

23 February 2018

Mr. Lester Townsend  
Chair  
Government Land Standing Advisory Committee  
8 Nicholson Street  
EAST MELBOURNE VIC 3002

**KNOX**  
your city



Dear Mr Townsend

**Planning Scheme Amendment for 609-621 Burwood Highway, Knoxfield**

Please find attached Knox City Council's submission to the proposed planning scheme amendment for the former horticultural research and flora quarantine facility for the Department of Environment, Land, Water and Planning at 609-621 Burwood Highway, Knoxfield.

Council will require the maximum time of 3 hours allowed to present to the Advisory Committee Hearing to fully present its submission.

Council would also be willing to assist in further discussions or background information regarding the proposed planning scheme controls, and more specifically, the Comprehensive Development Plan.

We would like to thank you for the opportunity to provide feedback. Please don't hesitate to contact Rachel Reed, Senior Project Manager – Strategic Projects on 9298 8000 should you have any queries regarding our submission.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Paul Dickie".

**Paul Dickie**  
**Acting Director - City Development**

Document ID: D18-125728

### Introduction

Knox City Council ('Council') appreciates the opportunity to provide a response on the proposed planning scheme amendment for the former horticultural research and flora quarantine facility for the Department of Environment, Land, Water and Planning, located at 609-621 Burwood Highway, Knoxfield ('the site').

The amendment provides an opportunity to provide a high quality residential and mixed-use development on the site, however Council has identified a number of concerns that need to be addressed through this advisory committee process.

These concerns relate to the proposed zoning and overlays and the supporting background information and documents that have been exhibited. More specifically these concerns relate to:

- an insufficient Comprehensive Development Plan (CDP);
- potential contamination on the site;
- missing background information; and
- the need for more detail to be provided for the future development, given Council's future role as the responsible authority for the site.

### Amendment C160

The planning scheme amendment for the site (known as Amendment C160 to the Knox Planning Scheme) proposes the following changes:

- Rezone the land from a Public Use Zone - Schedule 7 (PUZ7) to a Comprehensive Development Zone – Schedule 2 (CDZ2);
- Vary the location of the Land Subject Inundation Overlay (LSIO) and Environmental Significance Overlay - Schedule 2 (ESO2) applying to the northern portion of the site; and
- Amend the Schedule 2 to Clause 81.10 to introduce a new incorporated plan: *Crown Allotment 2258 Burwood Highway and Scoresby Road Knoxfield Comprehensive Development Plan - July 2017*.

### Background

Over the last several years, Council has undertaken extensive research to underpin its urban planning framework and to inform its strategic direction for urban areas. In particular, Council has a clear strategic direction for its residential areas and for its largest activity centre, Knox Central.

The Council adopted *Knox Housing Strategy 2015* ('The Housing Strategy') and the *Knox Central Structure Plan 2017* ('KCSP') both provide guidance in direction in relation to the site. The KCSP and the Knox Planning Scheme also identify the subject site as a 'Strategic Development Site'. The *Knox Housing Strategy*, the KCSP, and the Council endorsed "*Masterplan for the Strategic Development Site 609-621 Burwood Highway, Knoxfield*" (adopted 9 October 2017) form the basis of Council's submission.

### Knox Housing Strategy 2015

The Housing Strategy sets out Council's plan for managing residential development to respond to the current and future needs of the Knox community. The strategy identifies the subject site as a 'Strategic Investigation Site', which are sites that could be suitable for future residential development, and describes the site as follows:

*This is a large site that has formerly been used by the Department of Primary Industries. Some areas to the front of the site are still used by the Department. A mix of residential and commercial uses is considered appropriate for this site. Future development of this site is to be guided by strategic work carried out for the broader Knox Central area.*

### Knox Central Activity Area

Knox Central Activity Centre is Knox's largest activity centre and comprises a wide range of land uses including retail, office, commercial/industrial, residential, education, Government/Civic and open space/recreation. Since 2005, when Council adopted the *Knox Central Urban Design Framework (KCUDF)*, the intention has been for Knox Central to accommodate a far greater level of activity and development in the City of Knox.

### Knox Central Structure Plan

The KCSP provides an enabling planning framework that supports the intensification of activity and development within Knox Central. The subject site has been included within the Knox Central Activity Centre boundary since 2005 (through the KCUDF), which envisioned the site as a mixed-use precinct that accommodates medium density residential development.

The KCSP was adopted by Council on 9 October 2017. The Structure Plan identifies the subject site as a 'Strategic Development Site', and articulates that:

*The development of this underutilised site will provide a high amenity medium density neighbourhood in the northern portion of the site, which is well-integrated with the Blind Creek corridor. The neighbourhood will be supported by a mixed use precinct to the Burwood Highway frontage and Scoresby Road corner which will provide a small amount of local convenience retail and support local employment opportunities. The on-going use of part of the site by State Government (including for the use of emergency services) is supported. New public open space on the site will integrate with the Blind Creek corridor and contribute to the environmental, recreational and access functions of the Corridor.*

Following the State Government declaring the site surplus to its needs in 2015, Council developed a masterplan for the site which included indicative residential densities, building heights and setbacks, active frontages, interface areas, road network and areas where the biological values of the water body are to be retained and enhanced. The masterplan was endorsed by Council on 9 October 2017 for the purpose of informing Council's submission to the future rezoning of this site.

### Amendment C149

Amendment C149 seeks to implement the vision, objectives and actions of the Knox Central Structure Plan into the Knox Planning Scheme. The amendment was exhibited between November to December 2016, and the Panel Hearing for the amendment was held in June 2017.

Council's initial position going in to the Panel Hearing was that a Development Plan Overlay (DPO) is the most appropriate tool to facilitate master planning of this 'Strategic Development Site'. As acknowledged by Council's submission to Planning Panel for Amendment C149 (at paragraph 152):

*“As Development Victoria is in the early stages of master planning for this site the general intent of their submission is for Amendment C149, and the Structure Plan to retain a level of flexibility to allow for the master planning to evolve as further investigations occur. Council’s response to these matters is summarised below...*

- *The application of a Development Plan Overlay accompanying the rezoning of this site remains Council’s preferred tool...”*

Amendment C149 did not seek to rezone this site, and in lieu of a DPO being considered for the site, it did seek to introduce Design and Development Overlay Schedule 13 (DDO13), which was being proposed over all of the Knox Central Activity Centre. Also as part of Amendment C149, Council sought to include further guidance for this Strategic Development Site by including a master plan, as well as objectives, strategies and actions that pertain to its development, to reflect the KCSP.

The panel made the following recommendations in relation to this site in the Panel Report (at page 33), which were predicated on the basis that a suitable planning framework would be applied to the site as part of the future fast track rezoning process:

*“The Panel concludes:*

- *the strategic development site is an important opportunity to provide additional residential development in the Activity Centre*
- *the inclusion of a masterplan for the strategic redevelopment site at 609-621 Burwood Highway Knoxfield in the Structure Plan is premature and should be deleted, as well as all references to the masterplan in the Structure Plan...*

*The Panel recommends:*

- *delete the application of Design and Development Overlay 13 from the land identified as the Strategic Development Site at 609 – 621 Burwood Highway, Knoxfield...”*

The planning scheme controls for this site were discussed widely at the Panel Hearing, and the panel recommended that the DDO13 should not be applied to the site. This was on the basis that master planning for the site would occur at a later point in time.

Council adopted C149 on 9 October 2017, including the application of the exhibited DDO13 to the site, in contrast to the planning panel recommendation. Council’s preferred position to retain the DDO13, despite the panel’s recommendation, was on the basis that it includes objectives which are directly relevant to the future development of this site, including maintaining the vegetation character of Knox, Blind Creek and Lewis Park, and ensuring that the interface between new development and the Blind Creek corridor contributes to the activity, safety and amenity of the natural environment and open space corridor. Council’s endorsed master plan for the site was also adopted on 9 October 2017.

Amendment C149 is currently with the Minister for Planning awaiting approval. Given that the Minister is likely to approve C149 in accordance with the panel’s recommendation, this submission is based on the assumption that the DDO13 will not apply to the site.

Through this submission, Council is therefore seeking to incorporate the key provisions originally contained within the DDO13 relevant to the site, into the other planning controls that will apply to the site, which will be introduced through this Fast Track Government Land Service process.

## **Amendment C160 - Proposed Planning Scheme Controls**

Council is concerned with the lack of detail provided in the proposed planning scheme controls. The proposed controls fail to address local context and key strategic outcomes that were determined in the preparation of the robust strategic framework for this activity centre. The controls fail to adequately respond to the strategic direction for this site as outlined in the KSCP and Council's endorsed masterplan.

### **Standard Controls**

Council considers that the application of a combination of the General Residential Zone (GRZ) and Mixed Use Zone (MUZ) with a Development Plan Overlay (DPO), is the most appropriate planning framework for this site rather than the proposed application of the Comprehensive Development Zone (CDZ) and a Comprehensive Development Plan (CDP).

As the advisory committee will be aware, this approach is being applied to the former Boronia Heights College site (40 Mount View Road, Boronia) which is to be rezoned through the Fast Track Government Land process, with the rezoning of the land to the Neighbourhood Residential Zone – Schedule 1, and the application of a new DPO Schedule. This approach of using standard zones and overlays is considered to be more aligned with Smart Planning principles of rationalising planning schemes, to improve their legibility and understanding for the community, and to facilitate more efficient outcomes. The use of the CDP/CDZ approach does not reflect contemporary best practice planning principles, and is inconsistent with the approach adopted for other key strategic development sites within Knox.

It is important to note that Council's primary position in this submission is for the application of the GRZ, the MUZ and a new DPO Schedule to reflect the Council endorsed masterplan, the relevant provisions contained within the DDO13 (as exhibited under C149) and the strategic direction of the KSCP. However on the basis that the CDZ and CDP have been exhibited, a discussion of the exhibited controls is provided below.

### **Comprehensive Development Zone**

Council is concerned with the lack of detail that is provided within the CDZ and associated CDP, particularly in the ability of these planning tools to achieve a sufficiently high standard of development with appropriate planning and design outcomes. The decision guidelines provided in the CDZ are not sufficient to provide certainty and secure appropriate outcomes which reflect the specific context of the site.

The failure of the CDZ/CDP approach to recognise and reflect the strategic outcomes of the KSCP is of concern to Council. More specifically, the failure to address local context and key strategic outcomes that need to be applied to the site as part of a comprehensive and integrated master planning process is of concern. At a minimum a reference to Knox Central Activity Centre and the KSCP must be included in the provisions of the proposed CDZ Schedule and the CDP.

In addition to referencing the KSCP, some changes are recommended to the proposed table of uses provided in the Schedule to the CDZ, including addressing the changes made by Amendment VC142. As Council does not envisage any future industrial uses in this area, including in the proposed MUZ area, warehouse and Industry should become Section 3 - prohibited uses, or at a minimum, a reference being made to the requirements of Clause 52.10, as a condition of a Section 2 use, as occurs in other standard commercial and industrial zones. Council is also concerned with the separate listing of a betting agency, rather than being included in the retail premises group.

Council has prepared a revised CDZ2 with track changes to demonstrate the changes that are considered necessary to ensure appropriate outcomes.

### Comprehensive Development Plan

The exhibited CDP is considered unsatisfactory, as it fails to provide an appropriate level of detail. Given it will be incorporated into the Knox Planning Scheme under Clause 81 and given that a DPO (and therefore master planning) is not proposed for the site, the next stage would be a subdivision planning permit process. While understanding the need for flexibility in the future design and layout of the residential subdivision, the plan in its current form does not reflect a satisfactory comprehensive masterplanned approach, and will not achieve the good design and development outcomes that is expected for a development of this scale.

The CDP in its current form also exposes Council to a higher level of risk, as there would be minimal requirements for any site developer to comply with. To minimise this risk, Council would typically recommend that the plan address:

#### *Traffic and movement*

- Provision for future vehicular and other connections from the site to the west, including nomination of east-west access roads connecting from Parkhurst Drive to Scoresby Road. Nomination of external road links as “possible future access” does not adequately protect these critical future road connections;
- The **signalisation** of the access at Applegum Crescent and Scoresby Road;
- A left in/ left out intersection on Burwood Highway;
- An access point at Applegum Crescent and Burwood Highway;

#### *Proposed land uses*

- The proposed minimum lot yield and dwelling density for the site, which should be generally in accordance with the density areas shown on Council’s endorsed masterplan;
- The proposed indicative commercial floor space to be provided;

#### *Design*

- Urban design principles of active residential frontages to open space and public pedestrian/cycling access through the site;
- Details of any sensitive residential and industrial interfaces and the principles for how these will be managed, particularly in relation to the existing industrial area along Parkhurst Drive and at the rear of the proposed wetland area;

#### *Open space*

- Open space areas to reflect those shown on Council’s masterplan, including the ‘local park’ located in the southern portion of the site;
- Areas to be provided to meet the requirements of the Knox Planning Scheme (Clause 56 – Residential Subdivision and Clause 52.01 Public Open Space Contribution and Subdivision); and;

#### *Blind Creek Masterplan*

- The plan should incorporate the Masterplan which is currently being prepared by Melbourne Water.

Council officers have discussed the above issues with the exhibited CDZ/CDP documents with the proponent. In light of these discussions, Council has prepared a revised CDP incorporating the above elements and additional design principles which are considered to be the base level of information that must be shown on a CDP incorporated into the planning scheme.

A revised CDP is also included as an attachment to this submission. The proponent has reviewed this revised CDP, and has identified that it supports the inclusion of the following components:

#### *Design principles*

- Active frontages along Burwood Hwy and Scoresby Road;
- Landmark built form on the corner of Burwood Hwy and Scoresby Road, with materials, finishes and roof form appropriate for the surrounding context;

- Signalised vehicular access point at the intersection of Scoresby Road and Applegum Crescent, subject to VicRoads requirements;
- Collector roads in the site to be a minimum of 20m in width;
- Access laneways in the site to be a minimum of 7m in width;
- pedestrian paths will be required throughout the site and that cycling/ shared paths will be considered in collector roads;
- Pedestrian/ cycling/ shared paths to integrate with the surrounding path network, including the Dandenong Creek Trail;
- Active residential frontages to open space reserves;
- Road layout design to accommodate *potential* future road linkages to the west;
- Blind Creek to be activated;
- Integrated storm water management and WSUD in the Waterway/Drainage/Retardation/ Public Open Space area (WDRP);

### *Plan notations*

- Mixed Use Area – including permitted and permissible uses as typical Mixed Use Zone;
- Landmark built form on corner;
- Active frontages;
- Boundaries subject to planning permit processes and approval;
- Key vehicular Access/ Egress Point - location along Burwood Hwy subject to VicRoads requirements; and;
- Changing Future Access/ Egress Point' back to Potential Future Access/ Egress Point.

Conversely to this, the proponent and Council have not been able to agree completely of the inclusion of the following components in the revised CDP:

### *Design Principles*

- An access/ egress point along Burwood Hwy, generally west of the Mixed Use Precinct, subject to VicRoads requirements (*Council has moved the indicative location further to the east, within the MUZ precinct on land included in the subject site*);
- Demonstrated sensitive interface with the existing industrial area to the west (*Council's preference is for interface treatments and does not agree to modify this requirement until acoustic and air quality reports are reviewed*);
- Local roads in the site to be a minimum of 15m in width including along park frontages, rather than 13.5m as suggested, (*Council requires the inclusion of trees within the road reserve*);
- Development, including building heights and setbacks, to be generally in accordance with the Knox Central Structure Plan, 2017;

### *Plan Notations*

- *Sensitive interface with appropriate buffers;*
- *Appropriate interface to existing residential area; and;*
- *Future Access/ Egress Point*

## **Proposed Overlay Changes – LSIO & ESO2**

As noted earlier, Council's primary submission is that a DPO should be applied to the site. This will allow for an appropriate and comprehensive master planning process to take place, commensurate with the strategic importance of the site.

Council is generally supportive of the proposed realigned ESO2 and LSIO to reflect the location of the new wetlands area however, it is considered premature to revise the ESO2 and LSIO mapping until a detailed design for the wetland area has been undertaken. Melbourne Water as the floodplain manager, will need to review the detailed design and confirm the actual boundary of the LSIO.

Sensitive biodiversity exists on the site and must be retained, protected, and enhanced. Ultimately, it is important that the existing biodiversity be retained, and that the biodiversity overlay controls need to ensure the preservation and enhancement of the biodiversity values of the site.

To ensure biodiversity is improved, a number of significant features must be addressed in the future development of the site. These include the location of the sedimentation laydown area, the existing lake area, the location of dead trees and the design of the habitat wetland.

The proposed realignment of the Environmental Significance Overlay Schedule 2 (ESO2) must also reflect the overlay's purpose and the *Sites of Biological Significance in Knox - 2nd Edition (2010)* report. Council recommends that the existing LSIO and ESO2 control should remain on the existing waterbody on the site, until such time as the new wetland areas have been established, and the existing biodiversity values of the waterbody have been transitioned into the new area, and the existing dam has been decommissioned.

### Potentially Contaminated Land

Given the historical use of the site, including as a testing area for pesticides, and other horticultural testing, the potential contamination levels that may exist on the site is of concern to Council.

While it is noted that the Environmental Site Assessment prepared by Parsons Brinckerhoff did not identify any contaminants of potential concern to trigger an environmental audit, nor any contamination that would suggest that the site would be unsuitable for residential development (or other sensitive uses), Council remains concerned with the future development of the site.

In the absence of an Environmental Audit or Statement (and given that Council will be the responsible authority for the development of the site), it is strongly recommended that an Environmental Audit Overlay be placed on the site in accordance with the requirements of *Ministerial Direction No.1 - Potentially Contaminated Land and Planning Practice Note 30- Potentially Contaminated Land*, along with any other requirements of the Environment Protection Authority.

### Insufficient Information

In order to provide an appropriate response to this Advisory Committee and inform the appropriate planning controls, Council considers that the following information needs to be provided. A DPO would typically allow Council to require this information as part of a master planning process. Given that a DPO is not proposed for this site, Council is concerned that it has not reviewed a sufficient amount of information to understand the context properly, and to ensure that the ultimate subdivision design is the best for this site.

### Aboriginal Cultural Heritage

Part of the site is located in an area of Aboriginal Cultural Heritage Sensitivity and from the information provided as part of the rezoning proposal, it appears that an Aboriginal Cultural Heritage Assessment has not been undertaken.

Council in its role as the responsible authority for the site will require that an assessment be undertaken, or will require evidence that the relevant requirements have been complied with.



## Drainage Design

Council is concerned that additional drainage design detail needs to be provided at this stage, given the sensitivity of the areas of biodiversity on the site. Whilst such detail is not normally required at this stage, in the absence of a DPO, and due to the sensitive circumstances at the rear of this site, Council will require this information to fully respond to the proposal.

A review of the reports accompanying the rezoning application, indicate that the following matters still need to be addressed:

### *Drainage System*

- The proposed minor drainage system caters for the 20% AEP (5yr ARI) event – Council requires the minor drainage system to cater for the 10% AEP (10yr ARI) event within all new developments;

### *Treatment Wetland*

- It is noted within the report that the “treatment wetland” and the “habitat wetland” is to act as one large wetland area with a uniform natural water level with the treatment wetland providing treated stormwater to the habitat wetland. Council supports this proposal and notes the importance of treating the stormwater before it reaches the habitat zone through the proposed balance pipe and bund wall set up;
- The proposed location for a sedimentation laydown area along the northern edge of the existing waterbody appears to be within (or directly adjacent to) a region which has been identified as high value with respect to existing vegetation. Considering the report notes a commitment to minimising disturbance and impact within this region, the use of dewater sediments during maintenance activities is contrary to this commitment;

### *General Water Sensitive Urban Design (WSUD)*

- Council agrees and fully supports the concept that stormwater detention and water quality assets must also have a positive social impact on the region. Assets like pedestrian path links and viewing platforms which provide access (at considered locations) into these regions are encouraged; and;

### *MUSIC Modelling*

- The applicant will need to rerun the model using Council’s 5 year, 6 minute rainfall template and confirm the system still meets best practice.

## Habitat Wetland

The existing lake has been identified as being highly valuable from a flora and fauna perspective. As the proposed habitat wetland exists exclusively to offset the loss of the existing lake, Council requires a considered and highly detailed design now, rather than later at the detailed design phase. This is to ensure the proposed outcome provides at a minimum like-for-like habitat outcomes.

Council supports the proposal to relocate dead trees into the habitat wetland, which must be enhanced to include a variety of dead trees, stumps and rocky outcrops within the habitat area as well as the treatment wetland.

The habitat wetland needs to be carefully and sensitively designed in order to provide of quality, variable habitat. A number of elements need to be considered including (but not limited to):

- Varying waterbody depth including shallow marsh and deep pool zones;
- The overall shape, governed by top of bank needs to be more organic, particularly along the linear western boundary as this helps to provide variation in flow regimes, velocities and general movement of water through the asset;
- Provision of rocky outcrops consisting of smaller and larger rocks, partially and fully submerged;
- Provision of woody refuge - dead trees and large stumps (with major root system included) to be partially submerged or within the ephemeral zone;

- An understanding of how the habitat region responds to and copes with a varying water level, which should be related back to the inundation frequency analysis; and
- Council is in agreement that shallow water within the habitat wetland would run the risk of vegetation cover choking the asset however, this should not exclude shallow regions all together. Shallow vegetated benches should certainly be included (as they add to the variety of habitat types) but should be designed to be isolated or limited to discrete zones within the waterbody to ensure they don't 'take over' the waterbody.

While the above information appears detailed, in the absence of a DPO and the associated master planning, Council needs to raise and address these issues at this stage of the process.

## Social Housing

The site is identified as a *Strategic Investigation Site* in the *Knox Housing Strategy*, which also aims to increase the supply of social and affordable housing in Knox. The *Knox Affordable Housing Action Plan* and the Knox Planning Scheme seek to increase the supply of social and affordable housing, particularly on strategic sites and large development sites. This is also supported by Plan Melbourne 2017-2050, policy 2.3.3.

In accordance with the *Knox Affordable Housing Action Plan*, Council is seeking a minimum social housing allocation of 5% of the overall number of dwellings on the site, to be provided as part of any future residential subdivision.

Council has facilitated a social housing allocation on the Mirvac, Stamford Park and Kingston Links strategic sites as part of their subdivision approvals for residential purposes. Additionally, the former Boronia Heights school site has been identified as one of the inclusionary housing sites in the State Government's Home for Victorians policy.

There is a well recognised and critical shortage of social and affordable housing in Knox, and this site provides a unique opportunity to facilitate an increased supply of social and affordable housing in the heart of a major activity centre, with access to jobs, services and public transport, in accordance with both State and local housing policy.

Council requires some form of commitment to be identified in the proposed planning scheme controls that details the amount of social and/ or affordable housing that will be accommodated on the site.

## Conclusion

The redevelopment of the former horticultural research and flora quarantine facility for the Department of Environment, Land, Water and Planning at 609-621 Burwood Highway, Knoxfield, has been strategically supported by the City of Knox since 2005.

The proposed amendment provides an opportunity to provide a high quality residential and mixed-use development, however Council has identified a number of concerns that need to be addressed through this advisory committee process, including the proposed zone, incorporated plan, contaminated land, protection of biodiversity, drainage design and provision of social housing.

It is reiterated that Council's primary submission is that a GRZ and MUZ should be applied to the site, together with a DPO to ensure that appropriate master planning is undertaken prior to the subdivision planning permit process. This is considered the most appropriate suite of planning controls to adequately and most effectively respond to the strategic context of this site and ensure appropriate planning and design outcomes.

However should this not be the Advisory Committee's position, and in lieu of what has been exhibited as part of this process, Council has made recommended changes to the CDZ2 and CDP to reflect its preferred outcomes utilising the

exhibited suite of planning controls for the site. These recommended changes have been included as appendices to this submission.

Council looks forward to further discussing these issues at the Advisory Committee meeting and achieving an appropriate development outcome for this site, commensurate with the strategic importance of this redevelopment site in the City of Knox.

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## SCHEDULE 2 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ1**

### Crown Allotment 2258 Burwood Highway and Scoresby Road Knoxfield

#### Land

The land has an area of approximately 19.21 hectares and is located abutting the northwest corner of Burwood Highway and Scoresby Road.

#### Purpose

- ~~▪ To provide for the land to be used and developed for residential, retail, commercial, natural systems, open space and associated uses.~~
- ~~▪ To ensure that the combination of uses, their density, and the scale and character of any development do not prejudice the amenity of surrounding areas.~~
- ~~▪ To ensure that development occurs in an orderly and staged manner.~~
- ~~▪ To provide for the enhancement of the flora and fauna habitats on the land.~~
- ~~▪ To ensure that development does not adversely affect the floodplain, the waterway conditions, water quality or stream ecosystem of Blind Creek.~~
- To ensure that development occurs in an orderly and staged manner, with new built form that can accommodate a significantly higher intensity of activity commensurate with the role of Knox Central.
- To achieve a continuous boulevard streetscape along Burwood Highway that is planted with canopy trees and formal landscaping and provides an intense and prominent urban form to reflect the role and context of Knox Central.
- To ensure that the interface between new development and the Blind Creek corridor contributes to the activity, safety and amenity of the natural environment and open space corridor and is integrated with development and does not adversely affect the floodplain, the waterway conditions, water quality or stream ecosystem of Blind Creek.
- To provide for the land to be used and developed for residential, retail, commercial, natural systems, open space and associated uses, which through their use, density, and the scale and character of any development do not prejudice the amenity of surrounding areas.
- To provide for the enhancement of the flora and fauna habitats on the land, including landscaping that complements the vegetation character of Knox and complements key features unique to Knox Central, such as Blind Creek and Lewis Park.

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#### Table of uses

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#### Section 1 - Permit not required

Use	Condition
<b>Agriculture (other than Animal husbandry)</b>	
<b>Apiculture</b>	Must meet the requirements of the Apiary Code of Practice, May 1997
<b>Art and craft centre</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.

<b>Bed and Breakfast</b>	No more than 6 persons may be accommodated away from their normal place of residence.  At least two car parking spaces must be provided
<b>Betting agency</b>	<del>Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.</del>
<b>Carnival</b>	Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot.
<b>Display home</b>	
<b>Use</b>	<b>Condition</b>
<b>Dwelling (other than bed and breakfast)</b>	
<b>Education centre</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Earth and energy resources industry</b>	Must meet the requirements of clause 52.08 -2.
<b>Food and drink premises (other than Hotel and Tavern)</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Home occupation</b>	
<b>Indoor recreation facility</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Informal outdoor recreation</b>	
<b>Medical centre</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Minor utility installation</b>	
<b>Natural systems</b>	
<b>Office</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Place of assembly (other than Carnival, Nightclub and Place of Worship)</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Place of Worship</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.

<b>Postal Agency</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Residential hotel</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Retail premises (other than Department store and Supermarket)</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Road</b>	
<b>Store</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan.
<b>Telecommunication facility</b>	Buildings and works must meet the requirements of Clause 52.19.

<b>Use</b>	<b>Condition</b>
<b>Trade supplies</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan
<b>Veterinary centre</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan
<b>Any other use not in Section 1 or 3</b>	

**Section 2 - Permit required**

<b>Use</b>	<b>Condition</b>
<b>Accommodation (other than Dependent person's unit, Dwelling and Corrective institution)</b>	
<b>Agriculture (other than Animal boarding, Animal keeping, Animal training, Apiculture, Horse stables and Intensive animal husbandry)</b>	
<b>Animal keeping (other than Animal boarding)</b>	Must be no more than four animals.
<b>Child care centre</b>	
<b>Hotel</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan
<b>Industry (other than Abattoir, Materials recycling, Refuse disposal, Sawmill and Transfer station)</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan
<b>Nightclub</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan

<b>Service station</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan
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<b>Tavern</b>	Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan
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**Utility installation (other than Minor utility installation)**

<del>Warehouse (other than Store)</del>	<del>Must be located in the mixed use area shown on the Crown Allotment 2258 Comprehensive Development Plan</del>
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**Any other use not in Section 1 or 3**

**Section 3 - Prohibited**

Use
Animal boarding
Animal training
Brothel
Car wash (except as in Section 1)
Cinema based entertainment facility
Circus
Corrective institution
Crematorium
Extractive industry
Horse stables
Industry (other than Research and development centre and Service industry)
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Office (except as in Section 1)
Place of Worship (except as in Section 1)
Postal agency (except as in Section 1)
Retail premises (except as in Section 1)
Saleyard
Transport terminal
Veterinary centre - if the Section 1 condition is not met
<a href="#">Warehouse</a>

**2.0**

**Use of land**

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**General Requirements**

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

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

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

### **Comprehensive Development Plan**

The use of land must be generally in accordance with the Crown Allotment 2258 Burwood Highway and Scoresby Road Knoxfield Comprehensive Development Plan incorporated pursuant to Clause 81 of the Knox Planning Scheme.

### **Exemption from notice and appeal**

An application to use land 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 if it is generally in accordance with the Crown Allotment 2258 Burwood Highway and Scoresby Road Knoxfield Comprehensive Development Plan.

### **Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect that existing uses may have on the proposed use.
- The drainage of the land, water quality, waterway and floodplain management.
- The availability of and connection to services.
- The effect of traffic to be generated on roads and orderly management of vehicular and pedestrian traffic.
- The protection and enhancement of the environmental qualities of Blind Creek.
- The preservation of the amenity of nearby residents.
- The interim use of those parts of the land not required for the proposed use.

## **3.0**

### **Subdivision**

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### **Exemption from notice and appeal**

An application to subdivide land 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.

### **Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The interface with adjacent zones, especially the relationship with residential areas.
- Any natural or cultural values on or near the land.

## **4.0**

### **Specific Provision – Dwellings**

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A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Knox Planning Scheme.



## 5.0 Buildings and works

### General requirements

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- The staging of buildings and works must be to the satisfaction of the responsible authority.
- Any buildings and works should not exceed 12m in the area marked GRZ shown on the Crown Allotment 2258 Comprehensive Development Plan, and 24m on the area marked MU shown on the Crown Allotment 2258 Comprehensive Development Plan.
- Any buildings and works must be set back 12m from the Burwood Highway and 8m from Scoresby Road.
- A building on a corner site must actively address both frontages at street level
- Buildings should articulate form and façades through the use of different colours, materials, and the composition of rebates, openings and setbacks.
- Residential entries must be distinguished from retail and commercial entries.
- Buildings should avoid large, unbroken expanses of walls to the public realm or oblique side views.
- The street wall height for all buildings to the Burwood Highway must be a maximum of 24m (6 storeys) for the feature form location and 16m (4 storeys) for all other locations.
- The upper level setback (above street wall podium) for all buildings abutting the Burwood Highway Corridor must be a minimum of 6m.
- Development must have an active frontage to Burwood Highway.
- ~~Any fencing within a setback to Burwood Highway must be substantially transparent and constructed of high quality materials.~~
- At-grade car parking must not be visible from Burwood Highway.
- Setbacks to Burwood Highway must be:
  - planted with canopy trees at a minimum density of one canopy tree for each 5 metres of the Burwood Highway boundary (excluding the width of driveways). Each tree must be surrounded by 20 square metres of permeable surface with a minimum radius of 3 metres. Up to 50 per cent of the permeable surface may be shared with another tree.
  - Formally landscaped at the understorey level to support active building frontages and maximise passive surveillance.

### Environmental Management Plan

Prior to the granting of a permit for subdivision into lots to be used for dwellings and which do not require further subdivision for that purpose, an Environmental Management Plan addressing the construction activities proposed on the land must be prepared to the satisfaction of the responsible authority.

The Environmental Management Plan must include:

- Soil erosion and sediment control provisions to protect existing local stormwater infrastructure and Blind Creek from erosion product and sediment transport by minimising erosion of lands during work.
- Hydraulics and hydrology provisions to protect and improve the floodplain, manage water quality and quantity, and protect the habitat value of Blink Creek (measures used should include the installation of a perimeter fence to protect the waterway prior to the commencement of works).
- Protection measures to ensure that disturbance to native flora and fauna habitat is avoided in the first instance, minimised where avoidance is not possible with appropriate contingencies incorporated to prevent the potential for the introduction of exotic flora and fauna species is abated.

- [Arrangements for handover to the public land manager of the ownership and management of stormwater infrastructure subsequent to the maintenance period.](#)

~~Before the to the commencement of any building or works, a site construction and operation environmental management plan (the Environmental Management Plan) must be prepared to the requirements of Melbourne Water and to the satisfaction of the responsible authority. The Environmental Management Plan must be prepared in or after consultation with Melbourne Water.~~

~~The Environmental Management Plan may be amended at the request of or with the consent of the owner of the land. Any amendment must be to the satisfaction of the responsible authority and Melbourne Water.~~

### **Application requirements**

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape plan.

### **Exemption from notice and appeal**

An application to construct a building or construct or carry out works 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 if it is generally in accordance with the Crown Allotment 2258 Burwood Highway and Scoresby Road Knoxfield Comprehensive Development Plan.

### **Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Any Environmental Management Plan prepared in accordance with this schedule.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with nearby areas.

- Parking and site access.
- Lighting.
- Stormwater discharge.
- The preservation of the amenity of nearby residents.
- The protection and enhancement of the environmental qualities of Blind Creek including the protection of the water quality of these waterways.
- The orderly management of vehicular and pedestrian traffic.
- The visual impact of the building or works upon the area.
- The management of the floodplain and catchment.
- The relevant policy, objectives and strategies of Clause 21.10-2 'Knox Central Activity Centre'.
- Whether development contributes to a continuous and consistent built form outcome on Burwood Highway, through the use of building setbacks and street wall heights that are consistent with this schedule.
- Whether development demonstrates a high level of architectural quality and makes a positive contribution to the public realm.
- Whether development contributes to the pedestrian amenity of Burwood Highway.
- Whether development is designed and sited to maximise retention of canopy trees, where possible.
- Whether landscaping within front setbacks in the Burwood Highway Corridor:
  - Contributes to a consistent boulevard landscape theme; and
  - Supports active frontages and pedestrian amenity.
- Whether any building that exceeds the required height limit:
  - Demonstrates that the design is of an exceptional quality and would exceed the high design quality expected within the centre; and
  - Does not create any additional impacts on the amenity of residential as a result of additional height.

## 6.0 Advertising signs

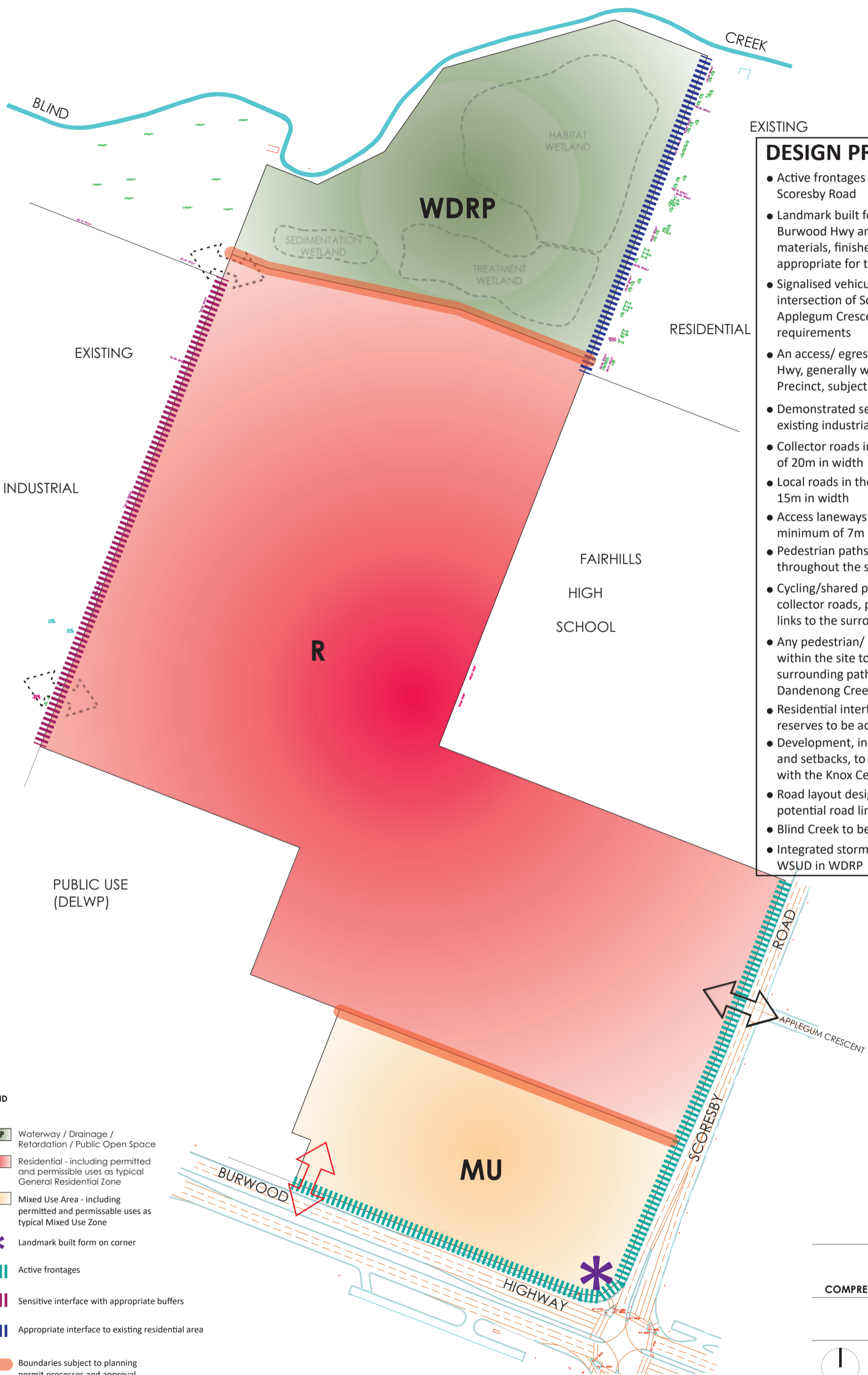
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Advertising sign requirements are at Clause 52.05.

All land located within the residential area shown on the Crown Allotment 2258 Burwood Highway and Scoresby Road Knoxfield Comprehensive Development Plan is in Category 3.

All land located within the mixed use area shown on the Crown Allotment 2258 Burwood Highway and Scoresby Road Knoxfield Comprehensive Development Plan is in Category 1.

All land located within the drainage / watercourse / wetlands area shown on the Crown Allotment 2258 Burwood Highway and Scoresby Road Knoxfield Comprehensive Development Plan is in Category 4.



EXISTING

### DESIGN PRINCIPLES

- Active frontages along Burwood Hwy and Scoresby Road
- Landmark built form on the corner of Burwood Hwy and Scoresby Road, with materials, finishes and roof form appropriate for the surrounding context
- Signalised vehicular access point at the intersection of Scoresby Road and Applegum Crescent, subject to VicRoads requirements
- An access/ egress point along Burwood Hwy, generally west of the Mixed Use Precinct, subject to VicRoads requirements
- Demonstrated sensitive interface with the existing industrial area to the west
- Collector roads in the site to be a minimum of 20m in width
- Local roads in the site to be a minimum of 15m in width
- Access laneways in the site to be a minimum of 7m in width
- Pedestrian paths to be provided throughout the site
- Cycling/shared paths are encouraged on collector roads, particularly where direct links to the surrounding path network exist
- Any pedestrian/ cycling/ shared paths within the site to integrate with the surrounding path network, including the Dandenong Creek Trail
- Residential interfaces with open space reserves to be activated
- Development, including building heights and setbacks, to be generally in accordance with the Knox Central Structure Plan, 2017
- Road layout design to accommodate future potential road linkages to the west
- Blind Creek to be activated
- Integrated stormwater management and WSUD in WDRP

#### LEGEND

- WDRP** Waterway / Drainage / Retardation / Public Open Space
- R** Residential - including permitted and permissible uses as typical General Residential Zone
- MU** Mixed Use Area - including permitted and permissible uses as typical Mixed Use Zone
- \*** Landmark built form on corner
- ||||** Active frontages
- ||||** Sensitive interface with appropriate buffers
- ||||** Appropriate interface to existing residential area
- Boundaries subject to planning permit processes and approval
- ↔** Key vehicular Access/ Egress Point - location along Burwood Hwy subject to VicRoads requirements
- ↔** Key Vehicular Access / Egress Point
- ⋯** Possible Future Access / Egress Point

**CROWN ALLOTMENT 2258  
BURWOOD HIGHWAY AND  
SCORESBY ROAD KNOXFIELD  
COMPREHENSIVE DEVELOPMENT PLAN**

Drawing Number  
**W16-8340-00201-0025C**

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