



KNOX CITY COUNCIL

AGENDA

Ordinary Meeting of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Tuesday 22 March 2016

KNOX CITY COUNCIL

**AGENDA FOR THE ORDINARY MEETING OF COUNCIL TO BE HELD AT THE
CIVIC CENTRE, 511 BURWOOD HIGHWAY, WANTIRNA SOUTH**

**ON
TUESDAY 22 MARCH 2016 AT 7.00 P.M.**

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JOANNE TRUMAN
ACTING CHIEF EXECUTIVE OFFICER

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5.1 Committees & Delegates

5.2 Ward Issues

ALL WARDS**6.1 REPORT OF PLANNING APPLICATIONS DECIDED UNDER DELEGATION**

SUMMARY: *Manager – City Planning (Paul Dickie)*

Details of planning applications considered under delegation are referred for information. It is recommended that the items be noted.

RECOMMENDATION

That the planning applications decided under delegation report (between 1 February to 29 February 2016) be noted.

REPORT

Details of planning applications decided under delegation from 1 February to 29 February 2016 are attached. The applications are summarised as follows:

Application Type	No
Building & Works: Residential	13
Other	2
Tree Removal/Pruning	14
Units	13
Subdivision	9
Signage	2
Change of Use	1
Office	1
TOTAL	55

Report Prepared By: *Manager – City Planning & Building (Paul Dickie)*

Report Authorised By: *Director – City Development (Angelo Kourambas)*

Knox City Council
Planning Applications Decided by Responsible Officer

1 February – 29 February 2016

Ward	No/Type	Address	Description	Decision
Baird	2015/6941	1 Woodvale Road BORONIA VIC 3155	6 Lot Subdivision (Approved Unit Development)	1/02/2016 Approved
Baird	2015/6618	2 Farnham Road BAYSWATER VIC 3153	The construction of four (4) double storey dwellings	10/02/2016 Refused
Baird	2015/6327	1 Tulip Crescent BORONIA VIC 3155	The construction of two (2) three storey dwellings and four (4) double storey dwellings (total six (6) dwellings)	15/02/2016 Notice of Decision
Baird	2015/6956	17 Genista Avenue BORONIA VIC 3155	7 Lot Subdivision (Approved Unit Development)	19/02/2016 Approved
Chandler	2015/6861	Old Joes Creek Retarding Basin 112 Army Road BORONIA VIC 3155	The removal of eight (8) Eucalyptus kitsoniana (Bog Gum), six (6) Melaleuca stypheleoides (Prickly Paperbark), ten (10) Melaleuca linariifolia (Snow in Summer), one (1) Eucalyptus cypellocarpa (Mountain Grey Gum) and two (2) Eucalyptus ovata (Swamp Gum)	5/02/2016 Approved
Chandler	2016/6061	11 Blythe Avenue BORONIA VIC 3155	Removal of two trees (Eucalyptus obliqua)	10/02/2016 Approved
Chandler	2016/9005	28 Beresford Drive BORONIA VIC 3155	Front fence	9/02/2016 Approved
Chandler	2016/9007	10 Milleara Street THE BASIN VIC 3154	Removal on 1 Eucalyptus obliqua	17/02/2016 Approved
Chandler	2016/6074	6 Pascoe Road BORONIA VIC 3155	Remove 1 tree and prune 2 trees	15/02/2016 Approved
Chandler	2015/6523	180 Albert Avenue BORONIA VIC 3155	The construction of two (2) double storey dwellings, the construction of an outbuilding (garage) and associated vegetation removal	15/02/2016 Approved
Chandler	2015/6950	10-12 Inverness Avenue THE BASIN VIC 3154	Buildings and works (construction of a Dependant Persons Unit)	16/02/2016 Approved
Chandler	2016/6063	23 Army Road BORONIA VIC 3155	Removal of two (2) trees and the pruning of one (1) tree.	15/02/2016 Approved

Ward	No/Type	Address	Description	Decision
Chandler	2016/6022	50 Elsie Street BORONIA VIC 3155	Buildings and works (construction of a garage)	18/02/2016 Approved
Chandler	2015/6846	1411 Mountain Highway THE BASIN VIC 3154	The development of the land for a two storey dwelling and associated outbuilding, removal of vegetation, and alteration and access to a Road Zone Category 1	10/02/2016 Approved
Chandler	2016/6076	14 Hillside Avenue BORONIA VIC 3155	Removal of four Eucalyptus trees	17/02/2016 Approved
Chandler	2016/9008	17 Mount View Road BORONIA VIC 3155	Front fence	19/02/2016 Approved
Chandler	2015/6190	141 Basin-Olinda Road THE BASIN VIC 3154	The construction of a shed, associated vegetation removal and alterations to the access of a Category 1 Road.	29/02/2016 Refused
Chandler	2016/6015	2A Bambury Street BORONIA VIC 3155	Buildings and works (construction of a verandah)	26/02/2016 Approved
Chandler	2015/6548	49 Olive Grove BORONIA VIC 3155	Development of property for additional dwelling at the rear of existing	29/02/2016 Notice of Decision
Collier	2015/6746	2 Belot Close BAYSWATER VIC 3153	The construction of a double storey dwelling to the rear of the existing dwelling	9/02/2016 Refused
Collier	2016/6055	15 Botany Court WANTIRNA VIC 3152	Buildings and works (construction of a carport)	24/02/2016 Approved
Collier	2015/6518	10 Larne Avenue BAYSWATER VIC 3153	The construction of a second dwelling to the rear of the existing dwelling	25/02/2016 Notice of Decision
Dinsdale	2015/6946	121 Stud Road BAYSWATER VIC 3153	2 Lot Subdivision (Approved Unit Development)	4/02/2016 Approved
Dinsdale	2015/6225	1 View Road BAYSWATER VIC 3153	The construction of a three (3) storey apartment building (16 dwellings) and a reduction in the visitor car parking space requirements	15/02/2016 Notice of Decision
Dinsdale	2015/6970	8 Moonah Road WANTIRNA SOUTH VIC 3152	2 Lot Subdivision (Approved Unit Development)	18/02/2016 Approved
Dinsdale	2015/6711	Knox City SC 425 Burwood Highway WANTIRNA SOUTH VIC 3152	Buildings and works associated with existing loading dock	23/02/2016 Approved

Ward	No/Type	Address	Description	Decision
Dinsdale	2016/6009	78 Gertonia Avenue BORONIA VIC 3155	4 lot subdivision (approved unit development)	26/02/2016 Approved
Dinsdale	2016/9010	5 Russell Crescent BORONIA VIC 3155	2 Lot Subdivision	24/02/2016 Approved
Dinsdale	2015/6900	1 Leonard Street BAYSWATER VIC 3153	The construction of a double storey dwelling to the rear of the existing dwelling	22/02/2016 Approved
Dobson	2016/6037	14 Warrabel Road FERNTREE GULLY VIC 3156	Removal of two trees in the front setback. One Cedrus deodara and one Araucaria heterophylla	8/02/2016 Approved
Dobson	2015/6924	16 Olivebank Road FERNTREE GULLY VIC 3156	Construction of a dependent persons unit	10/02/2016 Approved
Dobson	2015/6865	40 Sherwood Way LYSTERFIELD VIC 3156	Buildings and works (the construction of a single dwelling) and vegetation removal	15/02/2016 Approved
Dobson	2016/6108	40 Heritage Way LYSTERFIELD VIC 3156	The removal of eleven XCupressocyparis leylandii trees	22/02/2016 Approved
Dobson	2016/6097	2A Stockton Avenue FERNTREE GULLY VIC 3156	Removal of four trees and pruning of one tree	25/02/2016 Approved
Dobson	2015/6918	2 Elizabeth Street FERNTREE GULLY VIC 3156	Dwelling addition	26/02/2016 Approved
Dobson	2015/6954	10 Palmerston Road LYSTERFIELD VIC 3156	2 Lot Subdivision	18/02/2016 Approved
Dobson	2015/6967	1-2/1288 Burwood Highway UPPER FERNTREE GULLY VIC 3156	Removal of 7 Trees	23/02/2016 Notice of Decision
Dobson	2016/6050	2 Mountain Ash Court UPPER FERNTREE GULLY VIC 3156	Buildings and works to construct a verandah	19/02/2016 Approved
Friberg	2015/6951	88 Windermere Drive FERNTREE GULLY VIC 3156	2 Lot Subdivision (Approved Unit Development)	12/02/2016 Approved
Friberg	2015/6959	19 Ophelia Street FERNTREE GULLY VIC 3156	2 Lot Subdivision (Approved Unit Development)	16/02/2016 Approved
Friberg	2015/6653	1 Conn Street FERNTREE GULLY VIC 3156	The construction of four (4) double storey dwellings	19/02/2016 Approved
Friberg	2015/6621	25 Norma Crescent South KNOXFIELD VIC 3180	Single Storey Dwelling to rear of existing	29/02/2016 Notice of Decision

Ward	No/Type	Address	Description	Decision
Friberg	2016/9009	1/73 King Parade KNOXFIELD VIC 3180	Removal of one Eucalyptus botryoides (Southern Mahogany Gum tree)	22/02/2016 Approved
Friberg	2015/6740	36 Laura Road KNOXFIELD VIC 3180	The construction of two (2) double storey dwellings	29/02/2016 Notice of Decision
Friberg	2016/9006	6 Wyola Court ROWVILLE VIC 3178	Garage in SBO area	22/02/2016 Approved
Scott	2015/6044	257 George Street WANTIRNA SOUTH VIC 3152	The construction of a shed on the land	4/02/201 Notice of Decision
Taylor	2016/6057	79 Major Crescent LYSTERFIELD VIC 3156	Removal of two trees; one Eucalyptus pseudoglobulus and one Hesperocyparis macrocarpa	8/02/2016 Approved
Taylor	2015/6395	5 Tarwin Court ROWVILLE VIC 3178	The construction of one (1) double storey dwelling and two (2) single storey dwellings	10/02/2016 Refused
Taylor	2015/6952	Sh 19/1100 Wellington Road ROWVILLE VIC 3178	Internally illuminated signage	10/02/2016 Approved
Taylor	2016/6045	11 Provence Rise LYSTERFIELD VIC 3156	Removal of two trees	23/02/2016 Refused
Taylor	2016/9011	8 Harry Nance Close LYSTERFIELD VIC 3156	Removal of 1 dead tree	29/02/2016 Approved
Tirhatuan	2015/6923	52 Liberty Avenue ROWVILLE VIC 3178	The display of externally illuminated home occupation signage	3/02/2016 Approved
Tirhatuan	2015/6858	30 Rocco Drive SCORESBY VIC 3179	Use of the land for an Office and a Restricted Place of Assembly, Reduction of Car parking and Waiver of Bicycle Parking Requirements	17/02/2016 Approved
Tirhatuan	2015/6556	92 Grayson Drive SCORESBY VIC 3179	The construction of three (3) double storey dwellings on the land	16/02/2016 Refused
Tirhatuan	2015/6965	1280 Ferntree Gully Road SCORESBY VIC 3179	The development of two multi-storey office buildings with associated basements and car parking; the development and use of a child care centre; and the development and use of an Indoor Recreation Facility (gym)	26/02/2016 Approved

Total: 55

DINSDALE, COLLIER AND SCOTT WARDS**6.2 AMENDMENT C148 - EXTENSION OF THE INTERIM CLAUSE 22.04
KNOX CENTRAL PRINCIPAL ACTIVITY CENTRE POLICY**

SUMMARY: *Senior Strategic Planner (Sarah Lane)*

Amendment C148 proposes to extend the expiry date of the Knox Central Principal Activity Centre local policy. There are no changes to the content of the policy proposed. The amendment is required because the policy provisions at Clause 22.04 will expire on 30 July 2016.

The local policy gives effect to key land use and development objectives contained within the Knox Central Urban Design Framework, which was adopted by Council in July 2005 for the Knox Central Activity Centre.

Amendment C148 seeks to extend the expiry date for 18 months from 30 July 2016 until 30 January 2018. Council has commenced preparation of the Knox Central Structure Plan and permanent planning controls for the Knox Central Activity Centre. It is considered that an extension to this policy of 18 months will allow sufficient time for the preparation and exhibition of the structure plan and permanent planning controls in the Knox Planning Scheme.

Due to the administrative nature of the proposed amendment it is recommended that Council requests that the Minister exempts Council from the full notification requirements of the Planning and Environment Act 1987.

RECOMMENDATION

That Council:

- 1. Seek authorisation from the Minister for Planning to prepare Amendment C148, as shown in Appendix A to this report.**
- 2. Request that the Minister for Planning exempt Council from notification requirements for C148 pursuant to Section 20(2) of the *Planning and Environment Act 1987*.**
- 3. If no objecting submissions are received from the relevant Ministers and Authorities, adopt Amendment C148 and submit the adopted Amendment to the Minister for Planning for approval.**

1. INTRODUCTION

*Clause 22.04 Knox Central Principal Activity Centre within the Knox Planning Scheme is a local policy which gives effect to key land use and development objectives contained within the *Knox Central Urban Design Framework*, which was adopted by Council in July 2005.*

6.2 Amendment C148 – Extension of the interim Clause 22.04 Knox Central Principal Activity Centre Policy (cont'd)

Clause 22.04 is an 'interim policy' which currently has an expiry date of 30 July 2016. Amendment C148 proposes to extend the expiry date of the policy for 18 months from 30 July 2016 until 30 January 2018.

2. DISCUSSION

Clause 22.04 has been an interim policy since 2008, with a number of extensions occurring over time:

- Amendment C68 (2008) approved the policy on an interim basis for a period of two years.
- Amendment C91 (2010) approved an extension to the expiry date to 30 June 2012.
- Amendment C113 (2012) approved an extension of one year to 30 June 2013.
- Amendment C128 (2013) approved an extension of three years to 30 July 2016.

On approval of Amendment C128 (10 July 2013) the State Government advised the following:

“The interim policy was first implemented in 2008 via Amendment C68. It is the department’s view that Council must promptly proceed with implementing permanent provisions for the centre. Should Council need to extend the interim policy again once it is close to expiry, Council must demonstrate that it is close to undertaking a full amendment process to apply permanent provisions.”

Development of permanent planning controls is currently underway. Importantly, new planning controls require a contemporary strategic basis, which will be in the form of the *Knox Central Structure Plan*, also currently under development. It is anticipated that both the draft *Knox Central Structure Plan* and proposed planning controls will be considered by Council for endorsement in second half of 2016. It is expected that formal exhibition of the draft structure plan and planning scheme amendment will occur by the end of 2016 (subject to endorsement by Council and authorisation from the Minister for Planning). In the event that there are lengthy delays in the process currently underway, there is a risk that a further extension to the policy will not be granted.

6.2 Amendment C148 – Extension of the interim Clause 22.04 Knox Central Principal Activity Centre Policy (cont'd)

3. CONSULTATION

Due to the minor nature of the amendment, community consultation is not considered necessary. It is therefore recommended that Council request that the Minister for Planning exempts Council from the usual notification requirements associated with Planning Scheme Amendments.

Within the requirements of the *Planning and Environment 1987*, Council will not be exempt from notifying the relevant Ministers and Authorities of the amendment. It is considered unlikely that any objecting submission will be received from Ministers and Authorities. It is therefore recommended that, in the event that no objecting submissions are received, this matter does not return to Council for adoption (see recommendation 3). Should objecting submissions be received, this amendment would be reported to Council for consideration prior to adoption.

The implementation of permanent planning controls for the Knox Central Activity Centre will be subject to a public exhibition process. The development of the permanent controls (and the draft *Knox Central Structure Plan*) involves ongoing consultation with the Knox Central Advisory Committee.

4. ENVIRONMENTAL/AMENITY ISSUES

The proposed amendment will not result in any environmental or amenity issues. It will however assist in ongoing orderly and effective planning for the Knox Central Activity Centre which provides environmental and amenity benefits to the community.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The cost of undertaking the amendment will be minor and accommodated within existing City Futures budgets.

6. SOCIAL IMPLICATIONS

The proposed amendment does not have any social implications. It will however assist in ongoing orderly and effective planning for the Knox Central Activity Centre.

6.2 Amendment C148 – Extension of the interim Clause 22.04 Knox Central Principal Activity Centre Policy (cont'd)

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The extension of Clause 22.04 will assist in achieving the Knox Vision across all City Plan objectives, but in particular will implement objectives from:

Theme 1: Healthy, Connected Communities;

Theme 2: Prosperous Advancing Economy

Theme 3: Vibrant and Sustainable Built and Natural Environments;

Theme 4: Culturally Rich & Active Communities

8. CONCLUSION

Amendment C148 proposes to extend the expiry date of Clause 22.04 for a further 18 months. This will allow sufficient time for Council to progress the *Knox Central Structure Plan* and its implementation through permanent planning controls.

The proposed extension is considered to be administrative in nature and will not have an impact on landowners or the community. Due to the minor nature of the change to the Planning Scheme, full notification of the amendment is not recommended.

9. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

Report Prepared By: Senior Strategic Planner (Sarah Lane)

Report Authorised By: Director – City Development (Angelo Kourambas)

APPENDIX A

22.04 KNOX CENTRAL PRINCIPAL ACTIVITY CENTRE18/07/2013
C128

This policy applies to all land in Knox Central, Wantirna South / Knoxfield as identified in Figure 1 that forms part of this policy.



Figure 1 showing the boundary of Knox Central Principal Activity Centre

22.04-1 Policy basis19/07/2012
C113

This policy:

- Applies the following SPPF objectives to local circumstances - Clause 11 (Settlement), Clause 15 (Built Environment and heritage), Clause 16 (Housing), Clause 17 (Economic development), Clause 18 (Transport) and Clause 19 (Infrastructure).
- Builds on the MSS objectives in Clause 21.04 (Urban Design), Clause 21.05 (Housing), Clause 21.06 (Environment), Clause 21.07 (Economic Development), and Clause 21.08 (Infrastructure).

Given the strategic importance of Knox Central and the considerable body of relatively underutilised and unimproved land, it is essential to map out a strategic urban design and activity vision for this principal activity centre that embraces local values, achieves *Melbourne 2030* initiatives and assists in achieving objectives of Clause 22.10 (Housing).

The purpose of this policy is to implement the *Knox Central Urban Design Framework*, (2005) as it applies to land use and development.

22.04-2 Objectives17/07/2008
C68

- To implement the land use and development vision for Knox Central based on the Knox Central Urban Design Framework.
- To achieve a high intensity of activity throughout the area that creates the critical mass needed to support the widest possible range of higher order commercial, community and other uses.
- To achieve high standards in landscape architecture and urban design that contribute positively to the urban environment.
- To improve access to and throughout the activity centre, and improve legibility for all forms of transport including pedestrians.

22.04-3 Policy18/07/2013
C128[Proposed](#)
[C148](#)

Where a permit is required for the use and/or development of land, it is policy to:

Land Use and Activity

- Encourage the intensification of the level of activity throughout the area and provide opportunities for people to live and work in, and close to, the Centre.
- Encourage the diversification of the mix of activities in the area, with a particular focus on achieving high density residential and employment uses on and adjacent to the Knox City Shopping Centre site.
- Support the civic and local government presence as a core element of the activity centre.
- Support the expansion of the retail and shopping role of the Knox City Shopping Centre, to retain its role as a pre-eminent regional shopping destination.
- Encourage the diversification of business and employment opportunities in existing industrial areas, consistent with the emergence of Knox as a major suburban business centre.
- Encourage development and land use that focuses activities towards Lewis Park and the Blind Creek Corridor, in order to create active and attractive interfaces.
- Support the development of under-utilised land such as the Horticultural Research Station site, as and when it becomes available, for a mix of compatible medium to high density institutional, employment, and residential uses.

Built Form

- Encourage built form that is integrated with the surrounding environment, particularly Lewis Park, Blind Creek, and the bush boulevards.
- Encourage built form that creates active pedestrian-friendly streets.
- Encourage built form that respects the character and amenity of existing residential areas where development occurs adjacent to residential areas.
- Support taller buildings within the activity centre, than those outside the activity centre.
- Support development that realises opportunities for landmark buildings where they define key corner sites, topographical high points, and gateways to and within the precinct.
- Facilitate the replacement of areas of ground level car parking and open decked car parks, with activity generating uses such as residential or commercial, while accommodating car parking requirements with underground parking and deck parking concealed by an active front to the street.

Transport and Movement

- Facilitate public transport access to the area.
- Improve accessibility throughout the area for pedestrians, cyclists, and public transport.
- Improve road access between precincts.

Landscape and the Environment

- Encourage a high quality landscaped setting for development that contributes to the existing character of the area, building on elements such as Lewis Park, the Blind Creek corridor, the bush boulevards, and the Dandenongs backdrop.
- Encourage the incorporation of Environmentally Sustainable Design principles in the development of the activity centre, especially in relation to storm water management and water reuse.
- Facilitate the establishment of a Civic Way as a major landscape and urban design feature, extending from the Rembrandts site, through the civic precinct and continuing through to Lewis Park.

Reference documents

Knox City Council (2005) Knox Central Urban Design Framework

Expiry

This policy expires on ~~30 July 2016~~30 January 2018.

ALL WARDS**6.3 ENVIRONMENT ADVISORY COMMITTEE ANNUAL REPORT**

SUMMARY: *Acting Coordinator - Sustainable Futures
(Sam Sampanthar)*

The Terms of Reference of the Knox Environment Advisory Committee require that an Annual Report be presented to Council. This report presents the Environment Advisory Committee Annual Report for 2015 for adoption. The report outlines the activities and discussion topics of the Environment Advisory Committee over the past 12 months. The Attachment also provides an overview of the input and contribution made by the Committee into Council strategies, plans and projects.

RECOMMENDATION

That Council receive and note the Environment Advisory Committee Annual Report 2015 attached as Appendix A.

1. INTRODUCTION

At its meeting on 17 February 2016, the Environment Advisory Committee was presented with the Annual Report 2015 and resolved to adopt the report as presented.

2. DISCUSSION

The Annual Report provides an overview of the Environment Advisory Committee's activities throughout 2015. In summary, the following topics were discussed in 2015:

- Waste Education and Engagement Plan ;
- General Provisions Local Law 2015;
- Knox Integrated City Strategy and Implementation Plan 2015-2017;
- Accelerating Energy Efficiency Upgrades in Council facilities;
- Eastern Alliance for Greenhouse Action;
- Tree Removal on Private Property;
- Slashing in roadside reserves;
- Biodiversity Projects Update;
- Street Tree Asset Management Plan;
- Bulk Removal of Street Trees;
- Tim Neville Arboretum Stormwater Harvesting Project Update;

6.3 Environment Advisory Committee Annual Report 2015 (cont'd)

- Bulk Replacement of Streetlights Update;
- Updates from Regional Committees; and
- Stamford Park Greenstar Communities Update.

Appendix A provides an overview of how the topics above align with the Knox Integrated City Strategy and Implementation Plan 2015-2017.

3. CONSULTATION

The Environment Advisory Committee's feedback and input has been incorporated into strategies and plans such as the Integrated City Strategy & Implementation Plan 2015-2017, the Waste Education Campaign, Street Tree Asset Management Plan and General Provision Local Law 2015.

The draft Annual Report 2015 was presented to the December 2015 Environment Advisory Committee meeting and feedback from the Committee was incorporated into the final report.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no specific environmental issues arising from this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no specific economic implications arising from this report.

6. SOCIAL IMPLICATIONS

There are no specific social implications arising from this report.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The work of the Environment Advisory Committee is closely linked to the following theme in the City Plan:

Theme: *Democratic and Engaged Communities.*

Objective: *Ensure Council is well governed and demonstrates effective leadership.*

Strategy: *Promote social, economic and environmental responsibility in Council's decision making.*

8. CONCLUSION

The Environment Advisory Committee's Annual Report provides an overview of the Committee's activities throughout 2015 and how these activities link to the Knox Integrated City Strategy and Implementation Plan 2015-2017.

6.3. Environment Advisory Committee Annual Report 2015 (cont'd)**9. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

***Report Prepared By: Acting Coordinator Sustainable Futures
(Sam Sampanthar)***

***Report Authorised By: Director – City Development
(Angelo Kourambas)***

APPENDIX A - Knox Environment Advisory Committee - Annual Report 2015

Knox Environment Advisory Committee Annual Report 2015

The Terms of Reference for the Knox Environment Advisory Committee (EAC) requires an annual report to be produced in line with the stated objectives of the EAC. The annual report details the key topics discussed during the six EAC meetings held in 2015.

Objectives of the Committee

The objectives of the Environment Advisory Committee are to:

- To provide input and advice to Council on issues of environmental sustainability;
- To provide input to Council on behalf of the community and community organisations;
- To actively support Council's consultation with and advocacy to the broader community;
- To establish working groups and sub committees on an as required basis;
- To monitor and review environmental and sustainability issues in Knox;
- Within the committee structure advocate to Council for the benefit of the Knox environment; and
- To assist Council in the determining of priority activities to be undertaken and annual objectives.

Issues for Discussion

The following items were discussed during 2015 at the EAC.

Topic	Key activities of the Committee	Alignment to Integrated City Strategy (Areas of Focus)
Waste Education and Engagement Plan (Feb, Aug 2015)	The EAC provided input and advice on the Waste Education and Engagement Plan (WEEP) including input on the "Put your rubbish to work" campaign.	7.1 Promote Positive Behaviour Change and resource minimisation programs within residential, business and industry sectors.
General Provisions Local Law 2015 (Feb, Aug 2015)	Input and advice to Council on the proposed changes to the Environmental Weeds section of the Local Law	4.3 Continue to manage, maintain, expand and join bush boulevards, waterways and sites of remnant vegetation or isolated species.
Integrated City Strategy and Implementation Plan (Feb, Apr, Jun 2015)	The Committee provided input and advice throughout all key stages of the development of the Integrated City Strategy and Implementation Plan during 2015.	13.3 Ensure adequate community engagement occurs in all key Council projects.
Accelerating Energy Efficiency Upgrades in Council facilities (Apr 2015)	The Committee received an update on the Revolving Energy Fund and the energy and expenditure savings made to date utilising the fund to invest in energy efficiency projects in Council facilities. The Committee provided feedback and input on the ongoing viability of the Revolving Energy Fund and other alternative funding mechanisms.	7.1 Promote Positive Behaviour Change and resource minimisation programs within residential, business and industry sectors. 7.2 Lean and role model sustainability practices in Council services and strategic initiatives.

Topic	Key activities of the Committee	Alignment to City Strategy (Areas of Focus)
Eastern Alliance for Greenhouse Action (EAGA) (Jun 2015)	The Committee received an update on the activities of the Eastern Alliance for Greenhouse Action (EAGA), including the completion of the Regional Climate Adaptation Roadmap.	7.3 Plan for Council's Risks in relation to a changing climate.
Tree Removal on Private Property (Jun 2015)	The Committee provided advocacy on behalf of the broader community on the loss of significant canopy trees from private property.	4.4 Create a greener city with more trees and indigenous vegetation in public and private spaces, and thriving significant plant species.
Slashing in roadside reserves (Jun 2015)	The Committee advocated for improved roadside maintenance procedures in areas designated as "Significant Conservation Area".	4.3 Continue to manage, maintain, expand and join bush boulevards, waterways and sites of remnant vegetation or isolated species.
Biodiversity Projects Update (Aug 2015)	The Committee received an update on a number of key programs and projects from Council's Biodiversity Team, including the <i>Framework for Biodiversity Monitoring in Melbourne's East Project</i> , <i>One Tree Per Child</i> Campaign and <i>Gardens for Wildlife</i> Program.	4.4 Create a greener city with more trees and indigenous vegetation in public and private spaces, and thriving significant plant species. 4.5 Increase awareness and appreciation of the value of local biodiversity and its community health and wellbeing benefits.
Street Tree Asset Management Plan (Oct 2015)	The Committee provided input and advice on the development of the <i>Draft Street Tree Asset Management Plan</i>	4.4 Create a greener city with more trees and indigenous vegetation in public and private spaces, and thriving significant plant species.
Bulk Removal of Street Trees (Aug, Oct 2015)	The Committee provided advocacy on behalf of the broader community on the bulk removal of the Street Trees in the Rowville area. A formal motion from the Committee was taken to Council to individually assess problem trees for removal in accordance with current street tree policy.	4.4 Create a greener city with more trees and indigenous vegetation in public and private spaces, and thriving significant plant species.
Tim Neville Arboretum Update (Dec 2015)	The Committee received an update on the Tim Neville Arboretum Integrated Stormwater Harvesting initiative. The Committee provided feedback and advocacy on the project in relation to managing wildlife welfare during the construction phase of the project.	7.2 Lead and role model sustainability practices in Council services and strategic initiatives.
Bulk Replacement of Streetlights Update (Dec 2015)	The Committee received an update on the Bulk Replacement of Streetlights project.	7.2 Lead and role model sustainability practices in Council services and strategic initiatives.

Topic	Key activities of the Committee	Alignment to City Strategy (Areas of Focus)
Updates from Regional Committee meetings	Standing agenda items to update the committee on:	1.3 Continue to invest in community and physical infrastructure.
Stamford Park Greenstar Communities	<ul style="list-style-type: none"> • Municipal Association of Victoria Environment Committee; • EAGA Executive Committee; • Metropolitan Waste and Resource Recovery Group; and • Progress on Stamford Park Greenstar Communities project. 	7.2 Lead and role model sustainability practices in Council services and strategic initiatives.

Swinburne Collaboration Opportunity

Discussions that followed a presentation to the EAC in 2014, regarding the implementation of Marie Wallace Reserve Master Plan included field work opportunities for Swinburne students studying Diplomas in Conservation and Land Management and Landscape Design. As part of their study program in 2015, Swinburne students undertook surveys of flora and fauna within the bushland reserve, water quality and macro-invertebrates within the newly established Water Sensitive Urban Design (WSUD) wetlands, designed storm water treatment systems for car park runoff, and worked with Council's Biodiversity Team to plant over 800 tube-stock within the stormwater treatment wetland system.

The field study program enabled students to apply technical and design skills in a 'real world' context, engage local government and community stakeholders in planning and implementation of planning policy and environmental programs; and develop skills in field work and team leadership. Survey data confirmed enhanced biodiversity values due to the development of the WSUD wetland system at Marie Wallace Reserve.

The University collaborated with Council's Open Space and Landscape Design, Biodiversity and Stormwater teams throughout 2015. The field study program at Marie Wallace has been nominated for the 2015 Vocational Education Community Engagement Achievement Award within Swinburne University.

Committee Membership

All thirteen available community representative positions have been filled, with seven members starting their two year term with the February 2015 meeting. One committee member resigned in December 2015.

TIRHATUAN WARD

6.4 APPLICATION FOR THE CONSTRUCTION OF A FIVE (5) STOREY BUILDING (CONTAINING 76 APARTMENTS, A GYMNASIUM AND VET CLINIC), 13 TWO STOREY TOWNHOUSES AND ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1 AT 1103 STUD ROAD, ROWVILLE (Application No. P/2014/7108)

1. SUMMARY:

Land:	1103 Stud Road, Rowville
Applicant:	Clarke Planning
Proposed Development:	The construction of a five (5) storey building (containing 76 apartments, a gymnasium and vet clinic), 13 two storey townhouses and alteration of access to a Road Zone Category 1
Existing Land Use:	Veterinary Centre
Area/Density:	4,451m ² / 1:50m ²
Zoning:	Residential Growth Zone – Schedule 3
Overlays:	Design and Development Overlay – Schedule 9
Local Policy:	Municipal Strategic Statement (MSS) Rowville Activity Centre Policy
Application Received:	24 December 2014
Application Amended:	4 December 2015
Number of Objections:	29
PCC Meeting:	N/A

Assessment:

Subject to conditions on any permit to issue, it is considered that the proposed development can provide a higher density residential development of a height, scale and built form that is consistent with the Design and Development Overlay – Schedule 9, while protecting the amenity of adjoining residential properties.

Subject to conditions on any permit to issue, the proposal is consistent with Clause 55 (ResCode) and the Guidelines for Higher Residential Development (2004).

Car parking has been provided in accordance with Clause 52.06 (Car Parking). Subject to conditions on any permit to issue, landscaping can be accommodated throughout the development.

The proposal complies with the purpose of the Residential Growth Zone – Schedule 3.

6.4 1103 Stud Road, Rowville (cont'd)

On balance it is considered that the proposal responds reasonably to State and Local Planning Policies. It is recommended that Council issue a Notice of Decision to Grant a Planning Permit, subject to conditions.

2. BACKGROUND

2.1 Planning Scheme Amendments

Amendment C131 proposes to implement the findings of the Knox Housing Strategy 2013, the Knox Residential Guidelines, the Rowville Plan (2013) and the new residential zones. Amendment C131 has been adopted by Council.

As this application was amended on 4 December 2015, after Amendment C131 was adopted, the application shall therefore be assessed against the provisions proposed by the amendment, in accordance with the Council resolution dated 25 February 2015.

2.2 Subject Site and Surrounds

The location of the subject site is shown in Appendix A.

- The site is rectangular in shape, located on the eastern side of Stud Road, Rowville and has a total area of 4,451m².
- The site is used as a veterinary centre and contains a double storey brick building setback 30 metres from the frontage, car parking areas and open landscaping areas. A shared path traverses the frontage of the site. Vehicle access is gained from a double crossover to the northern side of the site.
- Adjoining the site to the north is the Stud Park Shopping Centre. Adjoining the site to the south and east are residential properties within Brusco Court or Selwood Court, which are either developed with single dwellings or are vacant.
- A mixture of native and exotic vegetation exists, mainly within the frontage of the site. Species include Eucalyptus, Conifer, Fig and Olive trees.

6.4 1103 Stud Road, Rowville (cont'd)

2.3 The Proposal

(Refer to attached plans at Appendix B)

The application was amended on 4 December 2015. The amended plans reduced the overall height of the five (5) storey building from 17.36 metres to 16.2 metres (not including the parapet feature), altered access to Stud Road and made other minor design changes. The amended plans were not re-advertised as it was determined that no material detriment would be caused. Any objection received to the application, is taken to be an objection to the amended application. The amended plans are taken to be the application plans, and are assessed in this report.

It is proposed to construct a five (5) storey apartment building (containing 76 apartments, a gymnasium and vet clinic), 13 two storey townhouses and alter access to a Road Zone Category 1. Details are as follows:

- The five (5) storey building, setback 6 metres from Stud Road, is to run along the northern boundary, while the 13 two storey townhouses, setback 7.9 metres) are to run along the southern boundary, with an at-grade shared central public driveway and parking area (“the mews”) dissecting the two building forms. The central shared mews provides for two-way vehicle access, 15 car spaces, landscaping and pedestrian access.
- The five (5) storey building has an overall height of 16.2 metres to Stud Road, capped with a projecting parapet feature with a height of 19.8 metres. The projecting parapet feature identifies the development with the signage “comet”. A 3.3 metre cut and retaining wall is proposed along the eastern boundary to taper toward the frontage, graduating the building to a four (4) and two (2) storey built form to the rear (east).
- There are three (3) different floor sizes within the apartment building; a studio apartment with a floor area of 48sqm, a one (1) bedroom apartment with a floor area of 48sqm and a two (2) bedroom apartment with a floor area of 75sqm. Of the 76 apartments, there are 12 studio apartments and 12 one (1) bedroom apartments, and 52 two (2) bedroom apartments proposed. Each apartment is provided with a balcony.

6.4 1103 Stud Road, Rowville (cont'd)

- The five (5) storey building adopts a contemporary architectural style with a geometric composition of contrasting elements. It is generally composed of a ground floor with high glazing-to-wall ratio upon a stone base, contrasting with a mid-section in brick and upper storeys in contrasting metal cladding.
- Each townhouse contains two (2) bedrooms and is provided with a single garage accessed via central shared mews. At ground level the townhouses contain an entrance, bedroom and bathroom, with an open kitchen and living area, bathroom, bedroom and balcony at first floor. The townhouses have maximum overall height of 9.4 metres.
- The architecture of the townhouses is also contemporary, with projecting upper storeys, skillion roofing, dark Colorbond and timber battens to garage and pedestrian entrances. A sheer brick wall element is presented to Stud Road.
- A basement will contain 121 car spaces, residential storage, lifts, bike facilities, an electric charge station, refuse area and underground water tank. Within the basement, a total of 76 car spaces are allocated to the apartments, 15 car spaces are provided for residential visitors, 12 car spaces are allocated to the veterinary centre and 1 car space is provided as a “Flexi” car space, which would accommodate an electric charge station.
- The veterinary centre (floor area of 500sqm) and gymnasium (floor area of 480sqm) are to be located at ground level and accessed via the central shared mews from the south or via pedestrian links with Stud Park Shopping Centre from the north. The ground floor also contains a lobby, services and lifts. The veterinary centre and gymnasium are proposed to operate 24 hours.
- All existing vegetation is proposed to be removed.

3. CONSULTATION

3.1 Advertising

The application was advertised by way of a sign on the sites frontage and notices were sent to adjoining property owners and occupiers. Council received 29 objections to the application that can be summarised as follows:

6.4 1103 Stud Road, Rowville (cont'd)

Non-Compliance with the Rowville Plan

- *An assessment against Clause 22.13 (Rowville Activity Centre) and the Design and Development Overlay – Schedule 9 is at Sections 4.1.3 and 4.2.2 of this report. It is considered that the proposed development is consistent with the Rowville Structure Plan.*

Height

- *The proposed height of the five (5) storey building exceeds the desired height outlined in the Design and Development Overlay – Schedule 9. See assessment against Section 4.1.3 of this report for discussion.*

Built Form / Visual Bulk / Neighbourhood Character

- *The subject site has been identified as an “Opportunity Site” within a Major Activity Subject, where a higher density residential development is anticipated. As such, there is a level of change expected by the Knox Planning Scheme and Amendment C131. Subject to conditions on any permit to issue, it is considered that the proposed development will provide a built form that is consistent with the Design and Development Overlay – Schedule 9, Clause 55 (ResCode) and the Guidelines for Higher Density Residential Development. See assessment against Sections 4.1.3, 4.4 and 4.5 of this report for discussion.*

Loss of Open Areas and Landscaping

- *There will be a loss of open area and existing landscaping as a result of the proposed development. The subject site has been identified as an “Opportunity Site” where a higher density residential development is encouraged. The design outcome has provided the required minimum 6 metre setback and landscaping opportunities throughout the site (subject to conditions on any permit to issue), which will ensure a landscaping outcome can be achieved consistent with outcomes sought in the Design and Development Overlay – Schedule 9.*

Traffic, Road and Pedestrian Safety

- *The proposed development is not expected to result in any traffic, road or pedestrian safety. Council’s Traffic Engineers and VicRoads have not raised any issues with traffic, road or pedestrian safety, subject to conditions on any permit to issue.*

6.4 1103 Stud Road, Rowville (cont'd)

Traffic and Parking Impacts

- *Car parking has been provided for the dwellings and veterinary centre at a rate to comply with Clause 52.06 (Car Parking). Car parking for the gymnasium is provided at a rate consistent with the Road and Traffic Authority (RTA) Guide to Traffic Generating Developments, which is considered to be satisfactory. For further discussion, see Section 4.3 of this report.*
- *Council's Traffic Engineers and VicRoads have not raised any issues with traffic generation and the capacity of Stud Road to accommodate any additional traffic generation.*

Amenity Impacts / Overlooking / Overshadowing

- *Subject to conditions on any permit to issue to address overlooking and visual bulk impacts, it is considered that the proposal will not result in any unreasonable amenity impacts. For further discussion, see Sections 4.1.3 and 4.4 of this report.*

Increase in Noise

- *While there may be an increase in residential noise, this is considered reasonable in context of the sites location within a Major Activity Centre, adjacent a commercial area and on an arterial road.*
- *The operation of the veterinary centre would be subject to permit conditions to manage any potential off-site amenity impacts.*
- *The gymnasium use is not expected to generate noise that would affect surrounding residential areas, as it will be contained within the building.*

Overdevelopment

- *Assessment of the proposal against the relevant parts of the Knox Planning Scheme demonstrates that the proposal is not an overdevelopment of the site. This is discussed throughout the report.*

Over-Retailing in Rowville

- *This is not a valid planning reason to refuse an application for use of the land.*

6.4 1103 Stud Road, Rowville (cont'd)

Change in Demographic

- *A variety of housing types are encouraged within the Rowville Activity Centre to cater for different living requirements.*

Loss in Property Value

- *This is not a relevant planning consideration.*

Advertising Sign not in keeping with Area

- *The “Comet” parapet feature is an architectural feature of the building, and not an advertising sign.*

Excavation for Basement

- *Excavation will be required for the construction of the basement. Protection of adjoining properties during excavation is the responsibility of the relevant Building Surveyor.*

3.2 Referrals

The application has been referred to Public Transport Victoria, VicRoads and internal departments for comment. No objection has been raised; the following is a summary of relevant advice:

Traffic Engineer

- *Standard conditions to be included on any permit issued.*
- *The statutory requirement for car parking provision for the dwellings and veterinary centre have been satisfied in accordance with Clause 52.06 of the Knox Planning Scheme. As there is no statutory requirement for a gymnasium, the provision of car parking needs to be to the satisfaction of the responsible authority. The Road and Traffic Authority (RTA) Guide to Traffic Generating Developments suggests a minimum provision of 4.5 spaces per 100m², which would equate to 21 car parking spaces. This has been satisfied. With the provision of 149 car spaces, there is a surplus of 2 car spaces. The RTA is the Road Authority for New South Wales.*
- *There are a number of detailed design requirements for car parking spaces and accessways that will need to be addressed.*

Officer Comment: The detailed design requirements will be addressed by conditions on any permit to issue.

6.4 1103 Stud Road, Rowville (cont'd)

Drainage Engineer

- *Standard conditions to be included on any permit issued.*

Assets

- *The asphalt driveway is damaged and will need to be repaired.*

Officer Comment: This matter will be addressed by a condition of any permit issued.

Arborist

- *Root investigation works were carried out along the northern and eastern boundary, adjacent to trees/shrubs on neighbouring properties, to determine the impact of site cut and excavation within the Tree Protection Zone. Four (4) trenches were excavated, and while smaller roots were found in three (3) trenches, which can be severed, there were a cluster of larger roots at the west end of the trench along the northern boundary, associated with Eucalyptus trees on the adjoining property. The smaller diameter roots can be severed without significant impact. To prepare for the impact on the larger roots, at least 6 to 12 months prior to excavation works, mulching, composting, irrigation and coring the lawn should be carried out to promote new root growth throughout the area.*

Officer Comment: Conditions and notes on any permit to issue will address these requirements.

Waste Management

- *An amended Waste Management Plan is required to be submitted. The amended Waste Management Plan will need to address commercial waste storage and collection, and provide vehicle collection details and swept diagram plans to demonstrate how vehicles will enter and exit the site.*

Building

- *An additional exit stair is required as the distance of travel exceeds 6 metres.*
- *Window openings within 3 metres on the northern side will need protection using wall wetting sprinklers or fire windows.*

Officer Comment: The above points will need to be addressed by the relevant Building Surveyor.

6.4 1103 Stud Road, Rowville (cont'd)

Sustainability Officer

- *The submitted Sustainable Design Assessment meets Council's sustainability requirements and can be approved.*

City Futures

- *City Futures recommends seeking the advice of Council's Urban Design Consultant on whether the design quality of the amended proposal demonstrates exceptional quality, to warrant support to exceed the height limit in the Design and Development Plan Overlay.*
- *Locating the five (5) storey part of the development to the north-west corner, farthest from the most sensitive interfaces along the eastern and southern boundaries, generally addresses the potential amenity impacts as a result of the additional height. Overlooking and overshadowing need to be reviewed, to ensure they are within acceptable ranges according to the requirements of ResCode.*

Landscape

- *There are a number of detailed design requirements that will need to be addressed.*
- *Standard conditions on any permit to issue.*

Officer Comment: The detailed design requirements will be addressed through conditions on any permit to issue.

VicRoads

- *No objection, subject to conditions of permit.*

Public Transport Victoria

- *No objection, subject to a condition of permit.*

Urban Design – Hansen Partnership

- *It is considered that the five (5) storey mixed use form does represent exceptional quality given the current standard and expectation for higher density development within Rowville.*

6.4 1103 Stud Road, Rowville (cont'd)

- *The two (2) storey townhouses do not represent exceptional quality, nor do they exceed the design quality already expected within Rowville. There are concerns with their sense of address, inter-visibility matters, visual bulk impacts and provision of landscaping to the southern boundary. It is therefore considered that the townhouses will create additional impacts on the amenity of the adjoining residential properties to the south.*
- *The proposal requires further refinement to attain an appropriate design outcome, and the following recommendations are made in this regard:*
 - *Improve sense of address and entry conditions to townhouses along the central mews;*
 - *Offset upper storey townhouse bedroom windows to avoid direct views between;*
 - *Provide an increased setback to the southern boundary or instate a physical break within the townhouse form to introduce deep root planting and mitigate visual bulk to this interface;*
 - *Reduce the presence of hard stand surface by paving parking spaces along the northern side of the central mews in a differing, textural material to the driveway;*
 - *Retain the ability for canopy tree plantings within the central mews;*
 - *Refine deep balcony profiles to studio apartment Option 1 or relocated to the ends of floor envelopes to achieve dual aspect, and*
 - *Ensure the “Comet” parapet feature is not retrofitted to a conventional business identification sign. The “Comet” parapet feature presents as a successful projecting architectural element. This premise is based on the acknowledgment of it as an architectural element rather than a signage opportunity.*

Officer Response: The above matters are addressed in more detail at Section 4.1.3 of this report.

6.4 1103 Stud Road, Rowville (cont'd)

4. DISCUSSION

4.1 Zoning and Overlays

4.1.1 Zone

The site is located within the General Residential Zone – Schedule 1. A permit is required:

- To use and develop the land for a restricted recreation facility (gymnasium) and veterinary centre;
- To construct two or more dwellings on a lot.

As there is an existing Planning Permit for the veterinary centre, it is not proposed to assess the suitability of the veterinary centre use. The current veterinary centre operates 24 hours with a maximum of five (5) practitioners. A condition on any permit to issue will require the existing veterinary centre Permit to be cancelled within 3 months of the demolition of the existing building, and the use and development of the veterinary centre will be incorporated into the recommendation. Conditions on any permit to issue will detail amenity controls and number of practitioners.

The site is to be located within the Residential Growth Zone – Schedule 3 (Amendment C131).

The purpose of the Residential Growth Zone is:

- To provide housing at increased densities in buildings up to and including four storey buildings.
- To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

6.4 1103 Stud Road, Rowville (cont'd)

In response, the following is noted:

- *The proposal is generally consistent with the purpose of the zone. The proposal will contribute to a diversity of housing types in a location offering good access to services and transport, the development transitions in scale to areas of restricted housing growth and will provide a non-residential use that can be compatible with surrounding residential areas, subject to conditions.*
- *The application proposes housing at increased densities in a building that exceeds the height anticipated by the zone.*

Pursuant to the Residential Growth Zone – Schedule 3, the maximum building height requirement for a dwelling is contained in the relevant Design and Development Overlay.

- *See assessment against Design and Development Overlay – Schedule 9 at Section 4.1.3 of this report.*

There are no varied Clause 55 (ResCode) requirements within Schedule 3 to the Residential Growth Zone (Other Sites Affected by a Design and Development Overlay or Development Plan Overlay).

Before deciding on an application for use, the responsible authority must also consider:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bike parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

6.4 1103 Stud Road, Rowville (cont'd)

In response the following is noted:

- *It is considered that the gymnasium and veterinary centre use can be compatible with residential uses, subject to conditions.*

4.1.2 Overlays

There are no Overlays that apply to the land.

4.1.3 Overlays (Amendment C131)

The site is located within a Design and Development Overlay – Schedule 9 (Amendment C131). Within the Design and Development Overlay – Schedule 9 (DDO9), a permit is required to construct a building or construct or carry out buildings or works.

Design objectives include:

- To achieve quality, innovative architectural design and a diversity of housing stock.
- To direct higher residential development to preferred locations within the Rowville Activity Centre.
- To ensure that development acknowledges and responds to the context and physical characteristics of adjoining sites, including residential interfaces.
- To encourage innovative, high quality architectural design that incorporates principles of Ecological Sensitive Design and Water Sensitive Urban Design.

The following requirements apply to buildings and works identified as Opportunity Sites:

Building Height

The height of any building, excluding any basement, should not exceed 13.5 metres, or 4 storeys. Any building that exceeds this height limit must:

- Demonstrate that the design is of exceptional quality and would exceed the high design quality already expected within the centre.
- Not create any additional amenity impacts on the amenity of adjoining residential areas.

6.4 1103 Stud Road, Rowville (cont'd)

In response, the following is noted:

- *The site is identified in the Design and Development Overlay – Schedule 9 as an “Opportunity Site”.*
- *The proposed five (5) storey building will exceed the height limit desired by the Design and Development Overlay – Schedule 9. The building is proposed to be constructed with a maximum height of 16.2 metres, with a projecting feature parapet “Comet” to a maximum height of 19.8 metres.*
- *Urban Design advice was sought on the proposal, and based on their advice, it is considered that the five (5) storey building represents exceptional quality that would exceed the high design quality already expected within the Rowville Activity Centre.*
- *The Urban Design advice expressed concern that the proposal will create amenity impacts on the amenity of adjoining residential areas to the south. There are also areas of refinement required for the proposed development as a whole to be considered exceptional. Based on recommendations to address these amenity concerns and achieve exceptional quality of the proposed development, the following conditions will be placed on any permit to issue:*
 - *A minimum setback of 2.4 metres along the southern boundary with raised planters to a height of 1 to 2 metres to allow for deep root planting. This will address visual bulk, represented as an uninterrupted built form with limited opportunities for landscaping. The condition will necessitate the deletion of at least one (1) townhouse.*
 - *A condition will also require refinement to the entries to the townhouses. The central mews will be dominated by hard-stand surfaces with dominant garages and concealed pedestrian entries. Landscaping occurs only to the northern side and townhouse numbering bears a commercial quality. A condition on any permit to issue will require more prominent residential entries, softened townhouse numbering and landscaping along the southern side adjacent to the townhouses. This condition will also necessitate the deletion of at least one (1) townhouse.*

6.4 1103 Stud Road, Rowville (cont'd)

- *The first floor bedroom windows to the townhouses to be staggered to reduce internal overlooking.*
- *The layout of studio apartment Option 1 will result in a narrow and deep balcony arrangement that compromises solar access to main living areas and are overhung by floors above. This is further compounded for studio apartments 01, 20, 21 and 40 being located behind the façade element that projects in front of the lift lobby at Levels 1 and 2. A condition on any permit to issue will require the reconfiguration of the floor plan to relocate these apartments to the ends of the building envelope where the deep balconies can gain dual aspect.*
- *The raised planters within the central mews will need to be increased in height to ensure canopy tree plantings can be achieved. Landscape plans should show sectional details for above grade plantings given their importance in attaining an appropriate landscaping outcome for the site.*
- *Subject to the above modifications as recommended, it is considered that the proposal to exceed the height limit can be supported, as the proposed development has demonstrated that the design is of exceptional quality and would exceed the high design quality already expected within the centre, and would not create any additional amenity impacts.*

General

- Development must address all street frontages to enhance pedestrian amenity.
- Development must scale down in height towards existing residential interfaces, to avoid imposing visual bulk; and reduce overshadowing and overlooking.
- Provide a landscaped front yard, including planting of canopy trees.
- Significantly setback first and second floor levels from the ground floor level, with wide balconies fronting the street and any adjoining public spaces.

6.4 1103 Stud Road, Rowville (cont'd)

- Design buildings to provide a 6 metre front setback to the street.
- Provide single crossovers for driveways.
- Provide no fencing, or low or transparent front fencing.
- Development must incorporate appropriate measures to increase its ecological sustainability.
- Development must incorporate appropriate Water Sensitive Urban Design principles.
- Retain existing canopy trees and understorey planting, wherever possible.

In response, the following is noted:

- *The proposed development addresses both Stud Road and the internal “central mews”, with ground floor active frontages (gymnasium) and pedestrian connections, to enhance pedestrian amenity.*
- *The proposed development does scale down in height to adjoining residential interfaces, with a two (2) storey transition to southern and eastern interfaces. The proposed five (5) storey building scales down to a four (4) storey built form, setback 9.8 metres from the eastern boundary, and then to a two (2) storey built form, setback 4.2 metres from the eastern boundary, achieved in part through the cut proposed along the rear boundary to a height of 3.3 metres. Double storey townhouses are proposed along the southern interface, which also reduce in height toward the rear boundary, as a result of the proposed 3.3 metre cut. Subject to conditions on any permit to issue, the proposed development will avoid imposing visual bulk. Overlooking and overshadowing will comply with relevant Clause 55 (ResCode) Standards.*
- *Subject to a condition to require an amended landscape plan with a ‘Bush Boulevard’ theme, the frontage can successfully accommodate landscaping and canopy trees.*

6.4 1103 Stud Road, Rowville (cont'd)

- *While the proposed development has not setback first and second floors significantly from the ground floor level, this design outcome is supported. The proposal has adopted a strong building form that does not attempt to conceal its massing and presents as a building 'designed to be viewed', which is supported by Council's Urban Design advice.*
- *A minimum 6 metre setback has been provided.*
- *A single driveway has been provided, which will utilise the existing access, subject to alterations.*
- *No front fencing is proposed.*
- *The proposed development has incorporated ecologically sustainable features into the design, through internal natural lighting and ventilation to the common areas of the apartment building and passive solar access to the balconies of the apartment building (subject to modifications) and townhouses. An electric flexi-car charging station is also proposed.*
- *The ability for the development to achieve appropriate Water Sensitive Urban Design would be assessed with the submission of a drainage plan, which would be required as a condition on any permit to issue.*
- *There is no ability to retain existing canopy tree planting. A condition on any permit to issue will require the submission of an amended landscape plan, which will include the planting of canopy trees.*

Specific Requirements for Veterinary Clinic, 1103 Stud Road

- Higher density residential development, which may take the form of an apartment building must include a range of dwelling sizes.
- Development must be site responsive and address the slope of the land.

6.4 1103 Stud Road, Rowville (cont'd)

In response, the following is noted:

- *The proposal is for a higher density residential development in the form of an apartment building and townhouses. The development provides for a range of one (1) and two (2) bedroom dwellings, which is consistent with the direction in Council's Municipal Strategic Statement, to encourage smaller dwelling sizes within Activity Centres.*
- *To achieve a reduced built form to the eastern interfaces, a significant cut has been proposed. The proposal will retain the existing levels through the front portion of the site.*

4.2 Policy Consideration

4.2.1 State Planning Policy Framework

State policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development.

Key Policies:

Clause 15 Built Environment and Heritage – Encourages high quality architecture and urban design outcomes that reflect the particular characteristics, aspirations and cultural identity of the community; enhances liveability, diversity, amenity and safety of the public realm; and promotes attractiveness of towns and cities within broader strategic contexts.

- *The design of the development reflects the built form, scale and modern finishes found in the area. The proposal provides for an increased density, with minimal adverse amenity impacts and is within reasonable distance of shops, services, and public transport.*

Clause 15.02 Sustainable Development – Encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

- *The proposal contributes to the consolidation of urban development through the provision of increased residential density within a Major Activity Centre, with access to urban services and transport options within walking distance. Dwellings are designed to maximise solar access and passive ventilation. A flexi-car space with an electric charging station has been provided within the basement.*

6.4 1103 Stud Road, Rowville (cont'd)

- *A Sustainable Design Assessment (SDA) has been submitted and is considered to meet Council's sustainability requirements. A condition of any permit issued will require the development to be constructed in accordance with the approved SDA.*

Clause 16 Housing – Encourage the development of well-designed medium-density housing that respects the neighbourhood character; improves housing choice; makes better use of existing infrastructure; and, improves energy efficiency of housing.

- *Neighbourhood character – Council's adopted Development in Residential Areas and Neighbourhood Character Policy (Amendment C131) does not apply to this development. An assessment against the Design and Development Overlay – Schedule 9 is discussed at Section 4.1.3 of the report.*
- *Housing choice – The development proposes one and two bedroom dwellings, within an apartment and townhouse configuration.*
- *Integration with infrastructure – The site is located in a fully serviced area. Drainage plans will be required as a condition of any permit issued.*
- *Energy efficiency – This has been discussed at Clause 15.02 (Sustainable Development).*
- *Location – The site is located within the Rowville Major Activity Centre. In addition, the site is identified as an Opportunity Site within the adopted Clause 22.13 (Rowville Activity Centre Policy). This site is expected to provide a range of opportunities for commercial, mixed use and residential development.*

Clause 18 Transport – To create a safe and sustainable transport system by integrating land use and transport.

- *The site is located within the Rowville Activity Centre and adjacent to Stud Park Shopping Centre, where bus services are available.*

6.4 1103 Stud Road, Rowville (cont'd)

- *Bus Route 681 from Knox City via Wantirna, Scoresby and Rowville operates between 6:10am and 10:15pm Monday to Friday, between 8:14am and 7:05pm on Saturdays and between 9:14am and 6:01pm on Sundays, at various intervals.*
- *Bus Route 682 from Knox City via Lysterfield, Wantirna, Scoresby and Rowville operates between 6:14am and 10:15pm Monday to Friday, between 8:10am and 7:45pm on Saturdays and between 8:10am and 7:45pm on Sundays, at various intervals.*
- *Bus route 691 from Waverley Garden Shopping Centre and Boronia Railway Station via Ferntree Gully and Stud Park Shopping Centre operates between 5.22am and 9.59pm Monday to Friday, between 7.29am and 7.57pm on Saturdays, and between 7.38am and 7.44pm on Sundays, at various intervals.*
- *Bus route 754 from Rowville to Glen Waverley via Caulfield Grammar and Wheelers Hill operates between 5.52am and 9.30pm Monday to Friday, between 7.48am and 9.35pm on Saturdays, and between 8.51am and 9.45pm on Sundays, at various intervals.*
- *Smart Bus route 900 from Rowville to Caulfield via Monash University and Chadstone operates between 5.04am and 12.35am Monday to Friday, between 5.49am and 11.13pm on Saturdays and between 7.22am and 10.04pm on Sundays, at various intervals.*
- *Smart Bus route 901 from Melbourne Airport to Frankston operates from Rowville between 4.46am and 12.50am Monday to Friday, between 4.46am and 1.15am on Saturdays and between 6.20am and 9.45pm on Sundays, at various intervals.*

6.4 1103 Stud Road, Rowville (cont'd)

4.2.2 Local Planning Policy Framework

Clause 21.01 Municipal Strategic Statement (MSS).- encourages planning and development occurring with the necessary consideration to such matters as managing population growth, encouraging sustainable development and influencing the urban form so that Knox itself becomes more sustainable.

All development therefore is encouraged within this clause to incorporate Ecologically Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles to ensure that a sustainable urban environment is ultimately achieved with a strong use of existing infrastructure, and to reduce dependence on private vehicle travel.

- *The site has been identified as an Opportunity Site within the Rowville Major Activity Centre. The development provides for a high density mixed use development, on an existing residential allotment, where existing infrastructure will be utilised.*
- *The applicant has submitted a Sustainable Design Assessment, which meets Council's sustainability requirements. A condition on any permit to issue would require the development to be constructed in accordance with the approved Sustainable Design Assessment.*

Clause 21.04 Urban Design - Municipal Strategic Statement (MSS) – (Amendment C131) To ensure that all development responds positively to the existing patterns of urban form and character, the landscape, qualities, historic and cultural elements and social aspirations of the Knox community.

- *The site is located within an Activity Centre and is identified as an "Opportunity Site", where higher density residential development is anticipated.*
- *An assessment against the Design and Development Overlay – Scheduled 9 is at Section 4.1.3 of this report.*
- *An assessment against Clause 22.13 (Rowville Activity Centre) is below.*

6.4 1103 Stud Road, Rowville (cont'd)

Clause 21.05 – Housing – (Amendment C131) This clause implements the *Knox Housing Strategy 2015*. In managing Knox's current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community's changing household needs. Development in residential areas will need to respond positively to the desired future character of the local area and take account of the particular built form and natural environmental elements that make up the neighbourhood character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

The subject site is located within an "Activity" area, which contain a range of shops, services and employment and have good access to a range of public transport options. These areas will provide for a greater range and increased densities of residential development.

Objective 1 for Housing Objectives and Strategies is to support residential development in accordance with the Knox Housing Strategy 2013, which identifies a scaled approach to residential development. A Strategy is to direct housing growth toward Local Living and Activity Areas.

- *The site is located within an Activity Area, where housing growth is directed and a greater level of change is expected.*

Objective 2 is to support a diversity of housing choice in appropriate locations. Strategies include encouraging a diversity of housing styles, types, forms and sizes to cater for the changing needs of the community.

- *The proposed development can contribute to the diversity of housing in Knox within the context of the changing household types described in Council's Municipal Strategic Statement. The development provides a mix of 1 and 2 bedroom dwellings, in the form of apartments and townhouses. The apartment building is provided with a lift to address accessibility and the development is within walking distance to a range of services, shops and entertainment contained in the Stud Park Shopping Centre.*

6.4 1103 Stud Road, Rowville (cont'd)

Objective 3 is to ensure the quality of housing design in Knox is improved to better respond to neighbourhood identity and to create a stronger sense of place. Strategies include ensuring that residential development enhances the City's "green and leafy" image, support development that makes a positive contribution to the preferred future character of the area and that is innovative, environmentally sustainable, accessible and site responsive.

- *The proposed development will contribute to the desire to create a stronger sense of place, and subject to conditions on any permit to issue, will make a positive contribution to the preferred future character of the area, as envisaged in the Design and Development Overlay – Schedule 9.*

Objective 4 is to protect and enhance the landscape and environmental values of the nature areas of significance within the municipality.

- *The site is not located in an area of biological significance.*

Objective 5 is to ensure that residential development better responds to the community's current and future needs, and allows people to 'age-in-place' by supporting the provision of a diverse range of housing including smaller scale dwellings.

- *The proposed development can contribute to housing choice and allow people to 'age-in-place'. The apartment building provides lift access to address accessibility. The range of apartment size options combined with the townhouses also contribute to dwelling diversity.*

Clause 21.07 – Economic Development – (Amendment C131) The Economic Development theme relates to industrial, business and retailing activity, and provides a strong focus on Activity Centres within Knox. The Rowville Activity Centre has been identified as a Major Activity Centre, where there is scope for investment and change in retail, office, service and residential activities. This Clause also provides direction for non-residential uses in residential areas.

6.4 1103 Stud Road, Rowville (cont'd)

The following objectives are applicable:

Objective 2 for Economic Objectives and Strategies is to ensure that the image and character of Knox remain as an attractive place to do business.

- *The proposed development will enhance the image and character of Knox as an attractive place to do business.*

Objective 6 is to ensure a hierarchy of viable, accessible activity centres with a greater range of complementary activities for domestic, business, leisure and social life with improved public transport services.

- *The Rowville Activity Centre has been identified as a Major Activity Centre.*

Objective 7 is to encourage development of more viable mixes of land uses within activity centres.

- *The proposed development will provide for viable land uses within the activity centre, as a residential scale.*

Objective 8 is to ensure activity centres are attractive and safe settings for pedestrians and make shops and services more accessible for local residents and workers.

- *The proposed development will enhance pedestrian amenity and provide uses accessible for local residents and workers.*

Objective 9 is to allow non-residential uses in residential areas which provide services to the community without significant detriment to residential amenity.

- *Subject to conditions, the proposed uses will provide a service to the community without significant detriment to residential amenity.*

6.4 1103 Stud Road, Rowville (cont'd)

Clause 22.13 – Rowville Activity Centre – (Amendment C131) This Policy identifies key issues within the Rowville area, *which* include declining household size, ageing population, declining housing affordability, shortage of social housing, automobile dependency, increasing traffic congestion, climate change and health risk factors.

Objectives for the Rowville Activity Centre include:

To achieve an urban form where residents can 'live locally' with a wide variety of daily needs within convenient walking and cycling distance of home.

- *The site is located adjacent to the Stud Park Shopping Centre, and adjacent a direct shared pedestrian and bicycle path connecting to the Shopping Centre. With the mixed use component of the proposal, a gymnasium and veterinary centre will also be within close proximity.*

To increase the range of housing types and sizes within the Activity Centre to better meet the needs of Rowville's changing population.

- *Council's Municipal Strategic Statement identifies a need for smaller dwelling sizes to cater for a smaller household and changing needs. The proposal will provide a range of 1 and 2 bedroom dwellings within an apartment and townhouse configuration. The layout and size of the apartments also provides additional choice and flexibility.*

To extend ecological corridors that support a variety of native and indigenous wildlife in Rowville's neighbourhoods and open space.

- *An amended landscape plan will be included as a condition on any permit to issue, which will require a greater variety of native and indigenous species.*

To encourage developments that minimise the use of natural resources and impacts on the natural environment.

- *The submitted Sustainability Design Assessment is considered to meet Council's sustainability requirements. There is also provision of a flexi-car space and electric charging station.*

6.4 1103 Stud Road, Rowville (cont'd)

“Opportunity Sites” to provide to increase the range of housing types and sizes within the Activity Centre; and support a more diverse and vibrant Commercial Core.

- *The site is identified as an Opportunity Site “Veterinary Clinic, 1103 Stud Road”. See below for specific requirements.*

The use of the “Veterinary Clinic, 1103 Stud Road” Opportunity Site is to be in accordance with the following:

- Higher density residential development, that includes a range of dwelling sizes is encouraged.
- Development must be site responsive and address the slope of the land.
- A component of affordable housing (including low-cost and/or social housing) is encouraged.

In response, the following is noted:

- *The proposal achieves a higher density residential development, to maximise the potential of the land. A range of dwelling sizes is proposed, with a component of 1 and 2 bedroom dwellings in an apartment and townhouse configuration.*
- *The development is site responsive and addresses the slope of the land. The considerable batter at the frontage of the site will be retained and utilised to provide basement access. A rear cut of a maximum 3.3 metres is necessary to achieve a level surface and will reduce amenity impacts to adjoining properties by effectively reducing the height of the buildings to the rear. Landscaping can be accommodated within the rear setback.*
- *The proposal has not provided a component of affordable housing.*

6.4 1103 Stud Road, Rowville (cont'd)

4.3 Particular Provisions

Clause 52.06 – Car Parking

Prior to a new use commencing or a new building being occupied the car parking spaces required under Clause 52.06-5 must be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the responsible authority.

Clause 52.06-5 outlines the requisite amount of parking to be provided as follows:

To each dwelling at a ratio of one car space to each one or two bedroom dwelling and two spaces for each dwelling with three or more bedrooms (with studies or studios that are separate rooms counted as bedrooms).

- *Each one and two bedroom dwelling is provided with a single car space within the basement, or a single garage, which complies with Clause 52.06-2.*
- *A total of 17 residential visitor car parking spaces are required. As a total of 18 residential visitor car parking spaces have been provided; this complies with Clause 52.06.2.*
- *A “Flexi” car space has also been provided, in addition to the above.*

For a veterinary centre, five (5) spaces to the first person providing animal health services, plus three (3) spaces to every other person providing animal health services.

- *The Veterinary Centre is proposed to operate with six (6) practitioners, generating a requirement for 20 car spaces. The proposal provides for 20 spaces exclusively for the Veterinary Centre use and therefore complies with Clause 52.06-2.*

Pursuant to Clause 52.06-5A, where a parking ratio is not specified for a use, car parking spaces must be provided to the satisfaction of the responsible authority. As a parking ratio is not specified for a gymnasium, car parking must be provided for the use to the satisfaction of the responsible authority.

6.4 1103 Stud Road, Rowville (cont'd)

- *The proposed development has provision for 22 car spaces (within the basement and at grade) for the gymnasium use. Based on a ratio of 4.5 spaces per 100sqm of floor space, a total of 21 spaces is required. The ratio is based on the Road and Traffic Authority (RTA) Guide to Traffic Generating Developments. Council's Traffic Engineers have supported the provision of car parking for the gymnasium use. As such, it is considered that the car parking provision of 22 car parking spaces is satisfactory.*

Clause 52.06-8 details the design standards for car parking. The provision of car parking should meet the design requirements of this Clause. An assessment of the design standards, including any areas of non-compliance are considered below:

Design Standard 1: Accessways – *Can comply subject to conditions on any permit to issue, as required by Council's Traffic Engineers.*

Design Standard 2: Car Parking Spaces – *Can comply subject to conditions on any permit to issue, as required by Council's Traffic Engineers.*

Design Standard 3: Gradients – *Can comply subject to conditions on any permit to issue, as required by Council's Traffic Engineers.*

Design Standard 4: Mechanical Parking – *Not applicable.*

Design Standard 5: Urban Design – *Can comply subject to conditions on any permit to issue. Provided that canopy planting within the accessway can provide adequate shade, shelter and soften the appearance of the ground level car parking area, it is considered that it will not visually dominate the public space. This will be dependent on suitable canopy tree species and sufficient volume within the raised planter beds positioned along the accessway, and provision of landscaping adjacent to the townhouses. Conditions on any permit to issue, will ensure the desired outcome can be achieved.*

Design Standard 6: Safety – *Can comply subject to conditions on any permit to issue, as required by Council's Traffic Engineers, and for provision of car park lighting suitable for a dual residential and commercial use.*

Design Standard 7: Landscaping – *Can comply subject to conditions on any permit to issue, as required by Council's Landscape Assessment Officer.*

6.4 1103 Stud Road, Rowville (cont'd)

Clause 52.29 – Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

The purpose of Clause 52.29 is to ensure appropriate access to identified roads.

A planning permit is required to create or alter access to a Road Zone Category 1. As such, a planning permit is required to alter access to Stud Road.

An application that creates or alters access to a Road Zone Category 1 requires a mandatory referral to VicRoads.

- *VicRoads have no objection to the proposal subject to conditions of permit. Therefore it is considered that the proposal appropriate under this Clause.*

Clause 52.34 – Bicycle Facilities

A new use must not commence until the required bicycle facilities and associated signed have been provided on the land.

- *A total of 27 bicycle parking space are provided. Bicycle facilities have been provided in accordance with Table 1 to Clause 52.34-3.*

4.4 Clause 55 – Two or More Dwellings on a Lot and Residential Buildings (ResCode)

The proposed double storey dwellings trigger an assessment against Clause 55. The proposed five (5) storey building has been assessed against the Design Guidelines for Higher Density Development (see Section 4.5 of this report).

The proposal to construct 13 double storey dwellings generally complies with the provisions of Clause 55 of the Knox Planning Scheme, an assessment of the key criteria; including any areas of non-compliance are considered below:

Neighbourhood Character and Infrastructure

Neighbourhood Character – *Complies, subject to conditions on any permit to issue. Refer to assessment and recommended conditions above at Section 4.1.3 of this report.*

Residential Policy – *Complies.*

Dwelling Diversity – *Complies.*

6.4 1103 Stud Road, Rowville (cont'd)

Infrastructure – *Complies. A drainage plan will be a condition on any permit issued.*

Integration with the Street – *Complies, subject to conditions on any permit to issue. The proposal has provided for adequate vehicle and pedestrian links, and is oriented to front the proposed street. Improvements to the entries are recommended to provide a more prominent entry, soften the numbering and provide landscaping.*

Site Layout and Building Massing

Street Setback – *Complies.*

Building Height – *Complies.*

Site Cover/permeability – *Complies with the objective to ensure that site coverage respects the preferred neighbourhood character and responds to the features of the site. While the site coverage exceeds the Standard, and permeability is less than required of the Standard, the site has been identified as an “Opportunity Site” where a high density residential development is envisaged. To achieve the outcome, it is expected that site coverage would be exceeded. The proposal will not result in unacceptable visual bulk and will provide for landscaping opportunities, and appropriate stormwater detention. As such, it is considered that the proposed complies with the objective.*

Energy Efficiency – *Complies.*

Safety – *Complies.*

Landscaping – *Can comply. A condition on any permit issued will require a landscape plan to the satisfaction of the Responsible Authority.*

Access – *Complies.*

Parking Location – *Complies.*

Amenity Impacts

Side and rear setbacks – *Can comply subject to a condition on any permit to issue that requires the setback to the southern boundary to increase to at least 2.4 metres to minimise visual bulk to the adjoining residential properties, and provide for landscaping.*

Walls on boundaries – *Not applicable.*

Daylight to existing windows/north facing windows – *Complies.*

Overshadowing open space – *Complies.*

6.4 1103 Stud Road, Rowville (cont'd)

Overlooking – *Can comply subject to conditions on any permit to issue. A 1.7 metre high screen is to be provided to the eastern and northern side of the balcony to Dwelling 13, where views are within 9 metres of an adjoining property.*

Internal views – *Can comply subject to a condition on any permit to issue to require the first floor bedroom windows that face inwards to be staggered.*

Noise – *Can comply subject to conditions on any permit to issue to require double glazing to first floor windows and doors oriented to the internal public accessway.*

On-Site Amenity and Facilities

Accessibility – *Complies.*

Dwelling Entry – *Can comply subject to conditions on any permit to issue, which reflect the recommendations in Section 4.1.3 of this report.*

Private Open Space – *Complies.*

Solar access – *Complies. The dwellings have been designed to maximise northern solar access into living areas.*

Storage – *Can comply subject to a condition on any permit to issue to provide above bonnet storage within the garages.*

Detailed Design

Detailed Design – *Can comply subject to conditions on any permit, which reflect the recommendations in Section 4.1.3 of this report.*

Front fence – *Complies.*

Common Property – *Complies.*

Site Services – *Can comply subject to a condition on any permit to issue, to require all site services associated with the townhouses to be shown.*

6.4 1103 Stud Road, Rowville (cont'd)

4.5 Guidelines for Higher Density Residential Development (2004)

The guidelines within this document promote well designed high density housing with Activity Centres when considering the context of the site and surrounds, building design and envelope, layout and design and open space and landscape design.

The guidelines are structured around six elements of design consideration, each of which contains design objectives and a corresponding set of design suggestions. An assessment has been made against each of the relevant elements.

Element 1- Urban Context

Complies – The proposed development has responded creatively to its existing context and agreed aspirations for future development of the land, and is based on a clear understanding of the urban context and neighbourhood character, as informed by the Design and Development Overlay – Schedule 9. As such it is considered that the proposal achieves this element.

Element 2 – Building Envelope

Complies – It is considered that the height of the proposed development responds to the existing urban context and preferred neighbourhood character as envisaged in the Design and Development Overlay – Schedule 9. Subject to conditions, the visual impacts to dwellings to the rear (and side) will be appropriate to its context, support private amenity and maximise residential amenity.

Element 3 – Street Pattern and Streetscape Quality

Can comply subject to conditions – Can comply subject to conditions on any permit to issue to require a landscape plan with additional detail to ensure common area planting can be achieved.

Element 4 – Circulation and Services

Can comply subject to conditions – Can comply subject to conditions on any permit to issue as discussed above at Section 4.3 of this report.

6.4 1103 Stud Road, Rowville (cont'd)

Element 5 – Building Layout and Design

Complies – The proposed development provides for a range of one (1) and two (2) bedroom dwellings, and will provide flexibility for future occupants. The building will provide a good standard of natural lighting and ventilation to all internal common property areas. The building is of high architectural quality and will promote visual interest. As such, it is considered that the proposal achieves this element.

Element 6 – Open Space and Landscape Design

Complies – The proposal does not provide for any communal or shared private open space. The proposed development provides for a private balcony to each dwelling, which will receive adequate solar access, and have been designed to integrate into the overall building design and façade composition. As such, it is considered that the proposal achieves this element.

4.6 General Decision Guidelines

Clause 65 of the Knox Planning Scheme and Section 60 of the *Planning and Environment Act 1987* set out decision guidelines/matters which the responsible authority must consider when deciding any planning application.

- *The decision guidelines of Clause 65 of the Knox Planning Scheme and Section 60 of the Planning and Environment Act (1987) have been appropriately considered.*

5. CONCLUSION

Clause 10.04 of the Knox Planning Scheme requires Council to balance relative policy objectives when making decisions to ensure resulting development is sustainable and achieves a net community gain. In this context, the development is appropriate given the following:

- *The proposal is considered to be generally consistent with the objectives and policies of Amendment C131 as adopted by Council on 27 January 2015.*
- *While the height of the proposed five (5) storey building exceeds the desired heights in the Design and Development Overlay – Schedule 9, it is considered that, subject to conditions, the proposal is of exceptional quality and would exceed the high design quality already expected within the centre, and would not create any additional impacts on the amenity of adjoining residential areas.*

6.4 1103 Stud Road, Rowville (cont'd)

- *The proposed use and development is generally consistent with State and Local Planning Policy Framework (including the Municipal Strategic Statement) and Clause 22.13 (Rowville Activity Centre) of the Knox Planning Scheme.*
- *The proposed development is generally compliant with Clause 55 (ResCode) and the Guidelines for Higher Density Residential Development (2004), subject to conditions on any permit to issue.*
- *The proposed development provides car parking in accordance with Clause 52.06 (Car Parking). The design of accessways and car parking spaces can comply with Clause 52.06 subject to changes that could be conditioned on any permit issued.*
- *Subject to conditions on any permit to issue, it is considered that the veterinary centre and gymnasium use are appropriately located and will not cause unreasonable amenity impacts.*

6. CONFIDENTIALITY

There no confidentiality issues associated with this report.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the development of a five (5) storey building containing 76 dwellings, a veterinary centre, and a restricted recreation facility (gymnasium); development of double storey townhouses; use of the land for a veterinary centre and a restricted recreation facility (gymnasium); and alteration of access to a Road Zone Category 1 at 1103 Stud Road, Rowville, subject to the following conditions:

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)****Amended Plans**

- 1. Prior to the commencement of any buildings or works, amended plans 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 plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with application but modified to show:**
 - 1.1 An accessible parking space within the central mews, designed in accordance with AS2890.6-2009.**
 - 1.2 A turnaround area within the central mews, through removal of a parking space and provision of line marking.**
 - 1.3 The accessible parking space within the basement to be relocated within proximity to the lift and allocated to a visitor or veterinary clinic/gymnasium.**
 - 1.4 Parking spaces 67 and 84 to be widened by 300mm.**
 - 1.5 Parking spaces 19 and 32 to be widened by 300mm if clearance is not provided to the storage areas.**
 - 1.6 A security system to provide access to the basement car park for residential visitors and users of the veterinary centre and gymnasium.**
 - 1.7 Signage in accordance with VicRoads Supplement to AGTM Part 11: Parking to be installed for the Flexi car space.**
 - 1.8 A minimum 500mm clearance provided between the front title boundary and the modified shared pedestrian path. Signage and contrasting pavement is to be installed, and the staggered barrier must be removed.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

- 1.9 A 1:5 gradient to be provided to the driveway within 5 metres of the frontage and from the first 5 metres of the shared pedestrian path, unless an alternative solution is otherwise agreed to with the responsible authority.**
- 1.10 The design of the curve ramp amended to comply with the requirements specified under AS2890.1, Clause 2.5.2. The radius of the outer and inner kerbs is to be stated on the plans.**
- 1.11 Priority at intersecting driveways to be designated through contrasting/textured pavement, line marking and signage.**
- 1.12 Provision for service vehicles to park within the central mews.**
- 1.13 The townhouses setback a minimum 2.4 metres from the southern boundary at first floor. To achieve this requirement, at least one (1) townhouse must be deleted.**
- 1.14 Raised planters with sufficient soil volume to accommodate deep root planting are to be provided for along the southern boundary.**
- 1.15 The entries to the townhouses are to be refined, with a more prominent entry, softened townhouse numbering and landscaping along the southern side of the central mews adjacent to the townhouses. To achieve this requirement, at least one (1) townhouse must be deleted.**
- 1.16 The first floor bedroom windows of the townhouse to be staggered to reduce internal overlooking.**
- 1.17 Reconfiguration of the apartment building floor plan to relocate Studio Apartment Option 1 to the ends of the building envelope where the deep balconies can gain dual aspect.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

- 1.18 Annotation that the “Comet” feature will be maintained for perpetuity and will not be retrofitted into an advertising sign.**
- 1.19 Car park lighting along the central mews, that is designed, located and baffled to provide adequate lighting while protecting the amenity of internal dwellings.**
- 1.20 The location of mail boxes, electricity supply, fire hydrants/services, gas and water metres. These services must not be located within the front setback and if visible from the public realm, must be designed to integrate with the development.**
- 1.21 A 1.7 metre high screen provided to the eastern and northern side of the balcony to Dwelling 13, where views are within 9 metres of an adjoining property.**
- 1.22 Above bonnet storage to be provided within the garages of the townhouses.**
- 1.23 The Tree Protection Zone (TPZ) for vegetation on adjoining properties where the TPZ extends into the subject site.**
- 1.24 Drainage plans in accordance with Condition 2 of this Permit and any necessary modifications.**
- 1.25 Amended landscape plans in accordance with Condition 3 of this Permit and any necessary modifications.**
- 1.26 A Construction Management Plan in accordance with Condition 25 of this Permit.**
- 1.27 An amended Waste Management Plan in accordance with Condition 48 of this Permit and any necessary modifications. Plans must detail swept path diagrams to demonstrate how the waste collection vehicle/s will enter and exit the site in a forwards direction.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

1.28 A Tree Management Plan in accordance with Condition 6 of this Permit.

1.29 A Use Management Plan in accordance with Condition 32 of this Permit.

1.30 An Acoustic Report in accordance with Condition 35 of this Permit and any necessary modifications.

To the satisfaction of the Responsible Authority.

Drainage

2. Prior to commencement of any buildings or works, three copies of drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage is to be in accordance with these plans. The plans must show the following:

2.1 All stormwater drainage discharge from the site connected to a legal point of discharge.

2.2 The internal drains of the dwellings to be independent of each other.

2.3 An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.

2.4 The on-site detention system to be installed in a suitable location for easy access and maintenance.

2.5 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.

2.6 All levels to be to AHD (Australian Height Datum).

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

- 2.7 The use of water quality improvement systems is required to be provided for this development. The use of rainwater tanks, bioretention systems and vegetated swales can be used and these are to be incorporated in the stormwater drainage design plans.**

To the satisfaction of the Responsible Authority.

Landscaping

- 3. Prior to the commencement of any buildings or works, an amended landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be generally in accordance with the plans prepared by John Patrick Pty Ltd but amended to show:**
- 3.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.**
- 3.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Appendix 2 of Council's Landscape Guidelines for Planning Permits).**
- 3.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary.**
- 3.4 Details of the surface finishes of pathways and driveways.**
- 3.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.**
- 3.6 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.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

- 3.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).**
- 3.8 Any relevant water quality improvement systems in accordance with condition 2.7.**
- 3.9 A greater plant species variety for the small/medium/large shrubs palette. A 'Bush Boulevard' theme is to be provided within the frontage.**
- 3.10 Full detailed drawings with soil specifications, irrigation and drainage notes for the raised planters.**
- 3.11 Regular cross sections and full details of the building edge planters/gardens.**
- 3.12 Incorporation of green wall planting where possible.**
- 3.13 Soil volume within raised planters to be able to accommodate canopy tree planting/deep root planting.**
- 3.14 Detail of any independent post and wire trellis shown on the plan for any climbing plants.**
- 3.15 Landscaping notes such as soil preparation, maintenance of plant and garden beds.**

To the satisfaction of the Responsible Authority.

- 4. Before the use commences or occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.**
- 5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority. Any dead, diseased or damaged plants are to be replaced.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)****Tree Management Plan**

- 6. Prior to the commencement of any buildings and works, a Tree Management Plan prepared by a qualified Arborist must be submitted for approval by the Responsible Authority. The Tree Management Plan must be submitted in conjunction with the amended Landscape Plan to the satisfaction of the Responsible Authority. The Tree Management Plan must outline suitable measures to sever roots found during excavation, measures for excavation and construction to protect trees on adjoining properties where the Tree Protection Zone is located within the subject site. This Plan must also state that an Arboricultural Consultant will be on-site to supervise whenever works are to take place within the Tree Protection Zone areas of trees on neighbouring properties, where the Tree Protection Zone is located within the subject site.**

General

- 7. All use and development must be in accordance with the endorsed plans.**
- 8. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
- 9. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 10. Prior to the use commencing or occupation of the dwellings the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.**

Sustainable Design Assessment

- 11. Prior to the use commencing or occupation of the development, the development must be constructed in accordance with the Sustainable Management Plan prepared by Ark Resources, Ref: 412Q/701AO and dated 23 December 2014.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)****Tree Protection**

- 12. All works, including excavation, within the structural root zone areas of the trees on adjoining properties must be undertaken under the supervision of a qualified Arborist to ensure that there is no unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority.**
- 13. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.**
- 14. Prior to any works commencing on the site, all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the responsible authority.**
- 15. The fence is to be chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.4 metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.**
- 16. The fence and signage is to be maintained throughout the construction period and the signage removed at the completion of all works.**
- 17. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.**
- 18. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:**
 - 18.1 Construction activities.**
 - 18.2 Dumping and/or storage of materials, goods and/or soil.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

18.3 Trenching or excavation.

18.4 Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.

19. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.

Car Parking & Accessways

20. Before the use commences or the dwellings are occupied, driveways and car parking areas must be:

20.1 Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and

20.2 Formed to such levels and drained so that they can be used in accordance with the approved plan; and

20.3 Treated with an all-weather seal or some other durable surface; and

20.4 Line-marked or provided with some other adequate means of showing the car parking spaces.

To the satisfaction of the Responsible Authority.

21. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.

22. Visitor spaces are to be accessible to visitors at all times and are to be line marked/paved and signed.

Fencing

23. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.

24. Prior to the use commencing or occupancy of the development all fencing shall be in a good condition to the satisfaction of the Responsible Authority.

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)****Construction Management Plan**

25. Prior to the commencement of any buildings or works a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed to form part of the permit. The plan is to include details of the following:

25.1 Contact Numbers of responsible owner/contractor including emergency/24 hour mobile contact details.

25.2 Identification of possible environmental risks associated with development works.

25.3 Response measures and monitoring systems to minimise identified environmental risks, including but not limited to vegetation protection, fauna protection, runoff, erosion, dust, litter, noise and light.

25.4 Location and specifications of sediment control devices on/off site.

25.5 Location and specifications of surface water drainage controls.

25.6 Proposed drainage lines and flow control measures.

25.7 Location of all stockpiles and storage of building materials.

25.8 Location of parking for site workers and any temporary buildings or facilities.

25.9 Details to demonstrate compliance with relevant EPA guidelines.

25.10 Hours during which construction activity will take place.

To the satisfaction of the Responsible authority.

26. Construction activity at the site is to accord with this approved Construction Management Plan.

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)****Amenity During Construction**

27. Upon commencement and until conclusion of the development, the developer shall ensure that the development does not adversely affect the amenity of the area in any way, including:

27.1 The appearance of building, works or materials on the land

27.2 Parking of motor vehicles

27.3 Transporting of materials or goods to or from the site

27.4 Hours of operation

27.5 Stockpiling of top soil or fill materials

27.6 Air borne dust emanating from the site

27.7 Noise

27.8 Rubbish and litter

27.9 Sediment runoff

27.10 Vibration

Should the development cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken to address the issue as directed by, and to the satisfaction of, the Responsible Authority.

Stormwater

28. Stormwater runoff from all buildings and hard standing surfaces shall be properly collected and discharged in a complete and effective system of drains within the property and shall not cause or create a nuisance to abutting properties.

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)****VicRoads Conditions**

- 29. Prior to the commencement of any works on the subject site a comprehensive assessment of the proposed use of the land on the signalised intersections of Stud Road/Turramurra Drive/Avalon Road and Stud Road/Stud Park Shopping Centre access road must be undertaken to the satisfaction and at no cost to VicRoads. Where the assessment indicates that any movement at either of the intersections will be increased by more than 10 percent, the assessment must propose road improvement works to mitigate the impacts, to the satisfaction of VicRoads.**
- 30. Prior to the occupation of the development, any road improvement works identified in the traffic impact assessment must be completed to the satisfaction of and at no cost to VicRoads.**
- 31. Works must not be commenced in, on, under or over the Stud Road road reserve until all necessary approvals under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts have been obtained.**

Gymnasium – Use Management Plan

- 32. Prior to the commencement of any buildings or works three copies of a Use Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Use Management Plan will be endorsed and will then form part of the permit. The Use Management Plan must address the following matters in relation to the restricted recreation facility use:**
 - 32.1 Client access arrangements to the premises during hours when staff are not present on the site.**
 - 32.2 Security arrangements including provision for CCTV cameras.**
 - 32.3 Management of music equipment when staff are not present at the premises.**
 - 32.4 No amplified music.**
 - 32.5 Complaints handling procedure.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

32.6 Procedure to manage car parking to minimise overflow parking, particularly during peak periods.

32.7 Procedure to manage noise including people leaving the building after hours, car noise etc.

To the satisfaction of the Responsible Authority

33. The use of the land for a restricted recreation facility (gymnasium) must be undertaken in accordance with the endorsed Use Management Plan at all times.

Number of patrons

34. Not more than 100 customers and twelve (12) staff members may be present within the area assigned for restricted recreation facility (gymnasium), at any one time.

Acoustic Report

35. Before the development commences, details of noise attenuation measures such as laminated glazing, to an appropriate thickness to minimise the noise impacts of traffic and commercial uses, must be submitted to and approved by the Responsible Authority. Such measures must be in accordance with a report of an Acoustic Engineer such that compliance with the relevant Australian Standard (AS 3671-1989 and AS 2105-2000) is met to the satisfaction of the Responsible Authority. The Acoustic Report will be endorsed and form part of this permit.

Noise

36. Noise emitted from the premises must not exceed limits prescribed by the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.

Concealment of Pipes

37. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view to the satisfaction of the Responsible Authority.

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)****Plant/Equipment or Features on Roof**

- 38. No plant, equipment, services or architectural features other than those shown on the endorsed plan are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.**
- 39. The plant and equipment proposed for the roof of the building must be screened in a manner to compliment the appearance of the building, and should not be clearly visible to the satisfaction of the Responsible Authority.**

Air Conditioning

- 40. Unless shown on the endorsed plans or in accordance with the prior written consent of the Responsible Authority no air conditioning or cooling units, condensers and the like are to be located on roofs, external walls or on balconies.**

Equipment Noise

- 41. Fixed plant including heating/cooling units, extraction fans, pumps or any other fixed electrical appliance for commercial and residential occupancies must be inaudible in any habitable room (as defined by Section 48A of the Environment Protection Act 1970), including within neighbouring dwellings.**

General Amenity

- 42. The storage of all waste materials must be carried out within the confines of the building.**
- 43. The occupation of the development hereby permitted must not detrimentally affect the amenity of the neighbourhood, including, but not limited to:**
 - 43.1 Transport of materials, goods or commodities to or from the land**
 - 43.2 Appearance of any building, works or materials; and**
 - 43.3 Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.**

To the satisfaction of the Responsible Authority.

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

- 44. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent adverse effects on adjoining land.**
- 45. The maintenance of the buildings, service areas and the surrounds of the site will be the responsibility of body corporate, owner or agent and must be serviced at such frequency as will render the service areas and the surrounds to be neat, tidy, and clean at all times to the satisfaction of the Responsible Authority.**
- 46. Goods or packaged materials must not be stored or left exposed outside the building so as to be visible to the public from a road or other public place.**

Security Alarms

- 47. All security alarms or similar devices installed on the land must be of a silent type approved by the Standards Association of Australia and be connected to a registered security service.**

Waste Management Plan

- 48. Before the development commences, an amended waste collection and management plan must be submitted to and approved by the Responsible Authority, demonstrating how waste collection will be undertaken on site, including the operation of the garbage and recyclables storage area. The plan/documentation must be amended to address commercial waste storage and collection, and provide vehicle collection details and swept path diagram plans to demonstrate how vehicles will enter and exit the site, and collect the waste, to the satisfaction of the Responsible Authority.**

Waste Management

- 49. Garbage and recyclables storage and collection must be undertaken in accordance with the approved plan/documentation, and must be undertaken by a private contractor, to the satisfaction of the Responsible Authority. Council will not collect waste from the proposed development.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

- 50. Adequate provision must be made for the storage and collection of garbage, bottles and other solid wastes in bins or receptacles, to the satisfaction of the Responsible Authority.**
- 51. All bins and receptacles used for the collection and storage of garbage, bottles and other wastes must be kept in a storage area to the satisfaction of the Responsible Authority. This storage area must, to the satisfaction of the Responsible Authority, be:**
 - 51.1 properly paved and drained to a legal point of discharge;**
 - 51.2 screened from view with a suitably designed enclosure;**
 - 51.3 supplied with adequate hot and cold water; and**
 - 51.4 maintained in a clean and tidy condition free from offensive odours.**

Veterinary Centre – Animal Boarding

- 52. Animal boarding is limited to the boarding of:**
 - 52.1 10 dogs within the veterinary building for no longer than 48 hours and such accommodation to be within a properly constructed, acoustically treated room; and**
 - 52.2 Boarding of 10 cats within the veterinary building for no longer than 7 days.**

Veterinary Centre – Number of Practitioners

- 53. Between the hours of 8.00pm on any day and 8.00am the following day only one practitioner shall conduct consultations or carry out procedures, unless in a Veterinary emergency where another practitioner is required to assist. At any other time not more than six (6) practitioners shall conduct consultations or carry out procedures on the site at any one time.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)****Veterinary Centre – Cancellation of Permit**

- 54. Within 3 months of the commencement of the works hereby permitted, an application must be lodged to cancel Planning Permit 2001/6297 (issued 30 May 2000) and Planning Permit 983607 (issued 22 September 1998), with the Victorian Civil and Administrative Tribunal, under Section 87(3) of the Planning and Environment Act 1987, at the cost of the owner/operators of the site.**

Public Transport Victoria Condition

- 55. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Stud Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior.**

Section 173 Agreement

- 56. The owner must enter into an agreement under Section 173 of the Planning & Environment Act with the Responsible Authority to provide for:**

56.1 That landscaping and planter boxes within common/public areas and within the private open space area of each townhouse will be maintained to the satisfaction of the Responsible Authority.

56.2 That any dead, diseased or damaged plants will be replaced to the satisfaction of the Responsible Authority.

To the satisfaction of the Responsible Authority.

- 57. The Responsible Authority, at its discretion may cause the agreement to be registered on title pursuant to Section 187 of the Planning & Environment Act.**

- 58. The owner shall be responsible for all costs associated with the preparation, lodging and ending of the agreement.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)****Permit Expiry**

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

59.1 The use or development is not started within two years of the date of this permit.

59.2 The development is not completed within four years of the date of this permit.

Pursuant to Section 69 of the Planning & Environment Act 1987, the Responsible Authority may extend:

- The commencement date referred to if a request is made in writing before the permit expires or within six (6) months afterwards.**
- The completion date referred to if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.**

NOTES

Drainage Notes (to be read in conjunction with the above drainage conditions):

- Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be designed in accordance with the Knox City Council (Responsible Authority) Stormwater Drainage Guidelines, (copy available on request), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the dwellings, and be easily accessible for maintenance.**
- VicRoads is the responsible authority for drainage assets in the vicinity of the proposed development. Connection to the VicRoads system will be according to VicRoads requirements. Council will support connection to the VicRoads system provided there is no burden to Council.**
- The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans. Applicant must ensure that levels on the plan are accurate.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

- **Drainage works in the Road reserve or in the Council easement will require a road opening permit.**
- **Drainage system designed so as to avoid impact on any vegetation shown on the endorsed plans as being retained.**
- **Water Sensitive Urban Design (WSUD) should be addressed as part of this development, e.g. water storage tanks, swale drains, etc.**

Other Notes:

- **Road Opening Permit shall be required for any works within or affecting the road reserve.**
- **Council encourages the consideration of water storage tanks for all existing and proposed residential developments.**
- **A building permit must be obtained before development is commenced.**
- **Buildings are not allowed to be built over Council easements.**
- **The dwelling/s must achieve a minimum 6-Star Energy Rating.**
- **In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.**
- **Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.**
- **Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS.1158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.**
- **Raised concrete slabs on the existing footpath fronting the site should be grounded.**
- **All litter and rubbish associated with the construction must be contained on site at all times.**

6.4 1103 Stud Road, Rowville (cont'd)**Recommendation (cont'd)**

- **Works should be carried out to promote new root growth prior to commencement of works for trees along the western side of the northern boundary. It is recommended that mulching and coring the lawn area within the tree's TPZ should be carried out to promote new root growth throughout this area in preparation of root loss due to the excavation on the subject site. A growth regulator or compost tea should be applied to stimulate new root growth. Mulching the TPZ area with wood chips is beneficial. The area also should be irrigated. This work should be carried out by this autumn and at least 6 to 12 months before the excavation works begin.**

VicRoads Note:

- **The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements – Developer Funded Projects" and any other requirements considered necessary depending on the nature of the work.**

***Report Prepared By: Coordinator Planning
(Renee Haddock)***

***Report Authorised By: Director – City Development
(Angelo Kourambas)***

6.4 1103 Stud Road, Rowville (cont'd)

Appendices A and B distributed separately

TAYLOR WARD

6.5 APPLICATION FOR SUBDIVISION OF LAND INTO 5 LOTS (IN 2 STAGES) AND REMOVAL OF EASEMENT AT 84 MAJOR CRESCENT, LYSTERFIELD (Application No. P/2013/6562)

1. SUMMARY:

Land:	84 Major Crescent, Lysterfield
Applicant:	Carson Simpson P/L
Proposed Development:	Subdivision of land into 5 lots (in 2 stages) and removal of easement
Existing Land Use:	Single dwelling and outbuildings
Area/Density:	6,092 m ² / 1:1,218m ²
Zoning:	General Residential Zone – Schedule 2
Overlays:	Design And Development Overlay - Schedule 3 Vegetation Protection Overlay – Schedule 4 Significant Landscape Overlay – Schedule 5
Local Policy:	Municipal Strategic Statement (MSS) Dandenong Foothills Policy
Application Received:	19 August 2013
Application Amended:	2 December 2014
Number of Objections:	1
PCC Meeting:	N/A

Assessment:

It is considered that the development can provide an appropriate balance between the need for additional lots within a fully serviced area and the amenity of occupants and adjoining residents.

Subject to conditions, the proposal meets the purpose of the General Residential Zone – Schedule 2. The proposal meets the minimum subdivision area required by the Design and Development Overlay – Schedule 3.

The proposed development is consistent with Council's Dandenong Foothills Policy and Clause 56 (ResCode).

On balance it is considered that the proposal responds reasonably to State and Local Planning Policies, subject to modifications. It is recommended that Council issue a Notice of Decision to issue a Planning Permit, subject to conditions.

6.5 84 Major Crescent, Lysterfield (cont'd)

2. BACKGROUND

2.1 Background

The application was lodged on 19 August 2013. The applicant requested that the application be placed on hold, and following lengthy discussions with Council and relevant authorities, amended the application on 2 December 2014. The application was advertised in April 2015. Following further requests to place the application on hold post-advertising, the applicant requested Council proceed with the application in January 2016.

2.2 Planning Scheme Amendments

Amendment C131 proposes to implement the findings of the Knox Housing Strategy 2013, the Knox Residential Guidelines, the Rowville Plan (2013) and the new residential zones. Amendment C131 has completed the exhibition and panel process and was reported to Council on 27 January 2015, where it was adopted by Council.

At the time that this application was submitted, Amendment C131 was not a 'seriously entertained proposal', and no weight has been given to the Knox Housing Strategy in the assessment of this application in accordance with the Council resolution on 24 February 2015.

2.3 Subject Site and Surrounds

The location of the subject site is shown in Appendix A.

- The subject site is located on the southern side of Major Crescent, approximately 90m west of Hayes Court, Lysterfield.
- The site is currently occupied by a single dwelling and associated outbuildings.
- The site has a splayed frontage of 12.4 metres to Major Crescent with an 82m long driveway entrance 3 metres in width. The site also has carriageway access over the 3 metres access strip at 86 Major Crescent providing a total width of 6 metres. The land opens up to a rectangular shape having a width of 50.29 metres and depth of 114.7 metres. The total site is 6092sqm.
- A 18.5m wide drainage easement exists along the southern (Wellington Road) boundary. The site is separated from Wellington Road by a 1.5m wide tree reserve.

6.5 84 Major Crescent, Lysterfield (cont'd)

- The surrounding land includes Hayes Court, a recently subdivided estate to the east, and adjoining residential land of similar size to the west. Properties on the northern side of Major Crescent vary in size from 3368sqm to 1409sqm. To the south of Wellington Road is the Boral Quarry.
- The adjoining property to the east has been recently subdivided into 5 allotments similar to the proposed subdivision.

2.4 The Proposal

(Refer to attached plans at Appendix B)

The application proposes a five (5) lot subdivision and removal of easement. Details are as follows:

- The application proposes the subdivision of the land into five (5) lots with common property in 2 Stages.
- Stage One consists of Lots 1 and 2, with the balance of Lots (3-5) in Stage Two.
- The existing house is proposed to remain during Stage One. Upon Stage 2, the existing house will be required to be modified or removed.
- The application also proposes to remove the 18.5 metre wide easement along the rear (Wellington Road) boundary.
- Lots to be created range from 1,001m² up to 1,003m². Each lot will have vehicle access to the common property (private) road, shared with 86 Major Crescent.
- The common property road will have a total width of 6 metres (3 metres each from 84 and 86 Major Crescent) for the first 90m, then providing for a “Y” shaped court bowl arrangement.
- A planting strip is proposed between the new common area of this proposal and the existing common property road of 86 Major Crescent.
- The common property road is proposed to be named Perry Lane. This naming is to also apply to the existing development at 86 Mayor Crescent.
- The 1.5 metre wide tree reserve to Wellington Road will be retained. There is no Public Acquisition Overlay along the Wellington Road frontage.

6.5 84 Major Crescent, Lysterfield (cont'd)

3. CONSULTATION

3.1 Advertising

The application was advertised by way of two signs on the site and notices were sent to adjoining property owners and occupiers. One (1) objection was received. The primary concerns raised are summarised as follows:

There should be no vehicle access to Wellington Road

- *There is an existing vehicle access to Wellington Road into the subject land. This access has a shared crossover with No. 32 Wellington Road. VicRoads were consulted and have required that the access be removed prior to the issue of Statement of Compliance for Stage Two, or any buildings and works associated with the newly created lots in Stage 1. As such, access to Wellington Road will not be provided. It is noted that vehicular access from Wellington Road to the adjoining site to the west will remain, as there is no alternative available.*

The application has been referred to internal departments and external authorities for comment. The following is a summary of relevant advice:

Traffic Engineer

- *The common access way to include a passing area midway along the driveway.*
- *The passing area is to be 5 metres wide and 7 metres long to ensure exiting and entering traffic do not collide.*
- *Standard conditions are required should a permit be issued.*

Officer Response: The access way will be addressed as part of the conditions of any permit issued.

Drainage Engineer

- *Standard conditions on any permit issued.*

6.5 84 Major Crescent, Lysterfield (cont'd)

Waste

- *The bins will be emptied internally within the confines of the development, this is in accordance with Council's five (5) occupancies or more policy. This is dependent on an indemnity being signed to allow entry and adequate turning circles being provided. If these are not provided, a private contractor would need to collect the rubbish.*

Officer Response: The waste requirements will be addressed as part of the conditions of any permit issued.

Building

- *The existing dwelling will require demolition / modification upon the commencement of Stage Two.*

Arborist

- *A number of trees across lots 3-5 will trigger a permit for removal.*

Officer Response: No trees are proposed to be removed or pruned as part of this application.

External Referrals

The application was referred to the Servicing Authorities, namely; Melbourne Water, South East Water, Ausnet Electricity, Multinet Gas, VicRoads and CFA.

- *No objections from the Determining Authorities (Melbourne Water, South East Water, SP Ausnet Electricity, Multinet Gas and CFA) were received and standard conditions were supplied.*
- *No objection from VicRoads subject to conditions requiring the removal of the access to Wellington Road.*

4. DISCUSSION

This section considers the proposed development in light of the provisions of the Knox Planning Scheme including State and Local Planning Policies, any other relevant policies and objectives.

6.5 84 Major Crescent, Lysterfield (cont'd)

4.1 Zoning and Overlays

4.1.1 Zone

The site is zoned General Residential Zone – Schedule 2. Pursuant to Clause 32.06-2 of the Knox Planning Scheme a permit is required to subdivide land.

One of the purposes of the General Residential 2 Zone is to provide for residential development with a variety of dwellings to meet the housing needs of all households and which respects the neighbourhood character and limits the maximum height of a dwelling or residential building.

The Schedule to the Zone changes the private open space requirements of ResCode by increasing the total private open space for each dwelling from 40m² to 60m². Also, a minimum area of 40m² must now be provided with a minimum width of 5 metres.

- *An application has been made to subdivide the land. The lot sizes are capable of achieving the required open space.*

4.1.2 Overlays

Design and Development Overlay – Schedule 3

Pursuant to Clause 43.02-3 a permit is required to subdivide land. The purpose of the Overlay is to ensure that residential development reflects the existing subdivision character of the area and to ensure that lots are large enough to accommodate development whilst retaining natural or established vegetation cover, providing substantial areas for planting and re-vegetation to occur, and minimising site coverage and impervious surface cover to protect environmental values and minimise the visual dominance of development.

Design and Development Overlay 3 relates to the Lysterfield Urban/Rural Transition and Lysterfield Valley Contributory area. Subdivision in a Residential 3 zone must not be subdivided into lots less than 1000sqm.

- *Each proposed lot will comply with the minimum lot size required by the Overlay.*

6.5 84 Major Crescent, Lysterfield (cont'd)

Significant Landscape Overlay – Schedule 5

The land is also affected by a Significant Landscape Overlay (SLO5). The significant Landscape Overlay seeks to identify significant landscapes and conserve and enhance the character of significant landscapes. A permit is not required to subdivide land pursuant to the Significant Landscape Overlay – Schedule 5.

Vegetation Protection Overlay – Schedule 4

The land is also affected by a Vegetation Protection Overlay (VPO4). The Vegetation Protection Overlay seeks to protect and retain the continuity of tree cover, with particular emphasis on indigenous species and large old native trees.

A permit is required to remove, destroy or lop native vegetation and vegetation listed in Table 1 to this schedule, unless the tree is less than 5m in height, overhanging an existing dwelling or maintenance pruning where no more than 1/3 of the foliage of any branch is removed from any individual plant.

- *The proposal does not seek the removal of any vegetation.*

4.2 Policy Consideration

4.2.1 State Planning Policy Framework

State policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development.

Key Policies:

Clause 11.02-1 Supply of Urban Land - ensure a sufficient supply of land for residential, commercial, retail, industrial, recreational, institutional and other community uses.

- *The proposal creates serviced allotments on which an owner may construct a dwelling of their choice subject to a planning permit.*

6.5 84 Major Crescent, Lysterfield (cont'd)

Clause 15.01 Urban Environment - create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

- *The subdivision aims to continue the redevelopment of the neighbourhood with a shared common property access, fitting with the character and identity of adjoining developments.*

Clause 16 Housing – locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.

- *The subdivision provides for larger allotments in an established residential area, with all services and utilities available for connection.*

Clause 18. Transport – To create a safe and sustainable transport system by integrating land-use and transport.

- *The site is located walking distance from a bus stop on Major Crescent.*
- *Service 681 runs a loop (clockwise) from Knox City via Wantirna Scoresby and Rowville. This service operates between 6.10am and 9.25pm Monday to Friday), between 8.14am and 7.05pm on Saturdays and between 9.14am and 6.00pm on Sundays at various intervals.*
- *Service 682 runs a loop (anti clockwise) from Knox City via Wantirna Scoresby and Rowville. This service operates between 6.14am and 10.15pm Monday to Friday), between 8.10am and 7.45pm on Saturdays and between 9.10am and 5.58pm on Sundays at various intervals.*
- *Telebus service 8 runs from Stud Park to Ferntree Gully station. This service operates between 6.05am and 6.20pm Monday to Friday). There is no weekend service*

4.2.2 Local Planning Policy Framework

Clause 21.01 Municipal Strategic Statement (MSS) –Encourages planning and development to occur with the necessary consideration to such matters as managing population growth, encouraging sustainable development and influencing the urban form so that Knox itself becomes more sustainable.

6.5 84 Major Crescent, Lysterfield (cont'd)

All development therefore is encouraged within this clause to incorporate Ecologically Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles to ensure that a sustainable urban environment is ultimately achieved with a strong use of existing infrastructure, and to reduce dependence on private vehicle travel.

- *The proposed lots are designed to enable dwellings to take advantage of solar access and suitably sized to include water tanks for recycled use. Buses 681, 682 and Telebus 8 operate in the area. A bicycle network can be accessed via Major Crescent.*

Clause 21.04 Urban Design - Municipal Strategic Statement (MSS) – To ensure that all development responds positively to the existing patterns of urban form and character, the landscape, qualities, historic and cultural elements and social aspirations of the Knox community.

- *The subject site responds to the existing patterns and urban form of the surrounding area. Surrounding the site are lots that have been subdivided to the minimum lots size of the Design and Development Overlay – Schedule 3.*

Clause 22.01 - Dandenong Foothills Policy –

The site is also subject to the Dandenong Foothills Local Planning Policy outlined at Clause 22.01 of the Knox Planning Scheme. Objectives of this Policy aim to maintain the low density residential character of the landscape areas by ensuring that preferred subdivision patterns and lot sizes are retained.

Within the Lysterfield Urban/Rural Transition & Lysterfield Valley Contributory Area, it is policy that:

- Roads are aligned to provide an edge to the urban area and provide public access to reserves, parkland and views.
- Streets connect with adjoining development and provide informal street treatments incorporating indigenous vegetation and rollover kerbing.
- Building height does not exceed 7.5m.
- The subdivision of land and the construction of buildings and works minimise the threat associated with bushfire.

6.5 84 Major Crescent, Lysterfield (cont'd)

- Indigenous trees and understorey vegetation be retained and protected.
- *The application provides an extension to the existing 3 metre wide accessway, with common property to service the five (5) lots, which will become an informal private road. The subject site is not within a Wildfire Management Overlay. Building height and materials will be assessed as part of a separate application for the construction of a dwelling.*

4.3 Clause 56 – Residential Subdivision (ResCode)

The proposal generally complies with the provisions of Clause 56 of the Knox Planning Scheme, an assessment of the key criteria, including any areas of non compliance are considered.

Compact and Walkable Neighbourhoods 56.03-1

To create neighbourhoods orientated around easy walking distance to activity centres, schools, community facilities, public open space and transport. – *Complies. Access to Shops, community facilities and parks are accessible within relatively short distances.*

Built Environment 56.03-4

To create an urban place with identity and character – *Complies.*

Neighbourhood Character 56.03-5

To design subdivisions that respond to neighbourhood character – *Complies, refer to Section 4.2.2.*

Lot Diversity and Distribution Objective 56.04-1

To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services and to provide a range of lot sizes to suit a variety of dwelling and household types – *Complies. The application responds by creating lots of 1000sqm or larger which compliment the lot sizes in the surrounding area. The application provides opportunity to achieve diverse housing needs for the community with the provision of public transport.*

6.5 84 Major Crescent, Lysterfield (cont'd)

Lot Area and Building Envelopes Objective 56.03-4

To provide lots with dimensions that enable a dwelling, solar access, private open space, vehicle access and parking, water management, protection of vegetation, easements and site features – *Complies. Building Envelopes are not required to be enforced unless vacant lots are less than 500sqm.*

Lot is capable of containing a building area measuring 10 metres x 15 metres

Lots must demonstrate the ability to contain a building envelope measuring 10m x 15m and adequate open space – *Complies. This is achievable for all lots.*

Solar Orientation of Lots Objective 56.04-3

To provide good solar orientation of lots and solar access for future dwellings – *Complies.*

Street Orientation Objective 56.04-4

To provide a lot layout that contributes to community social interaction, personal safety and property security – *Complies.*

Integrated Urban Landscape Objective 56.05-1

To provide landscaping in streets, design of open space and protect existing vegetation to contribute to the character and identity of the new neighbourhood and provide for integrated water management systems – *Can comply subject to condition. Conditions on any permit issued should require a landscape/streetscape plan and planting along the common property area that will enhance the appearance of the site and surrounding area.*

Public Open Space Provision Objective 56.05-2

To provide a network of quality, well distributed open space where it will link to other open space, linear parks and trails and cater for the needs of the community – *Complies subject to a cash-in-lieu contribution in accordance with Clause 52.01 of the Knox Planning Scheme.*

6.5 84 Major Crescent, Lysterfield (cont'd)

Access and Mobility Objective 56.06-1 and 56.06-2

To provide for walking, cycling, public transport and other motor vehicles in an integrated manner whilst contributing to reduced car dependence, improved energy efficiency, improved transport efficiency – *Complies*.

Neighbourhood Street network detail 56.06-4

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users – *Complies. Existing street interface to remain.*

Urban Runoff Management Objective 56.07

To minimise increases in storm water run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off – *Complies, standard conditions to be included on any permit issued.*

Site Management 56.08

To protect drainage infrastructure and receiving waters from sedimentation and contamination and protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works – *Complies, standard conditions to be included on any permit issued.*

Utilities 56.09

To maximize shared trenching and provide public utilities (including fire hydrants and public lighting) in a timely, efficient and cost effective manner whilst minimising constraints on landscaping in street reserves. – *Complies, all services are expected to run through the common property area.*

4.4 Particular Provisions

Clause 52.01 - Public Open Space

It is considered that the proposal generates a need for further Public Open Space having regard to the provisions of Section 18 of the Subdivision Act (1988) and Clause 52.01 of the Knox Planning Scheme.

6.5 84 Major Crescent, Lysterfield (cont'd)

- *It is considered that the proposal generates a need for further Public Open Space having regard to the provisions of Section 18 of the Subdivision Act (1988) and Clause 52.01 of the Knox Planning Scheme. A Public Open Space contribution is applicable in this instance at 5% as all lots proposed are over 725sqm.*

Clause 52.02 - Easements

A planning permit is required pursuant to Clause 52.02 of the Knox Planning Scheme which states a permit is required to vary or remove an easement.

The Knox Planning Scheme set out decision guidelines/matters which the responsible authority must consider when deciding any planning application. The application must consider:

- The decision guideline of Clause 65, and
- The interests of affected people
- *The application proposes to remove a 18.5 metre wide drainage easement, which exists along the rear (southern) boundary. The removal of the easement has been determined to have no effect on adjoining properties and consent has been provided by internal and external authorities.*

Clause 66.01 Telecommunications

Each lot shown on the endorsed plan shall be provided with the National Broadband Network telecommunications fibre ready facilities in accordance with the industry specifications and standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

- *Conditions to be included on any permit issued.*

4.5 General Decision Guidelines

Clause 65 of the Knox Planning Scheme and Section 60 of the P&E Act (1987) set out decision guidelines/matters which the Responsible Authority must consider when deciding any planning application.

6.5 84 Major Crescent, Lysterfield (cont'd)

- *The decision guidelines of Clause 65 of the Knox Planning Scheme and Section 60 of the Planning and Environment Act (1987) have been appropriately considered.*

5. CONCLUSION

Clause 10.04 of the Knox Planning Scheme requires Council to balance relative policy objectives when making decisions to ensure resulting development is sustainable and achieves a net community gain. The subdivision of the land meets the policy objectives for the zone and benefits the community. In this context, the development is appropriate given the following:

- *The proposed subdivision provides areas for canopy tree planting and private open space in accordance with the General Residential Zone – Schedule 2. It also achieves the objectives and strategies in Council's Municipal Strategic Statement and Dandenong Foothills Policy.*
- *The proposal complies with the Design and Development Overlay – Schedule 3, with each lot a minimum 1000sqm.*
- *The proposal is consistent with the objectives and standards of Clause 56 (ResCode).*
- *All lots will have independent vehicle access and identity with via the common property area. The internal road will provide for landscaping, lighting and fire hydrants, subject to conditions on any permit issued.*

6. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

RECOMMENDATION

That Council issue a Notice of Decision to subdivide the land into five lots (in two stages) and removal of easement at 84 Major Crescent, Lysterfield, generally in accordance with the endorsed plans and subject to the following conditions:

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)****Amended plans**

1. This permit shall have no force or effect until amended plans have been submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application, but modified to show:

1.1 The common property layout detailing;

1.1.1 Access driveway

1.1.2 Crossover locations

1.1.3 A passing bay located midway along the entry road with a minimum width of 5 metres and minimum length of 7 metres.

1.1.4 Details of landscaping beds including plant/tree sizes to be planted within the common property.

1.1.5 The turnaround detail (1:100 scale) within the common property including dimensions, location, number and size of waste/recycling bins to enable waste collection. *(This may be waived if private collection is organised).*

1.2 Easements 2m wide over new drainage assets in favour of lots on the plan.

1.3 Landscape / Streetscape plans in accordance with Condition 2 of this permit.

1.4 Drainage plans in accordance with Condition 30 of this permit.

1.5 Any modifications necessary to comply with VicRoads Conditions 24-27 of this permit.

To the satisfaction of the Responsible Authority.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)****Streetscape/Landscape Plan**

2. Three (3) copies of a streetscape/landscape plan prepared by a suitably qualified landscape designer or architect shall be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. This plan shall show a Streetscape and Landscape design detailing the following:
 - 2.1 Position of any lighting within the common property.
 - 2.2 Location of fire hydrants.
 - 2.3 Trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary.
 - 2.4 Details of the surface finishes of pathways and driveways.
 - 2.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.
 - 2.6 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.

To the satisfaction of the Responsible Authority.

General Conditions

3. The subdivision boundaries as shown on the endorsed plans must not be altered or modified (whether or not in order to comply with any statute, statutory rule or for any other reason) without the consent of the Knox City Council, the Responsible Authority.
4. All existing and proposed easements required for utility services on the land must be set aside in the plan submitted for certification in favour of the relevant authority for which the easement is to be created.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)**

- 5. The owner/developer of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the plans of subdivision in accordance with that authority's requirements and relevant legislation at the time.**
- 6. In accordance with Clause 66.01 of the Knox Planning Scheme, the owner of the land must enter into an agreement with:**
 - 6.1 A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
 - 6.2 A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- 6.3 A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
- 6.4 A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)****Referral of plan**

7. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of the Act.
8. No work shall be commenced on any assets requiring Council's approval or supervision until Council's written agreement is obtained.
9. All works shall be carried out in a manner that causes minimal environmental impacts however should any situation cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken promptly to address the issue as directed by and to the satisfaction of the Responsible Authority.
10. All topsoil removed during the earthworks must be stockpiled and maintained in a weed free condition. Disturbed ground after completion of the earthworks shall be re-vegetated to prevent dust, erosion to the satisfaction of the Responsible Authority.
11. Any handling and disposal of site soil must be in accordance with the requirements of the Environment Protection Authority and the Environment Protection Act 1970.

Public Open Space

12. Prior to the issue of a Statement of Compliance for any stage, a contribution to the Council for public open space shall be required pursuant to Section 18 of the Subdivision Act 1988 and Clause 52.01 of the Knox Planning Scheme.

South East Water Conditions

13. Prior to the issue of a Statement of Compliance, the owner/developer must enter into an agreement with South East Water Limited for the provision of water supply and fulfil all requirements to its satisfaction.
14. Prior to the issue of a Statement of Compliance, the owner/developer must enter into an agreement with South East Water Limited for the provision of sewerage and fulfil all requirements to its satisfaction.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)**

15. All lots on the plan of subdivision must be provided with separate connections to our potable water supply and sewerage systems.

Melbourne Water Conditions

16. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
17. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.

CFA Conditions

18. The subdivision as shown on the endorsed plans must not be altered without the consent of the Country Fire Authority.
19. Prior to the issue of a Statement of Compliance, Operable Hydrants above or below ground must be provided to the satisfaction of the CFA. The maximum distance between these hydrants and the rear of all lots must be 120m and hydrants must be no more than 200m apart.
20. Hydrants must be identified as specified in "Identification of Street Hydrants for Firefighting purposes" (Available on the CFA website - www.cfa.vic.gov.au under Publications).

Ausnet Conditions

21. The Plan of Subdivision submitted for certification must be referred to Ausnet Electricity Pty Ltd in accordance with Section 8 of the Subdivision Act 1988.
22. The applicant must –
 - 22.1 Enter in an agreement with Ausnet Electricity Pty Ltd for supply of electricity to each lot on the endorsed plan.
 - 22.2 Enter into an agreement with Ausnet Electricity Pty Ltd for the rearrangement of the existing electricity supply system.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)****Multinet Gas**

- 23. The plan of subdivision submitted for Certification must be referred to Multinet Gas in accordance with Section 8 of the Subdivision Act 1988.**

VicRoads

- 24. The plan of subdivision to be certified for Stage 1 of the subdivision must include:**

24.1 A carriageway easement in favour of all created lots that do not abut Major Crescent, including the Balance Lot, that provides those lots with vehicular access to Major Crescent.

24.2 A restriction on the title for the Balance Lot that states that access to Wellington Road must be removed under any of the following circumstances:

24.2.1 Prior to statement of compliance being issued for re-subdivision of the Balance Lot; or

24.2.2 If the existing dwelling on the lot is demolished or if at least 50 percent of the gross floor area of the dwelling is damaged or destroyed so that the use cannot continue without the building or works being reconstructed; or

24.2.3 Before any new dwelling or habitable building is constructed on the lot.

- 25. Prior to a statement of compliance being issued for the first stage of the subdivision, a non-movable fence must be erected on the north-western boundary of the Balance Lot to prevent vehicular access from Wellington Road to both Major Crescent and any new lot created.**

- 26. A plan of subdivision to be certified for Stage 2 or for re-subdivision of the Balance Lot must:**

26.1 Include a carriageway easement providing all created lots with vehicular access to Major Crescent; and

26.2 Remove the restrictions on the Balance Lot created as part of Stage 1 of the subdivision.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)**

27. Prior to a statement of compliance being issued for Stage 2 of the subdivision or for a re-subdivision of the Balance Lot:

27.1 Access to Wellington Road must be removed, including the erection of a non-movable fence along the Wellington Road property boundary and the removal of the any existing works in the Wellington Road reserve; and

27.2 The fence on the north-western boundary of the Balance Lot must be modified to provide vehicular access to Major Crescent.

Drainage/Construction Conditions

28. The applicant shall engage a certified Civil Engineering Consultant to analyse the existing drainage in order to determine the size and length of outfall drainage required to be constructed or upgraded to cater for the new subdivision.

29. Stormwater design must be in accordance with the Knox City Council (Responsible Authority) Civil Works and Stormwater Drainage Guidelines for Broadacre Subdivisions and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff.

Engineering Plans

30. Three copies of drainage plans and computations (to AHD) prepared by a suitably qualified Engineering Consultant (A person who holds a qualification in Civil Engineering) must be submitted and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. These plans shall show:

30.1 All stormwater drainage runoff shall be collected in a complete and effective system of drains and connected to the Council drainage system near the south east corner of the property (LPD). It shall not cause a nuisance to abutting properties.

30.2 Stormwater discharge from the site is to connect to the nearest Melbourne Water drainage pit located north west of the property.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)**

- 30.3** The outfall drain is to be a minimum 225mm diameter and constructed to Council standards and satisfaction. The applicant is to submit detailed design plans of the outfall drain to Council for approval.
- 30.4** The total Permissible Site Discharge for the property including all dwellings is 42.7 L/s to the existing Council drainage system for a 5 year ARI event.
- 30.5** Details including surface and underground drainage, vehicle crossovers, hydrants and outfall drainage.
- 30.6** The location of all services to be underground.
- 30.7** New easements must be created to the satisfaction of the Responsible Authority over any drainage assets constructed as a result of this subdivision.

To the satisfaction of the Responsible Authority.

Vehicle crossings and access

- 31.** Prior to a Statement of Compliance for any stage, vehicle crossings and the relevant common property access way must be constructed to serve the stage lots to the satisfaction of the Responsible Authority.
- 32.** Vehicle crossings must be sealed and constructed to Council Standard Drawings, must be at right angles to the road from the kerb to the building line and be 1m clear of all assets in the road reserve and 3m clear of all street trees.
- 33.** Prior to a Statement of Compliance for the last stage, the whole common property access way must be constructed to the satisfaction of the Responsible Authority.

Asset Protection

- 34.** The Applicant/Owner shall be responsible to meet the costs of all alterations to and reinstatement of, the Knox City Council and any other Public Authority assets deemed necessary and required by such Authorities for the development/subdivision. Re-instatement or modification of assets to Council's satisfaction will be required or compensation to the value of Council's loss shall be paid.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)****Payments and Bonds**

35. Prior to the issue of a Statement of Compliance, the owner/developer shall pay to the Council a payment for supervision of works being 2.5% of the value of all works shown on the Engineering Plans and a payment for checking of Engineering Plans being 0.75% of all works shown on the engineering plan.
36. Prior to the issue of a Statement of Compliance, the owner/developer shall lodge with Council a refundable maintenance bond being 5% of the value of all works shown on the Engineering Plan.

(A priced Bill of Quantities shall be supplied to Council to validate the value of works as shown on the plan. This is used to determine the amount of the fees and maintenance bond and provides a record of the value of Councils assets).

Bond return

37. Prior to the return of any Maintenance Bond for a new pit, the Council Engineer shall inspect the works to ensure that they are constructed in accordance with the approved design and specifications to the satisfaction of the Responsible Authority.

Removal of structures

38. Prior to the issue of a Statement of Compliance for any stage, all the buildings and structures on the on the lots to be released must be removed from the land to the satisfaction of the Responsible Authority.

Waste Management

39. Bins are required to be emptied within the confines of the development in accordance with Council's guidelines. Turn around areas must be endorsed under Condition 1e of this permit and a signed indemnity inclusive of all parties is required before Council's contractor will enter the site.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)****Environment**

- 40. All works shall be carried out in a manner that causes minimal environmental impacts however should any situation occur requiring a clean up, this shall be done promptly and in an environmentally appropriate manner to the satisfaction of the Responsible Authority.**
- 41. No work shall be commenced on any assets requiring Council's approval or supervision until Council's written agreement is obtained.**
- 42. All topsoil removed during the earthworks must be stockpiled and maintained in a weed free condition. Disturbed ground after completion of the earthworks shall be re-vegetated to prevent dust, erosion to the satisfaction of the Responsible Authority.**
- 43. Any handling and disposal of site soil must be in accordance with the requirements of the Environment Protection Authority and the Environment Protection Act 1970.**

Amenity

- 44. Upon commencement and until conclusion of the development, the developer shall ensure that the development does not adversely affect the amenity of the area in any way, including:**
 - 44.1 The appearance of building, works or materials on the land**
 - 44.2 Parking of motor vehicles**
 - 44.3 transporting of materials or goods to or from the site**
 - 44.4 hours of operation**
 - 44.5 stockpiling of top soil or fill materials**
 - 44.6 air borne dust emanating from the site**
 - 44.7 noise**
 - 44.8 rubbish and litter**
 - 44.9 sediment runoff**

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)****Final Inspection**

45. Prior to the issue of a Statement of Compliance (subject to any works having been bonded) a final inspection by Council's Enforcement and Drainage Officer's shall be carried out, to verify the completion of works in accordance with the Endorsed Plans, to Council's standards and shall include:

45.1 Construction of vehicle crossings;

45.2 Removal of vehicle crossings

45.3 Construction of common areas (including driveways and landscaping);

45.4 Completion of drainage;

45.5 Installation of common property lighting and hydrants;

45.6 Fencing;

Time - Subdivision

46. The permit will expire if one of the following circumstances applies:

46.1 Stage 1 of the subdivision is not started within two years of the date of this permit as evidenced by a Plan of Subdivision being certified by the Council within that time limit;

46.2 Stage 2 of the subdivision is not started within four years of the date of this permit as evidenced by a Plan of Subdivision being certified by the Council within that time limit;

46.3 The Certified Plan of Subdivision (Stage 1 and Stage 2) is not registered within five years from the date of the certification of the plans.

The Responsible Authority may extend the time limit at the request of the landowner or occupier. Any request must be made before the permit expires or within six (6) months after the expiry date.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)****NOTES:**

- All utility services (drainage, sewer) are to be verified onsite by the applicant/developer prior to the commencement of any works.
- Pursuant to the schedule to Clause 52.01 of the Knox Planning Scheme and in accordance with Section 18 of the Subdivision Act 1988, the owner/developer shall pay to the Council an amount equal to 5 percent of the site value of all the land in the subdivision. This amount may be adjusted in accordance with Section 19 of the Subdivision Act and shall be required prior to the issue of a Statement of Compliance under the Subdivision Act 1988.
- A road opening permit from Council is required for any works within the road reserve, including the nature strip.
- Melbourne Water conditions: Contact 9679 7517.
- CFA Conditions: Contact 8739 4032.
- Lot numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.
- Ausnet Conditions: Contact 9238 6374.
- South East Water Conditions: Contact 9552 3371 The following South East Water agreement options are available:
 - 1) Application to enter into a Development Deed-works – Works, if South East Water reticulated sewer/water/recycled water (as applicable) is required to be extended to service lots within the development.

6.5 84 Major Crescent, Lysterfield (cont'd)**Recommendation (cont'd)**

- 2) Application for Notice of Agreement Subdivision – Non works, if South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner only requires Statement of Compliance to release the titles (ie; subdivision prior to building).**
- 3) Plumbing industrial, Commercial, Units and Private Water application, if South East Water reticulated sewer/water/recycled water (as applicable) is available to the development and the owner wishes to commence construction of the buildings. (ie; building prior to subdivision).**

Report Prepared By: Planner (Phillip Singh)

***Report Authorised By: Director – City Development
(Angelo Kourambas)***



Knox City Council
REPORT APPENDIX A

Location
Melway 82 J2, 82 J3

Property Address
84 Major Crescent,
LYSTERFIELD

Application Number
P/2013/6562

Description
5 Lot Subdivision
(in 2 Stages) and
Removal of
Easement

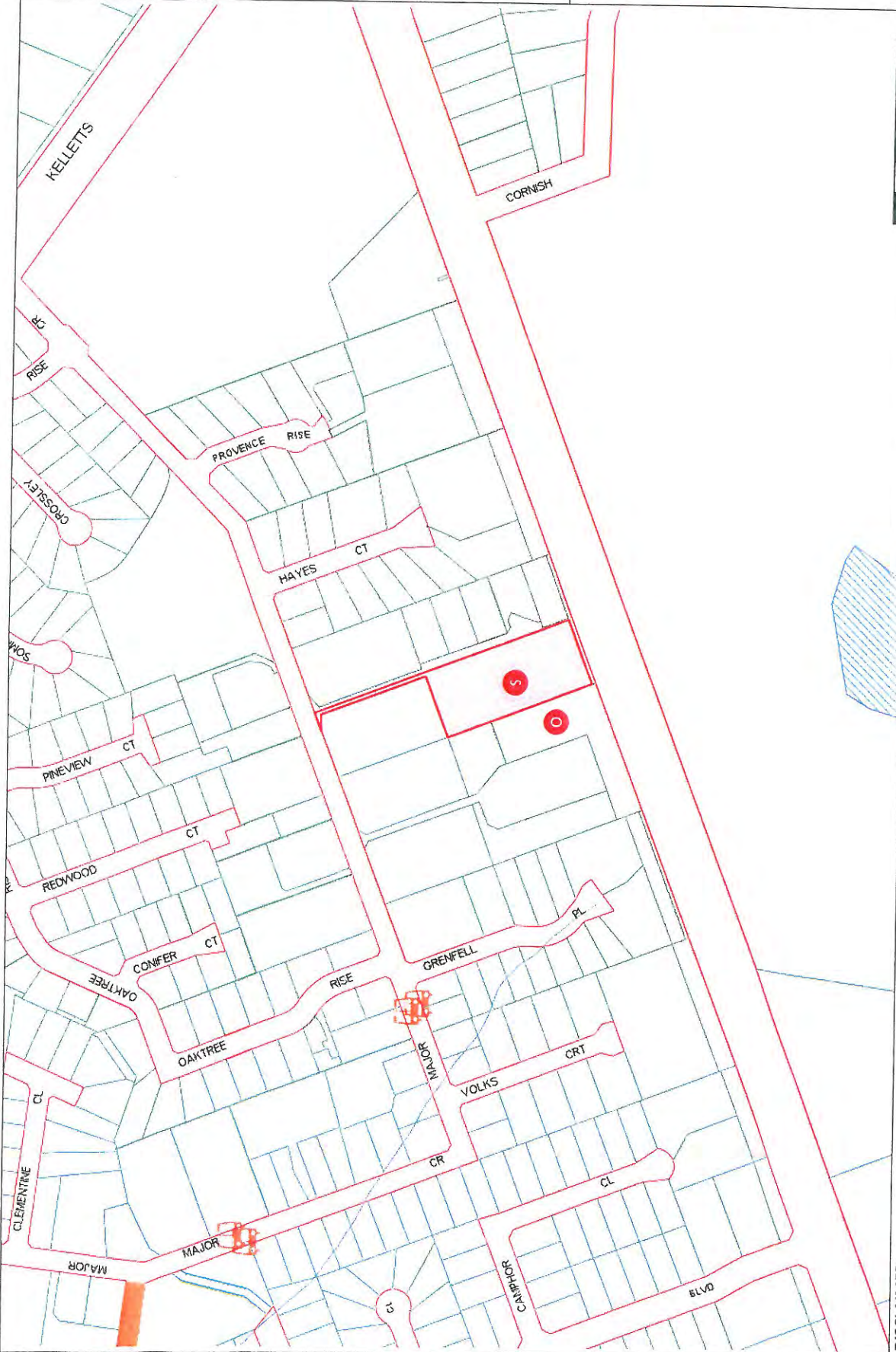
Wardname
Taylor

LEGEND:

- Title Boundary
- Road Boundary
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Oblector
- Unit Development
- Subject Property
- Petition



Scale: 1:3000



DISCLAIMER:

- Roads and Title Boundaries - State of Victoria, Knox City Council
 - Planning Scheme Information - DPCD, Knox City Council
 - Aerial Photography - AAM (Flown January 2013 - unless otherwise stated)
 - Melbourne Water Drainage Information - Melbourne Water
1. Whilst every endeavor has been made to ensure that the mapping information is current and accurate, no responsibility or liability is taken by Knox City Council or any of the above organizations in respect to inaccuracy, errors, omissions or for actions based on this information.
 2. Planning information should be used only as a means of preliminary investigation. For accurate overlay information please obtain a Planning Certificate from the Department of Infrastructure.
 3. This print contains information from Vicmap Property (Copyright State of Victoria). The State of Victoria does not warrant the accuracy or completeness of information in this product. Any person using or relying on this information does so on the basis that the State of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.
 4. Drainage and flood extent information has been provided to Council on a yearly basis by Melbourne Water for indicative purposes only. Where the latest Melbourne Water drainage and flood extent mapping is critical, please contact Melbourne Water.



Knox City Council
REPORT APPENDIX A

Location
Melway 82 J2, 82 J3

Property Address
84 Major Crescent,
LYSTERFIELD

Application Number
P/2013/6562

Description
5 Lot Subdivision
(in 2 Stages) and
Removal of
Easement

Wardname
Taylor

LEGEND:

- Title Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Director
- Unit Development
- Subject Property
- Follon



Scale: 1:3000



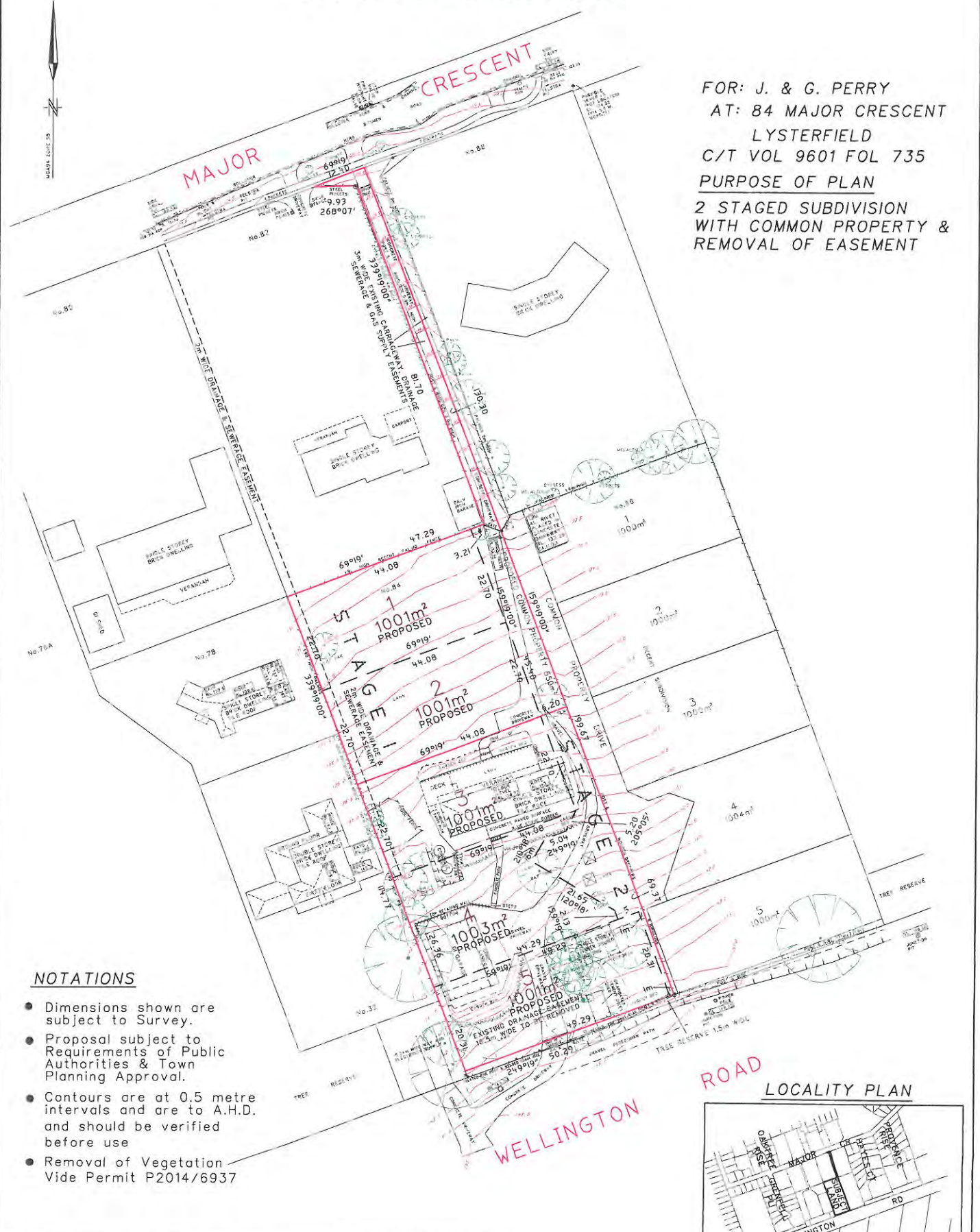
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1. Whilst every endeavor has been made to ensure that the mapping information is current and accurate, no responsibility or liability is taken by Knox City Council or any of the above organizations in respect to inaccuracy, errors, omissions or for actions based on this information.
2. Planning information should be used only as a means of preliminary investigation. For accurate overlay information please obtain a Planning Certificate from the Department of Infrastructure.
3. This print contains information from Vicmap Property (Copyright State of Victoria). The State of Victoria does not warrant the accuracy or completeness of information in this product. Any person using or relying on this information does so on the basis that the State of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.
4. Drainage and flood extent information has been provided to Council on a yearly basis by Melbourne Water for indicative purposes only. Where the latest Melbourne Water drainage and flood extent mapping is critical, please contact Melbourne Water.

DESIGN RESPONSE PLAN
PROPOSED SUBDIVISION

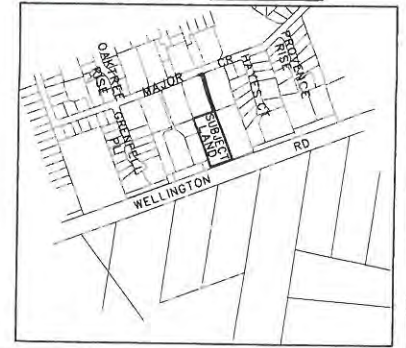
FOR: J. & G. PERRY
AT: 84 MAJOR CRESCENT
LYSTERFIELD
C/T VOL 9601 FOL 735
PURPOSE OF PLAN
2 STAGED SUBDIVISION
WITH COMMON PROPERTY &
REMOVAL OF EASEMENT



NOTATIONS

- Dimensions shown are subject to Survey.
- Proposal subject to Requirements of Public Authorities & Town Planning Approval.
- Contours are at 0.5 metre intervals and are to A.H.D. and should be verified before use
- Removal of Vegetation Vide Permit P2014/6937

LOCALITY PLAN



HANSEN SURVEYING P/L
ABN 89 126 307 051
TITLE SURVEYS - LAND & UNIT SUBDIVISION - TOWN PLANNING
Unit 1 1569 Burwood Highway, Belgrave 3160
Telephone: (03) 9754 3930 Fax: (03) 9752 5069
Email: hansen@bigpond.com

ORIGINAL SHEET SIZE	A3
SCALE	1:800
REF.	5900/SDR
DATE	10/11/14
DRG.	3

BAIRD WARD

6.6 APPLICATION FOR THE CONSTRUCTION OF FIVE (5) DOUBLE STOREY DWELLINGS AND ONE (1) SINGLE STOREY DWELLING (TOTAL SIX (6) DWELLINGS) AND ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1 AT 191 SCORESBY ROAD, BORONIA (Application No. P/2015/6505)

1. SUMMARY:

Land:	191 Scoresby Road, Boronia
Applicant:	R Architecture
Proposed Development:	The construction of five (5) double storey dwellings and one (1) single storey dwelling (total six (6) dwellings) and alteration of access to a Road Zone Category 1
Existing Land Use:	Single dwelling
Area/Density:	2026m ² / 1:337m ²
Zoning:	General Residential Zone - Schedule 2.
Overlays:	No overlays
Local Policy:	Municipal Strategic Statement (MSS) Housing Policy Development in Residential Areas and Neighbourhood Character Policy
Application Received:	27 July 2015
Number of Objections:	2
PCC Meeting:	Not applicable

Assessment:

Subject to conditions the development can provide an appropriate balance between the need for additional housing within an established residential area, the amenity of occupants and adjoining residents, and planting of new canopy vegetation.

The proposal can comply with the Housing Policy, the Development in Residential Areas and Neighbourhood Character Policy, and ResCode subject to conditions.

The proposal complies with the General Residential Zone – Schedule 2.

On balance it is considered that the proposal responds reasonably to State and Local Planning Policies. It is recommended that Council issue a Notice of Decision to Grant a Planning Permit, subject to conditions.

6.6 191 Scoresby Road, Boronia (cont'd)

2. BACKGROUND

2.1 Planning Scheme Amendments

Amendment C131 proposes to implement the findings of the Knox Housing Strategy 2013, the Knox Residential Guidelines, the Rowville Plan (2013) and the new residential zones. Amendment C131 has been adopted by Council.

At the time this application was submitted Amendment C131 was adopted and therefore shall be assessed against the provisions proposed by the amendment, in accordance with the Council resolution dated 25 February 2015.

2.2 Amended Application

An amended planning application was received by Council on 19 January 2016. The plans were altered to show a widened entry to 6 metres for a length of 7metres at the frontage of the site to obtain consent for the proposal from Vic Roads.

Given the minor nature of the changes, it was determined that the amendment would not cause material detriment and the plans were not re-advertised. These plans are taken to be the application plans and assessed in this report.

2.3 Subject Site and Surrounds

The location of the subject site is shown in Appendix A.

- The subject site is located on the eastern side of Scoresby Road, Boronia. The site contains a single storey brick dwelling setback 18.5m from Scoresby Road. The site also accommodates a carport attached to the northern side of the dwelling and two sheds exist to the rear of the site.
- Vegetation exists to the frontage and rear of the site, this consists of a mixture of native and exotic trees and shrubs, including weed species.

6.6 191 Scoresby Road, Boronia (cont'd)

- Access is via a single crossover and driveway to the southern end of the site.
- Timber paling fencing to a height of 1.8m exists along each boundary with the exception of the front boundary; which contains 1.6m horizontal board fences.
- The site is located within an established residential area, with a mixture of single and double storey dwellings, as well as examples of multi-dwelling development adjoining the site.

2.4 The Proposal

(Refer to attached plans at Appendix B)

It is proposed to remove the existing dwelling and construct five (5) double storey dwellings and one (1) single storey dwelling (total six (6) dwellings) and creation / alteration of access to a Road Zone Category 1. Details are as follows:

- Dwellings 1 – 3 and 5 – 6 will contain four (4) bedrooms, kitchen / living / dining area, powder room, bathrooms, laundry, and ensuites. Dwelling 4 contains three (3) bedrooms.
- All dwellings will be accessed via a new crossover and accessway to Scoresby Road, this is located towards the centre of the land. Each dwelling has been proposed with a double garage. One (1) visitor car parking spaces has been proposed between Dwellings 5 and 6. The existing crossover and driveway will be removed.
- Each dwelling has been proposed with a minimum of 100sqm of open space, with 60sqm secluded private open space with a minimum dimension of 5 metres.
- Dwellings will reach a maximum height of 7.82 metres and will be constructed of a mixture of facebrick, lightweight render, stone/tile work and tiled roofing. The existing front fence is proposed to be removed.
- Some vegetation to the frontage and rear of the site is proposed to be retained, with the remainder of vegetation proposed to be removed.

6.6 191 Scoresby Road, Boronia (cont'd)

3. CONSULTATION

3.1 Advertising

The application was advertised by way of a sign on the sites frontage and notices were sent to adjoining property owners and occupiers. Council received two (2) objections to the application that can be summarised as follows:

Dwelling 4 garage location impact on natural light.

- *The shadow cast by the proposed garage wall will not fall beyond the line of overshadowing cast by the existing fence.*
- *The objector has suggested Dwelling 4 garage wall facing 3/193 Scoresby Road to be rendered and finished in a light colour to maintain and enhance the natural light into their property.*

Officer Comment: This can be addressed through a condition of any permit issued and the applicant has agreed to this.

Impact on fencing at No.1 / 2 Falconer Road and access for construction through this property.

- *The subject site does not adjoin this property and as such, the proposed development will not impact on existing fencing and no access will be gained through this property.*

3.2 Referrals

The application has been referred to Vic Roads and internal departments for comment. No objection has been raised; the following is a summary of relevant advice:

Traffic Engineer

- *Visitor space to be identifiable.*
- *Storage areas with garages to not impede space available for vehicles.*
- *Construction Management Plan required.*
- *Standard conditions to be included on any permit issued.*

Officer Comment: These matters can be addressed through a condition of any permit issued.

6.6 191 Scoresby Road, Boronia (cont'd)Drainage Engineer

- *Structures shown over the easement on the attached plan will not be supported in their current state as indicated on the plan as part of a Building over Easement application.*
- *Inadequate overland flow path through the property is shown. The applicant must demonstrate how overland flow for the 100 year ARI will be appropriately managed to Council's satisfaction - details must be included in the engineering stormwater design plans. The proposed garages are not supported as they act as an obstruction to overland flow during peak rainfall events.*
- *Clearance (500mm) required around all water tanks and they are not to obscure windows.*
- *Standard conditions to be included on any permit issued.*

Officer Comment: These matters can be addressed through conditions of any permit issued.

Assets

- *Two redundant crossings to be removed and kerb and naturestrip reinstated to Council satisfaction.*
- *New crossing to be constructed a minimum 3m clear of existing street trees and 1m clear of power pole.*
- *VicRoads to be consulted on proposed crossing being the Road Manager.*

Officer Comment: These matters will be addressed through conditions of any permit issued. Relevant referral has been carried out to VicRoads.

6.6 191 Scoresby Road, Boronia (cont'd)

Arborist

- *Vegetation shown to be removed and retained is appropriate.*
- *Vegetation on northern and eastern neighbour's properties will not be affected.*
- *Southern boundary: Dwelling 5 will encroach 19.6% into the Tree Protection Zone (8m x 6m DBH 20cm TPZ 2.4 metres radius) is considered a major encroachment level when applying the AS 4970-2009 Protection of trees on development sites.*
- *Applicant has option of approaching neighbour to remove the Acacia melanoxylon on the southern boundary or the proposed plan is to be redesigned to not encroach on this tree by more than 10%. Unit 5 would need to be offset from the southern boundary by a further 500mm within the TPZ radius of this tree.*

Officer Comment: Conditions of permit of any permit issued will ensure this tree is not impacted upon and Dwelling 5 is redesigned to not allow more than 10% encroachment of this tree.

Landscape Officer

- *Standard conditions of permit requiring the submission of a landscape plan, including location and percentage of indigenous planting to be shown on plans.*
- *The 1sqm rain garden is not appropriate on this site.*

Officer Comment: These matters will be addressed through conditions of any permit issued.

Building

- *Access past the storage shed for unit 3 is less than should be; this should be 1 metre.*
- *An easement will need to be created at rear of property for the existing Council drain and SEW sewer.*

Officer Comment: Matters regarding clearance around storage shed can be resolved by condition of any permit issued however; creation of easement does not form part of this application and will need to be addressed at either the subdivision stage or separate application will have to be made.

6.6 191 Scoresby Road, Boronia (cont'd)

Sustainability

- *Amended Sustainable Design Assessment to be submitted removing 1m rain garden / infiltration sand pit.*

Officer Comment: A number of internal referrals have suggested removal of the 1m wide rain gardens / infiltration sand pit; so this will be addressed through condition of any permit issued, including an amended Sustainable Design Assessment.

Waste Management

- *It is acknowledged that Council normally requires on-site waste collections and a Waste Management Plan (WMP) for developments with six (6) or more occupancies in accordance with Council's Waste Management in Multi-Unit Developments (MUDs) Policy & Procedure, however for this property a WMP is not required due to the clear frontage space and centrally located driveway.*

Officer Comment: An amended Waste Management Plan will be required as condition of any permit issued.

Vic Roads

- *No objection subject to conditions.*

4. DISCUSSION

4.1 Zoning and Overlays

4.1.1 Zone

The site is located within the General Residential Zone – Schedule 2 (Amendment C131). Within the General Residential Zone – Schedule 2, a Planning Permit is required to construct more than one dwelling on a lot.

- *The proposal remains consistent with the purpose of the General Residential Zone by providing for diversity in housing types that respects the neighbourhood character of the area.*

6.6 191 Scoresby Road, Boronia (cont'd)

Schedule 2 to the General Residential Zone varies the ResCode requirements for Standard B13 (Landscaping) which requires a minimum of one canopy tree per 175 square metres of the site area including a minimum of one canopy tree within each area of secluded private open space and one canopy tree within the front setback per 5 metres of width of the site. Each tree should be required to 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.

- *It is considered that the proposed development can accommodate the required canopy tree planting; subject to a condition of any permit issued.*

Schedule 2 to the General Residential Zone also varies the ResCode requirements for Standard B28 (Private Open Space) which requires the provision of private open space consisting of a minimum area of 100 square metres including one part of secluded private open space at the side or rear of the dwelling with a minimum area of 60 square metres with a minimum dimension of 5 metres with convenient access from a living room.

- *Each dwelling has been proposed with 100sqm of open space, including 60sqm of secluded open space with a minimum dimension of 5 metres.*

Schedule 2 to the General Residential Zone also varies the ResCode requirements for Standard B32 (Front fence height) which requires a front fence height of 2m to a street in a Road Zone Category 1 and 1.2m to other streets:

- *Existing front fence to be removed. No new front fence proposed.*

Dwellings or residential buildings must not exceed a height of 8 metres (dependant on slope)

- *Complies. The proposed dwellings have a maximum height of 7.82 metres.*

4.1.2 Overlays

No overlays apply to the land.

6.6 191 Scoresby Road, Boronia (cont'd)

4.2 Policy Consideration

4.2.1 State Planning Policy Framework

State policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development.

Key Policies:

Clause 15 Built Environment and Heritage – Encourages high quality architecture and urban design outcomes that reflect the particular characteristics, aspirations and cultural identity of the community; enhances liveability, diversity, amenity and safety of the public realm; and promotes attractiveness of towns and cities within broader strategic contexts.

- *Subject to modifications, the design of the development reflects the built form, scale and modern finishes found in the area. The proposal provides for an increased density, with minimal adverse amenity impacts and is within reasonable distance of shops, services, and public transport.*

Clause 15.02 Sustainable Development – Encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

- *The proposal contributes to the consolidation of urban development through the provision of increased density with access to urban services and transport. Dwellings are orientated to the north to provide for passive solar access.*
- *An amended Sustainable Design Assessment (SDA) will be required as a condition of any permit issued. A condition of any permit issued will also require the development to be constructed in accordance with the approved SDA.*

6.6 191 Scoresby Road, Boronia (cont'd)

Clause 16 Housing – Encourage the development of well-designed medium-density housing that respects the neighbourhood character; improves housing choice; makes better use of existing infrastructure; and, improves energy efficiency of housing.

- Neighbourhood character - *This is discussed at Section 4.2.2 of the report.*
- Housing choice – *The development provides for dwelling with smaller open space areas.*
- Integration with infrastructure – *The site is located in a fully serviced area. Drainage plans will be required as a condition of any permit issued.*
- Energy efficiency – *This has been discussed at Clause 15.02 (Sustainable Development).*
- Location – *While the site is not located within an Activity Centre, this is a large site that has access to a number of urban services. Subject to modifications, the subject site is capable of accommodating the proposed dwellings whilst making a positive contribution to the character of the area and compliance with the private open space requirements of Amendment C131. Refer to the assessment against Council's Residential Development and Neighbourhood Character Policy at Section 4.2.2 below.*

Clause 18 Transport – To create a safe and sustainable transport system by integrating land use and transport.

- *The site is located within 150m of the following bus stop:*
 - *The 753 bus route has a direct service between Glen Waverly and Bayswater via Wheelers Hill, Knoxfield and Boronia. This service operates between 5:28am and 9:43pm Monday to Friday; and, between 7:12am and 9:45pm Saturdays and Sundays, at various intervals.*
- *The site is located within 350m of the following bus stop:*
 - *The 745A bus route has a direct service between Knox City and Bayswater. This service operates between 2:30pm and 2:45pm Monday to Friday. This service does not operate on weekends.*

6.6 191 Scoresby Road, Boronia (cont'd)

4.2.2 Local Planning Policy Framework

Clause 21.01 Municipal Strategic Statement (MSS).- encourages planning and development occurring with the necessary consideration to such matters as managing population growth, encouraging sustainable development and influencing the urban form so that Knox itself becomes more sustainable.

All development therefore is encouraged within this clause to incorporate Ecologically Sustainable Design (ESD) and Water Sensitive Urban Design (WSUD) principles to ensure that a sustainable urban environment is ultimately achieved with a strong use of existing infrastructure, and to reduce dependence on private vehicle travel.

- *The site is located in an established urban area reasonably close to urban services and open space areas. The development provides additional housing on an existing residential allotment where existing infrastructure will be utilised.*
- *The submission of an amended Sustainable Design Assessment would be a condition on any permit issued.*

Clause 21.04 Urban Design - Municipal Strategic Statement (MSS) – (Amendment C131) To ensure that all development responds positively to the existing patterns of urban form and character, the landscape, qualities, historic and cultural elements and social aspirations of the Knox community.

- *While the land is not in an Activity Centre, the proposal respects the preferred neighbourhood character and is consistent with the requirements of the MSS.*
- *An assessment against Council's Development in Residential Areas and Neighbourhood Character Policy (Clause 22.07) is below. The development complies with the open space requirements of Amendment C131 providing opportunities for meaningful landscaping.*
- *As highlighted above, the site is located in an established urban area reasonably close to urban services and open space areas.*

6.6 191 Scoresby Road, Boronia (cont'd)

Clause 21.05 – Housing – (Amendment C131) This clause implements the *Knox Housing Strategy 2015*. In managing Knox's current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community's changing household needs. Development in residential areas will need to respond positively to the desired future character of the local area and take account of the particular built form and natural environmental elements that make up the neighbourhood character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

The subject site is located within a "Knox Neighbourhood" area, which has sense of spaciousness within the public and private realm. These areas will continue to be low-scale neighbourhoods, characterised by detached dwellings with large backyards which contribute to the area's green and leafy character.

Objective 1 for Housing Objectives and Strategies is to support residential development in accordance with the Knox Housing Strategy 2013, which identifies a scaled approach to residential development. A Strategy is to direct housing growth toward Local Living and Activity Areas.

- *The site is not located in an Activity Centre or key redevelopment site. The site is large and can comply with the requirements of the Knox Neighbourhood character area in terms of open space and ability to provide canopy planting.*

Objective 2 is to support a diversity of housing choice in appropriate locations. Strategies include encouraging a diversity of housing styles, types, forms and sizes to cater for the changing needs of the community.

- *The proposed development can contribute to the diversity of housing in Knox within the context of the changing household types described in Council's MSS. The development provides dwellings will smaller opens spaces and with a mixture of amenities.*

6.6 191 Scoresby Road, Boronia (cont'd)

Objective 3 is to ensure the quality of housing design in Knox is improved to better respond to neighbourhood identity and to create a stronger sense of place. Strategies include ensuring that residential development enhances the City's "green and leafy" image, support development that makes a positive contribution to the preferred future character of the area and that is innovative, environmentally sustainable, accessible and site responsive.

- *Each dwelling is provided with 100 square metres of open space and the front setback complies with ResCode. The site provides suitable opportunities to plant a substantial number of canopy trees.*

Objective 4 is to protect and enhance the landscape and environmental values of the nature areas of significance within the municipality.

- *The site is not located in an area of biological significance.*

Objective 5 is to ensure that residential development better responds to the community's current and future needs, and allows people to 'age-in-place' by supporting the provision of a diverse range of housing including smaller scale dwellings.

- *The proposed development can contribute to the diversity of housing in Knox within the context of the changing household types described in the MSS.*

Clause 22.07 – Development in Residential Areas and Neighbourhood Character: Knox Neighbourhood Area – (Amendment C131) The desired future character of this area is to:

- Continue to be low-scale neighbourhoods, characterised by detached houses and dual occupancies; with some villa unit developments on larger blocks.
- Retain their green and leafy identity and character through the retention of front and back yards, and the establishment of a garden setting that includes canopy trees.

The key design objectives are:

To retain and enhance the streetscape by the planting of appropriate trees on private land.

- *Existing vegetation to the frontage of the site is proposed to be retained.*
- *A landscape plan will be required as a condition of any permit issued; as well as relevant Tree Protection Zones for vegetation to be retained.*

6.6 191 Scoresby Road, Boronia (cont'd)

To avoid dominance of buildings from the street.

- *Dwellings are to be setback 9 metres from Scoresby Road in accordance with ResCode; this will minimise the dominance of buildings when viewed from the street.*
- *Upper storeys of dwellings fronting Scoresby Road have also been setback to minimise the dominance of the dwellings when viewed from the street.*
- *Existing vegetation and landscaping to the frontage of the land will also help integrate the development into the area.*

To avoid loss of front and rear garden space.

- *Dwellings are setback from all boundaries. The development provides adequate areas for the establishment of additional landscaping within private open space areas and within setbacks.*

To avoid the dominance of car storage facilities from the street.

- *Car parking facilities are located to the side or rear of each dwelling and are not considered to dominate the streetscape or the internal accessway.*

To retain large backyards for landscaping and open space.

- *Each dwelling is proposed with a minimum of 100sqm of open space; setbacks and open space areas within the proposed design provide opportunities to plant new canopy trees.*

To ensure buildings reflect the prevailing scale of buildings in the street.

- *Subject to conditions ensuring there is not the provision of two storey sheer walls within the development and the upper floor areas are recessed a minimum of 1 metre from ground floor level to better integrate with the surrounds, dwellings are considered to not be excessive in scale or bulk. One single storey dwelling has been proposed on the sites to reduce the impact of the development.*

6.6 191 Scoresby Road, Boronia (cont'd)

The relevant design guidelines are:

Design buildings to accommodate landscaping including canopy trees in front and rear gardens.

- *Existing vegetation to the frontage of the site to be retained.*
- *A landscape plan will be required as a condition of any permit issued; this will also detail landscaping to the street frontage.*

Retain existing canopy trees and understorey planting, wherever possible.

- *Existing vegetation to the frontage of the site to be retained.*
- *A condition of any permit issued will require Dwelling 5 to be redesigned to not encroach more than 10% into the Tree Protection Zone of an *Acacia melanoxylon* on the adjoining land to the south.*

Provide a landscaped front and rear yard and plant indigenous canopy trees in accordance with the requirements of the applicable zone schedule.

- *A condition of any permit issued will require the provision of a landscape plan in accordance with the Zone schedule and landscape officer comments.*
- *In addition to this, a condition of any permit issued will require weed species and trees with poor health and / or structure to be removed and suitably replaced with native trees and shrubs.*

In developments of three or more dwellings, ensure that the rear dwelling is single storey in height.

- *While it is acknowledged that the proposal technically does not comply with this design guideline, it is considered appropriate within the sites context.*
- *Dwellings 3 and 4 are located to the rear of the site. Dwelling 4 has been proposed to be single storey in form and abuts single built form to the immediate east and south. Dwelling 3 is proposed to be two storey in form however; this is considered reasonable as this dwelling abuts two storey built form to the north and immediate east. A such, two storey built form to the rear in this instance is considered a reasonable outcome and reflects built form immediately abutting the site.*

6.6 191 Scoresby Road, Boronia (cont'd)

- *A condition of any permit will require the upper storey of Dwelling 3 to be setback a minimum of 1 metre from the ground floor level to minimise the impact of the upper storey when viewed from adjoining land.*

Provide single crossovers for driveways.

- *The proposal requires the provision of a double width crossover to match the width of the proposed driveway, which serves over 10 vehicles.*

Locate carports and garages behind the line of the dwelling or in the rear yard.

- *Garages will not be visible from the street as these have been located to the rear of Dwellings 1 and 6 which front Scoresby Road.*

Minimise the amount of paving in front yards and driveways.

- *With only one crossover being proposed, this limits the amount of paving and driveways to the frontage of the site.*

Design new buildings to incorporate pitched, hipped or gabled roof forms.

- *Pitched roofs have been proposed to reflect roof forms found in the area.*

Significantly setback first floor levels from the ground floor level.

- *As previously mentioned, a condition of any permit issued will ensure there is not the provision of two storey sheer walls within the development and the upper floor areas are recessed a minimum of 1 metre from ground floor level to better integrate with the surrounds, other dwellings are considered to not be excessive in scale or bulk.*

Provide no, low or transparent front fencing.

- *Existing front fencing to be removed. No front fencing is proposed.*

6.6 191 Scoresby Road, Boronia (cont'd)

4.3 Particular Provisions

Clause 52.06 – Car Parking

Prior to a new use commencing or a new building being occupied the car parking spaces required under Clause 52.06-5 must be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the responsible authority.

Clause 52.06-5 outlines the requisite amount of parking to be provided as follows:

To each dwelling at a ratio of one car space to each one or two bedroom dwelling and two spaces for each dwelling with three or more bedrooms (with studies or studios that are separate rooms counted as bedrooms).

- *Each three or more bedroom dwelling is provided with either a double garage; this complies with Clause 52.06.2.*
- *One (1) visitor car parking spaces has been provided in between the garages of Dwellings 5 and 6; this complies with Clause 52.06.2.*

Clause 52.06-8 details the design standards for car parking. The provision of car parking should meet the design requirements of this Clause. An assessment of the design standards, including any areas of non-compliance are considered below:

Design Standard 1: Accessways – Can Comply. A condition of any permit issued would require that the letter boxes have a maximum height of 900mm and that meter boxes are outside the driveway sightline splay area.

In addition to this, a condition would require the new crossover to be constructed a minimum 3m clear of existing street trees and 1m clear of power pole, and existing layback to be removed and crossing constructed to Council standards.

6.6 191 Scoresby Road, Boronia (cont'd)

Design Standard 2: Car Parking Spaces – *Can comply. A condition of any permit issued will require visitor spaces to be landmarked, sign posted and identifiable.*

Design Standard 3: Gradients – *Complies.*

Design Standard 4: Mechanical Parking – *Not applicable.*

Design Standard 5: Urban Design – *Complies.*

Design Standard 6: Safety – *Complies.*

Design Standard 7: Landscaping – *Complies.*

Clause 52.29 – Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

The purpose of Clause 52.29 is:

- To ensure appropriate access to identified roads.
- To ensure appropriate subdivision of land adjacent to identified roads.

A planning permit is required to create or alter access to a Road Zone Category 1. As such, a planning permit is required to alter access to Scoresby Road.

- *An application that creates or alters access to a Road Zone Category 1 requires a mandatory referral to VicRoads. It is noted earlier in this report that VicRoads have no objection to the proposal subject to conditions of permit. Therefore it is considered that the proposal appropriate under this Clause.*

4.4 Clause 55 – Two or More Dwellings on a Lot and Residential Buildings (ResCode)

The proposal generally complies with the provisions of Clause 55 of the Knox Planning Scheme, an assessment of the key criteria; including any areas of non compliance are considered below:

6.6 191 Scoresby Road, Boronia (cont'd)Neighbourhood Character and Infrastructure

Neighbourhood Character – *Complies. Refer to assessment and recommended conditions above at Section 4.2.2.*

Residential Policy – *Complies.*

Dwelling Diversity – *Complies.*

Infrastructure – *Complies. A drainage plan will be a condition on any permit issued.*

Integration with the Street – *Complies.*

Site Layout and Building Massing

Street Setback – *Complies. Development is setback 9.06m from Scoresby Road; which complies with the 9m setback requirement.*

Building Height – *Complies. See General Residential Zone – Schedule 2 assessment.*

Site Cover/permeability – *Complies.*

Energy Efficiency – *Complies.*

Safety – *Complies.*

Landscaping – *Complies. A condition on any permit issued will require a landscape plan to the satisfaction of the Responsible Authority.*

Access – *Complies.*

Parking Location – *Can comply subject to conditions. A condition of any permit issued will require shared accessways to be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where window sills are at least 1.4 metres above the accessway.*

Amenity Impacts

Side and rear setbacks – *Complies.*

Walls on boundaries – *Complies.*

Daylight to existing windows/north facing windows – *Complies.*

Overshadowing open space – *Complies.*

6.6 191 Scoresby Road, Boronia (cont'd)

Overlooking – *Can comply subject to conditions. Windows are shown to be screened to a height of 1.7m above finished floor level however; a condition of any permit issued will require these to be noted with 'adhesive film must not be used'.*

Internal views – *Can comply subject to conditions. Windows at upper storey level facing the driveway will have the ability to view into upper storey windows of the dwellings on the other side of the driveway area; as these windows are within 9 metres of one another. A condition of any permit issued will require these windows to be appropriately screened with fixed obscure glazing (non-openable) to a height of 1.7 metres above finished floor level. The window may be clear and openable above 1.7 metres. Adhesive film must not be used.*

Noise – *Complies.*

On-Site Amenity and Facilities

Accessibility – *Complies.*

Dwelling Entry – *Complies.*

Daylight to new windows – *Complies.*

Private Open Space – *Complies. See General Residential Zone – Schedule 2 assessment.*

Solar access – *Complies.*

Storage – *Complies.*

Detailed Design

Detailed Design – *Can comply subject to conditions. A condition of any permit issued will require some upper floor levels to be further setback from ground floor level to ensure there are appropriate upper storey setbacks when viewed from adjoining land and to ensure mass and bulk is minimised.*

Front fence – *N/A, no front fence proposed.*

Common Property – *Complies.*

Site Services – *Complies.*

6.6 191 Scoresby Road, Boronia (cont'd)

4.5 General Decision Guidelines

Clause 65 of the Knox Planning Scheme and Section 60 of the *Planning and Environment Act 1987* set out decision guidelines/matters which the responsible authority must consider when deciding any planning application.

- *The decision guidelines of Clause 65 of the Knox Planning Scheme and Section 60 of the Planning and Environment Act (1987) have been appropriately considered.*

5. CONCLUSION

Clause 10.04 of the Knox Planning Scheme requires Council to balance relative policy objectives when making decisions to ensure resulting development is sustainable and achieves a net community gain. In this context, the development is appropriate given the following:

- *The proposal is considered to be consistent with the objectives and policies of Amendment C131 as adopted by Council on 27 January 2015. While it is acknowledged Dwelling 3 is located to the rear of the site and is two storey in form, this is considered reasonable as this dwelling abuts two storeys built form to the north and immediate east.*
- *Subject to modifications, the design of the new dwellings are generally consistent with Council's Development in Residential Areas and Neighbourhood Character Policy (Clause 22.07 of Knox Planning Scheme) in that the dwelling heights reflect those found in the area, will be setback a reasonable distance from side boundaries and the open space areas will allow for landscaping opportunities. In addition to this, all dwellings are provided with usable areas of private open space and appropriate internal amenity.*
- *The development is consistent with State and Local Planning Policy Framework (including the Municipal Strategic Statement) and Clause 22.10 (Housing) of the Knox Planning Scheme.*
- *The development is generally compliant with ResCode and Clause 52.06 (Car Parking) subject to changes that could be conditioned on any permit issued. The proposal is consistent with the purpose of the General Residential Zone – Schedule 2.*

6.6 191 Scoresby Road, Boronia (cont'd)

- *Subject to conditions the development can provide an appropriate balance between the need for additional housing within an established residential area while ensuring the amenity of occupants and adjoining residents is not compromised.*

6. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the construction of five (5) double storey dwellings and one (1) single storey dwelling (total six (6) dwellings) and alteration of access to a Road Zone Category 1 at 191 Scoresby Road, Boronia, subject to the following conditions:

Amended Plans

- 1. Prior to the commencement of any buildings or works, amended plans 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 plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with application but modified to show:**
 - 1.1 All dwellings with upper storey setbacks of less than 1 metre from ground floor level, to have a minimum upper storey setback of 1 metre.**
 - 1.2 Dwelling 4 garage wall facing 3/193 Scoresby Road to be rendered and finished in a light colour.**
 - 1.3 Dwelling 5 redesigned to not encroach more than 10% into the Tree Protection Zone (Tree Protection Zone of 9.0 metres radius) of an Acacia melanoxylon on the adjoining land to the south.**
 - 1.4 Deletion of the 1qm rain garden located to the front of Dwelling 6.**

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)**

- 1.5 The shared accessways to be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where window sills are at least 1.4 metres above the accessway.**
- 1.6 Windows shown to be screened to a height of 1.7m above finished floor level to include notation 'adhesive film must not be used'.**
- 1.7 Upper storey windows within 9 metres of other upper storey internal windows (particularly facing driveway areas) to be screened with fixed obscure glazing (non-openable) to a height of 1.7 metres above finished floor level. The window may be clear and openable above 1.7 metres. Adhesive film must not be used.**
- 1.8 Visitor car parking spaces to be easily identifiable through the provision of line marking and signs.**
- 1.9 Two redundant crossovers to be removed and kerb and naturestrip reinstated to Council satisfaction.**
- 1.10 New crossover to be constructed a minimum 3 metres clear of existing street trees and 1 metre clear of power pole.**
- 1.11 A 500mm clearance around all water tanks and located so as to not obscure windows.**
- 1.12 A 1 metre clearance between the storage shed to Dwelling 3 and any obstruction.**
- 1.13 Letterboxes and all other structures (including meter boxes) shall be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) in accordance with AS2890.1, Clause 3.2.4 to ensure safe sight distances. Letterboxes shall face towards the street frontage.**
- 1.14 Location and details of letterboxes and metre boxes.**
- 1.15 Tree Protection Fencing for all trees to be retained in accordance with Conditions 12 - 18.**

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)**

- 1.16 Drainage plans in accordance with Condition 2 of this Permit and any necessary modifications.**
- 1.17 Landscape plans in accordance with Condition 3 of this Permit and any necessary modifications.**
- 1.18 An amended Sustainable Design Assessment reflecting deletion of rain garden required in Condition 1.4.**
- 1.19 A Construction Management Plan in accordance with Condition 26.**

To the satisfaction of the Responsible Authority.

Drainage

- 2. Prior to commencement of any buildings or works, three copies of drainage plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage is to be in accordance with these plans. The plans must show the following:**
 - 2.1 All stormwater drainage discharge from the site connected to a legal point of discharge.**
 - 2.2 The internal drains of the dwellings to be independent of each other.**
 - 2.3 An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.**
 - 2.4 The on-site detention system to be installed in a suitable location for easy access and maintenance.**
 - 2.5 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.**
 - 2.6 All levels to be to AHD (Australian Height Datum).**

To the satisfaction of the Responsible Authority.

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)****Landscaping**

- 3. Prior to the commencement of any buildings or works, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:**
 - 3.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.**
 - 3.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Appendix 2 of Council's Landscape Guidelines for Planning Permits).**
 - 3.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary.**
 - 3.4 Details of the surface finishes of pathways and driveways.**
 - 3.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.**
 - 3.6 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.**
 - 3.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).**
 - 3.8 All vegetation to be removed.**
 - 3.9 A minimum of 6 medium/small canopy trees from Appendix 4 of the Knox City Council 'Landscape Guidelines for Town Planning Permits'.**
 - a) The trees are to be located in the following locations;**

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)**

- b) 1 canopy tree along the front setback of unit 6.**
- c) 1 canopy tree in the rear POS of all Units.**

3.10 A minimum of 20 large shrubs from Appendix 4 of the Landscape Guidelines.

To the satisfaction of the Responsible Authority.

- 4. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.**
- 5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority. Any dead, diseased or damaged plants are to be replaced.**

General

- 6. All development must be in accordance with the endorsed plans.**
- 7. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
- 8. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 9. Prior to the occupation of the dwellings the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.**
- 10. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.**

Sustainable Design Assessment

- 11. Prior to the occupation of the development, the development must be constructed in accordance with the Sustainable Design Assessment.**

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)****Tree Protection**

- 12. All works, including excavation, within the critical root zone areas of the tree/s to be retained and other critical root zones on the land must be undertaken under the supervision of a qualified Arborist to ensure that there is no unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority.**
- 13. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.**
- 14. Prior to any works commencing on the site, all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the responsible authority.**
- 15. The fence is to be chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.4 metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.**
- 16. The fence and signage is to be maintained throughout the construction period and the signage removed at the completion of all works.**
- 17. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.**
- 18. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:**
 - 18.1 Construction activities.**
 - 18.2 Dumping and/or storage of materials, goods and/or soil.**
 - 18.3 Trenching or excavation.**

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)**

18.4 Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.

19. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.

Car Parking & Accessways

20. Before the dwellings are occupied, driveways and car parking areas must be:

20.1 Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority; and

20.2 Formed to such levels and drained so that they can be used in accordance with the approved plan; and

20.3 Treated with an all-weather seal or some other durable surface; and

20.4 Line-marked or provided with some other adequate means of showing the car parking spaces.

To the satisfaction of the Responsible Authority.

21. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.

22. Visitor spaces are to be accessible to visitors at all times and are to be linemarked/paved and signed.

Fencing

23. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.

24. Prior to the occupancy of the development all fencing shall be in a good condition to the satisfaction of the Responsible Authority.

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)****Construction Management Plan**

- 25. Prior to the development commencing a Construction Management Plan covering matters such as hours of construction, traffic control, parking of vehicles associated with the development, control of noise, dust and airborne matter, damage to public assets, control of run-off, contact numbers for complaints, etc. must be prepared to the satisfaction of the Responsible Authority.**
- 26. Construction activity at the site is to accord with this approved Construction Management Plan.**

Amenity During Construction

- 27. Upon commencement and until conclusion of the development, the developer shall ensure that the development does not adversely affect the amenity of the area in any way, including:**
 - 27.1 The appearance of building, works or materials on the land**
 - 27.2 Parking of motor vehicles**
 - 27.3 Transporting of materials or goods to or from the site**
 - 27.4 Hours of operation**
 - 27.5 Stockpiling of top soil or fill materials**
 - 27.6 Air borne dust emanating from the site**
 - 27.7 Noise**
 - 27.8 Rubbish and litter**
 - 27.9 Sediment runoff**
 - 27.10 Vibration**

Should the development cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken to address the issue as directed by, and to the satisfaction of, the Responsible Authority.

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)****Stormwater**

- 28. Stormwater runoff from all buildings and hard standing surfaces shall be properly collected and discharged in a complete and effective system of drains within the property and shall not cause or create a nuisance to abutting properties.**

VicRoads Conditions

- 29. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Roads Corporation prior to the occupation of the buildings hereby approved.**
- 30. The crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation prior to the occupation of the works hereby approved.**
- 31. Prior to the occupation of the buildings hereby approved, the access lanes, driveways, crossovers and associated works must be provided and available for use and be:**
- 31.1 Formed to such levels and drained so that they can be used in accordance with the plan.**
 - 31.2 Treated with an all-weather seal or some other durable surface.**
- 32. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).**
- 33. Vehicles must enter and exit the land in a forward direction at all times.**

Permit Expiry

- 34. This permit will expire if one of the following circumstances applies:**
- 34.1 The development is not started within two years of the date of this permit.**

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)**

34.2 The development is not completed within four years of the date of this permit.

Pursuant to Section 69 of the Planning & Environment Act 1987, the Responsible Authority may extend:

- **The commencement date referred to if a request is made in writing before the permit expires or within six (6) months afterwards.**
- **The completion date referred to if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.**

NOTES

Drainage Notes (to be read in conjunction with the above drainage conditions):

- **Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be designed in accordance with the Knox City Council (Responsible Authority) Stormwater Drainage Guidelines, (copy available on request), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the dwellings, and be easily accessible for maintenance.**
- **Applicant is to direct all stormwater via a complete and effective system of drains and connected to 150mm diameter Council stormwater pipe near the south-east corner of the property as this represents the Legal Point of Discharge (LPD) for the property. Applicant is to verify this on site. Connect all stormwater discharge from the site to the LPD via an Onsite Detention (OSD) system. The internal drains for the dwellings are to be independent of each other.**
- **The total Permissible Site Discharge for the property including all dwellings is 8.7 L/s to the existing Council drainage system for a 5 year ARI event.**
- **The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans. Applicant must ensure that levels on the plan are accurate.**
- **Drainage works in the Road reserve or in the Council easement will require a road opening permit.**

6.6 191 Scoresby Road, Boronia (cont'd)**Recommendation (cont'd)**

- Drainage system designed so as to avoid impact on any vegetation shown on the endorsed plans as being retained.
- Water Sensitive Urban Design (WSUD) should be addressed as part of this development, e.g. water storage tanks, swale drains, etc.

Other Notes:

- Road Opening Permit shall be required for any works within or affecting the road reserve.
- Council encourages the consideration of water storage tanks for all existing and proposed residential developments.
- A building permit must be obtained before development is commenced.
- Buildings are not allowed to be built over Council easements.
- The dwelling/s must achieve a minimum 6-Star Energy Rating.
- In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.
- Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.
- All letterboxes shall face towards the street frontage and if located adjacent to the driveway the letterboxes and any associated structures shall not be greater than 900mm in height.
- Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.
- Raised concrete slabs on the existing footpath fronting the site should be grounded.
- All litter and rubbish associated with the construction must be contained on site at all times.

Report Prepared By: *Senior Urban Planner (Michelle Willis)*

Report Authorised By: *Director – City Development
(Angelo Kourambas)*



Knox City Council
REPORT APPENDIX A

Location
Melway 64 F8

Property Address
191 Scoresby Road,
BORONIA

Application Number
P/2015/6505

Description
The construction of five (5) double storey dwellings and one (1) single storey dwelling (total six (6) dwellings) and creation / alteration of access to a Road Zone Category 1

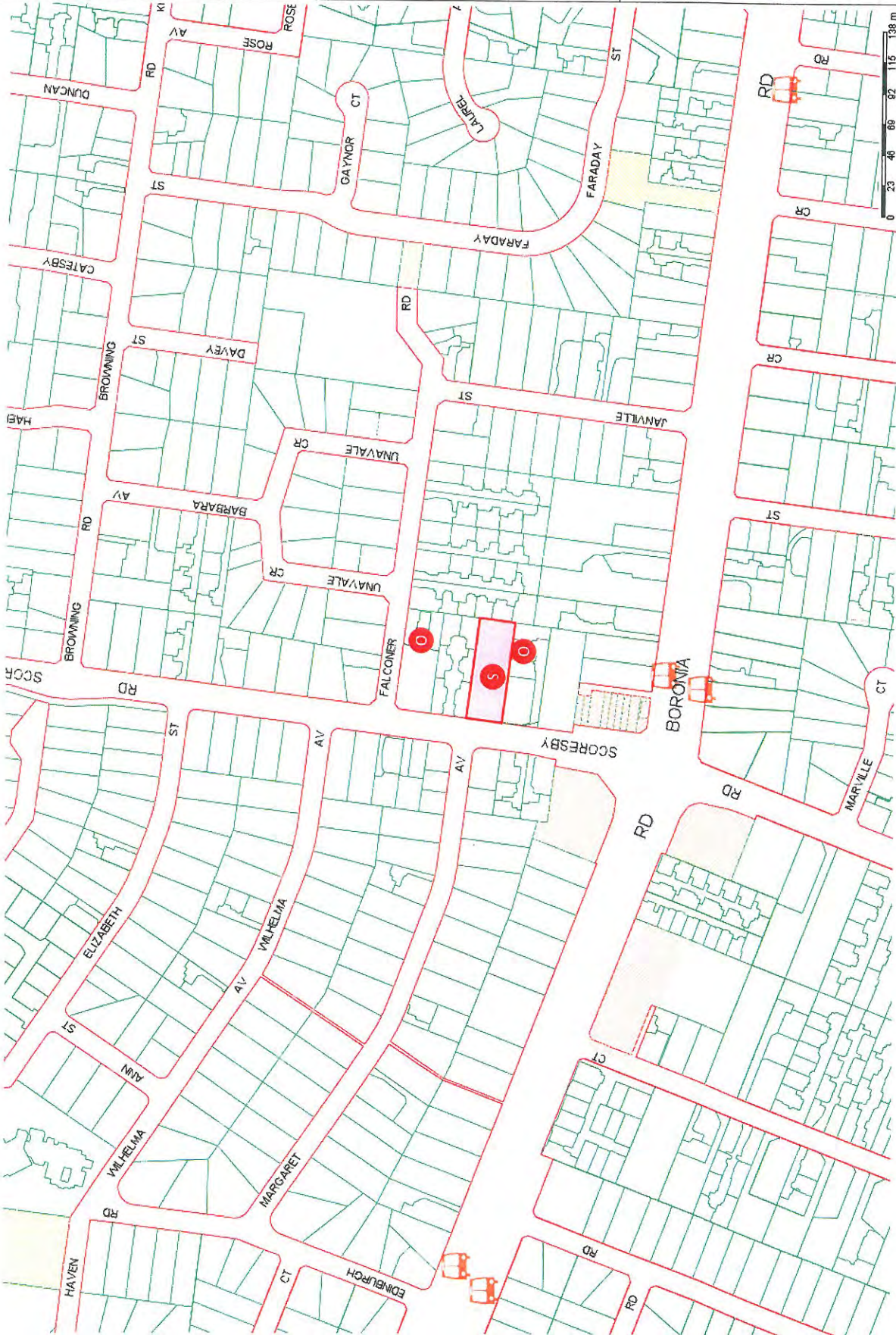
Ward
Baird

LEGEND:

- Title Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Objector
- Unit Development
- Subject Property
- Petition



Scale: 1:3000



DISCLAIMER:
Roads and Title Boundaries - State of Victoria, Knox City Council
Planning Scheme Information - DPCD, Knox City Council
Aerial Photography - AAM (Flown January 2013 - unless otherwise stated)
Melbourne Water Drainage Information - Melbourne Water

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4. Drainage and flood extent information has been provided to Council on a yearly basis by Melbourne Water for indicative purposes only. Where the latest Melbourne Water drainage and flood extent mapping is critical, please contact Melbourne Water.



Location
Melway 64 F8

Property Address
191 Scoresby Road,
BORONIA

Application Number
P/2015/6505

Description
The construction of five (5) double storey dwellings and one (1) single storey dwelling (total six (6) dwellings) and creation / alteration of access to a Road Zone Category 1

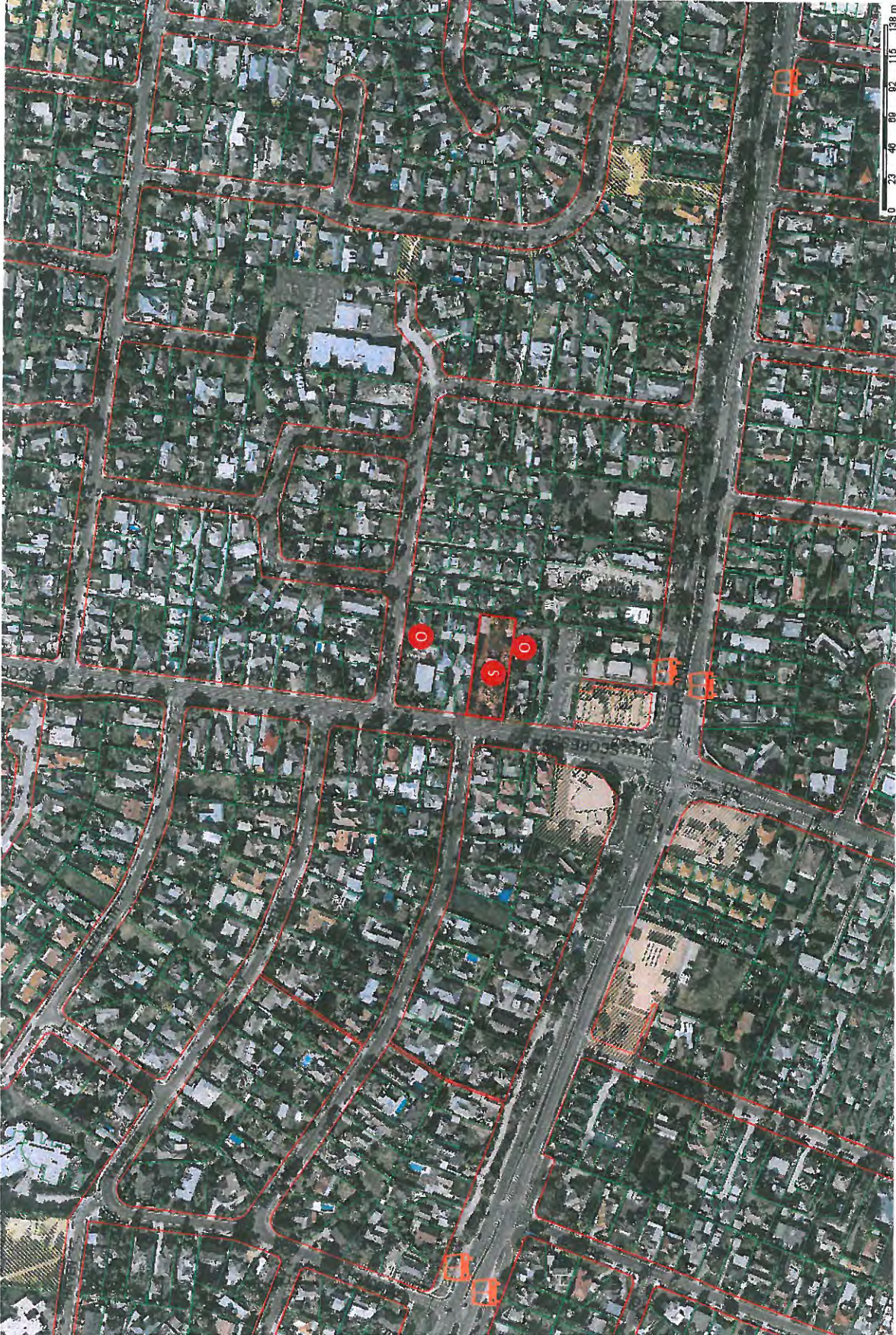
Ward
Baird

LEGEND:

- Title Boundary
- Road Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- P-12 School
- Bus Stops
- Objector
- Unit Development
- Subject Property
- Petition



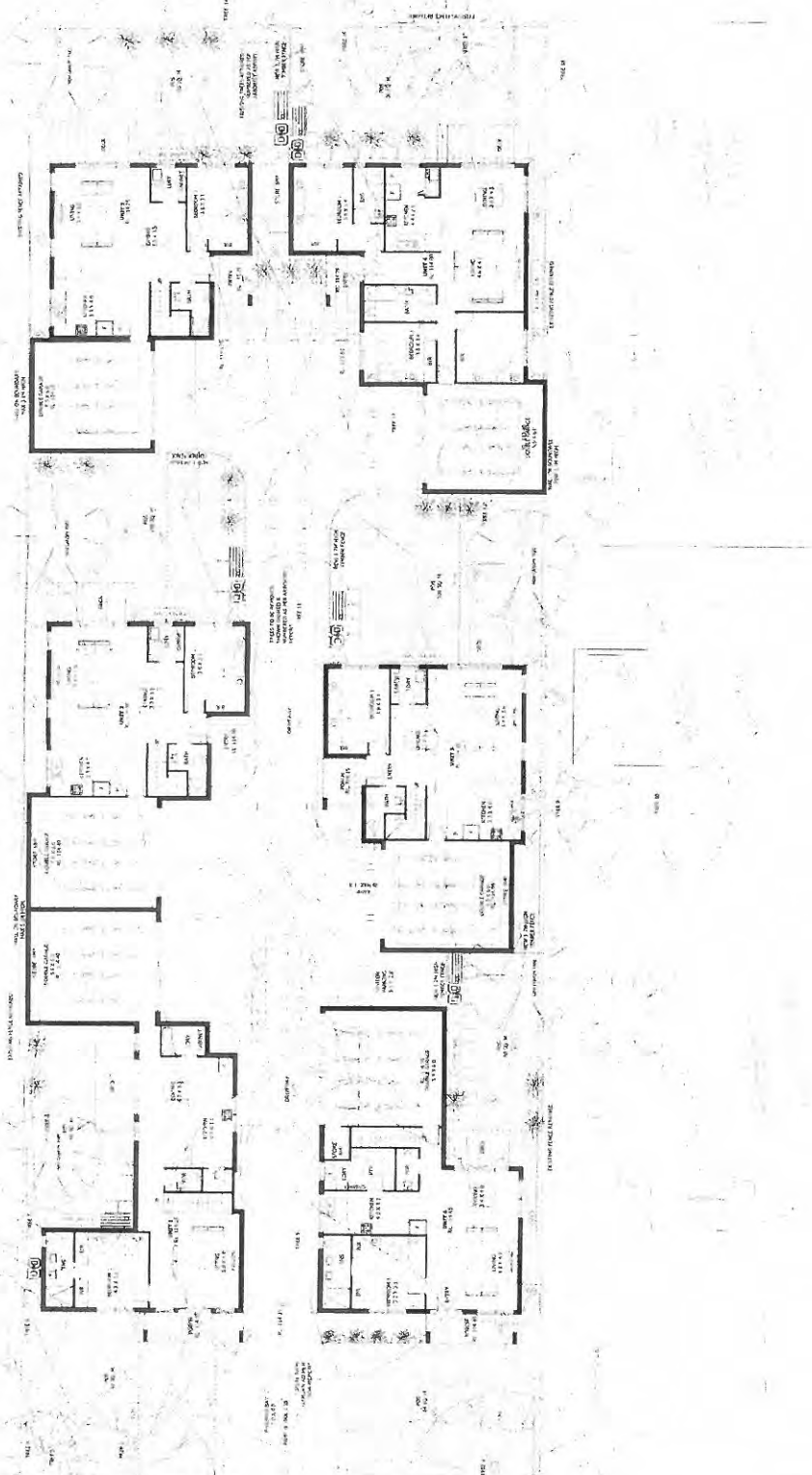
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191 SCORESBY ROAD BORONIA APPENDIX B



MATERIALS & FINISHES SCHEDULE

NO.	DESCRIPTION	UNIT	QTY	PRICE	TOTAL
1	CEILING				
2	FLOOR				
3	WALL				
4	DOOR				
5	WINDOW				
6	PAINT				
7	ROOFING				
8	GLAZING				
9	MECHANICAL				
10	ELECTRICAL				
11	PLUMBING				
12	LANDSCAPING				
13	CONCRETE				
14	IRONWORK				
15	GLASS				
16	STEEL				
17	BRICK				
18	TILE				
19	ROOFING				
20	PAINT				
21	CEILING				
22	FLOOR				
23	WALL				
24	DOOR				
25	WINDOW				
26	MECHANICAL				
27	ELECTRICAL				
28	PLUMBING				
29	CONCRETE				
30	IRONWORK				
31	GLASS				
32	STEEL				
33	BRICK				
34	TILE				
35	ROOFING				
36	PAINT				
37	CEILING				
38	FLOOR				
39	WALL				
40	DOOR				
41	WINDOW				
42	MECHANICAL				
43	ELECTRICAL				
44	PLUMBING				
45	CONCRETE				
46	IRONWORK				
47	GLASS				
48	STEEL				
49	BRICK				
50	TILE				
51	ROOFING				
52	PAINT				
53	CEILING				
54	FLOOR				
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56	DOOR				
57	WINDOW				
58	MECHANICAL				
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61	CONCRETE				
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69	CEILING				
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71	WALL				
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77	CONCRETE				
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97	BRICK				
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99	ROOFING				
100	PAINT				

DEVELOPMENT SUMMARY

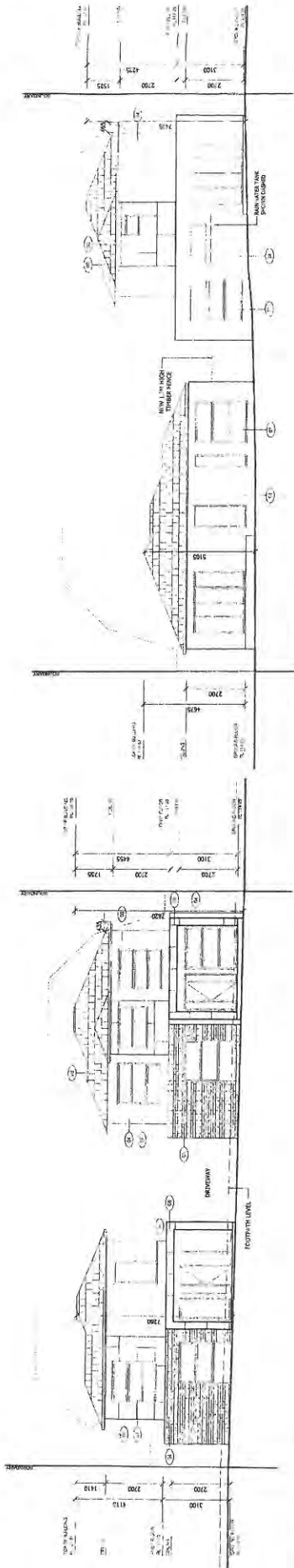
NO.	DESCRIPTION	UNIT	QTY	PRICE	TOTAL
1	CEILING				
2	FLOOR				
3	WALL				
4	DOOR				
5	WINDOW				
6	MECHANICAL				
7	ELECTRICAL				
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101	WINDOW				
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105	CONCRETE				
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137	CONCRETE				
138	IRONWORK				
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144	PAINT				
145	CEILING				
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147	WALL				
148	DOOR				
149	WINDOW				
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151	ELECTRICAL				
152	PLUMBING				
153	CONCRETE				
154	IRONWORK				
155	GLASS				
156	STEEL				
157	BRICK				
158	TILE				
159	ROOFING				
160	PAINT				
161	CEILING				
162	FLOOR				
163	WALL				
164	DOOR</				

191 SCORESBY ROAD BORONIA APPENDIX B

- FINISHED LEGEND**
- 1. FINISH
 - 2. FINISH
 - 3. FINISH
 - 4. FINISH
 - 5. FINISH
 - 6. FINISH
 - 7. FINISH
 - 8. FINISH
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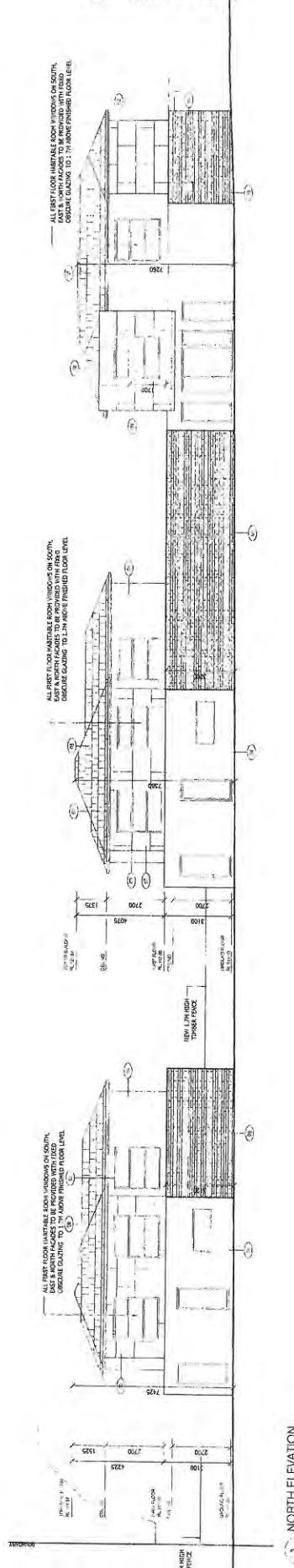
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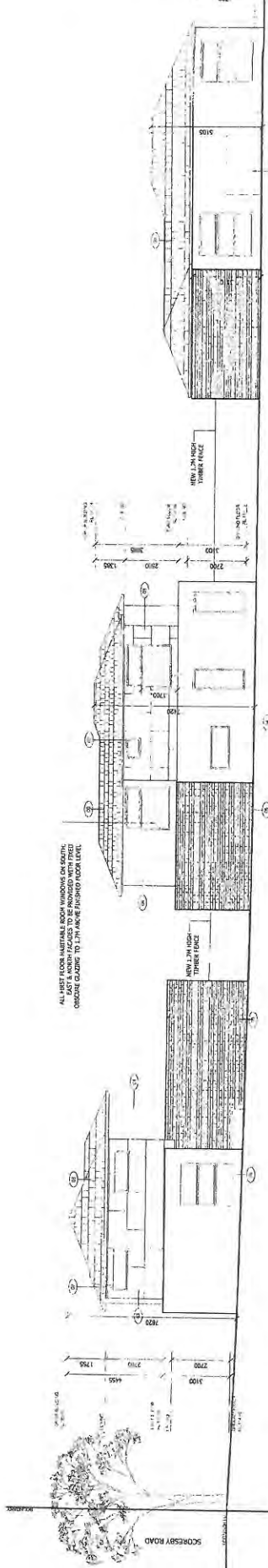


1 WEST ELEVATION
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2 EAST ELEVATION
REAR



3 NORTH ELEVATION
SIDE



4 SOUTH ELEVATION
SIDE

Knox City Council
RECEIVED
75 SEP 2016
PLANNING DEPARTMENT

Project No. 191-16
Revision: 1-125
Scale: 1:250
Date: 18-09-16

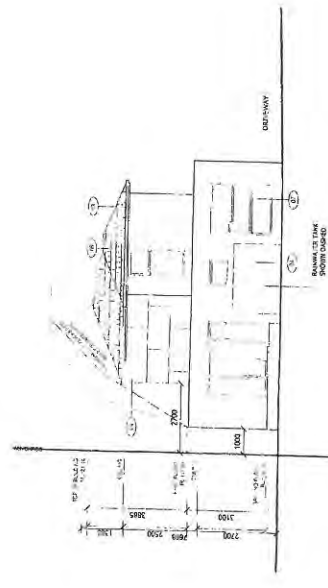
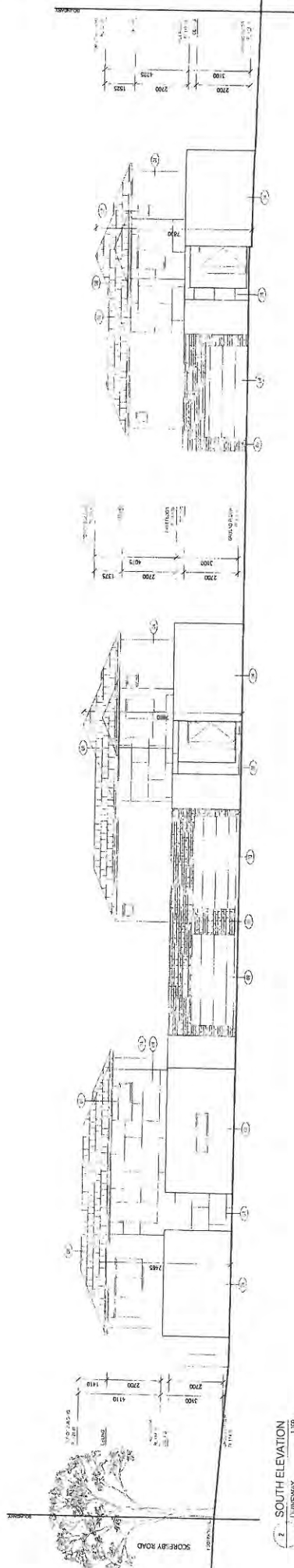
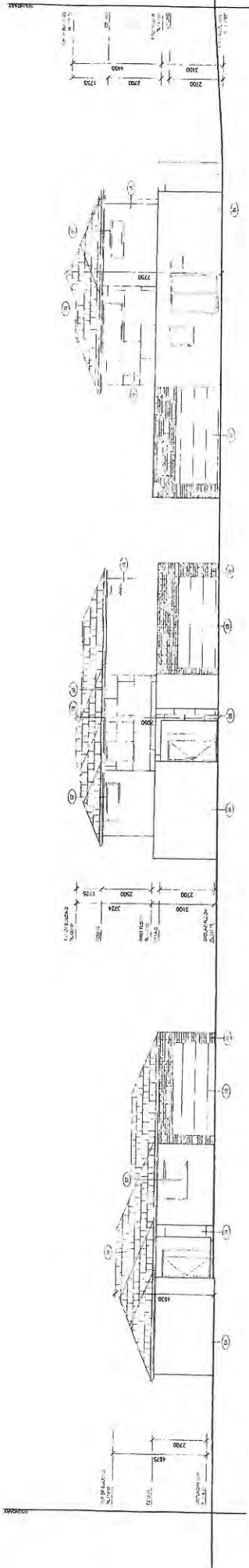
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PROPOSED TOWNHOUSE DEVELOPMENT
191 SCORESBY ROAD, BORONIA, VIC
Client: WYONNE & THIENA NADARAJAH

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ELEVATIONS
PRELIMINARY NOT FOR CONSTRUCTION

191 SCORESBY ROAD BORONIA APPENDIX B



FINISHES LEGEND

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MATERIALS FINISHES SCHEDULE

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BORONIA VIC 3083
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PROPOSED TOWNHOUSE DEVELOPMENT
191 SCORESBY ROAD, BORONIA, VIC
WONNIE & THENA MADHRAJAH

ELEVATIONS
PRELIMINARY NOT FOR CONSTRUCTION

191 SCORESBY ROAD BORONIA APPENDIX B

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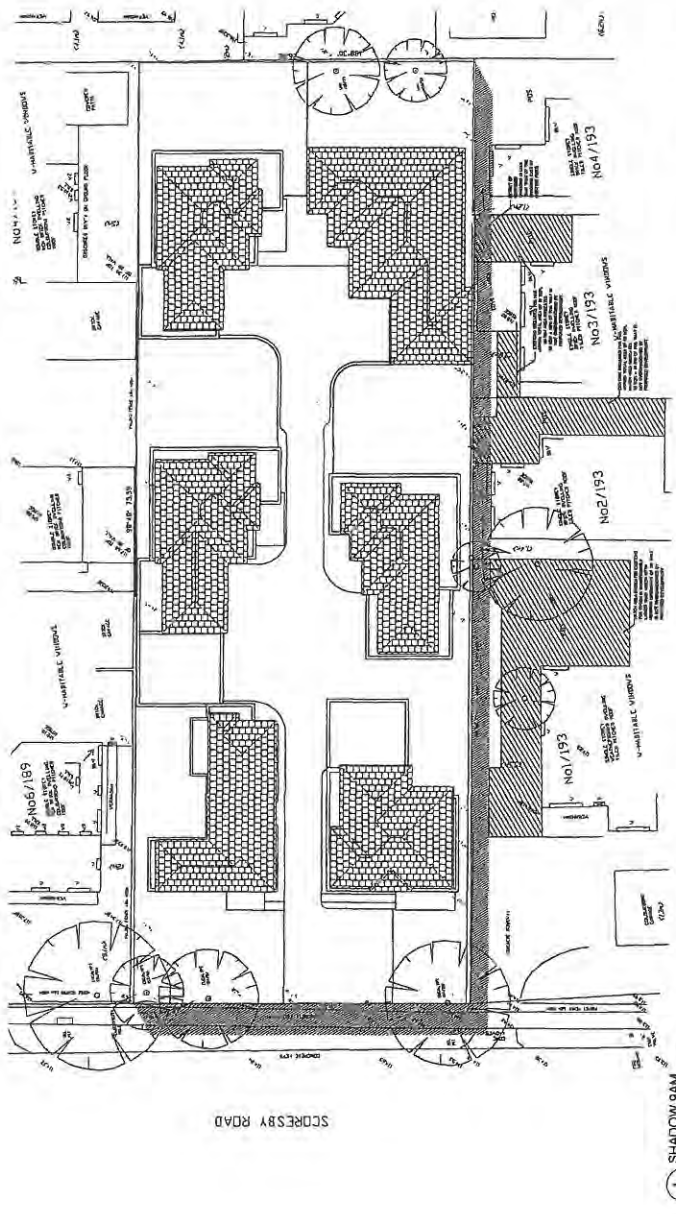
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PROPOSED SHADOWS



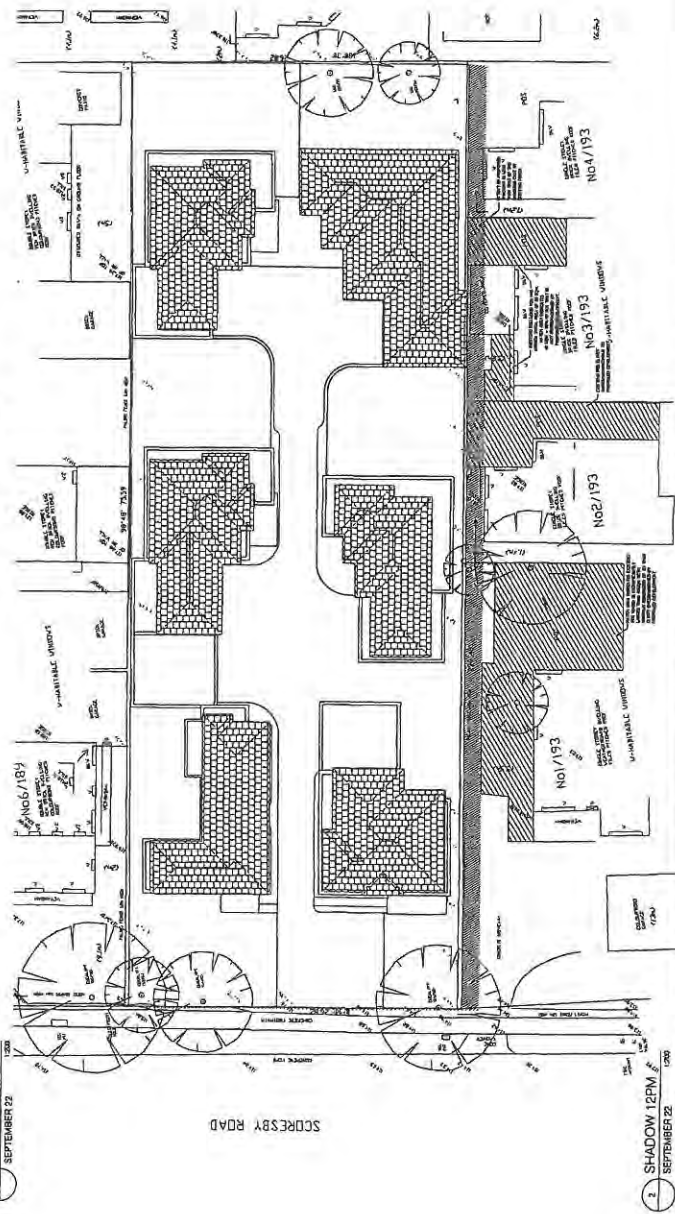
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r architecture
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Project: PROPOSED TOWNHOUSE DEVELOPMENT
Address: 191 SCORESBY ROAD, BORONIA, VIC
Client: YVONNE & THEM MADAPAJAH



1 SHADOW SAM
SEPTEMBER 22



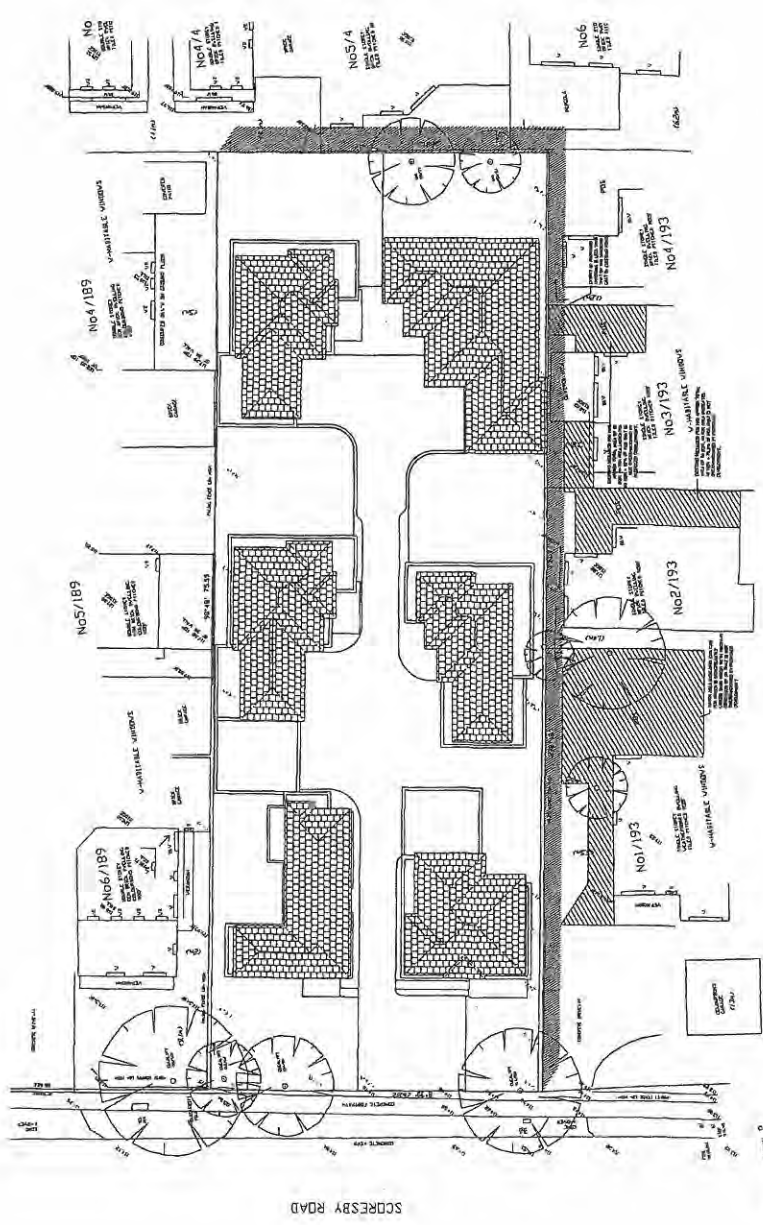
2 SHADOW 12PM
SEPTEMBER 22

SHADOWS
PRELIMINARY NOT FOR CONSTRUCTION

Disclaimer: This drawing is a preliminary design and is not intended for construction. It is provided for informational purposes only. The client is responsible for ensuring that all necessary permits and approvals are obtained before construction begins. The architect and designer accept no liability for any errors or omissions in this drawing.

191 SCORESBY ROAD BORONIA APPENDIX B

Knox City Council
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25 SEP 2015
PLANNING DEPARTMENT



LEGEND:
 EXISTING SHADOWS
 PROPOSED SHADOWS

Drawing No.	TP08 2
Revision	B
Scale	1:100
Scale	1:200

r Architecture
 14/151 Oldfield Road, Boronia, VIC 3102
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Project: PROPOSED TOWNHOUSE DEVELOPMENT
 Address: 191 SCORESBY ROAD, BORONIA, VIC
 Client: YVONNE & THENA NADARAJAH

SHADOWS
 PRELIMINARY NOT FOR CONSTRUCTION

1 SHADOW 3PM
 SEPTEMBER 22 2015

The SHADOWS PRELIMINARY NOT FOR CONSTRUCTION

7. PUBLIC QUESTION TIME

Following the completion of business relating to Item 6, City Development, the business before the Council Meeting will now be deferred to consider questions submitted by the public.

ALL WARDS**8.1 WOODSIDE DRIVE TREE SELECTION – PETITION**

SUMMARY: *Coordinator – Active Open Space (Kathy Hynes)*

This report is in response to a petition tabled at the Ordinary Meeting of Council on 27 January 2016 requesting a change in street tree planting options for Woodside Drive, Rowville.

RECOMMENDATION

That Council:

- 1. Progress to undertake infill planting of *Eucalyptus mannifera* ‘*maculosa*’ to Woodside Drive, Rowville – consistent with the results of Council’s survey (prior to receipt of the petition); and**
- 2. respond to the lead petitioner advising of Council’s decision.**

1. INTRODUCTION

On the 12 January, 2016 a tree planting notification letter was sent to the residents of Woodside Drive, Rowville outlining Council’s intent to infill plant the vacant locations in the street. The letter also contained a survey offering residents a choice with regard to the type of tree planted (see Appendix A). At the Ordinary Meeting of Council on 27 January, 2016 a petition was tabled signed by 22 signatories requesting that Council offer residents a different selection of trees species with a preference for an “Ornamental Manchurian Pear”. There was also a second page signed by a further 30 signatories tabled at the time of the petition; however, as this page had no heading, it cannot be formally recognised as a petition.

The petitioners are requesting a different street tree species selection based on the following (summarised from the letter):

- The current street tree does not offer much to the area and the options presented in Council’s tree survey are similar – resulting in the same problems.
- The current trees restrict the ability to grow a lawn and a garden.
- The trees constantly create debris.
- Major structural damage to their properties – numerous residents have been advised by architects and builders not to repair property damage until the current trees are removed as the issues will continue.
- The aesthetic appearance is not appealing when compared to the entrance to the estate.

8.1 Woodside Drive Tree Selection – Petition (cont'd)

2. DISCUSSION

2.1 Background to the Selection of Woodside Drive, Rowville for 2016 Residential Street Tree Planting program

Woodside Drive, Rowville was constructed in the early 90's, with 56 properties having frontage onto the street. An avenue of *Eucalyptus scoparia* was planted shortly after construction. See Appendix B for species characteristics. Over time there have been a number of tree losses in the avenue. Since 2002, the tree population has been reduced from 63 to 44 trees. As can be seen from Figure 1 and 2, although the canopy coverage has increased (due to tree age), the number of trees has decreased - resulting in a fragmented avenue.



Figure 1: An Established Section of the Tree Avenue – Woodside Drive, Rowville



Figure 2: A Fragmented Section of the Tree Avenue – Woodside Drive, Rowville

8.1 Woodside Drive Tree Selection – Petition (cont'd)

Due to the gradual loss of street trees in Woodside Drive, Rowville, the street was considered a suitable candidate for Council's Residential Street Tree Planting program commonly referred to as the 'infill' planting program. The purpose of the program is to replace individual 'missing' street trees.

2.2 Green Streets Policy & Woodside Drive, Rowville

In accord with 7.1.2 Street Tree Planting and Replacement of the Green Streets Policy, "...Council endeavours to plant all existing vacant locations in that street to achieve a complete streetscape..." Further, the Policy notes that 'where the existing treescape character is established, the replacement species will be chosen by a council arborist from the Knox Council street tree species list. Species selection will be based on the following: existing treescape character or logical species patterns...'

In the case of Woodside Drive, Rowville, the street has been programmed to receive an additional 23 trees resulting in a substantial 52% increase to the existing tree population. In accord with Council's Green Streets Policy (Section 6.3 Community Consultation) when substantial change to a streetscape is planned Council will undertake community consultation.

Given the strong existing treescape character of Woodside Drive, the residents of the street were offered a selection of three tree species to choose from (see Appendix A). The trees whilst being a different species to the existing Eucalyptus, were selected to ensure visual continuity with the existing treescape.

Council received 22 out of 56 return surveys from the residents in Woodside Drive, Rowville. The results were as follows: 55% *Eucalyptus mannifera 'maculosa'*, 40% *Lophostemon confertus*, and 5% *Angophora costata*. Based on feedback, Council officers were aware that some residents were not happy with the current tree species and did not wish for replacement trees to be the same species.

2.3 Consideration of the Petition

It is acknowledged that the petition was submitted post Council's tree planting survey and as such, a number of residents may have reconsidered their position regarding a preferred tree species. It is also acknowledged that street trees can be an emotive topic and there are often strong community views regarding the planting, maintaining, and removal of street trees within Knox.

Council is aware that the planting of a street tree is not only an investment into the future but is also a long term fixture within that street and as such, residents will often have a strong view as to what type of tree is the 'right' tree. Council recognises the benefits of planting a tree that is preferred by residents for example, a lower rate of vandalism during the establishment phase.

8.1 Woodside Drive Tree Selection – Petition (cont'd)

Therefore, it is Council's preference to plant a tree species that is acceptable to the majority of the community, however, Council must still operate within the bounds of relevant policies and procedures.

In the case of Woodside Drive, Rowville, Council acknowledges that a number of residents do not wish to continue with the current character (native evergreen). However, due to the nature of the existing avenue, the provision of 'infill' tree planting with a deciduous species would effectively leave the character of the street in limbo – neither evergreen nor deciduous.

Furthermore, a tree audit was undertaken in Woodside Drive, Rowville which found that 65% of the existing trees were healthy, had a Useful Life Expectancy (ULE) of 10+ years, and were worthy of retention. Therefore, the rate of turn over from a mixed character to a dominant deciduous character would be quite slow.



Figure 3: Aerial Image of the Extent of the Current Canopy in Woodside Drive, Rowville

In regard to the petition inference that the existing trees are contributing to major structural damage to private infrastructure, to date, there has been one root related request with regard to indirect damage to private infrastructure. Following inspection of the situation, Council has denied liability in this case.

3. CONSULTATION

Consultation in preparation of this report has taken place with internal stakeholders.

4. ENVIRONMENTAL/AMENITY ISSUES

Knox's streetscapes and the trees within the streetscape are regarded as one of Council's greatest assets and contribute to the green leafy image of Knox.

8.1 Woodside Drive Tree Selection – Petition (cont'd)

It is noted however, that street trees provide much more than a green leafy image. In particular, canopy trees provide numerous economic, environmental and social benefits – many of which have been published both nationally and internationally. For example, the environmental benefits of street trees are known to include the provision of food and habitat for flora and fauna, improved air quality, carbon sequestration and a reduction in the impact of localised flooding through rainwater interception – it is estimated that only 40% of water striking a tree enters drains (Moore 2012).

In addition, tree also provide economic benefits, research has proven that canopy trees can lower ambient temperature by up to 8°C thus reducing air conditioner use and saving an estimated 12-15% per annum in electricity bills (Moore 2012). In addition, tree lined streets not only enhance neighbourhood aesthetics but have also found to lead to an increase in property values within a street (Sander, Polansky & Haight 2010).

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial implications associated with this report.

6. SOCIAL IMPLICATIONS

Studies have shown the positive effect green spaces or the ability to view green spaces have on people's wellbeing, such as a slower heartbeat and lower blood pressure (Dwyer, Schroeder & Gobster 1991). Also, in regards to community health, Australia has one of the highest rates of skin cancer in the world, a major cause of skin cancer is UV radiation; it has been found that with good protection from UV radiation, most cases of skin cancer can be prevented. Shade alone can reduce the overall exposure to UV radiation by up to 75% (Parsons et al. 1998) with trees providing excellent natural shade.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The following elements of the Council Plan relate to this issue:

Sustainable Natural Environment – Knox City Council will be a leader in environmentally sustainable management, producing a healthier local environment, a green and leafy municipality, and sustainable living opportunities for all.

Attractive and Vibrant Places – Knox will have a village community feel with access to 'big city' facilities, neighbourhood parks and open space. Development will be targeted around activity centres, with significant landscape and cultural heritage sites preserved, through quality urban and landscape design standards.

8.1 Woodside Drive Tree Selection – Petition (cont'd)

8. CONCLUSION

Council acknowledges that a number of residents within Woodside Drive, Rowville have requested a new street tree planting selection, with a strong preference for the addition of “Ornamental Manchurian Pear”. While it is Council’s preference to plant a street tree that is preferable to the majority of residents it is noted that the streetscape has an existing dominant native evergreen character and that the existing trees are in good condition and are expected to have a Useful Life Expectancy of 10 plus years. In keeping with Council’s Green Streets Policy, three (3) species were offered to residents – that would be in keeping with the existing character.

The removal of the existing healthy Eucalyptus Scoparia and the planting of an Ornamental Pear tree would not be consistent with Council Policy.

As such, it is recommended that Council accepts the outcome of the returned survey results prior to the tabling of the petition. The tree of choice – *Eucalyptus mannifera* ‘maculosa’ can be considered a reasonable compromise. The tree is smaller in height than the existing trees and will complement the existing character of the street.

9. CONFIDENTIALITY

There are no confidential issues associated with this report.

10. REFERENCE LIST

Dwyer, JF, Schroder, HW & Gobster, PH 1991, ‘The significance of urban trees and forests: towards a deeper understanding of values’, *Journal of Arboriculture*, vol. 17, no. 10, pp. 276 – 284.

Moore, GE 2012, ‘The importance and value of urban forests as climate changes’, *The Victorian Naturalist*, vol. 129, no. 5, pp. 167-173.

Parsons, P, Neale, R, Wolski, P & Green, A 1998, ‘The shady side of solar protection’, *Medical Journal of Australia*, vol. 168, pp. 327-330.

Sander, H, Polansky, S & Haight RG 2010, ‘The value of urban tree cover: a hedonic property price model in Ramsey and Dakota, Minnesota, USA’, *Ecological Economics*, vol. 68, no. 8, pp.1646 – 4656.

Report Prepared By: Coordinator – Active Open Space (Kathy Hynes)

**Report Authorised By: Director – Engineering & Infrastructure
(Ian Bell)**

APPENDIX A



To the Resident
Woodside Drive
Rowville VIC 3178

12th January 2016 Ref No: 5280450

Dear Resident,

Street Tree Planting

Your street has been identified as having numerous vacant locations in regards to street tree planting, as such your street will soon benefit from the planting of street trees.

By way of background, the City of Knox prides itself on its 'green, leafy character' and recognises the importance local street scenes play in the liveability of neighbourhoods. As part of our ongoing commitment to preserving and enhancing the streetscapes within our Knox neighbourhoods, we have a street tree replacement program in place that seeks to create complete treescapes / avenues.

Continuous tree avenues have many proven social, environmental and economic benefits, such as:

- Street trees make neighbourhoods visually appealing and add to overall liveability.
- Domestic property values tend to be higher in areas that have an avenue of trees.
- Tree shade reduces the impact of summer heat and can reduce roof temperatures which, in turn reduces energy consumption and utility bills.
- Street trees provide habitat for local wildlife and birdlife which is a feature that many residents tell us they enjoy.

You can choose from 3 trees, the most popular tree will be planted in the vacant locations in your street; please note species selection may vary if nursery stocks are limited. Please choose your preferred tree in the survey provided and return the survey by the 26th January 2016.

The trees will be planted between April and July 2016 and will be semi-advanced stock- approximately 1-1.5 metres in height. Council will water the newly planted trees using recycled water for two years. However, your assistance in keeping the tree watered during the dry months of the year would greatly aid in the establishment of the tree.

If you have any queries, please do not hesitate to contact me on 9298 8000.

Yours sincerely,



Lara Wilson
Capital Project Delivery Officer- Arborist



**Please tick your preferred option for Woodside Drive
and return before the 26th January 2016**

Lophostemon confertus (Brush Box)



Description: A medium sized native evergreen tree with dense conical shaped crown.

Flowering Time: White flowers in late spring/ summer

Uses: An excellent shade tree with an attractive pinkish-cinnamon to orangey bark.

Height & Width: 8-12 x 5-7m



Eucalyptus mannifera 'maculosa'



Description: A small native evergreen tree with an open canopy.

Flowering Time: Creamy white flowers produced in late winter/ early spring

Uses: A good specimen tree in area with restricted space

Height & Width: 7-9 x 5-7m



Angophora costata (Smooth- Barked Apple)



Description: A medium sized native evergreen tree with an open canopy

Flowering Time: Cluster of creamy white flowers occurring in spring to summer.

Uses: An excellent attractive street tree known for its smooth slightly pinky/ purple dimpled bark

Height & Width:

8-12 x 6-8m



APPENDIX B

Eucalyptus scoparia

Wallangarra White Gum

Typical size	Medium tree 10m X 9m
Origin & Habitat	Native, Queensland and New South Wales
Growth rate	Moderate to fast
Flower	White flowers
Flowering time	Summer
Foliage	Narrow, weeping, glossy green leaves
Bark	Smooth, white, powdery with light grey blotches
Environmental benefit	Evergreen foliage provides shade in the summer that assists in the reduction of heat to the urban area. The medium canopy acts as a wind buffer and frost protector in winter as well as assisting in stormwater management.
Pest & disease	Can suffer from scale insects and thrips, sooty mould and occasionally sawfly larvae, also susceptible to root rot in continually wet soils
Ecological value	Food and habitat resource for native fauna, insects, butterflies and birds.
Climate adaptation	An adaptable species that will tolerate drought, periods of wet and wind exposure



DOBSON WARD**8.2 DRAFT FERNY CREEK RESERVE LANDSCAPE PLAN**

SUMMARY: *Coordinator Biodiversity (Nadine Gaskell)*

Council recently acquired 4.006 Ha of open space as a result of an open space contribution for the development of 157-173 Glenfern Road, Upper Ferntree Gully (Appendix A). Council and Melbourne Water have jointly funded the preparation of a Landscape Plan to guide the development and management of the site. The Draft Plan has been prepared and presented for Council's consideration prior to a public consultation process being undertaken.

RECOMMENDATION

That Council:

- 1. notes and endorses the Draft Ferny Creek Reserve Landscape Plan for the purposes of public consultation;**
- 2. exhibits the Draft Ferny Creek Landscape Plan on Council's website inviting feedback from the local community for a period of three (3) weeks; and**
- 3. considers the endorsement of the Final Ferny Creek Landscape Plan following receipt and consideration of public feedback**

1. INTRODUCTION

As a result of the open space contribution for the development of 157-173 Glenfern Road, Upper Ferntree Gully, Council has acquired 4.066 Ha of open space. The area is a Site of Biological Significance (Appendix A) and is located in proximity of the Glenfern Valley Bushland and Gilmore Park (Appendix B).

The site is a high quality catchment area of Ferny Creek. It contains many large old trees and regionally vulnerable vegetation. In addition, many regionally rare fauna, such as the Powerful Owl, have been observed in the area.

The vegetation has been identified as Valley Grassy Forest, which is regionally significant and rare in the Dandenong Ranges. One of the grass species identified is *Austrostipa rudis* subspecies *australis* (Veined Spear-grass) which is listed by the Department of Sustainability & Environment as 'rare' throughout Victoria.

Consequently, there are many biodiversity values on this site which warrant protection. As such, Council's Biodiversity Unit and Melbourne Water have co-funded the preparation of a Draft Ferny Creek Reserve Landscape Plan for the site.

8.2 Draft Ferny Creek Reserve Landscape Plan (cont'd)

Further, there is significant interest in the site from the local community. A friends group (Friends of Glenfern Green Wedge) has expressed a keen interest in participating in supporting the reserve through activities such as environmental weed management, revegetation and seed collection from local provenance plants.

2. DISCUSSION

The open space adjacent to Ferny Creek, Upper Ferntree Gully was recently acquired by Council as a result of an open space contribution for the 4.006 Ha development of 157-173 Glenfern Road, Upper Ferntree Gully.

There is a high level of community interest in the site, essentially from three (3) broad groups:

- general community (nearby residents);
- Friends of Glenfern Valley, formed in late 2001 to advocate and assist with the maintenance of the Glenfern Valley Bushland; and
- Friends of the Glenfern Green Wedge, who initially formed to advocate for the area during the subdivision process but is now moving towards working with Council on ground initiatives, including revegetation and weed control.

Melbourne Water has an interest in the site for flood mitigation and enhancing environmental outcomes, in the creek area.

Council has worked in collaboration with Melbourne Water, with respect to ongoing management of the site, since the land was transferred into Council's ownership.

Due to the complex nature of the site, i.e. high environmental value, issues relating to the floodplain, aspirations of the community and adjacent landholders, Melbourne Water and Council agreed that a consultant would joint funded to develop a plan for the area.

Doctor Graeme Lorimer, from Biosphere Pty Ltd, was appointed in January 2015, to assist in the development of the Ferny Creek Landscape Plan.

The Draft Ferny Creek Reserve Landscape Plan, shown as Appendix C, includes:

- current environmental condition description including:
 - hillside;
 - floodplain;
 - creek channel;
 - plant species present;

8.2 Draft Ferny Creek Reserve Landscape Plan (cont'd)

- land tenure and management responsibilities;
- Conceptual Landscape Plan; and
- recommended actions including:
 - waterway management;
 - recommended species list and areas for revegetation; and
 - proposed alignment for shared path.

The Draft Plan provides a comprehensive overview of the current conditions of the Ferny Creek Reserve, Upper Ferntree Gully and provides recommended actions which support biodiversity enhancement, waterway management and social benefits.

3. CONSULTATION

The Draft Plan was developed with input from internal stakeholders, Melbourne Water and community feedback at a community open day at Ferny Creek Reserve.

The Community Open Day was held on 5 December 2016. Attendance included the Ward Councillor, Cr Karin Orpen, Council staff and approximately fifty community members attended including local residents, members of the Friends of Glenfern Green Wedge, Friends of Glenfern Valley Bushlands and the Knox Environment Society. The Draft Plan (Figure 10, Appendix C) was displayed and Dr Graeme Lorimer provided a guided walk, outlining the features on the Draft Plan.

Feedback on the Draft Plan was invited with respondents given until 31 January 2016 to provide comment. Four (4) responses were received, all in support of the Draft Plan.

Approval is now sought from Council to exhibit the Draft Ferny Creek Reserve Plan, inviting feedback from the broader community.

4. ENVIRONMENTAL/AMENITY ISSUES

Knox currently supports many rare and endangered flora and fauna species. Additional habitat loss and failure to close habitat gaps will threaten survival of endangered species and will lead to possible extinction. Supporting this proposal provides an opportunity to protect and enhance an important habitat corridor that contains rare and vulnerable flora and fauna species.

8.2 Draft Ferny Creek Reserve Landscape Plan (cont'd)

5. FINANCIAL & ECONOMIC IMPLICATIONS

Grass slashing, strategic native grass slashing, tree risk management and essential weed management funding are currently within budget.

Additional works including weed management and revegetation identified in the Plan would be subject to future budget considerations.

The consultant cost is \$6,900 (exclusive of GST) shared equally between Council and Melbourne Water.

Site mowing is performed by Parks Services, at an approximate cost of \$3,000 per annum.

Biodiversity currently spends \$10,000 per annum on environmental weed control, bushfire preparedness works and mosaic slashing to encourage natural regeneration.

These costs are currently incorporated into Council's operational budgets.

6. SOCIAL IMPLICATIONS

Recent studies have established direct links between the health of individuals and communities and their contact with nature.

Supporting the local community in their goals to protect and enhance local biodiversity values assists in empowering the community and improves social networks and resilience.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

The matters outlined in this report relate directly to the Sustainable Natural Environment objectives of the Council Plan particularly the following Strategies and Priority actions:

- *Encourage and supporting the community to protect and enhance the natural environment.*

Further identify sites of biological significance and seek, where practicable, to protect and enhance through linking these to other sites of significance and best practice bushland management

8. CONCLUSION

The Draft Ferny Creek Reserve Landscape Plan provides a comprehensive overview of the current conditions of the recently acquired Ferny Creek Reserve, Upper Ferntree Gully. It provides recommended actions which support biodiversity enhancement, waterway management and social benefits.

8.2 Draft Ferny Creek Reserve Landscape Plan (cont'd)

In order to ensure the local community has the opportunity to provide feedback or seek clarification, it is recommended that the Draft Ferny Creek Landscape Plan is placed on Council's website for a period of three (3) weeks prior to consideration of the Final Plan.

9. CONFIDENTIALITY

There are no confidentiality issues in this report.

Report Prepared By: Coordinator – Biodiversity (Nadine Gaskell)

***Report Authorised By: Director – Engineering and Infrastructure
(Ian Bell)***

8.2 Draft Ferny Creek Reserve Landscape Plan (cont'd)

Appendices A, B & C Circulated Separately

ALL WARDS**9.1 INCIDENTAL COMMUNITY GRANTS PROGRAM APPLICATIONS**

SUMMARY: *Governance Officer - (Kirstin Ritchie)*

This report summarises the recommended grants from the Incidental Community Grants Program.

All applications have been assessed against the criteria as set out in the Incidental Community Grant Program Policy.

RECOMMENDATION

That Council approve the six recommended Incidental Community Grant applications as detailed in Appendix A for a total value of \$5879.00.

1. INTRODUCTION

At the 24 November Ordinary Council meeting, Council endorsed the Incidental Community Grants Policy effective from 1 December 2015. The following criteria are used in determining applications for Incidental Community Grants under the policy:

- All requests for funding must be in writing and on the relevant funding application form; and
- Applications must be from individuals who reside in Knox or community groups that provide services to the Knox community; and
- All applications for funding must provide a demonstrated benefit to the Knox community and be in keeping with the objectives and directions of the City Plan; and
- Applications for financial donations and general fundraising activities will not be supported through the Incidental Community Grants Program; and
- The maximum grant limit is \$1,000.

This report presents to Council recommended grant allocations in accordance with this policy.

2. DISCUSSION

Council has established the Incidental Community Grants program to ensure that funding can be provided to individuals and community groups who request ad hoc, incidental, community based, one-off grants.

9.1 Incidental Community Grants Program Applications (cont'd)

The Incidental Community Grants Policy (the Policy) sets out an open and transparent grant program that meets the principles of good governance and is compliant with the Act. The Policy sets out new criteria that all grant applications must meet.

This report outlines the grant applications received since the previous Ordinary Council meeting held on 23 February 2016 and recommends six grants for Council's approval.

No applications have been received for grants under \$500 for the current period.

3. CONSULTATION

No consultation has been undertaken in relation to this report. This information is presented as part of Council's accountability to the community.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The approval of incidental community grants is managed within Council's adopted budget.

6. SOCIAL IMPLICATIONS

The Incidental Community Grants program allows Council the flexibility to respond to requests from individual's and/or community groups within Knox at a municipal level. These grants provide applicants the opportunity to participate and support a variety of community based programs.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

Provision of the Incidental Community Grants program assists Council in meeting its general objectives under the Council Plan.

9.1 Incidental Community Grants Program Applications (cont'd)**8. CONCLUSION**

This report contains the recommendation for funding through the Incidental Community Grants program in Attachment A.

This recommendation is presented to Council for consideration and endorsement.

9. CONFIDENTIALITY

Confidential Appendix B contains each of the individual grant applications for Council's consideration.

Report Prepared By: Governance Officer – (Kirstin Ritchie)

***Report Authorised By: Acting Director – Corporate Development
(Fleur Cousins)***

9.1 Incidental Community Grants Program Applications (cont'd)

APPENDIX A – Incidental Community Grants Applications

Applicant Name	Project Title	Amount Requested	Amount Recommended	Transitional Subsidy recommended by CEO
Football Club Citylife	Purchase of new line marker	\$1000.00	\$1000.00	n/a
Friends of Rowville Primary School	Purchase of pop up marquees	\$1000.00	\$1000.00	n/a
Ferntree Gully Cricket Club	Purchase of annual achievement and recognition trophies	\$900.00	\$900.00	n/a
Cavell Corner	Creation of wall mural	\$999.00	\$999.00	n/a
Scoresby Football Club	Provision of additional toilets and marquees for SFC Anzac Day game	\$1000.00	\$1000.00	n/a
Scoresby Wantirna South Tennis Club	Purchase and installation of roller blinds in club pavilion	\$980.00	\$980.00	n/a
	Total	\$5879.00	\$5879.00	n/a

9.1 Incidental Community Grants Program Applications (cont'd)

Confidential Appendix B – Circulated Separately

ALL WARDS**9.2 REVIEW OF COUNCIL'S ELECTION PERIOD POLICY**

SUMMARY: *Coordinator – Governance (Carrie Bruce)*

This report proposes a number of amendments to Council's Election Period Policy (previously known as the 'Caretaker Policy') following recent changes to the Local Government Act 1989.

The amendments made to Council's Election Period Policy ensure Council's compliance with the requirements of the Local Government Act 1989 in the lead up to the 2016 municipal general elections.

The election period will take effect from midnight on 21 September 2016 until 6:00pm on election day, 22 October 2016.

RECOMMENDATION

That Council adopt the Election Period Policy attached as Appendix A to this report.

1. INTRODUCTION

Whilst Councils continue to have legal legitimacy until the expiration of their elected term, the *Local Government Act 1989* (the Act) places two significant legislative restrictions on Council's operation during the election period.

The first prohibits Council, a special committee of Council or a person acting under delegation by the Council from making 'major policy decisions' or 'inappropriate decisions' during the election period.

The second prohibits Council from printing, publishing or distributing certain publications containing electoral matter during the election period, including by another person or body on behalf of Council unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.

2. DISCUSSION

The *Local Government Amendment (Improved Governance) Act 2015* was passed by the Parliament in October 2015. The purpose of the amendment was to enhance the governance standards of Councils and to amend the arrangements for local government elections to strengthen their integrity.

The newly proclaimed Section 93B of the Act requires a Council to prepare, adopt and maintain an election period policy which explains:

- the procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;

9.2 Review of Council's Election Period Policy (cont'd)

- the limitations placed on public consultation and the scheduling of Council events during the election period before a general election; and
- the procedures intended to ensure that information held by Council is made equally available and accessible to candidates during the election period before a general election.

The attached policy ensures Council's compliance with the requirements of Section 93B of the Act. The policy also articulates Council's commitment to conducting a municipal election that is fair, equitable to all candidates and publicly perceived as such. A copy of Council's former Caretaker Policy is attached at Appendix B.

In summary, the changes to the policy are:

- Clause 5 Definitions - The Act introduced a new definition for 'inappropriate decisions' which has replaced the definition of 'significant decisions' in the policy. Significant decisions were never defined under the Act.
- Clause 6.2 Decision Making During the Election Period – This clause has been expanded to provide greater clarity around major policy and inappropriate decisions as defined in the Act. It also provides further guidance to staff when exercising delegations during the election period.
- Clause 6.3 Council and Committee Meetings – This clause has been expanded to establish protocols for the conduct of Council and Committee meetings held during the election period. More specifically it inserts a clause to manage public question time (6.3.4).
- Clause 6.5 Access to Council Information – This clause has been expanded to demonstrate Council's transparency and compliance with section 93B(3)(c) of the Act which require councils to establish a procedure to ensure that access to information held by council is made equally available and accessible to candidates during the election.
- Clause 6.7 Functions and Events During the Election Period and Clause 6.8 Public Consultation – The Act now requires councils to outline the procedures it will undertake to limit public consultation and scheduling of council events during the election period. Advice from DELWP recommends limiting events and consultations during the election period to only those essential to the operation of Council. The clauses have been updated to reflect this advice.
- Clause 6.11 Misuse of Position – This clause has been introduced to supplement clause 6.5 – Access to Council Information.
- Clause 6.12 Breach of Policy – This clause has been introduced to clarify who a breach of this policy should be directed to.

9.2 Review of Council's Election Period Policy (cont'd)

In accordance with the Act the Election Period Policy is to be endorsed by Council before 31 March 2016 and then no later than 12 months before each municipal general election.

3. CONSULTATION

The policy has been prepared to meet Council's legal obligations under the Act. To ensure a contemporary policy was developed, staff attended a number of industry-based forums to discuss the recent amendments to the Act and best practice guidelines for conduct during an election period.

A draft Election Period Policy was presented to the March Issues Briefing and feedback was incorporated into the final policy.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with the preparation of this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Financial implications associated with this policy relate to the ability of Council to make major policy decisions as defined by Section 93A of the Act.

6. SOCIAL IMPLICATIONS

This policy supports Council's commitment to being open, fair, equitable and transparent in the conduct of Council elections and will further enhance good governance practice in the lead up to the October 2016 municipal elections.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

Municipal elections are conducted in accordance with the Act and form the basis of Council's good governance in the sound stewardship of Knox City Council. The Chief Executive Officer has prime responsibility in regards to the conduct of the Council elections.

8. CONCLUSION

This report recommends that Council make a number of amendments to Council's Election Period Policy following amendments to the Local Government Act. The policy amendment will reinforce and strengthen Council's commitment to conducting elections in a transparent and accountable manner.

9.2 Review of Council's Election Period Policy (cont'd)**9. CONFIDENTIALITY**

There are no confidential issues associated with this report.

Report Prepared By: Coordinator - Governance (Carrie Bruce)

***Report Authorised By: Acting Director – Corporate Development
(Fleur Cousins)***

APPENDIX A



KNOX POLICY

DRAFT ELECTION PERIOD POLICY

Policy Number:	2005/02	Directorate:	Corporate Development
Approval by:	Council	Responsible Officer:	Coordinator Governance
Approval Date:		Version Number:	4
Review Date:	Not later than 12 months before the next general election period		

1. PURPOSE

The Election Period Policy has been developed to ensure that the Knox City Council municipal elections are conducted in a manner that is fair, equitable, and publicly perceived as such.

This policy further ensures that the ordinary business of Council continues throughout the election period in a responsible and transparent manner, and in accordance with statutory requirements and established 'caretaker' conventions.

2. CONTEXT

The *Local Government Amendment (Improved Governance) Act 2015* was passed by the Parliament in October 2015. The purpose of the amendment was to enhance the governance standards of Councils and to amend the arrangements for local government elections to strengthen their integrity.

The newly proclaimed section 93B of the *Local Government Act 1989* (the Act) requires Council to prepare, adopt and maintain an election period policy which explains:

- the procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;
- the limitations placed on public consultation and the scheduling of Council events during the election period before a general election; and
- the procedures intended to ensure that information held by Council is made equally available and accessible to candidates during the election period before a general election.

3. SCOPE

This policy will apply to:

3.1 Councillors

Councillors must comply with this policy, regardless of whether they intend to nominate or have already nominated as candidates for election.

3.2 Council Staff

All Council staff, and in particular those staff who are candidates for an election, must comply with this policy.

Council staff who are candidates must also:

- take leave from their duties for the duration of the election period in accordance with section 29(3) of the Act (if not enough paid leave is accrued, unpaid leave will be available).
- return any Council equipment (including, but not limited to, motor vehicles, telephones and computers), documents or information which is not available to the public for the duration of the election period.
- if elected, immediately resign from their employed position at Council.

3.3 Committee members

Council committee members who are candidates for election are expected to comply with this policy and in addition:

- return any council equipment, documents or information which is not available to the public for the duration of the election period.
- if elected, immediately resign from the committee.

4. REFERENCES

4.1 City Plan (incorporating the Council Plan)

- Democratic and Engaged Communities

4.2 Relevant Legislation

- Local Government Act 1989

4.3 Charter of Human Rights

- This policy has been assessed against and complies with the charter of Human Rights.

4.4 Related Council Policies

- Councillor Code of Conduct
- Staff Code of Conduct
- Incidental Community Grants Program Policy
- Social Media Policy

4.5 Related Council Procedures

- Nil

5. DEFINITIONS

Council	Knox City Council, whether constituted before or after the commencement of this Policy.
Election Period	The period commencing on the last day on which nominations for that election can be received and ending at 6.00pm on Election Day. For the 2016 elections, the election period will apply from 21 September 2016 until 6:00pm on Saturday, 22 October 2016 inclusive.
Election Day	In the case of an election, the day of an election determined under section 31 or 38 of the Act.
Electoral Matter	<p>As defined in section 3(1A) and 3(1B) of the Act and detailed below:</p> <p>Any matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purposes of conducting an election.</p> <p>Without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on—</p> <ul style="list-style-type: none"> (a) the election; or (b) a candidate in the election; or (c) an issue submitted to, or otherwise before, the voters in connection with the election.
Inappropriate Decision	<p>As defined in Section 93B(5) of the Act and detailed below:</p> <ul style="list-style-type: none"> a) decisions that would affect voting in an election; b) decisions that could reasonably be made after the election

Major Policy Decision

As defined in Section 93A(6) of the Act and detailed below:

- a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;
- b) to terminate the appointment of a Chief Executive Officer under section 94;
- c) to enter into a contract the total value of which exceeds whichever is the greater of –
 - i. \$100,000 or such higher amount as may be fixed by Order in Council under section 186(1); or
 - ii. 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year;
- d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100,000 or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year.

6. COUNCIL POLICY**6.1 Election Period**

No later than 30 days prior to the commencement of the election period, the Chief Executive Officer will ensure that all Councillors, Staff and Committee members are informed of the application of this policy.

6.2 Decision Making During the Election Period

Council, a special committee of Council or a person acting under delegated authority of Council must not make major policy decisions or inappropriate decisions during the election period for a general election.

6.2.1 Major Policy Decisions

Unless extraordinary circumstances exist, the Chief Executive Officer will ensure that matters defined as major policy decisions will be scheduled for Council's consideration prior to the commencement of the election period or deferred for consideration by the incoming Council.

Council acknowledges that it has an ongoing responsibility to act in the best interests of the community. Therefore, where the Council considers extraordinary circumstances do exist where a delay in decision making would result in significant detriment to the community, Council may apply in writing to the Minister for an exemption in accordance with the Act. A major policy decision made in contravention of the Act is invalid.

6.2.2 Inappropriate Decisions

The Chief Executive Officer will ensure that inappropriate decisions will be scheduled for Council's consideration prior to the commencement of the election period or deferred for consideration by the incoming Council.

The following inappropriate decisions (whether made by Council, a Special Committee or staff member exercising delegation) will be avoided completely during the election period:

- allocation of community grants or other direct funding to community organisations including Incidental Community Grants
- major planning scheme amendments
- sale or discontinuance of roads etc
- changes to the strategic objectives and strategies in the Council Plan

Assistance in determining whether a decision is likely to be inappropriate should be sought from the Manager Governance & Innovation in the first instance.

6.2.3 Officer Decisions under Delegated Authority

Before making a decision under delegated authority during the election period, officers should consider the following:

- whether the decision is inappropriate
- whether the decision is likely to be controversial
- the urgency of the decision (can it wait until after the election?)
- possible financial repercussions if the decision is deferred; and
- the best interests of Council and the community

Officers requiring assistance in determining whether a decision is likely to be inappropriate should seek advice from the Manager Governance & Innovation in the first instance.

6.3 Council and Committee Meetings

The following protocols will apply for Council and Committee meetings held during the election period.

6.3.1 Approval of Reports by Chief Executive Officer

All reports to Council and Special Committee meetings will be assessed by the Chief Executive Officer, in accordance with the Act and this policy.

6.3.2 Election Period Statement

The following statement will be included on all Council and Special Committee meeting agendas and minutes produced during the election period:

“The recommended decisions on all reports contained in this agenda do not fall within the definition of a major policy decision or inappropriate decision as defined in Sections 93A & 93B(5) of the Local Government Act 1989 and Council’s Election Period Policy”

6.3.3 Public Question Time

The Chief Executive Officer will assess all questions received to determine whether they contain electoral matter. Any question deemed to contain electoral matter will not be heard at the meeting.

If a questioner raises electoral matter during the introduction to their question, they will be requested refrain from doing so. If the questioner fails to comply with this request, they will be asked to resume their seat in the gallery and the question will not be responded to.

6.3.4 Councillor Conduct at Meetings

During the election period, Councillors will limit their discussion during debate to the matter under consideration and will avoid raising electoral matter.

Councillors will not raise other items that contain or relate to electoral matter during the election period at a Council Meeting.

6.4 Council Resources

Councillors, Committee Members and staff will ensure that due propriety is observed in the use of all Council resources during an election period. In any circumstances where the use of Council resources might be construed as being related to a candidate’s election campaign, advice will be sought from the Chief Executive Officer or his/her nominated delegate.

6.4.1 Use of Council equipment and services by Councillors

Council resources, including (but not limited to) offices, vehicles, staff, hospitality services, photographs, name badges, stationery and equipment (including computer equipment, email addresses and Council funded mobile phones and iPads) will be used exclusively for normal Council business during the election period and will not be used in connection with any election campaign activity.

6.4.2 Councillors’ Entitlement to Reimbursement

Reimbursement of Councillors’ out of pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal Council duties and not for expenses that could be perceived as supporting or being connected to a candidate’s election campaign.

6.4.3 Council Branding and Stationery

No Council logos, publications, letterheads, or other Knox City Council branding will be used for, or linked in any way to, a candidate's election campaign.

6.4.4 Mayoral and Councillor Support

Council staff, and in particular the Personal Assistant to the Mayor and Councillors, Governance staff and Marketing and Communications staff, will not undertake any tasks connected directly or indirectly with an election campaign.

6.5 Access to Council Information

All election candidates have equal rights to information relevant to their election campaigns from the Council administration. However, it is important that sitting Councillors continue to receive information that is necessary to fulfil their existing elected roles.

Neither Councillors nor candidates will receive information or advice from Council staff that may be perceived to support election campaigns. There shall be complete transparency in the provision of all information and advice during the election period.

Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or to existing Council services. Information must not relate to public or election debates or to issues that may be perceived to be connected with a candidate's election campaign.

In any circumstances where the use of Council information might be construed as being related to a candidate's election campaign, advice should be sought from the Chief Executive Officer or his/her nominated delegate.

6.5.1 Information Request Register

All requests for information during the election period are to be in writing and directed to the Chief Executive Officer or his/her delegate.

An Information Request Register will be maintained by the Manager Governance & Innovation during the election period. This Register will be a public document that records all requests for information by Councillors and candidates and the response given to those requests. The Register will not include requests for information relating to the election process as these will be referred to and managed by the Returning Officer.

6.6 Equity and Assistance to Candidates

Council affirms that all candidates for the Council election will be treated equally.

Any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates. The types of assistance that are available will be documented and communicated to all candidates in advance.

All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Chief Executive Officer or his/her delegate for determination.

6.7 Functions and Events During the Election Period

6.7.1 Council Organised Events and Functions

Council's annual program of events will be limited to only those essential to the operation of the Council during the election period.

6.7.2 Speeches

Councillors must not give speeches or keynote addresses at Council organised or sponsored events during the election period.

Councillors may make a short welcome speech, however it should not contain any express or implied reference to the election.

6.7.3 External Events and Functions

Councillors are able to attend events or functions conducted by external bodies during the election period, however when attending as a representative of the Council, Councillors must be mindful that they do not use that opportunity to promote their election campaign.

6.7.4 Publication of Promotion Material

In preparing any publicity material for Council events, the organiser will be mindful of the controls on electoral material as outlined in clause 6.9 of this policy.

6.8 Public Consultation

It is prohibited under this policy for public consultation to occur during the election period (either new consultation or existing) on an issue which is contentious, unless prior approval is given by the Chief Executive Officer.

For the purposes of this section, public consultation means a process which involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy.

The requirements of this section do not apply to public consultation required under the *Planning and Environment Act 1987*, or matters subject to section 223 of the Act.

6.9 Council Publications

The Act imposes limitations on Council publications during the election period to ensure Council does not publish material containing electoral matter that may influence, or be seen to influence, people's voting decisions. Section 55D of the Act states:

“A council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer”

It should be noted that the controls do not apply to electoral material produced by, or on behalf of, the Returning Officer for the purposes of conducting the election or to simply announce the holding of a meeting.

6.9.1 Certification of Council Publications by the Chief Executive Officer

The Chief Executive Officer's certification must be in writing and cannot be delegated to another person.

All relevant publications must be certified using Form 1 (attached) and the process for the certification will be as follows:

- (i) Publication authors are to check that no election material is included when preparing a publication and submit the completed publication to the Manager Governance & Innovation for review
- (ii) The Manager Governance & Innovation is to confirm that no election material is included, and return the publication to the author (if election material is present) or submit it to the Chief Executive Officer for authorisation (if it complies with the requirements of the Act).
- (iii) The Chief Executive Officer is to authorise or reject the publication and return it to the Manager Governance & Innovation.
- (iv) The Manager Governance & Innovation will advise the publication author if the publication has been certified by the Chief Executive Officer.
- (v) If certified, the publication can be distributed by the relevant department.
- (vi) The Manager Governance & Innovation is to maintain a register of all documents authorised under this section.

6.9.2 Annual Report

The 2015-16 Annual Report will be affected by the legislative restrictions on publications as the publication date of the report falls within the election period. Therefore information relating to Councillors will be restricted to what is required by the Local Government (Planning and Reporting) Regulations 2014. This includes the name and photographs of each Councillor as well as their membership of special committees and other bodies to which they have been appointed by the Council. During an election year, the Annual Report will not contain a foreword from the Mayor.

6.10 Media and Media Services

Council media and media services are intended to promote Council activities and services and must not be used in any way that might favour any election candidate or influence the outcome of a Council election.

During the election period Council staff are not permitted to make any public statement that could be construed as influencing the elections. This does not include statements of clarification in relation to the election process that have been approved by the Chief Executive Officer.

6.10.1 Media Advice

Any requests for media advice or assistance from Councillors during the Election Period will be channelled through the Chief Executive Officer. No media advice or assistance will be provided in relation to election campaign matters. In particular, the use of any Council publications that feature specific Councillors and/or individual achievements will be avoided for the duration of the election period.

6.10.2 Media Releases and Responses

All media releases and/or responses during the election period must not contain reference to, or quotes by, any candidate including existing Councillors who are deemed to be candidates, and should avoid referring to electoral matters.

6.10.3 Publicity Campaigns

During the election period, Council publicity campaigns, other than for the purpose of conducting the election, will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Council service or function, it must be approved by the Chief Executive Officer. Council publicity during the election period will be restricted to promoting normal Council activities.

6.10.4 Website and Social Media

During the election period, information about Councillors on Council's website, will be restricted to names, contact details, titles, membership to committees and other bodies to which they have been appointed by Council.

Council staff will carefully vet existing publications and online information prior to the commencement of the election period and, where appropriate, temporarily withdraw any material that might reasonably influence the election.

For the duration of the election period, social media utilised by Council, including but not limited to facebook, Twitter and YouTube, will be closely monitored and any electoral matter posted by members of the community will be promptly removed.

6.11 Misuse of Position

Section 76D of the Act prohibits current or former Councillors or members of special committees from using their position to gain access to information or resources that would otherwise not be available.

The Act specifies the following circumstances as a misuse of position:

- making improper use of information acquired as a result of the position he or she held or holds
- disclosing information that is confidential information within the meaning of section 77(2) of the Act
- directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff in contravention of section 76E
- exercising or performing, or purporting to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform
- using public funds or resources in a manner that is improper or unauthorised
- failing to disclose a conflict of interest.

6.12 Breach of Policy

Any breach of this policy relating to staff conduct is to be referred to the Chief Executive Officer.

Alleged breaches relating to all other matters are to be referred to the Local Government Investigations and Compliance Inspectorate.

FORM 1

**REQUEST FOR CERTIFICATION OF PUBLICATION
DURING THE ELECTION PERIOD**

1 Author to complete

Document description (attach document)	<input type="text"/>
Intended distribution channel	<input type="text"/>
<p>I declare that this material contained in the attached document has been checked by me and to the best of my knowledge does not contain any electoral matter.</p>	
Name and Title	<input type="text"/>
Signature	<input type="text"/>
Date	<input type="text"/>

2 Manager Governance & Innovation (or delegate) to complete

<p>I have reviewed the material contained in the attached document can advise that to the best of my knowledge it does not contain any electoral matter.</p>	
Name and Title	<input type="text"/>
Signature	<input type="text"/>
Date	<input type="text"/>

3 Chief Executive to complete

<p>In accordance with section 55D(1) of the Local Government Act 1989, I certify that the attached advertisement, handbill, pamphlet or notice may be printed, published or distributed during the election period on behalf of Knox City Council.</p>	
Signature	<input type="text"/>
Date	<input type="text"/>

4 Manager Governance & Innovation (or delegate) to place on Register



KNOX POLICY

CARETAKER POLICY

Policy Number:	2005/02	Directorate:	Corporate Development
Approval by:	Council	Responsible Officer:	Coordinator Governance
Approval Date:	26 June 2012	Version Number:	3
Review Date:	Within 6 months of the Election scheduled in October 2016		

1. PURPOSE

This policy has been developed to ensure that the Knox City Council municipal elections are conducted in a manner that is fair, equitable, transparent and publicly perceived as such.

2. CONTEXT

The Caretaker Policy aims to further promote and support the good governance of the Knox City Council on behalf of its citizens.

Whilst local governments continue to have legal legitimacy until the expiration of their elected terms, established practice for democratic governance suggests that local governments enter a caretaker period, immediately preceding a general election. Local government's role is to ensure that ordinary business continues until the time of the election. This means, where possible, Council should avoid making major policy decisions or commitments during the election period on matters that may have an ongoing impact and be of significant interest to a new Council.

3. SCOPE

This policy will apply to:

3.1 Councillors

Councillors must comply with this policy, regardless of whether they intend to nominate or have already nominated as candidates for election.

3.2 Council Staff

Council staff who are candidates for election must comply with this policy and in addition:

- a. take leave from their duties for the duration of the election period in accordance with section 29(3) of the Act (if not enough paid leave is accrued, unpaid leave will be available).

- b. return any Council equipment (including, but not limited to, motor vehicles, telephones and computers), documents or information which is not available to the public for the duration of the election period.
- c. immediately resign upon election.

3.3 Committee members

Council committee members who are candidates for election are expected to comply with this policy and in addition:

- a. return any council equipment, documents or information which is not available to the public for the duration of the election period.
- b. immediately resign from the committee upon election.

4. REFERENCES

4.1 Council Plan

- Effective Governance
- Partnering and Engaging

4.2 Relevant Legislation

- Local Government Act 1989

4.3 Charter of Human Rights

- This policy has been assessed against and complies with the charter of Human Rights.

4.4 Related Council Policies

- Supersedes version three of this policy adopted at the Ordinary Council Meeting on 23 September 2008.
- Councillor Code of Conduct
- Staff Code of Conduct
- Ward Contingency Fund Policy

4.5 Related Council Procedures

- Nil

5. DEFINITIONS

In this Policy:

Council	means Knox City Council, whether constituted before or after the commencement of this Policy.
Election Period	is the period commencing on the last day on which nominations for that election can be received and ending at 6.00pm on Election Day. In 2012, this period begins at midnight on 25 September 2012 and ends at 6.00pm on 27 October 2012.
Election Day	means in the case of an election, the day of an election determined under section 31 or 38 of the Local Government Act 1989.

<p>Electoral Matter</p>	<p>As defined in section 3(1A) and 3(1B) of the Local Government Act 1989 and detailed below:</p> <p>Electoral matter means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purposes of conducting an election.</p> <p>Without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on—</p> <ul style="list-style-type: none"> (a) the election; or (b) a candidate in the election; or (c) an issue submitted to, or otherwise before, the voters in connection with the election.
<p>Major Policy Decision</p>	<p>as defined in Section 93A(6) of the Local Government Act 1989 and detailed below:</p> <ul style="list-style-type: none"> (a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer; (b) to terminate the appointment of a Chief Executive Officer under section 94; (c) to enter into a contract the total value of which exceeds whichever is the greater of – <ul style="list-style-type: none"> i. \$100 000 or such higher amount as may be fixed by Order in Council under section 186(1); or ii. 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year; (d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100 000 or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year.

6. COUNCIL POLICY

6.1 *Election Period*

No later than 30 days prior to the commencement of the Election Period, the Chief Executive Officer will ensure that all Councillors, Committee Members and Staff are informed of the application of this policy.

6.2 Council Decision Making

Where possible, the Chief Executive Officer will ensure that matters that are defined as Major Policy Decisions or Significant Decisions, will be scheduled for Council's consideration to ensure that decisions are resolved prior to the commencement of the Election Period or scheduled for determination by the incoming Council.

6.2.1 Furthermore, during an Election Period, Council will not make significant decisions that bind the incoming Council except where the issue:

- is urgent;
- cannot be reasonably deferred without major negative repercussions for the operations of Council; or
- relates to the implementation or completion of activity already under way and/or endorsed by Council eg: via the Budget, Council Plan, Strategy etc.

The Council acknowledges that it has an ongoing responsibility to act in the best interests of the community. Therefore, where a delay in making a "significant decision" would result in significant detriment to the local community, or the broader community, the Council may make an exception to this procedure. In making an exception to this procedure, the Council will deal with the matter impartially, having regard to the long term interests of the community and as transparently as possible.

6.3 Council Resources

Councillors, Committee Members and staff will ensure that due propriety is observed in the use of all Council resources during an Election Period. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the Chief Executive Officer or his/her nominated delegate.

The following policy principles will apply:

6.3.1 Council resources, including (but not limited to) offices, staff, hospitality services, photographs, equipment (including Council email addresses and mobile phones) and stationery will be used exclusively for normal Council business during the Election Period and will not be used in connection with any election campaign activity.

6.3.2 Reimbursements of Councillors' out-of-pocket expenses during the Election Period will only apply to costs that have been incurred in the performance of normal Council duties and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

- 6.3.3 No Council logos, publications, letterheads, or other Knox City Council branding will be used for, or linked in any way to, a candidate's election campaign.
- 6.3.4 Council staff, and in particular the Personal Assistant to the Mayor and Councillors, Governance staff and Marketing and Communications staff, will not undertake any tasks connected directly or indirectly with electioneering.
- 6.3.5 Council funded telephone numbers and email addresses are not to be used in candidate election material.
- 6.3.6 Ward communications in the form of Ward meetings or Council newsletters will not be arranged during the Election Period.
- 6.3.7 Council will quarantine 70% of the annual Ward fund allocation in the financial year in which a general election is held for use by the respective incoming Ward Councillor in accordance with the Ward Contingency Policy
- 6.3.8 Councillors will ensure that Ward funds are not committed or expended during the Election Period.

6.4 Information

All election candidates have equal rights to information relevant to their election campaigns from the Council administration. However, it is important that sitting Councillors continue to receive information that is necessary to fulfill their existing elected roles.

- 6.4.1 Neither Councillors nor candidates will receive information or advice from Council staff that may be perceived to support election campaigns. There shall be complete transparency in the provision of all information and advice during the Election Period.
- 6.4.2 Information and briefing material prepared by staff for Councillors during the Election Period will relate only to factual matters or to existing Council services. Information must not relate to public or election debates or to issues that may be perceived to be connected with a candidate's election campaign.

6.5 Council Publications

Council is required to comply with Section 55D of the Local Government Act which states:

“A Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer..”

All advertisements, handbills, pamphlets or notices for printing, publication or distribution during the election period will be certified by the Chief Executive Officer using Form 1 (attached) and the process for the certification will be as follows:

- (i) Publication authors are to check that no election material is included when preparing a publication and submit the completed publication to the Manager Governance for review
- (ii) The Manager Governance is to confirm that no election material is included, and return the publication to the author (if election material is present) or submit it to the Chief Executive for authorisation (if it complies with the requirements of the Act).
- (iii) The Chief Executive is to authorise or reject the publication and return it to the Manager Governance.
- (iv) The Manager Governance is to maintain a register of all documents authorised under this section.

6.5.1 Due to the likely publication date of the Annual Report occurring during the election period, it is affected by the legislative restrictions on publications and therefore information about Councillors in the Annual Report will be restricted to what is required by the *Local Government (Finance and Reporting) Regulations 2004* and membership of Special Committees and other bodies to which they have been appointed by the Council.

6.6 Publicity

Council publicity is intended to promote Council activities and services. Council publicity should not be used in any way that might favour any election candidate or influence the outcome of a Council Election.

6.6.1 During the Election Period, no Council employee may make any public statement that could be construed as influencing the election. This does not include statements of clarification in relation to the election process that are approved by the Chief Executive Officer.

6.6.2 During the Election Period, Council publicity campaigns, other than for the purpose of conducting the election, will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Council service or function, it must be approved by the Chief Executive Officer. Council publicity during the Election Period will be restricted to promoting normal Council activities.

6.6.3 Any requests for media advice or assistance from Councillors during the Election Period will be channelled through the Chief Executive Officer,. In any event, no media advice or assistance will be provided in relation to election campaign matters. In particular, the use of any Council publications that feature specific Councillors and/or individual achievements will be avoided for the duration of the Election Period.

- 6.6.4 During the Election Period, Councillors will not use the Council's website for any election campaign matters.
- 6.6.5 For the duration of the Election Period, social media utilised by Council, including but not limited to facebook and twitter, will be closely monitored and any electoral matter posted by members of the community will be promptly removed.

6.7 Assistance to Candidates

The Council affirms that all candidates for the Council election will be treated equally.

- 6.7.1 Any assistance and advice to be provided to candidates as part of the conduct of the Council Election will be provided equally to all candidates. The types of assistance that are available will be documented and communicated to all candidates in advance.
- 6.7.2 All election related enquiries from candidates, whether sitting Councillors nor not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Chief Executive Officer or his/her delegate for determination.

6.8 Conduct of Council Meetings

- 6.8.1 During the Election Period, Councillors will limit their discussion during debate in Council Meetings to the matter under consideration and will avoid raising electoral matter where possible.
- 6.8.2 Councillors will not raise other items that contain or relate to electoral matter during the election period at a Council Meeting.

6.9 Events and Functions

- 6.9.1 Councillors are able to continue to attend meetings, events and functions during the election period which are relevant to the Council and the community.
- 6.9.2 Council's annual program of events will continue during the Election Period however speeches will be contained to a short welcome, and should not contain any express or implied reference to the election. Any publicity will be mindful of the controls on electoral material outlined in this policy.
- 6.9.3 Councillors are able to attend events or functions conducted by external bodies during the Election Period, however when attending as a representative of Council, Councillors must be mindful that they do not use that opportunity to promote their election campaign.

REQUEST FOR CERTIFICATION OF PUBLICATION DURING THE ELECTION PERIOD

1 Author to complete

Document description (attach document)	<input type="text"/>
Intended distribution channel	<input type="text"/>

I declare that this material contained in the attached document has been checked by me and to the best of my knowledge does not contain any electoral matter.

Name and Title	<input type="text"/>
Signature	<input type="text"/>
Date	<input type="text"/>

2 Manager Governance (or delegate) to complete

I have reviewed the material contained in the attached document can advise that to the best of my knowledge it does not contain any electoral matter.

Name and Title	<input type="text"/>
Signature	<input type="text"/>
Date	<input type="text"/>

3 Chief Executive to complete

In accordance with section 55D(1) of the Local Government Act 1989, I certify that the attached advertisement, handbill, pamphlet or notice may be printed, published or distributed during the election period on behalf of Knox City Council.

Signature	<input type="text" value="Graeme Emonson, Chief Executive Officer"/>
Date	<input type="text"/>

4 Manager Governance (or delegate) to place on Register

TIRHATUAN WARD**9.3 TRANSFER OF LAND – ROADS (R1) AND CAR PARK (RESERVE 1) LOCATED AT DARRYL STREET AND LYNTON PLACE, SCORESBY FROM AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION TO KNOX CITY COUNCIL (MELWAY REF: 72 H7)**

SUMMARY: *Senior Property Officer – Property Services (Angela Kostarakis)*

This report seeks Council approval to sign and seal documentation for the transfer of Roads (R1) and Car Park (Reserve 1) contained in Certificate of Title Volume 8527 Folio 898 on Plan of Subdivision 063198 located at Darryl Street and Lynton Place, Scoresby from Australian Securities and Investments Commission (ASIC) to Knox City Council for nil consideration.

RECOMMENDATION

That Council sign and seal documentation for the transfer of Roads (R1) and Car Park (Reserve 1), as indicated in Appendix A, contained in Certificate of Title Volume 8527 Folio 898 on Plan of Subdivision 063198 from Australian Securities and Investments Commission (ASIC) (acting under Section 601AE(2) of the Corporations Act 2001) to Knox City Council for nil consideration.

1. INTRODUCTION

In 1964, a Plan of Subdivision was approved for land contained in LP63198 for the land in the Parish of Scoresby on the corner of Ferntree Gully Road and Stud Road. This land was contained in Certificate of Title Volume 7072 Folio 268 (refer Appendix B).

Following an audit it was identified that roads and reserves within this subdivision were not transferred to Council and therefore Council was not shown as the registered proprietor on title.

By reason of this subdivision, Reserve 1 and Roads R1 were created in Certificate of Title Volume 8527 Folio 898 identified as a car park reserve and roads within the Scoresby Village at the corner of Darryl Street and Lynton Place, Scoresby. Reserve 1 is being used as a car park and the Roads R1 have been utilised as roads and have vested in Council through Section 270B of the Local Government Act 1989.

The registered proprietor on title is Cosimo Investments Pty Ltd which is a deregistered company.

ASIC is the organisation that deals with deregistered companies and upon deregistration a company ceases to exist as a legal entity under the Corporations Act 2001. Any property that the company held in trust prior to deregistration belongs to the Commonwealth and all other properties vest in ASIC.

9.3 Transfer of Land – Roads (R1) and Car Park (Reserve 1) Located at Darryl Street and Lynton Place, Scoresby from Australian Securities and Investments Commission to Knox City Council (cont'd)

ASIC have identified that it would be appropriate for the ownership of the land identified in Plan of Subdivision 063198 be transferred to Council for nil consideration.

2. DISCUSSION

Following an audit of Council properties it was identified that the car park in Darryl Street, Scoresby and the roads (R1) in Plan of Subdivision 063198 had not been transferred to Council and therefore Council was not identified on title as the registered proprietor.

An investigation at Land Titles indicated that the registered proprietor, Cosimo Investments Pty Ltd, was deregistered. Considering this, ASIC under Section 601AE(2) of the Corporations Act 2001, were now the legal owners. Discussions have been ongoing with ASIC and agreement has now been reached for ASIC to transfer the Roads (R1) and Car Park (Reserve 1) to Knox City Council for nil consideration.

Car Park (Reserve 1) and Roads (R1), identified in Appendix A, are contained within Certificate of Title Volume 8527 Folio 898. An indemnity deed and Transfer of Land is now presented for signing and sealing.

3. CONSULTATION

All relevant internal Council departments have been consulted with no objections being received. In addition to this, Council's legal representatives have held discussions with ASIC to finalise this transfer.

4. ENVIRONMENTAL/AMENITY ISSUES

It would be beneficial for Council to be the registered proprietor on Certificate of Title Volume 8527 Folio 898 as this area of car park reserve is within the areas undertaking streetscaping, street lighting and ongoing maintenance.

5. FINANCIAL & ECONOMIC IMPLICATIONS

ASIC have agreed to transfer this land for nil consideration. In addition to this, Council currently maintains these areas therefore there are no additional maintenance costs. There will be legal and lodgement costs to finalise this transfer, which can be met from Council's adopted budget.

6. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

9.3 Transfer of Land – Roads (R1) and Car Park (Reserve 1) Located at Darryl Street and Lynton Place, Scoresby from Australian Securities and Investments Commission to Knox City Council (cont'd)

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

This supports Theme 5 Democratic and Engaged Communities with particular reference to:

- 5.3.1 Maintain accountable and transparent governance practices, and Council's sound stewardship of the community's finances and assets.
- 5.3.2 Promote innovation and the pursuit of excellence in Council's practices, projects and service delivery.
- 5.3.3 Promote social, economic and environmental responsibility in Council's decision making.

8. CONCLUSION

It is recommended that Council sign and seal all documentation for the Transfer of Land contained in Certificate of Title Volume 8527 Folio 898 being Reserve 1 and Roads R1 on Plan of Subdivision 063198 from ASIC (acting under Section 601AE(2) of the Corporations Act 2001 in relation to deregistered company Cosimo Investments Pty Ltd ACN 004 529 793) to Knox City Council.

9. CONFIDENTIALITY

There are no confidential issues associated with this report.

**Report Prepared By: Senior Property Officer – Property Services
(Angela Kostarakis)**

**Report Authorised By: Acting Director – Corporate Development
(Fleur Cousins)**

APPENDIX A



Roads being transferred from ASIC to Knox City Council



Reserve No. 1 for car park being transferred from ASIC to Knox City Council

PLAN OF SUBDIVISION
PART OF CROWN ALLOTMENT 7
PARISH OF SCORESBY

LP63198
EDITION 2
APPROVED 16/3/64

VOL.7072 FOL.268

Measurements are in Feet & Inches
Conversion Factor
FEET X 0.3048 = METRES

COLOUR CONVERSION
E-1 = BLUE
R1 = BROWN
A-1 = YELLOW

ENCUMBRANCES

AS TO THE LAND MARKED E-1
ANY EASEMENTS AFFECTING
THE SAME

APPROPRIATIONS

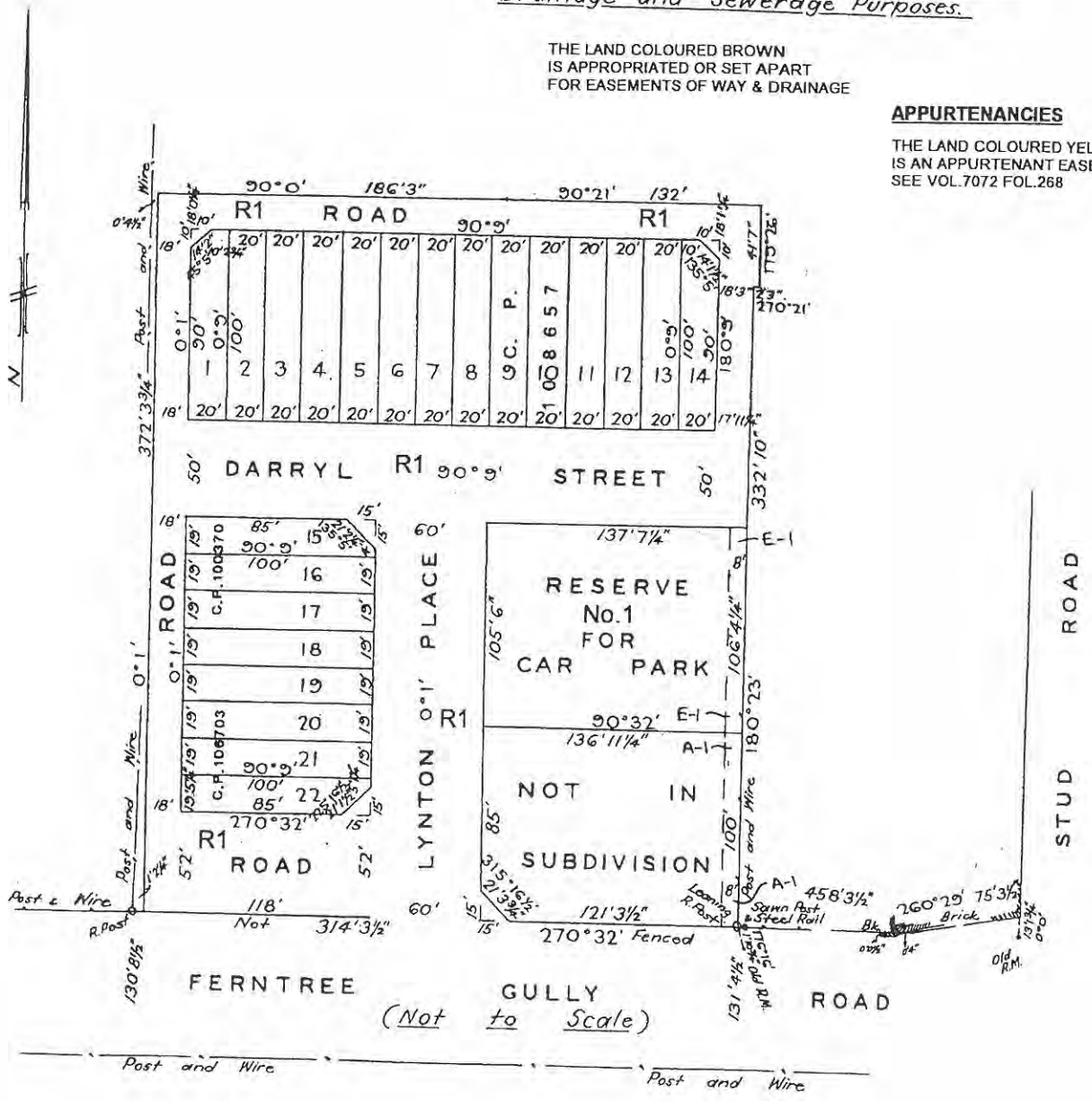
*The land colored blue is set apart for
Drainage and Sewerage Purposes.*

THE LAND COLOURED BROWN
IS APPROPRIATED OR SET APART
FOR EASEMENTS OF WAY & DRAINAGE

APPURTENANCIES

THE LAND COLOURED YELLOW
IS AN APPURTENANT EASEMENT
SEE VOL.7072 FOL.268

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.



LAND	I.D.	MODIFICATION	DEALING NUMBER	EDITION	ASSISTANT REGISTRAR OF TITLES
		EASEMENTS ENHANCED		2	A.D.

ALL WARDS**9.4 PROPOSED 2016-17 FEES AND CHARGES**

SUMMARY: *Management Accounting Coordinator
(Karen Oh)*

The proposed Fees and Charges Schedule for 2016-17 is presented to Council for consideration.

The adoption of the 2016-17 Fees and Charges Schedule prior to the consideration of the Draft 2016-17 Annual Budget is sought to enable certainty in the preparation of income estimates, and to allow sufficient time for the implementation of the proposed Fees and Charges structure applicable from 1 July 2016.

RECOMMENDATION

That Council adopt the proposed 2016-17 Fees and Charges Schedule as outlined in Appendix A to this report, to be effective from 1 July 2016.

1. INTRODUCTION

The proposed Fees and Charges Schedule for 2016-17 is presented to Council for adoption and is included as Appendix A to this report.

2. DISCUSSION

The Fees and Charges Schedule includes all fees and charges relating directly to Council's operations and those that are established by Council. The Fees and Charges Schedule shows both the existing and proposed new fees and charges to operate in 2016-17 and rounding has been applied for ease of use and cash handling.

The majority of increases are based on Council's anticipated Cost Escalation Factor of 2.99% prior to rounding. This approach provides for the contributions from fees and charges for non statutory services to keep pace with the cost of providing these services. This parameter was endorsed in principle as part of the Councillor discussions on the Long Term Financial Forecast at the November 2015 and February 2016 Leadership Workshops.

The Goods and Services Tax (GST) status of all Fees and Charges are in accordance with the "New Tax System (Goods and Services Tax) Act 1999".

Statutory fines, fees and charges set by the State Government have not been included in the Council's Fees and Charges Schedule for 2016-17. These fines, fees and charges are determined by the State Government and / or legislation or regulations. The level of these fines, fees and charges are not at the discretion of Council.

9.4 Proposed 2016-17 Fees and Charges (cont'd)

There have been a number of changes to the proposed fees and charges for the 2016-17 financial year (refer Appendix A) that are under/over the increase of the Cost Escalation Factor of 2.99%. The changes that are exceptions to the increase of the Cost Escalation Factor are primarily a result of

benchmarking and annual reviews of fees and charges to reflect current operations and the recovery of costs. Based on this review several new fees have been proposed to be established with several others being considered not applicable in 2016-17.

3. CONSULTATION

As part of Council's 2016-17 Annual Budget submission process, an opportunity will be available for the community to comment on the proposed fees and charges prior to final adoption by Council in June 2016.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no direct environmental/amenity issues arising from this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The proposed Fees and Charges are based on the assumptions contained in Council's Long Term Financial Forecast.

6. SOCIAL IMPLICATIONS

In consideration of the annual review of all discretionary fees and charges the financial and community impacts are considered.

7. RELEVANCE TO COUNCIL PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

This report is consistent with Theme 5 of the City Plan: Democratic and Engaged Communities 'Maintain accountable and transparent governance practices, and Council's sound stewardship of the community's finances and assets'.

8. CONCLUSION

This annual review of fees and charges provides Council with the opportunity to ensure that appropriate levels of fees and charges are set to achieve fairness and equity for all users and to safeguard Council's financial sustainability.

9.4 Proposed 2016-17 Fees and Charges (cont'd)

Appendix A circulated separately

SCOTT WARD**9.5 RECOGNITION OF FORMER MAYOR AND COUNCILLOR DAVID COOPER**

SUMMARY: *Coordinator – Governance (Carrie Bruce)*

This report presents the options available to Council to recognise the contribution of former Mayor and Councillor, David Cooper, in accordance with Council's Recognition of Former Mayor and Councillors Policy.

RECOMMENDATION

That Council, in recognition of the significant contribution of the late David Cooper to Knox City Council and the Knox community, place a rock and memorial plaque at the Knox Civic Centre.

1. INTRODUCTION

David Cooper, former Mayor and Councillor, passed away on 15 January 2015. He was first elected to Council in a by-election in December 2004 and served for 10 years as the Scott Ward Councillor including two terms as Mayor.

2. DISCUSSION

The Recognition of Former Mayors and Councillors policy sets out the criteria to acknowledge former Mayors and Councillors upon death.

The policy provides three options for recognition of a former Mayor:

- Planting of a tree and placement of a memorial plaque at either the Tim Neville Arboretum, the Knox Civic Centre or at a venue to which the former Mayor had some close affiliation or strong interest; or
- Placement of a rock and memorial plaque at the Knox Civic Centre or at a venue to which the former Mayor had some close affiliation or strong interest; or
- Erection of park furniture and a memorial plaque at the Knox Civic Centre or at a venue to which the former Mayor had some close affiliation or strong interest.

9.5 Recognition of Former Mayor and Councillor David Cooper (cont'd)

The planting of a tree, placement of a rock or installation of park furniture will be enacted if the family of the deceased requests Council to formally recognise the contribution of the former Mayor. The policy provides that if Council has not received a request within 6 months of the date of death, Council officers will contact the next of kin to discuss their preference in regards to honouring the contribution of the former Mayor. Contact has been made with the late David Cooper's family to discuss the options available for recognition under the policy.

A number of approaches have also been made from within the community regarding a suitable acknowledgement of the late David Cooper's contribution. These are outlined briefly below:

Suggested by	Proposed Acknowledgement
Community Member	Rename the recently refurbished playground in Blossom Grove to the David Cooper Reserve
Community Member	Rename Jenola Reserve in Wantirna South to the David Cooper Memorial Park
Local MP	A request has been made to the Deputy Premier, the Hon James Merlino to give consideration to commemorating Councillor Cooper as part of the High St Road duplication between Stud Road and Burwood Highway in recognition of his advocacy efforts in relation to this project.

Each of these suggestions fall outside Council's adopted Policy for Recognition of Former Mayors. It should also be noted that the policy provides additional criteria for those former Mayors who have made a long term contribution to the Knox community. A long term contribution is defined within the policy as a minimum of 20 years service as a Councillor and three Mayoral terms. The criteria is not met for these additional options, one of which is naming of a physical structure or feature in the former Mayor's name.

3. CONSULTATION

The policy options have been discussed by Councillors and feedback has also been sought from the late David Cooper's family. The proposed recommendation is consistent with the families preference in accordance with the options available for recognition under the policy.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

9.5 Recognition of Former Mayor and Councillor David Cooper (cont'd)

5. FINANCIAL & ECONOMIC IMPLICATIONS

Each of the options outlined in the policy can be accommodated within existing resources.

6. SOCIAL IMPLICATIONS

Recognition of a former Mayor and Councillor in a public manner both adheres to Council's policy and further recognises the dedication and commitment of the late David Cooper to the Knox community.

7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)

There is no direct link to Council's City Plan however, recognition of the late David Cooper as a former Mayor and Councillor in this way is consistent with Council's adopted policy position.

8. CONCLUSION

The late David Cooper made a significant contribution to the Knox Community during his ten year tenure as Councillor for the Scott Ward. It is fitting that his contribution be formally acknowledged with the placement of a memorial in the form of a plaque embedded on a rock at the Civic Centre, a location where the late David Cooper spent a significant amount of time in fulfilling his various Councillor duties.

9. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

Report Prepared By: Coordinator – Governance (Carrie Bruce)

**Report Authorised By: Acting Director – Corporate Development
(Fleur Cousins)**

ALL WARDS**10.1 WORKS REPORT AS AT 3 MARCH 2016**

SUMMARY: *Coordinator – Capital Works (Gene Chiron)*

The Works Report shows projects on Council's Capital Works Program and indicates the status of each project as at 3 March 2016.

RECOMMENDATION

That the works report, as at 3 March 2016, be received and noted.

1. INTRODUCTION

This report summarises Council's Capital Works Program for the 2015/2016 financial year. The aim of this report is to provide a regular and succinct status summary of each project over the last month. The Capital Works Report, as of 3 March 2016, is attached as Appendix A.

Report Prepared By: *Coordinator – Capital Works (Gene Chiron)*

Report Authorised By: *Director – Engineering & Infrastructure
(Ian Bell)*

Project Number	Project Name	Total Approved
1	<p>Bridges Renewal Program</p> <p>Works have now commenced on four structures:</p> <ul style="list-style-type: none"> •Timothy Drive – Guardrail installation & Associated Works (Completed, waiting on invoice) •Hazelwood Road – Bridge Rehabilitation •Collier Reserve – Bridge Rehabilitation •Koolunga Reserve – Boardwalk Rehabilitation <p>Waiting on final audit information (Asset Strategy) to provide what works will be required on the Forest Road overpass bridge structure.</p>	\$280,000
4	<p>High Risk Road Failures</p> <p>Major Project (Glenfern Road Rehabilitation) is now programmed for the school holiday period over March / April 2016.</p>	\$250,000
7	<p>Road Surface Renewal Program</p> <p>15/16 Program is progressing well.</p>	\$3,859,000
8	<p>Drainage Pit and Pipe Renewal Program</p> <p>15/16 Program is progressing well. Works have recently been completed in Darwin Road with works still ongoing in Ferntree Gully Road Service Lane, Government Road and Margot Street.</p>	\$2,781,000
9	<p>Footpath Renewal Program</p> <p>15/16 Program is progressing well.</p>	\$1,875,000
10	<p>Bicycle / Shared Path Renewal Program</p> <p>Preparation works for the resurfacing of the Stud Road Path between Avalon and Wellington Road are in progress. Asphaltting will commence on Monday 29 Feb.</p>	\$475,000
11	<p>Information System Plan Implementation</p> <p>Available funding has been expended.</p>	\$120,000
16	<p>Building Renewal Program</p> <p>Program is approximately 70% committed/expended as of end of February. Works scheduled to commence in March include Knox Gardens Football Pavilion - kitchen refit, Tormore Pavilion - kitchen refit, Walker Reserve Pavilion - internal painting, Talaskia Pavilion - internal painting, Templeton Preschool - internal painting, Goodwin Estate Preschool - internal painting.</p>	\$2,711,200
17	<p>Playground Renewal Program</p> <p>Benedikt Reserve Playground construction underway with completion expected in April. Arcadia Reserve Playground pricing underway with an anticipated March construction start. Row Reserve Playground detail design complete for pricing for an April construction start. Ronald, Icarus, Streeton, Pine Hill, Kings Park and Ashbrook Reserves playgrounds being tendered on 5 March for an April construction start.</p>	\$1,023,409
22	<p>Fire Hydrant Replacement Program</p> <p>First payment to South East Water made in September.</p>	\$119,000
24	<p>Carpark Renewal</p> <p>Works scheduled to commence in Mountain Gate Shopping Centre, Scoresby Village and HV Jones Reserve carparks over February / March 2016. Waiting on current works from other departments in all these locations to be completed before renewals can commence.</p>	\$542,000

Project Number	Project Name	Total Approved
25	Plant & Machinery Replacement Program Renewal program underway, 54% of funds committed and 40% of funds expended.	\$2,548,273
26	Street Tree Replacement Program Cap works (tree removal) are scheduled for Vue Court for late February. Stumps will be removed in early March. The new trees will be Acer truncatum X Acer platanoides (Truncatum Hybrid Maple) as per resident survey results. Trees are ordered for identified streets.	\$620,000
31	Stamford Park Redevelopment Stockland has paid its deposit for Lot 2 and settlement of the balance is payable on 18 March 2016.	\$818,415
43	Shade Sails for Family and Children's Services Facilities The shade sail/playground equipment budget is tracking on schedule.	\$30,000
104	Roadside Furniture Renewal Program Minor works progressing on schedule.	\$100,000
147	Energy & Greenhouse Program for Council Facilities All projects have been completed.	\$28,000
229	Building Code Australia Compliance Program approximately 20% committed/expended with planned fall protection works to high risk roofs to complete the program scheduled for March/April.	\$100,000
248	Boronia Park Landscaping Implementation Stage 3 Remaining scope of works, being the Library and Basketball Stadium forecourts, is on hold pending resolution of library design.	\$759,803
289	CSR Quarry Reserve - Implementation Stage 4 Contract has been packaged with the sealing of Quarry Road. Contractor has been approved by Council for engagement to start construction.	\$824,767
345	Asbestos Removal Program is approximately 65% committed/expended. Program of works will be continued over the coming months.	\$100,000
347	Miscellaneous Industrial Roads - Pavement Rehabilitation Works have been delayed due to contractor availability. Works are still programmed in Rushdale Street, Jaydee Drive and Gilbert Park Drive.	\$500,000
353	Avalon/Stamford/Stud Road Intersection Modification Project completed.	\$90,000
369	Carrington Park Sports Room Upgrade Detailed design nearing completion.	\$35,889

Project Number	Project Name	Total Approved
409	Parks Furniture Renewal All furniture has been allocated and installations are in progress.	\$40,000
410	Parks Signage Renewal Bushland Signage Renewal design has been delayed and will not be implemented before 30 June 2016. The funds will be used for Small Reserve Signage Renewals. Purchase order raised and all funds allocated. Installations to be finalised by 20 June 2016.	\$30,000
412	Water Sensitive Urban Design Renewal Project packaged with Project 441 - Tim Neville Arboretum Masterplan Implementation and Project 751 - TNA Lakes Upgrade & Wetland system and Project 529 - Dobson Park Stormwater Harvesting. All projects are packaged to deliver an overall integrated harvesting scheme to service both reserves. Construction is currently well underway with completion anticipated May 2016 (weather permitting).	\$186,618
441	Tim Neville Arboretum Masterplan Implementation Project packaged with project 412 - WSUD renewal and 751 - Tim Neville Arboretum lake structure upgrade. Contract works have commenced with excavation of lakes underway with works approximately 25% complete and completion anticipated Mid June 2016 (weather permitting).	\$463,934
443	Reserves Paths Renewal Works programmed for March in Barry Reserve.	\$50,000
455	Parks Crescent, Cypress Avenue, Boronia - Drainage Upgrade Progress on design solution is well underway. Consultant submission of the draft Detailed Design is scheduled for the end of February.	\$180,763
459	Ferntree Gully Road (No. 1825) - Drainage Upgrade Final design reviewed by Council and minor adjustments being changed by consultant. Final design received end of February. Tender scheduled to be advertised in March.	\$449,445
490	DDA Footpath Modifications Minor projects being completed in conjunction with the Footpath Renewal Program.	\$100,000
492	Compliance to Food Act - Various Buildings Works expected mid March with funds expected to be expended by end of April.	\$25,000
494	Cathies Lane - Landfill Rehabilitation Works Tonkin & Taylor undertaking landfill gas monitoring. Landfill Rehabilitation Plan, Aftercare Management Plan and Hydrogeological Assessment submitted to EPA on 1 October to address PAN requirements. Environmental Audit report submitted 30 October. Capping rehabilitation works commenced February 2016, includes overhauling existing landfill gas system. Recommendation from consultants investigations is that there is no requirement at the moment to lower leachate at the site, need to improve efficiency of existing gas extraction system before considering the need for additional wells.	\$187,500
495	Fencing Replacement in Early Years Facilities - Scope and Implementation Project is approximately 85% - remainder of works expected to be completed over March/April school holidays.	\$24,000

Project Number	Project Name	Total Approved
497	Coonara Stone Cottage - Structural Failure Rectification Contract let and works commenced.	\$0
516	Rumann and Benedikt Reserves - Open Space Upgrade Contract works completed.	\$174,451
520	Mountain Gate Major Activity Centre - Streetscape Works Works are essentially completed and Practical Completion certificate issued. Addressing some minor defects. Separate bus bay upgrade works, included as a post-New Year contract variation following funding approval by PTV, now completed.	\$921,989
525	Cardiff / Herbert Streets - Drainage Design Consultant submitted the draft report on the existing flood modelling. The final report on existing flood modelling is due mid March.	\$50,000
529	Dobson Park - Stormwater Harvesting Construction underway. Works scheduled to be completed in June.	\$751,367
532	Sheffield and Basin Olinda Roads, The Basin - Water Sensitive Urban Design Project completed.	\$112,180
536	Parkland Asset Renewal Scoping for work in progress.	\$70,000
537	Bush Boulevard Kelleys Road works are out for quotation.	\$41,000
543	Llewellyn Park - Landfill Rehabilitation Works Tonkin & Taylor undertaking landfill gas monitoring. Completed Landfill Rehabilitation Plan, Aftercare Management Plan and Hydrogeological Assessment and submitted to EPA on 31 August to meet PAN requirements. Annual environment audit submitted to EPA. Capping rehabilitation works scheduled for mid 2016.	\$187,500
550	Golden Grove, The Basin - Rehabilitation All works completed.	\$169,343
564	Knox Park Reserve Renovation Contractor provided with conditional Practical Completion with Council now undertaking surface finalisation works. Club has been provided with restricted use with temporary fencing to remain until full handover to club is achieved. Now expect this to occur around late March 2016.	\$0
566	Artwork Renewal Total funding expended.	\$20,000
572	Tennis Plan Implementation Program Minor works being coordinated.	\$22,000

Project Number	Project Name	Total Approved
576	Early Years Facility Emergency Warning System The majority of the Early Warning System for Billoo Preschool/Birchfield Childcare is complete. Following a few small programming tasks the program will be completed.	\$50,000
584	Tormore Reserve - Masterplan Development Stage one path works complete. Hydroseeding for lawn areas to be undertaken in April.	\$127,843
585	Llewellyn Reserve - Masterplan Development Path connection to Coppelia Street complete. Remainder of works being undertaken following landfill cap rectification works.	\$151,172
587	Upper Ferntree Gully Neighbourhood Activity Centre - Design Discussions with external landscape consultants underway as part of the detailed project planning.	\$103,153
589	Knox Early Years (KEYs) Online Project Phase: Closure. Pre School Application live and moving into business as usual. Maternal and Child Health - Using MAV CDIS cloud based sector wide system. Family Day Care - No longer required. Project is on schedule to be formally shut down by June 30 2016.	\$96,373
593	Marie Wallace Park - Masterplan Development Stage One works tendered with preferred tender subject to approval under delegated authority. Anticipate contract award in March for April-June construction.	\$489,881
602	Park Ridge Reserve Floodlighting Upgrade Complete.	\$19,000
605	Illawarra Avenue, Rowville Contract works are well underway with K & Ch works almost complete - contract is around 50% complete.	\$280,000
606	Station Street, FTG Contract works are now well underway and progressing well with school crossing in place and K & Ch adjacent to shops (west side to Alpine St) poured.	\$240,000
607	Ashton Road, FTG Design nearing completion with review still to occur. Will package contract with Kingston St & Mountain Gate Drive projects. Anticipate going to tender late February with tenders likely to close 22 March 2016.	\$460,000
608	Kingston Street, FTG Design nearing completion with review still to occur. Will package contract with Ashton Rd & Mountain Gate Drive projects. Anticipate going to tender late February with tenders likely to close 22 March 2016.	\$400,000
609	Mountain Gate Drive, FTG Design nearing completion with review still to occur. Will package contract with Kingston St & Ashton Rd projects. Anticipate going to tender late February with tenders likely to close 22 March 2016.	\$550,000

Project Number	Project Name	Total Approved
610	Elm Street, Bayswater Construction contract packaged with Maple Street and Orange Grove. Tenders recommendation approved at January 2016 Council meeting and contractor appointed. Awaiting pre-construction documentation and anticipate construction commencing in March 2016.	\$390,000
611	Orange Grove, Bayswater Construction contract packaged with Maple Street and Elm Street. Tender recommendation approved at January 2016 Council meeting and contractor appointed. Awaiting pre-construction documentation and anticipate construction commencing in March 2016.	\$405,000
612	Maple Street, Bayswater Construction contract packaged with Elm Street and Orange Grove. Tenders recommendation approved at January 2016 Council meeting and contractor appointed. Awaiting pre-construction documentation and anticipate construction commencing in March 2016.	\$270,000
613	HV Jones Reserve Oval - Renewal Coverage for grass surfacing work now well advancing with warmer conditions encouraging grass growth. Regular monitoring of site is occurring.	\$150,695
617	The Basin Preschool Toilets and Storage Upgrade Completed.	\$40,000
618	Child Care Centres Removal of Rubber Rock All works completed.	\$60,000
619	Scoresby Road/Blind Creek underpass - Widen shared path at western approach All works completed.	\$30,000
620	High Street Road/Blind Creek shared path underpass - Install Lighting Works approximately 15% complete with quotations to be finalised. Expected construction in late March.	\$48,485
622	Walker Reserve (Multi-purpose facility) Wantirna South Works now well underway with fencing/netting design approved, concrete base and framework installed. Awaiting one month curing of concrete before installation of matting occurs, with erection of netting to follow.	\$248,181
624	Lakesfield Reserve Floodlight Upgrade Works commenced.	\$258,490
627	Ferntree Gully Library Scope and Concept Concept Plans finalised and project now completed.	\$39,090
628	Boronia Library - Scope and Concept Concept Plans finalised and this stage of the project now completed. Scoping currently underway for detailed design phase.	\$104,720

Project Number	Project Name	Total Approved
629	Preschool Major Office Upgrades - Detailed Designs All works completed.	\$26,000
630	Early Years Hubs - Bayswater Quotations being sought for next stage of project - Design Development. Community consultation currently in progress.	\$518,288
647	Stud Park Reserve, Rowville - Masterplan The final Draft Masterplan is to be presented to Council for consideration in March 2016.	\$131,745
649	Scoresby (Exner) Reserve - Masterplan Detail design for stage one works being finalised. Anticipate construction works March to June 2016.	\$131,965
655	Entry Signage - Scope and Concept Signage installed. Project Complete.	\$17,000
656	Margot Street (29), FTG - Drainage Upgrade Construction complete. Practical Completion assessment scheduled for late February prior to asset handover.	\$47,737
657	Salmon Road, Boronia - Drainage Upgrade Project complete.	\$88,200
659	Waldheim Road (26), Bayswater - Drainage Upgrade Flood Mitigation works completed. Water quality (WSUD) design solutions now form part of Project 773. Progress subject to Melbourne Water partnering under the "Enhancing Our Dandenong Creek" initiative.	\$111,780
660	Mountain Highway (No. 598), Bayswater - Drainage Upgrade The final existing flood modelling and mitigation works design report to be submitted by the end of February. Consultant asked to do additional mitigation options modelling.	\$20,118
661	Boronia Road (223), Boronia - Drainage Upgrade The project is divided into three design stages. The first stage was completed last year. The second stage detailed design work is complete and a contractor has been appointed to commence work in March 2016. The third stage detailed design is in progress, with works scheduled to be completed by the end of June 2016.	\$258,628
663	Fairpark Reserve Toilet - Installation Project completed.	\$190,000
664	Storm Water Harvesting - Concept Designs Draft report received by Council and feedback provided to Consultant by Officers. Awaiting final report.	\$98,961
665	Templeton Reserve - Storm Water Harvesting Design Project has been deferred and funds transferred to Tim Neville Arboretum Masterplan, as per Council Resolution.	\$50,000

Project Number	Project Name	Total Approved
667	Inverness Avenue - Water Sensitive Urban Design System Detailed concept design completed. Project Delivery undertaking detailed design which is scheduled to be completed mid March. Quotes to be sought in March with works scheduled to commence end of April 2016.	\$220,000
668	Knox Active Aging Management System (KAAMS) Current Phase: Implementation Phase Data migration and integration requirements identified and currently being scoped. Project is currently on schedule.	\$360,987
675	Public Art Project Work on the development of the Public Art Strategy is progressing. Council has agreed to set aside funds for public art until the strategy has been completed.	\$79,658
676	Lakesfield Reserve Oval Renewal Project is nearing completion with a Practical Completion inspection expected to be arranged for late February 2016.	\$233,745
677	Liberty Reserve Oval Renewal Grass coverage is now progressing well with contractor to manage weed control - monitoring continuing to ensure required coverage is obtained.	\$0
678	Scoresby Shopping Village - Public Lighting Works commenced.	\$150,000
679	Eildon Park Tennis Court Upgrade Works completed mid-January 2016.	\$64,000
687	Lewis / Tilba Road Drainage Works Contractor will start remaining works by March. Contractor is engaged in other projects of Council and waiting for the workers to complete the remaining works, hence delayed.	\$80,000
689	Lewis Park Oval 1 Renewal Discussions with Parks around scope of works have commenced. Design to commence later this financial year. Construction planned to be deferred to 2017/18 due to the issue of having too many other ovals off-line. User Group consulted.	\$400,000
690	Rehabilitation of sporting reserves warm season grass conversion Grass is growing well with warm conditions Continuing.	\$100,000
691	Designs for oval renovations Yellow Box Computing have commenced work on irrigation designs for Knox Park, Templeton and Park Ridge	\$20,000
692	Boronia Road footpath Project completed.	\$50,000
693	Albert Street footpath Awaiting consultant's redesign and stakeholder approval.	\$65,000

Project Number	Project Name	Total Approved
694	Mountain Highway footpath Major development is currently underway at 1122 Mountain Highway. Unable to commence path work until the completion of this development.	\$60,000
695	Montana Avenue footpath Project has been cancelled due to resident objections. Funds to be used on another priority project.	\$45,000
696	Murray & Raymond Reserve footpath Works have been delayed due to lack of contactor availability. Works are now programmed for February / March 2016.	\$27,000
697	Bergins Road - footpath 2 Project completed.	\$16,500
698	Taylors Lane footpath Currently in progress.	\$52,500
699	Miller Road/Dorrigo Drive Traffic Treatment Design being developed.	\$6,000
700	Anthony Drive Traffic Treatment Consultation letter and survey has been sent to residents with results due 18th March 2016.	\$10,000
701	Ferny Creek Trail shared path Works have been delayed due to lack of contactor availability. Works are now programmed for February / March 2016.	\$33,000
702	Stud Road footpath connection Works have been delayed due to lack of contactor availability. Works are now programmed for February / March 2016.	\$15,000
703	Francis Crescent footpath connection Works have been delayed due to lack of contactor availability. Works are now programmed for March / April 2016.	\$25,000
704	Mountain Highway footpath connection 4 Waiting on consultant's design and stakeholder approval.	\$80,000
705	Wellington Road footpath connection Construction programmed for late March.	\$20,000
706	Cathies Lane footpath connection Project Completed.	\$20,000
707	Renewal of sports reserve assets / tennis courts / netball Works on netball courts are completed.	\$160,000

Project Number	Project Name	Total Approved
708	Renovation of cricket run ups and goal squares Work completed at Egan Lee. Knox park to commence on 22/3/16.	\$33,000
709	Cricket Practice wicket renewals Works at Kings Park Completed.	\$90,000
710	Colchester Reserve Design of rugby pitches nearing completion with discussions on design detail review underway. Anticipate advertising a tender in early March 2016 with an appointment around mid April 2016.	\$610,000
711	Irrigation enhancements at sporting reserves Project Complete	\$100,000
712	Tennis Court Renewals Rita Mathews TC: Funding for Stage 1 scope of works has now been confirmed. Design plans have been finalised. Tender documents are being prepared. Intend to advertise contract from 20 February 2016 with tenders closing 15 March 2016. Works are anticipated to commence around April 2016.	\$230,000
713	Renewal of sports facility lighting Program is approximately 30% complete. Funds will be allocated to ground lighting element renewal as required	\$50,000
714	Family and Children Services Softfall Program Softfall program has been completed.	\$30,000
716	Early Years Hubs - Wantirna South Scoping Analysis completed. Quotations being sought for next stage of project - Design Development. Community consultation currently in progress.	\$500,000
717	Knox Central Land Acquisition Prospective sites being investigated.	\$3,600,000
718	Bulk Replacement of Street Lights with LED Installation due to commence late March. Final stages of contract negotiations underway with lighting supplier (via MAV Procurement), Ausnet Services and United Energy.	\$4,750,000
720	Exner Reserve Floodlight Upgrade Quotations currently being sought with revised scope of works. Awaiting club sign off for proposed works before commencing construction. Construction is expected early March.	\$80,000
721	Eildon Park Reserve (Pavillion upgrade), Rowville - Design Detailed design progressing.	\$50,000
722	Knox Skate & BMX Park Storage/Shade Structure Project is committed and scheduled to commence mid/late February	\$42,873

Project Number	Project Name	Total Approved
723	Knoxfield Tennis Club Consultation has occurred through Leisure Services with Tennis Victoria, the Local Ward Councillor and the club. It is proposed that the project is scoped in more detail during 2015/16, before being reconsidered for delivery in a future budget.	\$34,000
724	Knox Library - Design Current advice indicates that negotiations with Westfield may not be finalised this financial year. Design process has been placed on hold until further advise is received.	\$80,000
725	Placemakers Site - Design Stakeholder consultation for design for the facilities/site to improve functionality, access and capacity is underway.	\$15,000
726	Ambleside Resource Centre Project - Design Architect to be engaged mid March for design.	\$20,000
727	Knox Community Arts Centre - Design Design work to being undertaken for a March-May construction.	\$12,000
728	Knox Regional Netball Centre Quotes have been provided. Job is scheduled for April commencement.	\$50,000
729	Knox Leisureworks UV for Leisure Pool Quotes currently being sourced. It is expected works will be undertaken in April.	\$48,000
730	Scoresby West Pre School Complete.	\$130,000
732	Outdoor Blinds for Child Care Centres Works nearing completion with remaining project at Talaskia Child Care Centre to complete the program of works.	\$36,000
733	Preschool Office/Storage - Minor Works Storage works to be undertaken at UFTG Preschool over March/April school holidays.	\$30,000
734	Riddell Road Children and Family Centre This project no longer required and funds transferred to Project 629.	\$15,000
735	Family & Children Services Buildings Door Jamb Protectors Remaining projects will be completed over March/April school holidays to complete the program.	\$25,000
736	Flamingo Preschool upgrades (3 year old) Works complete.	\$60,000
737	Meals on Wheels site reconfiguration - Stage 1 Quotations being sought with a view to commence construction early April	\$20,000

Project Number	Project Name	Total Approved
738	The Basin Progress Hall - Stage 4 of 4 Commencement of works delayed due to requirement of Planning permit.	\$254,000
739	Bergins Road - footpath 3 - Design Design nearing completion.	\$6,250
740	Mountain Hwy footpath 2 feasibility study Preliminary design and estimate received from consultant.	\$15,000
741	Cathies Lane, Wantirna South - Footpath Design Project completed.	\$3,500
742	Myrtle Street Footpath Project completed.	\$30,000
743	Quarry Road, Upper Ferntree Gully Tender report approved at the February Council Meeting. Contract packaged with the CSR Quarry Masterplan project.	\$150,000
744	Ferntree Gully Road shared path 1, Knoxfield - Design Title searches have been completed to determine property boundaries and ownership. Consultation will occur with property owners as path alignment needs to go through private properties.	\$3,000
745	Old Orchard Drive Solar Light Installation Solar light has been ordered and installation is due in the next six weeks.	\$10,000
746	Revegetation Plan Sites at Lakewood Reserve and Dandenong Creek prepared and planting about to commence.	\$100,000
747	Chandler Park, Boronia - Masterplan Implementation Detail design for multi purpose activity area and play space being finalised for tendering in April 2016.	\$100,000
749	Fairpark Reserve, FTG - Masterplan Implementation Detail design for stage one works being finalised for pricing to enable an April construction start. Stage one works consist of picnic area with shelter between playground and netball courts and adjacent to new public toilets.	\$100,000
750	Basin Triangle Reserve, The Basin - Masterplan Implementation Design work on track with a view to construct upon completion of Progress Hall works.	\$100,000
751	Tim Neville Arboretum - Lake Structure Upgrade Project packaged with project 412 -WSUD renewal and 751 - Tim Neville Arboretum lake structure upgrade. Contract works have commenced with excavation of lakes underway with works approximately 10% complete - with completion anticipated Mid June 2016 (weather permitting).	\$200,000

Project Number	Project Name	Total Approved
752	Mountain Gate Shopping Centre Reserve - Design First stage community consultation planned for April 2016.	\$20,000
753	Picketts Reserve, Ferntree Gully - Design First community consultation to occur mid March to enable preparation of draft Masterplan.	\$30,000
754	Templeton Reserve, Wantirna - Design First community consultation to occur mid March to enable preparation of draft Masterplan.	\$40,000
755	Talaskia Reserve, Upper Ferntree Gully - Design First community consultation to occur mid April to enable preparation of draft Masterplan.	\$30,000
756	Heany Park, Rowville Works being priced with a view to commence construction in late March.	\$160,000
757	Carrington Park, Knoxfield - Masterplan Path construction works are currently underway and are expected to be completed in March.	\$150,000
758	Jenola Parade Masterplan Implementation Plan being finalised for implementation in late Autumn 2016.	\$50,000
759	Alchester Village - Masterplan Implementation Further community consultation being undertaken. Expect to complete design and commence construction in Winter 2016.	\$100,000
760	Alchester Village Park Masterplan Further community consultation being undertaken. Expect to complete design and commence construction in Winter 2016.	\$60,000
761	Dandenong Creek Gateways - Revegetation of Strategic Road Corridors - Concept Design Consultants to be invited in March to assist Council to prepare plans.	\$50,000
762	Dobsons-Clyde Street Flood Retarding System - Design Site survey completed. Functional concept design well underway. Currently testing feasibility of concept, prior to handover to Project Delivery for detailed design phase.	\$50,000
763	Boronia Road Overland Flowpath - Design Project is being delivered in conjunction with Project No. 455 (Park Crescent, Cypress Avenue - Drainage Upgrade). Refer to No. 455 for comments on progress.	\$30,000
764	Knox Leisureworks Flood Retarding System - Design Consultant submitted the draft report on the existing flood modelling. The final report on existing flood modelling is due mid March, 2016.	\$25,000
765	Alchester Village Shopping Centre - new toilet block This project is unlikely to be delivered this financial year, due to delays in consultation process regarding a suitable location for the new toilet block.	\$180,000

Project Number	Project Name	Total Approved
766	Bayswater Park - replace toilet block Footings/foundations completed.	\$180,000
767	Studfield Shopping Centre Toilets Construction works well advanced, approaching fit-out stage.	\$190,000
768	Wantirna Mall Toilets Building permit alteration required. Works to commence Mid March.	\$190,000
769	Mint Street, Wantirna – Dandenong Creek wetland Design Feedback provided on draft design plans. Final design plans were provided to Council by end of February.	\$17,000
770	Olivebank Road, FTG - Water Sensitive Urban Design (WSUD) - Design Feedback provided on draft design plans. Final design plans to be provided to Council by the end of February.	\$17,000
771	Colchester Road, Boronia – Mini Wetland Design Functional detailed concept design finalised and passed onto Project Delivery to finalise detailed design. Works scheduled to be completed end of May 2016.	\$17,000
772	Old Belgrave Road Raingarden - Design Project closed. Initial investigations have concluded that water quality works will be ineffective and most likely unnecessary until Victrack drainage issues upstream are resolved. As such the remaining funding (\$9,070) has been transferred to extend design works for Project No.769 Mint St, Wantirna to also include Cash Fues PI, Wantirna.	\$15,000
773	Waldheim Street wetland and swale system Project behind schedule due to Melbourne Water consideration under the 'Enhancing Our Dandenong Creek' project. Council will now be delivering this initiative. Catchment analysis completed. Survey currently underway (70% complete). Functional concept design underway (20%).	\$10,000
774	Manson Reserve - Stormwater Treatment Melbourne Water through its "Enhancing Our Dandenong Creek" Project is looking at this site to potentially provide a detailed design and construction. It is currently high in the priority list but Council is still awaiting confirmation by Melbourne Water to proceed.	\$50,000
775	Alchester Village Lighting Project Independent lighting assessment and concept design presented to community workshop on 22 February. Design will be undertaken in March.	\$100,000
784	Glenfern Road footpath - Design Survey completed - expect to commence design April 2016.	\$20,000
785	Printer Upgrade Business analysis being undertaken, once complete we can go to tender or RFQ.	\$40,000

Project Number	Project Name	Total Approved
786	Micro Soft Office Upgrade Project currently on hold due to conflicting resources.	\$100,000
787	Website Development Project on hold due to resourcing requirements.	\$50,000
788	Electronic Record System Upgrade (Project Phoenix) Project is currently in Evaluation Phase. On schedule to recommend a preferred solution at the April Ordinary Council Meeting	\$750,000
789	Facilities Booking Review/Upgrade Request for Quotation has been prepared and will be emailed to shortlisted vendors to include Software license, maintenance and implementation costs in the forthcoming week.	\$86,000
791	Server Infrastructure Contract for server infrastructure and lease ends 31 December 2016.	\$170,000
792	PC Rollout The roll out of desktop PC is nearing completion with nearly 200 desktops PC's and associated monitors replaced. The Laptops, both Dell and Toshiba, have been ordered and expect deployment by end of the month.	\$225,000
793	Non Leased Software and Hardware This project has been rescheduled to commence in April 2016.	\$120,000
794	Switch Replacement Program (Leased) Project in viability analysis stage.	\$28,000
796	Park Crescent, Boronia Survey & Design due to commence in March 2016.	\$20,000
797	McMahons Road, Ferntree Gully Survey completed and geotech report imminent. Expect to commence detailed design April 2016.	\$30,000
798	Woodvale Road, Boronia Engineering survey completed and awaiting outcome of geotech report.	\$20,000
799	Windermere Drive, Ferntree Gully Awaiting outcome of geotech report with survey and design due to commence in March 2016.	\$35,000
800	Smithfield Square, Wantirna Awaiting outcome of geotech report with survey and design due to commence in March 2016.	\$20,000
801	Sasses Avenue, Bayswater Awaiting outcome of geotech report with survey and design due to commence in March 2016.	\$20,000

Project Number	Project Name	Total Approved
802	Erica Avenue, Boronia Awaiting outcome of geotech report with survey and design due to commence in March 2016.	\$30,000
803	Macquarie Place, Boronia Awaiting outcome of geotech report with survey and design due to commence in March 2016.	\$25,000
Total:		\$48,931,364

ALL WARDS**10.2 ASSEMBLIES OF COUNCILLORS**

SUMMARY: *Acting Manager – Governance and Innovation
(John Fox)*

This report provides details of Assembly of Councillors established under section 80A of the Local Government Act as required under section 80A(2) of the Act.

RECOMMENDATION

That Council

- 1. Note the written record of Assemblies of Councillors as attached to this report.**
- 2. Incorporate the records of the Assemblies into the minutes of the meeting.**

1. INTRODUCTION

Under section 80A(2) of the Local Government Act, the Chief Executive Officer must present a written record of an Assembly of Councillors to an ordinary meeting of Council as soon as practicable after an Assembly occurs. This written record is required to be incorporated into the minutes of the meeting.

Details of Assemblies of Councillors that have occurred between Monday 8 February 2016 and Sunday 6 March 2016 are attached to this report.

Report Prepared By: *Acting Manager – Governance and Innovation
(John Fox)*

Report Authorised By: *Acting Director – Corporate Development
(Fleur Cousins)*

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 9/2/2016	
Name of Committee or Group (if applicable):	
Knox Transfer Station and Recycling Management Advisory Committee	
Time Meeting Commenced: 5:10pm	
Councillors in Attendance:	
Cr John Mortimore	
Cr Lisa Cooper	
Council Staff in Attendance:	
Geoff McMeeken	
Matters Considered:	
1. Update on Transfer Station Operations: Screening Works, Fire Prevention, Optus Tower, Tyre Stewardship, Gas Bottle Recycling	
2. Review of Contract Minutes	
3. E-Waste Collection	
4. Procurement of Green Waste	
5. Removal of Signage for Transfer Station	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 9/2/2016	
Name of Committee or Group (if applicable):	
Special Issues Briefing	
Time Meeting Commenced: 7:22pm	
Councillors in Attendance:	
Cr Tony Holland, Mayor	Cr Karin Orpen
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Darren Pearce
Cr Joe Cossari	Cr Nicole Seymour
Council Staff in Attendance:	
Joanne Truman	Bill Boomsma (Item 1)
Ian Bell	Carrie Bruce (Items 2 and 3)
Angelo Kourambas	
Kath Oakley	
Kathy Parton	
Matters Considered:	
1. Quarterly Financial Update	
2. Draft Installation of Plaques in Council Reserves	
3. Recognition of Former Mayor and Councillor David Cooper	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 13/2/2016 and 14/2/2016	
Name of Committee or Group (if applicable): Knox Leadership and Strategic Planning Workshop	
Time Meeting Commenced: Day 1 - 9:07am to 4:45pm Day 2 - 9:04am to 10:45am	
Councillors in Attendance:	
Cr Tony Holland, Mayor	Cr Karin Orpen
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Darren Pearce
Cr Joe Cossari	Cr Nicole Seymour
Cr Adam Gill	
Council Staff in Attendance:	
Joanne Truman	Fleur Cousins
Ian Bell	Jason Matthews (day 1)
Angelo Kourambas	Peter Gore (Item 2)
Kerry Stubbings	Bill Boomsma (Item 4)
	Matt Hanrahan (Items 7 and 8)
Matters Considered:	
Day 1:	Day 2:
1. Key Drivers and Influences	8. 2016-17 New Operating Initiatives
2. Responding to Major Operational Impacts	9. Capital Works
3. Progressing Major Projects	
4. Long Term Financial Forecast	
5. Council Plan and Annual Plan 2016-17	
6. City Plan and Council Plan 2017-21	
7. Councillor Only Discussion	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 15/2/2016	
Name of Committee or Group (if applicable): Knox Multicultural Advisory Committee	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Peter Lockwood	
Cr Joe Cossari	
Council Staff in Attendance:	
Joan Pepi	
Nicole Hunter	
Matters Considered:	
1. Declarations of Conflict of Interest	
2. Confirmation of Previous Minutes	
3. Business Arising out of Previous Minutes	
4. Eastern Financial Counselling Services	
5. Embracing our Cultural Diversity – Victoria's Multicultural Policy Statement	
6. Cultural Diversity Week – Isomer Mosque Open Day	
7. Knox City Council Multicultural Strategic Plan 2012-2017	
8. Reports from Knox Multicultural Advisory Committee Members	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 15/2/2016	
Name of Committee or Group (if applicable):	
Economic Development Committee	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Peter Lockwood	
Cr Darren Pearce	
Council Staff in Attendance:	
Angelo Kourambas	
Kim Rawlings	
Kate Harris	
Helen Ruddell	
Ingo Kumic	
Matters Considered:	
1. Update on Implementation against Integrated City Strategy: - Business and Economic Development Service - Place Program	
2. Knox Business Conference Update	
3. Regional Partnerships and Alliances Update	
4. Confidential Item – Update of Development Facilitation and Investment Attraction across the City	
5. Confidential Item – Service Review – Place Management and Economic Development	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 16/2/2016	
Name of Committee or Group (if applicable):	
Councillor Briefing	
Time Meeting Commenced: 6:35pm	
Councillors in Attendance:	
Cr Tony Holland, Mayor	Cr Karin Orpen
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Darren Pearce
Cr Joe Cossari	Cr Nicole Seymour
Cr Adam Gill	
Council Staff in Attendance:	
Joanne Truman	
Fleur Cousins (Item 1)	
Matters Considered:	
1. Workplace Behaviour Refresher Training	
2. Recognition of Former Mayor and Councillor	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 17/2/2016	
Name of Committee or Group (if applicable): Environment Advisory Committee	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance: Cr John Mortimore	
Council Staff in Attendance: Trish Winterling Sam Sampanthar Nicole Vickridge Nadine Gaskell	
Matters Considered: 1. Food Production and Climate Change 2. Knox Environmental Weed Plan 3. Planning Scheme Review and Rewrite 4. Updates from Regional Committee Meetings 5. Stamford Park Greenstar Communities 6. Environment Advisory Committee Annual Report and Annual Survey	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 17/2/2016	
Name of Committee or Group (if applicable):	
Recreation and Leisure Liaison Group	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Tony Holland, Mayor	
Cr Adam Gill	
Council Staff in Attendance:	
Peter Gore	
Marco D'Amico	
Daniel Clark	
Mitch Peddle	
Matters Considered:	
1. Draft Signage Policy	
2. Knox Sport and Leisure Awards Evaluation Panel	
3. Capital Works and SRV Applications	
4. Leisure Minor Capital Works Grant Scheme Update	
5. Service Planning	
6. Skate/BMX Programming Update	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 22/2/2016	
Name of Committee or Group (if applicable):	
Knox Central Advisory Committee	
Time Meeting Commenced: 6:00pm	
Councillors in Attendance:	
Cr Tony Holland, Mayor	
Cr Peter Lockwood	
Cr Joe Cossari	
Cr Karin Orpen	
Cr Darren Pearce	
Council Staff in Attendance:	
Angelo Kourambas	
Samantha Mazer	
Sarah Lane	
Matters Considered:	
1. Knox Central Structure Plan	
2. Operations Centre Relocation	
3. Revised Knox Central Advisory Committee Dates for 2016	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 23/2/2016	
Name of Committee or Group (if applicable):	
Councillor Briefing	
Time Meeting Commenced: 6:35pm	
Councillors in Attendance:	
Cr Tony Holland, Mayor	Cr Karin Orpen
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Darren Pearce
Cr Joe Cossari	Cr Nicole Seymour
Cr Adam Gill	
Council Staff in Attendance:	
Joanne Truman	
Ian Bell	
Angelo Kourambas	
Kath Oakley	
Kerry Stubbings	
Fleur Cousins	
Matters Considered:	
1. Re-distribution of Appendix	
2. Ward News and Knox News	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 24/2/2016	
Name of Committee or Group (if applicable): Knox Regional Sports Park Advisory Committee	
Time Meeting Commenced: 6:00pm	
Councillors in Attendance:	
Cr Karin Orpen	
Cr Lisa Cooper	
Cr Nicole Seymour	
Council Staff in Attendance:	
Peter Gore	
Marco D'Amico	
Matters Considered:	
1. Knox Regional Sports Park Signage	
2. Traffic Issue	
3. Knox Regional Sports Park Showcase Event	
4. Events Calendar	
5. Basketball Victoria Success and Challenges	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 24/2/2016	
Name of Committee or Group (if applicable):	
Transport and Mobility Advisory Committee	
Time Meeting Commenced: 7:00pm	
Councillors in Attendance:	
Cr John Mortimore	
Council Staff in Attendance:	
Ron Crawford	
Martin Moloney	
Russ Tricker	
Matters Considered:	
1. Bike Parking at The Basin	
2. Strategic Focus	
3. The Taxi Rank Safety Program	
4. Council's Community Safety Plan – Public Transport Initiatives	
5. Progress with the State Government's Night Network Trial and how Council can Promote it within Knox	
5. Council's Draft Footpath Asset Management Plan Gaining Input from the Committee	
6. Progress on Bayswater Station Precinct Re-development Works	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 25/2/2016	
Name of Committee or Group (if applicable):	
Early Years Advisory Committee	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Lisa Cooper	
Cr Nicole Seymour	
Council Staff in Attendance:	
Janine Brown	
Dianne Wilson	
Angela Morcos	
Ann Burke	
Matters Considered:	
1. Early Years Hubs Feasibility and Scoping Update	
2. What have you Heard or Noticed in the Community which may Impact Families and Young Children?	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 25/2/2016	
Name of Committee or Group (if applicable): Knox Arts and Culture Advisory Committee	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Peter Lockwood	
Cr Joe Cossari	
Council Staff in Attendance:	
Sara Austin	
Jeremy Angerson	
Kate Dunlop	
Matters Considered:	
1. Aims for the Outcome of the Committee for 2016	
2. Format of Meetings 2016	
3. Public Art Survey – Results to Date	
4. Knox Festival Update	
5. Volunteering at Knox Festival	
6. Immerse Brief Recap and Update and Outcomes	
7. Knox Arts Centre EOI Process for Artist in Residence	
8. Arts and Cultural Grant Subcommittee	
9. Schedule of Meetings 2016	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 29/2/2016	
Name of Committee or Group (if applicable):	
Stamford Park Project Steering Committee	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Karin Orpen	
Cr Nicole Seymour	
Council Staff in Attendance:	
Joanne Truman	
Angelo Kourambas	
Kim Rawlings	
Peter Kavan	
Paul Gallagher	
Matters Considered:	
1. Update on the Outcomes of the Sale and Settlement Process for the Stamford Park Residential Land Allotment	
2. Presentation of the Updated Stamford Park Branding and Communications Plan	
3. Preliminary Concept Options for the Proposed Stamford Park Homestead Restaurant	
4. Stamford Park Budget 2015-16 and Expenditure Report	
5. Update on the Homestead Stabilisation Project	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 1/3/2016	
Name of Committee or Group (if applicable):	
Issues Briefing	
Time Meeting Commenced: 6:36pm	
Councillors in Attendance:	
Cr Peter Lockwood	Cr Karin Orpen
Cr John Mortimore	Cr Lisa Cooper
Cr Joe Cossari	Cr Darren Pearce
Cr Adam Gill	Cr Nicole Seymour
Council Staff in Attendance:	
Joanne Truman	Fleur Cousins
Ian Bell	Kim Rawlings (Item 1)
Angelo Kourambas	Kathy Parton (Item 2)
Kerry Stubbings	Michelle Edwards (Item 2)
Matters Considered:	
1. Proposed Mountain High Shopping Centre/Pine Street Car Park Redevelopment	
2. Healthy Together Knox Sustainability	
3. Proposed Fees and Charges 2016-17	
4. Forward Report Schedule	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

11. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**11.1 NOTICE OF MOTION - NO. 36****REVIEW OF PUBLIC CAR PARK AT PINE ROAD, BAYSWATER**

I hereby give notice that it is my intention to move at the Ordinary Meeting of Council on 22 March 2016 the following motion:

That Knox City Council:

1. Review the car parking restrictions at the Pine Road, Bayswater public car park with a view to:
 - 1.1. Maximizing the amount of car spaces that are available to shopping centre customers.
 - 1.2. Where possible, relocating trader/ permit only parking to appropriate locations elsewhere in the Bayswater Activity Centre, such as the James Street public car park, where there is less customer car parking demand in peak periods.
 - 1.3. Minimizing the expected disruption to the Bayswater Activity Centre and surrounding residents by the Bayswater Grade separation project.

Cr Adam Gill
Dinsdale Ward

12. SUPPLEMENTARY ITEMS**13. URGENT BUSINESS****13.1 URGENT BUSINESS****13.2 CALL UP ITEMS****14. QUESTIONS WITHOUT NOTICE**