

- iv. detailed design for DDA compliant access from the street to the building entrance;
 - v. detailed design for the steps from the car park to the building entrance;
 - vi. details of retaining walls to be retained, including the retaining wall on the north-east boundary and the brick wall on the south-west boundary, and reinstatement or replacement measures for retaining walls and safety rails as required;
 - vii. [Car parking bay 13 should be located to be adjacent to bay 12.](#)
- b) redesign of the bicycle and bin enclosures
- i. to incorporate solid walls to the south and east and a solid roof over;
 - ii. to provide a minimum 1m deep garden bed adjacent to the south-west boundary;
 - iii. [to allow the inclusion of a smoking area at its eastern end;](#)
 - iv. to relocate the entrance to the bin area from the north-west wall to the north-east wall.
- c) details of surface treatments of the bicycle and bin enclosures;
- d) detailed roof and elevation drawings showing all plant and equipment located on the roofing structures and annexed or attached to the building structure (including any noise attenuation or other acoustic treatment required to meet the conditions imposed by this permit); and
- e) designated smoking area, [to be located at the eastern end of the redesigned bicycle shed, and which includes a solid wall and roof of at least one metre in depth to its southern side and a high solid fence on its northern side.](#)
- f) [acoustic fencing:](#)
- i. [along the southern boundary of the car park in the vicinity of the residence at 213 Ocean Beach Road from eastern edge of Bay 13 to the corner near the waste storage shed \(approximately 20.7 metres\), with a height of 2.35 metres to the north of the abutting dwelling, reducing to 2.00 metres on the angled boundary towards the waste shed; and](#)
 - ii. [along the northern boundary in the vicinity of the northern courtyard to the extent of the balcony at 209b Ocean Beach Road \(approximately 23.7 metres\), with a height of 2.20 metres along the courtyard, reducing to 2.0 metres adjacent to the abutting dwelling.](#)

Approved development not altered

2. The layout of the land and all buildings and works as shown on the endorsed plans or detailed in the endorsed documents, must not be altered or modified except with the written consent of the Responsible Authority.

Landscaping

3. Before commencement of the development a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The Landscape Plan must include:
 - a) A survey (including botanical names) of all existing vegetation to be retained and / or removed;
 - b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant;
 - c) Details of surface finishes of paved areas, pathways and driveways;
 - d) Areas adjacent to revised carpark and bike enclosure to be planted;
 - e) Details of outdoor seating arrangements, [including in the designated smoking area](#).
 - f) Provision of screen planting between the bin/bicycle enclosures/[smoking area](#) and the south-west boundary fence; and
 - g) The location of the designated smoking area [located in the grassed area between the bicycle shed and the waste storage area](#).
4. Prior to the occupation of the development (or other time agreed to in writing by the Responsible Authority) the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
5. The landscaping referred to in Condition 4 above must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced as soon as practicable.

Amenity

6. All external lighting provided on the site must be designed with appropriate baffling so that no direct light is emitted beyond the boundaries of the site and no nuisance is caused to adjoining properties.
7. Noise levels emanating from the land must not exceed the noise level limits and prohibited times as set out in Environment Protection Regulations 2021 Part 5.3 – Noise.
8. Prior to the commencement of use, the following acoustic treatments and mitigation measures must be installed and /or completed to the satisfaction of the responsible authority:
 - a) Glazing and door treatments

- i. the door leading to the BBQ area must be fitted with an automatic closing device; and
- ii. the external door to the study space must be fitted with an automatic closing device.

b) Acoustic treatments to Plant and Equipment

- i. Condensers should be selected so as to achieve the following noise criteria:
 - 39 dB $L_{Aeq, 15 \text{ min}}$ (day)
 - 36 dB $L_{Aeq, 15 \text{ min}}$ (evening)
 - 28 dB $L_{Aeq, 15 \text{ min}}$ (night)
- ii. Common mechanical plant should be selected to as to achieve:
 - 47 dB L_{eff} (day)
 - 41 dB L_{eff} (evening)
 - 37 dB L_{eff} (night)

c) Bicycle and waste storage area

- i. The bike storage area ~~should~~ must incorporate solid walls to the south and east and a solid roof over.
- ii. The smoking area must incorporate a solid wall to the south and a solid wall over the southern part of the area for a depth of at least one metre.
- iii. The entrance to the bin area be relocated from the north-west wall to the north-east wall.

d) Acoustic fences

- i. The acoustic fences must have a minimum surface density of 12 kg/m² and be free from holes and gaps.

9. Use of communal areas

- ~~i. The number of patrons in each of the outdoor areas must be limited to 40 people and during the day (8am to 6pm), 2 people during the evening (8pm to 10pm) and no people after 10pm.~~
- i. Music levels within the lounge/dining area must be limited to background music only (internal level of approximately 70 dB LAeq) the external doors kept closed except for short periods for ingress and egress; during the night (after 11pm Monday-Saturday and 10pm-Sundays);
- ii. music levels in external areas, and within the lounge/dining area if the doors to the BBQ area are kept open for more than short periods for ingress/egress, must be limited to background music only;

- iii. [The night-time hours must align with the prohibited times set out in Part 5.2 Division 2 of the Environmental Protection Regulations 2021 for the control of unreasonable and aggravated noise from residential premises \(Monday to Thursday before 7.00am or after 10.00pm; Friday before 7.00am or after 11.00pm; Saturday and public holidays before 9.00am or after 11.00pm; Sunday before 9.00am or after 10.00pm\);](#)
 - iv. [The northern and southern courtyards must be designated quiet zones, with the use of a musical instrument or any electrical amplified sound reproducing equipment including a stereo, radio, television or public address system prohibited.](#)
 - ~~v. During the day and evening music within the lounge/dining area may be moderately amplified (internal level of approximately 85 dB LAeq) provided the doors to the BBQ area are closed; and~~
 - ~~vi. If the door to the BBQ area is kept open for more than short periods for ingress/egress the music levels should be limited to background only.~~
10. ~~6~~ [Six](#) months after the commencement of the use, an Acoustic Assessment is to be carried out by a suitably qualified engineer to assess compliance with the requirements in condition 8(b). Any recommendations arising from this assessment must be implemented within [one](#) ~~4~~ month of the assessment to the satisfaction of the responsible authority. [The acoustic assessment report should be made available to neighbouring residents upon request.](#)
11. The amenity of the area must not be adversely affected by the use or development as a result of:
- a) Transport of materials, goods or commodities to or from the land.
 - b) Appearance of any building, works, stored goods or materials; and
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

To the satisfaction of the Responsible Authority.

Operational

12. Prior to commencement of the development, an Operation Management Plan (OMP) must be submitted to and approved by the Responsible Authority. Once approved, the OMP will be endorsed and form part of this permit.
13. The OMP must be clearly displayed in prominent locations within the building for residents to clearly read to the satisfaction of the responsible authority.

14. The OMP must be generally in accordance with the OMP prepared by TRE Management dated 10 October 2022, but amended to include:
- a) [An emergency management plan, inclusive of a written resident induction plan;](#)
 - b) [A requirement that a manager be on-site from 7.00am – 7.00pm;](#)
 - c) a requirement that the building manager shall cooperate with any inquiries made by Council in relation to the operation of the premises;
 - d) a requirement that all residents leaving or returning to the premises must do so in a quiet manner that respects the amenity of neighbouring properties;
 - e) a requirement that a register of reported issues (complaint register) be maintained to the satisfaction of the responsible authority and that the complaint register is made available immediately upon request to authorised Council officers;
 - f) a requirement that all complaints are addressed or resolved to the satisfaction of the responsible authority;
 - g) processes for ensuring that the building manager or other appropriate person is contactable in cases of emergency or complaints including the provision of a 24/7 phone number;
 - h) waste collected in accordance with the requirements of this permit;
 - i) onsite and offsite car parking and transport arrangements in accordance with the requirements of this permit.
 - j) a requirement that smoking occurs only in the designated smoking area.
 - k) a ~~stipulation~~ [requirement](#) that the laundry only be used between 7:00am and 10:00pm;
 - l) details of WIFI access;
 - m) a requirement that residents acknowledge and sign up to the House Rules, including the 'no party policy' and rules around music and noise;
 - n) the provision of surveillance cameras and a stipulation that they will be maintained to the satisfaction of the responsible authority, with footage retained for at least one month; and
 - o) eligibility criteria for residents staying at the premises.
15. The use of the land must comply with the endorsed OMP at all times to the satisfaction of the Responsible Authority.
16. No more than 77 residents (plus the on-site manager) may be present on site at any one time.

17. All residents must be key workers as defined in the OMP and must be an employee of a local employer to the satisfaction of the Responsible Authority.
18. Prior to the commencement of the use, a Car Parking Management Plan (CPMP) substantially in accordance with plan dated 07.10.22 must be submitted to and approved by the Responsible Authority. Once approved, the plan will be endorsed and form part of the permit. The CPMP must address, but is not limited to, the following:
 - a) the allocation of car parking spaces to various users at the site;
 - b) how short-term leases at the site will be managed;
 - c) information on how leasing agreements will be implemented and/or enforced to limit the car ownership of residents staying at the site to no more than the available parking allocation;
 - d) the provision of a vehicle ownership register which is to be maintained for all residents, and that is kept up to date on a weekly basis;
 - e) that any resident who has a vehicle that it is required to be parked remotely be required to gain (if available) approval from their employer to have access to private off-street parking;
 - f) that long-term storage of resident vehicles be prohibited in the Mornington Peninsula National Park - Ocean Beach car park and not within public parking in the Sorrento commercial or foreshore precincts;
 - g) further detail on what measures will occur should a resident be found to be parking a vehicle off-site whilst staying at the facility.
19. The use must operate in accordance with the endorsed CPMP.
20. The vehicle ownership register required by the CPMP must be made available to the responsible authority upon request.
21. Prior to the commencement of the use the operator must provide a bond of \$10,000 to the Shire. The bond is to be for the implementation of parking control signs or any other parking management measures in Ocean Beach Rd and nearby streets, including any other necessary consultation and project costs for the signage implementation if, after an assessment by the Shire within 2 years after the occupancy of the premises commences, it is determined by the Shire that the approved CPMP is not adequately managing parking impacts of the resident in Ocean Beach Rd and nearby streets. If at or before the expiry of the 2 years, it is determined by the Shire that parking control signs or any other parking management measures are not required then the bond is to be refunded by the Shire.
22. Prior to the commencement of the use the operator must arrange for the Responsible Authority to erect street parking signage to restrict on-street parking adjacent to the property frontage in Ocean Beach Rd to parallel parking, the cost of which is to be borne by the operator.

23. Prior to the commencement of the use approved by this permit, a Green Travel Plan (GTP) must be submitted to and approved by the Responsible Authority. Once approved, the plan will be endorsed and form part of the permit. The GTP must address, but is not limited to, the following:
- a) The provision of information to residents in relation to sustainable transport opportunities in the vicinity of the site, including walking, cycling and public transport;
 - b) The provision of 'welcome packs' that include relevant transport information;
 - c) The provision of 15 bicycles for shared use, including five e-bikes;
 - d) Shuttle ~~bus~~ vehicle arrangements.

Waste Management

24. Prior to the endorsement of plans, an amended Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. The WMP must be generally in accordance with the Waste Management Plan by Leigh Design Pty Ltd dated 8 September 2021, but modified to show:
- a) Waste generation being consistent with Sustainability Victoria's online waste generation calculator or providing clear evidence to support the WMP's original waste generation rates.
 - b) Estimated volumes of waste and recyclables generated from the site, number, and size of bins to be used and the associated storage area for the bins.
 - c) Location of bin collection areas.
 - d) Waste collection being on a different day to Council's weekly waste collection.
 - e) Waste bins being placed for collection no earlier than the evening before the collection day and being collected and returned to the internal compound as soon as possible and before the end of the day of collection.
25. The WMP must be submitted to and be to the satisfaction of the Responsible Authority and when approved the plan will become the endorsed waste management plan under this permit.
26. At all times during the occupation of the approved use waste management must be implemented and operated in accordance with the endorsed Waste Management Plan to the satisfaction of the Responsible Authority.

Drainage

27. The subject land must be drained to the satisfaction of the Responsible Authority.

Retaining walls

28. Prior to the commencement of the use a structural engineering report from a certified structural engineer must be provided confirming that all onsite retaining walls are safe, fit for purpose and have relevant building permits, and must be submitted to and approved by the Responsible Authority.

Expiry

29. This permit will expire if one of the following circumstances applies:

- a) The development is not started within two years of the date of this permit.
- b) The development is not completed within four years of the date of this permit.
- c) The use is not commenced within five years of the date of this permit.
- d) The use is discontinued for a period of two years or more.

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

Notes:

- A. The operator must apply for registration under the *Public Health and Wellbeing Act (2008)* prior to commencing operations.
- B. The approved use must at all times comply with the *Residential Tenancies Act 1997*.
- C. The granting of this planning permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law. Please undertake your own due diligence in regard to further approvals (e.g. Building permit from a private building surveyor, vehicle crossing permit etc) that may be required.
- D. The Mornington Peninsula Shire's 'Private Works on Nature Strips and Road Reserves Policy' and Application Form for a 'Permit to Undertake Works within a Road Reserve' is available on the internet at <http://www.mornpen.vic.gov.au/Building-Planning/Engineering/Nature-Strips>
- E. The operator is invited to be part of the Mornington Peninsula Housing Network. This can be arranged through the Shire's Community Partnership team on 5950 1911.

Appendix E Committee preferred version of the Operational Management Plan

[Tracked Added](#)

~~Tracked Deleted~~

NOTE: this version of the OMP is the 'clean' version of Document 60. Basic grammar and minor changes such as commas, spelling, formatting is not shown.

OPERATIONAL MANAGEMENT PLAN

This Operational Management Plan ('OMP') has been prepared for a proposed Residential Building (key worker housing) use at 211 Ocean Beach Road, Sorrento ('Site').

This OMP seeks to implement a range of management arrangements at the site to ensure that the use of the land is conducted in accordance with Council's planning approval for the land and ensures that the amenity of the surrounding land is protected and respected.

The Site will be used exclusively for key worker housing. Key worker housing is defined as:

Accommodation for an employee who provides a service [to the Mornington Peninsula community](#) including:

- *Providers of services to residents – e.g. teachers, doctors, nurses, health care workers, pharmacists, Council staff*
- *Providers of services to visitors/tourists – e.g. hospitality, tourism, retail, workers at tourist attractions*
- *Workers in key local industries – e.g. agriculture and associated industries*
- *Trades and specialized services.*

1. Eligibility criteria

- (a) Prior to the grant of a tenancy, the applicant must demonstrate and the operator must be satisfied that the applicant for tenancy meets the eligibility criteria.
- (b) To be eligible to stay at the premises, an applicant must be:
 - i. A key worker;
 - ii. Employed within the Mornington Peninsula municipality; and
 - iii. If applying individually (as opposed to through a corporate sponsor), employed to work hours which are at least 0.5 Full-Time Equivalent.

- (c) If a tenant ceases to meet the eligibility criteria, they must immediately notify the operator and their tenancy agreement will be terminated. The tenancy agreement is directly connected with the tenant's contract of employment.

2. Hours of operation

- (a) Accommodation rooms - 24 hours a day, 7 days a week (authorised access only)
- (b) Reception – 8am to 9pm, 7 days a week
- (c) Building Manager – residing on-site

3. Bookings and Tenure

- (a) Room availability can be viewed via the website or checked by contacting reception.
- (b) Inspection can be arranged by phone and an online system.
- (c) Minimum length of stay for short stay residents is one week, with seasonal (3 months) and annual leases preferred.
- (d) No maximum will be placed on the length of stay within the building although leases will be reviewed on an annual basis.
- (e) Prospective tenants must be provided with, [and sign](#) a copy of the [terms of agreement and House Rules prior to accepting a bed, and subject to proof of employment](#) prior to a booking being accepted.

4. Supervision, ~~and~~ security [and room facilities](#)

- (a) The reception must be staffed from 8am to 9pm, 7 days a week. Outside of these hours the building manager will be contactable by mobile phone. These contact details must be available to all residents at reception and in the common lobby.
- (b) Surveillance cameras must be placed in the following locations throughout the building:
 - i. Ground floor lobby
 - ii. Reception desk
 - iii. Common area hallways
 - iv. Dining Area
 - v. Lounge Areas 1 and 2
 - vi. Entry and exit doors
 - vii. Laundry
 - viii. Kitchen
 - ix. The car park
 - x. The bicycle parking enclosure area

- (c) The onsite building manager must ensure the surveillance cameras are maintained to the satisfaction of the responsible authority. Video from the surveillance cameras must be retained for a minimum period of one month.
- (d) Residents will be issued with an electronic smart card, which will provide access to ground floor entry door. The smart card will also provide access to the common areas of the building – eg. laundry; lounge areas; kitchen. The smart card will also allow management to regulate access to these common areas (including the outdoor areas) in accordance with their hours of operation set out in the OMP.
- (e) A video intercom system will be established at the ground floor entry door, which will allow for two-way communication between the building manager and the front door. All external doors will be self-locking.
- (f) Each bedroom must provide:
 - (i) ensuite bathroom facilities
 - (ii) wardrobe space for each bed
 - (ii) at least two drawer spaces for each bed, one of which can be securely locked (may be as part of the bed).
 - (iii) a small refrigerator
 - (iv) one chair for each two bed bedroom and at least two chairs for each three or more bed bedrooms.
- (g) The facility must provide an area for reasonable storage for residents, including of suitcases, external to the bedrooms.

5. House Rules

All tenants must sign an acknowledgement that they have reviewed and agree to abide by the following House Rules:

1. The kitchen ~~may~~ must only be used between 6:00am and 10:00pm, 7 days a week.
2. The laundry ~~may~~ must only be used between 7:00am and 10:00pm, 7 days a week.
3. During night time hours (Monday to Thursday before 7.00am or after 10.00pm; Friday before 7.00am or after 11.00pm; Saturday and public holidays before 9.00am or after 11.00pm; Sunday before 9.00am or after 10.00pm):
 - i. The northern and southern courtyards must be designated quiet zones, with the use of a musical instrument or any electrical amplified sound reproducing equipment including a stereo, radio, television or public address system prohibited.
 - ii. Music within the lounge/dining area must be limited to background music only (internal level of approximately 70 dB LAeq) and the external doors kept closed except for short periods for ingress and egress.

4. During the day and evening:
 - i. music levels within the lounge/dining area may be moderately amplified (internal level of approximately 85 dB LAeq) provided the doors to the BBQ area are kept closed except for short periods for ingress and egress; and
 - ii. music levels in external areas, and within the lounge/dining area if the doors to the BBQ area are kept open for more than short periods for ingress/egress, must be limited to background music only.
5. ~~Outdoor common areas may only be accessed between 7:00am and 10:00pm, 7 days a week.~~
6. In exceptional circumstances, and with approval of the building manager, visitors to the site may be accommodated but are required to vacate the building by 10pm.
7. No alcohol is sold at the premises.
8. No smoking within the building or in external areas other than in the designated smoking area ~~in rooms, common areas or public areas within 5 metres of the site.~~
~~Smoking must only occur in designated smoking areas.~~
9. No anti-social behaviour in the foyer or common areas, e.g. corridors of the building.
10. Physical or verbal abuse towards any staff or residents will result in eviction.
11. ~~A "No Party" policy will be signed and agreed to upon booking a bed in the building, and it will be strictly enforced.~~
12. Any parties that include external visitors, or any gathering of residents of 10 or more people for a party must seek permission from the building manager and notice must be provided to neighbouring residences 48 hours beforehand and must be held in accordance with House Rules 3 and 4.
13. The building manager can evict an occupant should conditions warrant, for example:
 - Intoxication and unsavoury behaviour
 - Physical or verbal assault towards staff, residents or others
 - Wilful damage to property
 - An incident for which the police need to be called to the premises
 - A behaviour posing a safety threat to others
 - Ignoring advice to reduce excessive noise (music or other noise)
 - Smoking other than in designated areas
14. All residents ~~will be required to~~ must comply with all emergency procedures implemented for the building. Details of these procedures will be provided in each room.

15. All residents leaving or returning to the premises must do so in a quiet manner that respects the amenity of neighbouring properties.

6. Building Manager

- (a) A building manager will reside on-site 24 hours, 7 days a week and ~~They~~ will be available to deal with all matters arising during the normal operation of the building.
- (b) The building manger's mobile phone (if not answered) will forward to a 24/7 local security company to ensure all emergencies are responded to and actioned in a timely manner.

7. Conflict Management / Complaint Resolution Process

- (a) Any issues, including urgent issues, experienced by the residents of the building or neighbours can be communicated directly or in writing to the building manager. The building manager will seek to resolve the matter as soon as practically possible. All complaints are to be addressed or resolved to the satisfaction of the responsible authority.
- (b) The building manager must keep a register of any issues reported as well as a record of how and when the issue was resolved for a period of at least six months from the date of the incident. This register will be made available upon request to authorised Council officers.

8. Induction

The building manager must ensure that new tenants are provided with the following information:

- (a) The information required to be provided as part of the Green Travel Plan.
- (b) Information on how to safely evacuate the building in the event of an emergency.

9. Maintenance

The building manager will regularly inspect the interior and exterior of the building to ensure it is tidy, intact, well maintained, clean, and operational so all residents will have a high quality experience.

10. Waste Management

Waste will be collected in accordance with the requirements of the Waste Management Plan required by Condition **XXX** of Planning Permit No. **XXX** issued by the Mornington Peninsula Shire Council.

11. Car Parking & Transport

The on-site and off-site car parking and transport arrangements are to comply with the Car Park Management Plan and Green Travel Plan required by Conditions **XXX** and **XXX** of Planning Permit No. **XXX** issued by the Mornington Peninsula Shire Council.

12. Deliveries

All deliveries are to be co-ordinated with the Building Manager.

13. Cleaning

- (a) The occupants of each room are responsible for the cleaning of their accommodation.
- (b) Cleaning at the end of a lease will be the responsibility of the Building Manager.
- (c) Cleaning of common areas at a frequency that is not less than once per week will be the responsibility of the Building Manager.
- (d) Linen will be changed on a weekly basis (or as required) and will be laundered offsite.

14. Internet/ Wi-Fi

Each occupant will have restricted access to the site's internet at no additional charge, and log in details will be included in occupant manual inside each room.