



**GREATER
DANDENONG**
City of Opportunity

MINUTES

COUNCIL MEETING

TUESDAY 11 APRIL 2023
Commencing at 7:00 PM

COUNCIL CHAMBERS
225 Lonsdale Street, Dandenong VIC 3175

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1 MEETING OPENING

1.1 ATTENDANCE

Apologies

Cr Lana Formoso
Cr Loi Truong

Councillors Present

Cr Eden Foster (Chair)

Cr Tim Dark, Cr Rhonda Garad, Cr Angela Long, Cr Richard Lim OAM, Cr Bob Milkovic, Cr Sean O'Reilly, Cr Sophie Tan, Cr Jim Memeti.

Officers Present

Jacqui Weatherill, Chief Executive Officer; Will Stewart, Acting Director City Planning, Design and Amenity; Marcus Forster, Acting Director Community Strengthening; Paul Kearsley, Director Business, Engineering and Major Projects; Michelle Hansen, Executive Manager Finance and Information Technology; Kylie Sprague, Executive Manager Communications and Customer Service; Lisa Roberts, Manager Governance.

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

All remained standing as Venerable Thich Thien Tam from the Buddhist Hoa Nghiem Temple, Springvale South, a member of the Greater Dandenong Interfaith Network, read the following:

*'As you know
To the past, we owe
To the future we oblige
In the present, we are mindful of our thoughts, speech and action
Then, all our communities can live in peace and harmony.*

Now, please join us for the short meditation.

*Breathing in, I calm my body
Breathing out, I smile
Dwelling in the present moment
I know this is a wonderful moment*

*Breathing in, I know I am breathing in
And breathing out, I know I am breathing out
As the in breath goes deep
The out breath grows slow*

*Breathing in makes me calm
Breathing out brings me at ease
With the in breath, I smile
With the out breath, I release letting go*

*Breathing in, there is only the present moment
Breathing out, it is a wonderful moment
In, out
Deep, slow
Calm, at Ease
Smiles, release letting go
Present moment, wonderful moment*

We will respect each other and we will live in harmony in mindfulness of our cultural diversity. May the collective wisdom of everyone (here today) make this possible.'

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.

MINUTE 722

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

That the minutes of the Meeting of Council held 27 March 2023 be confirmed.

CARRIED

1.5 DISCLOSURES OF INTEREST

Cr Richard Lim OAM disclosed a direct material conflict of interest of a non-pecuniary nature (s128 of the Local Government Act 2020) in Item 2.3.1 Town Planning Application – No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088), as he is the owner of a shop in Balmoral Avenue, Springvale. Cr Richard Lim OAM left the Chamber prior to discussion and voting on this item.

2 OFFICERS' REPORTS - PART ONE

2.1 DOCUMENTS FOR SEALING

2.1.1 Documents for Sealing

File Id:	A2683601
Responsible Officer:	Manager Governance

Report Summary

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

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

Recommendation Summary

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

2.1.1 Documents for Sealing (Cont.)

Item Summary

There are 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.

MINUTE 723

Moved by: Cr Angela Long
Seconded by: Cr Sophie Tan

That the listed documents be signed and sealed.

CARRIED

2.2 DOCUMENTS FOR TABLING

2.2.1 Petitions and Joint Letters

File Id:	qA228025
Responsible Officer:	Manager Governance
Attachments:	Petitions and Joint Letters

Report Summary

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

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

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

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

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

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.

MINUTE 724

Moved by: Cr Richard Lim OAM

Seconded by: Cr Jim Memeti

That this report and attachment be received and noted.

CARRIED

2.2.1 Petitions and Joint Letters (Cont.)

DOCUMENTS FOR TABLING

PETITIONS AND JOINT LETTERS

ATTACHMENT 1

PETITIONS AND JOINT LETTERS

PAGES 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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2.3 STATUTORY PLANNING APPLICATIONS

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

Cr Richard Lim OAM disclosed a direct material conflict of interest of a non-pecuniary nature (s128 of the Local Government Act 2020) in Item 2.3.1 Town Planning Application – No. 1-2/1-3 Balmoral Avenue, Springvale (Planning Application No. PLA22/0088), as he is the owner of a shop in Balmoral Avenue, Springvale. Cr Richard Lim OAM left the Chamber at 7.06 pm prior to discussion and voting on this item.

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

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">• Alter the preamble to allow for a late night on premise licence.• Alter conditions and alter endorsed plans to increase the hours of operation and increase patron numbers.
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.

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

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.
- 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.

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

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.

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.

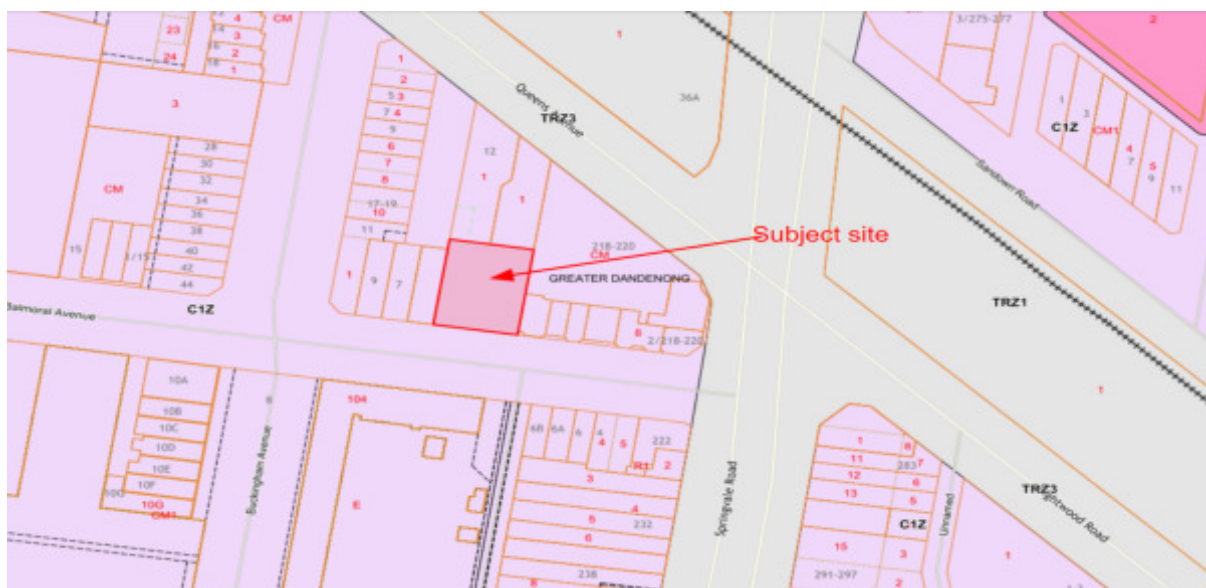
The site contains a double-storey building constructed in 1967. The building is setback approximately 6.5m from the front boundary. There are 6 on-street car parking spaces which partly protrude into the site boundary. A footpath is located between the on-street car parking and the existing building.

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



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.*

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.

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.

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.*

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.

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.

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.

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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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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- *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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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.

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):

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

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):

Council Referrals	Response
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.

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).

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.

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.

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.

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.

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.

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.**

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. Deleted.

3. 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:

- 3.1 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;**
- 3.2 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;**
- 3.3 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.

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

- 4. 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:**
- 4.1 Details of proposed management of the licensed venue including emergency procedure management plan, crowd control, responsible serving of alcohol and external areas;**
 - 4.2 Staffing and security arrangements for the licensed venue including staffing/security to manage patron numbers and behaviour;**
 - 4.3 Staffing and other measures that are designed to ensure the orderly arrival and departure of patrons;**
 - 4.4 Signage to be used to encourage responsible off-site patron behaviour;**
 - 4.5 Training of staff in the management of patron behaviour;**
 - 4.6 Measures to manage queuing patrons;**
 - 4.7 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);**
 - 4.8 Identification of noise sensitive areas including residential uses and accommodation in close proximity to the land;**
 - 4.9 Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures;**
 - 4.10 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;**
 - 4.11 Details of any measures to work with neighbours and other residents to address complaints and general operational issues; and**

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

- 4.12 Any other measures to be undertaken to ensure minimal amenity impacts.**
- 4.13 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.**
- 4.14 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.**
- 4.15 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.**
- 4.16 From opening to close of trade, one (1) guard is to monitor the bar, stage, dancefloor, stairs and open-lounge.**
- 4.17 From opening to close of trade, one (1) guard is to monitor the four (4) for-hire private rooms, hallways, and toilets.**
- 4.18 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.**
- 4.19 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.

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

- 5. 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.**
- 6. 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.**
- 7. Liquor must only be consumed within the licensed area, as defined by the red line on the endorsed plan/s.**
- 8. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.**
- 9. 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.**
- 10. 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.**
- 11. 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.**
- 12. 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.**

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

- 13. The amenity of the area must not be detrimentally affected by the use or development on the land, through the:**
- 13.1. Transport of materials, goods or commodities to or from the land.**
 - 13.2. Appearance of any building, works or materials,**
 - 13.3. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,**
 - 13.4. Adverse behaviour of patrons on, to or from the premises,**
- All to the satisfaction of the Responsible Authority.**
- 14. The use must comply with the endorsed Site Management Plan at all times.**
- 15. 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.**
- 16. 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.**
- 17. 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.**
- 18. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.**
- 19. No gaming machines shall be installed on the premises at any time.**
- 20. 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.

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

- 21. 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.
- 22. 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.
- 23. 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.'
- 24. No sexually explicit entertainment must be carried out on the site, all to the satisfaction of the Responsible Authority.**
- 25. 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.**
- 26. 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.**

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

- 27. The signage must not be animated and no flashing or intermittent light/s shall be displayed.**
- 28. The signage must not be illuminated by external or internal lighting.**
- 29. No bunting, streamers and festooning shall be displayed.**
- 30. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.**
- 31. The signage hereby approved will expire ten (10) years after the date of this permit.**
- 32. This permit will expire if:**
 - 32.1 The development or any stage of it does not start within two (2) years of the date of this permit, or**
 - 32.2 The development or any stage of it is not completed within four (4) years of the date of this permit, or**
 - 32.3 The use does not start within one (1) year of the completion of the development, or**
 - 32.4 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.**

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).**

ALTERNATE MOTION

Moved by: Cr Jim Memeti

Seconded by: Cr Tim Dark

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:**

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

- 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.**
 - 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.**

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

2. Deleted.

3. 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:

- 3.1 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;**
- 3.2 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;**
- 3.3 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.

4. 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:

- 4.1 Details of proposed management of the licensed venue including emergency procedure management plan, crowd control, responsible serving of alcohol and external areas;**
- 4.2 Staffing and security arrangements for the licensed venue including staffing/security to manage patron numbers and behaviour;**
- 4.3 Staffing and other measures that are designed to ensure the orderly arrival and departure of patrons;**
- 4.4 Signage to be used to encourage responsible off-site patron behaviour;**
- 4.5 Training of staff in the management of patron behaviour;**
- 4.6 Measures to manage queuing patrons;**

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

- 4.7 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);**
- 4.8 Identification of noise sensitive areas including residential uses and accommodation in close proximity to the land;**
- 4.9 Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures;**
- 4.10 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;**
- 4.11 Details of any measures to work with neighbours and other residents to address complaints and general operational issues; and**
- 4.12 Any other measures to be undertaken to ensure minimal amenity impacts.**
- 4.13 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.**
- 4.14 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.**
- 4.15 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.**
- 4.16 From opening to close of trade, one (1) guard is to monitor the bar, stage, dancefloor, stairs and open-lounge.**
- 4.17 From opening to close of trade, one (1) guard is to monitor the four (4) for-hire private rooms, hallways, and toilets.**
- 4.18 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.**

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

- 4.19 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.

- 5. 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.**
- 6. 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.**
- 7. Liquor must only be consumed within the licensed area, as defined by the red line on the endorsed plan/s.**
- 8. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.**
- 9. The use, may operate only between the following hours:**
- Sunday to Thursday: 6pm to 2am the following day**
 - Friday and Saturday: 6pm to 4am the following day**
- Unless with the further written consent of the Responsible Authority.**
- 10. 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 4am the following day**
- Unless with the further written consent of the Responsible Authority.**
- 11. 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.**

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

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

All to the satisfaction of the Responsible Authority.
- 14. The use must comply with the endorsed Site Management Plan at all times.**
- 15. 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.**
- 16. 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.**
- 17. 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.**
- 18. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.**
- 19. No gaming machines shall be installed on the premises at any time.**

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

- 20. 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.

- 21. 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.**

- 22. 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.

- 23. 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.’

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

- 24. No sexually explicit entertainment must be carried out on the site, all to the satisfaction of the Responsible Authority.**
- 25. 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.**
- 26. 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.**
- 27. The signage must not be animated and no flashing or intermittent light/s shall be displayed.**
- 28. The signage must not be illuminated by external or internal lighting.**
- 29. No bunting, streamers and festooning shall be displayed.**
- 30. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.**
- 31. The signage hereby approved will expire ten (10) years after the date of this permit.**
- 32. This permit will expire if:**
 - 32.1 The development or any stage of it does not start within two (2) years of the date of this permit, or**
 - 32.2 The development or any stage of it is not completed within four (4) years of the date of this permit, or**
 - 32.3 The use does not start within one (1) year of the completion of the development, or**
 - 32.4 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.**

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).**

LOST

(The Mayor used their casting vote against the Motion)

For Motion: Cr Rhonda Garad, Cr Angela Long, Cr Jim Memeti, Cr Tim Dark

Against Motion: Cr Sean O'Reilly, Cr Sophie Tan, Cr Bob Milkovic, Cr Eden Foster

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

MINUTE 725

Moved by: Cr Sean O'Reilly
Seconded by: Cr Sophie Tan

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.**

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

- 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.**
- 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. Deleted.

3. 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:

- 3.1 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;**
- 3.2 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;**
- 3.3 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.

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

- 4. 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:**
- 4.1 Details of proposed management of the licensed venue including emergency procedure management plan, crowd control, responsible serving of alcohol and external areas;**
 - 4.2 Staffing and security arrangements for the licensed venue including staffing/security to manage patron numbers and behaviour;**
 - 4.3 Staffing and other measures that are designed to ensure the orderly arrival and departure of patrons;**
 - 4.4 Signage to be used to encourage responsible off-site patron behaviour;**
 - 4.5 Training of staff in the management of patron behaviour;**
 - 4.6 Measures to manage queuing patrons;**
 - 4.7 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);**
 - 4.8 Identification of noise sensitive areas including residential uses and accommodation in close proximity to the land;**
 - 4.9 Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures;**
 - 4.10 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;**
 - 4.11 Details of any measures to work with neighbours and other residents to address complaints and general operational issues; and**

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

- 4.12 Any other measures to be undertaken to ensure minimal amenity impacts.**
- 4.13 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.**
- 4.14 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.**
- 4.15 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.**
- 4.16 From opening to close of trade, one (1) guard is to monitor the bar, stage, dancefloor, stairs and open-lounge.**
- 4.17 From opening to close of trade, one (1) guard is to monitor the four (4) for-hire private rooms, hallways, and toilets.**
- 4.18 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.**
- 4.19 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.

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

- 5. 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.**
- 6. 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.**
- 7. Liquor must only be consumed within the licensed area, as defined by the red line on the endorsed plan/s.**
- 8. Once the development has started, it must be continued and completed to the satisfaction of the Responsible Authority.**
- 9. 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.**
- 10. 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.**
- 11. 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.**
- 12. 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.**

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

- 13. The amenity of the area must not be detrimentally affected by the use or development on the land, through the:**
- 13.1. Transport of materials, goods or commodities to or from the land.**
 - 13.2. Appearance of any building, works or materials,**
 - 13.3. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,**
 - 13.4. Adverse behaviour of patrons on, to or from the premises,**
- All to the satisfaction of the Responsible Authority.**
- 14. The use must comply with the endorsed Site Management Plan at all times.**
- 15. 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.**
- 16. 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.**
- 17. 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.**
- 18. The site shall be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.**
- 19. No gaming machines shall be installed on the premises at any time.**
- 20. 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.

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

- 21. 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.
- 22. 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.
- 23. 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.'
- 24. No sexually explicit entertainment must be carried out on the site, all to the satisfaction of the Responsible Authority.**
- 25. 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.**
- 26. 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.**

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

- 27. The signage must not be animated and no flashing or intermittent light/s shall be displayed.**
- 28. The signage must not be illuminated by external or internal lighting.**
- 29. No bunting, streamers and festooning shall be displayed.**
- 30. The signage shall be constructed and maintained to the satisfaction of the Responsible Authority.**
- 31. The signage hereby approved will expire ten (10) years after the date of this permit.**
- 32. This permit will expire if:**
 - 32.1 The development or any stage of it does not start within two (2) years of the date of this permit, or**
 - 32.2 The development or any stage of it is not completed within four (4) years of the date of this permit, or**
 - 32.3 The use does not start within one (1) year of the completion of the development, or**
 - 32.4 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.**

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).**

CARRIED

(The Mayor used their casting vote in favour of the Motion)

For Motion: Cr Sean O'Reilly, Cr Sophie Tan, Cr Bob Milkovic, Cr Eden Foster.

Against Motion: Cr Rhonda Garad, Cr Angela Long, Cr Jim Memeti, Cr Tim Dark.

Cr Richard Lim OAM returned to the Chamber at 7.43 pm.

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.

20.12m 90°0'

adjacent shop

12850
4130 4035 4345

first floor plan

1-3 BALMORA AVE SPRINGVALE

adjacent shop

Balmora 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:

ratio.com.au

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

Project First Floor Suite 1-2/1-3Balmoral Avenue, Springvale	Prepared for 2T&D Group Pty Ltd Our reference 19344P
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

1

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.

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.*

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

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

Patron Management
Plan

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

ratio:

ratio.com.au

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

Project First Floor Suite 1-2/1-3Balmoral Avenue, Springvale	Prepared for 2T&D Group Pty Ltd Our reference 19344P
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ratio:

PMP - 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

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.

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.

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.

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.

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

Pablo Rodriguez

A few years ago, I inquired about installing speed calming devices on Tyers Lane, Keysborough to address the speeding and anti-social issues. Today, as Tyers Lane is almost completely filled in, the situation has gotten worse. The two-neighbouring streets on the grid, Westwood Boulevard and Church Road already have speed humps to discourage anti-social behaviour. Tyers Lanes receives just as much, if not more traffic than those two, as it is a quick and easy way to avoid the lights on Greens Road, it also connects to Keysborough Gardens Primary School and the shopping centre.

When will Tyers Lane receive traffic calming devices?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Council, like the majority of metropolitan Melbourne councils faced with limited funding, has a Local Area Traffic Management program in which the relative priority of candidate traffic calming locations is assessed. The application of the program identifies and ranks locations in accordance with the greatest road safety risk.

There are currently over 150 locations within the Local Area Traffic Management Program database, which includes Tyers Lane. Based on various assessment factors which include vehicle speeds, volumes and composition; road geometry; adjacent land use; and crash history, Tyers Lane currently ranks outside of the top 50. This means traffic calming devices are not likely to be installed in the short to medium term. The data is reviewed as new information becomes available and rankings may change as a result. In the meantime, Council will position a vehicle speed display trailer (SAM) on Tyers Lane, which may remain on-site for the following few weeks. The display on the trailer's screen informs drivers of their approach speed, and has in previous applications, assisted in moderating excessive speeding.

Question

Phillip Lamaro

In February, I sent an email to Council referencing a fall and injury from tripping over an empty bread tray on Thomas Street, Dandenong. I referenced that multiple store owners use the footpath to store items and in some cases empty bread trays and empty boxes. I have not received a response from Greater Dandenong City Council.

Lonsdale Street prohibits store owners to use the footpath to store or display items. This law is based on presentation and safety. Does Greater Dandenong City Council have the same local law on other streets?

As this has caused an injury, would Council look at expanding this law to protect residents from trip hazards and future injuries?

3 QUESTION TIME - PUBLIC (Cont.)

Response

Will Stewart, Acting Director City Planning, Design and Amenity

Firstly, we certainly hope and trust that Mr Lamaro has made a swift recovery from his fall.

Mr Lamaro's comments with regard to the Local Law are noted. I can advise that this Council's Local Law is similar to that in other jurisdictions, and that it is considered sufficient for the purposes of maintaining pedestrian safety along Thomas Street.

I might also mention that Council will commence reviewing its Local Law in the next financial year and as part of that review a public consultation process will be undertaken. Mr Lamaro may wish at that stage to make a submission on any proposed changes.

Question

Elizabeth Grasso

When is the consultation on the Greater Dandenong Climate Change Mobilisation and Engagement Plan going to start?

Will there be options and information about those options to make written submissions other than short online surveys?

Response

Will Stewart, Acting Director City Planning, Design and Amenity

I can confirm the consultation on the Greater Dandenong Climate Change Mobilisation and Engagement Plan will commence before the end of April.

Free form submissions will be welcomed via email or letter. Hard copies of the consultation documents, including the survey, will be available at customer service points around Greater Dandenong for those who do not have internet access.

3 QUESTION TIME - PUBLIC (Cont.)

Question

Elizabeth Grasso

When is the Greater Dandenong Biodiversity Action Plan going to come to a Council meeting for endorsement?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

The Greater Dandenong Biodiversity Action Plan will be discussed at the Council meeting on 24 April 2023.

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
Attachments:	Confidential Attachment

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.

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:

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

	Evaluation Criteria	Weighting
	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.

Score	Description
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.

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:

Tenderer	Price Points	Non-Price Points	Total Score	OHS	EMS
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.

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.

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.

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.**

MINUTE 726

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

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.**

CARRIED

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:

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.

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.

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.

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.

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.

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.

MINUTE 727

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

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.

CARRIED

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

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.

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.

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.

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

9. Recommendation

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

MINUTE 728

Moved by: Cr Angela Long
Seconded by: Cr Rhonda Garad

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

CARRIED

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.

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.	Acknowledgement of country <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.	Chair welcome, introductions, and apologies The Chair welcomed all present and apologies noted.		
3	Previous Minutes & Business Arising 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.	Update on Vanity Lane 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>Update on Masonic Hall Time Capsule and Dandenong New Art (DNA)</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>Update on Arts & Cultural Heritage Strategy</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>Historical Society Update</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>Cultural Heritage Advisory Committee Terms of Reference</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>Update on the History and Heritage Website</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>Hammond Road Archive – Feasibility Extension Study</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>	<p>Updates to be provided as progressed.</p>	<p>CGD</p>
11.	<p>Engagement with Migrant Community and Capture Small Collections.</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>	<p>Update to be provided for Committee at next meeting.</p>	<p>CGD</p>

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.	Update on Noble Park Hall Trust Chris Keys suggested to delay this agenda item due to time constraints.	Update to be provided for committee at next meeting.	CGD
13.	Update on Friends of Historic Keysborough Chapel 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.	CGD Reserves Video Project 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"> • Frederick Wachter Reserve • Rowley Allan Reserve • Tatterson Park. 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.	Merle Mitchell AM – Memorial Event 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.	Review of the Greater Dandenong Heritage Study 1999 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>Victorian Collections</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>Key Heritage Projects 11/08/22 - 23/02/23</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>	<p>CGD</p>
19.	<p>Other Business</p>		
	<p>Next Meeting</p> <p>To be Confirmed</p>		
<p>Meeting closed 5.35 pm</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:	City of Greater Dandenong - Dandenong Community Hub – Engagement Findings Report (December 2022) Draft Concept Plan Options

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.

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
Open Space	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
Access	Double storey	Single storey	Single storey
Estimated total cost	\$32,839,310	\$31,387,673	\$31,723,022
Estimated cost without early years included	\$20,093,926	\$22,726,298	\$22,990,012
Total area – square metres	4,850	8,000	6,599

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.

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

The three (3) options presented were:

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

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

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.

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.

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.

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.

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

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.

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.**

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

MINUTE 729

Moved by: Cr Jim Memeti

Seconded by: Cr Rhonda Garad

That Council endorses Option Two (2) as the preferred base option of the three options consulted on in November 2022 subject to the following:

- 1. in addition to the existing CIP funding in the 2022-2023 Budget for the Dandenong Community Hub, a sum of \$680,000 is to be allocated from the major projects reserve in the Proposed 2023-2024 Budget to the detailed design and documentation stage. Any future capital project savings that materialise during the 2023-2024 year will be used to reimburse the major projects reserve;**
- 2. using Option 2 as the base concept design, that a co-design approach be used to finalise the concept design prior to 30 October 2023, using feedback from the November 2022 consultation;**
- 3. that following finalisation of the concept design (as per item 2 above), Council proceeds to detailed design in 2023-2024;**
- 4. Council participates 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**
- 5. utilising the preferred concept design and the detailed design plans, Council advocates to the State Government for partnered funding to support the construction of a Community Hub for Dandenong.**

CARRIED

For Motion: Cr Sean O'Reilly, Cr Rhonda Garad, Cr Angela Long, Cr Richard Lim OAM, Cr Jim Memeti, Cr Eden Foster

Against Motion: Cr Bob Milkovic, Cr Tim Dark.

Abstained: Cr Sophie Tan

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.

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.

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

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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

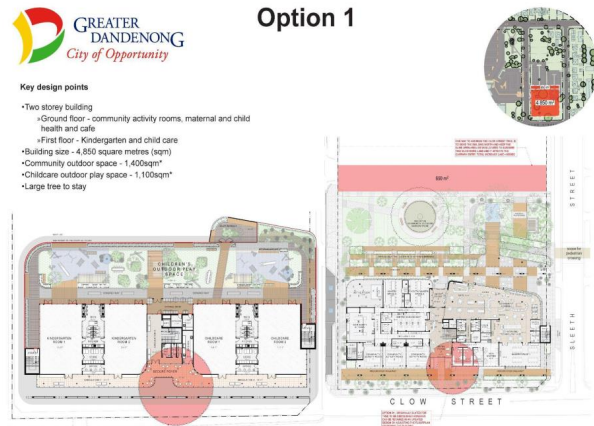
Participants were invited to review the three concept designs before responding to the following questions:

- 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



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.

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

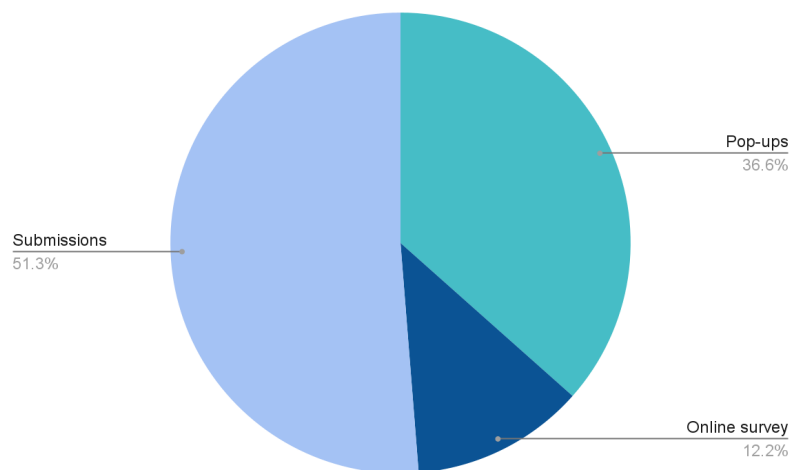
Who participated?

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

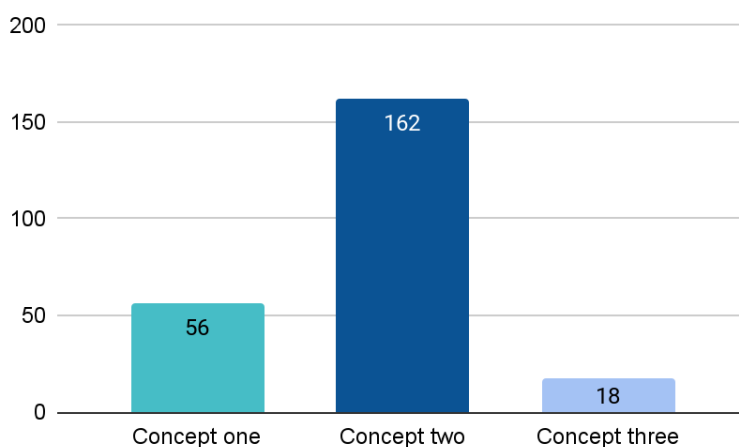


4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)

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."

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

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

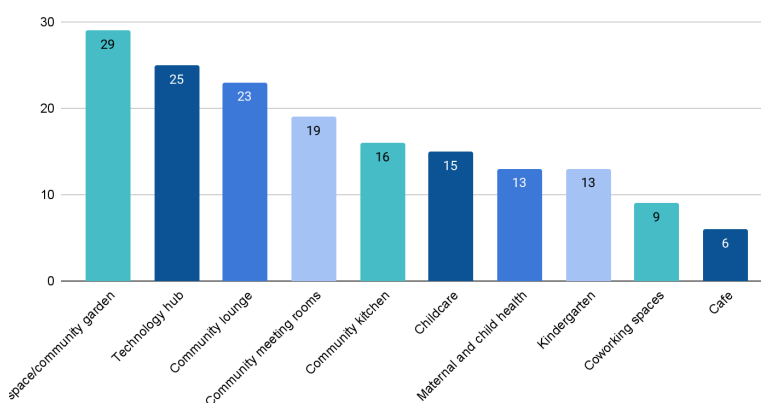
While these text responses have been excluded, their preferred concept design has been included in the overall results.

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.

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">• Market 39• Plaza 13• Library 24• Oasis 11• Online survey 29• Advocacy group
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.

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

OTHER

DANDENONG COMMUNITY HUB CONSULTATION AND CONCEPT PLAN

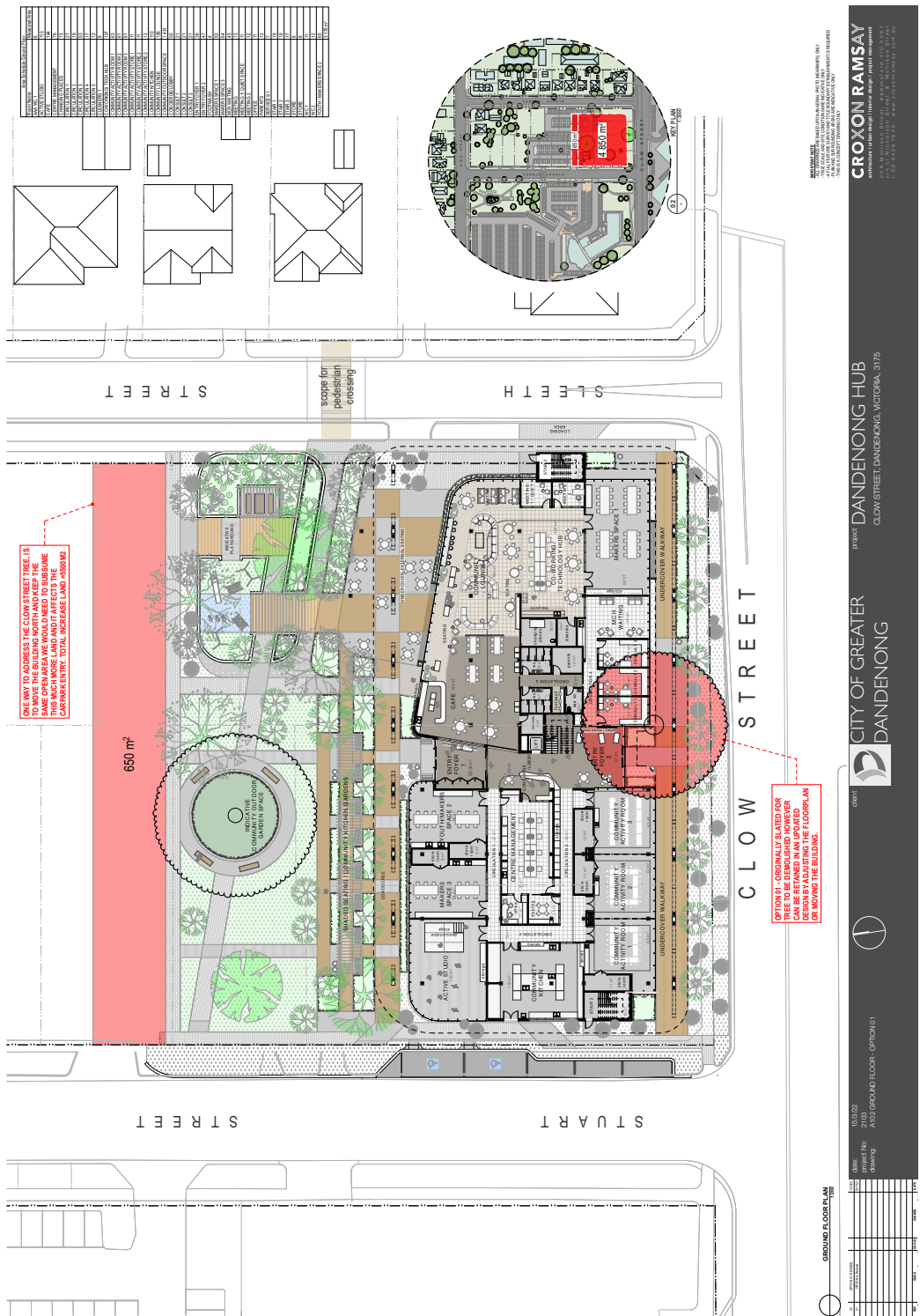
ATTACHMENT 2

DRAFT CONCEPT PLAN OPTIONS

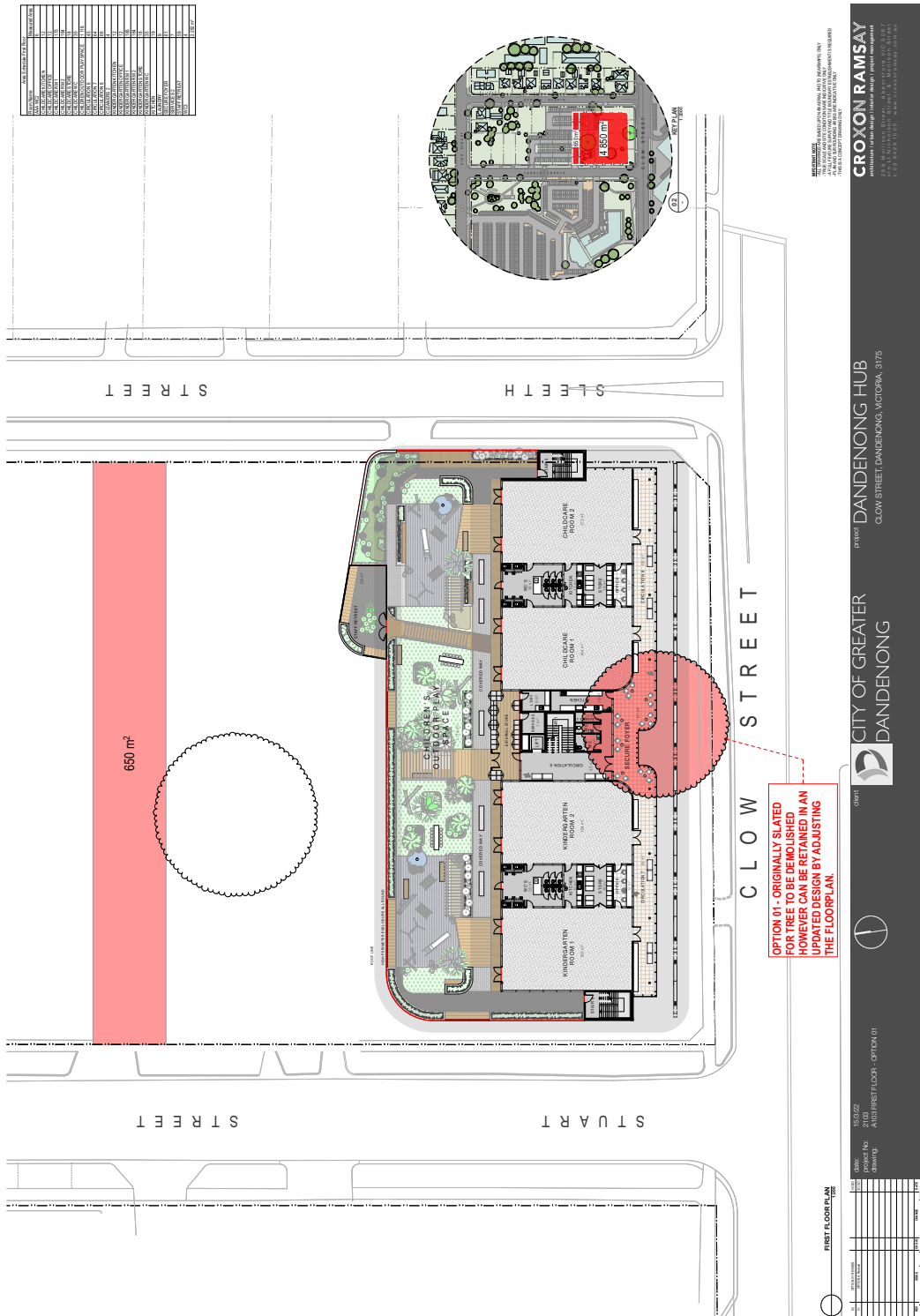
PAGES 5 (including cover)

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

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



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



GROUND FLOOR PLAN

STUART STREET

SLEETH STREET

scope for pedestrian crossing

8,000 mm

CHILDREN'S OUTDOOR PLAY SPACE

KINDERGARTEN ROOM 1

KINDERGARTEN ROOM 2

CHILDCARE ROOM 1

CHILDCARE ROOM 2

CAFE

COMMUNITY ROOM 1

COMMUNITY ROOM 2

COMMUNITY ROOM 3

COMMUNITY ROOM 4

COMMUNITY ROOM 5

COMMUNITY ROOM 6

COMMUNITY ROOM 7

COMMUNITY ROOM 8

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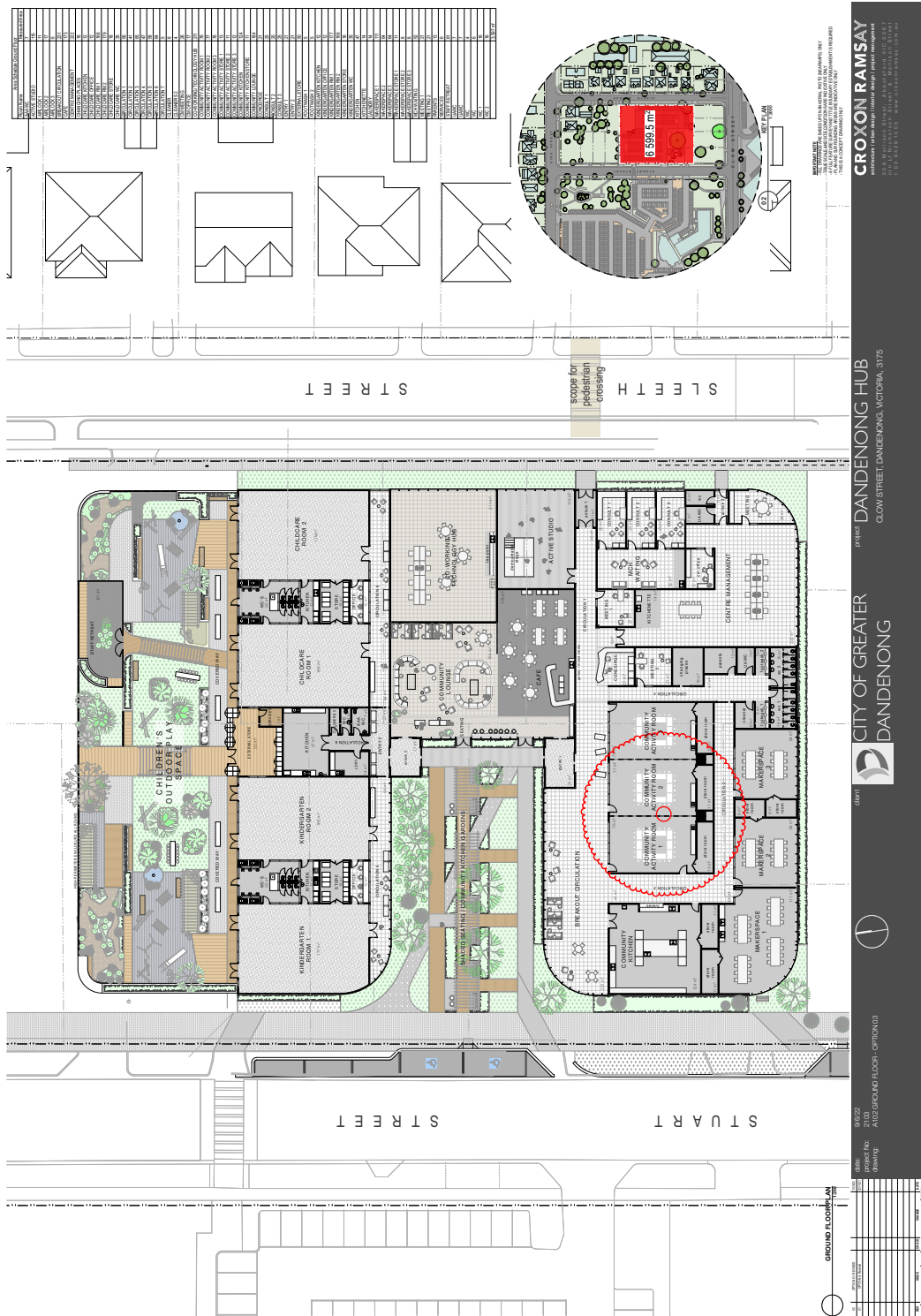
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4.2.3 Dandenong Community Hub Consultation and Concept Plan (Cont.)



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

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.

MINUTE 730

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

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

CARRIED

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.)

Objective

CONNECTED. COLLABORATIVE. COMMUNITY.

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

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.

MINUTE 731

Moved by: Cr Tim Dark

Seconded by: Cr Bob Milkovic

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.

CARRIED (Unanimously)

5.2 Notice of Motion No. 26 - Racism Not Welcome Campaign

File Id:

Responsible Officer

Acting Director Community Strengthening

Author

Cr Rhonda Garad

Preamble

The City of Greater Dandenong is a proudly diverse and multicultural community that values inclusivity and respect for all. We have a proud history of actively rejecting racism in all of its forms.

Racism is harmful because it dehumanizes individuals and creates a system of inequality where certain groups of people are treated unfairly based on their race, and it can lead to discrimination, exclusion and violence.

Racism has profound effects on both the individual and society as a whole. It can cause psychological trauma, lead to increased stress and anxiety, and affect one's ability to live a full and productive life. It also creates divisions within communities and can lead to social unrest, conflict and even war.

The "Racism Not Welcome" campaign is an effective way to raise awareness and promote a message of inclusivity and acceptance. By installing these signs in key locations around the City of Greater Dandenong, we can send a clear message that racism is not welcome in our community. The signs are a public and permanent declaration of zero tolerance for racism.

Racism Not Welcome Signs (as used by the Inner West Multicultural Network, NSW)



5.2 Notice of Motion No. 26 - Racism Not Welcome Campaign (Cont.)



In supporting this motion, we can demonstrate our commitment to promoting a culture of respect and inclusion, and showcase the City of Greater Dandenong as a leader in the fight against racism.

I urge my fellow councillors to support this motion and act against racism in our community.

Motion

That Council:

1. notes the profound harm caused by racism to individuals, families and communities;
2. produces a report on the feasibility and benefits of the installation of “Racism Not Welcome” street signs in key locations around the municipality as part of this campaign;
3. liaises with the Inner West Multicultural Network (IWMN) to receive updates on the “Racism Not Welcome” campaign; and
4. notes that the City of Greater Dandenong aims to promote our LGA as a model for other Councils to emulate for community engagement in tackling social problems such as racism.

5.2 Notice of Motion No. 26 - Racism Not Welcome Campaign (Cont.)

MINUTE 732

Moved by: Cr Rhonda Garad

Seconded by: Cr Tim Dark

That Council:

1. notes the profound harm caused by racism to individuals, families and communities;
2. produces a report on the feasibility and benefits of the installation of “Racism Not Welcome” street signs in key locations around the municipality as part of this campaign;
3. liaises with the Inner West Multicultural Network (IWMN) to receive updates on the “Racism Not Welcome” campaign; and
4. notes that the City of Greater Dandenong aims to promote our LGA as a model for other Councils to emulate for community engagement in tackling social problems such as racism.

CARRIED

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS

Comment

Cr Tim Dark

I attended the Keysborough Big Picnic with most of my Councillor colleagues. The last couple of years the weather has been horrific, however, this year it was very good. With the sun out, it encouraged much of the community to attend. It was the biggest turnout I have seen. There were queues lining up to pat the animals, visit the food stalls and the Country Fire Authority (CFA). Everyone there was incredibly happy.

There was great feedback offered to Councillors and volunteers from people who had not been to the reserve since the works had been undertaken with the opening of the new playground. It was full of kids playing and enjoying a fantastic day.

A special thanks to the Acting Director Community Strengthening and the directorate for the work they have put into delivering such a phenomenal event.

Comment

Cr Jim Memeti

I attended the Keysborough Big Picnic with Councillor Tim Dark. I also attended the Nawroz Festival at Dandenong Park where there were over 10,000 people in attendance, which I think is a record breaker. It is a great testament to our Afghan community who are inviting people to these festivals and learning more about each other's cultures. I thank them for their invitation.

I also attended the Sri Lankan New Year Festival in Bennett Street, Dandenong, at the Showgrounds. This was another great event where thousands of people attended. I understand that many other community groups are celebrating their New Year. Councillor Tan told me that the Cambodian New Year is on Friday. I would like to wish all our community groups who are having New Year this weekend, Happy New Year.

As it is Ramadan at the moment and there are people fasting in our community, I would like to wish Eid Mubarak to our community which falls on 21 April 2023. It is the end of Ramadan and a celebration for people who have been fasting who are of the Muslim faith.

I had a photo and a chat with some people from Serco, who contacted us and wanted to do something in recognition of Autism. World Autism Understanding Day was on 2 April 2023 and we lit up the Dandenong Town Hall in blue in recognition of all these wonderful people in our community.

Comment

Cr Richard Lim OAM

On Tuesday 28 March 2023, I met with Adrian Smith (Place Making Officer) and Mr Karl Lim in regard to shaping Springvale.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

On Wednesday 29 March 2023, in the morning I attended Springvale Rise Primary School to celebrate Harmony Week. Parents and students were brought together to celebrate the multiculturalism of our community. Later that day, I was invited by the Department of Human Services to train the staff of LiverWELL, Hepatitis Victoria, how to teach our community about hepatitis.

On Thursday 30 March 2023, Springvale Central's Body Corporate, invited me to discuss the issues of beggars and homelessness causing trouble at Springvale Cental.

On Friday 31 March 2023, I attended the Springvale Italian Citizens' Club Easter lunch. In the evening, I provided a health seminar to the Sri Lankan Professional Group with two representatives from LiverWELL.

On Sunday 2 April 2023, I attended BrightMoon Ching Ming with Councillor Sophie Tan, Mayor Eden Foster and Councillor Sean O'Reilly. There were also other members of Parliament present. Later that day I met with Mr Lee Tarlamis MP to discuss the Springvale Activity Centre. Also in the afternoon, Mayor Eden Foster, Councillor Jim Memeti and myself had a chance to meet the CEO of the Mental Health Foundation Australia.

On Friday 7 April 2023, I had a meeting with the president of BrightMoon Temple, regarding insurance and how much we must raise to rebuild it. We hope to organise a fundraiser on 18 April 2023.

On Saturday 8 April 2023, I attended the South Eastern Melbourne Vietnamese Associations' Council (SEMVAC) Easter Fundraising at Maxims with Deputy Mayor Lana Formoso, Councillor Sean O'Reilly, and Councillor Sophie Tan. Later that night, I attended the Cambodian Singing Contest organised by the Cambodian Association of Victoria.

On Monday 10 April 2023, I attended the Knanaya Catholic Congress Springvale at Springvale City Hall with Mayor Eden Foster. It is a great celebration and very well organised.

Comment
Cr Angela Long

On Friday 7 April 2023, I attended a fish night at Dandenong City Soccer Club where they raised about \$1300 for the Royal Children's Hospital Good Friday Appeal.

On Saturday 8 April, I attended a soccer match between Dandenong City and Langwarrin. Dandenong City won 4-0.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Comment

Cr Rhonda Garad

I would just like to tell a quick story about an 18-year-old girl who dreamt of having a beautiful car and for the three years prior to her 18th birthday, every weekend, every holiday, she worked at McDonald's and she saved her money. By the time she became 18, she purchased the car of her dreams, and she went across to the west to pick up her three cousins to celebrate. They sat in McDonald's on a Saturday afternoon, celebrating. Also in that McDonald's were five policemen and when the girls got back into the car and left that McDonald's, the policemen jumped in their car and pulled them over. For 15 minutes they interrogated the girls, asked them where they had stolen this car from and where they had got it. These young girls had three things in common; they had all been born and raised in Australia, they were all of African origin, they all followed Islam. Three of the four girls were wearing a hijab. Those four girls will never forget that. They were racially targeted, they were chased down and intimidated relentlessly and that will never leave those girls. I know because one of them was my child. But the good thing is that, from that moment, she was trying to decide what she would do at university and she chose law. She is now studying law because when she is in a courtroom and there is a case of racial profiling, she will not let that go and she will have her day in court. Dealing with racism for me is personal and it is incredibly toxic. I thank my fellow Councillors for supporting my motion.

In my ward this past week, we had a meeting between senior Council staff and residents in Keysborough. The four Council staff came out in the evening, spent two hours with the residents, worked through their issues and came up with a list of solutions. The residents in Kingcote Drive, Keysborough and Bend Road, Keysborough have been suffering several issues since the rise of an Industrial Zone. I really want to thank Jamie Thorley, Manager of Building Compliance; Lucas Sikiotis, Manager of Transport and Civil Development; Daniel Przychodzki, Coordinator Transport and Jack Chittenden, Conservation and Horticultural. These officers listened so respectfully and worked through the issues so diligently.

They came up with a range of solutions to reduce light pollution, redirected this GPS that was inappropriately bringing cars to the area, have applied to rename a road so that there will be no traffic directed to the area. They have also placed mature planting to stop the visual impact of the industrial zone, enforced permit conditions on the industrial businesses and made a commitment to ongoing communication. It is a great example of Council and residents working together and I have to say it is one of my proudest moments as a Councillor.

Question

Cr Rhonda Garad

Why have four mature gum trees been earmarked for removal near the corner of Perry and Keys Roads, Keysborough, specifically numbers 75, 76 and 78.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Council has undertaken a biodiversity assessment of all the trees and vegetation along Perry Road which has assisted us in the design of the widening of that road. The markings on trees that residents see are part of a process to identify the trees and obtain all the approvals needed from the Department of Energy Environment and Climate Action (DEECA) for the potential removal of trees required for this project. Whilst the application to DEECA is for all three stages of Perry Road Upgrade Project, tree removal will be undertaken in stages to align with construction timeframes. The main objective of the limited tree removal is for road safety reasons.

Trees which are required to be removed between Greens Road and Pacific Drive, Keysborough will be removed for Stage 1 of the project. That is intended to commence within the next few months. With regards to the four trees that you refer to, these are in close proximity to the Keys Road intersection and they will not be removed until Stage 3 which is unlikely to commence until the years 2025/26 at the earliest.

If we receive any feedback from the State Government with regards to the application process that we have made on these particular trees, there is ample time to revisit the particular design of that precinct.

Question

Cr Rhonda Garad

In relation to the peer review of the Dandenong Aquatic Centre design, what experience do the consultants have in high performance building design? Can they provide examples of buildings that they have worked on that have been constructed to these standards?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

All consultants have the required experience in high performing building design. The consultants have demonstrated experience with aquatic facilities and other public facilities. They all have broad experience in national projects of significance and I can refer to a few. For example, WSP, they have had experience with the Monash University Menzies Building passive house. They undertook the first six-star building for CH2 for the City of Melbourne and they have recently done the Convention Centre. They are also participating in a project related to the Glenroy Community Hub and the Nunawading Community Hub, including a range of hospitals like the Bendigo Hospital and the Box Hill Hospital.

We are feeling very confident that the group that we have got are the best in the country both with regards to the current consultant group but also with regards to the review or audit consultant group.

Question

Cr Rhonda Garad

There have been very ambitious energy efficiency targets outlined in the design. What is the contingency or consequences if the designers fail to achieve these targets?

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Response

Paul Kearsley, Director Business, Engineering and Major Projects

There are numerous initiatives that have been incorporated into the design to achieve a highly efficient building. This information has been previously presented to Council and a further report following on from the audits will be presented to Council next month.

Consequences of failing to meet energy targets may result in higher ongoing operational costs. Importantly though, there are many factors that influence energy usage other than design alone.

Question

Cr Rhonda Garad

Are you able to provide us with an estimate of the energy the centre will use and the cost of this per year based on current prices?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

The annual estimated energy consumption has been previously provided to Council. The total estimated electrical energy consumption for megawatt hours per year is approximately 2,875 megawatt with no PV or 2,248 megawatt hours per year with PV. Further details will be provided to Council as an outcome of the audit that would include approximate costs.

Question

Cr Rhonda Garad

What sort of guarantees can the designers/engineers provide us with the stated outcome and what happens if it does not perform to this standard?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

Best design practices and modelling has been completed to attain a design that is highly efficient and uses proven technology. The total energy usage is influenced by multiple factors other than the design. All efforts will be made during the construction and commissioning phase to ensure that building operates at its highest potential.

Post commissioning monitoring will occur to continue optimising performance of the facility in real life environment. These measures have been factored into the operation forecasts. We have undertaken at least two peer reviews on matters related to energy use and the technology that we are proposing for this facility, in addition to the recent audit that Council has asked for.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Comment

Cr Sophie Tan

Firstly, I want to acknowledge and apologise for what happened to your daughter, Councillor Rhonda Garad. It is not acceptable and neither is sexism, bullying, harassment towards the female gender. We should all be treated the same.

On Sunday 2 April 2023, I also attended the Keysborough Big Picnic. I want to congratulate the Community Strengthening Directorate, especially Council staff and volunteers who worked on the day. We had 7,500 people attend the event which is the biggest compared to previous years. Thank you to the sponsors and everyone who attended this event.

Later that day, I attended the Sinhala, New Year celebration, which was hosted by the Sri Lankan German Technical Training Institute Old Boys Association Inc (CGTTI). It is the biggest New Year celebration for Sri Lanka. We had over 10,000 people attend, which must be the biggest turnout in the whole country. Congratulations to CGTTI who organised this event.

On Saturday 8 April 2023, I attended the SEMVAC Easter Fundraising. That morning I also attended the Cambodian celebration. I want to say Happy New Year to everyone who celebrated this month.

Later that night, I attended the Cambodian Singing Contest organised by Cambodian Association of Victoria with Mayor Eden Foster, Councillor Richard Lim OAM, Lee Tarlamis MP and Meng Heang Tak MP.

Question

Cr Sophie Tan

The surfaces of the petanque courts at Ross Reserve, Noble Park are too soft for learners or beginners to play on. Can Council please investigate or fix the courts?

Response

Paul Kearsley, Director Business, Engineering and Major Projects

I will take this question on notice. Can you pass on the details of the people who you are communicating with? We can then pass on any comments that we have with regards to the status of the courts.

Comment

Cr Eden Foster, Mayor of Greater Dandenong City Council

In the past couple of weeks I have attended quite a few events myself so I will just go through some of them and the rest will be tabled.

I attended the Children's Advisory Group for an election of the Junior Mayor, which is a very exciting event. I would like to congratulate Tasneem for being elected our Junior Mayor. She has a full year ahead of her, no doubt. It was great to see someone who is not taller than me elected, so that I actually look like the Mayor and not the Junior Mayor.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

I also attended the Citizenship Ceremony, they are always a wonderful event. It makes the role as Mayor and officiator over Citizenship Ceremonies a very moving and enjoyable event.

I attended the South East Workforce Forum at Macpherson Kelley, and was one of the panel speakers. We spoke on several issues about challenges in the workforce and the number of changes that are there. I promoted Game Changer, Council's program, to address concerns in terms of business and linking in our more vulnerable community members into employment. Also recognising that they have a lot of skills to offer but perhaps are overlooked by prospective employers. If any employers are listening or watching tonight, I encourage you to get in touch with our business director and ask about the program we have.

I attended Harmony Day at St Anthony's Primary School. It was really nice to visit my primary school for the second time in a matter of weeks. The kids were embracing Harmony Day and dressed in fabulous outfits that really showcase the diversity at the school. Not much has changed at the school in terms of the school spirit. The buildings have changed, teachers have changed, apart from a couple, but the friendliness, the warmth and the caring nature of that school is still there.

On Saturday 1 April 2023, I attended the Flag Raising Ceremony hosted at Harmony Square by the Vietnamese Community in Australia.

On Sunday 2 April 2023, I attended the Keysborough Big Picnic. I believe 7500 thousand attended the event and the weather certainly did show up that weekend. It was a great opportunity for our residents to get involved and have a fun family picnic day in Keysborough.

Later that day, I attended the Palm Sunday Walk for Justice for Refugees with Councillor Rhonda Garad. We walked under the 'Back Your Neighbour' banner, again, a really important cause that challenges racism, and that supports and welcomes refugees and asylum seekers. We are a refugee welcome zone but in terms of advocating further for not welcoming racism, and it shouldn't be welcomed anywhere, hats off to you, Councillor Rhonda Garad. Well done for raising a fantastic daughter who has worked hard but it is unfortunate, despite that, racism is still around. As a coloured woman myself, I have experienced it, my mother has experienced it, so I know firsthand what that does to a person.

On Wednesday 5 April 2023, I attended the Qingming Festival which is the Tomb-Sweeping Day hosted by the Bright Moon Buddhist Society with some of my fellow Councillors.

On Saturday 8 April 2023, I attend the Cambodian Singing Contest organised by Cambodian Association of Victoria. It was a late one and unfortunately I could not stay the whole night, but congratulations to the winner and also to all of those who participated. It takes a lot of courage to stand up there on a stage and sing your hearts out.

On Monday 10 April 2023, I attended the 2023 Victorian Knanaya Catholic Congress Cultrual Family Evening in celebration of their culture, tradition and Easter.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Given it is a very festive time of the year, I would like to wish our residents Eid Mubarak coming up, Happy Passover for our Jewish friends and Happy Easter for those celebrating Easter. Happy New Year to our Cambodian friends, our Sri Lankan friends and to everyone who is celebrating something this time of the year. We are truly blessed in the City of Greater Dandenong to be having so many festivities during this time of the year.

Jacqui Weatherill, Chief Executive Officer tabled a listing of responses to questions taken on notice/requiring further action at the previous Council meeting. A copy of the responses is provided as an attachment.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

COUNCILLOR QUESTIONS TAKEN ON NOTICE/REQUIRING FURTHER ACTION

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
27/03/23 CQT2	Cr Bob Milkovic	Funding for the Master Plan of Lois Twohig Reserve Could Mayor Councillor Eden Foster write a letter to Gabrielle Williams MP for support and funding for the Master Plan of Lois Twohig Reserve? It is a facility that needs to be upgraded for residents.	Mayor	11/04/2023	Initial response provided 27/03/23: I will take that question on notice. Further response provided 11/04/23: Letter from Mayor sent on 11/04/2023. COMPLETED
27/03/23 CQT5	Cr Richard Lim OAM	Job availability for residents Are we able to assist our residents in finding a job? There are plenty of jobs at recruiting agencies. Is there a way we can inform them of job availabilities?	Director Community Strengthening/ Director Business, Engineering & Major Projects	05/04/2023	Initial response provided 27/03/23: I will take that question on notice and consult with my colleague, Paul Kearsley (Director Business, Engineering and Major Projects) around what initiatives our business department has going regarding employment. Further response provided 05/04/23: Council provides support to residents looking for a job through different programs and portals available through our website. Council provides a free employment portal for residents. The 'Work Local Greater Dandenong' employment portal brings together in one location the online job vacancies for the Greater Dandenong region. Work Local Greater Dandenong Talent Community Jobseekers are able to search, share and apply for local vacancies from all their devices using

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>the portal's AirCV feature. Jobseekers can also sign up to receive job alerts via email. The platform allows employers to post vacancies directly to the portal at no cost reaching local jobseekers effortlessly.</p> <p>Council has resources for job seekers available on the website to assist with connecting with agencies and upskilling & training opportunities.</p> <p>Job seekers can also gain assistance through Jobs Victoria mentors to help make sure they are work ready. The mentors can help find a job that suits you and can support you in your new role for the first 6 months. Mentors also connect local employers to candidates with the right skills and potential to work in their business</p> <p>Job Seeker Assistance Greater Dandenong Council</p> <p>Through the Game Change program, Council is working with the community to build a better employment future for Greater Dandenong.</p> <p>GameChange - Shaping a Local Employment Strategy Greater Dandenong Council</p>
27/03/23 CQT6	Cr Sophie Tan	<p>Traffic light works at the corner of Harold Road and Corrigan Street</p> <p>The work on the traffic lights at the corner of Harold Road and Corrigan Road, Springvale South has a sign stating construction will commence from Monday 20 March 2023 to Monday 5 June 2023. I have noted nothing has been started yet. Can you confirm if the construction will be in the</p>	Director Business, Engineering & Major Projects	31/03/2023	<p>COMPLETED</p> <p>Initial response provided 27/03/23: I will take that question on notice. I will check the construction program and respond.</p> <p>Further response provided 31/03/23: We are pleased to inform you that the construction works for Corrigan and Harold Road Traffic Signal Installation commenced on site on 24 March 2023 and works are progressing as planned. Signal Installation works are planned to be carried out between 7:00 am and 5:00 pm.</p>

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Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
27/03/23 CQT7	Cr Sophie Tan	<p>evening or during the day?</p> <p>As Corrigan Road, Noble Park is very busy and gets congested in peak hours, can you also advise what the alternate road would be during construction?</p> <p>Heatherton Road roundabout upgrade</p> <p>In February 2023 we were advised that we were waiting for the Department of Transport to get back to us regarding the Heatherton Road roundabout upgrade. Can you provide any update on this?</p>	Director Business, Engineering & Major Projects	04/04/2023	<p>COMPLETED</p> <p>Initial response provided 27/03/23:</p> <p>I do not have an update so I will take that question on notice.</p> <p>Further response provided 04/04/23:</p> <p>Council Officers from the Transport team have continued to liaise with officers from the Department of Transport and Planning (DTP) on several road network and safety matters, including this location.</p> <p>This specific matter was raised during recent discussions with the DTP. Whilst the DTP officers acknowledge the roundabout would require removal sometime in the future, it's not currently a high priority in their pipeline of projects, particularly in the light of significant State Government's budget commitment to 'big build' projects like the Suburban Rail Loop, North East Link, Level Crossing Removals, the Metro Tunnel and West Gate Tunnel.</p> <p>They indicated that the transport network modelling showed the roundabout was functioning effectively from a capacity perspective, and would do so for several years into the future. This reinforced the 'lower priority' status of the project.</p> <p>Understanding it is not a matter of 'if' but 'when' the roundabout will be removed, with the 'when' very likely being many years into the future,</p>

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
27/03/23 CQT11	Cr Rhonda Garad	<p>Oasis independent energy efficiency audit, terms and scope</p> <p>In the last meeting Council officers indicated that the energy efficient rating for the new pool design was almost half that of the current world's most efficient pool. Does Council stand by this figure or has an error been made and solar input been put into that figure which is not the correct methodology?</p> <p>Have the terms for the independent energy efficiency audit been finalised and when do we anticipate the audit will be commenced? Will we be made aware of the scope of the review prior to it being commenced?</p>	Director Business, Engineering & Major Projects/ Chief Executive Officer	03/04/2023	<p>Council's Transport Engineers have repositioned efforts to focus on pedestrian accessibility and safety improvements which may be implemented in the shorter-term, and will continue advocating for such improvements.</p> <p>In the meantime, a letter from the Mayor, addressed to local MP's and Minister Horne will be sent, requesting this project be considered as a higher priority.</p> <p>I trust the above update assists in understanding the status of relative priority in the State's pipeline of projects.</p> <p>COMPLETED</p> <p>Initial response provided 27/03/23:</p> <p>There has been no error made in the calculations of the energy use intensity. The new facilities expect to be using about 2,875 megawatt hours annually of electrical energy. The estimated figure of 204 kilowatt hours per square metres does include the solar photovoltaic input and the energy use intensity (EUI) is estimated to be in the order of 261 kilowatt hours per square metre without the solar. The proposed solar power system is estimated to generate about 735 megawatt hours per year. The new centre is estimated to use annually 627 megawatt hours from the solar photovoltaic system and then 2,248 megawatt hours from the grid to supplement that.</p> <p>It is important to state that the estimated EUI can be influenced by many things which include the number of people using the facility at any time, operational settings, for example, where we set the heating, ventilation and air conditioning systems and ongoing plant maintenance. The audits for this have already</p>

Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice
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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>commenced and they will reveal the energy used, the Environmentally Sustainable Design (ESD) measures including the proposal and the proposed operational projections. We expect to be able to report this back to Council in May 2023.</p> <p>Further response provided 27/03/23: The person leading the peer review for the architectural ESD is Jara Plas from Hans Charlie. Jara has been involved with the Glen Eira pool review and she has a strong background with ESD. I have Jara's background details for your information. On the operation side of the review, Otium Planning Group are reviewing the operational projections for the centre and they have extensive experience in the industry and the preparation of financial projections for aquatic and leisure centres. South East Leisure are also involved in reviewing the projections.</p> <p>Regarding the scope around the review of the ESD, I do not think that they have commenced at this point in time. I believe they have done some preliminary work so I will take some of that question on notice because Mr Paul Kearsley (Director Business, Engineering and Major Projects) is not here.</p> <p>I am happy to provide the scope of the review prior to it being commenced to all Councillors and if there are any concerns, we will amend it.</p> <p>Further response provided 03/04/23: INTRODUCTION Council has requested that an independent peer review be undertaken for the DWC project.</p>

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Reports from Councillors/Delegates & Councillors' Questions – Questions Taken on Notice

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>The peer review applies to the design, energy use, ESD and operational components of the project.</p> <p>The outcome of the independent peer review will provide an insight on how the design responds to the project brief and how the design compares to other modern aquatic facilities. The peer review will be undertaken by consultants that are experienced and respected in their respective fields. In summary, Shames Harley will undertake the ESD and Architectural review, WSP shall undertake the Building Services review and Otium Planning Group and SEL will review the operational projections.</p> <p>The scope of work for each discipline has been provided below.</p> <p>SCOPE FOR THE ARCHITECTURAL AND ESD PEER REVIEW (SHAMES HARLEY):</p> <ol style="list-style-type: none"> 1. Alignment with Project Brief / DWC Functional and Technical Brief with particular focus on: <ol style="list-style-type: none"> a. Compliance/alignment with the nominated ESD objectives and council policy. b. Commentary on the thoroughness of the design process including the level of consultation undertaken to inform the development of the design c. Assessment of the overall functionality of design planning with a focus on operational & spatial efficiency, user experience and functionality. Including operations

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Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>and maintenance of plant areas.</p> <p>Including adherence / achievement of the project guiding principles and design principles:</p> <ul style="list-style-type: none"> • Enhancing the health and wellbeing of the community • Facilitating social connections • Maximising equity and access (universal design) • Quality facilities (quality spaces, finishes and durability etc.) • Maximising sustainability <p>2. Building Form and Performance in relation to:</p> <ol style="list-style-type: none"> Building envelope thermal and sealing performance when compared to industry standard. Extents of glazing to key areas (Pool Halls) considering the balance of thermal performance and user experience. Ceiling Heights to key areas (Pool Halls) considering the balance of thermal performance, compliance, functionality and user experience. <p>3. Use of best practice Environmentally Sustainable Design (ESD) including:</p> <ol style="list-style-type: none"> Energy efficiency Healthy spaces and user experience Water usage and recovery

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Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>d. Use of renewable energy resources</p> <p>e. New sustainable initiatives outside Green Star provisions</p> <p>f. Future provision (i.e. battery storage)</p> <p>g. Building materials</p> <p> i. Fit for purpose</p> <p> ii. Value for money</p> <p>h. Application of the Green Star tool to achieve project Green Star targets and the completeness and thoroughness in the application of the GS tool.</p> <p>i. Commentary on how the proposed facility compares to other modern Aquatic and Wellbeing facilities</p> <p>SCOPE FOR THE BUILDING SERVICES PEER REVIEW (WSP):</p> <p>1. Alignment with Project Brief / DW/C Functional and Technical Brief with particular focus on:</p> <p> a. compliance/alignment with the nominated ESD objectives and council policy.</p> <p> b. Commentary on the Adequacy / thoroughness of the design process including; building services and energy modelling and independent peer reviews / white papers carried throughout the design process</p> <p>2. Review of the building services including the operations and maintenance of plant areas. Including Adherence / achievement of the project guiding principles and design</p>

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>principles:</p> <ol style="list-style-type: none"> Enhancing the health and wellbeing of the community (i.e. Air quality, user comfort etc.) Quality facilities (i.e., General selection of plant and equipment and commenting on its suitability and value for money, allowance for future provisioning, maintainability etc.) Maximizing sustainability <ol style="list-style-type: none"> Review the proposed <i>all electric</i> Mechanical system design with the focus on energy efficiency and longevity. Review and comment on the estimated energy consumption to operate the facility Commentary on how the proposed facility compares to other modern Aquatic and Wellbeing facilities Scope for the Operational Projections Peer Review (Otium Planning Group and South East Leisure) <p>Undertake a review of the DWC operational projections to ensure they are achievable and reflect industry trends / standards, whilst acknowledging the unique attributes of the Centre. Consideration to be given to:</p> <ol style="list-style-type: none"> Overall suitability / thoroughness of methodology and analysis undertaken Attendance and membership projections Income assumptions / projections including affordability Expenditure assumptions /

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
27/03/23 CQT12	Cr Rhonda Garad	Taskforce to monitor air quality in Keysborough South Councillor Jim Memeti and I passed a Notice of Motion in 2020 to set up a taskforce to monitor air quality in the industrial zone. Can you tell us what progress has been made on this? What is the latest update on the Environmental Protection Authority (EPA) meeting with residents in Keysborough South with regards the highly concerning odours in the area?	Director City Planning, Design and Amenity	11/04/2023	<p>projections</p> <p>e. Net operational performance</p> <p>We are expecting these reviews to be completed in the coming weeks and reported back to Council in May.</p> <p>COMPLETED</p> <p>Initial response provided 27/03/23: Council officers have written to two different ministers, the Minister for the Environment and the Minister for Climate Action. We have also written to the Premier Dan Andrews seeking assistance from the EPA to communicate with the community in Keysborough in relation to their numerous odour complaints. Council officers have also met with EPA representatives in May 2023 and unfortunately nothing further of substance has progressed from that meeting.</p> <p>The EPA and Council compliance officers have been on the ground and investigating several properties that are of concern and are known to be contributing to offensive odours in Keysborough and the Dandenong South area. The EPA has prosecuted some of these businesses which has seen a reduction in the odour impacting activities of these individual businesses. Overall, the problem remains.</p> <p>In relation to the implementation of the air quality monitoring devices in the area between Dandenong South industrial and the Keysborough residential areas, we are not aware of any monitoring undertaken by the EPA in this area. Council is communicating with the EPA on a range of issues. The concerns of our residents of Keysborough South are noticed at the highest levels of Council and will be on the</p>

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6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS (Cont.)

Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
27/03/23 CQT13	Cr Rhonda Garad	Upgrade of Perry Road, timeframes Can you please advise the time frames for the staged development of the Perry Road, Keysborough upgrade and where the decision has been made to block off Keys Road, Keysborough?	Director Business, Engineering & Major Projects	31/03/2023	<p>agenda to be discussed in a future meeting between our CEO Jacqui Weatherill and the CEO of EPA Victoria Lee Miezis. This is a matter of ongoing frustration but with ongoing advocacy, petitioning we will get some action on that Notice of Motion in due course.</p> <p>Further response provided 11/04/23: Unfortunately very little progress has been made in this regard, however council officers will remain engaged with the EPA in the first instance as their participation is central to the Task Force. A number of letters have been written to Ministers over the last couple of years as well as numerous engagements with State agency officers in trying to resolve the issues related to the monitoring of both air quality and water quality emanating from the Dandenong South Industrial zones. Councilors will be apprised by the end of May 2023 of outcomes of renewed efforts in this regard.</p> <p>COMPLETED</p> <p>Initial response provided 27/03/23: The construction of Perry Road will start at Greens Road and head south. This first stage will not impact Keys Road. Future stages will be subject to Council budget. I cannot predict when we will get down to Keys Road and what traffic management measures will take place at the time.</p> <p>Further response provided 31/03/23: The Perry Road Construction Project is planned to be delivered in 3 Stages, we are currently on procurement phase for Stage 1 of the project which is between Greens Road and Pacific Drive. Construction on site for stage 1 is expected to commence on July/August 2023,</p>

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Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
27/03/23 CQT14	Cr Rhonda Garad	Redevelopment plan for Keysborough South Can you please advise where the operational and development plan is at for the Keysborough South Hub?	Director Community Strengthening	11/04/2023	<p>pending award of the construction contract. Stage 3 of the project, which is likely to impact Keys Road, is not budgeted at this stage and update on timing and plan for traffic management can be provided when Stage 3 is budgeted and programmed for construction.</p> <p>COMPLETED</p> <p>Initial response provided 27/03/23: I will take that question on notice.</p> <p>Further response provided 11/04/23: Thank you for meeting on Monday 3 April to discuss your question asked at a Council Meeting on 27 March.</p> <p>Please find below details of the discussion and information for all Councillors on the operational elements for Keysborough South Community Hub (KSCH):</p> <ul style="list-style-type: none"> • Noting of the KSCH Management Model which was endorsed in January 2022, with two recommendations: <ul style="list-style-type: none"> • confirms the management model for Keysborough South Community Hub as Council Facilitated, as defined in this report; and • notes the proposed Community Engagement Plan for Keysborough South Community Hub operational planning. • The consultation presented identified 4 key stages of public consultation, which will include: <ul style="list-style-type: none"> ○ Consultation on the Draft KSCH Strategic Plan <ul style="list-style-type: none"> ▪ This provides the overall

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Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>strategic direction and objectives of the hub.</p> <ul style="list-style-type: none"> ▪ Presented to Councillor Briefing Session 17 October 2022, this was supported to move to Public Consultation when the construction commences. ▪ Due to commence public consultation May / June, in conjunction with construction commencement. ○ Consultation on Draft Action Plan: <ul style="list-style-type: none"> ▪ Due for preparation approximately 6 months out from Practical Completion. ▪ This will provide actions to deliver against the objectives in the first 12 to 24 months. ○ Consultation on Public Art: <ul style="list-style-type: none"> ▪ Dates and details to be confirmed. ▪ Explore links with the Playground and how the community can provide input into this. • Additional significant detailed operational planning will occur which Officers will prepare for all day to day procedures. <p>With regards to the licensing of the Early Years, the following was identified and discussed:</p> <ul style="list-style-type: none"> • It is envisioned that details on what the community would like in Early Years and

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Date of Council Meeting	Question Asked By	Subject & Summary of Question	Responsible Officer	Date of Completion	Summary of Response
					<p>connection to the overall hub, will be received during consultation on the KSCH strategic plan.</p> <ul style="list-style-type: none"> This information, alongside the licensing and legal requirements, will be prepared in an information package and then Expressions of Interest will be called from all businesses, groups and interested parties. This was planned to commence approximately eight months from practical completion, officers are reviewing if this can occur any earlier, which will include communication with the Department of Education regarding licensure. The panel tasked review the Expressions of Interest will include an external member with Early Years' experience, who will be sourced from the Keysborough South Ward. <p>Thank you for sharing your detailed knowledge of the community interests, passion and their aspirations for KSCH. I look forward to receiving your direct contacts and network information, so that we can invite them to participate in the KSCH Strategic Plan consultation and register to receive ongoing community updates about the project.</p> <p>An Infosum will be prepared with details on the dates for the KSCH Strategic Plan and an email distributed to Councillors, to allow for distribution to local residents for their participation.</p> <p>COMPLETED</p>

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7 URGENT BUSINESS

No urgent business was considered.

The meeting closed at 9.08 PM.

Confirmed: / /
