planning team on all elements of the heritage study. The project will be staged with the team currently establishing potential costs. It will then seek funding as part of Council's CIP or Operational	CHAC to advocate for heritage study to be undertaken as a priority	CGD

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

**4.2.2 Draft Minutes of Cultural Heritage Advisory Committee Meeting - 23 February 2023 (Cont.)**

	<p>Budgets.</p> <p>CHAC members agreed that the Committee needed to use their role to ensure that Council fully understood the importance and need of undertaking this important piece of work as a priority. This includes the need to assess new properties, rather than re assessing properties that are already protected by heritage overlays.</p>		
17.	<p><b>Victorian Collections</b></p> <p>Chris Keys advised that Dandenong District Heritage Society (DDHS) and Springvale District Heritage Society (SDHS) are moving across to use Victoria Collections and are now members of AMaGA.</p>		
18.	<p><b>Key Heritage Projects 11/08/22 - 23/02/23</b></p> <p>Council officers provided an update on Council's current heritage projects.</p> <p>Chris Keys requested the document be circulated to the Committee ahead of the meeting in future.</p>	<p>CGD officers to circulate written update on key heritage projects ahead of the upcoming Committee meetings</p>	CGD
19.	<p><b>Other Business</b></p>		
	<p><b>Next Meeting</b></p> <p>To be Confirmed</p>		
<p><b>Meeting closed 5.35 pm</b></p>			

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

#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan

File Id:	A9624454
Responsible Officer:	Director Community Services
Attachments:	<b>City of Greater Dandenong - Dandenong Community Hub – Engagement Findings Report (December 2022)</b> <b>Draft Concept Plan Options</b>

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### 1. Report Summary

This report provides an overview of the planning and consultation processes for the Dandenong Community Hub in response to *Notice of Motion No 89 – Progressing planning for a Dandenong Community Hub*, endorsed at the Council Meeting on Monday 14 September 2020.

### 2. Recommendation Summary

This report recommends that Council endorse Concept Option Two (2) as a preferred design for the Dandenong Community Hub and that detailed design be progressed in the 2024-25 financial year subject to the following:

- An analysis be undertaken into the potential for a public private partnership that would deliver on the outcomes detailed in Notice of Motion No 89 – Progressing planning for a Dandenong Community Hub.
- Council participation in the State Government of Victoria's project to explore the feasibility for a Dandenong Multicultural Hub to determine if any facility synergies exist.
- Council participation in the State Government of Victoria's Four-Year-Old Kindergarten/Pre-Prep initiative to determine future early years requirements within the City of Greater Dandenong.
- Utilising the preferred concept design, State Government advocacy for partnered funding to support the construction of a Community Hub for Dandenong.

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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

### 3. Background

Detailed planning for the development of a Dandenong Community Hub commenced with *Notice of Motion No 89 – Progressing planning for a Dandenong Community Hub*, endorsed at the Council Meeting on Monday 14 September 2020.

The Notice of Motion resolved that:

- in the 2020-21 financial year, concept designs for an integrated, intergenerational Dandenong Community Hub with capability for children services and formal and informal meeting and activity spaces be drawn up exhibited; and
- in tandem there be community consultation on the location which will include a range of options including the Clow Street (ie Market) precinct.

The following table outlines the progress to date of the Dandenong Community Hub Project:

Dates	Activity
May 2021	First round of community workshops and consultation to establish the vision and purpose of the Hub
15 June – 16 August 2021	Councillor workshops to review consultation outcomes, design components and spatial allocations
September – October 2021	Consultation and engagement undertaken to review and gather feedback to draft concept plans
January – March 2022	Draft concept designs developed by Croxon Ramsay
March – September 2022	Alternative building layout models developed for preferred Hub site
19 September 2022	Presentation of business case and updated concept plans to Council (Councillor Briefing Session)
17 October – 14 November 2022	Consultation on three (3) concept designs

At the request of Council three (3) variations were prepared for Council review through March – September 2022. A comparison of all three (3) variations is detailed below and all three (3) variations are included in **Attachment 2** of this report.

#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

##### Variation Comparison

	Refer Appendix 1.1 and 1.2	Refer Appendix 2	Refer Appendix 3
	Option One (1) – double storey	Option Two (2) - abutting Clow Street	Option Three (3) – centre of site
<b>Open Space</b>	Largest allowance of open space  Significant trees retained	Limited by building and carparking requirements  Significant trees retained	Limited by building and carparking requirements  Would require removal of significant trees
<b>Access</b>	Double storey	Single storey	Single storey
<b>Estimated total cost</b>	\$32,839,310	\$31,387,673	\$31,723,022
<b>Estimated cost without early years included</b>	\$20,093,926	\$22,726,298	\$22,990,012
<b>Total area – square metres</b>	4,850	8,000	6,599

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#### **4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)**

### **4. Proposal**

This report proposes that Council endorse Concept Option Two (2) as a preferred design for the Dandenong Community Hub and that detailed design be progressed in the 2024-25 financial year subject to the following:

- An analysis be undertaken into the potential for a public private partnership that would deliver on the outcomes detailed in Notice of Motion No 89 – Progressing planning for a Dandenong Community Hub.
- Council participation in the State Government of Victoria's project to explore the feasibility for a Dandenong Multicultural Hub to determine if any facility synergies exist.
- Council participation in the State Government of Victoria's Four-Year-Old Kindergarten/Pre-Prep initiative to determine future early years requirements within the City of Greater Dandenong.
- Utilising the preferred concept design, State Government advocacy for partnered funding to support the construction of a Community Hub for Dandenong.

### **5. Financial Implications**

The financial implications associated with this report currently involve a cost in the current financial year of \$35,000 and anticipated costs in future years of approximately \$2 million for detailed design and between \$30 million and \$32 million for construction.

Estimates for design and construction have been foreshadowed in Council's Long Term Financial Plan.

### **6. Consultation**

Consultation was undertaken from Monday 17 October to Monday 14 November 2022 to seek feedback on the three (3) concept designs developed by architects - Croxon Ramsay. The services being included in the Hub, detailed layouts and design, variations to the design and sources of funding were not in the scope of this consultation.

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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

The three (3) options presented were:

Option	Details
<b>One (1)</b>	<ul style="list-style-type: none"><li>• Two (2) storey building</li><li>• Ground floor - community activity rooms, maternal and child health and café</li><li>• First floor - Kindergarten and childcare</li><li>• Building size - 4,850sqm</li><li>• Community outdoor space</li><li>• Childcare outdoor play space</li><li>• Large tree to stay.</li></ul>
<b>Two (2)</b>	<ul style="list-style-type: none"><li>• One (1) storey building – all services together</li><li>• Building size – 8,000sqm</li><li>• Community outdoor space</li><li>• Community garden</li><li>• Childcare outdoor play space</li><li>• Large tree to stay.</li></ul>
<b>Three (3)</b>	<ul style="list-style-type: none"><li>• One (1) storey building – all services together</li><li>• Building size – 6,599sqm</li><li>• Community outdoor space</li><li>• Childcare outdoor play space</li><li>• Large tree will be removed.</li></ul>

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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

A number of activities were undertaken, in line with Council's Community Engagement Policy, to capture as many voices as possible across the consultation period. These included:

Activity	Details
<b>Community pop-ups</b> (2 sessions)	<ul style="list-style-type: none"><li>• Saturday 12 November 2022 - Dandenong Market (10am - 1pm)</li><li>• Thursday 17 November 2022 – Dandenong Library (11am - 2pm)</li></ul>
<b>Online survey</b>	<ul style="list-style-type: none"><li>• 17 October – 14 November 2022</li></ul>
<b>Intercept surveys</b> (2 sessions)	<ul style="list-style-type: none"><li>• Saturday 12 November – Dandenong Plaza (2.30pm – 3.30pm)</li><li>• Thursday 17 November 2022 – Dandenong Oasis (3.15pm – 4.15pm)</li></ul>
<b>Dandenong Civic Centre Customer Service Display</b>	<ul style="list-style-type: none"><li>• 17 October – 14 November 2022</li></ul>

#### **6.1 Promotion**

The consultation was promoted through the following channels:

- Council's website and social media.
- Letterbox drop of 2000 flyers to area surrounding the proposed hub.
- Council department promotion via e newsletters and emails to contacts including Children's Services, Youth and Family Services, Community Development, and Maternal and Child Health.
- Contact with South East Leisure and Dandenong Market.
- Media release.
- Greater Dandenong Council News article.
- Emails to Council networks including Advisory Committees, Dandenong Neighbourhood House, Dandenong Historical Society, Greater Dandenong Volunteer Resource Centre, Southern Migrant and Refugee Centre.
- Emails to participants in previous community hub consultation phases.

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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

### **6.2 Consultation Outcomes**

The consultation process engaged with 238 participants:

- 39 at the Dandenong Market
- 13 at Dandenong Plaza
- 24 at the Dandenong Library
- 11 at Oasis Leisure Centre
- 29 through the online survey and hard copy submission box
- 122 from the Dandenong Community Association advocacy group.

The strong preference from all of the above responses was Option Two (2). Green and open space was considered to be very important across all options; however, the location of Children's Services 'upstairs' was divisive.

Detailed information on the *City of Greater Dandenong - Dandenong Hub Community - Engagement Findings Report (December 2022)* can be found in **Attachment 1** of this report.

### **7. Community Vision 2040 and Council Plan 2021-25 – Strategic Objectives, Strategies and Plans**

After consultation with the Greater Dandenong community on what kind of future they wanted for themselves and our city, the Greater Dandenong People's Panel developed a new Community Vision for 2040:

*The City of Great Dandenong is a home to all.  
It's a city where you can enjoy and embrace life through celebration and equal opportunity.  
We harmonise the community by valuing multiculturalism and the individual.  
Our community is healthy, vibrant, innovative and creative.  
Our growing city is committed to environmental sustainability.  
Welcome to our exciting and peaceful community.*

#### **7.1 Community Vision 2040**

This report is consistent with the Community Vision 2040 and its accompanying principles:

- Safe and peaceful community
- Education, training, entrepreneurship and employment opportunities
- Embrace diversity and multiculturalism
- Mind, Body and Spirit.

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#### **4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)**

### **7.2 Council Plan 2021-25**

The Council Plan describes the kind of future the Council is working for, and how Council will do this over four (4) years. This report is consistent with the following strategic objectives:

- A socially connected, safe and healthy city
- A city that respects and celebrates diversity, our history and the arts
- A city of accessible, vibrant centres and neighbourhoods
- A city that supports entrepreneurship, quality education and employment outcomes
- A Council that demonstrates leadership and a commitment to investing in the community.

## **8. 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 gives expression to these principles by:

- seeking the best outcomes for the municipal community, including future generations (S. 9b). In particular, the Report seeks to ensure that all residents are accorded respect, and that considerations of their needs, preferences and circumstances influences the development of Council services, plans and policies.
- addressing the economic, social and environmental sustainability of the municipal district, including efforts to ease the impact of climate change and lessen its risks (S. 9c). This Report will have no direct economic and environmental impact upon the community, but merely facilitates planning. A future endorsed project will contribute to social sustainability through the promotion of equal opportunity and participation among diverse segments of the community.
- ensuring the municipal community is included in strategic planning and strategic decision making (S. 9d and S. 56). The Community Engagement Framework and Community Hubs Framework emphasise participation in decision-making and engagement by the community, including residents of diverse genders, ages, abilities, cultural background, spoken languages, race and socioeconomic circumstances.
- maintaining innovation and continuous improvement (S. 9e). The Report incorporates provisions to inform the community about the project and will seek their ongoing community consultation for the next stage of the project associated to the plans, and to adjust such promotional efforts where required.
- supporting transparency of council decisions, actions and information (S. 9i and S. 58 and S. 106). The project reporting and ongoing community consultation at nominated stages, combined with Council website project updates facilitate this transparency.

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#### **4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)**

Transparency is reflected in the preparation and content of the Report, which has been formed after consultation with the community and updates for the Central Dandenong Community Hub are maintained on Council's website and ongoing consultation will continue to be disseminated through appropriate media and means.

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

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

The Report preparation emphasises the right of all members of the community to be

consulted and heard by Council, to freely express their views and concerns, to give unstifled and open expression to their culture and other aspects of their personal identity, and to enjoy as equals, the opportunity to participate in all cultural, social, economic and civic aspects of community life.

Accordingly, this Report is consistent with the following sections of the Charter:

- Section 14 – Right to freedom of thought, conscience, religion and belief;
- Section 15 – Right to freedom of expression;
- Section 16 – Right to peaceful assembly and freedom of association;
- Section 17 – Right to the protection of families and children;
- Section 18 – Right to have the opportunity to take part in public life and to vote;
- Section 19 – Right to enjoy one's culture, practice religion or use one's own language and in the case of Aboriginal persons, the right to have distinct cultural rights;
- Section 24 - Right to a fair hearing.

### **10. 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 contents.

The Report advances this purpose, considering the needs of our community as a whole. The project would advance supporting a communal place for personal safety and the prevention of violence and affirming the rights of adults and children of all genders to respect and equal opportunity.

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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

### 11. 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 Dandenong Community Hub 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.

Climate Change and Sustainability are regarded through the lens of engaging community in discussions on climate change and sustainability measures impacting their community through the design process as a whole and via community consultation.

- At this stage the Report is to articulate and seek endorsement of a preferred concept plan, meaning climate change and sustainability opportunities are minimal.
- Environmental performance standards will be determined during the detailed design stage and will adhere to Council’s Sustainable Buildings Policy.
- The Sustainability Planning unit will be engaged during the detailed design stage to further inform the opportunities for the building to respond to Council’s commitment to sustainability and effective climate action.

### 12. Related Council Policies, Strategies or Frameworks

#### 12.1 Legislation

- Charter of Human Rights and Responsibilities Act 2006
- Gender Equality Act 2020
- Local Government Act 2020
- Planning and Environment Act 1987

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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

#### **12.2 Related Council and Other Policies, Procedures, Strategies, Protocols, Guidelines (in alpha order)**

- Greater Dandenong City Council A Safe and Harmonious Greater Dandenong. A community safety plan for Greater Dandenong 2015-2022
- Greater Dandenong City Council Access, Diversity and Equity Policy
- Greater Dandenong City Council [Asset Management Strategy 2015-2022](#)
- Greater Dandenong City Council Children's Plan 2021-2026
- Greater Dandenong City Council Child Safe Policy
- Greater Dandenong City Council City of Greater Dandenong Make Your Move Physical Activity Strategy 2020-2030
- Greater Dandenong City Council City of Greater Dandenong Reconciliation Action Plan 2021-2023
- Greater Dandenong City Council Climate Change Emergency Strategy and Action Plan 2020-2030
- Greater Dandenong City Council Council Plan 2021-2025
- Greater Dandenong City Council [Community Engagement Policy 2021-2025](#)
- Greater Dandenong City Council [Community Engagement Planning Framework 2019](#)
- Greater Dandenong City Council [Community Hubs Framework 2019](#)
- Greater Dandenong City Council Community Facilities Management Policy
- Greater Dandenong City Council Community Funding Program
- Greater Dandenong City Council Community Safety Plan 2015-2022
- Greater Dandenong City Council [Disability Action Plan 2017-2023](#)
- Greater Dandenong City Council Imagine 2030 Community Plan
- Greater Dandenong City Council Multi Use of Community Facilities
- Greater Dandenong City Council Open Space Strategy 2020-2030
- Greater Dandenong City Council Springvale Community Hub Strategic Plan 2020-2025
- Greater Dandenong City Council Youth Strategy 2021-2026.

These policies and plans are relevant to the Dandenong Community Hub Report, owing to their emphasis upon the right of all residents to express their views about Council decisions which affect their lives, and be heard. Also, in the consideration and respect which they accord to the diversity of needs, priorities, perceptions and circumstances of residents. The same principles are echoed in the content of the Report which are submitted for consideration by Council.

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#### **4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)**

### **Conclusion**

This report provides an overview of the planning and consultation processes for the Dandenong Community Hub in response to Notice of Motion No 89 – Progressing planning for a Dandenong Community Hub, and recommends that Council endorse Concept Option Two (2) as a preferred design for the Dandenong Community Hub, and that detailed design be progressed in the 2024-25 financial year subject to four (4) preconditions detailed in the recommendation.

### **Recommendation**

#### **That Council:**

- 1. endorses Concept Option Two (2) as the preferred design for the Dandenong Community Hub and that detailed design be progressed in the 2024-25 financial year subject to the following:**
  - 1.1. an analysis be undertaken into the potential for a public private partnership that would deliver on the outcomes detailed in Notice of Motion No 89 – Progressing planning for a Dandenong Community Hub;**
  - 1.2. Council participation in the State Government of Victoria's project to explore the feasibility for a Dandenong Multicultural Hub to determine if any facility synergies exist;**
  - 1.3. Council participation in the State Government of Victoria's Four-Year-Old Kindergarten/Pre-Prep initiative to determine future early years requirements within the City of Greater Dandenong; and**
  - 1.4. utilising the preferred concept design, State Government advocacy for partnered funding to support the construction of a Community Hub for Dandenong.**

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**4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)**

**OTHER**

**DANDENONG COMMUNITY HUB CONSULTATION AND CONCEPT PLAN**

**ATTACHMENT 1**

**CITY OF GREATER DANDENONG -  
DANDENONG COMMUNITY HUB –  
ENGAGEMENT FINDINGS REPORT  
(DECEMBER 2022)**

**PAGES 15 (including cover)**

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

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**4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)**

**Engagement Findings Report  
Dandenong Community Hub**

December 2022

**About this report**

This report comprises raw feedback received from the Dandenong community through the consultation period. It summarises the findings of activities hosted by Conversation Co.

Information obtained via this public consultation and summarised in this document will be presented to Council in January 2023 to determine next steps.

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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

### CONTENTS

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### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

## Introduction

Conversation Co. was engaged by the Greater Dandenong City Council to deliver an engagement program to better understand the community's preferred design option for the proposed Dandenong Community Hub as well as the reason for their preference.

## Project Background

Greater Dandenong City Council is planning for a community hub in central Dandenong. Community hubs are multi-purpose community facilities providing a range of complementary services in a single accessible location and generally have a range of shared facilities and functions for the community, groups and organisations.

The Council had previously engaged the community in May and June of 2021 to understand the local community's vision for the Hub, asking participants what sort of facility the community wanted, facilities to be included in the hub, and the preferred location for the hub. Architects then developed three concept designs based on community feedback.

## Engagement Purpose and Scope

The purpose of the engagement was to understand the community's preference of the three concepts design and the reasons for their preference. The differences in design for the three options relate to the size of the building, the number of storeys, and the amount of public outdoor space available.

Topics that the project stakeholders could influence and inform (negotiables) were:

- Selecting one of the three options they preferred best.
- Their reasons for the selection.

Topics not open for discussion (non-negotiables) during the engagement were:

- Funding of the facility.
- The services to be included within the hub.
- Variations to the design on the three concepts.

## Methodology

A mixed-method community engagement program consisting of online and face-to-face activities was used to reach participants from various levels of interest in the project.

## Engagement Activities

Table 2 lists the community engagement activities delivered as part of this project.

### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

**Table 2: Community engagement activities**

Activity	Purpose
Community pop-ups (2 sessions)	Provide an opportunity for the community to learn about the project and provide their preference while going about their day.
Online survey	Receive feedback from the community on their preference.
Intercept surveys (2 sessions)	Provide an opportunity for the community to learn about the project and provide their preference while going about their day.
Dandenong Civic Centre Customer Service Display	Provide an opportunity for hardcopy submissions into a physical collection box

#### Online Survey

The online survey was promoted via the Greater Dandenong City Council Have Your Say project page. Participants could register to receive updates on the project.

#### Community pop-ups

Two place-based community pop-up events were held on different days and times. Times were chosen to ensure maximum engagement from community members going about their day-to-day business.

Pop-up dates, locations and times:

- Saturday November 12, 2022 - Dandenong Market 10am – 1pm
- Thursday November 17, 2022 – Dandenong Library 11am – 2pm

#### Intercept surveys

Two days of intercept surveys were carried out following the community pop-ups.

Intercept locations and times:

- Saturday November 12, 2022 – Dandenong Plaza 2.30pm – 3.30pm
- Thursday November 17, 2022 – Dandenong Oasis 3.15pm – 4.15pm

### Engagement Questions

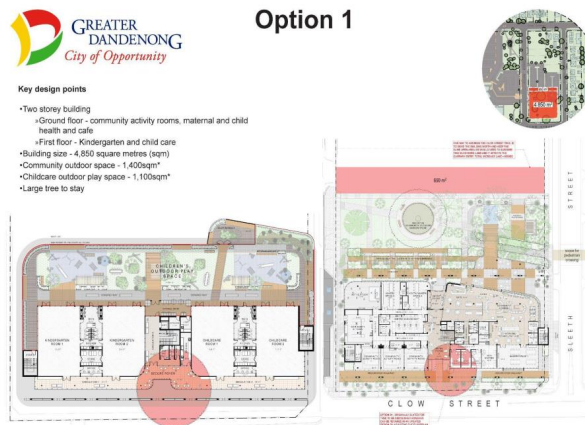
Participants were invited to review the three concept designs before responding to the following questions:

- Which Dandenong Community Hub design is your favourite?
- Why do you like it the most?

Participants were also asked to provide their first and last name and email address.

### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

Images: Concept Designs



4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)



Key design points

- One storey building - all services together
- Building size - 8,000 square metres (sqm)
- Community outdoor space - 780sqm\*
- Community garden - 300sqm\*
- Childcare outdoor play space - 1,100sqm\*
- Large tree to stay



Option 2



Key design points

- One storey building - all services together
- Building size - 6,589 square metres (sqm)
- Community outdoor space (including community garden) - 450sqm\*
- Childcare outdoor play space - 1200sqm\*
- Large tree will be removed



Option 3



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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

##### Strategies to Support Participation

Community participation was supported through the following initiatives:

- **Dedicated project page:** A dedicated project page was created on Council's *Have Your Say* website, to provide a consistent location for the community to access information and participate in the survey and obtain details about the community pop-ups.
- **Going to the community:** Pop-ups and intercepts were held in the Dandenong community so participants could participate whilst going about their day-to-day business.
- **Variety of engagement methods:** multiple methods were offered, allowing participants to participate in their own time through the online survey or as they were going about their day at a pop-up or intercept. The multiple methods encouraged community members with different time commitments, locations, and interest levels to provide feedback and find out about the project.

##### Potential barriers to participation

- **Lack of translated material:** A small number of participants found the process difficult due to language barriers. Translated and printed materials could have benefitted these participants.
- **Inability to suggest variations:** Some found the process difficult as they wished to suggest variations to the design or layout. All hard copy submissions from an advocacy group included out-of-scope suggestions or requests.
- **Not residing in Dandenong:** During in-person engagements, a number of users of the spaces explained that they live outside of the area for consultation. This could be linked to the pop-up and intercept survey locations as visitors from other suburbs frequent them. These users were often found to be visiting the market or attending the shopping centre.
- **Lack of awareness of the project:** Participants without internet access, access to the locations where pop-ups and intercept surveys were held, or a need for early childhood services may not have been aware of the project.

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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

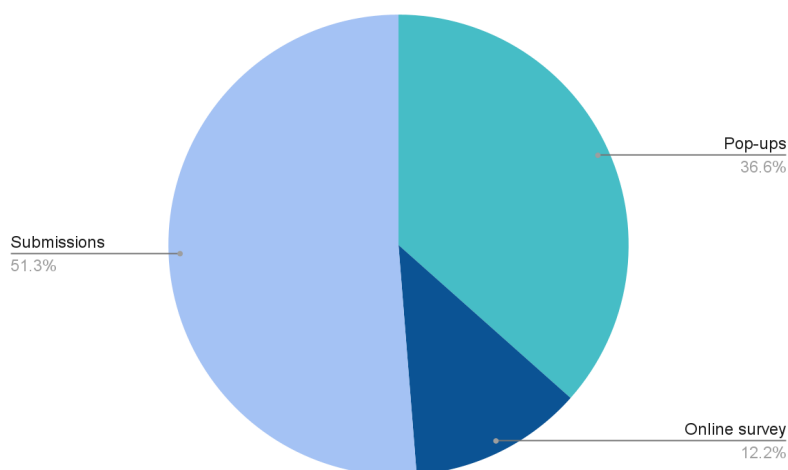
### Who participated?

A total of 238 people participated in this engagement program. Two participants made a selection of more than one concept design. Due to issues with duplication, these selections have been excluded from the findings by concept and are found in the Exclusion section. The following section details participation in the project by engagement method and via the online portal.

### Participation by engagement method

Figure 2 shows the breakdown of participation and reach across the various engagement methods. The majority of responses to the engagement program were received via hard copy submissions, with 122 responses (51.3%). Participation via place-based community pop-ups contributed 87 responses (36.6%), and 12.2% of responses were received via the online survey.

Figure 1. Participation across engagement activities

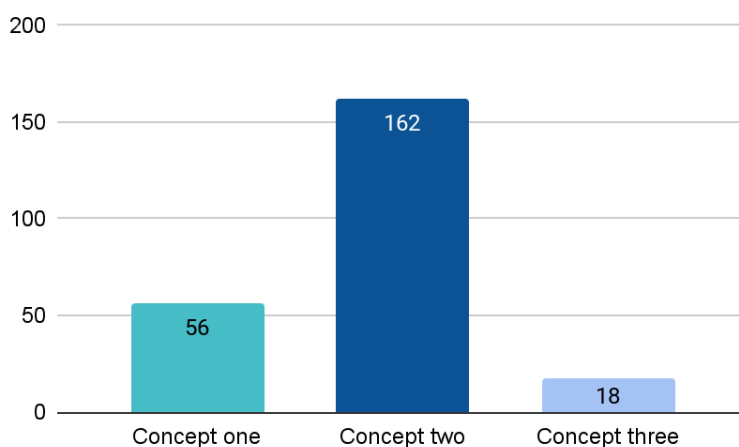


### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

## Key Findings

The key findings outlined in the following section are presented by concept design and provide an overview of the levels of support for each option. These selections were supported by a variety of reasons presented from each participant, which have been grouped into themes below.

Figure 2. Overall support for each concept design



### Option 1

The second highest selection among all engagement participants was option 1, with 56 total selections making up 24% of participants. Themes with the most number of mentions are children being located on the second floor (21), followed by the retention of a large tree (20), with best use of space and size and location of green space having an equal number of mentions (11).

Here are some direct community comments.

- Children located on second floor (21)
  - "Like the children's space on the second floor. Contained, still able to connect in community."
  - "The children are safe and secure and away from prying eyes, space is more private."
- Retention of a large tree (20)
  - "Don't remove the tree, the more green space the better."
  - "I like the fact that the tree is kept."
- Best use of space (11)
  - "I like this as it utilises the space the best with lots of outdoor space."
  - "Better use of land, open space is always excellent."

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### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

#### Option 2

The majority of participants selected option two as their preferred concept design, with 162\* selections out of an overall total of 236 counted votes (69%).

Themes with the most number of mentions are the retention of a large tree (24), followed by the size and location of a community garden (15), and comments relating to the children's outdoor play space (14).

Here are some direct community comments.

- Retention of large tree (24)
  - "Retention of the big tree. We should be looking to keep our older growth rather than remove it."
  - "The tree is very important."
- Size and location of community garden (15)
  - "Gardens and trees are important - environment/sustainability."
  - "Like the central garden it will provide light and greenery for more rooms."
  - "A community garden is a nice idea as long as it doesn't take away from the small businesses that are the fabric of Dandenong Market."
- Children's outdoor play space (14)
  - "Appreciate larger outdoor garden, children should have large space to play."
  - "Larger outdoor space for the community and kids."

\*The project team received 122 photocopied responses that were part of a collection box based at Dandenong Civic Centre Customer Service. We believe a community member may have door-knocked residents in surrounding streets and a retirement village, based on some addresses provided. Given the similarity in responses, we suspect that participants of this engagement were provided with a 'how to respond card' and asked to select from pre-populated responses. This number includes those 122 votes.

#### Option 3

Option three is the least favoured option, with 18 selections (8%).

Themes with the highest number of mentions are unaffected by tree removal (4), Perceived financial or time-related benefits (4). A further six themes received an equal number of mentions (3), these are

- More space for children
- Location and size of children's outdoor play space
- Access-related issues
- Best use of space
- Positive use of ground area
- Just like one storey

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#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

### Exclusions

Participants selecting multiple options have been excluded from this count, however, their text responses have been categorised within the overall reasons behind selections. Feedback that is considered out of scope, or to be detailed at a later stage of the project are not reported within this report, however, will be referred to at later stages of the project.

Further information on these responses is found below.

#### Duplicate responses

Participants that selected two or more options on the same postcard were excluded from the results to avoid any duplication.

There were only two participants that responded this way, and their selections are:

- One participant selected options one and two
- One participant selected all three options.

#### Out of scope information

There were 122 responses that provided variations, requests or responses to be considered later in the project. These responses consisted of 13 typical responses:

1. Community activity rooms and community kitchen should be together on the Stuart St side
2. Community kitchen should serve out into the community activity rooms (like Keysborough South Community Hub)
3. Centre Management should be much smaller
4. No need for staff retreat - they can mix with the community
5. Changing places should not be in foyer - should be closer to playground or outdoor areas
6. Increase space for public playground so that it is a large playground with equipment for both smaller and older children of 2,500 square metres (same size as Keysborough South Community Hub). Current small playground proposed (around 200 square metres) will be a white elephant that will not attract users to the hub
7. Have children's services connected to the rest of the building so it isn't a separate building just bolted on which the design seems to indicate at the moment. This will mean a foyer is needed in front of the community lounge so the foyer connects to all parts of the building like the Keysborough South Community Hub
8. Design the building so the community lounge can be open 7 days a week, 12+ hours a day - this informal space needs to be open when the rest of the building is open as space that does not need to be booked will make the hub a success. This may mean flipping the cafe and the community lounge around.
9. Preserve all medium - large trees on site, including the ones on the house just purchased, consistent with the local law about protecting trees that the Council want to introduce
10. Have bigger gallery space so there can be displays of the people and history of the array. Currently one is just a nook.

### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

11. All Maker's spaces should have sinks
12. Definitely the hub should be single storey so it is an integrated design
13. Overall hub should take up more of the Clow St/Stuart St/King St, Sleeth Avenue site

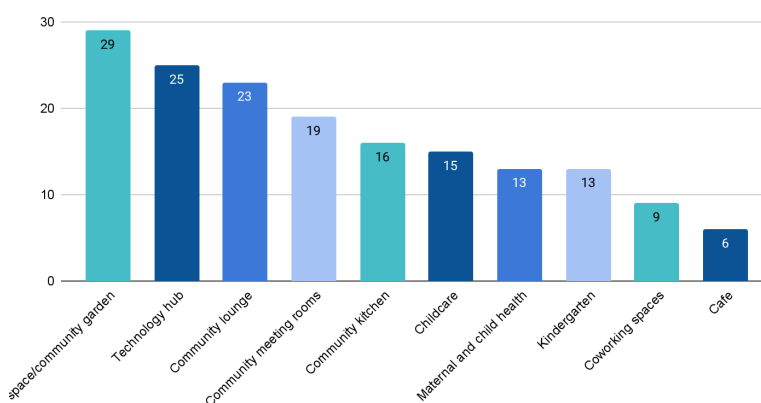
While these text responses have been excluded, their preferred concept design has been included in the overall results.

### Proposed service interest

Participants were asked to select one or more services that they would be interested in from a pre-populated list. An additional category (cafe) was added during in-person engagements due to the frequency with which it was suggested.

The majority of participants selected outdoor space/community garden (29), followed by the technology hub (25) and community lounge with 23 selections.

Figure 3. Level of support for proposed services



### Considerations for future engagement

#### Amendments to design to improve inclusivity

One response questioned why the concept designs included a foot washing station but failed to include a prayer room.

In further engagement with the community on the finer details of the Community Hub, it may be suitable to include details that address the needs of the diverse community of Dandenong.

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### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

#### **Demonstrate the need for the hub and its services**

Some respondents questioned or made mention of the need, or lack thereof for the services included in the Hub. Where possible it may be beneficial to demonstrate the process behind determining the need for these services.

#### **Increased communications**

To improve participation and awareness of the project, it may be beneficial in future stages to seek out more opportunities to promote the project. This could be in the form of a letterbox drop or online information sessions that allow for different communication needs in the community.

A letterbox drop was undertaken with 2,000 flyers delivered to the area surrounding the proposed hub location.

## Recommendations

The following section provides our recommendations based on conversations with the community and key stakeholders and the feedback they provided.

**Issue of locating children upstairs is divisive:** Prior to commencing the project engagement, it was known that a number of community members were concerned with the possibility of locating children's services on the second floor. However, through the findings, it is noted that a majority of participants considered safety and security to be improved by this design. Consideration should be given to the weight of reasons given for the location of children.

**Delivering public value:** during the consultation 'who this project is serving', was a common concern or question raised. This project brought under question the lack of need for more early children's services in conjunction with appropriate uses of funding. Consideration needs to be given to recent birth rates and the number of existing services in the surrounding area.

**Strong connections to green and open space:** Green and open space is a strong theme outlined in this consultation. While all concept designs incorporate gardens and open areas, it is important to consider the availability of green space in the immediate and surrounding areas.

#### **Process recommendations**

Engagement on this project has already created significant interest and aspirations for the Dandenong community, for those who participated, read a post online or were engaged at a pop-up or intercept.

- **Keeping people updated:** Issue a statement and update the Council project page thanking participants for participating in the project and for sharing their ideas. As we move into the next phase of the project we need to keep the broader community updated about the progress of this project.
- **Share the data:** We have collected a substantial level of data that may be used by other departments to plan the delivery of services. Consider ways you can share this data such as creating a snapshot of the engagement data, to bring the data to life with infographics to help participants digest the information in an easy form.

#### 4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

## Project evaluation

The project Engagement Plan established several measures of engagement success, as shown in Table 1.

In terms of stakeholder reach, the number of participants fell slightly short of the minimum target of 250. A clear preferred design concept has been obtained through the consultation. Participants provided feedback through all engagement activities, both online and face-to-face.

Table 1. Project Evaluation - Measures of Success

Measure of success	Data Source	Result
Target of 250 participants minimum	Pop up and intercept surveys, online survey, hardcopy submissions	238 total participants <ul style="list-style-type: none"><li>• Market 39</li><li>• Plaza 13</li><li>• Library 24</li><li>• Oasis 11</li><li>• Online survey 29</li><li>• Advocacy group</li></ul>
Clear design outcome	Feedback from the online survey, pop-ups	Target met - There is a strong preference for design option 2.
Participants provide feedback within engagement activities	Data collection, online export data	Target met- Participants provided feedback through both the online survey and face-to-face activities; the community pop ups and intercept surveys.

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**4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)**

**OTHER**

**DANDENONG COMMUNITY HUB CONSULTATION AND CONCEPT PLAN**

**ATTACHMENT 2**

**DRAFT CONCEPT PLAN OPTIONS**

**PAGES 5 (including cover)**

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

STUART STREET

CLOW STREET

SLEETH STREET

650 m²

OPTION 1 - ORIGINAL 6.6 ACRE FOR TREE TO BE DEMOLISHED HOWEVER CAN BE RETAINED IN AN ADJUTIVE PARKING GARAGE AND COVER AN OVERHANGING THE BUILDING

ONE WAY TO ADDRESS THE CLOW STREET TREE IS TO MOVE THE BUILDING NORTH AND KEEP THE SAME OPEN AREA WE WOULD NEED TO SUBSIDIZE THE EXISTING PARKING LOT AND COVER THE EXISTING ENTRY TOTAL INCREASE LAND 4500M²

score for pedestrian crossing

NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL
1	CONCRETE PAVING	m²	100	100	10000
2	ASPHALT PAVING	m²	200	200	40000
3	GRASS PAVING	m²	300	300	90000
4	LANDSCAPING	m²	400	400	160000
5	WATER SUPPLY	m³	500	500	250000
6	SEWERAGE	m³	600	600	360000
7	ELECTRICITY	kWh	700	700	490000
8	HEATING	kWh	800	800	640000
9	Cooling	kWh	900	900	810000
10	Lighting	kWh	1000	1000	1000000
11	Water Supply	m³	1100	1100	1210000
12	Sewerage	m³	1200	1200	1440000
13	Electricity	kWh	1300	1300	1690000
14	Heating	kWh	1400	1400	1960000
15	Cooling	kWh	1500	1500	2250000
16	Lighting	kWh	1600	1600	2560000
17	Water Supply	m³	1700	1700	2290000
18	Sewerage	m³	1800	1800	2520000
19	Electricity	kWh	1900	1900	2810000
20	Heating	kWh	2000	2000	3200000
21	Cooling	kWh	2100	2100	3630000
22	Lighting	kWh	2200	2200	4040000
23	Water Supply	m³	2300	2300	4610000
24	Sewerage	m³	2400	2400	5184000
25	Electricity	kWh	2500	2500	5875000
26	Heating	kWh	2600	2600	6760000
27	Cooling	kWh	2700	2700	7722000
28	Lighting	kWh	2800	2800	8736000
29	Water Supply	m³	2900	2900	8410000
30	Sewerage	m³	3000	3000	9504000
31	Electricity	kWh	3100	3100	10735000
32	Heating	kWh	3200	3200	12416000
33	Cooling	kWh	3300	3300	14229000
34	Lighting	kWh	3400	3400	16184000
35	Water Supply	m³	3500	3500	15750000
36	Sewerage	m³	3600	3600	18288000
37	Electricity	kWh	3700	3700	20617500
38	Heating	kWh	3800	3800	23968000
39	Cooling	kWh	3900	3900	27537000
40	Lighting	kWh	4000	4000	31360000
41	Water Supply	m³	4100	4100	30150000
42	Sewerage	m³	4200	4200	34944000
43	Electricity	kWh	4300	4300	40167500
44	Heating	kWh	4400	4400	46976000
45	Cooling	kWh	4500	4500	54225000
46	Lighting	kWh	4600	4600	62016000
47	Water Supply	m³	4700	4700	45025000
48	Sewerage	m³	4800	4800	52032000
49	Electricity	kWh	4900	4900	59687500
50	Heating	kWh	5000	5000	69000000
51	Cooling	kWh	5100	5100	79917000
52	Lighting	kWh	5200	5200	91424000
53	Water Supply	m³	5300	5300	50525000
54	Sewerage	m³	5400	5400	58032000
55	Electricity	kWh	5500	5500	66787500
56	Heating	kWh	5600	5600	77216000
57	Cooling	kWh	5700	5700	89529000
58	Lighting	kWh	5800	5800	102736000

STUART STREET

CLOW STREET

SLEETH STREET

650 m²

4,800 m²

OPTION 01 - ORIGINALLY SLATED FOR TREE TO BE DEMOLISHED HOWEVER CAN BE RETAINED IN AN UPDATED DESIGN BY ADJUSTING THE FLOORPLAN.

15.6222  
Drawing: A303 FIRST FLOOR - OPTION 01

CITY OF GREATER DANDENONG  
PROJECT: DANDENONG HUB  
CLOW STREET, DANDENONG, VICTORIA, 3175

CROXON RAMSAY  
PROPOSED: 15.6222  
DRAWING: A303 FIRST FLOOR - OPTION 01  
DATE: 15.06.2022  
BY: [Signature]  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]

**STUART STREET**

**SLEETH STREET**

**CROXON RAMSAY**

**CITY OF GREATER DANDENONG**

**DANDENONG HUB**

**CLON STREET, DANDENONG, VICTORIA, 3175**

**PROJECT**

**ARCHITECT**

**DATE**

**SCALE**

**LEGEND**

**NOTES**

**1. SITE INFORMATION**

**2. BUILDING FOOTPRINTS**

**3. LANDSCAPE**

**4. PARKING**

**5. OTHER**

**6. TOTAL AREA**

**7. TOTAL FLOOR AREA**

**8. TOTAL VOLUME**

**9. TOTAL PERIMETER**

**10. TOTAL LENGTH**

**11. TOTAL WIDTH**

**12. TOTAL DEPTH**

**13. TOTAL HEIGHT**

**14. TOTAL AREA**

**15. TOTAL FLOOR AREA**

**16. TOTAL VOLUME**

**17. TOTAL PERIMETER**

**18. TOTAL LENGTH**

**19. TOTAL WIDTH**

**20. TOTAL DEPTH**

**21. TOTAL HEIGHT**

**22. TOTAL AREA**

**23. TOTAL FLOOR AREA**

**24. TOTAL VOLUME**

**25. TOTAL PERIMETER**

**26. TOTAL LENGTH**

**27. TOTAL WIDTH**

**28. TOTAL DEPTH**

**29. TOTAL HEIGHT**

**30. TOTAL AREA**

**31. TOTAL FLOOR AREA**

**32. TOTAL VOLUME**

**33. TOTAL PERIMETER**

**34. TOTAL LENGTH**

**35. TOTAL WIDTH**

**36. TOTAL DEPTH**

**37. TOTAL HEIGHT**

**38. TOTAL AREA**

**39. TOTAL FLOOR AREA**

**40. TOTAL VOLUME**

**41. TOTAL PERIMETER**

**42. TOTAL LENGTH**

**43. TOTAL WIDTH**

**44. TOTAL DEPTH**

**45. TOTAL HEIGHT**

**46. TOTAL AREA**

**47. TOTAL FLOOR AREA**

**48. TOTAL VOLUME**

**49. TOTAL PERIMETER**

**50. TOTAL LENGTH**

**51. TOTAL WIDTH**

**52. TOTAL DEPTH**

**53. TOTAL HEIGHT**

**54. TOTAL AREA**

**55. TOTAL FLOOR AREA**

**56. TOTAL VOLUME**

**57. TOTAL PERIMETER**

**58. TOTAL LENGTH**

**59. TOTAL WIDTH**

**60. TOTAL DEPTH**

**61. TOTAL HEIGHT**

**62. TOTAL AREA**

**63. TOTAL FLOOR AREA**

**64. TOTAL VOLUME**

**65. TOTAL PERIMETER**

**66. TOTAL LENGTH**

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#### **4.2.4 List of Registered Correspondence to Mayor and Councillors**

File Id:	qA283304
Responsible Officer:	Manager Governance
Attachments:	Correspondence Received 20-31 March 2023

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#### **Report Summary**

Subsequent to resolutions made by Council on 11 November 2013 and 25 February 2014 in relation to a listing of incoming correspondence addressed to the Mayor and Councillors, Attachment 1 provides a list of this correspondence for the period 20-31 March 2023.

#### **Recommendation**

**That the listed items provided in Attachment 1 for the period 20-31 March 2023 be received and noted.**

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**4.2.4 List of Registered Correspondence to Mayor and Councillors (Cont.)**

**OTHER**

**LIST OF REGISTERED CORRESPONDENCE TO  
MAYOR AND COUNCILLORS**

**ATTACHMENT 1**

**CORRESPONDENCE RECEIVED  
20-31 MARCH 2023**

**PAGES 3 (including cover)**

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

4.2.4 List of Registered Correspondence to Mayor and Councillors (Cont.)

Objective

CONNECTED COLLABORATIVE COMMUNITY

Correspondences addressed to the Mayor and Councillors received between 20/03/23 & 31/03/23 - for officer action - total = 0

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
No correspondence received in this period.				

NB: Users assigned may have changed by the time of the Council Meeting. Correct at time of report production only.

#### 4.2.4 List of Registered Correspondence to Mayor and Councillors (Cont.)



##### Correspondences addressed to the Mayor and Councillors received between 20/03/23 & 31/03/23 - for information only - total = 3

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
A letter of complaint to the CEO and Mayor from a Dandenong trader in relation to car parking on Mason Street, Dandenong.	23-Mar-23	24-Mar-23	A9637097	Mayor and Councillors EA
An invitation to the Mayor from the Victoria Knanaya Catholic Congress to attend its Kalasandhya as Chief Guest in April.	29-Mar-23	29-Mar-23	A9652971	Mayor and Councillors EA
An invitation to the Mayor from Cornish College to attend its ANZAC Assembly.	27-Mar-23	29-Mar-23	A9653452	Mayor and 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.

### 5.1 Notice of Motion No. 25 Banning of TikTok on Council Devices and network

File Id:

Responsible Officer: Executive Manager Finance & Information Technology

Author: Cr Tim Dark

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#### Preamble

It is expected that the Federal Government will announce national rules to clamp down on the video application (App) TikTok and the State Government will soon follow. This comes amid fears that the App is used by its developers to spy on users.

#### Motion

**That the CEO urgently investigates and evaluates the banning of downloading or using TikTok on Council devices and network given the recent bans introduced by the Federal Government.**

## **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.