



**GREATER
DANDENONG**
City of Opportunity

AGENDA MONDAY 28 NOVEMBER 2022

Commencing at 7:00 PM

COUNCIL MEETING

At the time of printing this Agenda, the Council Meeting to be held on Monday 28 November 2022, will be open to the public to attend in person but will be subject to venue seating capacity.

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

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

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

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

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

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1 MEETING OPENING

1.1 ATTENDANCE

Apologies

1.2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS OF THE LAND

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

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

1.3 OFFERING OF PRAYER, REFLECTION OR AFFIRMATION

As part of Council's commitment to recognising the cultural and spiritual diversity of our community, the prayer, reflection or affirmation this evening will be offered by Mrs Roz Blades AM from the Jewish Community, a member of the Greater Dandenong Interfaith Network.

1.4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Meetings of Council held 10 and 14 November 2022.

Recommendation

That the minutes of the Meetings of Council held 10 and 14 November 2022 be confirmed.

1.5 DISCLOSURES OF INTEREST

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

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

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

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

2 OFFICERS' REPORTS - PART ONE

2.1 DOCUMENTS FOR SEALING

2.1.1 Documents for Sealing

File Id:	A2683601
Responsible Officer:	Manager Governance

Report Summary

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

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

Recommendation Summary

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

2.1.1 Documents for Sealing (Cont.)

Item Summary

There are two items being presented to Council's meeting of 28 November 2022 for signing and sealing as follows:

1. A letter of recognition to April Seymour, Governance for 10 years of service to the Greater Dandenong City Council; and
2. A letter of recognition to Cr Sean O'Reilly for 10 years of service to the Greater Dandenong City Council.

Recommendation

That the listed documents be signed and sealed.

2.2 DOCUMENTS FOR TABLING

2.2.1 Petitions and Joint Letters

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

Report Summary

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

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

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

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

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

2.2.1 Petitions and Joint Letters (Cont.)

Petitions and Joint Letters Tabled

Council received no new petitions and joint letters prior to the Council Meeting of 28 November 2022.

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

Recommendation

That this report and Attachment be received and noted.

2.2.1 Petitions and Joint Letters (Cont.)

DOCUMENTS FOR TABLING

PETITIONS AND JOINT LETTERS

ATTACHMENT 1

PETITIONS AND JOINT LETTERS

PAGES 6 (including cover)

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

2.2.1 Petitions and Joint Letters (Cont.)

Date Received	Petition/Joint Letter Text	No. of Petitioners	Status	Responsible Officer Response
18/10/22	<p>PETITION TO CONSIDER THE RESURFACING OF ERICKSEN GARDENS</p> <p>This petition draws to the attention of Greater Dandenong Council that there are many elderly mobility limited community members residing in the Ericksen Gardens area. The gravel is not an appropriate finish for residents using mobility equipment such as wheelchairs and walkers, making transit between zones a potential hazard, uncomfortable and difficult.</p> <p>We the undersigned, therefore request Council to consider the resurfacing of gravel link at Ericksen Gardens between Buckingham Avenue and Luxford Court to an appropriate concrete finish.</p>	18	In Progress	<p>Responsible Officer: Manager, Transport and Civil Development.</p> <p>Acknowledgement letter sent 18/10/2022 to the head petitioner.</p>
18/10/22	<p>JOINT LETTER FOR COUNCIL TO CONDUCT A FURTHER REVIEW ON THE SAFETY CONCERNS SURROUNDING BALMORAL AVENUE ROUNDABOUT</p> <p>On behalf of our community, I request that Council conduct a further review on the safety concerns surrounding the Balmoral Avenue Roundabout. This review is requested due to the following reasons:</p> <p>1)Clarity required around Risk Assessment In a report published by the Council's Road Safety Team ('Balmoral Report'), the road safety risk for this area is deemed 'lower than at many other locations within the municipality (due to low speed traffic)'. While speed is a factor to consider, other factors need to be taken into account such as the high volume of pedestrian and vehicle traffic in this area, the prominence of this location and the strong community feedback and concern.</p> <p>We request the Council provide transparency around its risk assessment process of the Balmoral Avenue Roundabout including what factors were considered (other than 'low speed traffic'), how these factors were weighed against each other, and how often monitoring of the area has occurred.</p>	169	In Progress	<p>Responsible Officer: Manager, Transport and Civil Development</p> <p>Acknowledgement letter sent 18/10/2022 to head petitioner.</p> <p>Tabled at CM 18/10/22</p> <p>Responsible Officer: Manager, Transport and Civil Development.</p>

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

2.2.1 Petitions and Joint Letters (Cont.)

Date Received	Petition/Joint Letter Text	No. of Petitioners	Status	Responsible Officer Response
18/10/22	<p>PETITION TO CONSIDER THE RESURFACING OF ERICKSEN GARDENS</p> <p>2) Clarity required around Reported Accidents The Balmoral Report states there have been no recorded accidents at this location within the last 5- years.</p> <p>The residents and visitors of Springvale have witnessed several vehicle and pedestrian incidents in the Balmoral Avenue Roundabout area over the past few years, ranging from near miss accidents to more severe accidents requiring ambulance services.</p> <p>We request the Council to explain the process of how it records accidents in this area - for example are these records based on direct reports from residents, from security or traffic cameras, or from other authorities?</p> <p>Furthermore, what is the Council's definition of an 'accident'? Does this include near miss accidents? These explanations from Council are important for us to understand the integrity and scope of the underlying recorded accidents data.</p> <p>3) Clarity required around Costs in the Balmoral Report, there is reference to 'moderate cost' for installing a Zebra Crossing, and 'high cost' for installing Traffic Signals.</p> <p>Can Council provide insight into approximately how much these options would cost? The Balmoral Report notes these costs as a disadvantage, but without any clarity as to how much these options cost and how this cost compares to similar projects Council has undertaken, it is difficult to understand this assessment.</p> <p>While cost is a consideration, we do note that our community does pay Council Rates in expectation that Council will use these funds to provide the appropriate services and support to our community. Using these funds to address the safety concerns around Balmoral Avenue Roundabout falls within this remit.</p>			

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

2.2.1 Petitions and Joint Letters (Cont.)

Date Received	Petition/Joint Letter Text	No. of Petitioners	Status	Responsible Officer Response
18/10/22	<p>PETITION TO CONSIDER THE RESURFACING OF ERICKSEN GARDENS</p> <p>4) Action is required after years of no response. I have first raised safety concerns around Balmoral Avenue Roundabout since November 2016, through a written letter to the Councillors with an attached petition of 74 signatories who shared my concerns. However, since that time no action has been taken by Council to address this situation.</p> <p>I urge Council, on behalf of our community, to take these safety concerns seriously and review this as an urgent priority. I have attached an updated petition as evidence that there are over one hundred members of</p>			
31/07/22	<p>PETITION TO INSTALL ADDITIONAL STREET LIGHT ON THE NATURE STRIP OF 4 HANLETH AVENUE, SPRINGVALE</p> <p>I have noticed that it is quite dark along our area of the street during the night and would like to request a light to be put in on the light pole that is on the nature strip of property 4 Hanleth Avenue, Springvale 3171. This will make this area considerably safer at night when driving.</p> <p>I have spoken to the surrounding neighbours and the following residents agree that this will help with increasing road safety at night.</p> <p>I hope you can assist in providing an additional light in this area.</p>	7	Completed	<p>Responsible Officer: Manager, Infrastructure Services and Planning.</p> <p>Notification letters sent 24/10/2022 to head petitioner by Responsible Officer.</p>

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

2.2.1 Petitions and Joint Letters (Cont.)

Date Received	Petition/Joint Letter Text	No. of Petitioners	Status	Responsible Officer Response
18/10/22	<p>JOINT LETTER FOR COUNCIL TO REVIEW PARKING RESTRICTIONS TO THE PARALLEL PARKING AREA LOCATED BETWEEN 175-235 SPRINGVALE ROAD, SPRINGVALE</p> <p>On behalf of the shop owners in the affected area, I am writing to express our concern about the new parking restriction on the abovementioned parallel parking area. The "no standing" sign between 3pm to 7pm, Monday to Friday has strongly impacted our business, as this time frame is our busiest trading time throughout the day. We have found our recent sales to drop by 30%-60% in most cases.</p> <p>As a result, we would like to request for a review of the current parking restriction and revert back to the parking condition of 2 hours parking between 9am to 6pm, Monday to Friday.</p> <p>The COVID-19 pandemic has already made it tough for many small businesses like ours to stay afloat. Your decision to allow parking between our core business hours will be vital in keeping our business trading.</p>	20	Completed	<p>Responsible Officer: Manager, Transport and Civil Development</p> <p>Acknowledgement letter sent 19/09/2022 to the head petitioner.</p> <p>Progress letter sent 21/10/2022 to the head petitioner.</p> <p>Notification letters sent 14/11/2022 to petitioners by Responsible Officer.</p>

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

2.2.1 Petitions and Joint Letters (Cont.)

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2.3 STATUTORY PLANNING APPLICATIONS

2.3.1 Planning Decisions Issued by Planning Minister's Delegate - October 2022

File Id:	qA280444
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Planning Declared Area Delegated Decisions – October 2022

Report Summary

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

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in October 2022.

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

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

Recommendation

That the items be received and noted.

2.3.1 Planning Decisions Issued by Planning Minister's Delegate - October 2022 (Cont.)

STATUTORY PLANNING APPLICATIONS

**PLANNING DECISIONS ISSUED BY PLANNING MINISTER'S
DELEGATE – OCTOBER 2022**

ATTACHMENT 1

**PLANNING DECLARED AREA
DELEGATED DECISIONS
OCTOBER 2022**

PAGES 2 (including cover)

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

2.3.1 Planning Decisions Issued by Planning Minister's Delegate - October 2022 (Cont.)

City of Greater Dandenong

PDA Delegated Decisions Issued 01/10/2022 to 31/10/2022

Application ID	PropertyAddress	Applicant	Description	Notes	Authority	Decision	Decision Notified	Ward
PDA22/0002	14-30 Walker Street DANDENONG VIC 3175	Secure Parking Pty Ltd	Use of the land for a temporary car park	Comprehensive Development 2 Zone	Delegate	PlanPermit	26/10/2022	Dandenong

Total : 1

LNICHO

1

02/11/2022

2.3.2 Planning Delegated Decisions Issued - October 2022

File Id:	qA280
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Planning Delegated Decisions Issued October 2022 Att1

Report Summary

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

It provides a listing of Town Planning applications that were either decided or closed under delegation or withdrawn by applicants in October 2022.

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

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

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

Recommendation

That the items be received and noted.

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

STATUTORY PLANNING APPLICATIONS

**PLANNING DELEGATED DECISIONS ISSUED -
OCTOBER 2022**

ATTACHMENT 1

**PLANNING DELEGATED
DECISIONS ISSUED
OCTOBER 2022**

PAGES 11 (including cover)

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

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

City of Greater Dandenong

Planning Delegated Decisions Issued from 01/10/2022 to 31/10/2022

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLA21/0638	PinAppAmd	No	6 Flynn Street SPRINGVALE VIC 3171	R Dviputra	AMENDMENT TO: Development of the land for two (2) dwellings (one single storey to the rear of a double storey) and subdivision of the land into two (2) lots (PLN19/0417)	Amend endorsed plans to comply with south east water requirements	Delegate	AmendPerm	12/10/2022	Springvale North
PLA22/0086	PinAppAmd	No	41-59 Colemans Road DANDENONG SOUTH VIC 3175	Charter Hall	AMENDMENT TO: Staged subdivision of land (PLN21/0155) SPEAR	Delete permit conditions 1.3.2, 11.1 and 11.2 relating to department of transport conditions	Delegate	AmendPerm	12/10/2022	Dandenong
PLA22/0070	PinAppAmd	No	211 Chapel Road KEYSBOROUGH VIC 3173	D Haskell	AMENDMENT TO: Change of Use (Car Wash), Signage (Business Identification) and reduction in car parking requirements (PLN19/0245)	No response to further information request	Delegate	Lapsed	13/10/2022	Keysborough South
PLA22/0072	PinAppAmd	No	27A Buckingham Avenue SPRINGVALE VIC 3171	New Tea Springvale	AMENDMENT TO: Buildings and works (façade alterations), display of advertising signs and internally illuminated signage (PLN19/0301)	No response to further information request	Delegate	Lapsed	11/10/2022	Springvale Central
PLA22/0074	PinAppAmd	No	11 Scullin Street DANDENONG NORTH VIC 3175	R D Carter and Associates	AMENDMENT TO: Subdivision of the land into two (2) lots (PLN22/0117)	Delete permit condition 2 relating to building regulation 231 and condition 3 relating to public open space as exempt	Delegate	AmendPerm	31/10/2022	Cleveland
EANTOS					1				02/11/2022	

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLA22/0077	PinAppAmd	No	55 Lonsdale Street DANDENONG VIC 3175	Herding Architects Pty Ltd	AMENDMENT TO: Development of the land for alterations and additions to an existing car showroom and the erection and display of business identification signage (PLN20/0519)	Amend endorsed plans to extend existing car showroom and display multiple business identification signs	Delegate	AmendPerm	17/10/2022	Dandenong
PLA22/0078	PinAppAmd	No	Youth Accommodation House 35 Royal Avenue SPRINGVALE VIC 3171	Kadar & Bradley Pty Ltd	AMENDMENT TO: The development of the land incorporating the extension of the existing building, with a reduction in the Car Parking provisions pursuant to Clause 52.06 of the Planning Scheme (PLN03/0777)	Permit is not required for reduction in car parking requirements or the use and buildings and works associated with a community care accommodation under Clause 52.22	Delegate	NoIRequire	25/10/2022	Springvale Central
PLA22/0090	PinAppAmd	No	66 Herbert Street DANDENONG VIC 3175	WCL Development c/- Ratio Consultants	AMENDMENT TO: Development of the land for seven (7) dwellings (six (6) triple storey dwellings and one (1) double storey dwelling) (PLN21/0456)	Amend permit Condition 1.6 relating to floor levels	Delegate	AmendPerm	17/10/2022	Cleveland
PLN21/0105	PinApp	No	10 Futura Road KEYSBOROUGH VIC 3173	Andrew Ferris Drafting and Design	Buildings and Works (Mezzanine)	No response to further information request	Delegate	Lapsed	13/10/2022	Noble Park
PLN21/0381	PinApp	No	10 Aratula Street DANDENONG VIC 3175	Glory Architecture	Development of the land for four (4) double storey dwellings	Proposal fails to meet objectives of Clause 15.01-2S (Building Design), Clause 15.01-3S (Neighbourhood Character), Clause 21.05-1 (Urban Design), Clause 32.08 (General Residential Zone - Schedule 1), Clause 22.09-3.3 (Incremental Change Areas), Clause 22.09-3-1 (General Design Principles), Clause 55, Clause 52.06, Clause 65	Delegate	Refusal	27/10/2022	Cleveland
EANTOS					2				02/11/2022	

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN21/0533	PinApp	No	18 Bessemer Street SPRINGVALE VIC 3171	T Pham	Development of the land for four (4) double storey dwellings	General Residential 3 Zone, 676sqm	Delegate	PlanPermit	31/10/2022	Springvale North
PLN21/0551	PinApp	No	11 Bowmore Road NOBLE PARK VIC 3174	RD Design and Drafting Pty Ltd	Development of the land for three (3) double storey dwellings	General Residential 1 Zone, 647sqm	Delegate	NOD	28/10/2022	Yarraman
PLN21/0606	PinApp	No	140 David Street DANDENONG VIC 3175	PLArchDesign	Development of the land for three (3) double-storey dwellings	General Residential 1 Zone, 750sqm	Delegate	PlanPermit	06/10/2022	Cleveland
PLN21/0649	PinApp	No	4 Henty Street DANDENONG VIC 3175	Human Habitats	Development of the land for four (4) triple storey dwellings	Residential Growth 1 Zone, 593sqm	Delegate	PlanPermit	07/10/2022	Cleveland
PLN21/0701	PinApp	No	60 Jellicoe Street NOBLE PARK VIC 3174	Jova Drafting Consultants	Development of the land for three dwellings (3) two double storey dwellings and one single storey dwelling to the rear)	General Residential 1 Zone, 679sqm	Delegate	NOD	12/10/2022	Yarraman
PLN21/0705	PinApp	No	2A John Street DANDENONG VIC 3175	Optus Mobile Pty Ltd	Use and development of the land for a Telecommunications Facility	Industrial 1 Zone, 30m monopole mobile phone base station and associated cabinets and equipment	Delegate	PlanPermit	20/10/2022	Dandenong
EANTOS					3				02/11/2022	

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0006	PinApp	No	5 Romsey Street NOBLE PARK VIC 3174	AA Iyengar	Development of the land for four (4) double storey dwellings	Proposal fails to meet objectives of Clauses 21.05-1 (Urban Design), 32.08 (GRZ3), 22.09-3.1 (General Design Principles), 22.09-3.3 (Incremental Change), 52.06 (Car Parking) and Clauses 55 and 65	Delegate	Refusal	13/10/2022	Noble Park
PLN22/0040	PinApp	No	Hillite Nursery Pty Ltd - Area 8A 241 Thompson Road BANGHOLME VIC 3175	Balance Enviro Solutions	Development of the land for a greenhouse	Public Use 1 Zone, greenhouse	Applicant	Withdrawn	03/10/2022	Keysborough South
PLN22/0042	PinApp	No	2 Eckford Street DANDENONG VIC 3175	Planning and Design Pty Ltd	Use and development of the land for rooming houses (one (1) new rooming house to the rear of an existing rooming house)	Proposal fails to meet Clause 21.05 (Built Form), Clause 22.09-3.1 (Design Principles), Design Standard 5 of Clause 52.06-9, Clause 55 and Clause 65	Delegate	Refusal	25/10/2022	Dandenong
PLN22/0052	PinApp	No	20 Woodward Street SPRINGVALE VIC 3171	HSA Building Designers	Development of the land for two (2) double storey dwellings including the construction of a front fence within 3 metres of a street.	No response to further information request	Delegate	Lapsed	04/10/2022	Springvale Central
PLN22/0070	PinApp	No	145 Springvale Road SPRINGVALE VIC 3171	Atacus Design & Planning	Development of the land for four (4) double storey dwellings and alteration of access to a road in a Transport Zone 2	General Residential 3 Zone, 696sqm	Delegate	PlanPermit	04/10/2022	Springvale North
PLN22/0087	PinApp	No	Sign 14-16 Lonsdale Street DANDENONG VIC 3175	Twenty Four Outdoor Australia Pty Ltd	The development of an electronic major promotion sky sign	Industrial 1 Zone, Electronic major promotion sign	Delegate	PlanPermit	31/10/2022	Dandenong
EANTOS					4				02/11/2022	

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0095	PinApp	No	40 Power Street DANDENONG VIC 3175	HNS Corporate Pty Ltd	The development of the land for six (6) double storey dwellings	Proposal fails to comply with Clause 15 Built Environment and Heritage, Clause 21.05 Built Form, Clause 22.09-3.1 Design Principles, PLN22.09-3.3 Incremental Change Areas, Neighbourhood character objectives, in Schedule 1 of the General Residential Zone, Clause 55.02, 55.02-2, 55.03-1, 55.03-10, 55.04-1, and Clause 65.01 General Residential 1 Zone, 617sqm	Delegate	Refusal	20/10/2022	Dandenong
PLN22/0127	PinApp	No	23 Liege Avenue NOBLE PARK VIC 3174	LCA Design	Development of the land for three (3) double storey dwellings		Delegate	NOD	28/10/2022	Yarraman
PLN22/0139	PinApp	No	314 Police Road NOBLE PARK NORTH VIC 3174	Very Architecture Pty Ltd	Alteration of access to a road in a Transport Zone 2	General Residential 1 Zone, Medical Centre	Delegate	PlanPermit	20/10/2022	Noble Park North
PLN22/0143	PinApp	No	225 Glasscocks Road DANDENONG SOUTH VIC 3175	Taras Nominees Pty Ltd	Development of the land for a warehouse and reduction in car parking requirements	Industrial 1 Zone, warehouse with a reduction of car parking spaces	Delegate	PlanPermit	24/10/2022	Dandenong
PLN22/0163	PinApp	No	6 Johnston Court DANDENONG SOUTH VIC 3175	Toni Curtis Super Pty Ltd	Development of the land for two (2) warehouses and a reduction in the car parking requirements	Industrial 1 Zone, construction of dual-tenancy warehouse	Delegate	PlanPermit	27/10/2022	Dandenong
EANTOS					5				02/11/2022	

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0168	PlnApp	No	7 Agana Avenue NOBLE PARK VIC 3174	N Harries	Development of the land for two (2) dwellings (one double storey dwelling and one single storey dwelling to the rear)	Neighbourhood Residential 1 Zone, 647sqm	Delegate	NOD	28/10/2022	Noble Park
PLN22/0160	PlnApp	No	2 Holly Avenue DANDENONG NORTH VIC 3175	M Awabdeh	Development of one (1) single storey dwelling to the rear of an existing single storey dwelling and alterations to the existing dwelling	Neighbourhood Residential 1 Zone, 622sqm	Delegate	PlanPermit	07/10/2022	Noble Park North
PLN22/0184	PlnApp	No	6 Gretana Street DANDENONG VIC 3175	E Imer	Development of the land for two (2) double storey dwellings on a lot	Proposal fails to comply with Clause 15.01-2S Building Design, Clause 15.01-5S Neighbourhood Character, Clause 21.05 Built Form, Clause 55.02-1 Neighbourhood Character Objectives, Clause 22.09-3.1 General Design Principles, Clause 22.09-3.3 Incremental Change Area Design principles, Clauses relating to Energy Efficiency Objectives, Solar Access and Design Detail and Clause 32.08 General Residential Zone and Schedule 1 and Clause 65. General Residential 1 Zone, 620sqm	Delegate	Refusal	14/10/2022	Dandenong
PLN22/0251	PlnApp	No	39 Phillip Avenue SPRINGVALE VIC 3171	Skill Design Pty Ltd	Development of the land for two (2) double storey dwellings		Delegate	NOD	13/10/2022	Springvale North
EANTOS					6				02/11/2022	

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0255	PinApp	No	20-22 Parsons Avenue SPRINGVALE VIC 3171	Heighton Mezzanines C/- The Planning Professionals	Construction of a mezzanine floor and reduce the car parking requirements of Clause 52.06	Industrial 1 Zone, 662 sqm, construction of a mezzanine within an existing warehouse, reduce the number of car parking	Delegate	PlanPermit	21/10/2022	Springvale North
PLN22/0285	PinApp	No	25-27 Futura Road KEYSBOROUGH VIC 3173	Tu Flow Spray Booth (Aust) P/L c/- KLM Spatial	Buildings and works (buildings extensions) and to reduce the car parking requirements	Proposal is contrary to Clauses 15.01-25 (Building Design), 15.01-15 (Urban Design), 18.02-4S (Car Parking), 52.06 (Car Parking), 22.03 (Urban Design) and Clause 65	Delegate	Refusal	13/10/2022	Noble Park
PLN22/0320	PinApp	No	43-63 Princes Highway DANDENONG SOUTH VIC 3175	Alise/Australian Sub TC Pty Ltd	Buildings and Works (Roller Doors x 2 and the Relocation of 13 Car Parking Spaces)	Commercial 2 Zone, 7500sqm, relocation of car parking spaces, construction of new pedestrian walkway, installation of Roller Shutter Doors on existing warehouse, installation of car wash and sliding gates	Delegate	PlanPermit	31/10/2022	Dandenong
PLN22/0337	PinApp	No	1-11 Knowles Road DANDENONG SOUTH VIC 3175	LPOV Pty Ltd	Use of the land for Motor Vehicle Sales	Commercial 2 Zone	Delegate	PlanPermit	11/10/2022	Dandenong
PLN22/0371	PinApp	No	37-39 Airdgower Road NOBLE PARK VIC 3174	Hansra Capital Pty Ltd	Subdivision of land into six (6) lots SPEAR	Residential	Delegate	PlanPermit	03/10/2022	Springvale North
PLN22/0382	PinApp	No	6 Andrew Street SPRINGVALE VIC 3171	Architekton Ltd	Development of the land for three (3) double storey dwellings	No response to further information request	Delegate	Lapsed	24/10/2022	Springvale Central
EANTOS					7				02/11/2022	

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0401	PinAppVic	Yes	6 Theodore Avenue NOBLE PARK VIC 3174	Smith Land Surveyors	Subdivision of the land into two (2) lots SPEAR VICSMART	Residential	Delegate	PlanPermit	19/10/2022	Noble Park
PLN22/0410	PinApp	No	1/26 Dumblelane Road NOBLE PARK VIC 3174	Linear Land Surveying Pty Ltd	Subdivision of land into six (6) lots SPEAR	Residential	Delegate	PlanPermit	12/10/2022	Yarraman
PLN22/0415	PinAppVic	Yes	16 Attenborough Street DANDENONG VIC 3175	Supreme Dairy	Buildings and works (building extension) and to reduce the car parking requirements VICSMART	Proposal fails to comply with Clause 15.01-1S (Urban Design), Clause 18.02-4S (Car Parking) and Clause 52.06 (Car Parking of achieving a high standard of Urban Design), Clause 22.03 (Urban Design in Commercial and Industrial Areas)	Delegate	Refusal	26/10/2022	Dandenong
PLN22/0416	PinAppVic	Yes	48 Bruce Street DANDENONG VIC 3175	Nobelius Land Surveyors Pty Ltd	Subdivision of the land into two (2) lots SPEAR (VICSMART)	Residential	Delegate	PlanPermit	24/10/2022	Cleeland
PLN22/0419	PinApp	No	286 Springvale Road SPRINGVALE VIC 3171	J Bruzese	To display business identification signage and internally illuminated business identification signage	Commercial 1 Zone, replacement of existing business identification signage	Delegate	PlanPermit	21/10/2022	Springvale Central
EANTOS					8				02/11/2022	

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0427	PinApp	No	339 Princes Highway NOBLE PARK VIC 3174	Peter Richards Surveying	Subdivision of the land into three (3) lots SPEAR	Residential	Delegate	PlanPermit	28/10/2022	Yarraman
PLN22/0436	PinApp	No	65 Springvale Road SPRINGVALE VIC 3171	Linear Land Surveying Pty Ltd	Subdivision of land into two (2) lots SPEAR	Residential	Delegate	PlanPermit	31/10/2022	Springvale North
PLN22/0449	PinApp	No	1/3 Hillside Street SPRINGVALE VIC 3171	AT Ton, TT Ton	Subdivision of the land into three (3) lots SPEAR	Residential	Delegate	PlanPermit	31/10/2022	Springvale North
PLN22/0452	PinApp	No	16 Eckford Street DANDENONG VIC 3175	J Urozgani, M Barbani	Subdivision of the land into three (3) lots SPEAR	Residential	Delegate	PlanPermit	25/10/2022	Dandenong
PLN22/0454	PinAppVic	Yes	34 Stephenson Street SPRINGVALE VIC 3171	AMS Pty Ltd	Subdivision of the land into two (2) lots SPEAR (VICSMART)	Residential	Delegate	PlanPermit	05/10/2022	Springvale North
PLN22/0459	PinApp	No	21 Frederick Street DANDENONG VIC 3175	B Azizi	Subdivision of the land into three (3) lots SPEAR	Residential	Delegate	PlanPermit	26/10/2022	Dandenong
EANTOS					9				02/11/2022	

2.3.2 Planning Delegated Decisions Issued - October 2022 (Cont.)

Application ID	Category	VicSmart	Property Address	Applicant Name	Description	Notes	Authority	Decision	Decision Date	Ward
PLN22/0462	PlnAppVic	Yes	11 Wattle Street SPRINGVALE VIC 3171	Heading and Associates	Subdivision of the land into two (2) lots SPEAR (VICSMART)	Residential	Delegate	PlanPermit	04/10/2022	Springvale North
PLN22/0469	PlnAppVic	Yes	3/3 Olive Grove KEYSBOROUGH VIC 3173	DNS Electric Vehicles Pty Ltd	Buildings and Works (Mezzanine) and to reduce the Car Parking requirement VICSMART	Industrial 1 Zone, mezzanine	Delegate	PlanPermit	31/10/2022	Keysborough
PLN22/0473	PlnAppVic	Yes	20 Claremont Crescent KEYSBOROUGH VIC 3173	Nilsson Noel & Holmes (Surveyors) Pty Ltd	Subdivision of the land into two (2) lots SPEAR (VICSMART)	Residential	Delegate	PlanPermit	14/10/2022	Noble Park
EANTOS					10				02/11/2022	

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654)

File Id:	A9207822
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Assessed Plans Location of Objectors Clause 22 Assessment Clause 52 Assessment Clause 55 Assessment

Application Summary

Applicant:	Bossco Group Pty Ltd
Proposal:	Development of the land for three (3) double storey dwellings
Zone:	General Residential Zone, Schedule 1
Overlay:	Not applicable
Ward:	Springvale North

The application has been brought before Council because it has received eleven (11) objections.

The application proposes the development of the land for three (3) double storey dwellings.

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

Objectors Summary

The application was advertised to the surrounding area through the erection of a notice on-site and the mailing of notices to adjoining and surrounding owners and occupiers. Eleven (11) objections were received to the application. Issues raised generally relate to matters of:

- Traffic, car parking and on street impacts
- Overlooking
- Overshadowing
- Vegetation and biodiversity loss

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

- Construction impacts (e.g. noise, dust, truck movements)
- Width of the subject site
- Overdevelopment of the site and surrounding area
- Asbestos to the existing dwelling proposed to be demolished

Assessment Summary

The proposal has been assessed against the relevant requirements of the Greater Dandenong Planning Scheme and is considered appropriate for the site. The subject site, within an established residential area, is well suited for a development of three (3) double storey dwellings given the site is within walking distance of many community facilities and public transport, as well as its high level of compliance with Clause 55 (Two (2) or more dwellings on a lot) and Clause 22.09 (Residential Development and Neighbourhood Character).

The development is considered to be respectful of the existing and preferred neighbourhood character by providing sufficient setbacks from the side and rear boundaries to allow for reasonable landscaping to occur, subject to conditions. The linear design has provided well-articulated first floor footprints from side and rear boundaries of the site to reduce the building bulk and protect adjoining sensitive interfaces. Additionally, the separation provided between the first floor of the proposed dwellings, lessens the visual appearance of the double storey form when viewed from the adjoining residential properties.

Recommendation Summary

As assessed, officers consider this proposal to be generally compliant with all of the relevant provisions of the Greater Dandenong Planning Scheme. All grounds of objection have been considered, and Council officers are of the view that on balance, the proposal's degree of compliance with the Planning Scheme justifies that the application should be supported. Therefore, it is recommended that a Notice of Decision (which provides appeal rights to objectors) to grant a permit be issued subject to the conditions as set out in the recommendation.

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

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Subject Site and Surrounds

Subject Site

The subject site is a predominantly rectangular shaped allotment located on the eastern side of Ardgower Road within a residential area of Noble Park.

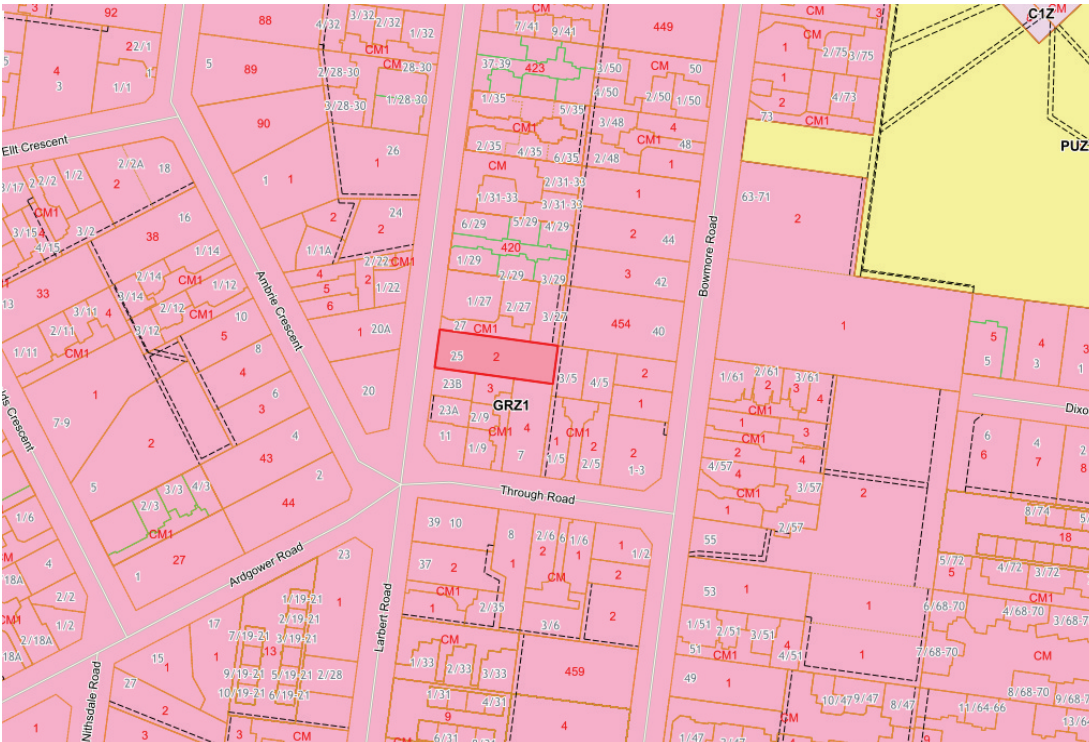
- The lot has a frontage of 15.24 metres connecting to Ardgower Road, a depth of 48.77 metres and an overall site area of 743 square metres.
- The subject site contains a single storey weatherboard dwelling with an attached verandah and carport.
- Access to the site is via a single width crossover to the western frontage, located adjacent to the southern boundary.
- The subject site slopes down from the west to the east with an approximate 0.5 metre fall away from Ardgower Road.
- The site has scattered vegetation present to the front and rear of the existing dwelling.
- No easements or assets are present on site.

Surrounding Area

- The surrounding land within Ardgower Road and adjoining streets are zoned General Residential Zone – Schedule 1, connecting to major road networks of Princes Highway to the north and Kelvinside Road to the south.
- A five way round-about is present approximately 40 metres south of the subject site connecting Ardgower Road, Through Road, Larbert Road and Ambrie Crescent.
- Existing development within the immediate area consists of a mixture of single and double storey dwellings with older housing stock slowly being replaced with multi-dwelling developments.
- The residential property that directly abuts the subject site to the north, No. 27 Ardgower Road, consists of three (3) single storey dwellings and two single width crossovers connecting to Ardgower Road.
- No. 5 Through Road directly abuts the eastern rear of the subject site, consisting of four (4) single storey dwellings connecting to Through Road via a single width crossover and accessway to the south.
- Three lots directly abut the subject site to the south:
 - No. 7 Through Road consisting of one double storey dwelling and connecting double garage;
 - No. 9 Through Road consisting of three attached dwellings (two double storey and one single storey to the rear); and
 - No. 11 Through Road which has been subdivided and renumbered to be No. 11 Through Road, No. 23A and 23B Ardgower Road to the corner of the two roads, which consists of three double storey dwellings.

2.3.3 Town Planning Application - No. 25 Ardgowar Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Locality Plan



2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Background

Previous Applications

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

Proposal

The application proposes to develop the subject site for three (3) double storey dwellings.

The dwellings are sited in a linear configuration with a single width crossover and accessway running along the southern boundary of the site, connecting to Ardgower Road to the west.

The dwellings are all attached at the ground floor. Separation is provided between each dwelling at first floor with 1.87 metres provided between dwellings one and two and a 3 metre separation provided between dwellings two and three.

Each dwelling contains a total of three (3) bedrooms, is provided with secluded private open space and open living / kitchen / dining at the ground floor level and a double car garage.

Type of proposal	Multi dwellings				
Number of dwellings	Three (3)				
Levels	Double storey				
Height	Maximum building height of 7.84m				
Orientated to	Ardgower Road				
External materials	Render cladding / Brickwork / Weatherboard				
Minimum setbacks (encompasses all dwellings)	Ground Floor				
	Dwelling	W e s t (frontage)	North (side)	S o u t h (side)	East (rear)
	1	5.34 metres	2.74 metres	4.4 metres	Adjoining Dwelling 2
	2	Adjoining Dwelling 1	1 metre	4.7 metres	Adjoining Dwelling 3
	3	Adjoining Dwelling 2	1.65 metres	Garage wall on boundary	1.77 metres

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	Upper Floor				
	Dwelling	W e s t (frontage)	North (side)	S o u t h (side)	East (rear)
	1	6.21 metres	5.27 metres	4.4 metres	1.87 metres (to Dwelling 2)
	2	1.87 metres (to Dwelling 1)	2.56 metres	4.27 metres	3 metres (to Dwelling 3)
3	3 metres (to Dwelling 2)	2.2 metres	5.635 metres	3.794 metres	
Private open space	<p>Dwelling One A total area of 116 sqm provided consisting of a minimum area of 53 sqm to the side of the dwelling, 30 sqm of which with a minimum dimension of 5 metres and convenient access from the main living room</p> <p>Dwelling Two A total area of 57 sqm to the side of the dwelling consisting of a minimum area of 31 sqm with a minimum dimension of 5 metres and convenient access from the main living room</p> <p>Dwelling Three A total area of 64.9 sqm to the side and rear of the dwelling consisting of a minimum area of 30 sqm with a minimum dimension of 5 metres and convenient access from the main living room</p>				
No. of Bedrooms	Each dwelling has a total of three (3) bedrooms				
Number of Car parking Spaces provided	A total of six (6) car parking spaces are provided.				
Number of Car parking Spaces required	<p>One (1) car parking space is required for each one (1) or two (2) bedroom dwelling and two (2) car parking spaces are required for each three (3) or more bedroom dwelling. Therefore, two (2) spaces are required per dwelling for a total of six (6) spaces required.</p> <p>A total of six (6) car parking spaces are provided in the form of double garage to each dwelling.</p>				

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	The number of car spaces provided complies with Clause 52.06 (Car parking).
Type of car parking	Double garages provided to each dwelling.
Access	Access is proposed via one (1) single width crossover to Ardgower Road, located to the south-west of the development. The crossover has a minimum width of 3 metres.
Front Fence	No front fence is proposed.
Garden area required	Subject site is 743 sqm = 35% or 260.05 sqm required 39% or 294 sqm provided Complies

2.3.3 Town Planning Application - No. 25 Ardgowar Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

The details of the proposal are as follows:

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:

- Pursuant to Clause 32.08-6 to construct two (2) or more dwellings on a lot.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in a General Residential Zone, Schedule 1, as is the surrounding area.

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

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

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

An application to construct two or more dwellings on a lot must meet all the relevant requirements of Clause 55.

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Overlay Controls

No overlays affect the subject site or surrounding area.

Planning Policy Framework

The **Operation of the 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.

Clause 11 Settlement states that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, amongst others.

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

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

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

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

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

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

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

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

Local Planning Policy Framework

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

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

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

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

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

Clause 21.04-1 Housing and community

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

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

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

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

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

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 22.09-3.3 provides design principles to sites within the Incremental Change Areas (General Residential Zones).

It is policy to:

- *Ensure that new development respects the neighbourhood character of the area and considers the identified future character.*
- *Provide a transition in built form and density at the interface with the Substantial Change areas (zoned RGZ) or Activity Centres (zoned Commercial/Mixed Use/Comprehensive Development Zone).*
- *Achieve a transition in built form from the Incremental Change areas (zoned GRZ) to the surrounding Limited Change areas (zoned NRZ).*
- *Support future housing density at a lower intensity than in Substantial Change Areas, but a higher intensity than in Limited Change Areas.*
- *Encourage consolidation of allotments to increase development potential and achieve improved design outcomes.*
- *Apply the following Design Principles for all residential developments, in addition to those at Clause 22.09-3.1:*

The proposed development is generally in accordance with the requirements of Clause 22.09 of the Scheme, subject to conditions.

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

Particular Provisions

Car Parking (Clause 52.06)

The purposes of this provision, Clause 52.06, are:

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

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

The table at Clause 52.06-5 notes that a dwelling with three (3) or more bedrooms requires two (2) spaces to each dwelling. The site is not within the Principle Public Transport Network area map.

A total of six (6) car parking spaces are required.

The proposal provide two (2) car parking spaces to each dwelling in the form of a double garage.

No visitor car space is required as the proposed development is not for five (5) or more dwellings. No visitor bays have been provided.

The number of car spaces provided for the residents comply with Clause 52.06 (Car parking).

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

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

Two or more dwellings on a lot (Clause 55)

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

- *To construct two (2) or more dwellings on a lot.*

The purposes of this clause are:

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

2.3.3 Town Planning Application - No. 25 Ardgowar Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

A development:

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

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

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

General Provisions

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

Restrictive Covenants

There are two restrictive covenants registered to the submitted copy of Title.

Covenant as to part 1150455

- Relates to the transfer of the land and restricts the excavation of materials except for the purposes of constructing foundations for a building, and does not permit the land to used for manufacturing purposes.

Covenant as to part 1395704

- Relates to the same abovementioned restriction with a different transfer of land.

The proposal complies with all restrictions registered to the Title.

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

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 externally referred for comments.

Internal

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

Department	Response
Asset Planning	No objections, subject to conditions on permit
Bushland & Garden (Arborist)	No objections. No conditions.
Civil Development	No objections, subject to conditions on permit
ESD/Sustainability	No objections, subject to conditions on permit

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Advertising

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

- Sending notices to the owners and occupiers of adjoining and surrounding land.
- Placing a sign on site facing Ardgower Road.

The notification has been carried out correctly.

Council has received eleven (11) objections to date.

The location of the objectors / submitters is shown in Attachment 2.

Consultation

A consultative meeting was not held due to the restrictions associated with the COVID-19 pandemic.

Summary of Grounds of Submissions/Objections

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

- **Traffic, car parking and on street impacts**

The proposal complies with Clause 52.06 (Car parking) of the Greater Dandenong Planning Scheme. Clause 52.06 requires six (6) car parking spaces to be provided on site, and six (6) have been provided via three double garages. All of the required on-site car parking spaces have been provided in accordance with Clause 52.06 and the proposal complies with the design principles to Clause 52.06-9 with respect to on-street parking. Access to the site is considered appropriate, providing a single crossover with visibility lines for safe entry and exit of the site.

The application was referred to Council's internal Transport Planning department who raised no objection to the proposal, subject to conditions.

- **Overlooking**

Objectors have raised concerns with the impact of overlooking/loss of privacy potential of the development. All proposed habitable room windows with overlooking potential feature highlight windows or obscured glazing up to 1.7 metres above FFL and all boundary fencing is a minimum of 1.9 metres high. As such the development complies with Standard B22 (Overlooking) and any other related planning scheme requirements relating to the matter.

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

- **Overshadowing**

Concern has been raised regarding overshadowing/loss of natural light from the proposed development to the adjoining properties.

The test for overshadowing is set by Clause 55.04-5 – Standard B21 for overshadowing of open space. An assessment of the shadow diagrams provided show that the secluded private open space of all neighbouring properties would receive at least 75% sunlight to the secluded private open space areas for the minimum of five (5) hours between 9 am and 3 pm on 22 September, thus complying with Standard B21.

- **Vegetation and biodiversity loss**

Concern has been raised regarding vegetation and biodiversity loss from the proposed development. The subject site is not covered by any form of vegetation protection overlay and no trees proposed to be removed require a planning permit. As demonstrated by the submitted landscape plan and as per conditions recommended, the proposal will result in an appropriate landscape outcome through planting of a canopy tree in the rear yard of all dwellings as well as substantial landscaping in the front of the site creating a positive landscape character. Furthermore, an Arborists report was submitted with the application documents detailing that all trees proposed to be removed are of a low retention value and are not endemic to Victoria. The application was also referred to Council's arborist, who had no objection to the proposal.

- **Construction impacts (e.g. Noise, dust and truck movements)**

Concern has been raised regarding the impacts caused from the construction of the proposed development. The construction of multi dwellings is expected as part of infill development areas and is not considered unreasonable in this context. All developments are also required to meet the relevant EPA noise legislation.

- **Width of the subject site**

Concerns were raised that the 15.24 metre wide frontage would not be able to acceptably accommodate a development of this nature. It is considered that the frontage width is typical for a residential lot within the General Residential Zone and can suitably accommodate one crossover and one dwelling frontage, as is proposed in this development.

- **Overdevelopment of the site and surrounding area**

The proposal of three (3) double storey dwellings is considered to be in keeping with the local policy of Clause 22.09 Residential Development and Neighbourhood Character for a 743sqm site located within an Incremental Change Area, which supports medium density development. As the proposal has accommodated each dwelling with an appropriate response to areas of open space, setbacks and landscaping, it is considered that the subject site is suitable for this type of development and the proposal is not an overdevelopment of the site and respects the preferred neighbourhood character.

Given the overall compliance with the Greater Dandenong Planning Scheme, it is considered that a development of this type and size is suitable for the site and surrounding area. This is further discussed in the Assessment section below.

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

- **Asbestos to the existing dwelling proposed to be demolished**

An objector has raised concerns that the existing dwelling may have asbestos present. Both the demolition of the existing dwelling and monitoring of asbestos are not relevant planning considerations and will be handled accordingly under separate relevant legislation.

Assessment

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

Use

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

Planning Policy Framework / Local Planning Policy Framework

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

- Clause 22.09 Residential Development and Neighbourhood Character;
- Clause 52.06 Car parking; and
- Clause 55 Two (2) or more dwellings on a lot.

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

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

It is considered that the proposed design response, respects the preferred neighbourhood character of the incremental change area by providing three (3) double storey dwellings with appropriate setbacks, articulation and separation at the first floor which is a typology of housing encouraged within the General Residential Zone – Schedule 1 area.

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

The overall layout allows space for compliant private and secluded private open space and appropriate landscaping treatments such as canopy trees and shrub plantings within well-proportioned setback areas to allow growth to maturity.

The proposal provides a high-quality urban design outcome with physical articulation, and well sited setbacks from sensitive interfaces. The proposal's high level of compliance with Clause 22.09, Clause 52.06 and Clause 55 ensures that the development achieves the objectives set out in Clause 15.01 and Clause 21.05-1.

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

Clause 22.09 Assessment - Residential Development and Neighbourhood Character Policy

An assessment against the design principles of Clause 22.09 is included at Attachment 3 of this report. This proposal provides a design response which is consistent with the preferred character envisaged by Clause 22.09 with a site responsive built form respecting the prevailing existing character and responding to the site circumstances and streetscape. The design solution has provided well-articulated first floor footprints from side and rear boundaries of the site to reduce the building bulk and protect adjoining sensitive interfaces.

Overall, the development has provided a response that respects the identified neighbourhood character and considers the identified future character. The elements of the proposal that warrant further discussion are as follows:

Double Storey to Rear Assessment

The double storey dwelling to the rear (dwelling 3) is considered appropriate in this instance for the following reasons:

- The visual impact does not adversely affect the identified future character of the area as the surrounding sites are similarly developed with built forms directly abutting, or in close proximity to the site to the northern side, eastern rear and southern side.
- There are no overlooking or overshadowing concerns as confirmed within the Clause 55 Assessment in Attachment 5.
- The building bulk would not limit landscaping opportunities with suitable setbacks provided at ground and first floor.
- Sufficient space is provided along the front, side and rear boundaries to accommodate suitable landscaping to screen the built form.

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

- The upper storey components of dwelling three (3) are well setback and recessed from the adjoining sensitive interfaces with the greatest setbacks provided to the north eastern corner (6.8 metres) and the southern side (5.635 metres) opposite abutting areas of secluded private open space.
- The upper storey along the northern side of dwelling three (3) is setback 2.2m – 6m. The section of wall setback the 2.2m runs for a length of approximately only 4m and is opposite an existing accessway and garage. This setback is considered acceptable in this instance as the visual bulk will not be clearly visible from adjoining areas of secluded private open space or habitable room windows which have been provided with the greater setbacks as detailed above.

Clause 52.06 Assessment - Car Parking

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

- One (1) car parking space to each one (1) or two (2) bedroom dwelling; and
- Two (2) car parking spaces to each three (3) or more bedroom dwelling.

The site is not within the Principle Public Transport Network area map.

A total of six (6) car parking spaces are required for this proposal.

The proposal would provide two (2) car spaces to each three or more bedroom dwelling and one (1) car space to each two bedroom dwelling, with a total of six (6) spaces being provided.

No visitor car space is required or provided.

The number of car spaces provided complies with Clause 52.06 (Car parking).

The proposal complies with the Design Standards of Clause 52.06-9. A full Clause 52.06 assessment is attached to this report at Attachment 4.

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

The proposal is generally consistent with all relevant standards and objectives of Clause 55, including the variations set out in Schedule 1 to the General Residential Zone as detailed in Attachment 5, with the exception of the following:

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Standard B15 Parking Location Objectives

- *Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.*

The meals window to Dwelling 1 is provided with a 0.8 metre setback from the shared internal accessway with a minimum window sill height of 1.9 metres, failing to comply with the standard. It is considered that due to the width of the accessway, setback of the affected Dwelling 1, required landscaping provisions and turning circles for vehicles, the variation to the standard by 0.2 metres is considered acceptable in this instance. Furthermore, a condition can be imposed on the permit to ensure noise attenuation measures are put in place for the habitable window to prevent excessive vehicular noise.

Environmentally Sustainable Development

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

The provided BESS score complies with a score of 60% for best practice encompassing the full life of the build and identifying the methods used for the best environmental performance outcome. Having regard to the sites opportunities and restraints, the proposal has included the necessary water tanks, and roof catchment areas, sufficient energy star ratings for fixtures, heating and cooling systems and the addition of double-glazed habitable room windows.

The referral response from Council's ESD team identified that the submitted plans should be amended to include the following:

- *Annotation of rainwater tank connection to laundry as well as toilet flushing*
- *Annotation confirming all internal doors in breeze pathways to be provided with door catches, as per BESS IEQ Credit 2.2*
- *Annotation confirming all windows are operable as per BESS IEQ Credit 2.2*
- *Annotation of provision of EV charging infrastructure*

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

The ESD team also requested a revised BESS to include:

- *Modification of dwelling area entered into the Project Details section to reflect the total of the ground and first floor areas as listed in Sheet 4 of the town planning drawings.*

BESS Information Summary		Project Overall Score: 60%		
		Fail	Best Practice	Design Excellence
Dwelling Type: Non-residential		(<49%)	(50-69%)	(>70%)
BESS Category	Score	Initiatives		
Management	33%			
		Preliminary NatHERS ratings undertaken, with an average of 6.5 Stars for the development		
Water	66%			
		Rainwater tank capacity of 2,000L per dwelling connected to:		
		<ul style="list-style-type: none"> • Toilet flushing and laundry use 		
		High WELS star rated water fittings, fixtures and appliances		
		Potable water consumption reduced by at least 40% compared to same building following minimum standards		
Energy	55%			
		Preliminary energy ratings to be undertaken		
		High efficiency gas instantaneous domestic hot water system		
		High efficiency heating and cooling systems		
		Estimated greenhouse gas emissions reduced by 69% compared to compared to same building following minimum standards		
Stormwater	100%			
		Stormwater design meets industry best practice requirements though incorporation of rainwater collection and re-use, raingardens and site permeability		

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Indoor Environment Quality	60%	
		Design is oriented north
		Design conducive to natural ventilation
		External shading provided to east, west and north facing glazing
Transport	100%	
		Space for bicycle parking in each dwelling garage
		EV charging infrastructure provided
Waste	50%	
		Compost bins provided to enable on-site management of food and garden
Urban Ecology	50%	
		34% of the site is vegetated

Conclusion

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

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Recommendation

That Council resolves to issue a Notice of Decision to grant a permit in respect of the land known and described as No. 25 Ardgower Road, Noble Park, for the ‘development of the land for three (3) double-storey dwellings’ subject to the following conditions:

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:**
 - 1.1. A 1.83 metre wide drainage easement to be shown along the eastern rear boundary;**
 - 1.2. Dwelling 3 ground floor eastern rear setback to be a minimum 1.83 metres;**
 - 1.3. Dwelling 3 storage shed to be located off the rear easement as required under Condition 1.1;**
 - 1.4. Garage 3 rear door to be a minimum 1.2 metres wide;**
 - 1.5. Noise attenuation measures annotation included to Dwelling 1 ground floor windows along the internal accessway;**
 - 1.6. Annotation of rainwater tank connection to laundry as well as toilet flushing;**
 - 1.7. Annotation confirming all internal doors in breeze pathways to be provided with door catches, as per BESS IEQ Credit 2.2;**
 - 1.8. Annotation confirming all windows are operable as per BESS IEQ Credit 2.2;**
 - 1.9. Annotation of provision of EV charging infrastructure;**
 - 1.10. Landscape plans in accordance with Condition 2.**

All residential developments must have materials and finishes.

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

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

- 2. Before the approved development starts, and before any trees or vegetation are removed, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended landscape plan must be prepared by a person or firm with suitable qualifications to the satisfaction of the Responsible Authority, drawn to scale with dimensions. The amended landscape plan must be generally in accordance with the landscape plan submitted with the application but modified to show:**
 - 2.1. plans to accord with Condition 1 of this permit;**
 - 2.2. the site at a scale of 1:100/200, including site boundaries, existing and proposed buildings, neighbouring buildings, car parking, access and exit points, indicative topography and spot levels at the site corners, existing and proposed vegetation, nature strip trees, easements and landscape setbacks;**
 - 2.3. details of the proposed layout, type and height of fencing;**
 - 2.4. legend of all plant types, surfaces, materials and landscape items to be used including the total areas of garden and lawn;**
 - 2.5. a plant schedule giving a description of botanical name, common name, mature height and spread, pot size, purchase height (if a tree) and individual plant quantities;**
 - 2.6. At least one (1) advanced canopy tree with a minimum planting height of 1.5 metres and a minimum mature height of 8 metres within the rear secluded open space areas of each dwelling;**
 - 2.7. Improved landscaping to the front of Dwelling 1, including at least two (2) advanced canopy trees with a planting height of 1.5 metres and a minimum mature height of 8 metres, and intensified shrubbery in front of the Dwelling 1 kitchen area;**
 - 2.8. Landscaping designs must use tree species from the Medium- or Large-tree categories of the City of Greater Dandenong's Tree Selection and Planting guidelines;**

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

2.9. Improved landscaping along the southern boundary adjacent to accessway;

2.10. Any paving or deck areas within the secluded open space area of the proposed dwelling on a permeable base.

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

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

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

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

6. Except with the prior written consent of the Responsible Authority, the approved building must not be occupied until all buildings and works and the conditions of this permit have been complied with.

7. Prior to the endorsement of plans, the applicant is to submit a revised Sustainable Design Assessment (SDA) to the satisfaction of the Responsible Authority. The revised SDA must be in accordance with the design initiatives, commitments and assessment tool inputs pertained in the SDA (prepared by Rock Consulting) but modified to include:

7.1. Revised BESS Assessment, including:

7.1.1. Modification of dwelling area entered into the Project Details section to reflect the total of the ground and first floor areas as listed in Sheet 4 of the town planning drawings.

8. Provision must be made for the drainage of the site including landscaped and pavement areas, all to the satisfaction of the Responsible Authority.

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

- 9. The connection of the internal drainage infrastructure to the LPD must be to the satisfaction of the Responsible Authority. Collected stormwater must be retained onsite and discharged into the drainage system at pre-development peak discharge rates as stated in the LPD approval letter. Approval of the drainage plan including any retention system within the property boundary is required.**
- 10. Before the approved building is occupied, all piping and ducting above the ground floor storey of the building, except downpipes, must be concealed to the satisfaction of the Responsible Authority.**
- 11. Standard concrete vehicular crossing/s must be constructed to suit the proposed driveway/s in accordance with the Council's standard specifications. Any vehicle crossing no longer required must be removed and the land, footpath and kerb and channel reinstated, to the satisfaction of the Responsible Authority.**
- 12. Letterboxes and all other structures (including visually obstructive fencing and landscaping) must be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) along the frontage road at access points in accordance with Greater Dandenong Planning Scheme Clause 52.06-9.**
- 13. Except with the prior written consent of the Responsible Authority, floor levels shown on the endorsed plan/s must not be altered or modified.**
- 14. Before the approved building is occupied, the development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkway. Lighting must be located, directed and shielded to the satisfaction of the Responsible Authority so as to prevent any adverse effect outside the land.**
- 15. Before the approved building is occupied, the obscure glazing to the windows shown on the endorsed plans must be provided through frosted glass or similarly treated glass to the satisfaction of the Responsible Authority. Adhesive film or similar removable material must not be used.**

All glazing must at all times be maintained to the satisfaction of the Responsible Authority.

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

- 16. Before the approved building is occupied, the privacy screens and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.**

All privacy screens and other measures to prevent overlooking as shown on the endorsed plans must at all times be maintained to the satisfaction of the Responsible Authority.

- 17. Before the approved building is occupied, all boundary walls in the development must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**

- 18. This permit will expire if:**

18.1. The development or any stage of it does not start within two (2) years of the date of this permit, or

18.2. The development or any stage of it is not completed within four (4) years of the date of this permit.

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.**

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Permit Notes

- **A drainage plan approval fee is to be paid to Council prior to the issue of approved drainage plans. Please contact the Civil Development department for the current schedule of fees.**
- **A Building Approval is required prior to the commencement of the approved development. This planning permit does not constitute any building approval.**
- **Approval of any retention system within the property boundary is required by the relevant building surveyor.**
- **Before commencement of the development occurs, the applicant should contact the City of Greater Dandenong's Civil Development and Design Unit regarding legal point of discharge, new crossings, building over easements, etc.**
- **As this is an established site, the proposed internal drainage should be connected to the existing legal point of discharge. The applicant may apply for local drainage information, if available; otherwise on site verification should be undertaken by the applicant.**
- **Access to the site and any associated roadwork must be constructed, all to the satisfaction of the Responsible Authority. Note any redundant vehicle crossing will need to be removed and reinstate with kerb in accordance with Council Standards. Vehicle crossing will need to be removed and reinstate with kerb in accordance with Council Standards.**
- **A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings. The existing vehicle crossing must be reconstructed to Council standard.**
- **Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.**
- **Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.**

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 25 ARDGOWER ROAD, NOBLE
PARK (PLANNING APPLICATION NO. PLN21/0654)**

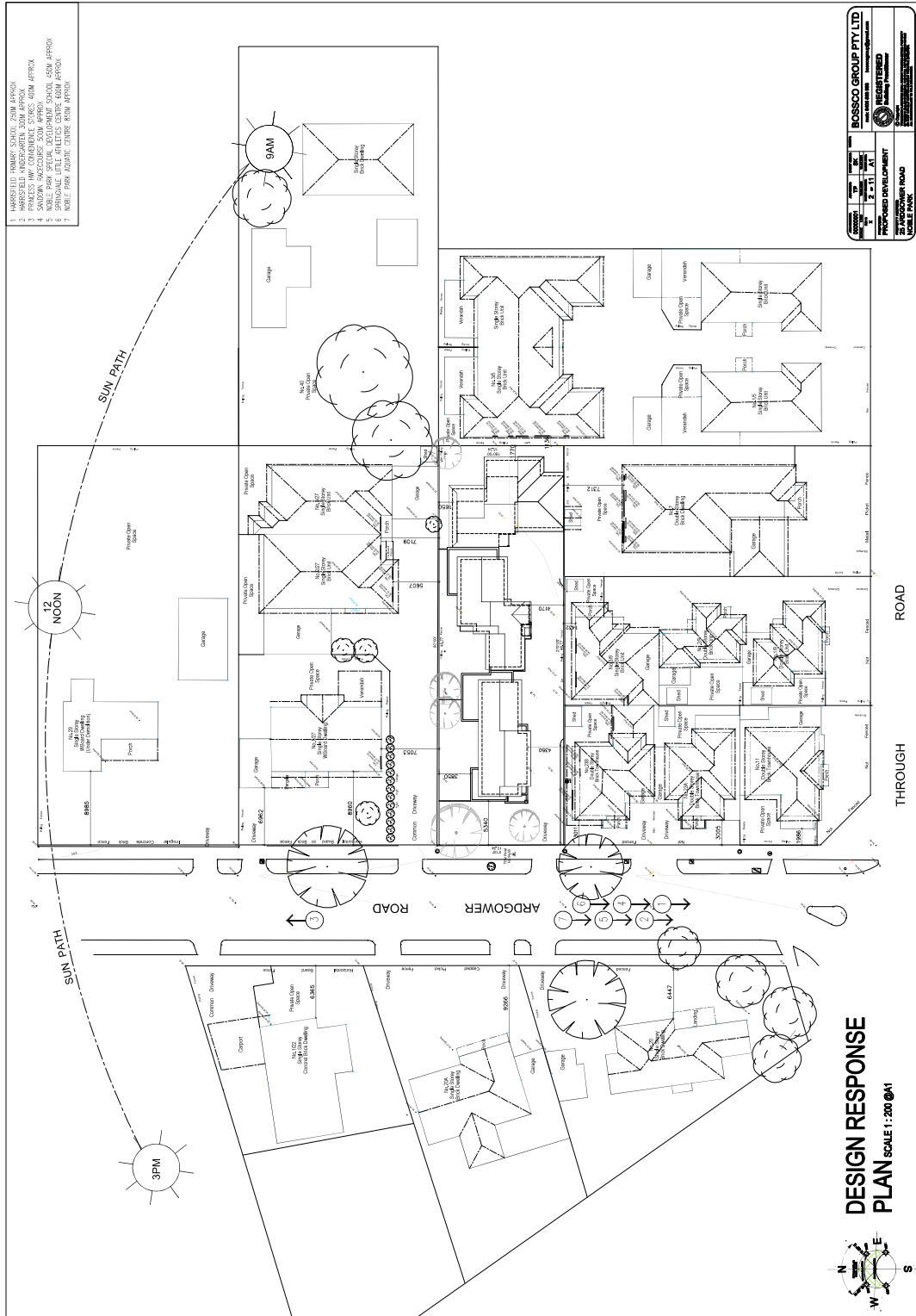
ATTACHMENT 1

ASSESSED PLANS

PAGES 11 (including cover)

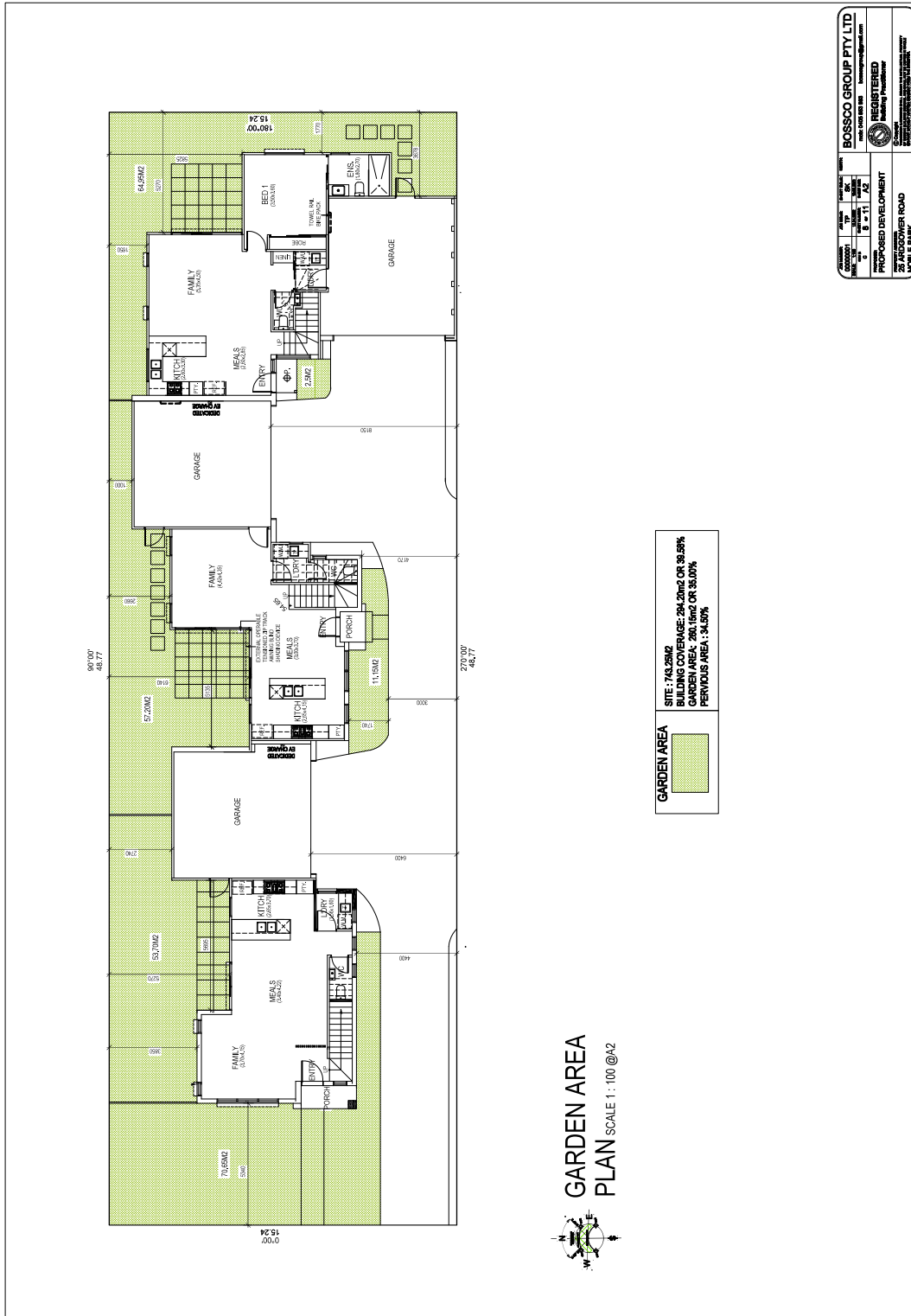
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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

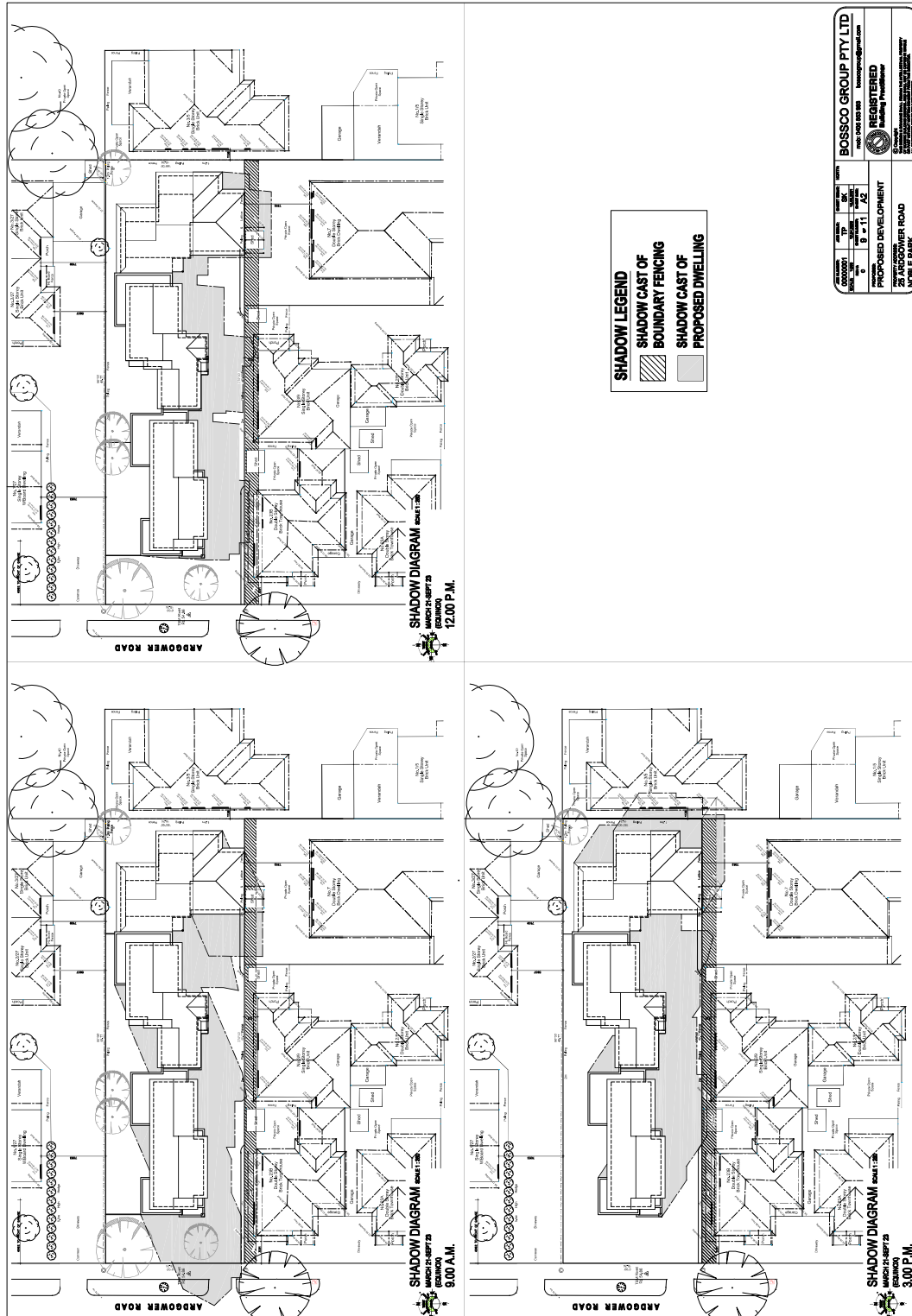


**DESIGN RESPONSE
 PLAN**
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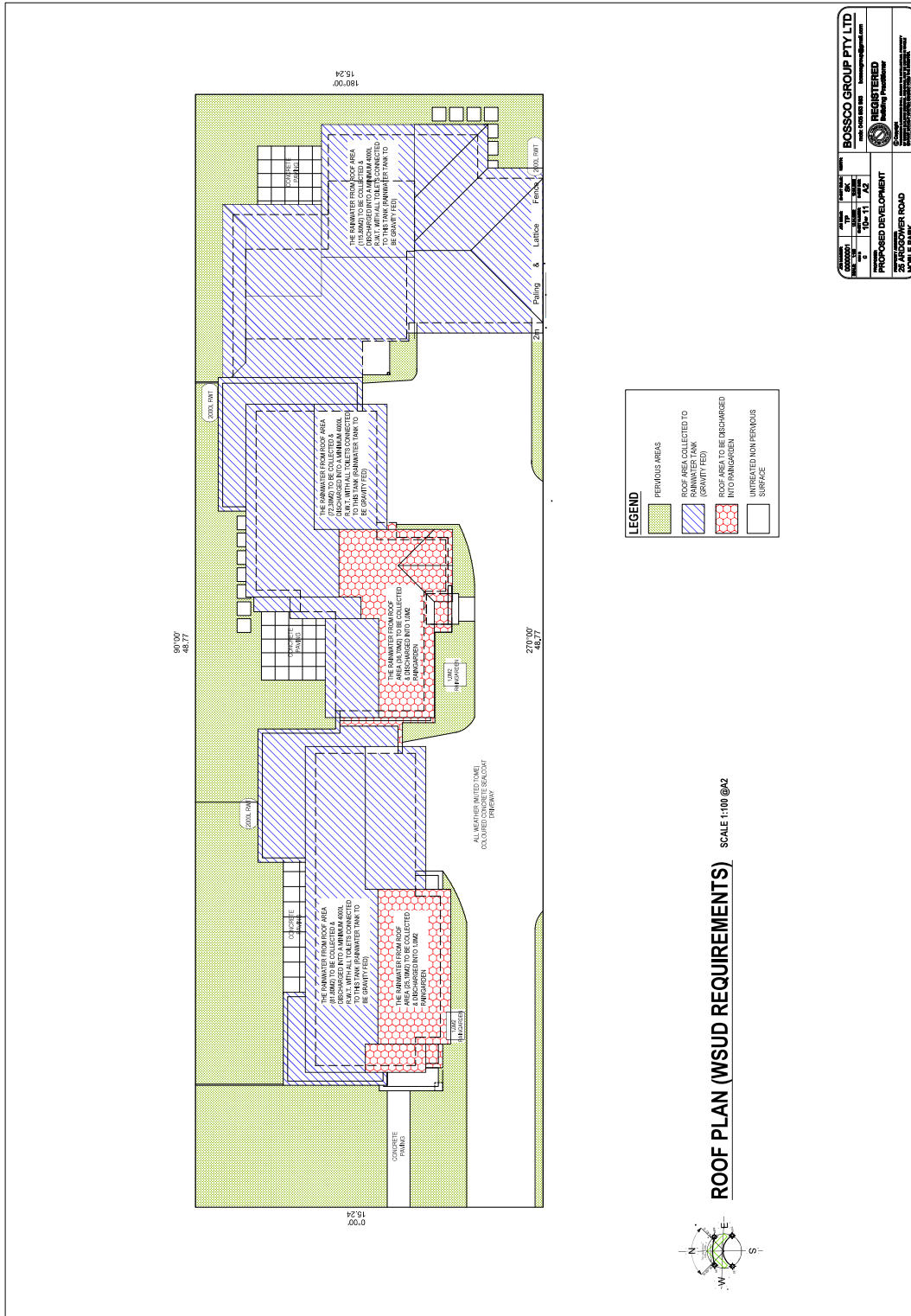
2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)



2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)



2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)



2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 25 ARDGOWER ROAD, NOBLE
PARK (PLANNING APPLICATION NO. PLN21/0654)**

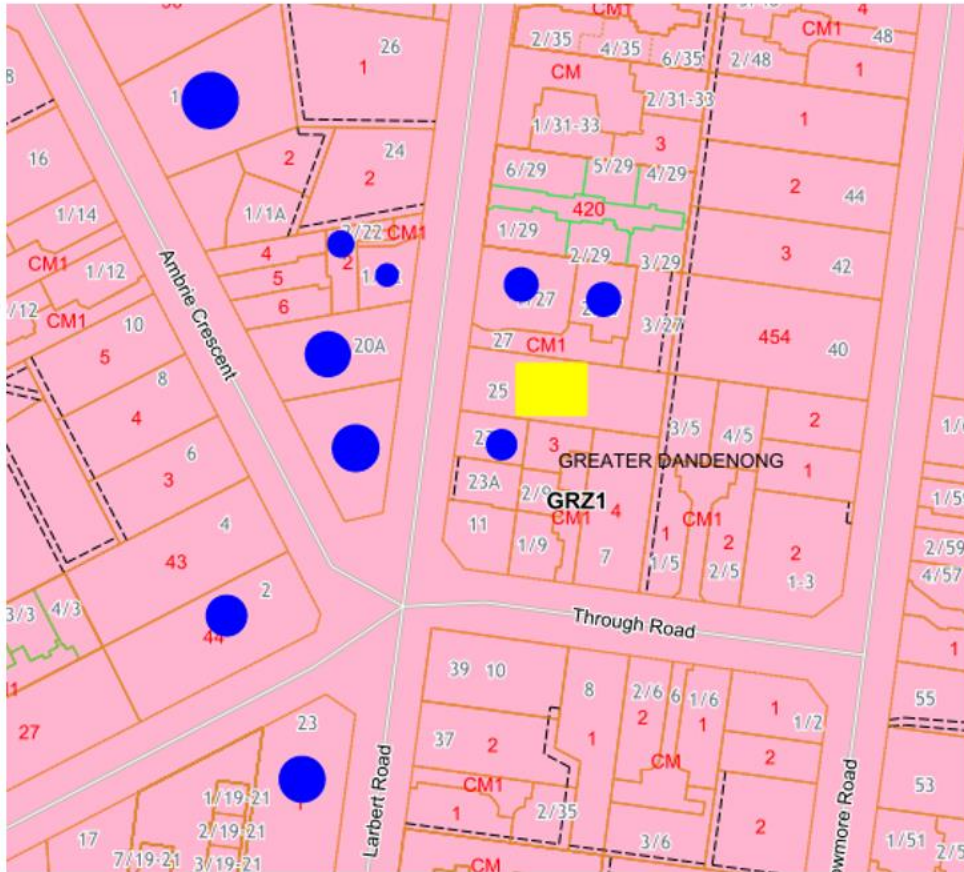
ATTACHMENT

LOCATION OF OBJECTORS


PAGES 2 (including cover)

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)



 = Objectors Locations

 = Subject Site

An eleventh (11) objection was received located approximately 3.375km away south of the subject site, as the crow flies.

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 25 ARDGOWER ROAD NOBLE
PARK (PLANNING APPLICATION NO. PLN21/0654)**

ATTACHMENT 3

CLAUSE 22 ASSESSMENT

PAGES 10 (including cover)

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

**Assessment Table for Clause 22
Clause 22.09-3.1 Design Principles for all residential developments**

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Safety	To encourage the provision of safer residential neighbourhoods, new development should enable passive surveillance through designs that:	Standard Met enable passive surveillance through designs that:
	Incorporate active frontages including ground floor habitable room windows.	<p>✓ Principle met Each dwelling is provided with a habitable window to view the internal access way and car parking areas</p>
	Maximise the number of habitable room windows on all levels of residential buildings that overlook the public realm, streets, laneways, internal access ways and car parking areas.	<p>✓ Principle met Habitable windows are provided for surveillance where possible</p>
	Use semi-transparent fences to the street frontage.	<p>✓ Principle met No front fence proposed</p>
	Light communal spaces including main entrances and car parking areas with high mounted sensor-lights.	<p>✓ Principle met Sensor lighting provided to the porch structures and garages of each dwelling</p>
	Ensure that all main entrances are visible and easily identifiable from the street.	<p>✓ Principle met Each dwelling has an entrance easily visible from the street or internal accessway</p>
	Locate non-habitable rooms such as bathrooms, away from entrances and street frontage.	<p>✓ Principle met Non habitable rooms are located to the sides and rears where possible</p>
Landscaping	Residential development should:	
	Provide substantial, high quality on-site landscaping, including screen planting and canopy trees along ground level front and side and rear boundaries.	<p>✓ Principle met Suitable space is provided along the front, side and rear boundaries for landscaping purposes</p>
	Provide substantial, high quality landscaping along vehicular accessways.	<p>✓ Principle met</p>

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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	<p>Include the planting of at least one substantial canopy tree to each front setback and ground level secluded private open space area.</p> <p>Planting trees that are common to and perform well in the area.</p> <p>Avoid the removal of existing mature trees by incorporating their retention into the site design.</p> <p>Use landscaping to soften the appearance of the built form when viewed from the street and to respect the amenity of adjoining properties.</p> <p>Ensure that landscaping also addresses the Safety Design Principles.</p> <p>Canopy trees should be planted in well proportioned setbacks/private open space that are sufficient to accommodate their future growth to maturity.</p> <p>Landscaping should minimise the impact of increased storm water runoff through water sensitive urban design and reduced impervious surfaces.</p> <p>Landscaping should be sustainable, drought tolerant, and include indigenous species and be supported through the provision of rainwater tanks.</p>	<p>✓ Principle met At least one canopy tree can be planted within each area of secluded private open space and the front setback</p> <p>✓ Principle met No mature trees present on site</p> <p>✓ Principle met Canopy trees are provided with suitable space within the rear SPOS areas and the front setback</p> <p>✓ Principle met The permeability of the site has been well considered as demonstrated in the SDA report</p>
<p>Car parking</p>	<p>The existing level of on-street car parking should be maintained by avoiding second crossovers on allotments with frontage widths less than 17 metres.</p> <p>On-site car parking should be:</p> <ul style="list-style-type: none"> • Well integrated into the design of the building, • Generally hidden from view or appropriately screened where necessary, • Located to the side or rear of the site so as to not dominate the streetscape and to maximise soft landscaping opportunities at ground level. 	<p>✓ Principle met One crossover provided</p> <p>✓ Principle met Car parking is well integrated into the development, generally hidden from view</p>

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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	<p>Where car parking is located within the front setback it should be:</p> <ul style="list-style-type: none"> Fully located within the site boundary; and Capable of fully accommodating a vehicle between a garage or carport and the site boundary. <p>Developments with basement car parking should consider flooding concerns where applicable.</p>	<p>Not applicable No car parking provided within the front setback</p> <p>Not applicable No basement parking proposed</p>
<p>Setbacks, front boundary and width</p>	<p>Residential developments should:</p> <p>Provide a front setback with fence design and height in keeping with the predominant street pattern.</p> <p>Maintain the apparent frontage width pattern.</p> <p>Provide appropriate side setbacks between buildings to enable screen planting where required, and at least one generous side setback to enable the retention of trees and/or the planting and future growth of trees to maturity.</p> <p>Provide open or low scale front fences to allow a visual connection between landscaping in front gardens and street tree planting.</p>	<p>✓ Principle met The development has suitably considered the street scape with one dwelling fronting the street, suitably sizes and proportioned with adequate landscaping and car parking to the rear</p> <p>✓ Principle met</p> <p>✓ Principle met</p> <p>✓ Principle met No front fence proposed</p>
<p>Private open space</p>	<p>All residential developments should provide good quality, useable private open space for each dwelling directly accessible from the main living area.</p> <p>Ground level private open space areas should be able to accommodate boundary landscaping, domestic services and outdoor furniture so as to maximise the useability of the space.</p> <p>Private open space should be positioned to maximise solar access.</p> <p>Upper floor levels of the same dwelling should avoid encroaching secluded private open space areas to ensure the solar access, useability and amenity of the space is not adversely affected.</p>	<p>✓ Principle met Each area of secluded private open space is suitably located connecting to a living area</p> <p>✓ Principle met</p> <p>✓ Principle met Each private open space is located to the north of a building</p> <p>Not applicable Upper floors do not encroach onto areas of private open space</p>

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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	Upper level dwellings should avoid encroaching the secluded private open space of a separate lower level dwelling so as to ensure good solar access and amenity for the lower level dwelling.	Not applicable
Bulk & Built Form	All residential developments should respect the dominant façade pattern of the streetscape by: <ul style="list-style-type: none"> Using similarly proportioned roof forms, windows, doors, and verandahs, and Maintaining the proportion of wall space to windows and door openings. 	✓ Principle met Well proportioned built forms are considered across the site with window to wall, roof forms and façade patterns maintained
	Balconies should be designed to reduce the need for screening from adjoining dwellings and properties.	✓ Principle met No balconies proposed
	The development of new dwellings to the rear of existing retained dwellings is discouraged where: <ul style="list-style-type: none"> The siting of the retained dwelling would not enable an acceptable future site layout for either the proposed or future dwelling; or The retention of the existing dwelling detracts from the identified future character. 	Not applicable Existing dwelling is proposed to be demolished
	On sites adjacent to identified heritage buildings, infill development should respect the adjoining heritage by: <ul style="list-style-type: none"> Not exceeding the height of the neighbouring significant building; Minimising the visibility of higher sections of the new building; and Setting higher sections back at least the depth of one room from the frontage. 	Not applicable No heritage buildings present
Site Design	Residential development should:	
	Preserve the amenity of adjoining dwellings through responsive site design that considers the privacy, solar access and outlook of adjoining properties.	✓ Principle met The development is well designed with suitably setback first floor foot prints from adjoining areas of secluded private open space, no overlooking impacts, and no overshadowing impacts caused
	Maximise thermal performance and energy efficiency of the built form by addressing orientation, passive design and fabric performance	✓ Principle met The orientation of the development has been well
	Ensure that building height, massing articulation responds sensitively to existing residential interfaces, site circumstances, setbacks and streetscape and reduces the need for screening.	✓ Principle met The development has suitably considered to built form impact to the adjoining sites by sensitively responding the residential interfaces

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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	<p>Provide sufficient setbacks (including the location of basements) to ensure the retention of existing trees and to accommodate the future growth of new trees.</p> <p>Provide suitable storage provisions for the management of operational waste</p> <p>Appropriately located suitable facilities to encourage public transport use, cycling and walking.</p>	<p>✓ Principle met</p> <p>✓ Principle met Waste locations are suitably provided</p> <p>✓ Principle met</p>
Materials & Finishes	<p>Residential development should:</p> <p>Use quality, durable building materials and finishes that are designed for residential purposes.</p> <p>Avoid the use of commercial or industrial style building materials and finishes.</p> <p>Avoid using materials such as rendered cement sheeting, unarticulated surfaces, and excessive repetitive use of materials.</p> <p>Use a consistent simple palette of materials, colours, finishes and architectural detailing.</p> <p>Maximise the ongoing affordability and sustainability of residential developments through the selection of low maintenance, resource and energy efficient materials and finishes that can be reasonably expected to endure for the life of the building.</p>	<p>✓ Principle met The design has incorporated different materials and colours per levels to break up the built form and lessen the visual impact</p> <p>✓ Principle met The materials proposed are suitable for residential development</p> <p>✓ Principle met</p> <p>✓ Principle met Well articulated and well considered colours and materials across the development</p> <p>✓ Principle met</p>
Domestic services normal to a dwelling and Building services	<p>In order to minimise the impact of domestic and building services on the streetscape, adjacent properties, public realm and amenity of future residents, new residential development should:</p> <p>Ensure that all domestic and building services are visually integrated into the design of the building and appropriately positioned or screened so as to not be seen from the street or adjoining properties.</p> <p>Be designed to avoid the location of domestic and building services:</p> <ul style="list-style-type: none"> • Within secluded private open space areas, including balconies; and • Where they may have noise impacts on adjoining habitable rooms and secluded private open space areas. 	<p>✓ Principle met Domestic services are well integrated into the design</p> <p>✓ Principle met</p>

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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Internal Amenity	Residential development should:	
	Ensure that dwelling layouts have connectivity between the main living area and private open space.	<p>✓ Principle met Private open spaces and the main ground floor living areas have good connectivity</p>
	Be designed to avoid reliance on borrowed light to habitable rooms.	<p>✓ Principle met Each habitable room has sufficient natural daylight from either north, east or west facing windows</p>
	Ensure that balconies and habitable room windows are designed and located to reduce the need for excessive screening.	<p>✓ Principle met No balconies proposed</p>
	Ensure that dwellings without ground level main living areas meet the Standards of Clauses 55.03-5, 55.04-1, 6 & 7, 55.05-3, 4 & 5.	<p>✓ Principle met The proposal complies with all standards mentioned</p>

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 22.09-3.3 Design principles for Incremental Change Areas – General Residential Zone (GRZ)	
Title & Objective	Standard Met/Standard Not Met/NA
Preferred housing type	<p>The preferred housing type for the Incremental Change Area is medium density.</p> <p>✓ Principle met The development type is considered to be medium</p>
Building Height	<p>The preferred maximum building height for land within the GRZ1 and GRZ2 is up to 2 storeys, including ground level.</p> <p>✓ Principle met A maximum of 2 stories is proposed</p>
Landscaping	<p>Residential development should use landscaping to create a landscaped character, particularly canopy trees in front and rear gardens; and to protect the outlook of adjoining properties</p> <p>✓ Principle met Suitable space is provided along the front side and rear boundaries for landscaping purposes</p>
Setbacks, front boundary and width	<p>Parking, paving and car access within the front boundary setback should be limited in order to maximise the opportunity for soft landscaping and prevent the over dominance of carports and garages in the street.</p> <p>✓ Principle met A suitable setback is provided with adequate space for landscaping opportunities</p>
Private open space	<p>Residential development should provide secluded private open space at the side or rear of each dwelling to avoid the need for excessive screening or high front fencing.</p> <p>✓ Principle met Private open spaces are positioned to the sides and rears of dwellings</p>
Bulk & Built Form	<p>Residential development should:</p> <p>Ensure that the built form respects the scale of existing prevailing built form character and responds to site circumstances and streetscape;</p> <p>Provide separation between dwellings at the upper level;</p> <p>✓ Principle met The built form directly responds to the existing character of the area with double storey dwellings constructed at a number of interfaces and multi unit development present along Ardgowder Road</p> <p>✓ Principle met Suitable separation is provided between dwellings at the first floor with 3.1 metres provided between dwellings two and three at the rear of the site. 1.87 metres is provided between dwellings one and two at the upper level near the front of the site with well articulated sides to lessen the visual impact.</p>

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2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	<p>Retain spines of open space at the rear of properties to maximise landscaping opportunities and protect private secluded open space;</p>	<p>✓ Principle met The main adjoining areas of open space are identified as the connecting north eastern corner and southern side of the site. These are well responded to with the built form well setback from the southern side and north eastern corner and with landscaping provided along the northern and eastern sides</p>
	<p>Position more intense and higher elements of built form towards the front and centre of a site, transitioning to single storey elements to the rear of the lot.</p>	<p>✓ Principle met Double storey form is proposed across the site however a 5.635 metre setback is provided from the southern interface and 3.794 – 6.8 metre setback from the eastern rear, lessening the visual impact of the double storey form from the rear and the sensitive interfaces</p>

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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	<p>The rearmost dwelling on a lot should be single storey to ensure the identified future character of the area and the amenity of adjoining properties is respected by maximising landscaping opportunities and protecting adjoining private secluded open space.</p> <p>Two storey dwellings to the rear of a lot may be considered where:</p> <ul style="list-style-type: none"> • The visual impact of the building bulk does not adversely affect the identified future character of the area; • Overlooking and/or overshadowing does not adversely affect the amenity of neighbouring properties; • The building bulk does not adversely affect the planting and future growth of canopy trees to maturity; • Sufficient side and rear boundary landscaping can be provided to screen adjoining properties; • Upper storey components are well recessed from adjoining sensitive interfaces. 	<p>✓ Principle met</p> <p>The double storey dwelling (dwelling 3) is considered appropriate in this instance for the following reasons:</p> <ul style="list-style-type: none"> • The visual impact does not adversely affect the identified future character of the area as the surrounding sites are similarly developed with single and double storey impacts across the site as identified within incremental change areas; • There are no overlooking or overshadowing concerns as confirmed within the Clause 55 Assessment in attachment 5 • The building bulk would not limit landscaping opportunities with suitable setbacks provided at ground and first floor • Sufficient space is provided along the front, side and rear boundaries to accommodate suitable landscaping to screen the built form • The upper storey components of dwelling three (3) are well setback and recessed from the adjoining sensitive interfaces with the greatest setbacks provided to the north eastern corner and the southern side opposite abutting areas of secluded private open space. <p>✓ Principle met</p> <p>The development is well articulated and well designed with suitable contrast of materials and colours provided</p>
<p>Residential development should be well articulated through the use of contrast, texture, variation in forms, materials and colours.</p>		

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

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2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION - NO. 25 ARDGOWER ROAD, NOBLE
PARK (PLANNING APPLICATION NO. PLN21/0654)**

ATTACHMENT 4

CLAUSE 52 ASSESSMENT

PAGES 6 (including cover)

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Assessment Table - Clause 52

Clause 52.06-9 Design standards for car parking

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

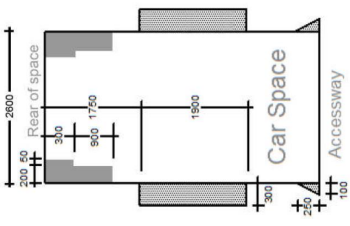
Design Standards	Assessment	Requirement met/Requirement not met/NA
Design standard 1 - Accessways	<p>Accessways must:</p> <ul style="list-style-type: none"> • Be at least 3 metres wide. • Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide. • Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre. • Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres. • If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed to that cars can exit the site in a forward direction. • Provide a passing area at the entrance at least 5 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in Road Zone. • Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height. 	<p>✓ Standard met At least 3 metres wide</p> <p>✓ Standard met</p> <p>✓ Standard met</p> <p>✓ Standard met No apparent obstructions</p> <p>Not applicable Not a road zone</p> <p>Not applicable</p> <p>✓ Standard met Splay areas shown on ground floor plan</p>

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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

<p>Design standard 2 – Car parking spaces</p>	<p>If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.</p> <p>If entry to the car space is from a road, the width of the accessway may include the road.</p> <p>Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.</p> <p>Table 2: Minimum dimensions of car parking spaces and accessways</p> <table border="1" data-bbox="403 853 699 1565"> <thead> <tr> <th>Angle of car parking spaces to access way</th> <th>Accessway width</th> <th>Car space width</th> <th>Car space length</th> </tr> </thead> <tbody> <tr> <td>Parallel</td> <td>3.6 m</td> <td>2.3 m</td> <td>6.7 m</td> </tr> <tr> <td>45°</td> <td>3.5 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>60°</td> <td>4.9 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td>90°</td> <td>6.4 m</td> <td>2.6 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.8 m</td> <td>2.8 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>5.2 m</td> <td>3.0 m</td> <td>4.9 m</td> </tr> <tr> <td></td> <td>4.8 m</td> <td>3.2 m</td> <td>4.9 m</td> </tr> </tbody> </table> <p><i>Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).</i></p>	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length	Parallel	3.6 m	2.3 m	6.7 m	45°	3.5 m	2.6 m	4.9 m	60°	4.9 m	2.6 m	4.9 m	90°	6.4 m	2.6 m	4.9 m		5.8 m	2.8 m	4.9 m		5.2 m	3.0 m	4.9 m		4.8 m	3.2 m	4.9 m	<p>✓ Standard met</p> <p>✓ Standard met</p> <p>✓ Standard met Each double garage is appropriately dimensioned a minimum 5.5 m x 6 m</p>
	Angle of car parking spaces to access way	Accessway width	Car space width	Car space length																														
Parallel	3.6 m	2.3 m	6.7 m																															
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	5.2 m	3.0 m	4.9 m																															
	4.8 m	3.2 m	4.9 m																															

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

<p>✓ Standard met No apparent obstructions into car parking spaces except for the door to dwelling one opening into the double garage. A condition can be imposed to a permit for this door to open in the other direction</p>	<p>A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:</p> <ul style="list-style-type: none"> • A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1. • A structure, which may project into the space if it is at least 2.1 metres above the space. <p>Diagram 1 Clearance to car parking spaces</p>  <p>Dimensions in millimetres ■ Clearance required ■ Tree or column permitted</p>	<p>✓ Standard met Double garages provided per dwelling</p>
<p>✓ Standard met No tandem spaces proposed</p>	<p>Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.</p>	<p>✓ Standard met No tandem spaces proposed</p>
<p>✓ Standard met</p>	<p>Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.</p>	<p>✓ Standard met</p>
<p>Not applicable</p>	<p>Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.</p>	<p>Not applicable</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

<p>Design standard 3: Gradients</p>	<p>Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.</p> <p>Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.</p> <p>Table 3: Ramp gradients</p> <table border="1" data-bbox="400 851 606 1556"> <thead> <tr> <th>Type of car park</th> <th>Length of ramp</th> <th>Maximum grade</th> </tr> </thead> <tbody> <tr> <td>Public car parks</td> <td>20 metres or less</td> <td>1:5 (20%)</td> </tr> <tr> <td></td> <td>longer than 20 metres</td> <td>1:6 (16.7%)</td> </tr> <tr> <td>Private or residential car parks</td> <td>20 metres or less</td> <td>1:4 (25%)</td> </tr> <tr> <td></td> <td>longer than 20 metres</td> <td>1:5 (20%)</td> </tr> </tbody> </table> <p>Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.</p> <p>Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.</p>	Type of car park	Length of ramp	Maximum grade	Public car parks	20 metres or less	1:5 (20%)		longer than 20 metres	1:6 (16.7%)	Private or residential car parks	20 metres or less	1:4 (25%)		longer than 20 metres	1:5 (20%)	<p>✓ Standard met Site is relatively flat with a grade less than specified</p> <p>✓ Standard met</p> <p>✓ Standard met</p> <p>✓ Standard met</p>
Type of car park	Length of ramp	Maximum grade															
Public car parks	20 metres or less	1:5 (20%)															
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Private or residential car parks	20 metres or less	1:4 (25%)															
	longer than 20 metres	1:5 (20%)															
<p>Design standard 4: Mechanical parking</p>	<p>Mechanical parking may be used to meet the car parking requirement provided:</p> <ul style="list-style-type: none"> At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle clearance height of at least 1.8 metres. Car parking spaces the require the operation of the system are not allowed to visitors unless used in a valet parking situation. The design and operation is to the satisfaction of the responsible authority. 	<p>Not applicable No mechanical parking proposed</p> <p>NA</p> <p>NA</p>															
<p>Design standard 5: Urban design</p>	<p>Ground level car parking, garage doors and accessways must not visually dominate public space.</p> <p>Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.</p> <p>Design of car parks must take into account their use as entry points to the site.</p>	<p>✓ Standard met Garages are appropriately located to the sides and rears of dwelling so not to visually dominate the street</p> <p>✓ Standard met</p> <p>✓ Standard met</p>															

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Design standard 6: Safety	Design of new internal streets in developments must maximise on street parking opportunities.	✓ Standard met
	Car parking must be well lit and clearly signed.	✓ Standard met Sensor lighting provided to each garage
	The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.	✓ Standard met Adequate surveillance provided from each dwelling to the internal accessway and car parking spaces
	Pedestrian access to car parking areas from the street must be convenient.	✓ Standard met
	Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.	✓ Standard met
	Design standard 7: Landscaping	The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.
Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.		✓ Standard met
Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.		✓ Standard met

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO. 25 ARDGOWER ROAD, NOBLE
PARK (PLANNING APPLICATION NO. PLN21/0654)**

ATTACHMENT 5

CLAUSE 55 ASSESSMENT

PAGES 40 (including cover)

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

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

Clause 55.02-1 Neighbourhood character objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B1	<p>The design response must be appropriate to the neighbourhood and the site.</p> <p>The proposed design response must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p>✓ Standard met</p> <p>Development of the land for three (3) double storey dwellings is consistent with the neighbourhood and responds appropriately to the features of the site. The double storey footprints provided to the rear are well recessed from the sensitive interfaces within the immediate surrounds and sufficient front, side and rear setbacks are provided for landscaping purposes.</p> <p>✓ Standard met</p> <p>See Clause 22.09 assessment below for a review of the local policy neighbourhood character objectives</p>
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The neighbourhood and site description.</p> <p>The design response.</p>	
Objectives	<p>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>	<p>✓ Objective met</p>

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.02-2 Residential policy objectives

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.02-3 Dwelling diversity objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B3	Developments of ten or more dwellings should provide a range of dwelling sizes and types, including: <ul style="list-style-type: none"> • Dwellings with a different number of bedrooms. • At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	Not Applicable Application is for three (3) dwellings
Objective	To encourage a range of dwellings sizes and types in developments of ten or more dwellings.	

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.02-4 Infrastructure objectives

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.02-5 Integration with the street objective		Standard Met/Standard Not Met/NA
Title & Objective	Standard (Summarised)	
Standard B5	Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.	✓ Standard met Suitable vehicle and pedestrian links provided are appropriate
	Developments should be oriented to front existing and proposed streets.	✓ Standard met
	High fencing in front of dwellings should be avoided if practicable.	✓ Standard met No front fence proposed
	Development next to existing public open space should be laid out to complement the open space.	✓ Standard met
Decision Guidelines	Any relevant urban design objective, policy or statement set out in this scheme.	
	The design response.	
Objective	To integrate the layout of development with the street.	✓ Objective met

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-1 Street setback objective		Standard Met/Standard Not Met/NA															
Title & Objective	Standard (Summarised)																
Standard B6	<p>Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or If no distance is specified in a schedule to the zone, the distance specified in Table B1. <p>Porches, pergolas, and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard</p> <p>RGZ & GRZ3: 5 metres or as per Table B1, whichever is the lesser.</p> <p>GRZ 1 & 2: 7.5 metres or as per Table B1, whichever is the lesser.</p> <p>NRZ: As per Table B1.</p> <p>Table B1 Street setback</p> <table border="1"> <thead> <tr> <th>Development context</th> <th>Minimum setback from front street (metres)</th> <th>Minimum setback from a side street (metres)</th> </tr> </thead> <tbody> <tr> <td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td> <td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td> <td>Not applicable</td> </tr> <tr> <td>There is an existing building on one abutting allotment facing the same street and no other building on the other abutting allotment facing the same street, and the site is not on a corner.</td> <td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td> <td>Not applicable</td> </tr> <tr> <td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td> <td>6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</td> <td>Not applicable</td> </tr> <tr> <td>The site is on a corner.</td> <td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.</td> <td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td> </tr> </tbody> </table>	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.	Not applicable	There is an existing building on one abutting allotment facing the same street and no other building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.	Not applicable	There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable	The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.	<p>Standard met</p> <p>GRZ1 7.5 m or as per table B1, whichever the lesser</p> <p>Abutting lots: 6,962 and 3,011 metres adjoining 4,987 metres average 6.8 metres provided</p> <p>Complies</p>
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)															
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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p> <p>The value of retaining vegetation within the front setback.</p>
<p>Objective</p>	<p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p> <p style="text-align: right;">✓ Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-2 Building height objective		Standard Met/Standard Not Met/NA
Title & Objective	Standard (Summarised)	
Standard B7	<p>The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.</p> <p>RGZ: 13.5 metres discretionary maximum (refer Clause 32.07-8 for details)</p> <p>GRZ: 11 metres / 3 storeys mandatory maximum (refer Clause 32.08-9)</p> <p>NRZ: 9 metres / 2 storeys mandatory maximum (refer Clause 32.09-9)</p> <p>If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.</p> <p>Changes of building height between existing buildings and new buildings should be graduated.</p>	<p>Standard met</p> <p>8 metres proposed Less than 11 metres to the GRZ Complies</p> <p>N/A</p> <p>Standard met</p>
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.</p> <p>The design response.</p> <p>The effect of the slope of the site on the height of the building.</p> <p>The relationship between the proposed building height and the height of existing adjacent buildings.</p> <p>The visual impact of the building when viewed from the street and from adjoining properties.</p>	
Objective	To ensure that the height of buildings respects the existing or preferred neighbourhood character	Objective met

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-3 Site coverage objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B8</p> <p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p><u>RGZ1</u>: 70% <u>RGZ2</u>: 70%</p> <p><u>GRZ1</u>: 60% (<i>none specified</i>) <u>GRZ2</u>: 60% (<i>none specified</i>) <u>GRZ3</u>: 70% <u>NRZ1</u>: 50%</p>	<p>The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> The maximum site coverage specified in a schedule to the zone, or If no maximum site coverage is specified in a schedule to the zone, 60 per cent. <p><u>RGZ1</u>: 70% <u>RGZ2</u>: 70%</p> <p><u>GRZ1</u>: 60% (<i>none specified</i>) <u>GRZ2</u>: 60% (<i>none specified</i>) <u>GRZ3</u>: 70% <u>NRZ1</u>: 50%</p>	<p>Standard met</p> <p>294.2 sqm or 39.6% provided Complies with less than 60% per the GRZ1</p>
<p>Decision Guidelines</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The existing site coverage and any constraints imposed by existing development or the features of the site.</p> <p>The site coverage of adjacent properties</p> <p>The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.</p>	
<p>Objective</p>	<p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p>Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-4 Permeability and stormwater management objectives	
Title & Objective	Standard (Summarised)
Standard B9	<p>The site area covered by the pervious surfaces should be at least:</p> <ul style="list-style-type: none"> The minimum areas specified in a schedule to the zone, or If no minimum is specified in a schedule to the zone, 20 per cent of the site. <p>RGZ1: 20% RGZ2: 20% (none specified)</p> <p>GRZ1: 30% GRZ2: 20% (none specified) GRZ3: 20% (none specified)</p> <p>NRZ1: 40%</p> <p>The stormwater management system should be designed to:</p> <ul style="list-style-type: none"> Meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.
	<p style="text-align: right;">Standard Met/Standard Not Met/NA</p> <p style="text-align: center;">Standard met</p> <p>260.1 sqm or 35% provided More than 30% required to GRZ1</p>
Decision Guidelines	<p>The design response.</p> <p>The capacity of the site to incorporate stormwater retention and reuse.</p> <p>The existing site coverage and any constraints imposed by existing development.</p> <p>The capacity of the drainage network to accommodate additional stormwater.</p> <p>The capacity of the site to absorb run-off.</p> <p>The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.</p> <p>Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.</p>
Objectives	<p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater</p>
	<p style="text-align: right;">Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-5 Energy efficiency objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B10	Buildings should be: <ul style="list-style-type: none"> • Oriented to make appropriate use of solar energy. • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced. • Sited and designed to ensure that the performance of existing rooftop solar energy systems on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged. Living areas and private open space should be located on the north side of the development, if practicable.	Standard met Dwellings are appropriately orientated to maximise northern solar access into the areas of SPOS and habitable rooms The siting and design of the development does not unreasonably reduce existing energy efficiency of adjoining dwellings
Decision Guidelines	Developments should be designed so that solar access to north-facing windows is maximised.	Standard met
	The design response.	
	The size, orientation and slope of the lot.	
	The existing amount of solar access to abutting properties.	
	The availability of solar access to north-facing windows on the site.	
	The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.	
Objectives	Whether the existing rooftop solar energy system on an adjoining lot is appropriately located	
	The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.	
	To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.	Objective met

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-6 Open space objective

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-7 Safety objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B12	<p>Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.</p> <p>Planting which creates unsafe spaces along streets and accessways should be avoided.</p> <p>Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.</p> <p>Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>	<p>✓ Standard met Entrances to dwellings are not obscured or isolated</p> <p>✓ Standard met Planting does not create unsafe spaces</p> <p>✓ Standard met The development is provided with suitable sensor lighting to porches and garages</p> <p>✓ Standard met Private open spaces are fenced off so not as to be used for a thoroughfare</p>
Decision Guidelines	The design response.	
Objectives	To ensure the layout of development provides for the safety and security of residents and property.	✓ Objective met

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-8 Landscaping objectives	
Title & Objective	Standard (Summarised)
Standard B13	<p>The landscape layout and design should:</p> <ul style="list-style-type: none"> • Protect any predominant landscape features of the neighbourhood. • Take into account the soil type and drainage patterns of the site. • Allow for intended vegetation growth and structural protection of buildings. • In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals. • Provide a safe, attractive and functional environment for residents. <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p> <p>Development should meet any additional landscape requirements specified in a schedule to the zone.</p> <p><u>All schedules to all residential zones:</u> <i>"70% of ground level front setback, and side and rear setbacks, planted with substantial landscaping and canopy trees."</i></p>
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>Any relevant plan or policy for landscape design in the PPF and the LPPF, including the MSS and local planning policies.</p> <p>The design response.</p> <p>The location and size of gardens and the predominant plant types in the neighbourhood.</p> <p>The health of any trees to be removed.</p> <p>Whether a tree was removed to gain a development advantage.</p>
Objectives	<p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p>
	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met Adequate space is provided along the front side and rear boundaries to provide landscaping opportunities An indicative landscaping plan has been provided demonstrating the suitability of the space A complete landscape plan can be conditioned to the permit</p> <p>✓ Standard met</p> <p>✓ Standard met No mature trees present on site</p> <p>✓ Standard met</p> <p>✓ Standard met At least 70% of the setbacks are set aside for landscaping purposes</p> <p>✓ Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

To encourage the retention of mature vegetation on the site.

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-9 Access objective Standard (Summarised)		Standard Met/Standard Not Met/NA
Title & Objective	Standard B14	Standard met
	The width of accessways or car spaces should not exceed:	15.24 metre wide frontage
	<ul style="list-style-type: none"> • 33 per cent of the street frontage, or • if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage. 	3 metre accessway 19.6% complies
	No more than one single-width crossover should be provided for each dwelling fronting a street.	Standard met One crossover provided along the frontage
	The location of crossovers should maximise retention of on-street car parking spaces.	Standard met
	The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.	Standard met Not a TZ2 or TZ3
	Developments must provide for access for service, emergency and delivery vehicles.	Standard met 3 metre wide accessway would be suitable for emergency vehicles
Decision Guidelines	The design response.	
	The impact on neighbourhood character.	
	The reduction of on-street car parking spaces.	
	The effect on any significant vegetation on the site and footpath.	
Objectives	To ensure the number and design of vehicle crossovers respects the neighbourhood character.	Objective met

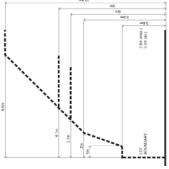
2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.03-10 Parking location objectives

Title & Objective		Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B15	Car parking facilities should: <ul style="list-style-type: none"> • Be reasonably close and convenient to dwellings and residential buildings. • Be secure. • Be well ventilated if enclosed. Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.	<p>Standard met</p> <p>Car parking spaces are conveniently located to the sides and rear connecting conveniently to dwellings internally and the rear areas of open space</p> <p>X Standard not met</p> <p>Ground floor habitable rooms located abutting accessway</p> <p>D1 meals window 0.8 metres setback with a window sill height of 1.9 metres</p> <p>D2 kitchen/meals window 1.74 metres setback with a window sill height of 0.97 metres</p>	
Decision Guidelines	The design response.	It is considered that due to the width of the accessway, setback of the affected dwelling one, required landscaping provisions and turning circles for vehicles, the variation to the standard by 0.2 metres is considered acceptable in this instance. Furthermore, a condition can be imposed to be permit to ensure noise attenuation measures are put in place for the habitable window to prevent excessive vehicular noise	
Objectives	To provide convenient parking for residents and visitors vehicles. To protect residents from vehicular noise within developments.	Objective met	The objective is met via a permit condition

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.04-1 Side and rear setbacks objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B17</p> <p>A new building not on or within 200mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> At least the distance specified in a schedule to the zone, or <p>NRZ1: "A building wall opposite an area of secluded private open space or a window to a living room of an existing dwelling should be setback a minimum of 2 metres."</p> <ul style="list-style-type: none"> If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.  <p>Figure 11: Side and Rear Setbacks</p>	<p>Standard met</p> <p>Ground floor wall height across the development ranges from 2.9 – 3.5 metres = 1 metre setback required</p> <p>The development has provided a minimum 1 metre setback across the site (with the exception of walls on boundaries)</p> <p>First floor wall height across the development ranges from 5.5 – 6 metres = 1.57 – 1.72 metres required</p> <p>The first floor has a setback distance with a minimum of 2.2 metres from all boundaries</p> <p>Complies</p>	
<p>Decision Guidelines</p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</p> <p>Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.</p> <p>Whether the wall abuts a side or rear lane.</p>	<p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	
<p>Objectives</p>	<p>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.04-2 Walls on boundaries objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B18</p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> • For a length of more than the distance specified in the schedule to the zone; or • If no distance is specified in a schedule to the zone, for a length of more than: <ul style="list-style-type: none"> - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater. <p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p> <p>The height of a new wall constructed on or within 200 mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.</p>	<p>Standard met</p> <p>Garage three (3) wall on southern side boundary 6.3 metres in length 48.77 metre wide boundary 19.69 metres permissible</p> <p>Standard met</p> <p>Standard met</p> <p>3.2 metres maximum 2.9 metres average Complies</p>	
<p>Decision Guidelines</p> <p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The extent to which walls on boundaries are part of the neighbourhood character.</p> <p>The impact on the amenity of existing dwellings.</p> <p>The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.</p> <p>The orientation of the boundary that the wall is being built on.</p> <p>The width of the lot.</p> <p>The extent to which the slope and retaining walls or fences reduce the effective height of the wall.</p> <p>Whether the wall abuts a side or rear lane.</p>		

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Objectives	The need to increase the wall height to screen a box gutter. To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	✓ Objective met
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2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.04-3 Daylight to existing windows objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B19</p> <p>Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p>	<p>Standard met</p> <p>Existing adjoining windows: Southern side boundary 23B Ardgowder Road has one habitable window 1 metre from the boundary 3/9 Through Road has two habitable windows 1.4 metres from the boundary</p> <ul style="list-style-type: none"> - Both of the above adjoins the proposed accessway with a minimum setback of 4.1 metres to the ground floor <p>7 Through Road had four habitable windows 7.3 metres from the boundary</p> <ul style="list-style-type: none"> - Adjoins the proposed garage three wall on boundary <p>Eastern rear 3/5 Through Road has one habitable window</p> <ul style="list-style-type: none"> - Adjoins dwelling three with a setback of 1.77 metres <p>Northern side Development to No. 27 Ardgowder has three habitable windows 5 – 7 metres from the boundary</p> <p>Each adjoining window has at least 3 sqm and 1 metre clear to the sky</p>	<p>Standard met</p> <p>Walls or carpports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	<p>Diagram B2 Daylight to existing windows</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	
<p>Decision Guidelines</p>	<p>The design response.</p> <p>The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.</p> <p>The impact on the amenity of existing dwellings.</p>	
<p>Objective</p>	<p>To allow adequate daylight into existing habitable room windows.</p>	<p>✓ Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.04-4 North-facing windows objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B20</p> <p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window.</p> <p>Diagram B3 North-facing windows</p> <p>Diagram B3 North-facing windows</p> <p>A north facing window is a window with an axis perpendicular to its surface orientated north 20 degrees west to north 30 degrees east.</p> <p>Applies when a existing RRM is between 20° and 30° to the north-south axis.</p>	<p>Standard met</p> <p>Existing north facing windows</p> <p>23B Ardgowder Road has one habitable window 1 metre from the boundary</p> <ul style="list-style-type: none"> - Adjoins the proposed accessway with a minimum setback of 4.4 metres to the ground floor <p>3/9 Through Road has two habitable windows 1.4 metres from the boundary</p> <ul style="list-style-type: none"> - Adjoins the proposed accessway with a minimum setback of 4.1 metres to the ground floor <p>7 Through Road had four habitable windows 7.3 metres from the boundary</p> <ul style="list-style-type: none"> - Adjoins garage three wall on boundary <p>Maximum first floor wall height is 6 metres = 2.44 metres required</p> <p>A minimum of 4.2 metres provided from the first floor</p> <p>Complies</p>	
<p>Decision Guidelines</p> <p>The design response.</p> <p>Existing sunlight to the north-facing habitable room window of the existing dwelling.</p>		

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Objective	The impact on the amenity of existing dwellings. To allow adequate solar access to existing north-facing habitable room windows.	✓ Objective met
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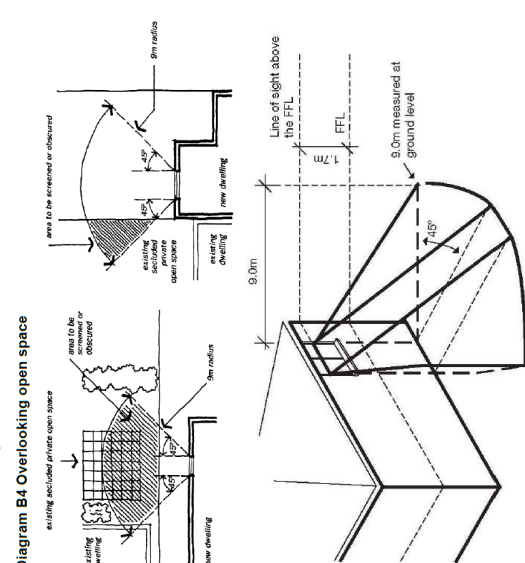
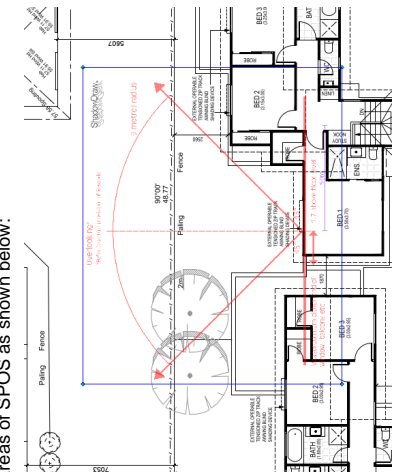
2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.04-5 Overshadowing open space objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B21	<p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with a minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 Sept.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p>Standard met ✓ Overshadowing diagrams provided for 9am, 12 midday and 3pm demonstrating compliance</p> <p>Standard met ✓</p>
Decision Guidelines	<p>The design response.</p> <p>The impact on the amenity of existing dwellings.</p> <p>Existing sunlight penetration to the secluded private open space of the existing dwelling.</p> <p>The time of day that sunlight will be available to the secluded private open space of the existing dwelling.</p> <p>The effect of a reduction in sunlight on the existing use of the existing secluded private open space.</p>	
Objective	<p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>Objective met ✓</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.04-6 Overlooking objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B22</p> <p>A habitable room window, balcony, terrace, deck, or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>Diagram B4 Overlooking open space</p> 	<p>Standard B22</p> <p>Standard B22</p>	<p>Standard Met/Standard Not Met/NA</p> <p>✓ Standard met</p> <p>Ground floor FFL is less than 0.8 metres across the development</p> <p>First floor windows:</p> <p>D1 stairwell highlighted to 1.6 metres (non habitable) hallway highlighted to 1.7 metres bedroom 2 and 3 obscured to 1.7 metres ensuite and bathroom highlighted to 1.65 – 1.7 metres (non habitable)</p> <p>D2 Bed 1 north facing not obscured – views the adjoining accessway, does not view into any adjoining windows or areas of SPOS as shown below:</p>  <p>Bed 1 south facing and bed 2 and 3 windows all obscured to 1.7 metres</p> <p>Ensuite, stairwell, WC and bathroom all non habitable</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

	<p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> • Offset a minimum of 1.5 metres from the edge of one window to the edge of the other. • Have sill heights of at least 1.7 metres above floor level. • Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level. • Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent. <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> • Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels. • Permanent, fixed, and durable. • Designed and coloured to blend in with the development. <p>The standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	<p>D3 Bed 2 and 3 highlighted to 1.7 metres Stairwell non habitable window Complies ✓ Standard met</p>
<p>Decision Guidelines</p>	<p>The design response. The impact on the amenity of the secluded private open space or habitable room window. The existing extent of overlooking into the secluded private open space and habitable room window of existing dwellings. The internal daylight to and amenity of the proposed dwelling or residential building. To limit views into existing secluded private open space and habitable room windows.</p>	<p>✓ Standard met</p>
<p>Objective</p>	<p>✓ Objective met</p>	<p>✓ Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.04-8 Noise impacts objectives

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.05-1 Accessibility objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B25	The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.	✓ Standard met Each dwelling is easily accessible from the street or internal accessway
Objective	To encourage the consideration of the needs of people with limited mobility in the design of developments.	✓ Objective met

2.3.3 Town Planning Application - No. 25 Ardgower Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.05-2 Dwelling entry objective

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.05-3 Daylight to new windows objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B27	A window in a habitable room should be located to face: <ul style="list-style-type: none"> • An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or • A verandah provided it is open for at least on third of its perimeter, or • A carport provided it has two or more open sides and is open for at least on third of its perimeter. 	Standard met Each new window is provided with at least 3 sqm and 1 metre clear to the sky
Decision Guidelines	The design response. Whether there are other windows in the habitable room which have access to daylight.	
Objective	To allow adequate daylight into new habitable room windows.	Objective met

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.05-4 Private open space objective	
Title & Objective	Standard (Summarised)
<p>Standard B28</p>	<p>A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.</p> <p>GRZ1: <i>"An area of 50 square metres of ground level, private open space, with an area of secluded private open space at the side or rear of the dwelling with a minimum area of 30 square metres and a minimum dimension of 5 metres and convenient access from a living room; or</i></p> <p><i>A balcony or rooftop with a minimum area of 10 square metres with a minimum width of 2 metres that is directly accessible from the main living area."</i></p>
<p>Decision Guidelines</p>	<p>If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> • An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or • A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or • A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. <p>The balcony requirements in Clause 55.05-4 do not apply to an apartment development.</p> <p>The design response.</p> <p>The useability of the private open space, including its size and accessibility.</p> <p>The availability of and access to public or communal open space.</p> <p>The orientation of the lot to the street and the sun.</p>
<p>Objective</p>	<p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>
<p>Standard Met/Standard Not Met/NA</p>	<p>Standard met</p> <p>D1 A total area of 116 sqm provided consisting of a minimum area of 53 sqm to the side of the dwelling, 30 sqm of which with a minimum dimension of 5 metres and convenient access from the main living room</p> <p>D2 A total area of 57 sqm to the side of the dwelling consisting of a minimum area of 31 sqm with a minimum dimension of 5 metres and convenient access from the main living room</p> <p>D3 A total area of 64.9 sqm to the side and rear of the dwelling consisting of a minimum area of 30 sqm with a minimum dimension of 5 metres and convenient access from the main living room</p>
<p>Objective met</p>	<p>Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.05-5 Solar access to open space objective

Title & Objective		Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B29	The private open space should be located on the north side of the dwelling or residential building, if appropriate.	<p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.</p> <p>Diagram B5 Solar access to open space</p>	<p>✓ Standard met Each area of open space is positioned to the north of a dwelling</p> <p>✓ Standard met</p>
Decision Guidelines	The design response. The useability and amenity of the secluded private open space based on the sunlight it will receive.		
Objective	To allow solar access into the secluded private open space of new dwellings and residential buildings.		<p>✓ Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.05-6 Storage objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B30	Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.	✓ Standard met Each dwelling is provided with at least 6 cubic metres of storage within the SPOS area
Objective	To provide adequate storage facilities for each dwelling.	✓ Objective met

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.06-1 Design detail objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
<p>Standard B31</p> <p>The design of buildings, including:</p> <ul style="list-style-type: none"> • Façade articulation and detailing, • Window and door proportions, • Roof form, and • Verandahs, eaves, and parapets, <p>should respect the existing or preferred neighbourhood character.</p>		<p>Standard met</p> <p>The development is designed suitably for the site and surrounding area with well setback ground and first floors, appropriately positioned garages, suitable provisions provided to the front, side and rear for landscaping, pitched roof forms, variations of colours and materials and well proportioned window to walls.</p> <p>The development responds appropriately to the existing and preferred character and is visually compatible with the surrounding developments</p>
<p>Decision Guidelines</p>	<p>Garages and carpports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	<p>Standard met</p>
<p>Objective</p>	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.</p> <p>Whether the design is innovative and of a high architectural standard.</p> <p>To encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p>Objective met</p>

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.06-2 Front fences objective

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA						
Standard B32	<p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> The maximum height specified in a schedule to the zone, or <p>All schedules to all residential zones:</p> <p>"Maximum 1.5 metre height in streets in Transport Road Zone 2 1.2 metre maximum height for other streets"</p> <ul style="list-style-type: none"> If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3. <p>Table B3 Maximum front fence height</p> <table border="1" data-bbox="550 1030 646 1556"> <thead> <tr> <th>Street Context</th> <th>Maximum front fence height</th> </tr> </thead> <tbody> <tr> <td>Streets in a Transport Zone 2</td> <td>2 metres</td> </tr> <tr> <td>Other streets</td> <td>1.5 metres</td> </tr> </tbody> </table>	Street Context	Maximum front fence height	Streets in a Transport Zone 2	2 metres	Other streets	1.5 metres	<p>Standard met</p> <p>✓ Standard met</p> <p>No front fence proposed</p>
Street Context	Maximum front fence height							
Streets in a Transport Zone 2	2 metres							
Other streets	1.5 metres							
Decision Guidelines	<p>Any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>The design response.</p> <p>The setback, height and appearance of front fences on adjacent properties.</p> <p>The extent to which slope and retaining walls reduce the effective height of the front fence.</p> <p>Whether the fence is needed to minimise noise intrusion.</p>							
Objective	<p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<p>✓ Objective met</p>						

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.06-3 Common property objectives

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

2.3.3 Town Planning Application - No. 25 Ardgowder Road, Noble Park (Planning Application No. PLN21/0654) (Cont.)

Clause 55.06-4 Site services objectives

Title & Objective	Standard (Summarised)	Standard Met/Standard Not Met/NA
Standard B34	The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.	<p>✓ Standard met Site services can be easily accommodated within the areas of private open space with good connections from the applicable garages and dwellings</p>
	Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.	<p>✓ Standard met</p>
	Bin and recycling enclosures should be located for convenient access by residents.	<p>✓ Standard met Bins are appropriately positioned within the SPOS of dwellings</p>
	Mailboxes should be provided and located for convenient access as required by Australia Post.	<p>✓ Standard met Mailboxes are appropriately positioned to either side of the accessway within the splay areas with a maximum height of 0.9 metres</p>
Decision Guidelines	The design response.	
Objectives	To ensure that site services can be installed and easily maintained.	<p>✓ Objective met</p>
	To ensure that site facilities are accessible, adequate, and attractive.	

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411)

3File Id:	332245, 332250, 332255
Responsible Officer:	Director City Planning Design & Amenity
Attachments:	Assessed Plans

Application Summary

Applicant:	Cleanaway Daniels Services Pty Ltd C/O Tract Consultants
Proposal:	Use and development of the land for materials recycling
Zone:	Industrial 2 Zone
Overlay:	No overlays
Ward:	Dandenong

The application proposes use and development of the land for materials recycling.

A planning permit is required;

- Pursuant to Clause 33.02-1 (IN2Z) of the Greater Dandenong Planning Scheme for the use of the land for materials recycling; and
- Pursuant to Clause 33.02-4 (IN2Z) of the Greater Dandenong Planning Scheme for buildings and works.

Assessment Summary

The assessment of the planning application must consider whether the proposal is located in an appropriate zone, whether potential offsite amenity impacts are appropriately managed, and the suitability of the building design, size, and vehicle movements.

The land at 1 & 2/34 Cahill Street has been used for processing medical waste using specialist equipment for more than 15 years. This involves a sharps wash line, where sharps containers are washed for reuse and recycling, and a 'hammermill' which macerates medical waste prior to disposal. The operators are now seeking to expand into the neighbouring site at 36 Cahill Street as well as alter, update and upgrade the processes involved in the processing of medical waste to newer technology. The operators wish to replace the 'hammermill' with an 'autoclave system', which will process medical waste more efficiently and with less associated risk than the hammermill. The scale and intensity of the use will predominantly remain the same as the existing operations at 34 Cahill Street, with the application seeking to improve operations and implement improved technology in the processing of the medical waste.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

The site is located within an Industrial 2 Zone and is designated as State Significant Industrial Land. The purpose of this zone is to provide for industrial uses which require larger threshold distances. Therefore, it is considered that the proposed use of land for materials recycling has been appropriately located.

It is considered that the proposed use and development is appropriate and consistent with its context and will not raise unreasonable adverse planning related amenity impacts. The applicant has provided a Site Environmental Management Plan and Environmental Risk Report which addresses potential offsite amenity impacts and can be enforced under conditions of the permit. Furthermore, the use, built form and vehicle movement levels are considered appropriate for this location, and will not have an unacceptably detrimental impact on the surrounding area.

The proposed facility requires a Development Licence and Operating Licence under the *Environment Protection Act 2017*. A Development Licence application is currently being assessed and considered by the EPA. An operating licence was issued by the EPA on 8 June 1994 (last amended 3 June 2022) for the site. These licence applications are separate to the assessment of the planning merits of the proposal under the *Planning and Environment Act 1987*.

Overall, the proposal is considered to be consistent with the relevant policy framework of the Greater Dandenong Planning Scheme.

Recommendation Summary

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

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

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Subject Site and Surrounds

Subject Site

The subject site comprises three (3) allotments at 1-2/34 Cahill Street and 36 Cahill Street in Dandenong South. Overall the subject site contains the following features:

- Is rectangular in shape, with a total area across the three allotments of 1.02 hectares, and a combined frontage of 102 metres to Cahill Street.
- 1-2/34 Cahill Street contains an existing building currently used for treating medical waste.
- 36 Cahill Street contains an existing warehouse facility.
- The subject site has a total of 4 crossovers to Cahill Street.

Surrounding Area

The site is located in Dandenong South, within an existing industrial precinct.

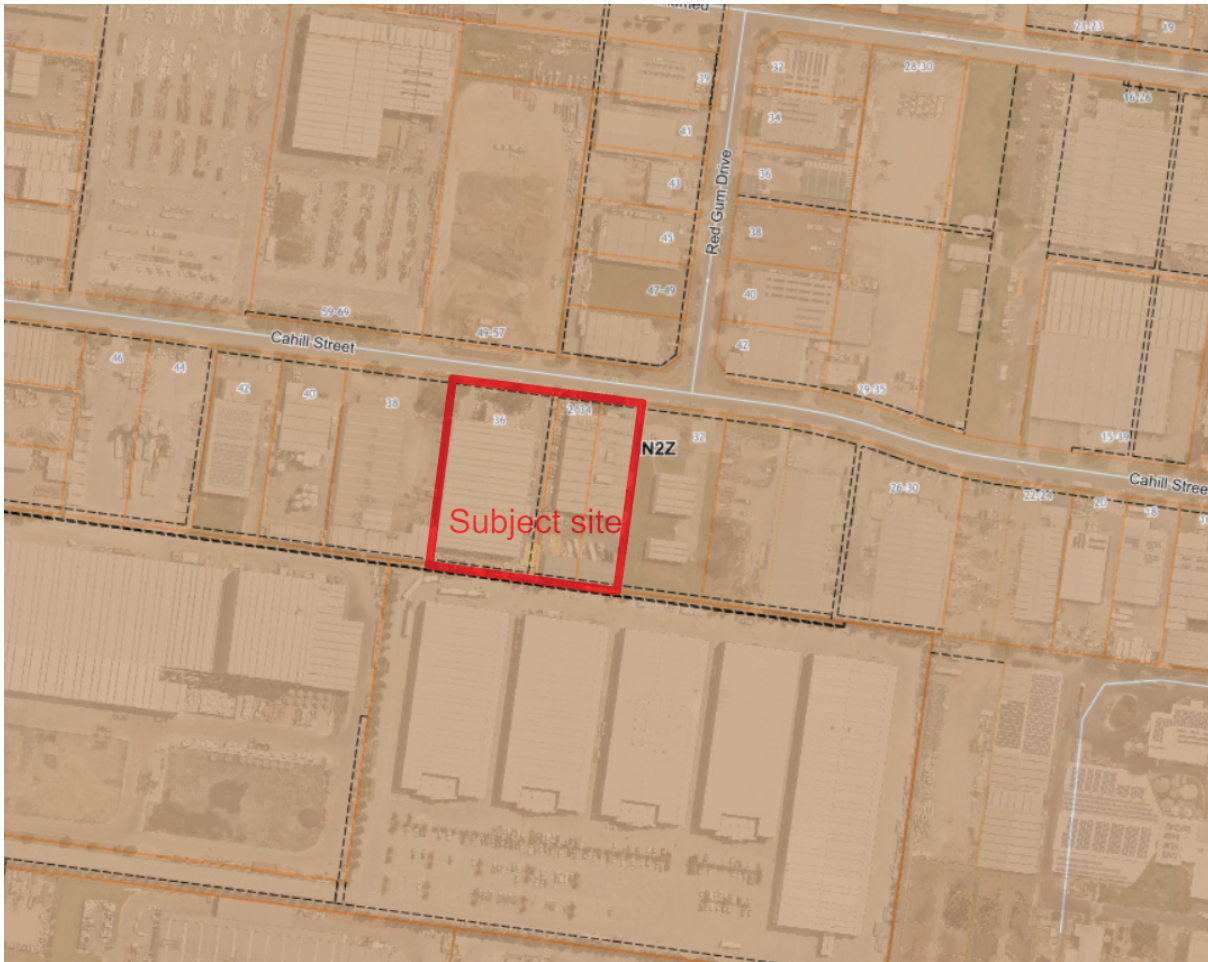
The nearest residentially zoned land is approximately 2.3 kilometres to the north west of the subject site.

The subject site has the following interfaces:

- North: The site's northern interface is Cahill Street, a two lane local street. On the opposite side of Cahill Street, along the eastern portion of the site's northern interface is 47-49 Red Gum Drive (also known as 43 Cahill Street), which houses a chemical manufacturer. The western portion of the site's northern interface is 49-57 Cahill Street, and this site appears to be under construction.
- East: 32 Cahill Street - is an industrial facility containing offices and various other purpose-built buildings.
- South: 17 Berends Drive/ 2/133 Ordish Road - is a large 6.29Ha aluminium manufacturing facility (containing 5 long factories, substantial carparking facilities and internal roads providing access to Ordish Road (southwest of the site).
- West: 38 Cahill Street - is a site of approximately 5,700m' comprising a factory functioning as an Iron Foundry.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Locality Plan



2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Background

Previous Applications

A search of Council records revealed the following planning applications have been considered for the subject site:

1/34 Cahill Street

Application No.	Proposal
94/058	Use of the land for the purposes of storage and processing of medical waste.
98/1067	Warehouse
1998/515	Extension
1998/668	Office extension
2000/0088	Extension
PLN06/0094	Use of land for processing medical waste
PLN06/0719.02	Buildings and works mezzanine and shed

2/34 Cahill Street

Application No.	Proposal
1998/515	Extension
1998/668	Office extension
2000/0088	Extension
PLN06/0094	Use of land for processing Medical waste

36 Cahill Street

Application No.	Proposal
PLN06/0363	Development of the site incorporating the construction of a building, with a reduction in the Car Parking requirements under Clause 52.06 of the Greater Dandenong Planning Scheme
PLN15/0620	Buildings and works
PLN21/0260	Buildings and works (packing room within the existing building)

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

The land at 1-2/34 Cahill Street has historically operated as a facility processing medical waste prior to off site disposal for more than 15 years. The site most recently operated under planning permit PLN06/0094, issued on 15 June 2007, for the *'use of the land for the purpose of a Refuse Disposal and Refuse Transfer Station (Health Waste)'*.

Subject application

The applicant is now seeking to expand the use of land for materials recycling (processing of medical waste) into the neighbouring site at 36 Cahill Street as well as alter, update and upgrade the processed involved in the use. Since PLN06/0094 was issued in 2007, the Greater Dandenong Planning Scheme has been amended and the terms Refuse Disposal and Refuse Transfer Station no longer reflect the proposed use. The proposed use is now best described as 'Materials Recycling', which is defined as *'Land used to dismantle, treat, process, store, recycle or sell refuse, used or surplus materials'*.

Proposal

The application proposes the use and development of the land for materials recycling on the land at 1&2/34 and 36 Cahill Street, Dandenong South.

Use

The land at 1 & 2/34 Cahill Crescent has been used for processing clinical waste using specialist equipment for more than 15 years. This involves a sharps wash line, where sharps containers are washed for reuse and recycling. The building also previously housed a 'hammermill' which macerates medical waste prior to disposal. The operators are now seeking to expand into the neighbouring site at 36 Cahill Street as well as alter, update and upgrade the processes involved in the processing of medical waste to newer technology. The operators wish to replace the 'hammermill' with an 'autoclave system', which will process medical waste more efficiently and with less associated risk than the hammermill.

The land at 1&2 / 34 Cahill Crescent currently accepts all types of clinical, related, controlled, hazardous and general waste arising from medical, nursing, dental, veterinary, pharmaceutical or similar practices and wastes generated in hospitals or other facilities during the investigation or treatment of patients or in research projects.

Similar to what has previously been accepted on site, the following types of waste will be accepted on site under the current proposal:

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Waste Code	Waste Description
R100	Clinical and related wastes, including biomedical waste, not otherwise specified in items 97, 98 or 99 of "Schedule 5 Waste Classification" of the Environment Protection Regulations 2021
R130	Cytotoxic substances
T340	Quarantine and biosecurity waste
R120	Clinical & pharmaceutical wastes – waste from use of pharmaceutical products
R140	Waste from the production of pharmaceutical products and cosmetics

Note: R100 clinical waste only is to be treated via autoclave with the remaining waste types stored onsite prior to transportation off-site for further processing i.e. incineration.

Clinical waste, which was previously treated in the 'hammermill', will now be treated in the new autoclave. An autoclave is a highly pressurised machine that sterilises and kills microbial flora and fauna through moisture and heat.

Similar to the current processes occurring on site, sharps containers will be emptied. Containers will be treated via a washline and sharps will be consolidated prior to offsite transport for incineration.

The site will operate 24 hours per day, 365 days per year.

Three (3) staff members will work per shift, with three (3) shifts per day.

Development

The proposed development includes:

- Temporary location of a freestanding plant (a boiler) along the western wall of Building B, required for the function of the interim autoclave system while the outdated hammermill is removed. This will temporarily occupy 5 car parking spaces. By December 2023, the boiler will be relocated to inside Building B, and the car parking spaces reinstated.
- A new roller shutter door along the southern wall of Building B to allow access to the internal bin.
- New vent stacks to be located above Buildings A and B.
- New exhaust duct above Building C.

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

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Victorian Charter of Human Rights and Responsibilities

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

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

Financial Implications

No financial resources are impacted by this report.

Planning Scheme and Policy Frameworks

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

- Pursuant to Clause 33.02-1 (IN2Z) of the Greater Dandenong Planning Scheme for the use of the land for materials recycling; and
- Pursuant to Clause 33.02-4 (IN2Z) of the Greater Dandenong Planning Scheme for buildings and works.

The relevant controls and policies are as follows:

Zoning Controls

The subject site is located in an Industrial 2 Zone, as is the surrounding area.

The purpose of the Industrial 2 Zone outlined at Clause 33.02 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for manufacturing industry, the storage and distribution of goods and associated facilities in a manner which does not affect the safety and amenity of local communities.*
- *To promote manufacturing industries and storage facilities that require a substantial threshold distance within the core of the zone.*
- *To keep the core of the zone free of uses which are suitable for location elsewhere so as to be available for manufacturing industries and storage facilities that require a substantial threshold distance as the need for these arises.*

Pursuant to Clause 32.02-1, a permit is required for the use of land for materials recycling (nested under Industry).

Pursuant to Clause 33.02-4 A planning permit is required for buildings and works.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Overlay Controls

No overlays affect the subject site or surrounding area.

Planning Policy Framework

Clause 71.02 (Operation of the Planning Policy Framework) outlines the purpose of the planning policy framework and seeks to ensure that the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

This is further highlighted within Clause 71.02-3 (Integrated decision making) which suggests:

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

Relevant planning policies to this application within the Planning Policy Framework include;

- Clause 13: Environmental Risks and Amenity
 - Clause 13.05-1S Noise abatement
 - Clause 13.06-1S Air quality
 - Clause 13.07-1S Land use compatibility

- Clause 15 Built Environment and Heritage
 - Clause 15.01-1S Urban design
 - Clause 15.01-2S Building design
 - Clause 15.03-2S Aboriginal cultural heritage

- Clause 17: Economic Development
 - Clause 17.01-1S Diversified economy
 - Clause 17.01-2S Innovation and research
 - Clause 17.03-1S Industrial land supply
 - Clause 17.03-2S Industrial development siting
 - Clause 17.03-3S State significant industrial land

- Clause 18: Transport
 - Clause 18.01-1S Land use and transport planning
 - Clause 18.01-2S Transport system
 - Clause 18.02-4S Car parking

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

- Clause 19: Infrastructure
 - Clause 19.03-3S Integrated Water Management
 - Clause 19.03-5S Waste and Resource Recovery

Local Planning Policy Framework

As outlined at Clause 23.02, the MSS is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives.

Relevant planning policies to this application within the MSS include:

- Clause 21.03 A Vision for Greater Dandenong
- Clause 21.04 Land Use
 - Clause 21.04-3 Industrial
- Clause 21.05 Built Form
 - Clause 21.05-1 Urban Design, Character, Streetscapes and Landscapes
 - Clause 21.05-3 Sustainability
- Clause 21.07 Infrastructure and Transportation
 - Clause 21.07-3 Walking and Cycling
 - Clause 21.07-4 Cars and Parking

As outlined at Clause 23.03, Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement and provide a policy statement of intent or expectation.

Relevant Local Planning Policies to this application include:

- Clause 22.03 Urban Design in Commercial and Industrial Areas

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Particular Provisions

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 demands likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

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

The required spaces are identified in the table to Clause 52.06-5. The site is not within the Principal Public Transport Network area.

The table at Clause 52.06-5 specifies that the following car parking rate is required for the use of the land for materials recycling:

- 10% of the site area.

Car parking is to be designed and constructed in accordance with the requirements of Clause 52.06-8 and 52.06-10 of the Scheme.

Clause 52.34 – Bicycle Facilities

The purposes of this provision are:

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

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Clause 52.34-1 notes 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.

The required facilities are identified in the table to Clause 52.34-3.

The table at Clause 52.34-3 specifies that the following bicycle facilities are required for the use of the land for industry:

- 1 space to each 1000 square metres of net floor area.

The design of bicycle spaces should be designed in accordance with the requirements of Clause 52.34-4 of the Scheme.

Clause 53.10 Uses with Adverse Amenity Potential

The clause establishes threshold distances for a range of uses and activities that may cause off-site amenity impacts. Applications that do not meet the threshold distance, or where none are specified, must be referred to the Environment Protection Authority (EPA) as a determining referral authority under Section 55 of the *Planning and Environment Act 1987*.

The proposed use is best categorised as "other resource recovery or recycling operations" for which the threshold distance is noted as "none specified". Therefore, the application must be referred to the EPA under section 55 of the Act.

Clause 53.18 Stormwater Management

Pursuant to Clause 53.18-3, an application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharged of stormwater to the drainage system.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

General Provisions

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

Clause 66 Referral and Notice Provisions- Pursuant to Clause 66.02-1 and 66.02-7, the Environment Protection Authority is a determining referral authority for the application. As such, If a determining referral authority objects to a planning application proposal, the Responsible Authority must refuse to grant a permit, and if a determining referral authority specifies conditions, those conditions must be included in any permit granted. It is noted that the EPA have not objected to the application nor have they required any conditions to be placed in any permit that might be issued. The EPA have requested that notes be placed on the permit.

Restrictive Covenants

There are no covenants or agreements registered on title.

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.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Referrals

External

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

Referral Authority	Response
Environment Protection Authority.	No objections, subject to notes being placed on the permit.
Country Fire Authority/Fire Rescue Victoria	No objections, no conditions

Internal

The application was internally referred to the following internal Council departments for their consideration;

Referral Authority	Response
Transport	No objection, subject to conditions
Planning Compliance	No objection, subject to conditions

Advertising

Notice of the application was not permitted to be given under Section 52 of the *Planning and Environment Act 1987* as, pursuant to Clause 33.02-2 and 33.02-4, the proposal is exempt from the notice requirements of Section 52(1)(a),(b) and (d), the decision requirements of Section 64(1),(2) and (3), and the review rights of Section 82(1) of the Act.

Assessment

Use

Policy Context

The purposes of the Industrial 2 Zone highlight that the zone is for 'heavy' industrial uses that are unsuitable for siting elsewhere. This is supplemented by State Planning Policy (particularly Clauses 17.03-2-1S, 17.03-2S, 17.03-3S and 19.03-5S) which talk to a hierarchy of industrial land zonings and the importance of providing appropriate buffers around waste and resource recovery infrastructure, with the application site being nominated as part of the broader Industrial 2 Zone precinct which makes up the Southern Industrial Precinct – Dandenong South.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

The proposed land use is consistent with the purpose of the zone, being a use with the potential to cause off-site impacts, and hence its listing with Clause 53.10-1 (Uses with adverse amenity potential). Whilst the threshold distance is variable, considering the abundance of other waste related industries in the immediate vicinity of the site it is clear that the Industrial 2 Zone represents the most appropriate of the suite of industrial zones for the siting and operation of the proposed land use.

At the local planning policy level, Clause 21.04-3 (Industrial) sets out Council's objectives and strategies with respect to industrial land use. The proposal is considered to respond to the policy framework set out by Clause 21.04-3 by way of the following:

- The establishment of a materials recycling facility will contribute towards the broad range of industries sought within the local policy framework.
- The proposed autoclave system is considered a high-tech industry, encouraged within the local policy framework.
- The materials recycling facility will complement several other similar types of waste and resource recovery uses in the immediate area.
- The materials recycling facility is a 'heavy' industry suitable to land within the Industrial 2 Zone.
- The proposed buildings and works will have no discernible impact on the visual impact of the existing buildings and works.

Based on the above, it is considered that the proposed land use is compatible with the provisions of the Greater Dandenong Planning Scheme and particularly the Industrial 2 Zone and PPF and LPPF.

The proposed use does not represent an intensification of the use, rather it enables the existing activities to broaden across two sites to enable improvements to operations. It also formalises the use of the land at 36 Cahill Street which has historically been used to store materials and equipment associated with the existing medical waste treatment facility at 34 Cahill Street. The scale of the operation will predominantly remain the same as what has operated at 34 Cahill Street.

Potential Amenity Impacts

The use of the land must consider the potential offsite amenity impacts such as fire, noise, dust, odour, traffic and any other relevant amenity impacts.

The applicant has provided a Site Environmental Management Plan (SEMP) and Environmental Risk Report (ERR) to address potential offsite amenity impacts. Of particular note is the following:

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Fire:

To address the risk of fire, the applicant has prepared a Liquid and Solid Waste Storage Plan (LSWSP) and Emergency Management Plan (EMP). The application has been referred to the Country Fire Authority (CFA)/Fire Rescue Victoria (FRV), who have advised they have no objections. The implementation of the LSWSP and EMP can be required by permit conditions.

Noise:

The proposals main source of noise will be from delivery truck movement and the loading and unloading of material into the sorting and storage area. Given the subject site is situated within an established industrial precinct, this type of noise is standard and does not pose any unacceptable risk to the surrounding area.

Dust/odour:

The types of materials accepted on site (limited to clinical waste) will be unlikely to create a high level of dust emissions with vehicle movements being the main dust generator. Given the site consists of hardstand for all truck circulation areas, it is considered that dust generation from the proposed use is low.

The proposal's main source of odour emission will be from the stockpile of collected, sorted and stored materials. The applicant advised within their submission that "all sorting will occur within the unloading and separation area within building D". Furthermore, processed materials ready for offsite disposal will be stored within building A, therefore, given that the sorting and storing area is enclosed, it is considered that this will further limit the limited potential for odour emissions from the sorting. In addition, the applicant has outlined in their Environmental Risk Register (EER) that all buildings involved in the receipt, storage and processing of waste will be maintained under negative pressure to minimise odour emissions, as well as daily site inspections, and a complaint management system will be used. The EER also addresses controls and processes for the possibility of liquid spills. Given that all sorting will occur within the unloading and separation area, and that the applicant has prepared an SEMP and EER to address potential odour risks, it is considered that this is acceptable for mitigating and preventing any odour emissions. Moreover, it is noted that the proposed location of the facility is a considerable distance to the nearest sensitive receptor and, as outlined in the EPA referral response, the likelihood of unacceptable risk to human health is low.

Permit conditions can require the permit holder to take a preventative approach in the minimisation of mainly dust and odour emissions from all operations within the site, and the implementation of the SEMP and EER.

Other:

The proposed facility requires a Development Licence and Operating Licence under the *Environment Protection Act 2017*. A Development Licence application is currently being assessed and considered by the EPA. An operating licence was issued by the EPA on 8 June 1994 (last amended 3 June 2022) for the site. These licence applications are separate to the assessment of the planning merits of the proposal under the *Planning and Environment Act 1987*, and will consider and address all of the relevant potential environmental impacts.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Development

The proposed buildings and works are minimal in terms of the existing development on the site. The additional roller door, vent stacks and exhaust stacks will have no discernible impact on the overall visual appearance of the site. The temporarily located steam boiler to the west of the building at 2/34 Cahill Street will also have no discernible impact on the overall visual appearance of the site as it is well setback from the front boundary, behind the front building line, and is lower than the top of the existing western wall of the building.

Signage

No signage is proposed.

Car Parking

Pursuant to Clause 52.06-2, the use of land for materials recycling requires 10% of the site to be set aside for car parking.

The proposal requires 33 car parking spaces (based on a typical 4.9m x 2.6m car parking space with a 6.4m wide aisle with requires approximately 30sqm of space).

51 spaces are existing on the site. Therefore, the proposal exceeds the car parking requirements of the Greater Dandenong Planning Scheme. Even with the temporary loss of 5 spaces for the temporary location of the boiler to the west of 2/34 Cahill Street, the proposal will exceed the car parking requirements of the Greater Dandenong Planning Scheme.

Loading and Unloading

Loading and unloading is proposed to occur in Building D, Building A, Building C or the loading zone between Building A and Building D. It is considered that the loading areas proposed are sufficient for the proposed use. Council's Transport Planning team have reviewed the proposal, and are satisfied with the location and functionality of the loading and unloading areas.

Bicycle Facilities

Pursuant to Clause 52.34-1, the use of land for materials recycling requires 1 bicycle space for employees to each 1000sqm net floor area.

The net floor area of all buildings on the subject site is approximately 6378.9sqm. The proposal requires 6 employee bicycle spaces provided either in a bicycle locker or at a bicycle rail in a lockable compound. In addition, 1 shower and changeroom is required.

The plans do not show any bicycle facilities. Permit conditions can require the bicycle facilities to be shown on the plans.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Conclusion

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

Recommendation

That Council resolves to Grant a planning permit in respect of the land known and described as L1 &2 on SP027400F and L58 PS14331, 1-2/34 and 36 Cahill Street Dandenong South for the purpose of use and development of the land for materials recycling in accordance with the plans submitted with the application subject to the following conditions:

- 1. Before the use or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:**
 - 1.1. Six (6) employee bicycle spaces provided either in a bicycle locker or at a bicycle rail in a lockable compound, plus one (1) shower and changeroom**
 - 1.2. Aerial imagery deleted from all plans within the SEMP and EER. The location of the buildings, car parking areas and accessways must be shown as line drawings only.**
- 2. The layout of the site and size, design, location and use of the buildings and works permitted, must always accord with the endorsed plans unless with the written consent of the Responsible Authority.**
- 3. The use and operation of the site must at all times be conducted in accordance with:**
 - 3.1 The plans endorsed under this permit, and:**
 - 3.2 The endorsed Site and Environment Management Plan (SEMP) and Environmental Risk Report (EER).**

All to the satisfaction of the Responsible Authority.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

- 4. The operator/owner/applicant under this permit must ensure that no materials are stored, stockpiled or otherwise deposited outside of the boundaries of the subject site, all to the satisfaction of the Responsible Authority. The operations must be confined solely within the site, to the satisfaction of the Responsible Authority.**
- 5. All bins, vehicles and trailers used to transport material onto or off the land must be covered at all times whilst at the land, save for loading or unloading of same. At least one staff member must be present at all times in the vicinity of bins or vehicles whilst being unloaded or filled with material.**
- 6. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled on the adjoining roads, to the satisfaction on the Responsible Authority.**
- 7. Discharge of wastewater leachate or contaminated stormwater must not occur beyond the boundaries of the land.**
- 8. Before the use of the site hereby approved for the site commences, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - 8.1 Constructed in accordance with the endorsed plan/s**
 - 8.2 Properly formed to such levels that they can be used in accordance with the plans**
 - 8.3 Surfaced with an all-weather sealcoat**
 - 8.4 Drained to the legal point of discharge**
 - 8.5 Line marked to indicate each car space and all access lanes.**All to the satisfaction of the Responsible Authority.**
- 9. Parking areas and access lanes must be kept available for these purposes at all times.**
- 10. The loading and unloading of goods from vehicles must only be carried out on the land within the designated loading bay(s) and must not disrupt the circulation and parking of vehicles on the land.**

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

11. The site operator must endeavour to prevent site bound commercial vehicles queuing on arrival along the public access road. Accordingly, access driveways/roadways/aisles providing access to loading areas on-site must not be gated during operating hours or feature control points (i.e. boom gates, guardhouse or similar) without suitable queuing space on site, all to the satisfaction of the Responsible Authority.
12. Provision must be made for the drainage of the site including landscaped and paved areas, all to the satisfaction of the Responsible Authority.
13. 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 a stormwater drainage system.
14. The amenity of the area must not be detrimentally affected by the use or development on the land, through the;
 - 14.1 Transport of materials, goods or commodities to or from the land;
 - 14.2 Appearance of any building, works or materials
 - 14.3 Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste products, grit or oil.All to the satisfaction of the Responsible Authority.
15. The site must be kept in a neat and tidy condition at all times, all to the satisfaction of the Responsible Authority.
16. Storage of items must only occur within the designated storage areas shown on the endorsed plans to the satisfaction of the Responsible Authority.
17. Nuisance dust must not be discharged beyond the boundaries of the premises to the satisfaction of the Responsible Authority.
18. Offensive odours must not be discharged beyond the boundary of the premises to the satisfaction of the Responsible Authority.

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

- 19. The permit holder must ensure that litter is not deposited beyond the boundary of the premises to the satisfaction of the Responsible Authority.**
- 20. Visible checks for off-site litter movement must be conducted daily.**
- 21. Noise emissions from the proposed use and development must not exceed the limits calculated in accordance with the Environmental Protection Regulations 2021 and the Environment Protection Authority Publication 1826 - Noise Protocol.**
- 22. This permit will expire if one of the following circumstances applies:-**
 - 22.1 The development or any stage of it does not start within two (2) years of the date of this permit, or**
 - 22.2 The development or any stage of it is not completed within four (4) years of the date of this permit.**
 - 22.3 The use does not start within one (1) year of the completion of the development, or**
 - 22.4 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.**

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

Notes:

- A Vehicle Crossing Permit must be obtained from Council for all vehicular crossings prior to construction of the crossings.
- A Building Approval may be required prior to the commencement of the approved development.
- Any works undertaken within the road reservation and easements will require the developer to obtain a Civil Works Permit from Council.
- Prior to works commencing the developer will need to obtain an Asset Protection Permit from Council.
- Approval of drainage plan including any retention system within the property boundary is required.

EPA notes:

- This permit is not an EPA permission/approval. Before the use or development authorised under this permit starts, the permit holder must ensure that any obligations or duties that arise under the Environment Protection Act 2017 are met. This may include obtaining an EPA permission, approval or exemption, in accordance with the Environment Protection Regulations 2021.
- The amended Environment Protection Act 2017 came into effect on 1 July 2021.

The amended Environment Protection Act 2017 imposes new duties on individuals and/or businesses undertaking the activity permitted by this permit. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable.

For further information on what the new laws mean for Victorian businesses go to <https://www.epa.vic.gov.au/for-business/new-laws-and-your-business>

For further information on what the new laws mean for individuals and the community go to <https://www.epa.vic.gov.au/about-epa/laws/new-laws/the-new-act-for-the-community>

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)

STATUTORY PLANNING APPLICATIONS

**TOWN PLANNING APPLICATION – NO.1&2/34 & 36 CAHILL STREET
DANDENONG SOUTH (PLANNING APPLICATION NO. PLN22/02411)**

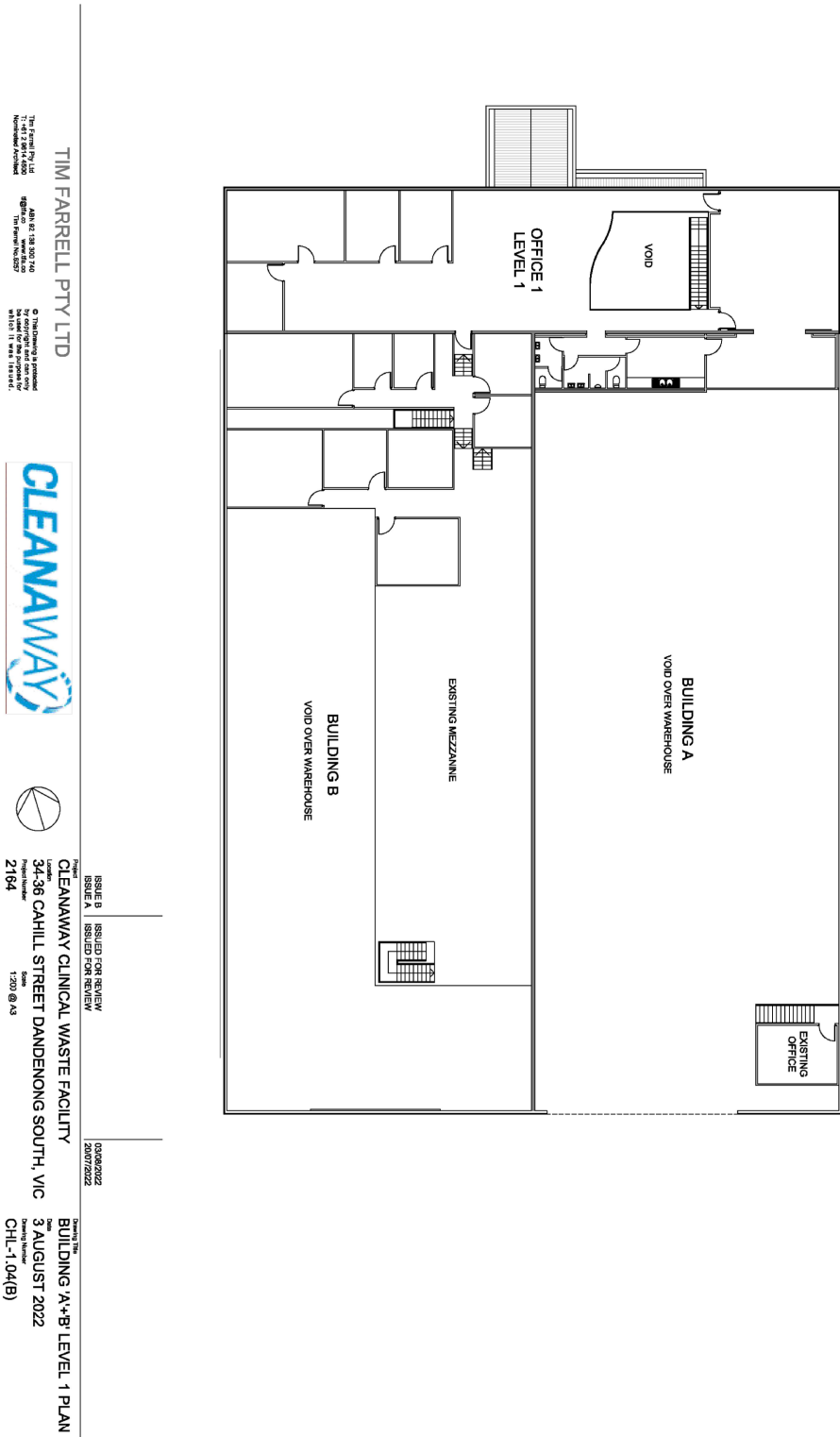
ATTACHMENT 1

ASSESSED PLANS

PAGES 7 (including cover)

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

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)



TIM FARELL PTY LTD
The Firm's Pty Ltd
17, 24 & 29/14-14/200
Northmead NSW 1585
ABN 62 138 307 340
REGD. CO. WORKS
1300 969 000
© This drawing is prepared
by the firm of architects
which it was created.



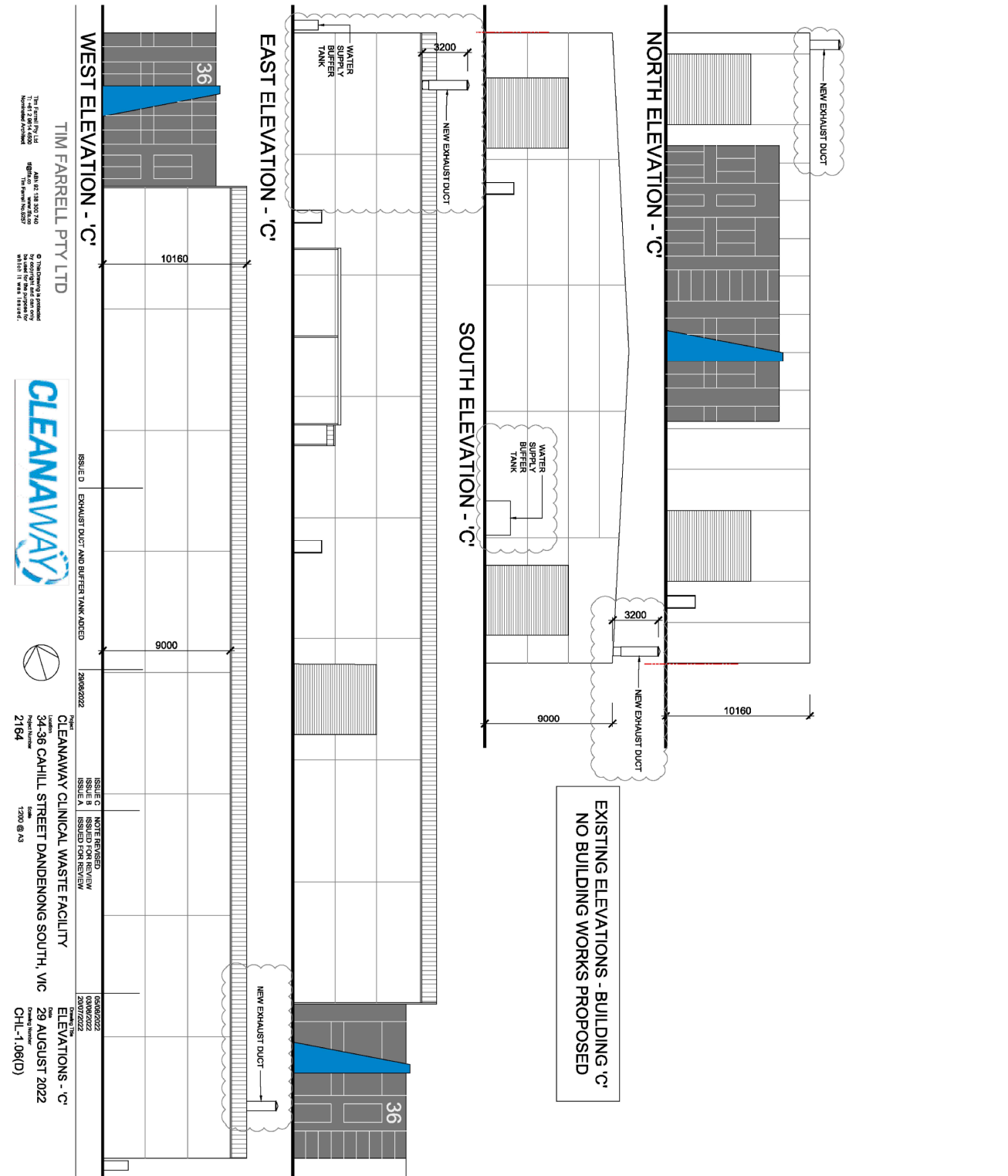
ISSUE B ISSUED FOR REVIEW
ISSUE A ISSUED FOR REVIEW
Project Name
CLEANAWAY CLINICAL WASTE FACILITY
Location
34-36 CAHILL STREET DANDENONG SOUTH, VIC
Project Number
2164
Scale
1:200 @ A3

DATE
03/08/2022
08/07/2022

DATE
3 AUGUST 2022
CHL-1.04(B)

DATE
3 AUGUST 2022
CHL-1.04(B)

2.3.4 Town Planning Application - No. 1&2/34 & 36 Cahill Street Dandenong South (Planning Application No. PLN22/0411) (Cont.)



3 QUESTION TIME - PUBLIC

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

QUESTIONS FROM THE GALLERY

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

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

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

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

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

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

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

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

3 QUESTION TIME - PUBLIC (Cont.)

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

4 OFFICERS' REPORTS - PART TWO

4.1 CONTRACTS

4.1.1 Contract No. 2223-10 Linemarking, Pavement Marking & Associated Services

File Id:	qA480864
Responsible Officer:	Director Business, Engineering & Major Projects
Attachments:	Tender Information (Confidential)

Report Summary

This report summarises the tender process undertaken by Council in the selection of a suitably qualified and experienced contractor for the provision of linemarking, pavement marking and associated services throughout the City of Greater Dandenong.

The initial contract term is three (3) years from the date of commencement with an option to extend the contract by three (3) one-year extensions at the sole and absolute discretion of Council.

This is a Schedule of Rates based contract.

Recommendation Summary

This report recommends that Council awards Contract No. 2223-10 for the provision of linemarking, pavement marking and associated services to Roadsigns Australia Pty Ltd for an initial period of three (3) years.

4.1.1 Contract No. 2223-10 Linemarking, Pavement Marking & Associated Services (Cont.)

Background

Infrastructure Services and Planning - Works Service Unit maintains and services Council's Infrastructure Assets in accordance with the requirements of the Road Management Act, Council's Road Management Plan (RMP), Council's various Asset Management Plans and Council's rate payers' expectations (Customer Service).

The Works Services Unit seeks to tender a contract for Linemarking, Pavement Marking and Associated Services given the scale, complexities, high labour and plant costs, and expertise required to facilitate these activities. Delivering these activities by Council's in house staff would be unachievable without major investment in plant, equipment, and resources.

Tender Process

The public tender was advertised in The Age Newspaper on Saturday 13 August 2022 and closed at 2pm on Tuesday 6 September 2022. At close of the advertising period three (3) tenders were received from the following companies:

1. Downer EDI Works Pty Ltd (DM Roads)
2. Image Linemarking Pty Ltd
3. Roadsigns (Aust) Pty Ltd

Tender Evaluation

The Tender Evaluation Panel comprised of Infrastructure & Utilities Contracts Coordinator, Team Leader Works Service Unit, Works Planner and Contracts Officer.

The tenders were evaluated using Council's Weighted Attribute Value Selection method. The evaluation criteria included in the tender documents and allocated weightings used to evaluate the tender are as follows:

	Evaluation Criteria	Weighting
1	Tendered Price	40%
2	Relevant Experience	25%
3	Capability	20%
4	Social Procurement	5%
5	Local Industry	5%
6	Environmental	5%

4.1.1 Contract No. 2223-10 Linemarking, Pavement Marking & Associated Services (Cont.)

Points were awarded on a scale of 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 (Success Not Assured)
0	Not Acceptable

The submissions were assessed and ranked against all evaluation criteria, to ensure that the tenderers met the standards required for Council contractors. A fail in any criterion would automatically exclude a tenderer from further consideration for this contract.

Tenderer	OHS and EMS	Price Points	Non-Price Points	Total Score
Roadsigns Australia Pty Ltd	Registered and compliant with RapidGlobal	1.45	2.81	4.26
Downer EDI Works Pty Ltd (DM Roads)	Registered with RapidGlobal currently suspended	1.00	2.63	3.63
Image Linemarking Pty Ltd	Registered and compliant with RapidGlobal	0.23	2.46	2.69

All three (3) submissions demonstrated similar relevant experience in the linemarking industry. The tender panel agreed that Roadsigns Australia Pty Ltd should be awarded the contract as they have scored the highest price points. Roadsigns Australia Pty Ltd are also the current supplier and have performed to the satisfaction of the contract managers. The tender panel agreed that their submission provides Council with value for money and the least amount of risk to Council and the community due to continuity of service.

[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.]

4.1.1 Contract No. 2223-10 Linemarking, Pavement Marking & Associated Services (Cont.)

Financial Implications

The resource allocation of \$365,000 satisfies the annual budget allocation.

Schedule of Rates ***A schedule of rates contract is one 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.***

Social Procurement

In their tender submission Roadsigns Australia Pty Ltd have outlined that the social outcome of awarding this contract to their company would mean continuing to provide safe road conditions within Council, offering employment opportunities and enable them to support charities, not-for-profit organisations and emergency service providers through their 'Give Back' program.

Local Industry

Roadsigns Australia Pty Ltd are a local business based in Dandenong, they have 35 years experience in the linemarking industry. In their submission they have indicated major items including road marking materials will be purchased from multiple suppliers operating within the Greater Dandenong boundary such as Ennis Flint (thermoplastic manufacturer) and Potters Industries (glass beads). The total value of local content and major items are estimated to be \$274K per annum.

Consultation

This matter is not subject to Council's Community Engagement Policy under the *Local Government Act 2020* and Council's Community Engagement Planning Framework.

4.1.1 Contract No. 2223-10 Linemarking, Pavement Marking & Associated Services (Cont.)

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.

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.

4.1.1 Contract No. 2223-10 Linemarking, Pavement Marking & Associated Services (Cont.)

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 submission, the successful contractors have completed the Modern Slavery Questionnaire and the Questionnaire for Potential Contractors (Fair work).

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

The Gender Equality Act 2020

The *Gender Equality Act 2020* came into operation on 31 March 2021 and requires councils to take positive action towards achieving workplace gender equality and to promote gender equality in their policies, programs and services.

Council's Diversity, Access and Equity Policy and the *Gender Equality Act 2020* have been considered in the preparation of this report but are not relevant to its contents.

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

The content/topic/issue (of this report) is purely administrative in its nature and does not have the potential to influence broader social norms and gender roles.

Climate Change and Sustainability

One of the overarching governance principles of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

In January 2020, this Council joined a growing number of cities around Australia and declared a "Climate and Ecological Emergency" and committed this Council to emergency action on climate change. Council has developed a Climate Change Emergency Strategy and Action Plan 2020-30 to help the City of Greater Dandenong become a resilient, net zero carbon emission city with an active community prepared for the challenges of changing climate.

This report has no impact on Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 or the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability.

4.1.1 Contract No. 2223-10 Linemarking, Pavement Marking & Associated Services (Cont.)

Conclusion

At the conclusion of the tender evaluation process, the evaluation panel agreed that the tender submission from Roadsigns Pty Ltd is the best value outcome for Council and should be accepted due to:

1. their tender submission was conforming and the most competitively priced (22% below the median);
2. their relevant experience working with Victorian government authorities and private organisations on similar projects;
3. their level of experience, staff resources and listed equipment to service this contract;
4. they are registered and pre-qualified with Rapid Global (Council's Contractor Risk Management Compliance database); and
5. they have satisfactorily provided linemarking services to Council for a number of years

Recommendation

That Council:

1. **award Contract No. 2223-10 for the Provision of Linemarking, Pavement Marking and Associated Services to Roadsigns Australia Pty Ltd for the Schedule of Rates for an initial period of three (3) years;**
2. **reserves the option to extend the initial contract term by three (3) one-year extensions at the sole and absolute discretion of Council; and**
3. **signs and seals the contract document when prepared.**

4.1.2 Contract No. 2223-16 Photography and Digital Media Services

File Id:

Responsible Officer:

Executive Manager Communications & Customer Service

Attachments:

Tender Information (Confidential)

Report Summary

This report outlines the tender process undertaken to select a panel of suitably qualified and experienced contractors for the provision of Photography and Digital Media Services.

The initial contract term is three (3) years from the date of commencement with an option to extend the contract by one (1) twelve month extension at the sole and absolute discretion of Council.

Recommendation Summary

This report recommends that Council award Contract No. 2223-16 Photography and Digital Media Services to a panel of three (3) full package suppliers consisting of Photography, Animation and Videography Services components comprising of

- Media Strategy Australia
- Youth Development Australia Ltd
- JRJD Consulting Pty Ltd T/as OtherBirds

in addition, a panel of five (5) Videographers for the Videography (Digital Media) Services component comprising of

- Evolve Digital Media
- We Make Online Videos
- Nick Addison Photography Pty Ltd
- Shoelace Creative
- HAS Media

as well, a panel of four (4) Animators for the Animation (Digital Media) Services component comprising of

- Paoli Smith
- Think HQ
- Creativa Videos
- We Make Online Videos

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

and a panel of six (6) Photographers for the Photography Services component comprising of

- Alison Hoelzer
- Carla Gottgens Photography
- Nick Addison Photography Pty Ltd
- Tank Pty Ltd
- Paoli Smith
- HAS Media

At Council's discretion the Contract Superintendent can engage suitably qualified specialised Photographers, Animators and Videographers outside of the approved panels to meet Council's requirements which cannot be met by the above panel members. This could include times when members of the panel are unavailable to do the required work, do not have the specialised skills required for the job or when their quote does not conform to the budget constraints of the project.

The estimated expenditure for this contract over the initial three (3) year term is Four Hundred & Ninety-Five Thousand Dollars including GST. Over the full life of the contract including one (1) twelve month extension, the estimated expenditure is Six Hundred & Sixty Thousand Dollars (\$660,000.00) including GST.

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

Introduction

This is a Schedule of Rates contract designed to provide Council with a range of consultancy services to assist in capturing, communicating and promoting Council's large number of programs and events.

Background

Council has an ongoing and growing need to communicate and promote the large number of services and key projects the organisation delivers and supports within the community. Whilst we have developed significant capacity to provide photography and digital media services in house, at times the demand for these services can exceed this capacity. As a result, we have relied on access to a pool of skilled production service providers, particularly in instances when specialised services are required such as drone photography or architectural visualisations. Some service providers also come with unique experience in engaging and working with community groups, such as first nations people and youth, which is beneficial.

The current Tender process up for review is simply a renewal of the existing process which has been in place for the past three years.

This tender is an opportunity to re-engage some service providers, as well expand the organisation's capacity to deliver on future demands in photography and digital media services by increasing the skillset of the service providers available.

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

Tender Process

The tender was advertised in The Age newspaper on Saturday 27 August 2022 and closed on Tuesday 20 September 2022. At the closure of the advertising period twenty-three (23) tender submissions were received as follows:

- Affinity Photography
- Alison Hoelzer
- Carla Gottgens Photography
- Creativa Videos
- Evolve Digital Media
- HAS Media
- Icon Agency
- JRJD Consulting Pty Ltd Trading as OtherBirds
- Media Strategy Australia
- Nick Addison Photography Pty Ltd
- Paoli Smith
- Pixel Pros Australia
- Shoelace Creative
- Tank Pty Ltd
- Think HQ
- We Make Online Videos
- Youth Development Australia Ltd
- Cirocco Media Pty Ltd (Non-Conforming)
- Incubator Pty Ltd (Non-Conforming)
- Jay Gordon Seeney (Non-Conforming)
- Martin Philbey Photographer (Non-Conforming)
- Rise Films (Non-Conforming)
- Vanzella Graphic Design (Non-Conforming)

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

Tender Evaluation

The evaluation panel consisted of the Team Leader Media Production, Team Leader Digital and Marketing, Multimedia Officer, Coordinator Place Making and Revitalisation and Contracts & Administration Officer with Council's Occupational Health & Safety Consultant providing specialist advice.

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

	Evaluation Criteria	Weighting
1	Price/Rates	30%
2	Relevant Experience	30%
3	Capability/Skill/Creativity	25%
4	Social Procurement	10%
5	Local Industry	5%

Each criterion is ranked on a point score between 0 (fail) and 5 (excellent). These rankings are then multiplied by the weighting to give a weighted attribute ranking for each criterion and totalled to give an overall evaluation score for all criteria.

Following the evaluation of the tender submissions received, the comparative point score based on the above criteria is as follows:

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

FULL PACKAGE (PHOTOGRAPHY, ANIMATION & VIDEOGRAPHY) SERVICES

Tenderer	Price Points	Non-Price Points	Total Score
Media Strategy Australia	1.25	2.88	4.13
Youth Development Australia Ltd	0.78	2.73	3.51
JRJD Consulting Pty Ltd T/As OtherBirds	0.47	2.97	3.44
Paoli Smith	0.83	2.48	3.31
Creativa Videos	0.00	2.71	2.71
Icon Agency	0.00	2.59	2.59
Shoelace Creative	0.00	2.50	2.50

Based on the above point score the evaluation panel agreed that Contracts should be awarded to the following panel of three (3) contractors **Media Strategy Australia, Youth Development Australia Ltd and JRJD Consulting Pty Ltd T/As OtherBirds.**

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

VIDEOGRAPHY (DIGITAL MEDIA) SERVICES:

Tenderer	Price Points	Non-Price Points	Total Score
Evolve Digital Media	1.25	2.96	4.21
We Make Online Videos	1.24	2.88	4.10
Nick Addison Photography Pty Ltd	1.25	2.79	4.04
Shoelace Creative	0.34	2.83	3.17
HAS Media	0.00	3.17	3.17
Tank Pty Ltd	0.00	3.14	3.14
Paoli Smith	0.63	2.48	3.11
Think HQ	0.00	3.03	3.03
Pixel Pros Australia	0.98	1.86	2.84
Creativa Videos	0.00	2.71	2.71
Icon Agency	0.00	2.59	2.59

Based on the above point score the evaluation panel agreed that Contracts should be awarded to the following panel of five (5) contractors **Evolve Digital Media, We Make Online Videos, Nick Addison Photography Pty Ltd, Shoelace Creative and HAS Media.**

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

ANIMATION (DIGITAL MEDIA) SERVICES:

Tenderer	Price Points	Non-Price Points	Total Score
Paoli Smith	1.16	2.48	3.64
Think HQ	0.48	3.03	3.51
Creativa Videos	0.77	2.71	3.48
We Make Online Videos	0.00	2.91	2.91
Icon Agency	0.00	2.59	2.59
Shoelace Creative	0.00	2.50	2.50

Based on the above point score the evaluation panel agreed that Contracts should be awarded to the following panel of four (4) contractors **Paoli Smith, Think HQ, Creativa Videos and We Make Online Videos.**

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

PHOTOGRAPHY (DIGITAL MEDIA) SERVICES:

Tenderer	Price Points	Non-Price Points	Total Score
Alison Hoelzer	1.19	2.76	4.05
Carla Gottgens Photography	1.25	2.48	3.73
Nick Addison Photography Pty Ltd	0.78	2.53	3.31
Tank Pty Ltd	0.19	3.10	3.29
Paoli Smith	0.75	2.48	3.23
HAS Media	0.00	3.13	3.13
Creativa Videos	0.35	2.71	3.06
Affinity Photography	1.25	1.54	2.79
Icon Agency	0.00	2.59	2.59
Shoelace Creative	1.01	2.50	2.51
Pixel Pros Australia	0.24	1.86	2.10

Based on the above point score the evaluation panel agreed that Contracts should be awarded to the following panel of six (6) contractors **Alison Hoelzer, Carla Gottgens Photography, Nick Addison Photography Pty Ltd, Tank Pty Ltd, Paoli Smith and HAS Media.**

[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.]

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

Financial Implications

This contract is a schedule of rates contract and resource requirements are in accordance with existing budgetary allocation. The current funding allocation will meet the financial requirement of this contract.

[Note:

Schedule of Rates ***A schedule of rates contract is one 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.]***

Social Procurement

Social Procurement was considered for each component of this tender base on the needs and speciality field of work. Some of the tenderers had been working with LGBTIQA+, Aboriginal & Torres Strait Islander People for example.

Local Industry

Local Industry was considered when assessing tender responses. Some of the tenderers' staff are currently living within Greater Dandenong Council area. One tenderer has 30 of its 41 staff who are living within the Greater Dandenong municipality.

Consultation

During the tender evaluation process and in preparation of this report, relevant Council Officers from Media and Communications and Business and Revitalisation were consulted.

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

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.

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.

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

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.

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.

Climate Change and Sustainability

Council's Declaration of a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030 and the requirements of the *Local Government Act 2020* in relation to the overarching governance principle on climate change and sustainability have been considered in the preparation of this report but are not relevant to its contents.

The procurement of digital media services and photography does not involve the use of equipment or involve actions which may impact in this area.

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

Conclusion

The evaluation panel is satisfied that the tenderers recommended for appointment to a panel have the relevant experience and resources to carry out the works in a timely and efficient manner. Where Council's requirements cannot be met by the recommended panel, Council has authority to engage specialist providers at its discretion.

At the conclusion of the tender evaluation process the evaluation panel agreed that the tender submissions from Media Strategy Australia, Youth Development Australia Ltd, JRJD Consulting Pty Ltd T/as OtherBirds, Evolve Digital Media, We Make Online Videos, Nick Addison Photography Pty Ltd, Tank Pty Ltd, Shoelace Creative, HAS Media, Paoli Smith, Creativa Videos, Think HQ, Alison Hoelzer and Carla Gottgens Photography represented the best value outcome for Council and should be accepted based on:

1. Their conforming tender submissions and schedule of rates; and
2. Their level of experience, staff resources and equipment.

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

Recommendation

That Council:

1. **award Contract No. 2223-16 Photography and Digital Media Services to a panel of three (3) full package consist of Photography, Animation and Videography Services component comprising of**

- **Media Strategy Australia**
- **Youth Development Australia Ltd**
- **JRJD Consulting Pty Ltd T/as OtherBirds**

in addition, a panel of five (5) Videographers for the Videography (Digital Media) Services component comprising of

- **Evolve Digital Media**
- **We Make Online Videos**
- **Nick Addison Photography Pty Ltd**
- **Shoelace Creative**
- **HAS Media**

as well, a panel of four (4) Animator for the Animation (Digital Media) Services component comprising of

- **Paoli Smith**
- **Think HQ**
- **Creativa Videos**
- **We Make Online Videos**

and a panel of six (6) Photographers for the Photography Services component comprising of

- **Alison Hoelzer**
- **Carla Gottgens Photography**
- **Nick Addison Photography Pty Ltd**
- **Tank Pty Ltd**
- **Paoli Smith**
- **HAS Media**

at the tendered Schedule of Rates for an initial period of three (3) years;

4.1.2 Contract No. 2223-16 Photography and Digital Media Services (Cont.)

and at Council's discretion the Contract Superintendent can engage suitably qualified specialised Videographers, Animators and Photographers outside of the approved panels to meet Council's requirements which cannot be met by the above panel members. This could include times when members of the panel are unavailable to do the required work, do not have the specialised skills required for the job or when their quote does not conform to the budget constraints of the project.

- 2. reserves the option to extend the initial contract term by one (1) year extension at the sole and absolute discretion of Council; and**
- 3. signs and seals the contract documents when prepared.**

4.1.3 Cancellation of Awarded Contract 2122-39 Concrete, Drainage & Asphalt Maintenance Works

File Id: qA470768
Responsible Officer: Director Business, Engineering & Major Projects
Attachments:

Report Summary

On 12 September 2022, Council resolved to award contract **2122-39 Concrete, Drainage & Asphalt Maintenance Works** to a panel of suitably qualified and experienced contractors for a Schedule of Rates based contract. The panel of five (5) contractors comprised **A and G Concrete Constructions Pty Ltd, Comar Constructions Pty Ltd, Lazzaro Concrete Works Pty Ltd, Morisons Concreting Pty Ltd and Prestige Paving Pty Ltd**. It was determined that after Council resolved to award the contract that an anomaly was identified during the evaluation process.

Recommendation Summary

This report recommends that Council does not execute the resolution of 12 September 2022 (Minute No. 559) to award the tender for 2122-39 Concrete, Drainage & Asphalt Maintenance Works to A and G Concrete Constructions Pty Ltd, Comar Constructions Pty Ltd, Lazzaro Concrete Works Pty Ltd, Morisons Concreting Pty Ltd and Prestige Paving Pty Ltd and commences a new tender process for Council's concrete, drainage and asphalt maintenance works.

4.1.3 Cancellation of Awarded Contract 2122-39 Concrete, Drainage & Asphalt Maintenance Works (Cont.)

Background

The tender was advertised on 19 March 2022 and closed 21 April 2022. After evaluation, a recommendation was submitted to the Council Meeting of 12 September 2022 and the tender was subsequently awarded to a panel of providers by Council.

The Contracts Unit reviewed the submitted tender documentation and determined that an anomaly had occurred during the evaluation process. This determination was made after the Council Meeting of 12 September 2022 and after the contract had been awarded to a panel of providers.

No formal contracts were issued by Council to the panel of recommended contractors; therefore, no contracts were entered into by any parties.

Process improvements have been identified and put in place to ensure this does not occur again.

Proposal

To meet procurement policy requirements, a new tender process will be undertaken in February 2023 with the new contract to commence 1 June 2023. All tender respondents will be advised of the outcome of this report.

The decision to delay re-advertising is based on the time of year i.e.; it is nearing the end of year and new year public holidays which has a significant impact on the construction industry. The contractors who are currently carrying out this service under contract 1516-77 will be engaged to continue this service until the new contract is awarded in 2023 to minimise any impact to currently scheduled works for the period between now and the awarding of a new contract. This will ensure an uninterrupted service to Council and our community.

Recommendation

That Council does not execute the resolution of 12 September 2022 to award the tender for 2122-39 Concrete, Drainage & Asphalt Maintenance Works to A and G Concrete Constructions Pty Ltd, Comar Constructions Pty Ltd, Lazzaro Concrete Works Pty Ltd, Morisons Concreting Pty Ltd and Prestige Paving Pty Ltd.

4.2 OTHER

4.2.1 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings

File Id: fA25545
Responsible Officer: Manager Governance

1. Report Summary

As part of Council's ongoing efforts to improve transparency in Council processes, matters discussed at Councillor Briefing Sessions & Pre-Council Meetings (other than those matters designated to be of a confidential nature) are reported on at Council meetings.

The matters listed in this report were presented to Councillor Briefing Sessions & Pre-Council Meetings held during the period 7-14 November 2022 (inclusive).

2. Recommendation Summary

This report recommends that the information contained within it be received and noted.

4.2.1 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings (Cont.)

3. Background

The Executive Management Team and associated staff at Greater Dandenong City Council host Councillor Briefing Sessions and Pre-Council Meeting on a regular basis (weekly) to inform Councillors about the work officers are undertaking, share information, obtain feedback and discuss strategies and options for current and future work.

To ensure transparency in this process matters discussed at Councillor Briefing Sessions and Pre-Council Meetings (other than those matters designated to be confidential under the *Local Government Act 2020*) are reported on at Council meetings. This report represents matters discussed at the Councillor Briefing Sessions & Pre-Council Meetings held during the period 7-14 November 2022 (inclusive).

4. Matters Presented for Discussion

Item		Councillor Briefing Session/Pre-Council Meeting
1	Dandenong Sports and Events Centre Business Case (Confidential)	Councillor Briefing Session (CBS) – 7 November 2022
2	Naming Room at Ross Reserve Pavilion after Roz Blades Councillors were provided with details regarding a proposal to name the Social Room at Ross Reserve after Roz Blades AM, considering her significant support for the project.	CBS – 7 November 2022
3	One Tree Per Child – Response to Notice of Motion Number 20 Councillors were presented with an update on the One Tree Per Child program which aims to get every child to plant at least one tree before they leave school. Council officers propose that Council joins the One Tree Per Child program with participation maintained at the same levels as Council's current planting programs while looking at increased participation in the future.	CBS – 7 November 2022
4	Digital Transformation – Customer Portal Councillors were presented with an update on Council's continued progress with digital transformation, particularly regarding Council's customer portal.	CBS – 7 November 2022

4.2.1 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings (Cont.)

<p>5</p>	<p>Discussion of Councillor Representation for 2022-2023 and the Mayoral/Deputy Mayoral Election</p> <p>Councillors discussed their nominations for appointment as council liaisons and representatives to committees, peak industry bodies, regional and community-based organisations prior to adoption at the 10 November 2022 Meeting. The format for the Council meeting to elect the Mayor and Deputy Mayor was also discussed.</p>	<p>CBS – 7 November 2022</p>
<p>6</p>	<p>Discussion</p> <p>Councillors and Council officers briefly discussed the following items:</p> <ol style="list-style-type: none"> a. upcoming leave arrangements for Council’s Chief Executive Officer (CEO); b. the current CEO’s planned meeting with Council’s new CEO; and c. Agenda items for the Council Meeting of 14 November 2022. 	<p>CBS – 7 November 2022</p>
<p>7</p>	<p>Discussion</p> <p>Councillors and Council officers briefly discussed the following items:</p> <ol style="list-style-type: none"> a. Fox FM Breakfast Show being held at Dandenong Market on Friday 18 November 2022; b. the Springvale Community Hub cafe; c. the Carroll Lane COVID-19 testing site; d. surveillance of dumped rubbish within the municipality; and e. Agenda items for the Council Meeting of 14 November 2022. 	<p>Pre-Council Meeting – 14 November 2022</p>

5. Apologies

- Cr Rhonda Garad submitted an apology for the Councillor Briefing Session on 7 November 2022. Cr Sophie Tan and Cr Loi Truong did not attend the Councillor Briefing Session on 7 November 2022.
- Cr Rhonda Garad submitted an apology for the Pre-Council Meeting on 14 November 2022. Cr Sophie Tan and Cr Tim Dark did not attend the Pre-Council Meeting on 14 November 2022.

4.2.1 Report on Matters Discussed at Councillor Briefing Sessions & Pre-Council Meetings (Cont.)

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

Section 9 of the *Local Government Act 2020* (LGA2020) states that a Council must in the performance of its role give effect to the overarching governance principles.

Reporting on matters discussed at Councillor Briefing Sessions and Pre-Council Meetings gives effect to the overarching governance principles (in particular, section 9(i) of the *Local Government Act 2020*) in that the transparency of Council actions and information is ensured.

11. Recommendation

That:

1. **the information contained in this report be received and noted; and**
2. **the information discussed at the above listed Councillor Briefing Session on 7 November 2022 in Item 1 above, which was declared confidential under section 3(1) of the *Local Government Act 2020*, remains confidential until further advisement unless that information forms the subject of a subsequent Council report.**

4.2.2 List of Registered Correspondence to Mayor and Councillors

File Id:	qA283304
Responsible Officer:	Manager Governance
Attachments:	Correspondence Received 7-18 November 2022

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 7-18 November 2022.

Recommendation

That the listed items provided in Attachment 1 for the period 7-18 November 2022 be received and noted.

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

OTHER

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

ATTACHMENT 1

**CORRESPONDENCE RECEIVED
7-18 NOVEMBER 2022**

PAGES 3 (including cover)

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

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



Correspondences addressed to the Mayor and Councillors received between 07/11/22 & 18/11/22 - for officer action - total = 2

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
Concern from a local resident that the Spring Valley Park walking track has not been reinstated after completion of recent works.	16-Nov-22	16-Nov-22	fA261539	Mayor and Councillors EA
A letter to the Mayor contesting a parking infringement notice received by a worker in Dandenong.	16-Nov-22	17-Nov-22	fA261670	Mayor and Councillors EA

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

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



Correspondences addressed to the Mayor and Councillors received between 07/11/22 & 18/11/22 - for information only - total = 5

Correspondence Name	Correspondence Dated	Date Record Created	Objective ID	User Currently Assigned
A letter of complaint from a Keysborough resident regarding the inadequate collection capacity to be provided at Council's Recycle Day on 26/11/2022.	12-Nov-22	14-Nov-22	A9279836	Waste Services
A letter of complaint from the Victorian Afghan Associations Network regarding an invitation to the Mayor to visit its Community Hub in Dandenong.	13-Nov-22	14-Nov-22	A9280305	Mayor and Councillors EA
A letter of complaint from a Dandenong North resident regarding a Council officer issuing an infringement.	16-Nov-22	16-Nov-22	A9293073	Mayor and Councillors EA
A response to the Mayor on behalf of the Deputy Secretary, Emergency Management regarding the Victoria State Emergency Service Greater Dandenong Unit.	10-Nov-22	11-Nov-22	-	Mayor and Councillors EA
A letter of thanks to the Mayor from the Australian Indian Innovations Inc for attendance at its 21st Diwali Fair.	07-Nov-22	08-Nov-22	-	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.

6 REPORTS FROM COUNCILLORS/DELEGATED MEMBERS AND COUNCILLORS' QUESTIONS

The principle purpose of this item in the Council Meeting Agenda is for Councillors to report on their attendance, observations or important matters arising from their liaison or representation with groups for which the Councillor has been formally appointed by Council. In accordance with the documented 'protocol' that applies to either liaisons or representatives, Councillors should raise matters of importance during this item. Other matters may also be reported.

If a Councillor chooses to speak, the name of the conference/event and the Councillor will be noted in the Minutes for that meeting. If a Councillor requires additional information on the conference/event to be listed in the Minutes, they must submit it in writing to a Governance staff member by 12.00pm the day following this Council Meeting.

Question time is provided to enable Councillors to address questions to members of Council staff. The guidelines for asking questions at a Council meeting are included in the current Governance Rules.

Councillors have a total of 15 minutes each to report on their attendances at meetings, conferences or events and to ask questions of Council staff.

7 URGENT BUSINESS

No business may be admitted as urgent business unless it:

- a. Relates to or arises out of a matter which has arisen since distribution of the Agenda.
- b. Cannot safely or conveniently be deferred until the next ordinary meeting and unless agreed to by a majority of those Councillors present at the meeting.