



KNOX CITY COUNCIL

MINUTES

Ordinary Meeting of Council

Held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday, 22 May 2017

KNOX CITY COUNCIL

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

**ON
MONDAY 22 MAY 2017 AT 7.02 P.M.**

PRESENT:

<i>Cr D Pearce (Mayor & Chairperson)</i>	<i>Taylor Ward</i>
<i>Cr J Mortimore (Deputy Mayor)</i>	<i>Chandler Ward</i>
<i>Cr P Lockwood</i>	<i>Baird Ward</i>
<i>Cr J Taylor</i>	<i>Collier Ward</i>
<i>Cr A Gill</i>	<i>Dinsdale Ward</i>
<i>Cr J Keogh</i>	<i>Dobson Ward</i>
<i>Cr T Holland</i>	<i>Friberg Ward</i>
<i>Cr L Cooper</i>	<i>Scott Ward</i>
<i>Cr N Seymour</i>	<i>Tirhatuan Ward</i>
<i>Mr T Doyle</i>	<i>Chief Executive Officer</i>
<i>Dr I Bell</i>	<i>Director – Engineering & Infrastructure</i>
<i>Mr A Kourambas</i>	<i>Director - City Development</i>
<i>Ms K Rawlings</i>	<i>Acting Director – Corporate Development</i>
<i>Ms K Stubbings</i>	<i>Director – Community Services</i>
<i>Ms F Cousins</i>	<i>Manager - Governance & Innovation</i>

**THE MEETING OPENED WITH A PRAYER, STATEMENT OF ACKNOWLEDGEMENT
AND A STATEMENT OF COMMITMENT**

***“Knox City Council acknowledges we are on the
traditional land of the Wurundjeri and Bunurong people
and pay our respects to elders both past and present.”***

BUSINESS:

Page Nos.

1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Nil.

2. DECLARATIONS OF CONFLICT OF INTEREST

Nil.

3. CONFIRMATION OF MINUTES

MOVED: CR. COOPER
SECONDED: CR. MORTIMORE

3.1 Confirmation of Minutes of Ordinary Meeting of Council held on Monday 24 April 2017

CARRIED

MOVED: CR. COOPER
SECONDED: CR. MORTIMORE

3.2 Confirmation of Minutes of Strategic Planning Committee Meeting held on Monday 8 May 2017

CARRIED

4. PETITIONS AND MEMORIALS

Nil.

5. REPORTS BY COUNCILLORS

5.1 Committees & Delegates **1.**

5.2 Ward Issues **3.**

6. CONSIDERING AND ORDERING UPON OFFICERS' REPORTS WITHIN THE CITY DEVELOPMENT GROUP

	All Wards	
6.1	<i>Report Of Planning Applications Decided Under Delegation (160/1/06)</i>	5.
	Dobson Ward	
6.2	<i>Application for Consent to Construct a Swimming Pool Within the 'Building Exclusion Zone' Pursuant to Section 173 Agreement AL870831G at 1 Dianella Way, Lysterfield</i>	11.
	Dinsdale Ward	
6.3	<i>Application for the Construction of Eight (8) Three (3) Storey Dwellings at 1A Pine Road, Bayswater (Application No. P/2016/6033)</i>	19.
	All Wards	
6.4	<i>Amendment C150 to the Knox Planning Scheme – Planning Scheme Rewrite – Consideration of Planning Panel Report</i>	73.
	All Wards	
6.5	<i>Food Act Prosecutions and the Public Release of Information</i>	89.
	All Wards	
6.6	<i>Review of Planning Consultative Committee Terms of Reference</i>	95.
	All Wards	
6.7	<i>Instrument of Delegation – Planning Functions</i>	109.
	All Wards	
6.8	<i>Cost of Assessing Planning Applications</i>	119.
	All Wards	
6.9	<i>Review of Procedure for Consideration of Appeals of Victorian Civil and Administrative Tribunal Decisions</i>	129.

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(Following the completion of business relating to Item 6, City Development, the business before the Council Meeting will be deferred to consider questions submitted by the public). **138.**

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		<i>Baird and Dinsdale Wards</i>	
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9. CONSIDERING AND ORDERING UPON OFFICERS' REPORTS WITHIN THE COMMUNITY SERVICES GROUP

		<i>All Wards</i>	
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10. CONSIDERING AND ORDERING UPON OFFICERS' REPORTS WITHIN THE CORPORATE DEVELOPMENT GROUP

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10.2	<i>Financial Performance Report for the Period Ended 31 March 2017</i>		183.
		<i>All Wards</i>	
10.3	<i>Mayoral and Councillor Allowances</i>		208.
		<i>All Wards</i>	
10.4	<i>Incidental Community Grants</i>		212.

11. ITEMS FOR INFORMATION

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		<i>All Wards</i>	
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<u>12.</u>	<u>MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN</u>	245.
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	<i>All Wards</i>	
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	<i>All Wards</i>	
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<u>14.</u>	<u>URGENT BUSINESS</u>	279.
14.1	<i>Urgent Business</i>	279.
14.2	<i>Call Up Items</i>	279.
<u>15.</u>	<u>QUESTIONS WITHOUT NOTICE</u>	280.
<u>13.</u>	<u>SUPPLEMENTARY ITEMS</u>	280.
13.3	<i>Proposed Property Acquisition (Confidential)</i>	280.

TONY DOYLE
CHIEF EXECUTIVE OFFICER

5. REPORTS BY COUNCILLORS

5.1 Committees & Delegates

5.1.1 COUNCILLOR JAKE KEOGH

Councillor Keogh attended the following Meetings

- Anzac Day Commemoration Tim Neville Arboretum
- Knox Arts and Culture Advisory Committee
- Knoxbrooke Community Hub
- Upper Gully Heights Limit Forum
- Knox Environmental Society Autumn Opening
- IDAHOBIT Day Morning Tea
- Knox Central Advisory Committee

5.1.2 COUNCILLOR JACKSON TAYLOR

Councillor Taylor attended the following Meetings

- Anzac Dawn Service
- Knox Arts and Culture Advisory Committee
- Citizenship Ceremony
- Knox Community Safety Advisory Committee
- Understanding Lobbying – Municipal Association of Victoria
- Knox Central Advisory Committee x 2
- Community Development Fund Panel Interviews
- ABP Group

5.1.3 COUNCILLOR LISA COOPER

Councillor Cooper attended the following Meetings

- Early Years Advisory Committee
- Knox Central Advisory Committee

5.1.4 COUNCILLOR PETER LOCKWOOD

Councillor Lockwood attended the following Meetings

- Anzac Day Service in Woy Woy
- Transforming Dandenong Creek Project
- Boronia Football Club Chairman's Luncheon
- Comedy Festival Night at Knox Community Arts Centre
- Tony Smith MP and Richard Wynne MP on behalf of Eastern Affordable Housing Alliance

5.1 Committees & Delegates (cont'd)

5.1.5 COUNCILLOR JOHN MORTIMORE

Councillor Mortimore attended the following Meetings

- Anzac Day Dawn Service
- Transforming Dandenong Creek Project
- Hindu Chariot Festival
- Eastern Alliance for Greenhouse Action
- Metropolitan Waste Forum
- A Sweet Treat Sugar Glider Discovery Walk at Koolunga Reserve
- IDAHOBIT Day Morning Tea
- Mayor and Councillor Pop-Up at Alchester Village
- Municipal Association of Victoria State Council
- Knox Active Ageing Advisory Committee
- Knox Community Safety Advisory Committee

5.1.6 COUNCILLOR DARREN PEARCE (MAYOR)

Councillor Pearce attended the following Meetings

- Anzac Day Dawn Service at Boronia RSL
- Anzac Day Service Commemoration and Luncheon at Waterford Valley Lakes
- Citizenship Ceremony
- Eastern Region Group of CEOs and Mayors
- Rowville Football Club Presidents Luncheon
- Stamford Park Project Steering Committee
- Knox Italian Club – Training of Special Needs Bocce Athletes
- Boronia Football Club Inaugural Chairman's Luncheon
- Audit Committee Interviews
- Bridges Connecting Communities Volunteer Appreciation Morning Tea
- A Sweet Treat Sugar Glider Discovery Walk at Koolunga Reserve
- Eastern Districts Polish Association Mother's Day Ball
- IDAHOBIT Day Morning Tea
- ABP Group
- Knox Central Advisory Committee

5.2 Ward Issues

5.2.1 COUNCILLOR TAYLOR (COLLIER WARD)

- Councillor Taylor began by acknowledging and welcoming residents of the Wantirna Caravan Park as special guests to the night's ordinary meeting of Council.
- Councillor Taylor commended the community campaign requesting a safety upgrade for the pedestrian crossing at the intersection of Mountain Highway and Boronia Road in Wantirna. Councillor Taylor stated that the proposed works are a much needed upgrade for the intersection and an outstanding result for the local community. Further, this campaign illustrates the effect people power can have when done in collaboration with Council advocacy. Councillor Taylor noted that road safety is a prominent issue and he is looking forward to working with and talking to the community on this issue .

5.2.2 COUNCILLOR COOPER (SCOTT WARD)

- Councillor Cooper informed the gallery and her fellow councillors that Friday 26 May is the annual National Sorry Day. A flag raising ceremony will be held at the Knox Civic Centre, commencing at 10.30am, with a morning tea provided after.
- Councillor Cooper informed the gallery and her fellow councillors that a 'breaking of the ground' ceremony will occur in Argyle Way Wantirna South, on Monday 29 May 1.30pm, to symbolise the commencement of construction for the Wantirna Early Years hub. Cr Cooper commended Council for making such a substantial investment and noted that once constructed the hub will be a great asset to the community.

5.2.3 COUNCILLOR GILL (DINSDALE WARD)

- Councillor Gill discussed the outstanding mural that has been painted on the IGA wall at Studfield Shops as part of the 2017 Wall to Wall Mentoring Program. The mural has an indigenous theme and is expected to be finished by Thursday. Councillor Gill noted The Wall to Wall Program is funded by the Department of Justice and coordinated by Council.

5.2 Ward Issues (cont'd)

5.2.4 COUNCILLOR MORTIMORE (CHANDLER WARD)

- Councillor Mortimore noted his attendance at the Boronia RSL Commemorative Anzac Day March and Dawn Service. Councillor Mortimore thanked the Mayor for attending the event and acknowledged the enormous crowd that attended.
- Councillor Mortimore noted his attendance at the Transforming the Dandenong Creek corridor into a world-class urban Living Link event on 28 April. The Living Links project will undertake a range of on-ground works to enhance and connect green spaces. Councillor Mortimore stated he was very pleased to see Councillor Lockwood at the event also.
- Councillor Mortimore noted his attendance at the annual chariot festival and the chariot procession at the Sri Vakrathunda Vinayagar Temple in The Basin. Councillor Mortimore described it as an outstanding event and encouraged everyone to attend next year.
- Councillor Mortimore noted his attendance at the Sugar Glider discovery walk on 13 May 2017. Councillor Mortimore notified his fellow councillors that a sugar glider population has recently been discovered in Ferntree Gully. The discovery walk aimed to support the long term survival of the sugar glider by educating the community on their habitat requirements.
- Councillor Mortimore discussed the Mayor and Councillor pop up that occurred at Alchester Village and noted that a significant number of people approached them to discuss real issues. Councillor Mortimore concluded that the pop up was a pleasant experience.
- Councillor Mortimore informed his fellow councillors that the upgrade works to the two rugby fields at Colchester Reserve have now been completed and the fields have reopened. The works upgraded the playing surface to better accommodate the community's needs and provide a more sustainable facility. Councillor Mortimore stated it is marvellous that the young people who play rugby now have a state of the art ground to play on.

ALL WARDS

6.1 REPORT OF PLANNING APPLICATIONS DECIDED UNDER DELEGATION

SUMMARY: *Manager – City Planning & Building (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 April to 30 April 2017) be noted.

REPORT

Details of planning applications decided under delegation from 1 April to 30 April 2017 are attached. The applications are summarised as follows:

Application Type	No
Building & Works: Residential	9
Other	3
Units	19
Tree Removal/Pruning	12
Subdivision	13
Single Dwelling	2
Change of Use	1
TOTAL	59

COUNCIL RESOLUTION

MOVED: CR. LOCKWOOD

SECONDED: CR. TAYLOR

That the planning applications decided under delegation report (between 1 April to 30 April 2017) be noted.

CARRIED

Knox City Council
Planning Applications Decided by Responsible Officer

1 – 30 April 2017

Ward	No/Type	Address	Description	Decision
Baird	2017/6062	2A Springfield Road BORONIA VIC 3155	Four (4) lot subdivision (Approved Unit Site)	3/04/2017 Approved
Baird	2017/6117	24A Westley Street FERNTREE GULLY VIC 3156	Two lot subdivision (Approved unit site)	3/04/2017 Approved
Baird	2017/9044	30 Haering Road BORONIA VIC 3155	Two (2) lot subdivision	7/04/2017 Approved
Baird	2016/6523	1 Murene Court BORONIA VIC 3155	Construction of one (1) double storey dwelling to the rear of the existing dwelling	12/04/2017 Notice of Decision
Baird	2016/6599	10 Pinnacle Avenue FERNTREE GULLY VIC 3156	Develop the land for the construction of three (3) dwellings comprising of two (2) double storey dwellings and one (1) single storey dwelling	7/04/2017 Notice of Decision
Baird	2017/6133	PICKETTS RESERVE 60 Commercial Road FERNTREE GULLY VIC 3156	Removal of three (3) trees	20/04/2017 Approved
Baird	2017/9048	22 Westley Street FERNTREE GULLY VIC 3156	2 lot subdivision	20/04/2017 Approved
Baird	2017/6185	69 Helen Road FERNTREE GULLY VIC 3156	2 Lot subdivision (Approved Unit Site)	27/04/2017 Approved
Baird	2016/6514	12 Browning Road BORONIA VIC 3155	Construction of two double storey dwellings and one single storey dwelling.	20/04/2017 Notice of Decision
Baird	2016/6879	76 Loretto Avenue FERNTREE GULLY VIC 3156	Two lot subdivision (Approved Unit Site)	27/04/2017 Approved
Baird	2016/6877	44 McMahons Road FERNTREE GULLY VIC 3156	Development of the land for two (2) double storey dwellings and one (1) single storey dwelling	21/04/2017 Notice of Decision
Chandler	2017/9042	6 Morley Court BORONIA VIC 3155	Removal of one (1) Grevillea robusta (Silky Oak tree)	3/04/2017 Approved
Chandler	2016/6710	1 Stuart Street & Forest Road THE BASIN VIC 3154	35 2 lot boundary re- alignment subdivision	3/04/2017 Approved
Chandler	2017/6009	316 Forest Road THE BASIN VIC 3154	Construction of a shed	5/04/2017 Approved

Ward	No/Type	Address	Description	Decision
Chandler	2017/6023	9 Kay Court BORONIA VIC 3155	Addition to an existing single dwelling on the lot.	10/04/2017 Approved
Chandler	2017/9043	5 Fleur Court BORONIA VIC 3155	Construction of a deck and verandah.	7/04/2017 Approved
Chandler	2017/9049	30 Baldwin Avenue BORONIA VIC 3155	Removal of one dead tree	24/04/2017 Approved
Chandler	2017/6189	1 Mitchell Avenue BORONIA VIC 3155	Remove one Eucalyptus nicholii and prune one Angophora costata	20/04/2017 Approved
Chandler	2016/6933	8A Bellevue Court BORONIA VIC 3155	Development of the land for a single dwelling	21/04/2017 Approved
Chandler	2016/6502	2 Floriston Road BORONIA VIC 3155	Construction of five (5) two storey dwellings and two (2) three storey dwellings (total seven (7) dwellings) and vegetation removal	21/04/2017 Notice of Decision
Chandler	2017/6246	10 Ethel Street BORONIA VIC 3155	Removal of two (2) Lilly-pilly trees	28/04/2017 Approved
Collier	2016/6947	LOT 1 Bushy Park Lane WANTIRNA SOUTH VIC 3152	Proposed shed	5/04/2017 Approved
Collier	2017/6069	6 Benwerrin Drive WANTIRNA VIC 3152	12 lot subdivision (Approved Unit Site)	3/04/2017 Approved
Collier	2017/6085	48 Bellbird Drive WANTIRNA VIC 3152	Swimming pool	7/04/2017 Approved
Collier	2016/6743	56 Birchfield Crescent WANTIRNA VIC 3152	Development of the land for two (2) double storey dwellings	7/04/2017 Notice of Decision
Collier	2017/6210	25 Stokes Road WANTIRNA VIC 3152	Removal of two (2) Eucalyptus melliodora trees	7/04/2017 Approved
Dinsdale	2017/6039	40 Elizabeth Street BAYSWATER VIC 3153	Development of the land for a double storey dwelling to the rear of existing dwelling	03/04/2017 Notice of Decision
Dinsdale	2016/6751	639 Mountain Highway BAYSWATER VIC 3153	Construction of nineteen (19) two storey dwellings and alteration of access to a Road Zone Category 1	5/04/2017 Notice of Decision
Dinsdale	2016/6805	9 Ozone Road BAYSWATER VIC 3153	Development of the land for a single storey dwelling at the rear of the existing dwelling	12/04/2017 Notice of Decision

Ward	No/Type	Address	Description	Decision
Dinsdale	2016/6878	112 Coleman Road BORONIA VIC 3155	Construction of a three storey building comprising of a ground floor shop and two dwellings at the first and second floor level and reduction of car parking requirements for the proposed shop to zero	13/04/2017 Notice of Decision
Dinsdale	2017/6178	15 Victoria Road BAYSWATER VIC 3153	Two (2) lot subdivision (Approved Unit Site)	26/04/2017 Approved
Dinsdale	2017/6195	13 Tamar Street BAYSWATER VIC 3153	Two (2) lot subdivision (Approved Unit Site)	20/04/2017 Approved
Dinsdale	2017/6247	672 Mountain Highway BAYSWATER VIC 3153	Removal of three (3) trees	28/04/2017 Approved
Dobson	2017/6170	45 Doysal Avenue FERNTREE GULLY VIC 3156	Remove six trees in the rear yard	4/04/2017 Approved
Dobson	2017/6065	9 Stockton Avenue FERNTREE GULLY VIC 3156	Buildings and works (carport to the rear of garage)	4/04/2017 Approved
Dobson	2017/9045	9 Obeah Court LYSTERFIELD VIC 3156	Pruning of vegetation	11/04/2017
Dobson	2017/9040	36 Lording Street FERNTREE GULLY VIC 3156	buildings and works (construction of a garage and removal of one (1) Deodar Cedar)	11/04/2017 Approved
Dobson	2017/9041	10 Butlers Road FERNTREE GULLY VIC 3156	Extension to existing garage and pergola	6/04/2017 Approved
Dobson	2017/6050	2/1 Wyuna Street FERNTREE GULLY VIC 3156	Addition to existing dwelling	19/04/2017 Approved
Dobson	2017/9046	50 Alma Avenue FERNTREE GULLY VIC 3156	Remove one Eucalyptus macrorhyncha	12/04/2017 Approved
Dobson	2017/6008	54 Willow Road UPPER FERNTREE GULLY VIC 3156	Single Storey Dwelling & removal of three trees	13/04/2017 Approved
Dobson	2017/6155	76 Forest Road FERNTREE GULLY VIC 3156	Addition to existing dwelling	18/04/2017 Approved
Friberg	2017/6094	48 Adele Avenue FERNTREE GULLY VIC 3156	Three lot subdivision (approved development site)	3/04/2017 Approved
Friberg	2017/9047	47 Anne Road KNOXFIELD VIC 3180	Removal of one Eucalyptus cephalocarpa tree.	19/04/2017 Approved

Ward	No/Type	Address	Description	Decision
Friberg	2016/6860	SH 47 Mountain Gate Shop Centre FERNTREE GULLY VIC 3156	Buildings and works (alterations and additions associated with a new 50 seat restaurant) and a reduction of car parking requirements	4/04/2017 Approved
Friberg	2016/6737	7 Gaydon Street FERNTREE GULLY VIC 3156	Development of the land for two (2) dwellings (1 single storey and 1 double storey)	19/04/2017 Approved
Friberg	2016/6893	23 Elliot Street KNOXFIELD VIC 3180	Development the land for a double storey dwelling to the rear of the existing dwelling	21/04/2017 Approved
Friberg	2016/6797	1 Kirby Court FERNTREE GULLY VIC 3156	The construction of two (2) double storey dwelling and one (1) single storey dwelling on the land	12/04/2017 Notice of Decision
Scott	2017/6075	408 Burwood Highway WANTIRNA SOUTH VIC 3152	Seventy Three lot subdivision (approved unit site)	6/04/2017 Approved
Scott	2016/6290	54 King Parade KNOXFIELD VIC 3180	Development of the land for two (2) double storey and one (1) single storey dwelling (total three (3) dwellings)	21/04/2017 Notice of Decision
Taylor	2016/6654	34 Bergins Road ROWVILLE VIC 3178	Development of the land for two (2) double storey dwellings	21/04/2017 Notice of Decision
Taylor	2016/6863	1 Reeve Place ROWVILLE VIC 3178	Development of the land for one (1) double storey dwelling to the rear of the existing dwelling (Total two dwellings)	21/04/2017 Notice of Decision
Tirhatuan	2016/6536	27 Hillview Avenue ROWVILLE VIC 3178	Development of the land for three (3) double storey dwellings	6/04/2017 Notice of Decision
Tirhatuan	2016/6762	1108 Stud Road ROWVILLE VIC 3178	Development of the land for four (4) double storey dwellings and alter access to a road in a Category 1 Road Zone	6/04/2017 Approved
Tirhatuan	2017/6054	3R Enterprise Drive ROWVILLE VIC 3178	Use and development of the land for a temporary land sales office and the display of associated signage	27/04/2017 Approved

Ward	No/Type	Address	Description	Decision
Tirhatuan	2016/6914	3/1488 Ferntree Gully Road KNOXFIELD VIC 3180	Change of use - Indoor recreation facility (swim school)	6/04/2017 Notice of Decision
Tirhatuan	2017/6209	21 Candlebark Quadrant ROWVILLE VIC 3178	Remove one dead tree and prune one tree	13/04/2017 Approved
Tirhatuan	2016/6813	5, 7, 9, 11, 13 & 15 Lidgate Avenue ROWVILLE VIC 3178	26 Lot subdivision (Approved Unit Development)	20/04/2017 Approved
Tirhatuan	2017/6036	8 Hillview Avenue ROWVILLE VIC 3178	Development of the land for five (5) double storey dwellings	13/04/2017 Refused

Total: 59

Official Minutes of Knox City Council

DOBSON WARD

6.2 APPLICATION FOR CONSENT TO CONSTRUCT A SWIMMING POOL WITHIN THE 'BUILDING EXCLUSION ZONE' PURSUANT TO SECTION 173 AGREEMENT AL870831G AT 1 DIANELLA WAY, LYSTERFIELD

1. SUMMARY

Land:	1 Dianella Way Lysterfield
Applicant:	Mr A & Dr F Sorrell
Proposed Development:	Consent to construct a swimming pool within the 'building exclusion zone' pursuant to Section 173 Agreement AL870831G
Existing Use:	Single Dwelling
Area:	1038 sqm
Zoning:	General Residential Zone – Schedule 2
Overlays:	None
Local Policy:	Municipal Strategic Statement Development in Residential Areas and Neighbourhood Character Policy
Application Received:	18 April 2017
Number of Objections:	Nil
PCC Meeting	N/A

Assessment

This application proposes an encroachment into a building exclusion zone in order to facilitate the construction of a swimming pool and pool fencing. The proposed swimming pool and pool fencing does not require a Planning Permit.

The intent of the building exclusion zone was to create building buffers and areas suitable for landscaping that divides the built form. It is considered that there is sufficient space within the site not covered by any exclusion zone to locate the swimming pool, and therefore allow the building exclusion zone to serve the intended purpose to provide a landscape and buffer area. It is recommended that the request be refused.

6.2 1 Dianella Way, Lysterfield (cont'd)

2. BACKGROUND

2.1 Call Up

This application is being reported to Council as it has been 'called up' by Cr Keogh.

2.2 History

The Daniella Way estate was created by a subdivision of land previously known as 55 - 61 Palmerston Road Lysterfield. The subdivision was approved via Planning Permit P/2013/6533 which was issued on 3 March 2014, following consideration of the application by Council at its meeting on 28 January 2014. Whilst three objections were received to the applications, there was no VCAT appeal against the Council decision.

Condition 18 of the issued permit states:

Prior to the issue of a Statement of Compliance, the owner of the land shall enter into a Section 173 Agreement with the Responsible Authority which covenants that without the further written consent of the Responsible Authority:

18.1 The owner must not build, construct or erect or cause or permit to be constructed or erected on a lot more than one dwelling and associated outbuildings.

18.2 No buildings and works, (other than a driveway) shall be permitted to be constructed within the building exclusion zones as detailed on the endorsed plans approved by this permit.

(No expiry date of the agreement will be permitted. All costs associated with the preparation and registration of the agreement shall be borne by the applicant).

In accordance with the requirements of Condition 18 the Section 173 Agreement was entered into by Council and the owners on 1 May 2015. The agreement was lodged at the Land Registry as required, and allocated reference number AL870831.

The subdivision has been completed with dwellings either constructed or being constructed on the created allotments.

No 1 Dianella Way (lot 15) was part of Stage 1 of the subdivision (which affects 12 of the 15 created lots). The endorsed plans for the subdivision show that all lots within Stage 1 are affected by a 7.5 metre wide building exclusion zone along the Dianella Way frontage, as well as a 10.0 metre wide building exclusion zone at the rear of each lot.

6.2 1 Dianella Way, Lysterfield (cont'd)

2.3 The Site and Surrounds

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

- The subject site is located on eastern corner of Dianella Way and Palmerston Road in Lysterfield. The land contains a new substantial brick residence, is relatively flat and at this stage is clear of any significant vegetation.
- The subject site is located within an established residential area, with a mixture of single and double storey homes, with normal residential outbuildings and formal landscaping.
- Land adjoining the site to the south east (rear boundary) is located within the Dandenong Foothills Policy area.

2.4 The Proposal

(Refer to attached plans at Appendix B)

The applicant proposes to construct a swimming pool on the north eastern side of the existing dwelling on the land. A planning permit is not required for the proposed swimming pool under the provisions of the General Residential – Schedule 2 Zone.

However, the proposed location of the swimming pool will extend into the 10 metre wide rear building exclusion zone, and therefore the applicant has requested the consent of Council to carry out works within the exclusion zone, pursuant to the provisions of the Section 173 Agreement that applies to the land.

The proposed swimming pool will encroach approximately 2 metres into the building exclusion zone, with the pool fence encroaching a further 2 metres (therefore total encroachment is approximately 4 metres).

The applicant submits that building a swimming pool within the area specified will have no effect on their ability to provide a suitable landscape buffer between neighbouring properties.

The applicant has also advised that they have two young children, and the position of the pool has been chosen to ensure clear vision of the pool at all times with minimal obstructions from within the house.

3. CONSULTATION

3.1 Advertising

The process of providing Council consent for a proposal under a Section 173 Agreement does not automatically require notification of surrounding landowners and occupiers. Each request can be assessed on its merits, and in this case it is considered that advertising is not required as the main part of the pool is not within the exclusion zone, and a pool is a typical feature within the area.

6.2 1 Dianella Way, Lysterfield (cont'd)

Despite the above, the applicants have advised that they have spoken to 10 homeowners from surrounding properties (three of which directly adjoin the subject site) who have all expressed support for the proposal.

4. DISCUSSION

The subject site is located within a Knox Neighbourhood Policy Area pursuant to the Knox Housing Strategy 2015. The vision for the Knox Neighbourhood areas is:

Knox Neighbourhood Areas represent the majority of Knox's residential areas and have a 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.

Although the proposed swimming pool does not require a planning permit, it is useful to consider this proposal in terms of the requirements of the Knox Planning Scheme. An assessment of the proposal has found that it does not contravene:

- Relevant provisions of the Municipal Strategic Statement (MSS); or
- Clause 21.07 – Development in Residential Areas and Neighbourhood Character Policy.

It is also noted that the proposal would be consistent with the character of this residential area, and there are no physical constraints that would make the request unreasonable.

Despite the above, it is a particular requirement of this subdivision that a building exclusion zone be provided, presumably, as Council was seeking a higher level of landscaping between the newly created lots and surrounding properties. Council's decision on this proposal will provide officers and landowners with a precedent, which will influence how future requests for consent to build within the exclusion zone should be assessed.

In this case, the proposed encroachment into the building zone could be considered minor, however it is also possible to vary the location of the swimming pool to reduce the encroachment even further – although moving the location of the pool is not supported by the applicant.

5. CONCLUSION

This application proposes an encroachment into a building exclusion zone in order to facilitate the construction of a swimming pool and pool fencing. The proposal is considered to be consistent with relevant provisions of the Knox Planning Scheme, and is consistent with the character of the surrounding area. There are no physical site constraints that make the proposal unreasonable.

6.2 1 Dianella Way, Lysterfield (cont'd)

Despite the above, the intent of the building exclusion zones was to create building buffers and areas suitable for landscaping that divides the built form. It is considered that there is sufficient space within the site not covered by any exclusion zone to locate the swimming pool, and therefore allow the building exclusion zone to serve the intended purpose to provide a landscape and buffer area. It is therefore recommended that the request be refused.

6. CONFIDENTIALITY

There are no confidentiality issues associate with this report.

RECOMMENDATION

That the request for Consent to construct a swimming pool within the 'building exclusion zone' pursuant to Section 173 Agreement AL870831G at 1 Dianella Way, Lysterfield be refused on the basis that there is sufficient space within the site not covered by any exclusion zone to locate the swimming pool, and therefore allow the building exclusion zone to serve the intended purpose to provide a landscape and buffer area

COUNCIL RESOLUTION

MOVED: CR. KEOGH

SECONDED: CR. GILL

That the request for Consent to construct a swimming pool within the 'building exclusion zone' pursuant to Section 173 Agreement AL870831G at 1 Dianella Way, Lysterfield be approved.

CARRIED



Property - Address
 1 Dianella Way,
 Lysterfield

Application Number
 Description

Consent to construct a swimming pool within the Building Exclusion Zone

Wardname
 Dobson

LEGEND:

- Title Boundary
- Flood Boundaries
- City Boundary
- Bus Route
- Reserves
- Commercial Areas
- Tertiary Schools
- Primary Schools
- Secondary Schools
- R-17 School
- Bus Stops
- Director
- Unit Development
- Subject Property
- Fellation



Scale: 1:1371



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.



Property - Address
1 Dianella Way,
LYSTERFIELD

Application Number
Consent to construct a swimming pool within the Building Exclusion Zone

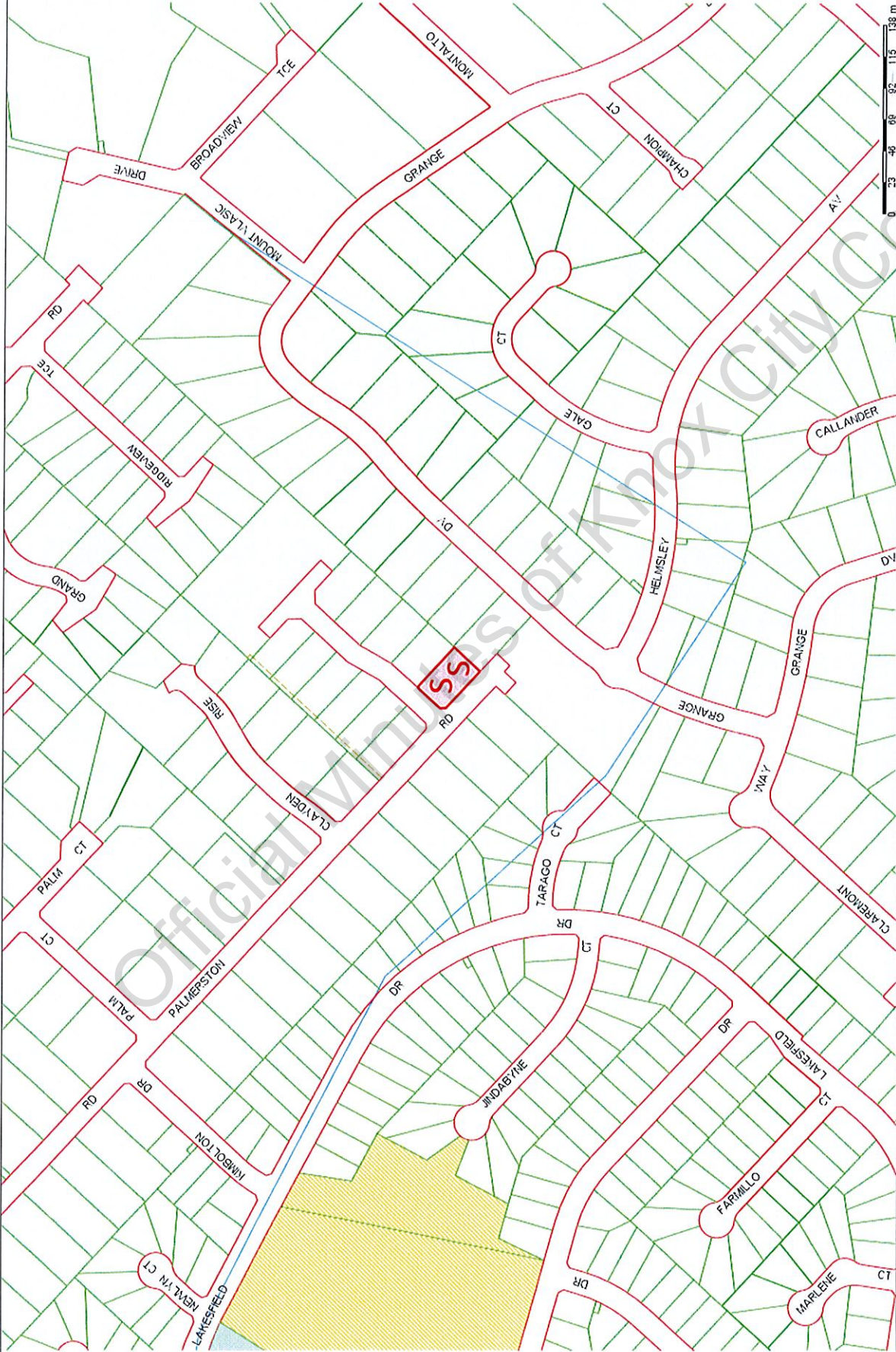
Wardname
Dobson

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
- Petition



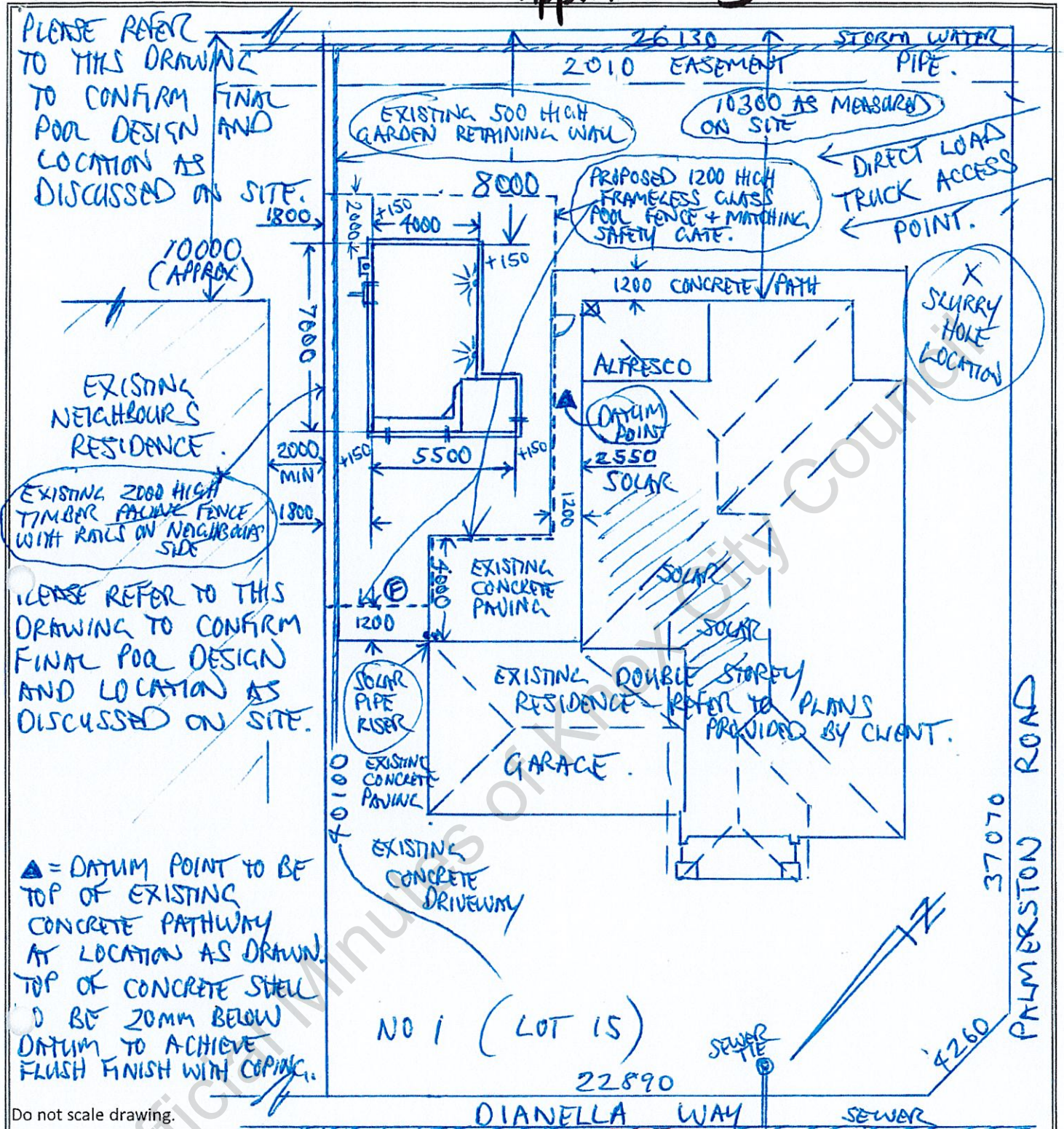
Scale: 1:3000



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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.

Appendix B



PLEASE REFER TO THIS DRAWING TO CONFIRM FINAL POOL DESIGN AND LOCATION AS DISCUSSED ON SITE.

10000 (APPROX)
EXISTING NEIGHBOUR'S RESIDENCE
EXISTING 2000 HIGH TIMBER PALMAGE FENCE WITH RAILS ON NEIGHBOUR'S SIDE

PLEASE REFER TO THIS DRAWING TO CONFIRM FINAL POOL DESIGN AND LOCATION AS DISCUSSED ON SITE.

▲ = DATUM POINT TO BE TOP OF EXISTING CONCRETE PATHWAY AT LOCATION AS DRAWN. TOP OF CONCRETE SHALL BE 20MM BELOW DATUM TO ACHIEVE FLUSH FINISH WITH COPING.

Do not scale drawing.
All dimensions to be verified on site by the builder prior to any work commencing.
COPYRIGHT - These plans and designs are not to be reproduced wholly or in part without written permission, and remains the property of Seaspray Pools.

POOL & SITE PLAN
CLIENT SIGN X F.LU
DATE X 18/3/17

ABN 12 006 865 827	Title: SITE PLAN	Date:
829 Burwood Hwy, Ferntree Gully VIC 3156	Job No: 3308	Drawn: CARY KIBICKS
PH: (03) 8756 4444	Name: ADAM + FLAME SORRELL	Scale: 1:200
office@seaspraypools.com.au	Address: 1 DIANELLA WAY	Revision:
www.seaspraypools.com.au	LYSTERFIELD 3156	



DINSDALE WARD

6.3 APPLICATION FOR THE CONSTRUCTION OF EIGHT (8) THREE (3) STOREY DWELLINGS AT 1A PINE ROAD, BAYSWATER (Application No. P/2016/6033)

1. SUMMARY:

Land:	1A Pine Road, Bayswater
Applicant:	Glossop Town Planning Pty Ltd
Proposed Development:	Construction of eight (8) three (3) storey dwellings
Existing Land Use:	Single dwelling
Area/Density:	1267sqm, 1:158sqm
Zoning:	General Residential Zone – Schedule 4
Overlays:	Design and Development Overlay – Schedule 6
Local Policy:	Municipal Strategic Statement (MSS) Bayswater Major Activity Centre including Key Redevelopment Sites Policy
Application Received:	21 January 2016 (Amended 29 December 2016)
Number of Objections:	Eighteen (18)
PCC Meeting:	Not applicable

Assessment:

The development provides for 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 complies with the Municipal Strategic Statement, the Bayswater Major Activity Centre including Key Redevelopment Sites Policy, and ResCode.

The proposal complies with the objectives and standards of the General Residential Zone – Schedule 4 and Design and Development Overlay – Schedule 6.

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

6.3 1A Pine Road, Bayswater (cont'd)

2. BACKGROUND

2.1 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 Pine Road, Bayswater. The site is irregular in shape and contains a single storey brick dwelling with pitched tiled roof. A number of outbuildings also exist onsite. The dwelling is setback 11m from the street frontage. Vegetation exists to the frontage and periphery of the site. Access to the site is via an existing crossover and driveway to the northern boundary of the land.
- The site is not affected by any easements or restrictions on title.
- The subject site is located within the Bayswater Activity Centre containing a mixture of single and two storey dwellings. There are numerous examples of multi dwelling developments within the immediate area, including immediately north, east and south of the site. The site is located approximately 100 metres from the Bayswater commercial area.

2.2 The Proposal

(Refer to attached plans at Appendix B)

It is proposed to remove the existing dwelling and construct eight (8) three storey dwellings. Details are as follows:

- Dwelling 1 contains two (2) bedrooms, study, bathrooms, living area, kitchen and laundry.
- Dwellings 2, 4 and 8 contain three (3) bedrooms, bathrooms, living/dining/kitchen area, and laundry.
- Dwelling 3 contains three (3) bedrooms, study, bathrooms, living/dining/kitchen area and laundry.
- Dwelling 5 contains two (2) bedrooms, bathrooms, living/dining and kitchen area and laundry.
- Dwellings 6 and 7 are a mirror image of one another and contain four (4) bedrooms, bathrooms, living/dining/kitchen area and laundry.

6.3 1A Pine Road, Bayswater (cont'd)

- The existing crossover is proposed to be retained and a new driveway will service all dwellings from the centre of the site. All dwellings have been proposed with double garages and a visitor car parking space is proposed to the northwest of Dwelling 5, towards the frontage of the site.
- Each dwelling is proposed with a minimum 15 square metre balcony, with a minimum width of 1.8 metres with the exception of Dwellings 4 and 5 which have been proposed with 40sqm of private open space at ground floor level. It is noted that all dwellings proposed with balconies will also have access to open space at ground floor level.
- Dwellings will have a maximum height of 9.20 metres and will be constructed of a mixture of brick, lightweight cladding and timber cladding. Colours include light and dark greys. Roofing materials and colours have not been nominated.
- A *Prunus cerasifera* (nigra) and *Eucalyptus radiata* are proposed to be retained, with all other vegetation indicated to be removed. No front fence is proposed.

Amended Plans

- An amended application was received on 29 December 2016 to address concerns raised by Council regarding to the proposed built form and landscaping, as well as the ability to comply with open space requirements. The amended application was re-advertised.
- Further to the above amendments, amended plans were submitted by the applicant on 18 April 2017 (Revision G) to indicate that concerns raised in relation vehicle manoeuvrability within the site could be addressed. The amended plans show:
 - Entry driveway is widened and shifted slightly north.
 - Garage doors are increased to have a minimum width of 5 metres in order to provide 250mm clearance for each side of the garage.
 - Inclusion of a convex mirror.

These plans have not been submitted formally and therefore do not form part of Council's assessment of the proposal. They will however be used to help form conditions of permit, should a permit be issued. See Appendix C for Revision G Plans.

6.3 1A Pine Road, Bayswater (cont'd)

3. CONSULTATION

3.1 Advertising

The application was advertised by way of a sign on the site frontage and notices were sent to adjoining property owners and occupiers. Council received eighteen (18) objections to the application. It is noted the majority of these were received to the initial application, not the amended application. These can be summarised as follows:

Overlooking

- *Windows and balconies with the ability to overlook adjoining properties areas of open space have been appropriately screened. A condition of any permit issued will require these windows 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'.*
- *Windows within the southeast and southwest elevation will overlook adjoining driveway areas and no areas of open space areas are located within 9 metres of these windows.*

Impact on views to Dandenongs

- *It is acknowledged there will be some impact on views to the Dandenongs from adjoining sites however; this is generally from adjoining driveway areas. In addition to this, views are shared and not as of right.*

Out of Character with the area

- *The subject site is located within an Activity Area where a greater range and increased densities of residential development are encouraged.*
- *While it is acknowledged there are no other three-storey developments within the immediate vicinity of the subject site, the site is within a three-storey built form area designated by the Design and Development Overlay – Schedule 6.*
- *The proposal will 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. This will be discussed further throughout this report.*

6.3 1A Pine Road, Bayswater (cont'd)

Traffic & Parking

- *Council's Traffic Engineers have reviewed the planning application and have no objection to the amount of traffic generated from the development.*
- *The applicant has provided Council with amended plans (Revision G) demonstrating some minor amendments to plans to improve vehicle manoeuvrability within the site as well as the inclusion of a convex mirror to address sightlines and passing area concerns. Should a permit be issued, these plans will be referenced in conditions of permit.*
- *The proposal complies with the car parking requirement of Clause 52.06 (Car Parking) of the Knox Planning Scheme by providing for two car parking spaces for every three (3) or more bedroom dwelling, as well as one (1) visitor car parking space per five dwellings proposed.*

Overshadowing

- *The proposal complies with Clause 55.04-5 (Overshadowing) of the Knox Planning Scheme. The majority of shadow cast by the development falls within the subject site or within driveway areas of adjoining land.*

Negative impact on property values

- *This is not a relevant planning consideration.*

Fencing fixed if damaged

- *A condition of any permit issued would include 'Prior to the occupancy of the development all fencing shall be in a good condition to the satisfaction of the Responsible Authority'.*

Noise

- *While it is acknowledged some noise will be generated from the site, the development would not be expected to emit noise beyond that of other residential developments.*

Drainage

- *The application was referred to Council's Drainage Engineers who have no objection to the proposal, subject to conditions of permit.*

6.3 1A Pine Road, Bayswater (cont'd)

3.2 Referrals

The application has been referred to 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.*

Officer Comment: As previously noted, the applicant has provided Council with amended plans (Revision G) and turning circle diagrams to demonstrate vehicle manoeuvrability within the site is satisfactory; Council's Traffic Engineers are satisfied with these and as such, these plans will be referenced in conditions of any permit issued.

Drainage Engineer

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

Assets

- *No objection. Standard conditions.*

Arborist

- *The amendment plan provides sufficient space for the retention of the mature Eucalyptus radiata located in the front setback, west of the proposed Unit 1. The TPZ radius (5.3m) and SRZ (2.3m) of this tree along with the corresponding Tree Protection Fencing must be clearly shown on Development, Drainage and Landscape Plans. Tree Protection details (notes) must also be shown.*
- *The rest of the existing vegetation are either weed species or not worthy of retention and therefore it is recommended the Prunus cerasifera (nigra) in northwest corner of the site be removed as it is an environmental weed, and replaced with a large indigenous canopy tree.*

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

6.3 1A Pine Road, Bayswater (cont'd)

Landscape

- *The amended plan provides sufficient space for the retention of the mature Eucalyptus radiata located in the front setback, west of the proposed Unit 1.*
- *The Landscape plans must show the provision of at least 8 additional indigenous or native canopy trees, 7 additional large feature shrubs with a mature height of 4-5 metres and at least 20 additional medium-large shrubs chosen from Appendix 4 or 5 of Council's Landscape Guidelines for Planning Permits.*
- *All other standard landscaping permit conditions apply.*

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

Waste Management

- *Applicant needs to submit a Waste Management Plan (WMP) to Council detailing how bin-based, green waste & hard waste services are to be provided and collected from the site in accordance with Council's Waste Management in Multi-Unit Developments (MUDs) Policy and Procedure that applies to developments with 6 or more tenements.*

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

4. DISCUSSION

4.1 Zoning and Overlays

4.1.1 Zone

General Residential Zone – Schedule 4

The subject site is located within the General Residential Zone – Schedule 4. A permit is required for the construction two or more dwellings on the land pursuant to Clause 32.08-4 of the General Residential Zone – Schedule 4.

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

6.3 1A Pine Road, Bayswater (cont'd)

Schedule 4 to the General Residential Zone varies the ResCode requirements for Standard B6 (Minimum Street Setback):

Minimum setback from front streets: The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.

- *The proposed development is setback 6m from Pine Road and complies with this requirement.*

Schedule 4 to the General Residential Zone varies the ResCode requirements for Standard B13 (Landscaping). Development provide for a minimum of one canopy tree per 250 square metres of the site area including a minimum of one canopy tree within the front setback per 5 metres of width of the site (excluding the width of one driveway). 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 meet the standard of this requirement and accommodate the canopy tree planting in accordance with the Schedule. This could be addressed through conditions of permit, should a permit be issued.*

Schedule 4 to the General Residential Zone varies the ResCode requirements for Standard B28 (Private Open Space) which required provision of private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 15 square metres with a minimum width of 1.8 metres and convenient access from a living room, or
- A roof-top area of 15 square metres with a minimum width of 2 metres and convenient access from a living room.
- *Each dwelling is proposed with a minimum 15 square metre balcony, with a minimum width of 1.8 metres with the exception of Dwellings 4 and 5 which have been proposed with 40sqm of private open space at ground floor level. It is noted all dwellings proposed with balconies will also have access to open space at ground floor level.*

6.3 1A Pine Road, Bayswater (cont'd)

4.1.2 Overlays

The site is located within the Design and Development Overlay – Schedule 6 (DDO6) relating to the Bayswater Major Activity Centre. Within the DDO6, a planning permit is required to construct or carry out works associated with a new dwelling.

The following requirements apply to buildings and works:

Building heights

- *The subject site is located within a three-storey area. The proposed dwellings height / number of storey is consistent with this.*

Views

- *It is acknowledged there will be some impact on views to the Dandenongs from adjoining sites however; this is generally from driveway areas. In addition to this, views are shared and not as of right.*

Private open space

- *The development incorporates private open space in the form of upper level balconies and ground floor level open space.*

Vegetation and landscaping

- *It is proposed to remove the majority of vegetation onsite, with the exception of a *Eucalyptus radiata* and *Prunus cerasifera (nigra)* within the frontage setback of the site.*
- *As previous noted, a condition of any permit issued will require removal of the *Prunus cerasifera (nigra)* and a large indigenous canopy tree be planted in its place.*
- *Sufficient space has been made available onsite for the provision of meaningful landscaping to help integrate the development into the area.*

Streetscape design

- *The proposal incorporates recession of upper levels.*
- *A mixture of materials has been proposed to ensure active frontages to Pine Road.*
- *Passive surveillance will be provided through the provision of windows at ground floor and upper floor levels and balconies at upper storeys.*

6.3 1A Pine Road, Bayswater (cont'd)

- *Landscaping will be required as a condition of permit to ensure the development integrates within the area appropriately.*

Accessibility

- *The proposed development has not provided for bicycle parking onsite however; there is sufficient space within garages and storage areas for the storage of bicycles.*

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.

- *While it is acknowledged the proposed design is contemporary in design, it is not expected to detract from the character of the area. The design of the development generally reflects the built form, scale and modern finishes found in the wider area.*
- *Subject to modifications, the proposal provides for an increased density, with minimal adverse amenity impacts and is within a short 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.*
- *A Sustainable Design Assessment (SDA) will be required via 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.*

6.3 1A Pine Road, Bayswater (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 dwellings with 2 bedrooms and with smaller open space areas.*
- Integration with infrastructure – *The site is located in a fully serviced area. Drainage plans can 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 an Activity Centre.*

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

- *The site is located within the Bayswater Activity Centre and Scoresby Road which forms part of the Principal Public Transport Network (PPTN).*
- *The site is also approximately 200 metres from the Bayswater Train Station and bus exchange which contains a number of bus routes:*
 - *The 664 bus route has a direct service between Chirnside Park and Knox City Shopping Centre, via Croydon. This service operates between 5:29am and 10:04pm Monday to Friday; between 7:22am and 10:38pm Saturdays; and 7:42am and 9:38pm Sundays, at various intervals.*
 - *The 755 bus route has a direct service between Bayswater Train Station to Knox City Shopping Centre via The Basin, Boronia and Ferntree Gully. This service operates between 5:53am and 9:37pm Monday to Friday; between 7:47am and 9:51pm Saturdays; 8:47am and 9:20pm Sundays, at various intervals.*
 - *The 745 bus route has a direct service between Bayswater and Knox Shopping Centre. This service operates between 6:03am and 8:54pm Monday to Friday; between 7:47am to 8:52pm Saturdays; and 8:55am to 8:54pm Sundays, at various intervals.*

6.3 1A Pine Road, Bayswater (cont'd)

- *The 753 bus route has direct service between Glen Waverley and Bayswater via Wheelers Hill, Knoxfield and Boronia. This service operates between 5:41am to 9:43pm Monday to Friday, between 7:12am to 9:52pm Saturdays; and 8:15am to 9:22pm Sundays, at various intervals.*

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 activity area close to urban services and open space areas. The development provides additional housing on an existing residential allotment where existing infrastructure will be utilised.*
- *A Sustainable Design Assessment will be required as a condition of any permit; and a condition of any permit issued will require the development to be constructed in accordance with this.*

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 is located within an Activity area and is considered to respect the preferred neighbourhood character of the area, and is consistent with the requirements of the MSS.*
- *An assessment against the Bayswater Major Activity Centre including Key Redevelopment Sites Policy (Clause 22.05) is below. The development complies with the open space and landscaping requirements of the General Residential Zone – Schedule 4 and provides opportunities for meaningful landscaping.*

6.3 1A Pine Road, Bayswater (cont'd)

Clause 21.05 – Housing – This clause implements the Knox Housing Strategy 2015. In managing the City of 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 close to the Principal Public Transport Network, with good access to train and bus services, local shops and services.

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 intensity of the proposed development is consistent with the strategy of increased residential development within an 'Activity Area' where a greater range and increased densities of residential development are encouraged.*
- *The proposal is considered to be consistent with the preferred neighbourhood character as set out in the local policy as the proposed development will make a positive contribution to the character of the surrounding area.*

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 and to encourage developments of three or more dwellings in Activity Areas and Local Living areas to include a mix of dwelling sizes (including 1 and 2 bedroom dwellings), to respond to a shortfall in the number of smaller sized dwellings within the municipality.

- *The development will provide residents with alternative forms of housing styles and sizes. The development provides for two, three and four bedroom dwellings.*

6.3 1A Pine Road, Bayswater (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.

- *Landscaping can be accommodated within the front setback, contributing to the green and leafy image of Knox.*

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 development will provide residents with alternative forms of housing styles and sizes. The development provides for two, three and four bedroom dwellings.*

Clause 22.05 – Bayswater Major Activity Centre including Key Redevelopment Sites Policy

A Structure Plan for the Bayswater Activity Centre has been adopted and implemented by Council.

The site is located within an area designated for medium density development, with a 3 storey height limit.

- *There is strong Local Planning Policy Framework support for higher density residential development of the site, particularly as the site is located within the Bayswater Activity Centre.*
- *The design of the development will make a positive contribution to the streetscape, with built form considered to be appropriate in form and scale. The proposed dwelling types and overall building heights are consistent with the Bayswater Activity Centre Structure Plan 2012.*

6.3 1A Pine Road, Bayswater (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 bedroom dwelling has been proposed with two car parking spaces, with each two bedroom dwelling being proposed with one car parking space.*
- *One (1) visitor car parking space has been provided in accordance with this requirement.*

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. Council's Traffic Engineers have raised concerns with difficulty exiting all garages and visitor car parking spaces. As previously noted, the applicant has submitted plans (Revision G) to show the entry driveway widened and shifted slightly north, as well as garage doors increased to have a minimum width of 5 metres to provide for greater clearance for each side of the garage; Council' Traffic Engineers are satisfied with this changes. These plans will be referenced in conditions of any permit issued.

Design Standard 2: Car Parking Spaces – Does not comply. A condition of any permit issued should ensure that the garage door for Dwellings 1 and 4 does not open inwards to the garage, as this will reduce the space available for parking of vehicles.

A condition of any permit issued should also require the visitor space to be line marked, sign posted and identifiable.

Design Standard 3: Gradients – Complies.

Design Standard 4: Mechanical Parking – Not applicable.

Design Standard 5: Urban Design – Complies.

6.3 1A Pine Road, Bayswater (cont'd)

Design Standard 6: Safety – *Can comply. As previously discussed, Revision G of submitted plans show the provision of a convex mirror to the east of the visitor car parking space. These plans will be referenced in conditions of any permit issued.*

Design Standard 7: Landscaping – *Complies.*

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

The proposal is considered to be consistent with the provisions of Clause 55 of the Knox Planning Scheme, an assessment of the key criteria is considered below:

Neighbourhood Character and Infrastructure

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

Residential Policy – *Complies.*

Dwelling Diversity – *N/A.*

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

Integration with the Street – *Complies.*

Site Layout and Building Massing

Street Setback – *Complies. See GRZ4 assessment.*

Building Height – *Complies. See DDO6 assessment.*

Site Cover/permeability – *Complies.*

Energy Efficiency – *Complies. A condition of any permit issued will require the submission of a Sustainable Design Assessment (SDA).*

Safety – *Complies.*

Landscaping – *Complies. Refer to assessment against General Residential Zone – Schedule 4 assessment in Section 4.1.1.*

Access – *Can comply. As previously noted, conditions of any permit issued will require changes to plans to ensure appropriate vehicle manoeuvrability within the site.*

Parking Location – *Complies.*

6.3 1A Pine Road, Bayswater (cont'd)

Amenity Impacts

Side and rear setbacks – *Does not comply. The upper storeys of Dwellings 4 and 8 should be setback a minimum 3.3 metres from the southeast boundary of the land. A condition of any permit issued will require compliance with this requirement.*

Walls on boundaries – *Complies.*

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

Overshadowing open space – *Complies.*

Overlooking – *Can comply. Windows and balconies with the ability to overlook adjoining properties areas of open space have been appropriately screened. A condition of any permit issued will require these windows 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'.*

Windows within the south-east and south-west elevation will overlook adjoining driveway areas and no areas of open space areas are located within 9 metres of these windows.

Internal views – *Complies. It is noted that overlooking is possible between the balconies of Dwellings 6-8 and the subsequent ground floor open space however; these areas are not 'secluded' private open space areas and therefore, the proposal technically complies with this requirement.*

Dwelling 5 is proposed with open space at ground floor level however; Dwelling 6's balcony will not overlook this as the party wall between Dwelling 5 and 6 extend onto the balcony area.

Noise – *Complies.*

On-Site Amenity and Facilities

Accessibility – *Complies.*

Dwelling Entry – *Complies.*

Daylight to new windows – *Complies.*

Private Open Space – *Complies. Refer to assessment against General Residential Zone – Schedule 4 assessment in Section 4.1.1.*

Solar access – *Complies.*

Storage – *Can comply. A condition of any permit issued will require each dwelling to have convenient access to at least 6 cubic metres of externally accessible, secure storage space.*

6.3 1A Pine Road, Bayswater (cont'd)

Detailed Design

Detailed Design – *Complies.*

Front fence – *N/A*

Common Property – *Complies.*

Site Services – *Complies.*

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 development is consistent with State Policy, Clause 21.07 (Municipal Strategic Statement), and Clause 22.05 (Bayswater Major Activity Centre including Key Redevelopment Sites Policy) of the Knox Planning Scheme.*
- *The proposal complies with the objectives and standards of the General Residential Zone - Schedule 4 and Design and Development Overlay – Schedule 6.*
- *The development is generally compliant with ResCode subject to conditions of any permit issued.*
- *The development provides for an appropriate balance between policies that encourage increased housing densities and the amenity of adjoining properties.*

6. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

6.3 1A Pine Road, Bayswater (cont'd)

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the construction of eight (8) three (3) storey dwellings at 1A Pine Road, Bayswater 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 Archiscope Building Design and Drafting, Revision G, Date 6 April 2017, 1A Pine Road Bayswater but modified to show:
 - 1.1 Second storey of Dwellings 4 and 8 to be setback from the southeast boundary of the land in accordance with Clause 55.04-1 (side and rear setbacks) of the Knox Planning Scheme.
 - 1.2 Windows shown to be screened to include notation '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'.
 - 1.3 Each dwelling to have convenient access to at least 6 cubic metres of externally accessible, secure storage space.
 - 1.4 The Prunus cerasifera (nigra) in northwest corner of the site to be removed and replaced with a large indigenous canopy tree.
 - 1.5 Roofing colours and materials to be nominated.
 - 1.6 Details (size, materials of constructions) of convex mirror to the east of visitor car parking space.
 - 1.7 Dwellings 1 and 4 to have outward opening doors within garages.
 - 1.8 Visitor car parking spaces to be easily identifiable through the provision of line marking and signs.
 - 1.9 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.
 - 1.10 Location and details of letterboxes and metre boxes.

**6.3 1A Pine Road, Bayswater (cont'd)
Recommendation (cont'd)**

- 1.11 Tree Protection Fencing details in accordance with Conditions 15 – 21.
- 1.12 Drainage plans in accordance with Condition 2 of this Permit and any necessary modifications.
- 1.13 Landscape plans in accordance with Condition 4 of this Permit and any necessary modifications.
- 1.14 A Sustainable Design Assessment in accordance with Condition 12.
- 1.15 A Waste Management Plans in accordance with Condition 14.

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.

6.3 1A Pine Road, Bayswater (cont'd) Recommendation (cont'd)

3. Stormwater runoff from all buildings and hardstand 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.

Landscaping

4. 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:
 - 4.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.
 - 4.2 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).
 - 4.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary.
 - 4.4 Details of the surface finishes of pathways and driveways.
 - 4.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.
 - 4.6 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.
 - 4.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).
 - 4.8 All vegetation to be removed.
 - 4.9 The Landscape plans must show the provision of at least 8 additional indigenous or native canopy trees, 7 additional large feature shrubs with a mature height of 4-5 metres and at least 20 additional medium-large shrubs chosen from Appendix 4 or 5 of Council's Landscape Guidelines for Planning Permits. These canopy trees must be a minimum 1.5metres tall when planted and are to be in the following areas:
 - 1 Large indigenous canopy tree, 1 medium canopy tree and 1 small canopy tree in the front setback to Pine Road.
 - 1 medium canopy tree and 1 small canopy tree located along the west- south west boundary opposite Dwelling 1 and Dwelling 2.

6.3 1A Pine Road, Bayswater (cont'd) Recommendation (cont'd)

- 1 large feature shrub with a mature height of 4-5 metres located in the S.P.O.S of Dwelling 3.
- 1 small canopy tree located in the P.O.S of Dwelling 4.
- 2 large feature shrubs with a mature height of 4-5 metres located in the P.O.S of Dwelling 8.
- 2 large feature shrubs with a mature height of 4-5 metres located in the P.O.S of Dwelling 7.
- 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres located in the P.O.S of Dwelling 6.
- 1 small canopy tree located in the P.O.S of Dwelling 5.
- 1 large feature shrub with a mature height of 4-5 metres located at the east end of the visitor parking space.

To the satisfaction of the Responsible Authority.

5. 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.
6. 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

7. All development must be in accordance with the endorsed plans.
8. The layout of buildings and works as shown on the endorsed plans, must not be altered without the prior written consent of the Responsible Authority. This does not apply to:
 - 8.1 An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of three metres above ground level; or
 - 8.2 A deck to a dwelling with a finished floor level not more than 800mm above ground level.

Where the total floor area of decks, pergolas and verandahs, for each dwelling does not exceed 16m².

9. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

6.3 1A Pine Road, Bayswater (cont'd) Recommendation (cont'd)

10. 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.
11. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

Sustainable Design Assessment

12. Prior to the commencement of any buildings or works, a Sustainable Design Assessment detailing Sustainable Design initiatives to be incorporated into the development must be submitted to and approved by the Responsible Authority. The Sustainable Design Assessment must outline the proposed sustainable design initiatives to be incorporated throughout the development such as (but not limited to) energy efficiency, water conservation, stormwater quality, waste management and material selection, to the satisfaction of the Responsible Authority.
13. Prior to the occupation of the development, the development must be constructed in accordance with the Sustainable Design Assessment.

Waste Management Plan

14. Before the development commences, a 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. 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.

Tree Protection

15. 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. 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.
16. 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.

6.3 1A Pine Road, Bayswater (cont'd) Recommendation (cont'd)

17. 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.
18. The fence and signage is to be maintained throughout the construction period and removed at the completion of all works.
19. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.
20. Prior to erecting the fence around the tree protection zone, all unwanted vegetation and weed species must be removed from within the zone, and the ground within the protection zone must be covered with a layer of well composted organic mulch (maximum 100mm depth). The area is to be watered at least fortnightly throughout the construction period.
21. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:
 - 21.1 Construction activities.
 - 21.2 Dumping and/or storage of materials, goods and/or soil.
 - 21.3 Trenching or excavation.
 - 21.4 Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.
22. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.

Car Parking & Accessways

23. Before the dwellings are occupied, driveways and car parking areas must be:
 - 23.1 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
 - 23.2 Formed to such levels and drained so that they can be used in accordance with the approved plan; and
 - 23.3 Treated with an all-weather seal or some other durable surface; and
 - 23.4 Line-marked or provided with some other adequate means of showing the car parking spaces.

To the satisfaction of the Responsible Authority.

**6.3 1A Pine Road, Bayswater (cont'd)
Recommendation (cont'd)**

24. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.
25. Visitor spaces are to be accessible to visitors at all times and are to be linemarked/paved and signed.

Fencing

26. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.
27. Prior to the occupancy of the development all fencing shall be in a good condition to the satisfaction of the Responsible Authority.

Amenity During Construction

28. 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:
 - 28.1 The appearance of building, works or materials on the land
 - 28.2 Parking of motor vehicles
 - 28.3 Transporting of materials or goods to or from the site
 - 28.4 Hours of operation
 - 28.5 Stockpiling of top soil or fill materials
 - 28.6 Air borne dust emanating from the site
 - 28.7 Noise
 - 28.8 Rubbish and litter
 - 28.9 Sediment runoff
 - 28.10 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

29. 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.

6.3 1A Pine Road, Bayswater (cont'd) Recommendation (cont'd)

Permit Expiry

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

- 30.1 The development is not started within two years of the date of this permit.
- 30.2 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 discharge from property to the nearest Legal Point of Discharge (LPD). Approximately 40 meters of outfall drain will be required to connect the property to the nearest council drainage pipe located in High street, north-east of the property. The outfall drain is to be a minimum of 300mm in diameter and constructed to Council standards and satisfaction. 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 6.1 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.

**6.3 1A Pine Road, Bayswater (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.
- 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.

6.3 1A Pine Road, Bayswater (cont'd)**COUNCIL RESOLUTION****MOVED: CR. GILL****SECONDED: CR.MORTIMORE**

That Council adopt the Officer's recommendation outlined in the report with the addition of the following condition:

1.16 A revised design to the street elevation (particularly units 1 and 5) to improve the architectural quality and articulation of the design as viewed from Pine Road

CARRIED

Official Minutes of Knox City Council



Knox City Council
REPORT APPENDIX A

Location
Melway 64 F4

Property Address
1A Pine Road,
BAYSWATER

Application Number
P/2016/6033

Description
Construction of
eight (8) three
storey dwellings

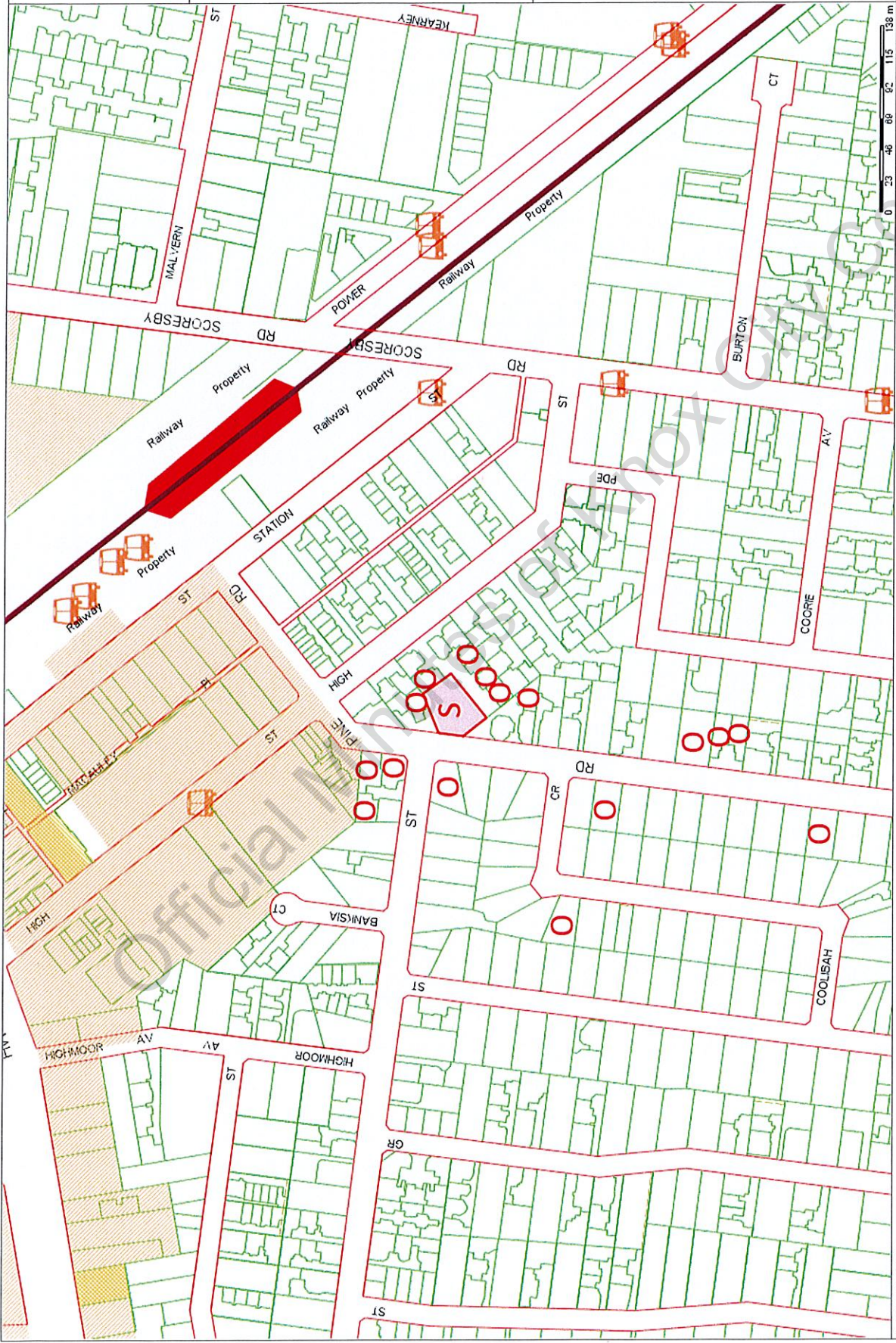
Wardname
Dinsdale

LEGEND:

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



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.
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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 F4

Property Address
1A Pine Road,
BAYSWATER

Application Number
P/2016/6033

Description
Construction of eight (8) three storey dwellings

Wardname
Dinsdale

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:

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1A PINE ROAD BAYSWATER APPENDIX B

PROPOSED FLOOR AREAS

FLOOR	PROPOSED FLOOR AREAS	%
FIRST FLOOR	126.54	50.95
DATE COVERED	05/17/16	22.82
PERVIOUS SURFACES	428.85	18.23

UNITING	FLOOR AREA PROPOSED	SQUARES
UNIT 1	UNIT 1 PORCH	1.96
UNIT 1	UNIT 1 BALCONY	13.51
UNIT 1	UNIT 1 SHED	28.87
UNIT 1	UNIT 1 GARAGE	25.31
UNIT 1	UNIT 1 FIRST FLOOR	23.22
UNIT 1	UNIT 1 SECOND FLOOR	21.73
UNIT 2	UNIT 2 PORCH	21.87
UNIT 2	UNIT 2 BALCONY	18.42
UNIT 2	UNIT 2 SHED	18.11
UNIT 2	UNIT 2 GARAGE	34.32
UNIT 2	UNIT 2 FIRST FLOOR	34.32
UNIT 2	UNIT 2 SECOND FLOOR	18.46
UNIT 3	UNIT 3 PORCH	23.14
UNIT 3	UNIT 3 BALCONY	13.52
UNIT 3	UNIT 3 SHED	28.87
UNIT 3	UNIT 3 GARAGE	25.31
UNIT 3	UNIT 3 FIRST FLOOR	23.22
UNIT 3	UNIT 3 SECOND FLOOR	21.73
UNIT 4	UNIT 4 PORCH	2.52
UNIT 4	UNIT 4 BALCONY	24.82
UNIT 4	UNIT 4 SHED	28.87
UNIT 4	UNIT 4 GARAGE	25.31
UNIT 4	UNIT 4 FIRST FLOOR	23.22
UNIT 4	UNIT 4 SECOND FLOOR	21.73
UNIT 5	UNIT 5 PORCH	2.52
UNIT 5	UNIT 5 BALCONY	24.82
UNIT 5	UNIT 5 SHED	28.87
UNIT 5	UNIT 5 GARAGE	25.31
UNIT 5	UNIT 5 FIRST FLOOR	23.22
UNIT 5	UNIT 5 SECOND FLOOR	21.73
UNIT 6	UNIT 6 PORCH	2.52
UNIT 6	UNIT 6 BALCONY	24.82
UNIT 6	UNIT 6 SHED	28.87
UNIT 6	UNIT 6 GARAGE	25.31
UNIT 6	UNIT 6 FIRST FLOOR	23.22
UNIT 6	UNIT 6 SECOND FLOOR	21.73
UNIT 7	UNIT 7 PORCH	2.52
UNIT 7	UNIT 7 BALCONY	24.82
UNIT 7	UNIT 7 SHED	28.87
UNIT 7	UNIT 7 GARAGE	25.31
UNIT 7	UNIT 7 FIRST FLOOR	23.22
UNIT 7	UNIT 7 SECOND FLOOR	21.73
UNIT 8	UNIT 8 PORCH	2.52
UNIT 8	UNIT 8 BALCONY	24.82
UNIT 8	UNIT 8 SHED	28.87
UNIT 8	UNIT 8 GARAGE	25.31
UNIT 8	UNIT 8 FIRST FLOOR	23.22
UNIT 8	UNIT 8 SECOND FLOOR	21.73
UNIT 9	UNIT 9 PORCH	2.52
UNIT 9	UNIT 9 BALCONY	24.82
UNIT 9	UNIT 9 SHED	28.87
UNIT 9	UNIT 9 GARAGE	25.31
UNIT 9	UNIT 9 FIRST FLOOR	23.22
UNIT 9	UNIT 9 SECOND FLOOR	21.73
UNIT 10	UNIT 10 PORCH	2.52
UNIT 10	UNIT 10 BALCONY	24.82
UNIT 10	UNIT 10 SHED	28.87
UNIT 10	UNIT 10 GARAGE	25.31
UNIT 10	UNIT 10 FIRST FLOOR	23.22
UNIT 10	UNIT 10 SECOND FLOOR	21.73

DRAWING SCHEDULE

SHEET NO.	DRAWING
1	DEVELOPMENT SUMMARY
2	PROPOSED SITE PLAN
3	PROPOSED SITE PLAN (EXHAUSTION PLAN)
4	PROPOSED GRADE FLOOR PLAN
5	PROPOSED FIRST FLOOR
6	PROPOSED SECOND FLOOR
7	PROPOSED ELEVATIONS
8	DETAILED SHADOW ANALYSIS (SUM)
9	DETAILED SHADOW ANALYSIS (WPM)
10	DETAILED SHADOW ANALYSIS (WPA)

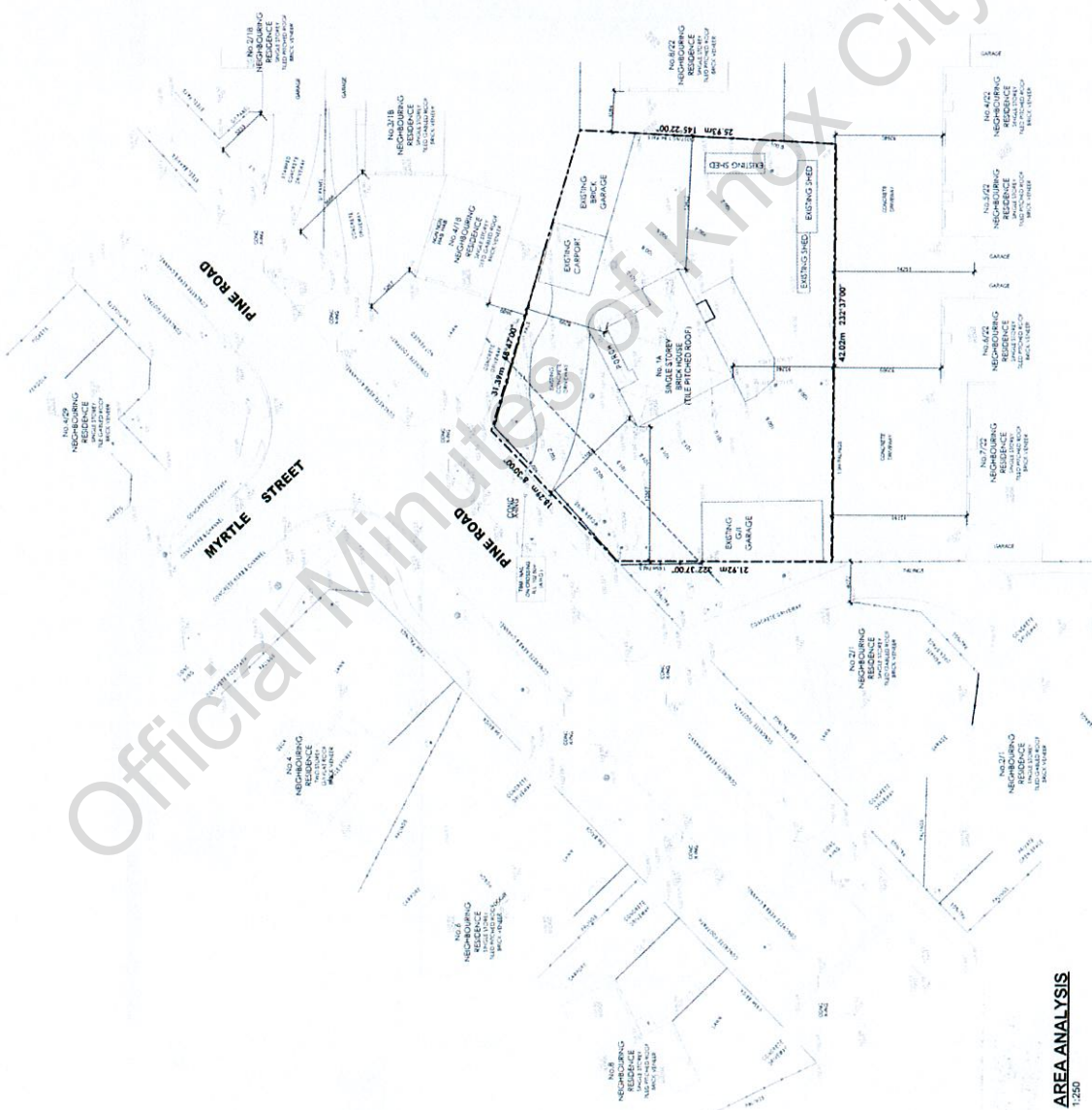
PRIVATE OPEN SPACE

AREA	PRIVATE OPEN SPACE	SQUARES
UNIT 1 BALCONY SPOS	18.21	184
UNIT 2 BALCONY SPOS	18.20	184
UNIT 3 COURT/YARD SPOS	13.71	148
UNIT 4 SPOS	42.29	433
UNIT 5 GARAGE SPOS	21.96	270
UNIT 6 SPOS	48.71	503
UNIT 7 BALCONY SPOS	18.47	187
UNIT 8 BALCONY SPOS	18.47	187
UNIT 9 COURT/YARD SPOS	21.44	242
UNIT 10 BALCONY SPOS	18.20	184
UNIT 10 COURT/YARD SPOS	28.91	331
TOTAL		248.89 m ²

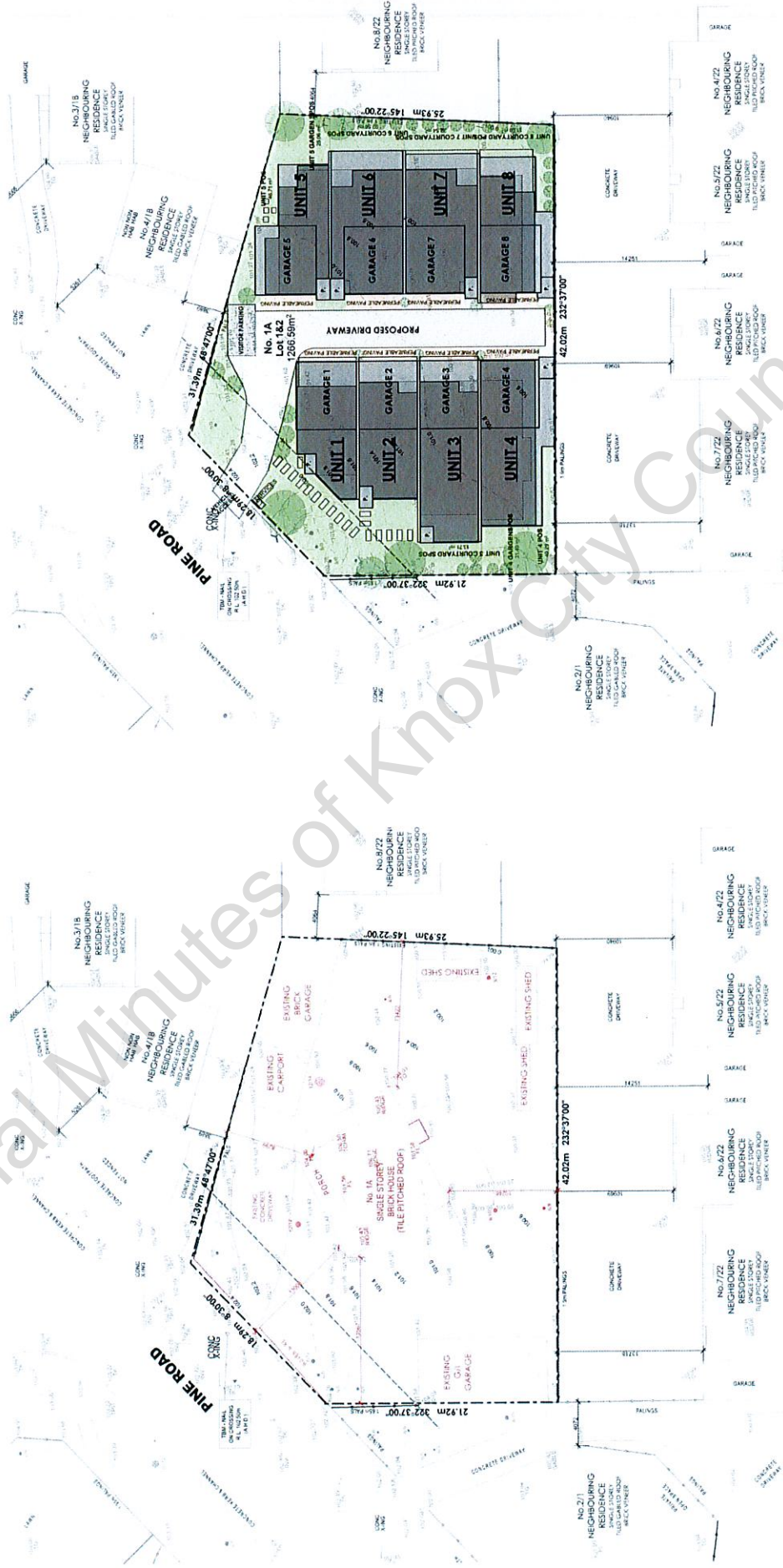
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Tarchiscope
BUILDING DESIGN & DRAFTING
P: 0782 9110
F: 0400 468 316
W: www.tarchiscope.com.au
Arlcliffe
P.O. Box 36
14/15 Victoria Road
Victoria 3156

DIASIA DEVELOPMENT
JOB NO : 15-042
STATUS : TOWN PLANNING DRAWINGS
REV : 00-000-16
CLIENT NAME : DIASIA DEVELOPMENT
CLIENT CONTACT : 0000 000 000
SITE ADDRESS :
1A-12 No. 1A
PINE ROAD
BAYSWATER, VIC 3155
COUNCIL : KNOX CITY COUNCIL



AREA ANALYSIS
1:250



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PROPOSED SITE PLAN
 1:200

VEGETATION:
 DENOTES EXISTING VEGETATION TO BE REMOVED

DEMOLITION:
 EXISTING DWELLING, HARD SURFACES, CURBS OVER LINES, AND FURST FINISHES TO BE REMOVED

EXISTING SITE PLAN
 1:200

Official Minutes of Knox City Council

1A PINE ROAD BAYSWATER APPENDIX B



ENVELOPE	FLOOR AREA - PROPOSED	AREA	SQUARES
UNIT 1	UNIT 1 BALCONY	15.72	1.44
UNIT 1	UNIT 1 GROUND FLOOR	26.87	2.87
UNIT 1	UNIT 1 GARAGE	48.32	5.28
UNIT 1	UNIT 1 FIRST FLOOR	15.72	1.44
UNIT 1	UNIT 1 SECOND FLOOR	15.72	1.44
UNIT 2	UNIT 2 PORCH	2.96	0.27
UNIT 2	UNIT 2 BALCONY	15.90	1.51
UNIT 2	UNIT 2 GROUND FLOOR	34.14	3.67
UNIT 2	UNIT 2 GARAGE	34.42	3.71
UNIT 2	UNIT 2 FIRST FLOOR	34.42	3.71
UNIT 2	UNIT 2 SECOND FLOOR	34.42	3.71
UNIT 3	UNIT 3 PORCH	28.18	3.03
UNIT 3	UNIT 3 BALCONY	15.92	1.52
UNIT 3	UNIT 3 GROUND FLOOR	26.25	2.82
UNIT 3	UNIT 3 SECOND FLOOR	26.25	2.82
UNIT 3	UNIT 3 FIRST FLOOR	26.25	2.82
UNIT 4	UNIT 4 PORCH	28.18	3.03
UNIT 4	UNIT 4 BALCONY	15.92	1.52
UNIT 4	UNIT 4 GROUND FLOOR	26.25	2.82
UNIT 4	UNIT 4 SECOND FLOOR	26.25	2.82
UNIT 4	UNIT 4 FIRST FLOOR	26.25	2.82
UNIT 5	UNIT 5 PORCH	28.18	3.03
UNIT 5	UNIT 5 BALCONY	15.92	1.52
UNIT 5	UNIT 5 GROUND FLOOR	26.25	2.82
UNIT 5	UNIT 5 SECOND FLOOR	26.25	2.82
UNIT 5	UNIT 5 FIRST FLOOR	26.25	2.82
UNIT 6	UNIT 6 PORCH	28.18	3.03
UNIT 6	UNIT 6 BALCONY	15.92	1.52
UNIT 6	UNIT 6 GROUND FLOOR	26.25	2.82
UNIT 6	UNIT 6 SECOND FLOOR	26.25	2.82
UNIT 6	UNIT 6 FIRST FLOOR	26.25	2.82
UNIT 7	UNIT 7 PORCH	28.18	3.03
UNIT 7	UNIT 7 BALCONY	15.92	1.52
UNIT 7	UNIT 7 GROUND FLOOR	26.25	2.82
UNIT 7	UNIT 7 SECOND FLOOR	26.25	2.82
UNIT 7	UNIT 7 FIRST FLOOR	26.25	2.82
UNIT 8	UNIT 8 PORCH	28.18	3.03
UNIT 8	UNIT 8 BALCONY	15.92	1.52
UNIT 8	UNIT 8 GROUND FLOOR	26.25	2.82
UNIT 8	UNIT 8 SECOND FLOOR	26.25	2.82
UNIT 8	UNIT 8 FIRST FLOOR	26.25	2.82
UNIT 9	UNIT 9 PORCH	28.18	3.03
UNIT 9	UNIT 9 BALCONY	15.92	1.52
UNIT 9	UNIT 9 GROUND FLOOR	26.25	2.82
UNIT 9	UNIT 9 SECOND FLOOR	26.25	2.82
UNIT 9	UNIT 9 FIRST FLOOR	26.25	2.82
UNIT 10	UNIT 10 PORCH	28.18	3.03
UNIT 10	UNIT 10 BALCONY	15.92	1.52
UNIT 10	UNIT 10 GROUND FLOOR	26.25	2.82
UNIT 10	UNIT 10 SECOND FLOOR	26.25	2.82
UNIT 10	UNIT 10 FIRST FLOOR	26.25	2.82

AREA	PRIVATE OPEN SPACE	SQUARES
UNIT 1 BALCONY POS	15.72	1.44
UNIT 2 BALCONY POS	15.90	1.51
UNIT 3 BALCONY POS	15.92	1.52
UNIT 4 BALCONY POS	15.92	1.52
UNIT 5 BALCONY POS	15.92	1.52
UNIT 6 BALCONY POS	15.92	1.52
UNIT 7 BALCONY POS	15.92	1.52
UNIT 8 BALCONY POS	15.92	1.52
UNIT 9 BALCONY POS	15.92	1.52
UNIT 10 BALCONY POS	15.92	1.52
UNIT 11 BALCONY POS	15.92	1.52
UNIT 12 BALCONY POS	15.92	1.52
UNIT 13 BALCONY POS	15.92	1.52
UNIT 14 BALCONY POS	15.92	1.52
UNIT 15 BALCONY POS	15.92	1.52
UNIT 16 BALCONY POS	15.92	1.52
UNIT 17 BALCONY POS	15.92	1.52
UNIT 18 BALCONY POS	15.92	1.52
UNIT 19 BALCONY POS	15.92	1.52
UNIT 20 BALCONY POS	15.92	1.52
UNIT 21 BALCONY POS	15.92	1.52
UNIT 22 BALCONY POS	15.92	1.52
UNIT 23 BALCONY POS	15.92	1.52
UNIT 24 BALCONY POS	15.92	1.52
UNIT 25 BALCONY POS	15.92	1.52
UNIT 26 BALCONY POS	15.92	1.52
UNIT 27 BALCONY POS	15.92	1.52
UNIT 28 BALCONY POS	15.92	1.52
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UNIT 41 BALCONY POS	15.92	1.52
UNIT 42 BALCONY POS	15.92	1.52
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UNIT 55 BALCONY POS	15.92	1.52
UNIT 56 BALCONY POS	15.92	1.52
UNIT 57 BALCONY POS	15.92	1.52
UNIT 58 BALCONY POS	15.92	1.52
UNIT 59 BALCONY POS	15.92	1.52
UNIT 60 BALCONY POS	15.92	1.52
UNIT 61 BALCONY POS	15.92	1.52
UNIT 62 BALCONY POS	15.92	1.52
UNIT 63 BALCONY POS	15.92	1.52
UNIT 64 BALCONY POS	15.92	1.52
UNIT 65 BALCONY POS	15.92	1.52
UNIT 66 BALCONY POS	15.92	1.52
UNIT 67 BALCONY POS	15.92	1.52
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UNIT 69 BALCONY POS	15.92	1.52
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UNIT 75 BALCONY POS	15.92	1.52
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UNIT 83 BALCONY POS	15.92	1.52
UNIT 84 BALCONY POS	15.92	1.52
UNIT 85 BALCONY POS	15.92	1.52
UNIT 86 BALCONY POS	15.92	1.52
UNIT 87 BALCONY POS	15.92	1.52
UNIT 88 BALCONY POS	15.92	1.52
UNIT 89 BALCONY POS	15.92	1.52
UNIT 90 BALCONY POS	15.92	1.52
UNIT 91 BALCONY POS	15.92	1.52
UNIT 92 BALCONY POS	15.92	1.52
UNIT 93 BALCONY POS	15.92	1.52
UNIT 94 BALCONY POS	15.92	1.52
UNIT 95 BALCONY POS	15.92	1.52
UNIT 96 BALCONY POS	15.92	1.52
UNIT 97 BALCONY POS	15.92	1.52
UNIT 98 BALCONY POS	15.92	1.52
UNIT 99 BALCONY POS	15.92	1.52
UNIT 100 BALCONY POS	15.92	1.52

PROPOSED FLOOR AREAS	
FOOTPRINT	1763.07 m ²
SITE COVERAGE	1763.07 m ²
PERVIOUS SURFACES	420.07 m ²

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PROPOSED GROUND FLOOR
 1:100

NO. 271
 NEIGHBOURING
 RESIDENCE
 150 CALLED 1000
 150 CALLED 1000
 150 CALLED 1000

NO. 6/22
 NEIGHBOURING
 RESIDENCE
 150 CALLED 1000
 150 CALLED 1000
 150 CALLED 1000

1A PINE ROAD BAYSWATER APPENDIX B



No 3/18
NEIGHBOURING
RESIDENCE
100 GALLON TANK
ROCK VENTILATOR

No 4/18
NEIGHBOURING
RESIDENCE
100 GALLON TANK
ROCK VENTILATOR

No 8/22
NEIGHBOURING
RESIDENCE
100 GALLON TANK
ROCK VENTILATOR

No 7/1
NEIGHBOURING
RESIDENCE
100 GALLON TANK
ROCK VENTILATOR

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PINE ROAD



PROPOSED FIRST FLOOR
1:100

1A PINE ROAD BAYSWATER APPENDIX B

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NO. 4/18
NEIGHBOURING
RESIDENCE
RESIDENCE
BUILT 1960-65
BLACK VENEER

NO. 4/18
NEIGHBOURING
RESIDENCE
RESIDENCE
BUILT 1960-65
BLACK VENEER

NO. 8/22
NEIGHBOURING
RESIDENCE
RESIDENCE
BUILT 1960-65
BLACK VENEER

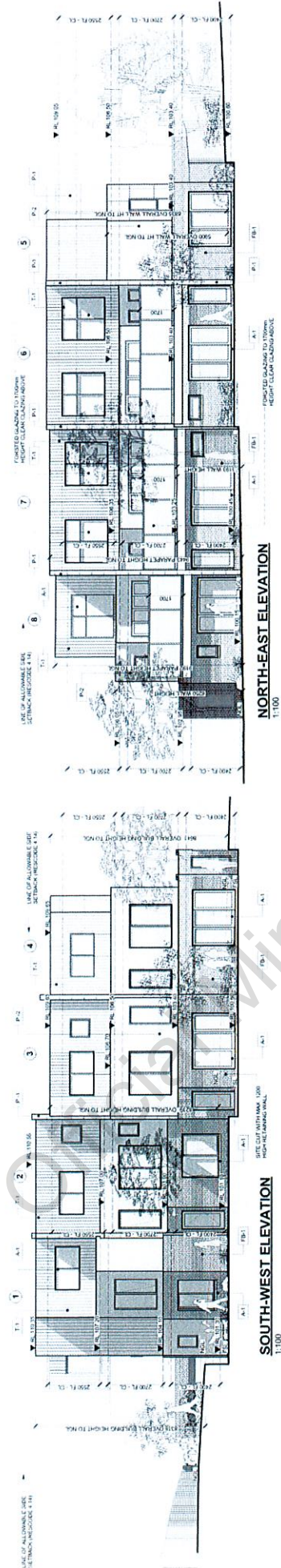
PINE ROAD

10M PALE
ON-SCREENING
R/L 100.00%
(A&D)

PROPOSED SECOND FLOOR
1:100

NO. 2/1
NEIGHBOURING
RESIDENCE
RESIDENCE
BUILT 1960-65
BLACK VENEER

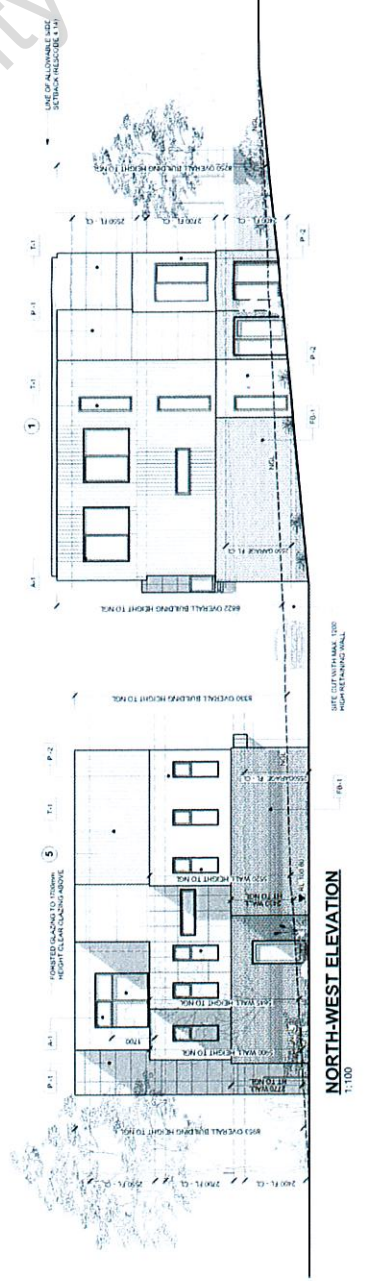
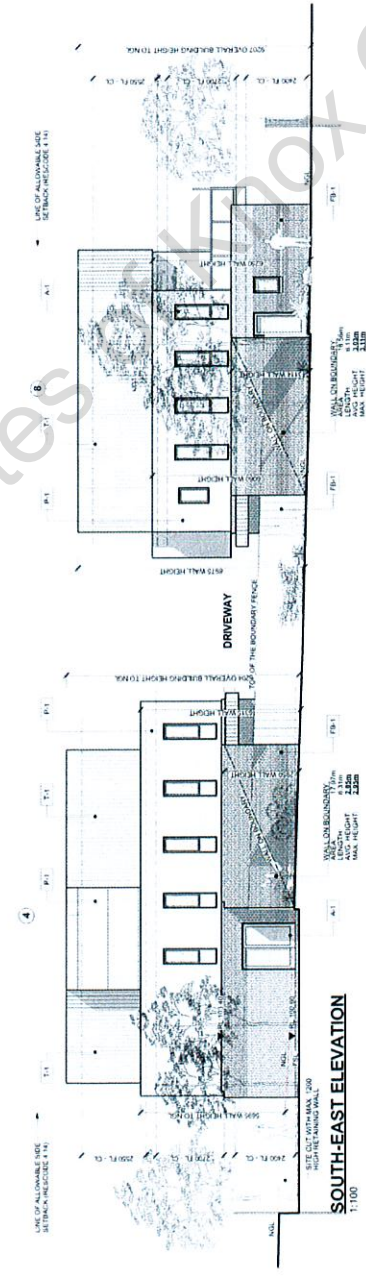




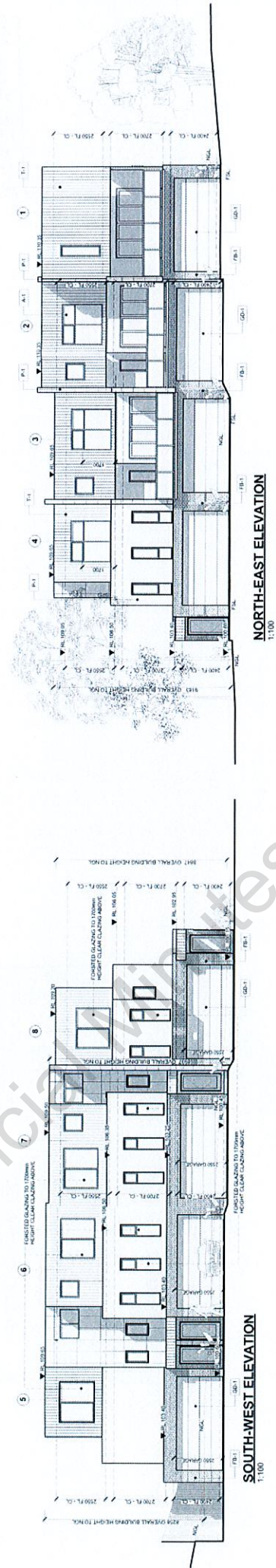
FINISHES SCHEDULE

T-1	SELECTED VERTICAL TIMBER CASING
FB-1	FACE BRICKWORK (PBR POLLO BRICK)
P-1	JAMES HARDIE BCYON WHITE IN GREY COLOUR
P-2	WHITE POLYURETHANE NATURAL WHITE PAINT FINISH
GD-1	GARAGE ROLLER DOOR WITH COLOURBOND ROBUST FINISH
CP-1	CONCRETE PLANKET IN MONUMENT
A-1	ALUMINIUM WINDOWS FRAMES IN MONUMENT
RT-1	MALDEN RETAINING WALL COLOUR TO BE SELECTED

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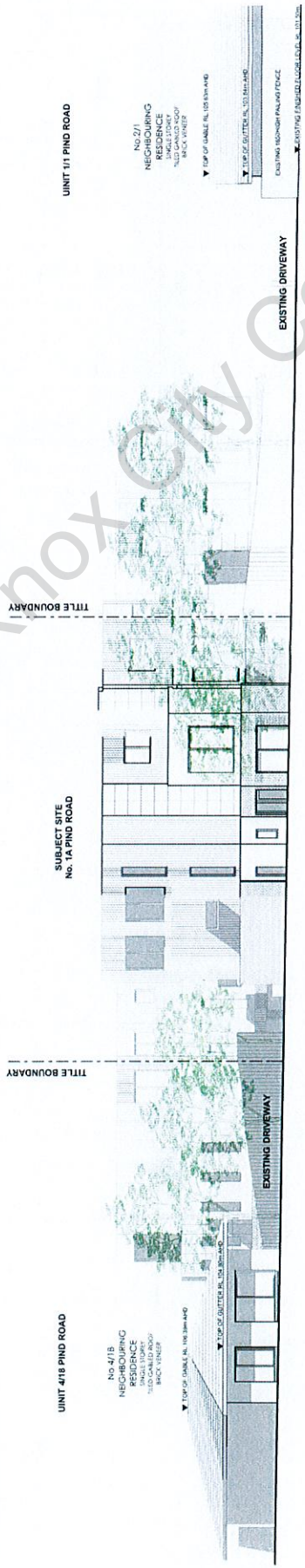


1A PINE ROAD BAYSWATER APPENDIX B



FINISHES SCHEDULE

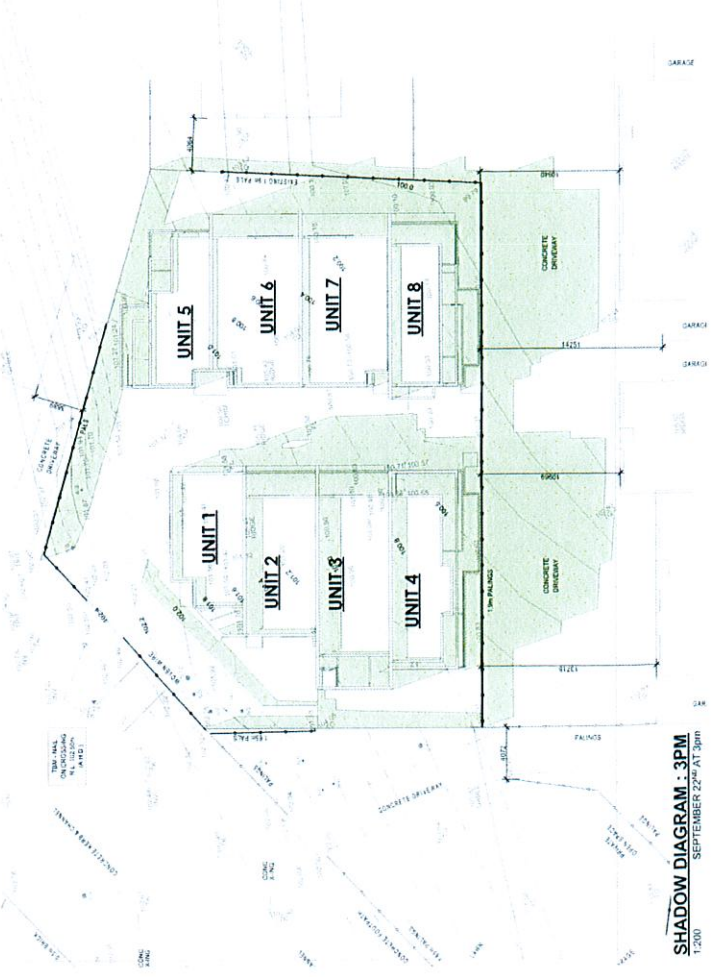
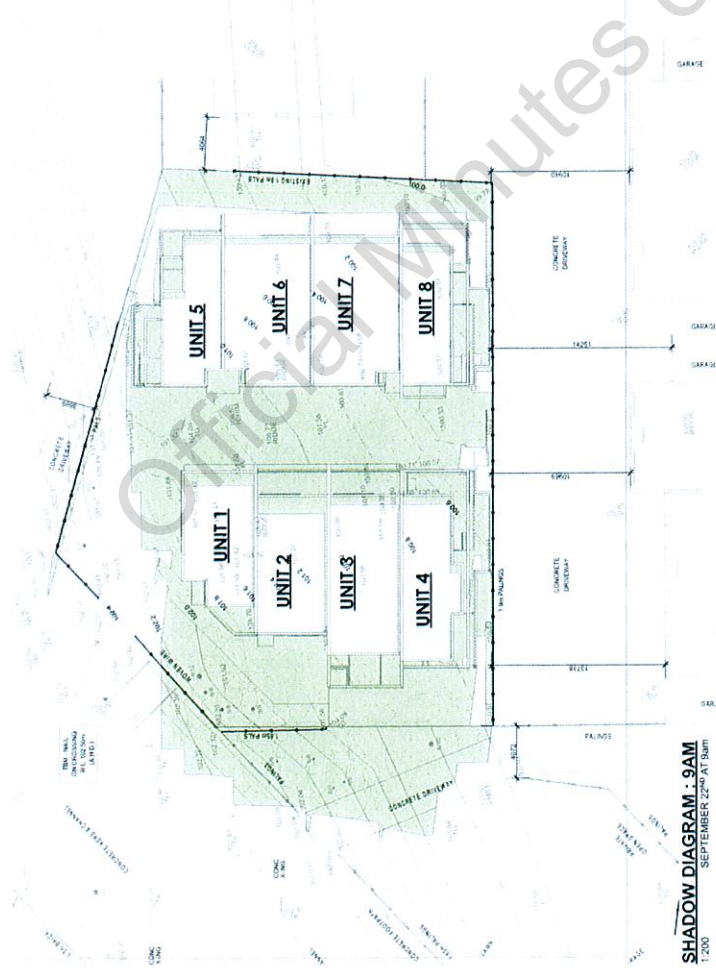
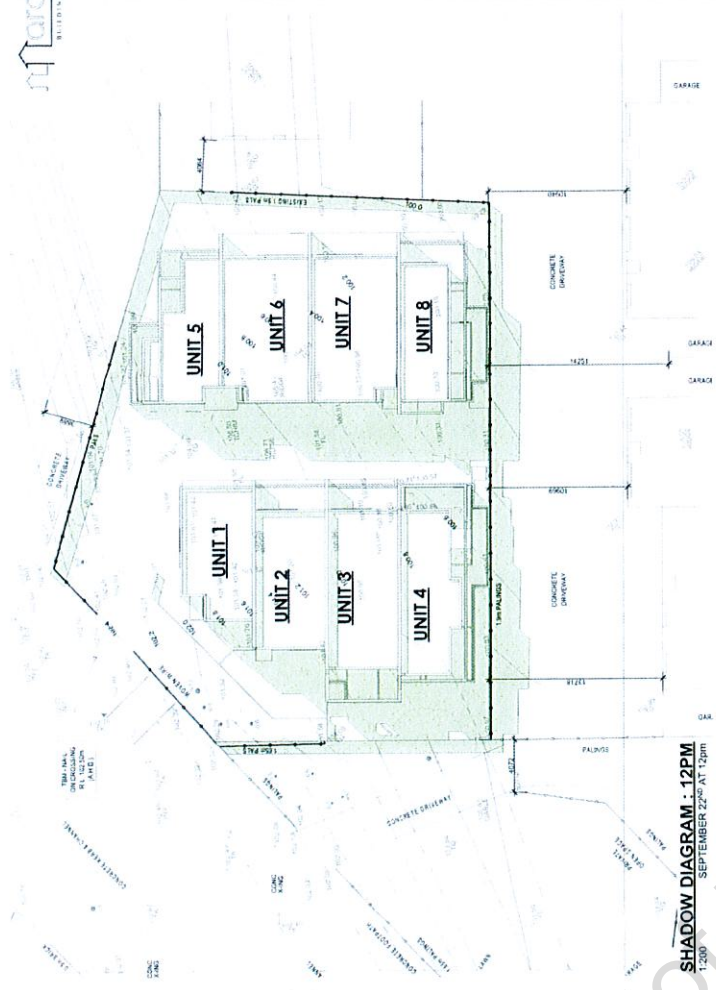
T-1	SELECTED VERTICAL TIMBER CLADDING
FB-1	FACE BRICKWORK (PAPERFACED BRICK)
P-1	WALLS/PANDE SECTION WITH INTRINSIC COLOUR
P-2	CONCRETE WITH NATURAL WHITE PAINT FINISH
GD-1	GARAGE ROLLER DOOR WITH COLOURED POLYURETHANE FINISH
CP-1	ALUMINIUM WINDOW FRAMES IN MONUMENT
A-1	ALUMINIUM WINDOW FRAMES IN MONUMENT
RT-1	MALDEN RETAINING WALL COLOUR TO BE SELECTED



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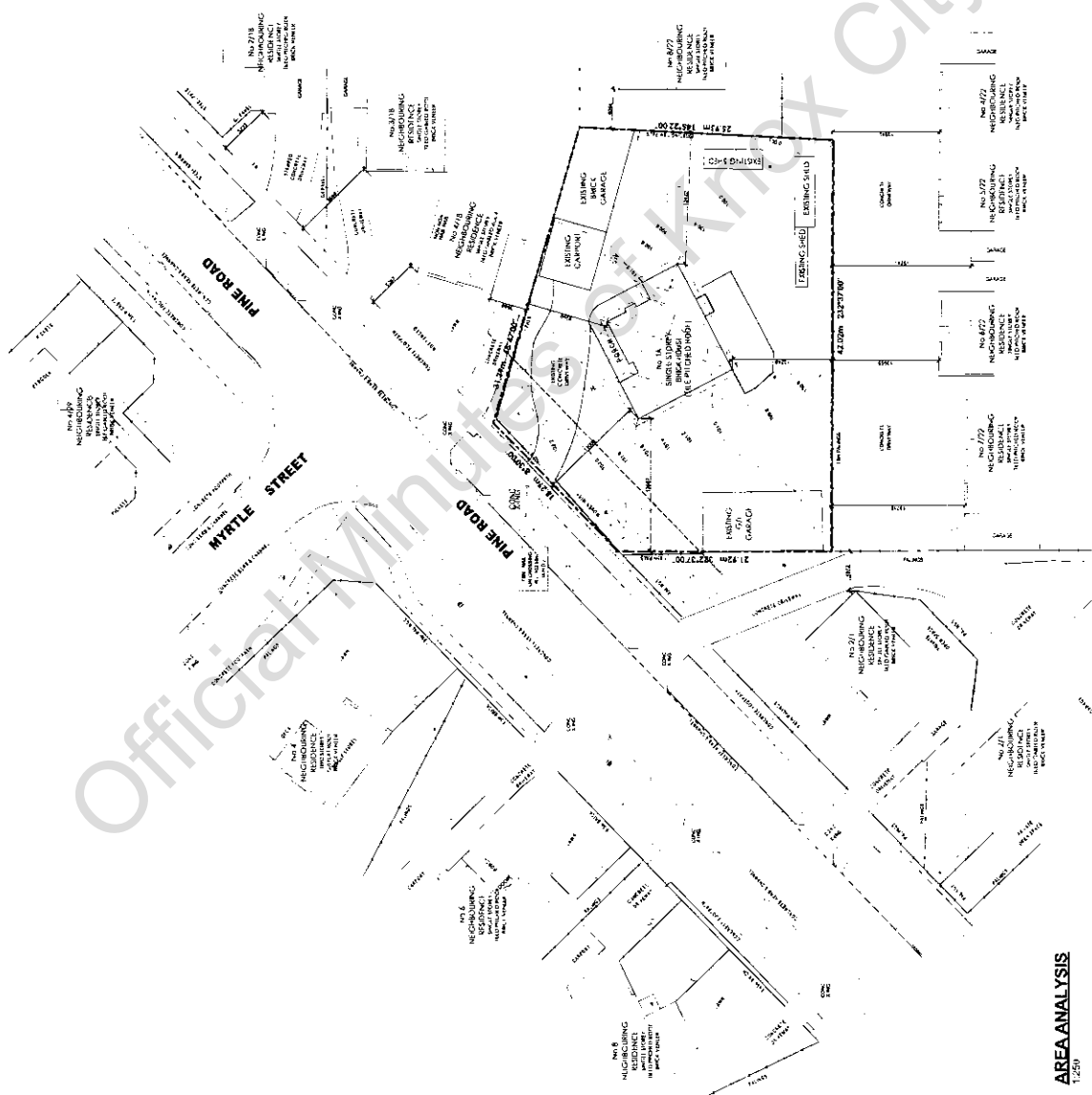
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PROPOSED FLOOR AREAS	
FOOTPRINT	%
SITE COVERAGE	100.00%
PROPOSED FLOOR AREA	176.54
PROPOSED FLOOR AREA	662.74
PROPOSED FLOOR AREA	406.81
PROPOSED FLOOR AREA	23.85%

UNIT NO.	UNIT TYPE	FLOOR AREA (sqm)	TOTAL AREA (sqm)
UNIT 1	UNIT 1	1.86	0.21
UNIT 2	UNIT 2	19.81	1.83
UNIT 3	UNIT 3	19.81	1.83
UNIT 4	UNIT 4	36.31	3.47
UNIT 5	UNIT 5	49.29	3.95
UNIT 6	UNIT 6	39.73	3.80
UNIT 7	UNIT 7	186.82	17.68
UNIT 8	UNIT 8	13.06	1.24
UNIT 9	UNIT 9	34.14	3.29
UNIT 10	UNIT 10	34.87	3.33
UNIT 11	UNIT 11	17.24	1.66
UNIT 12	UNIT 12	29.15	2.80
UNIT 13	UNIT 13	1.88	0.18
UNIT 14	UNIT 14	13.59	1.29
UNIT 15	UNIT 15	24.87	2.38
UNIT 16	UNIT 16	48.20	4.63
UNIT 17	UNIT 17	48.20	4.63
UNIT 18	UNIT 18	19.22	1.84
UNIT 19	UNIT 19	220.90	21.11
UNIT 20	UNIT 20	7.92	0.76
UNIT 21	UNIT 21	15.21	1.46
UNIT 22	UNIT 22	15.21	1.46
UNIT 23	UNIT 23	15.21	1.46
UNIT 24	UNIT 24	15.21	1.46
UNIT 25	UNIT 25	15.21	1.46
UNIT 26	UNIT 26	15.21	1.46
UNIT 27	UNIT 27	15.21	1.46
UNIT 28	UNIT 28	15.21	1.46
UNIT 29	UNIT 29	15.21	1.46
UNIT 30	UNIT 30	15.21	1.46
UNIT 31	UNIT 31	15.21	1.46
UNIT 32	UNIT 32	15.21	1.46
UNIT 33	UNIT 33	15.21	1.46
UNIT 34	UNIT 34	15.21	1.46
UNIT 35	UNIT 35	15.21	1.46
UNIT 36	UNIT 36	15.21	1.46
UNIT 37	UNIT 37	15.21	1.46
UNIT 38	UNIT 38	15.21	1.46
UNIT 39	UNIT 39	15.21	1.46
UNIT 40	UNIT 40	15.21	1.46
UNIT 41	UNIT 41	15.21	1.46
UNIT 42	UNIT 42	15.21	1.46
UNIT 43	UNIT 43	15.21	1.46
UNIT 44	UNIT 44	15.21	1.46
UNIT 45	UNIT 45	15.21	1.46
UNIT 46	UNIT 46	15.21	1.46
UNIT 47	UNIT 47	15.21	1.46
UNIT 48	UNIT 48	15.21	1.46
UNIT 49	UNIT 49	15.21	1.46
UNIT 50	UNIT 50	15.21	1.46
UNIT 51	UNIT 51	15.21	1.46
UNIT 52	UNIT 52	15.21	1.46
UNIT 53	UNIT 53	15.21	1.46
UNIT 54	UNIT 54	15.21	1.46
UNIT 55	UNIT 55	15.21	1.46
UNIT 56	UNIT 56	15.21	1.46
UNIT 57	UNIT 57	15.21	1.46
UNIT 58	UNIT 58	15.21	1.46
UNIT 59	UNIT 59	15.21	1.46
UNIT 60	UNIT 60	15.21	1.46
UNIT 61	UNIT 61	15.21	1.46
UNIT 62	UNIT 62	15.21	1.46
UNIT 63	UNIT 63	15.21	1.46
UNIT 64	UNIT 64	15.21	1.46
UNIT 65	UNIT 65	15.21	1.46
UNIT 66	UNIT 66	15.21	1.46
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UNIT 69	UNIT 69	15.21	1.46
UNIT 70	UNIT 70	15.21	1.46
UNIT 71	UNIT 71	15.21	1.46
UNIT 72	UNIT 72	15.21	1.46
UNIT 73	UNIT 73	15.21	1.46
UNIT 74	UNIT 74	15.21	1.46
UNIT 75	UNIT 75	15.21	1.46
UNIT 76	UNIT 76	15.21	1.46
UNIT 77	UNIT 77	15.21	1.46
UNIT 78	UNIT 78	15.21	1.46
UNIT 79	UNIT 79	15.21	1.46
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UNIT 81	UNIT 81	15.21	1.46
UNIT 82	UNIT 82	15.21	1.46
UNIT 83	UNIT 83	15.21	1.46
UNIT 84	UNIT 84	15.21	1.46
UNIT 85	UNIT 85	15.21	1.46
UNIT 86	UNIT 86	15.21	1.46
UNIT 87	UNIT 87	15.21	1.46
UNIT 88	UNIT 88	15.21	1.46
UNIT 89	UNIT 89	15.21	1.46
UNIT 90	UNIT 90	15.21	1.46
UNIT 91	UNIT 91	15.21	1.46
UNIT 92	UNIT 92	15.21	1.46
UNIT 93	UNIT 93	15.21	1.46
UNIT 94	UNIT 94	15.21	1.46
UNIT 95	UNIT 95	15.21	1.46
UNIT 96	UNIT 96	15.21	1.46
UNIT 97	UNIT 97	15.21	1.46
UNIT 98	UNIT 98	15.21	1.46
UNIT 99	UNIT 99	15.21	1.46
UNIT 100	UNIT 100	15.21	1.46

DRAWING SCHEDULE	
SHEET No.	DESCRIPTION
1	DEVELOPMENT SUMMARY SHEET
2	PROPOSED FLOOR AREA CALCULATION PLAN
3	PROPOSED DEVELOPMENT FLOOR PLAN
4	PROPOSED DEVELOPMENT FLOOR PLAN
5	PROPOSED DEVELOPMENT FLOOR PLAN
6	PROPOSED DEVELOPMENT FLOOR PLAN
7	PROPOSED DEVELOPMENT FLOOR PLAN
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95	PROPOSED DEVELOPMENT FLOOR PLAN
96	PROPOSED DEVELOPMENT FLOOR PLAN
97	PROPOSED DEVELOPMENT FLOOR PLAN
98	PROPOSED DEVELOPMENT FLOOR PLAN
99	PROPOSED DEVELOPMENT FLOOR PLAN
100	PROPOSED DEVELOPMENT FLOOR PLAN

AREA	AREA (sqm)	PERCENTAGE (%)
UNIT 1	1.86	0.21
UNIT 2	19.81	1.83
UNIT 3	19.81	1.83
UNIT 4	36.31	3.47
UNIT 5	49.29	3.95
UNIT 6	39.73	3.80
UNIT 7	186.82	17.68
UNIT 8	13.06	1.24
UNIT 9	34.14	3.29
UNIT 10	34.87	3.33
UNIT 11	17.24	1.66
UNIT 12	29.15	2.80
UNIT 13	1.88	0.18
UNIT 14	13.59	1.29
UNIT 15	24.87	2.38
UNIT 16	48.20	4.63
UNIT 17	48.20	4.63
UNIT 18	19.22	1.84
UNIT 19	220.90	21.11
UNIT 20	7.92	0.76
UNIT 21	15.21	1.46
UNIT 22	15.21	1.46
UNIT 23	15.21	1.46
UNIT 24	15.21	1.46
UNIT 25	15.21	1.46
UNIT 26	15.21	1.46
UNIT 27	15.21	1.46
UNIT 28	15.21	1.46
UNIT 29	15.21	1.46
UNIT 30	15.21	1.46
UNIT 31	15.21	1.46
UNIT 32	15.21	1.46
UNIT 33	15.21	1.46
UNIT 34	15.21	1.46
UNIT 35	15.21	1.46
UNIT 36	15.21	1.46
UNIT 37	15.21	1.46
UNIT 38	15.21	1.46
UNIT 39	15.21	1.46
UNIT 40	15.21	1.46
UNIT 41	15.21	1.46
UNIT 42	15.21	1.46
UNIT 43	15.21	1.46
UNIT 44	15.21	1.46
UNIT 45	15.21	1.46
UNIT 46	15.21	1.46
UNIT 47	15.21	1.46
UNIT 48	15.21	1.46
UNIT 49	15.21	1.46
UNIT 50	15.21	1.46
UNIT 51	15.21	1.46
UNIT 52	15.21	1.46
UNIT 53	15.21	1.46
UNIT 54	15.21	1.46
UNIT 55	15.21	1.46
UNIT 56	15.21	1.46
UNIT 57	15.21	1.46
UNIT 58	15.21	1.46
UNIT 59	15.21	1.46
UNIT 60	15.21	1.46
UNIT 61	15.21	1.46
UNIT 62	15.21	1.46
UNIT 63	15.21	1.46
UNIT 64	15.21	1.46
UNIT 65	15.21	1.46
UNIT 66	15.21	1.46
UNIT 67	15.21	1.46
UNIT 68	15.21	1.46
UNIT 69	15.21	1.46
UNIT 70	15.21	1.46
UNIT 71	15.21	1.46
UNIT 72	15.21	1.46
UNIT 73	15.21	1.46
UNIT 74	15.21	1.46
UNIT 75	15.21	1.46
UNIT 76	15.21	1.46
UNIT 77	15.21	1.46
UNIT 78	15.21	1.46
UNIT 79	15.21	1.46
UNIT 80	15.21	1.46
UNIT 81	15.21	1.46
UNIT 82	15.21	1.46
UNIT 83	15.21	1.46
UNIT 84	15.21	1.46
UNIT 85	15.21	1.46
UNIT 86	15.21	1.46
UNIT 87	15.21	1.46
UNIT 88	15.21	1.46
UNIT 89	15.21	1.46
UNIT 90	15.21	1.46
UNIT 91	15.21	1.46
UNIT 92	15.21	1.46
UNIT 93	15.21	1.46
UNIT 94	15.21	1.46
UNIT 95	15.21	1.46
UNIT 96	15.21	1.46
UNIT 97	15.21	1.46
UNIT 98	15.21	1.46
UNIT 99	15.21	1.46
UNIT 100	15.21	1.46

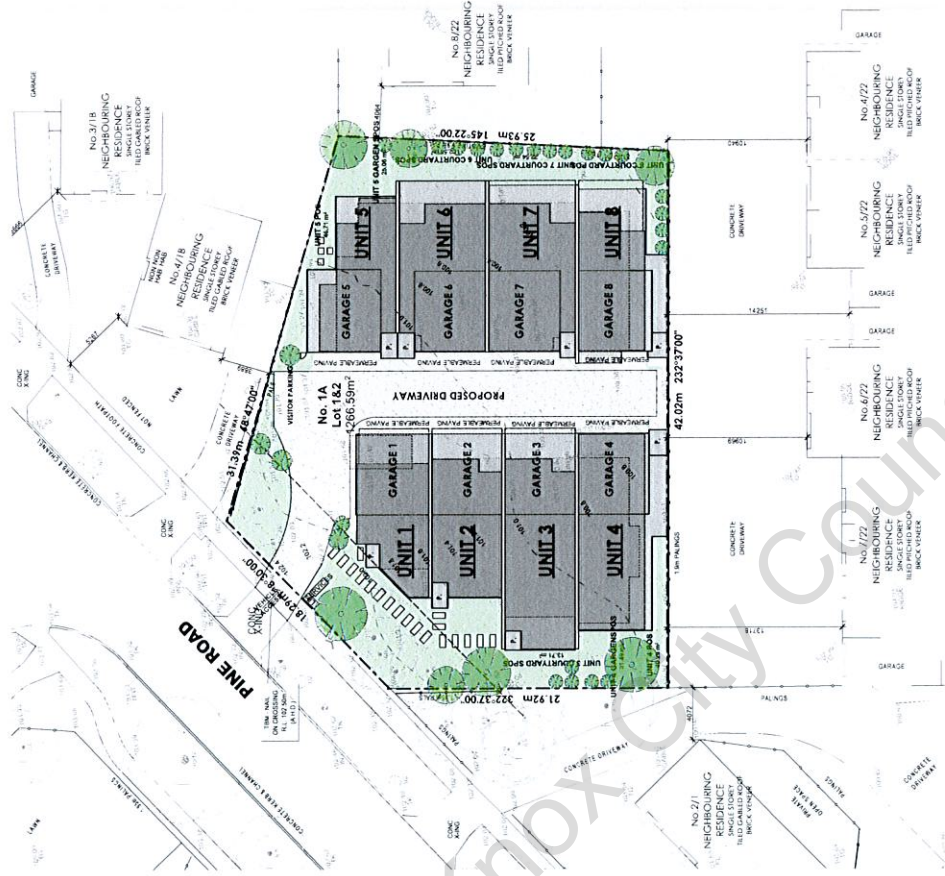


AREA ANALYSIS
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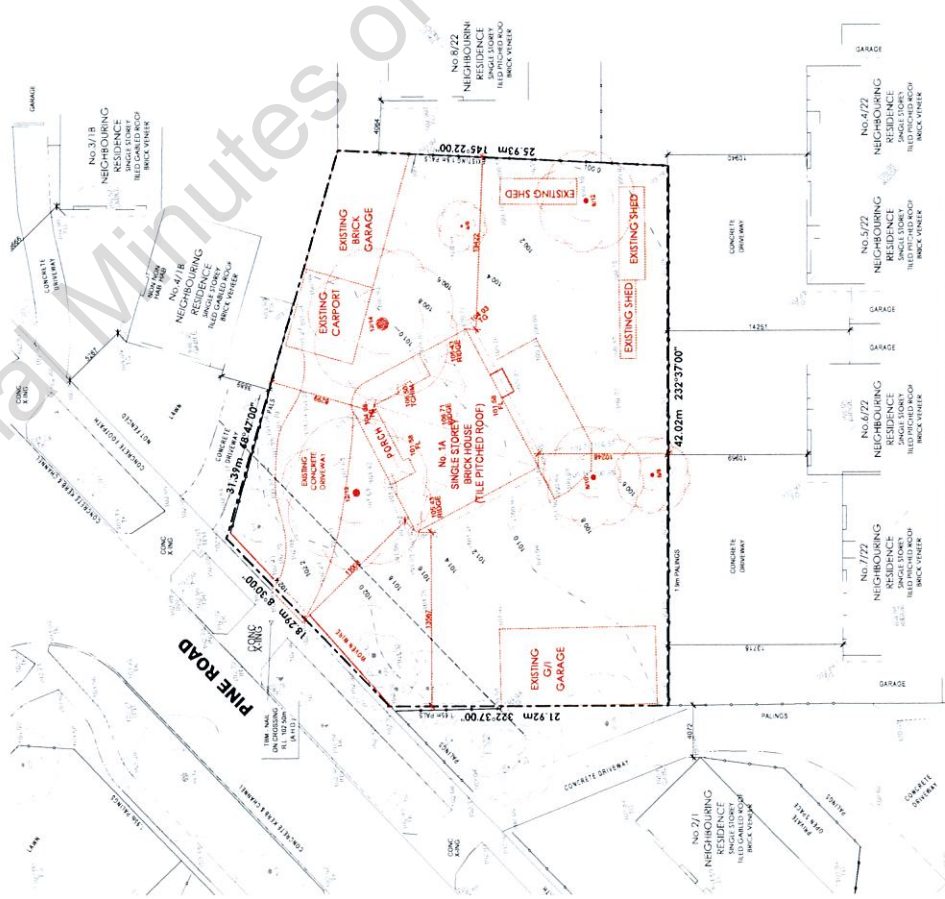
archiscope
BUILDING DESIGN & DRAFTING
Archiscope
P.O. Box 35
1400-005-316
Melbourne VIC 3000
www.archiscope.com.au

DIASIA DEVELOPMENT
JOB NO : 16042
STATUS : TOWN PLANNING DRAWINGS
DATE : 05-Apr-17
DRAWN BY : DIASIA DEVELOPMENT
CLIENT CONTACT : 0030 000 000
COUNCIL : KNOX CITY COUNCIL

SITE ADDRESS:
LOT 1A2 No. 1A
PINE ROAD
BAYSWATER VIC 3153



PROPOSED SITE PLAN
1:200



VEGETATION:
 INDICATES EXISTING VEGETATION TO BE REMOVED

DEMOLITION:
 EXISTING BUILDING, HARD SURFACES, CHIMNEY, SUEDE, AND UTILITY FACING TO BE REMOVED

Official Minutes of Knox City Council

1A PINE ROAD BAYSWATER APPENDIX C

DWELLING	FLOOR AREA	PROPOSED	SQUARES
UNIT 1	UNIT 1 PORCH		196
UNIT 1	UNIT 1 GARAGE		261
UNIT 1	UNIT 1 BALCONY		267
UNIT 1	UNIT 1 FIRST FLOOR		482
UNIT 1	UNIT 1 SECOND FLOOR		507
UNIT 2	UNIT 2 PORCH		236
UNIT 2	UNIT 2 BALCONY		277
UNIT 2	UNIT 2 GARAGE		342
UNIT 2	UNIT 2 FIRST FLOOR		375
UNIT 2	UNIT 2 SECOND FLOOR		460
UNIT 3	UNIT 3 PORCH		188
UNIT 3	UNIT 3 BALCONY		152
UNIT 3	UNIT 3 GARAGE		278
UNIT 3	UNIT 3 FIRST FLOOR		262
UNIT 3	UNIT 3 SECOND FLOOR		345
UNIT 4	UNIT 4 PORCH		242
UNIT 4	UNIT 4 BALCONY		242
UNIT 4	UNIT 4 GARAGE		345
UNIT 4	UNIT 4 FIRST FLOOR		375
UNIT 4	UNIT 4 SECOND FLOOR		460
UNIT 5	UNIT 5 PORCH		188
UNIT 5	UNIT 5 BALCONY		152
UNIT 5	UNIT 5 GARAGE		278
UNIT 5	UNIT 5 FIRST FLOOR		262
UNIT 5	UNIT 5 SECOND FLOOR		345
UNIT 6	UNIT 6 PORCH		242
UNIT 6	UNIT 6 BALCONY		242
UNIT 6	UNIT 6 GARAGE		345
UNIT 6	UNIT 6 FIRST FLOOR		375
UNIT 6	UNIT 6 SECOND FLOOR		460
UNIT 7	UNIT 7 PORCH		242
UNIT 7	UNIT 7 BALCONY		242
UNIT 7	UNIT 7 GARAGE		345
UNIT 7	UNIT 7 FIRST FLOOR		375
UNIT 7	UNIT 7 SECOND FLOOR		460
UNIT 8	UNIT 8 PORCH		242
UNIT 8	UNIT 8 BALCONY		242
UNIT 8	UNIT 8 GARAGE		345
UNIT 8	UNIT 8 FIRST FLOOR		375
UNIT 8	UNIT 8 SECOND FLOOR		460
UNIT 8	UNIT 8 COURT/YARD		194
UNIT 8	UNIT 8 BALCONY		154
UNIT 8	UNIT 8 GARAGE		270
UNIT 8	UNIT 8 FIRST FLOOR		311
UNIT 8	UNIT 8 SECOND FLOOR		416
UNIT 8	UNIT 8 BALCONY		456
UNIT 8	UNIT 8 COURT/YARD		508
UNIT 8	UNIT 8 GARAGE		554
UNIT 8	UNIT 8 FIRST FLOOR		600
UNIT 8	UNIT 8 SECOND FLOOR		705
UNIT 8	UNIT 8 BALCONY		751
UNIT 8	UNIT 8 COURT/YARD		806
UNIT 8	UNIT 8 GARAGE		852
UNIT 8	UNIT 8 FIRST FLOOR		907
UNIT 8	UNIT 8 SECOND FLOOR		1012
UNIT 8	UNIT 8 BALCONY		1058
UNIT 8	UNIT 8 COURT/YARD		1113
UNIT 8	UNIT 8 GARAGE		1169
UNIT 8	UNIT 8 FIRST FLOOR		1224
UNIT 8	UNIT 8 SECOND FLOOR		1329
UNIT 8	UNIT 8 BALCONY		1385
UNIT 8	UNIT 8 COURT/YARD		1440
UNIT 8	UNIT 8 GARAGE		1496
UNIT 8	UNIT 8 FIRST FLOOR		1551
UNIT 8	UNIT 8 SECOND FLOOR		1656
UNIT 8	UNIT 8 BALCONY		1712
UNIT 8	UNIT 8 COURT/YARD		1767
UNIT 8	UNIT 8 GARAGE		1823
UNIT 8	UNIT 8 FIRST FLOOR		1878
UNIT 8	UNIT 8 SECOND FLOOR		1983
UNIT 8	UNIT 8 BALCONY		2039
UNIT 8	UNIT 8 COURT/YARD		2094
UNIT 8	UNIT 8 GARAGE		2150
UNIT 8	UNIT 8 FIRST FLOOR		2205
UNIT 8	UNIT 8 SECOND FLOOR		2310
UNIT 8	UNIT 8 BALCONY		2366
UNIT 8	UNIT 8 COURT/YARD		2421
UNIT 8	UNIT 8 GARAGE		2477
UNIT 8	UNIT 8 FIRST FLOOR		2532
UNIT 8	UNIT 8 SECOND FLOOR		2637
UNIT 8	UNIT 8 BALCONY		2693
UNIT 8	UNIT 8 COURT/YARD		2748
UNIT 8	UNIT 8 GARAGE		2804
UNIT 8	UNIT 8 FIRST FLOOR		2859
UNIT 8	UNIT 8 SECOND FLOOR		2964
UNIT 8	UNIT 8 BALCONY		3020
UNIT 8	UNIT 8 COURT/YARD		3075
UNIT 8	UNIT 8 GARAGE		3131
UNIT 8	UNIT 8 FIRST FLOOR		3186
UNIT 8	UNIT 8 SECOND FLOOR		3291
UNIT 8	UNIT 8 BALCONY		3347
UNIT 8	UNIT 8 COURT/YARD		3402
UNIT 8	UNIT 8 GARAGE		3458
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UNIT 8	UNIT 8 SECOND FLOOR		3618
UNIT 8	UNIT 8 BALCONY		3674
UNIT 8	UNIT 8 COURT/YARD		3729
UNIT 8	UNIT 8 GARAGE		3785
UNIT 8	UNIT 8 FIRST FLOOR		3840
UNIT 8	UNIT 8 SECOND FLOOR		3945
UNIT 8	UNIT 8 BALCONY		4001
UNIT 8	UNIT 8 COURT/YARD		4056
UNIT 8	UNIT 8 GARAGE		4112
UNIT 8	UNIT 8 FIRST FLOOR		4167
UNIT 8	UNIT 8 SECOND FLOOR		4272
UNIT 8	UNIT 8 BALCONY		4328
UNIT 8	UNIT 8 COURT/YARD		4383
UNIT 8	UNIT 8 GARAGE		4439
UNIT 8	UNIT 8 FIRST FLOOR		4494
UNIT 8	UNIT 8 SECOND FLOOR		4600
UNIT 8	UNIT 8 BALCONY		4655
UNIT 8	UNIT 8 COURT/YARD		4711
UNIT 8	UNIT 8 GARAGE		4766
UNIT 8	UNIT 8 FIRST FLOOR		4822
UNIT 8	UNIT 8 SECOND FLOOR		4927
UNIT 8	UNIT 8 BALCONY		4983
UNIT 8	UNIT 8 COURT/YARD		5038
UNIT 8	UNIT 8 GARAGE		5094
UNIT 8	UNIT 8 FIRST FLOOR		5149
UNIT 8	UNIT 8 SECOND FLOOR		5254
UNIT 8	UNIT 8 BALCONY		5310
UNIT 8	UNIT 8 COURT/YARD		5365
UNIT 8	UNIT 8 GARAGE		5421
UNIT 8	UNIT 8 FIRST FLOOR		5476
UNIT 8	UNIT 8 SECOND FLOOR		5581
UNIT 8	UNIT 8 BALCONY		5637
UNIT 8	UNIT 8 COURT/YARD		5692
UNIT 8	UNIT 8 GARAGE		5748
UNIT 8	UNIT 8 FIRST FLOOR		5803
UNIT 8	UNIT 8 SECOND FLOOR		5908
UNIT 8	UNIT 8 BALCONY		5964
UNIT 8	UNIT 8 COURT/YARD		6019
UNIT 8	UNIT 8 GARAGE		6075
UNIT 8	UNIT 8 FIRST FLOOR		6130
UNIT 8	UNIT 8 SECOND FLOOR		6235
UNIT 8	UNIT 8 BALCONY		6291
UNIT 8	UNIT 8 COURT/YARD		6346
UNIT 8	UNIT 8 GARAGE		6402
UNIT 8	UNIT 8 FIRST FLOOR		6457
UNIT 8	UNIT 8 SECOND FLOOR		6562
UNIT 8	UNIT 8 BALCONY		6618
UNIT 8	UNIT 8 COURT/YARD		6673
UNIT 8	UNIT 8 GARAGE		6729
UNIT 8	UNIT 8 FIRST FLOOR		6784
UNIT 8	UNIT 8 SECOND FLOOR		6889
UNIT 8	UNIT 8 BALCONY		6945
UNIT 8	UNIT 8 COURT/YARD		7000
UNIT 8	UNIT 8 GARAGE		7056
UNIT 8	UNIT 8 FIRST FLOOR		7111
UNIT 8	UNIT 8 SECOND FLOOR		7216
UNIT 8	UNIT 8 BALCONY		7272
UNIT 8	UNIT 8 COURT/YARD		7327
UNIT 8	UNIT 8 GARAGE		7383
UNIT 8	UNIT 8 FIRST FLOOR		7438
UNIT 8	UNIT 8 SECOND FLOOR		7543
UNIT 8	UNIT 8 BALCONY		7600
UNIT 8	UNIT 8 COURT/YARD		7655
UNIT 8	UNIT 8 GARAGE		7711
UNIT 8	UNIT 8 FIRST FLOOR		7766
UNIT 8	UNIT 8 SECOND FLOOR		7871
UNIT 8	UNIT 8 BALCONY		7927
UNIT 8	UNIT 8 COURT/YARD		7982
UNIT 8	UNIT 8 GARAGE		8038
UNIT 8	UNIT 8 FIRST FLOOR		8093
UNIT 8	UNIT 8 SECOND FLOOR		8198
UNIT 8	UNIT 8 BALCONY		8254
UNIT 8	UNIT 8 COURT/YARD		8309
UNIT 8	UNIT 8 GARAGE		8365
UNIT 8	UNIT 8 FIRST FLOOR		8420
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UNIT 8	UNIT 8 BALCONY		8581
UNIT 8	UNIT 8 COURT/YARD		8636
UNIT 8	UNIT 8 GARAGE		8692
UNIT 8	UNIT 8 FIRST FLOOR		8747
UNIT 8	UNIT 8 SECOND FLOOR		8852
UNIT 8	UNIT 8 BALCONY		8908
UNIT 8	UNIT 8 COURT/YARD		8963
UNIT 8	UNIT 8 GARAGE		9019
UNIT 8	UNIT 8 FIRST FLOOR		9074
UNIT 8	UNIT 8 SECOND FLOOR		9179
UNIT 8	UNIT 8 BALCONY		9235
UNIT 8	UNIT 8 COURT/YARD		9290
UNIT 8	UNIT 8 GARAGE		9346
UNIT 8	UNIT 8 FIRST FLOOR		9401
UNIT 8	UNIT 8 SECOND FLOOR		9506
UNIT 8	UNIT 8 BALCONY		9562
UNIT 8	UNIT 8 COURT/YARD		9617
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UNIT 8	UNIT 8 SECOND FLOOR		9833
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UNIT 8	UNIT 8 COURT/YARD		9944
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UNIT 8	UNIT 8 SECOND FLOOR		10160
UNIT 8	UNIT 8 BALCONY		10216
UNIT 8	UNIT 8 COURT/YARD		10271
UNIT 8	UNIT 8 GARAGE		10327
UNIT 8	UNIT 8 FIRST FLOOR		10382
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UNIT 8	UNIT 8 BALCONY		10543
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UNIT 8	UNIT 8 COURT/YARD		10925
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UNIT 8	UNIT 8 FIRST FLOOR		12344
UNIT 8	UNIT 8 SECOND FLOOR		12449
UNIT 8	UNIT 8 BALCONY		12505
UNIT 8	UNIT 8 COURT/YARD		12560
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UNIT 8	UNIT 8 GARAGE		13272
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UNIT 8	UNIT 8 FIRST FLOOR		14963
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UNIT 8	UNIT 8 SECOND FLOOR		16703
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UNIT 8	UNIT 8 BALCONY		17086
UNIT 8	UNIT 8 COURT/YARD		17141
UNIT 8	UNIT 8 GARAGE		17197
UNIT 8	UNIT 8 FIRST FLOOR		17252
UNIT 8	UNIT 8 SECOND FLOOR		17357
UNIT 8	UNIT 8 BALCONY		17413
UNIT 8	UNIT 8 COURT/YARD		17468
UNIT 8	UNIT 8 GARAGE		17524
UNIT 8	UNIT 8 FIRST FLOOR		17579
UNIT 8	UNIT 8 SECOND FLOOR		17684
UNIT 8	UNIT 8 BALCONY		17740
UNIT 8	UNIT 8 COURT/YARD		17795
UNIT 8	UNIT 8 GARAGE		17851
UNIT 8	UNIT 8 FIRST FLOOR		17906
UNIT 8	UNIT 8 SECOND FLOOR		18011
UNIT 8	UNIT 8 BALCONY		18067
UNIT 8	UNIT 8 COURT/YARD		18122
UNIT 8	UNIT 8 GARAGE		18178
UNIT 8	UNIT 8 FIRST FLOOR		18233
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UNIT 8	UNIT 8 BALCONY		18394
UNIT 8	UNIT 8 COURT/YARD		18449
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UNIT 8	UNIT 8 SECOND FLOOR		18665
UNIT 8	UNIT 8 BALCONY		18721
UNIT 8	UNIT 8 COURT/YARD		18776
UNIT 8	UNIT 8 GARAGE		18832
UNIT 8	UNIT 8 FIRST F		



No. 3/18
NEIGHBOURING
RESIDENCE
BUILT CARLETON
BRICK VENEER

No. 4/18
NEIGHBOURING
RESIDENCE
BUILT CARLETON
BRICK VENEER

No. 8/22
NEIGHBOURING
RESIDENCE
BUILT CARLETON
BRICK VENEER

PROPOSED FIRST FLOOR
1:100

PINE ROAD

No. 2/1
NEIGHBOURING
RESIDENCE
BUILT CARLETON
BRICK VENEER



No. 3/1B
NEIGHBOURING
RESIDENCE
RED CARPET ROOM
BLACK STAIRS

No. 4/1B
NEIGHBOURING
RESIDENCE
RED CARPET ROOM
BLACK STAIRS

No. 8/2/1
NEIGHBOURING
RESIDENCE
SINGLE STOREY
BLACK STAIRS

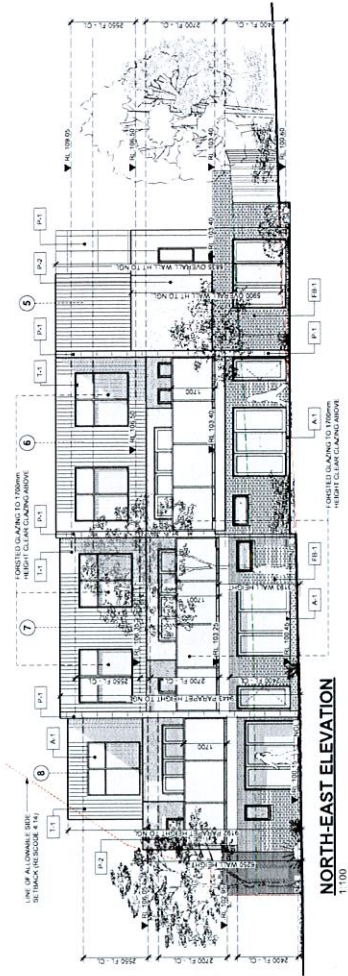
TM 1:100
ON CROSSING
R/L 100.50m
(A.1.1)

No. 2/1
NEIGHBOURING
RESIDENCE
RED CARPET ROOM
BLACK STAIRS

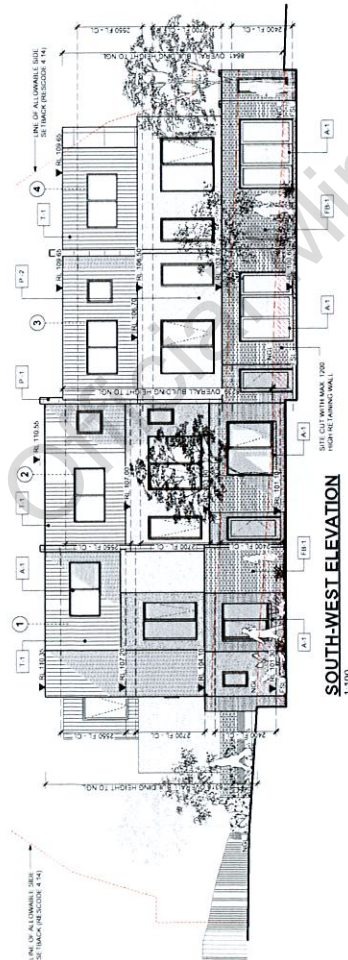
PROPOSED SECOND FLOOR
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FINISHES SCHEDULE

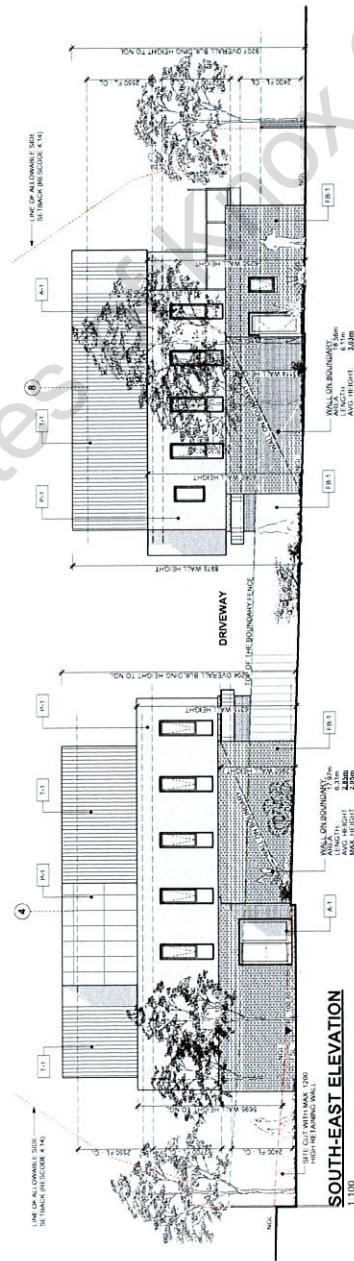
T-1	SELECTED VERTICAL TIMBER CLADDING
FB-1	FACE BRICKWORK (PORTLAND CEMENT)
P-1	PAVE (HARDWARE STORE)
P-2	PAVE (PARKING)
GD-1	GLASS ROLES DOOR WITH COLOURED GLASS
GP-1	GLASS PANELS IN MONUMENT
A-1	ALUMINIUM FINISHES FRAME S IN MONUMENT
RT-1	MASONRY REPAIRING WALL CEMENT TO BE SELECTED



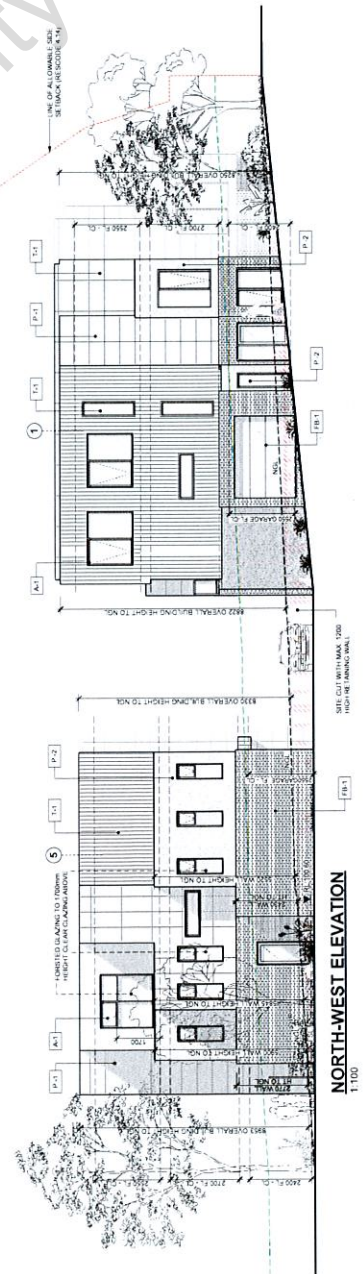
SOUTH-WEST ELEVATION
1:100



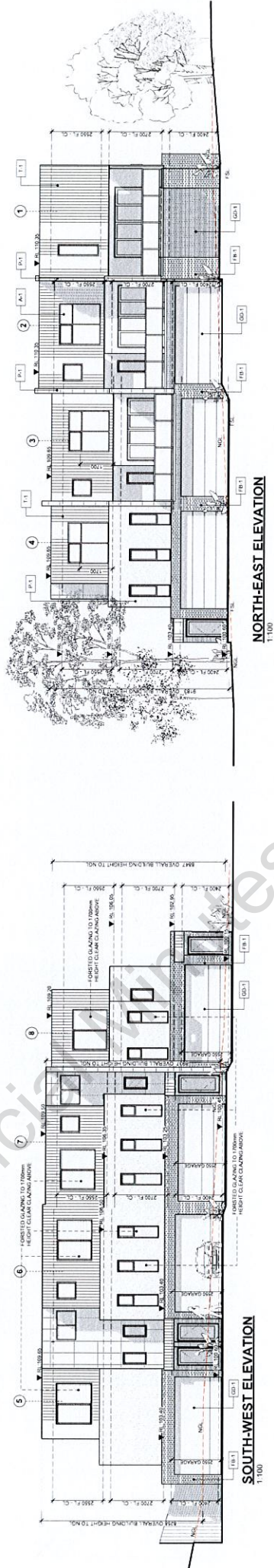
SOUTH-EAST ELEVATION
1:100



NORTH-EAST ELEVATION
1:100

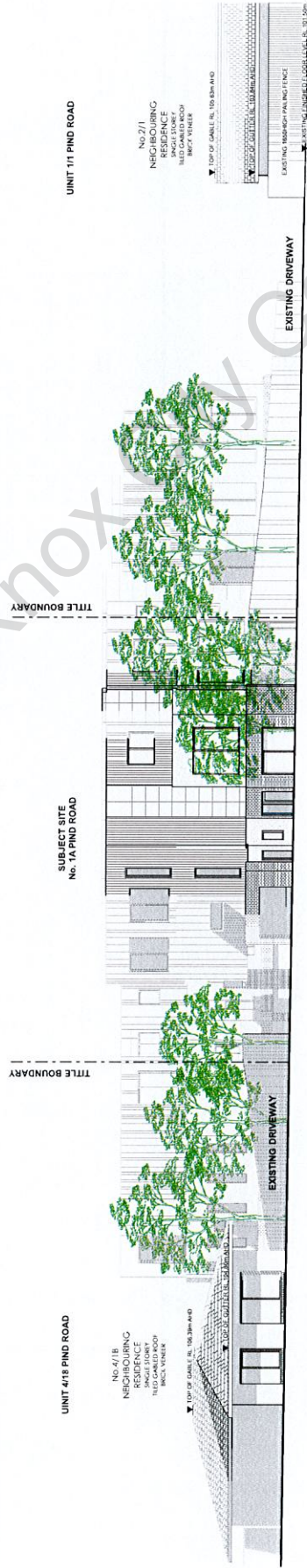


NORTH-WEST ELEVATION
1:100

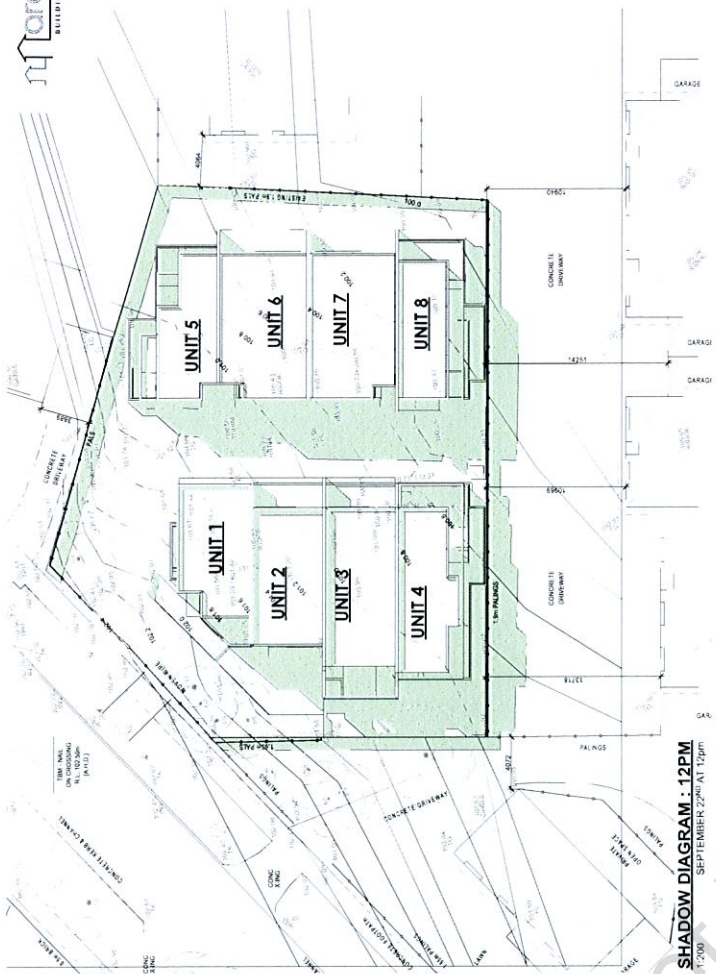


FINISHES SCHEDULE

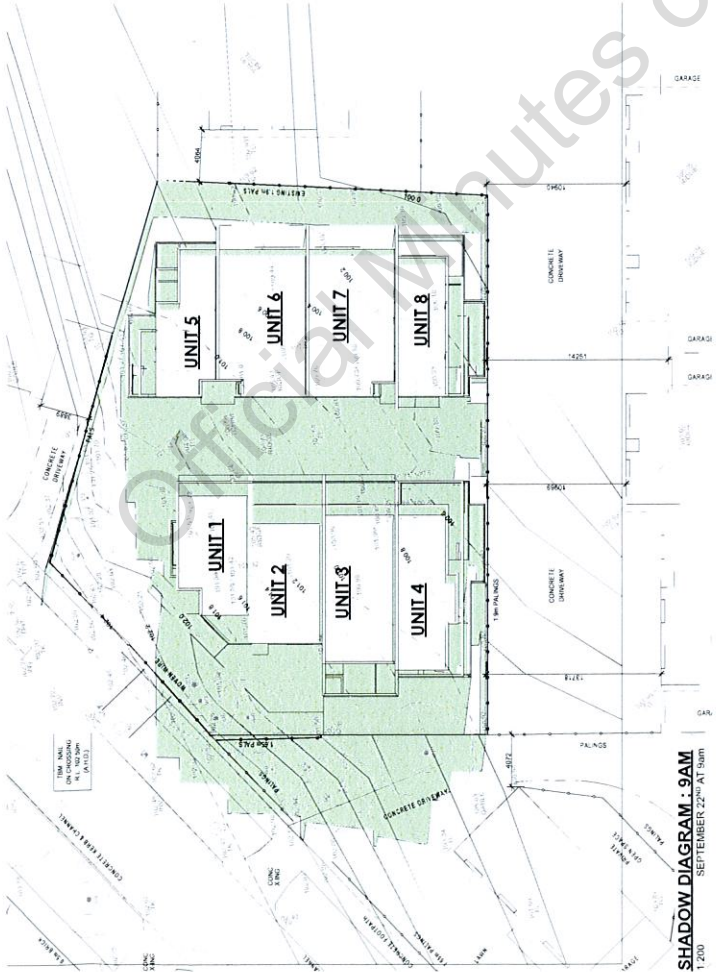
T-1	SELECTED VERTICAL TIMBER CLADDING
FB-1	FACE BRICKWORK (POPCARLE BRICK)
P-1	JAMES MARBLE SKYCON WATER IN GRY COLOUR
P-2	CEMENT RENDER DUELA NATURAL WHITE PAINT FINISH
GD-1	MONUMENTAL GROUND FLOOR
CP-1	PAINTING TO ALL PARAPET ROOFING
A-1	ALUMINUM WINDOWS PAINTED IN NEUTRAL
RT-1	CONCRETE ROOFING WALL COLOUR TO BE DETERMINED



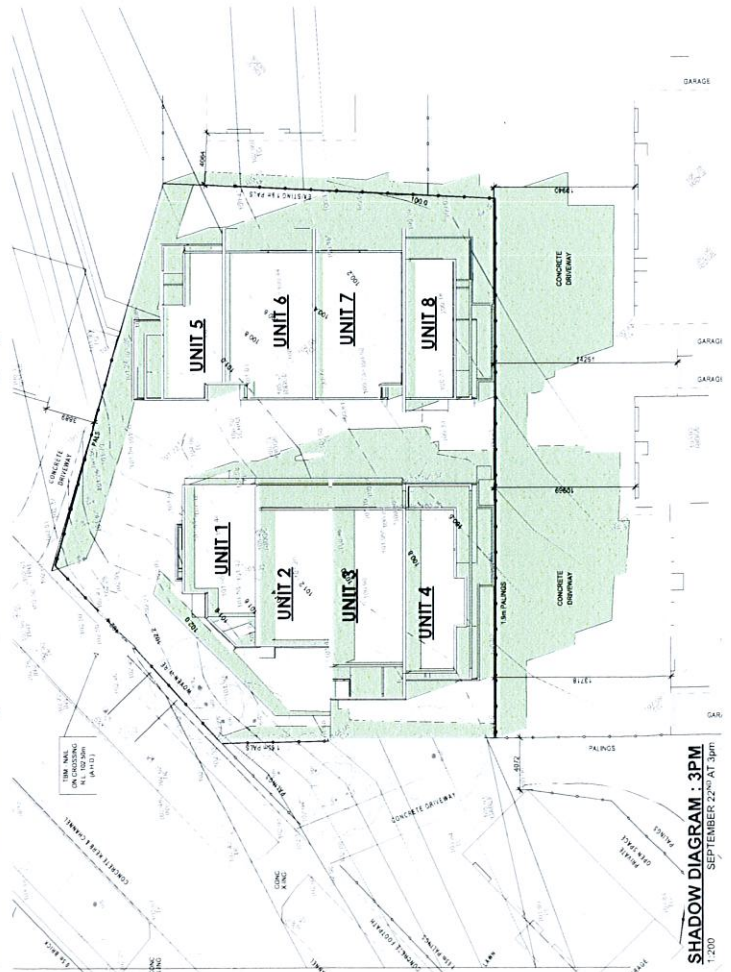
Official Records of Knox City Council



SHADOW DIAGRAM : 12PM
1:200 SEPTEMBER 22ND AT 12.00m



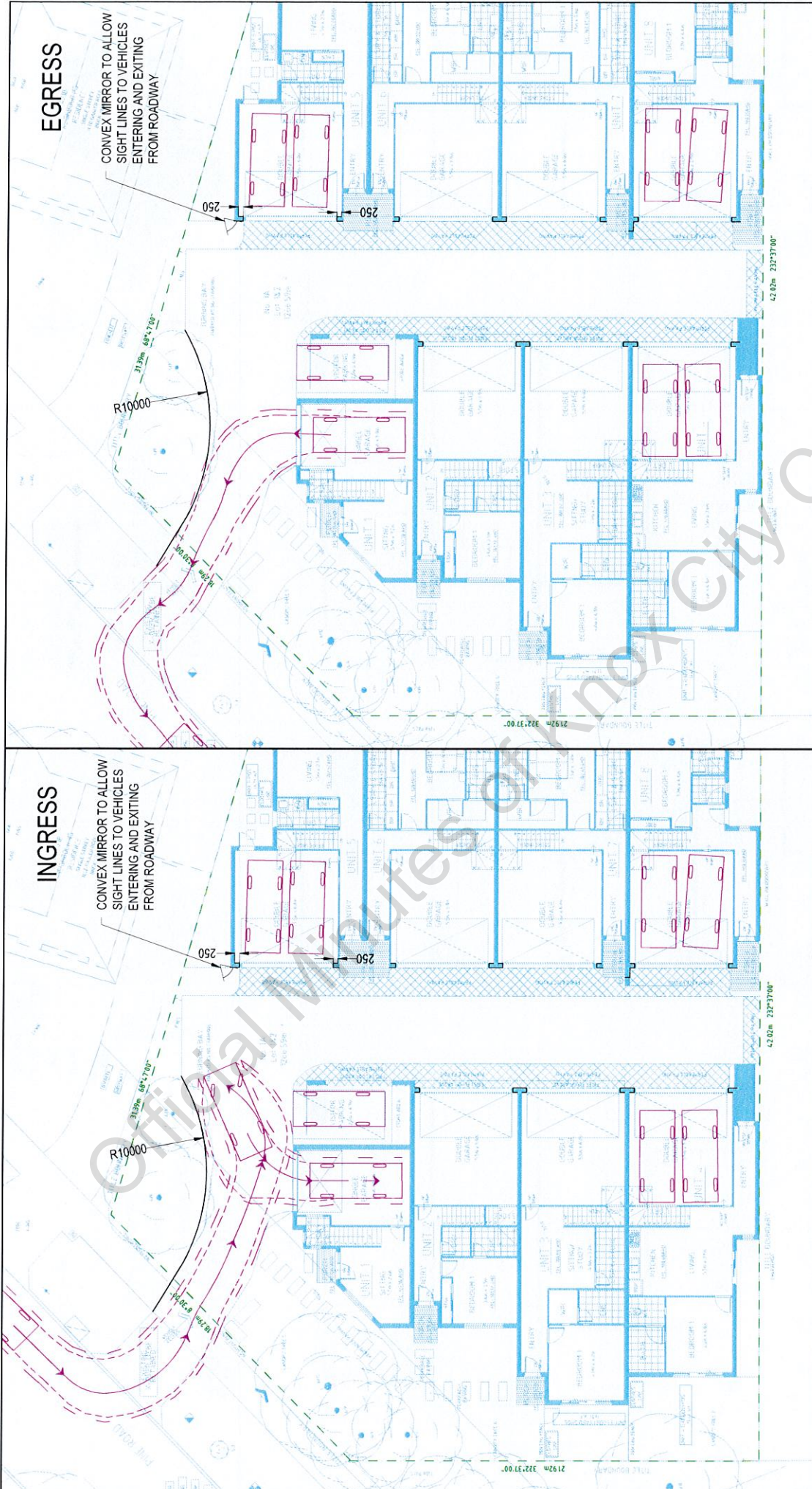
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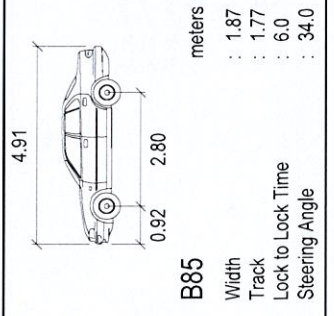
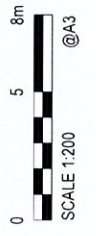
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Official Minutes of Knox City Council

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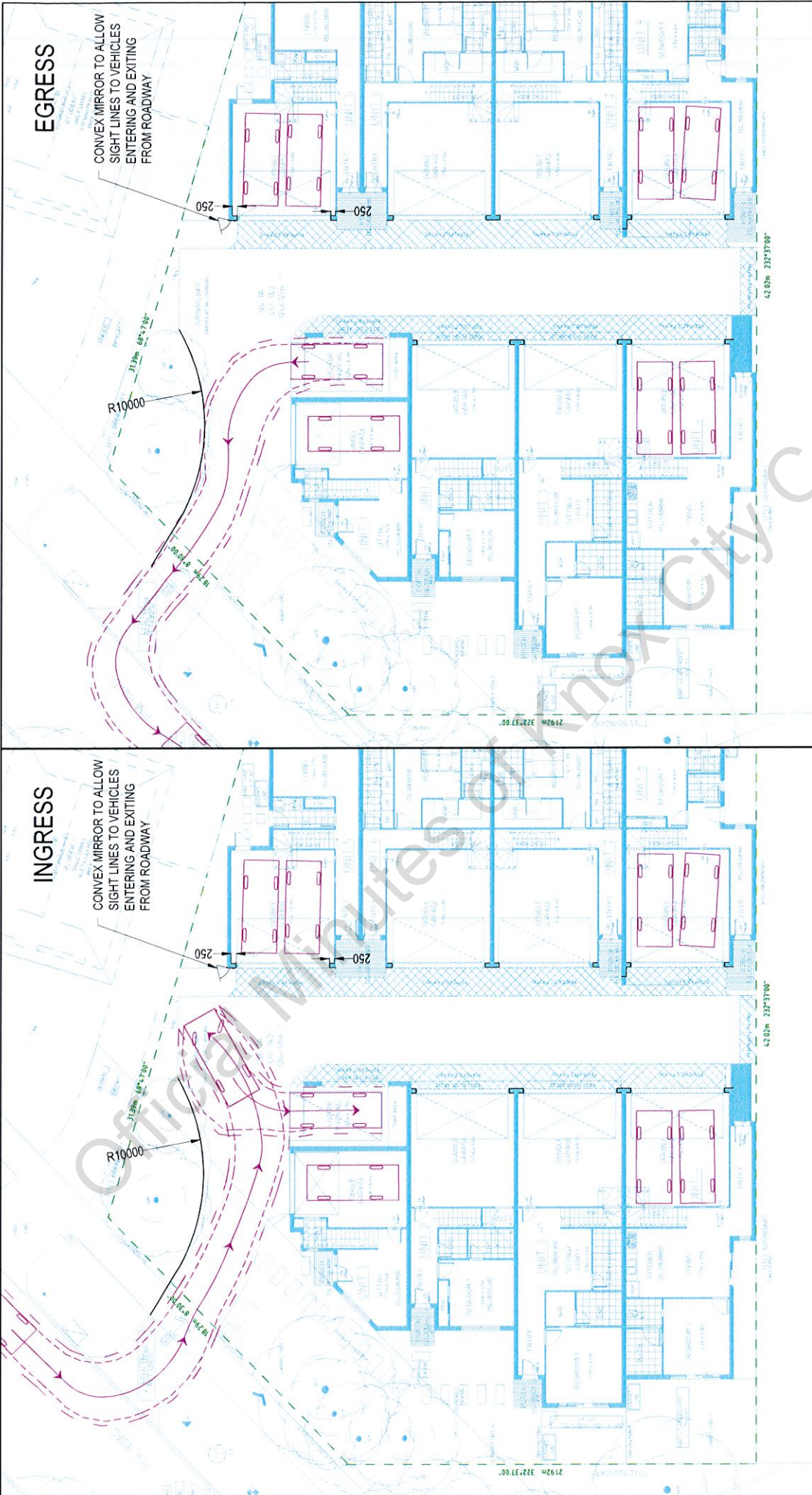


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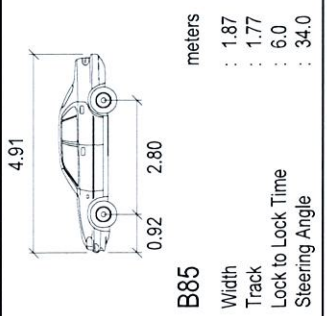
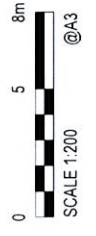
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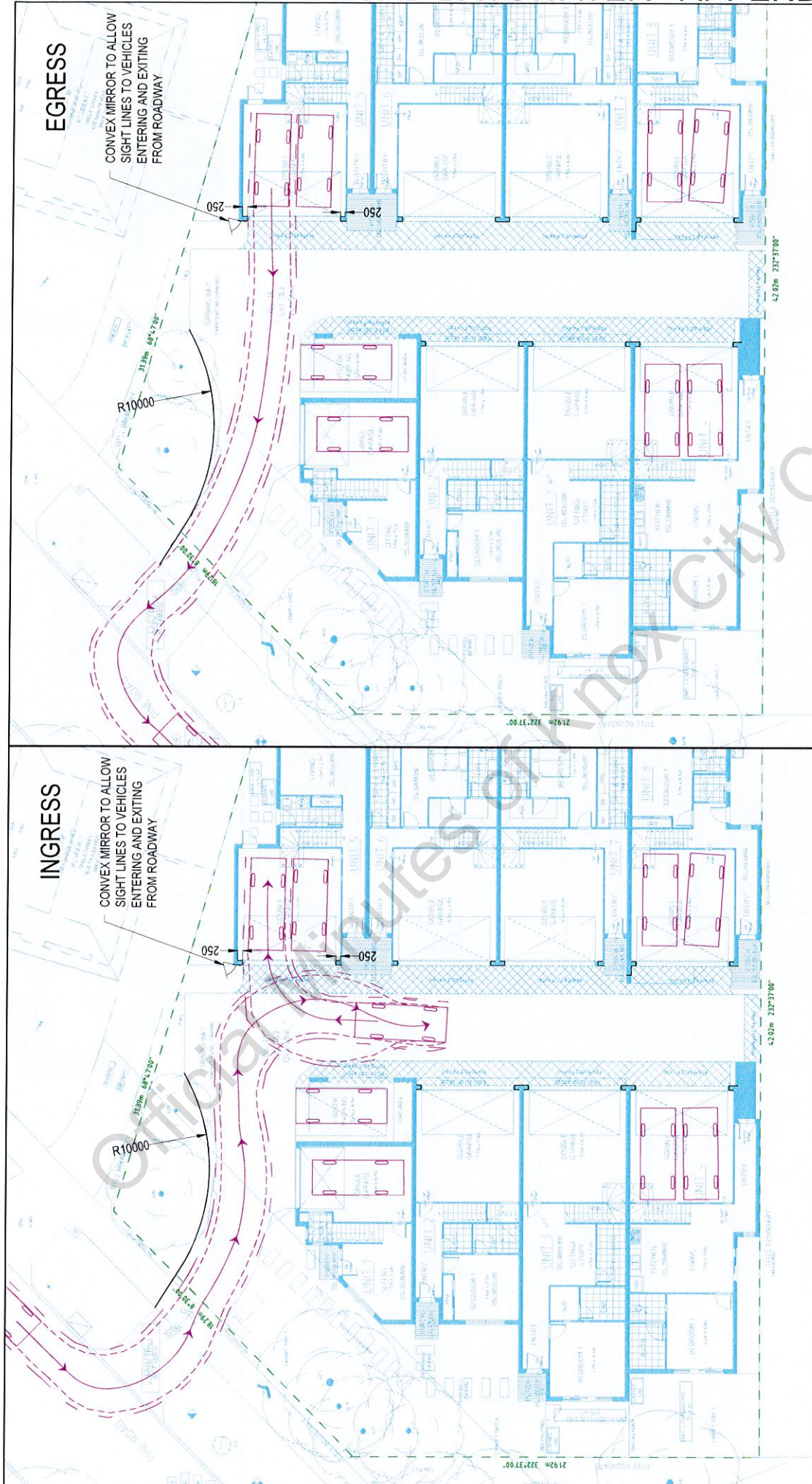


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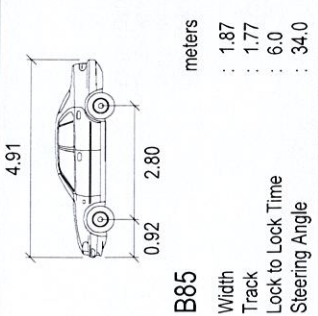
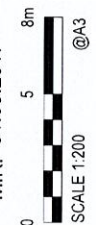
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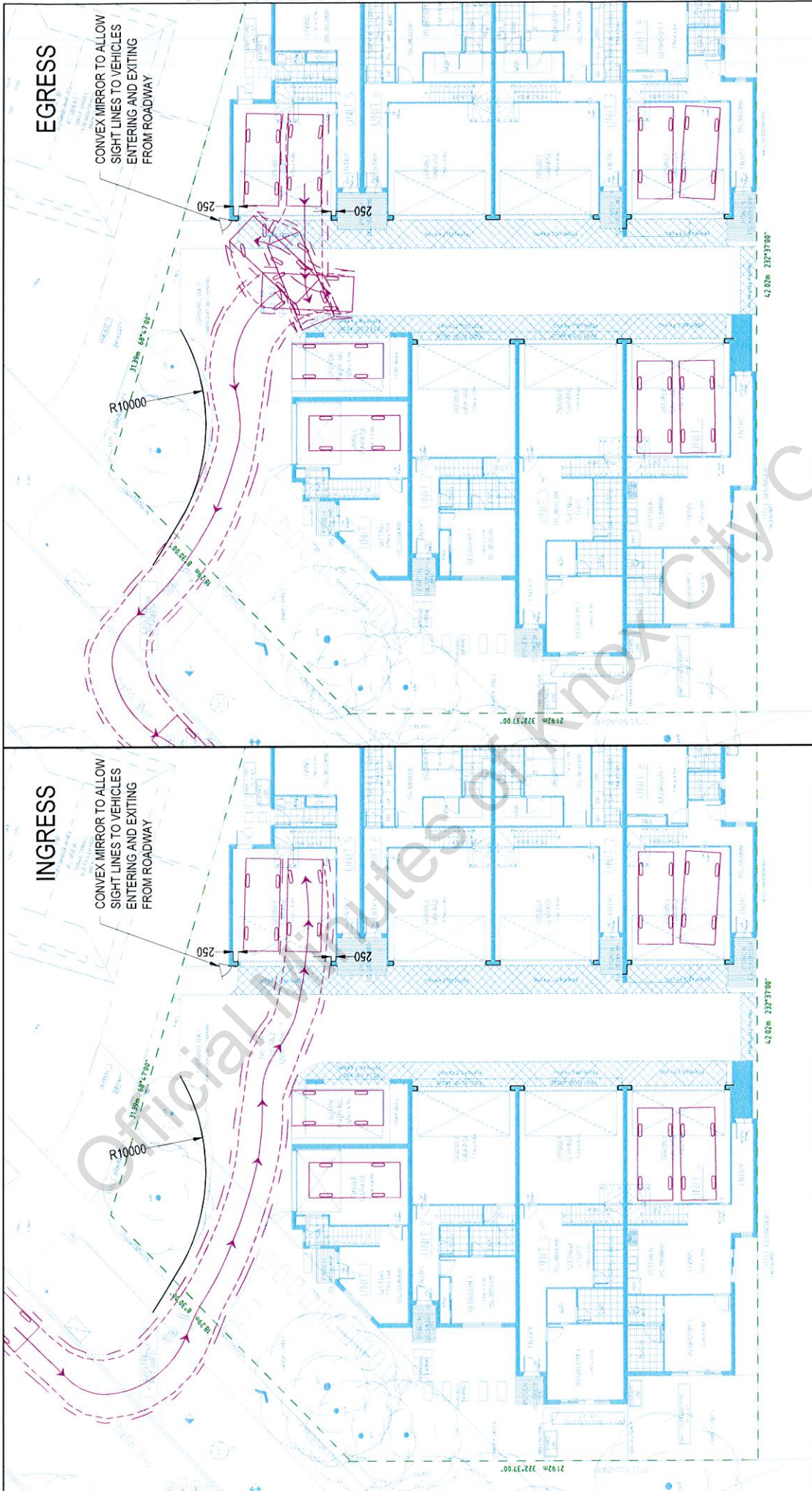
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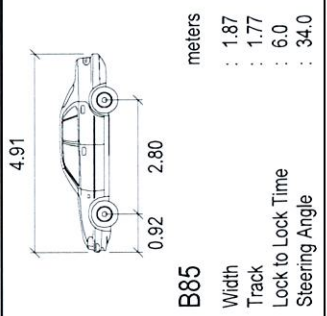
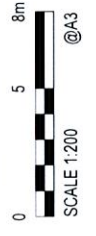
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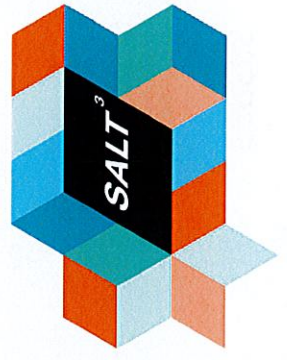
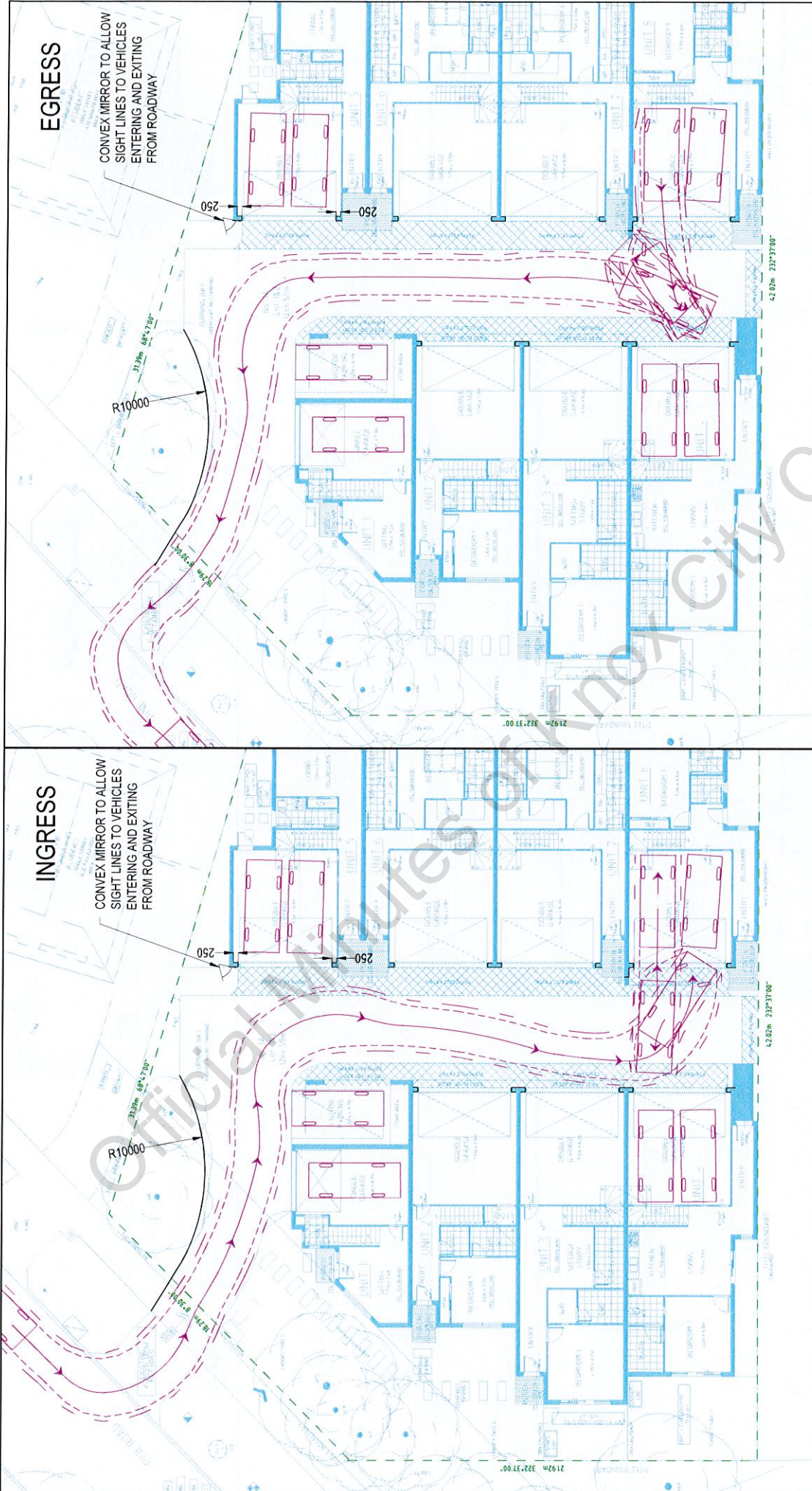


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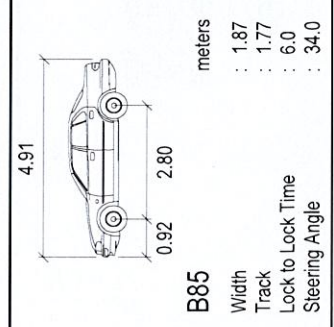
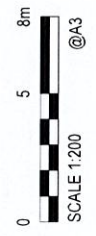
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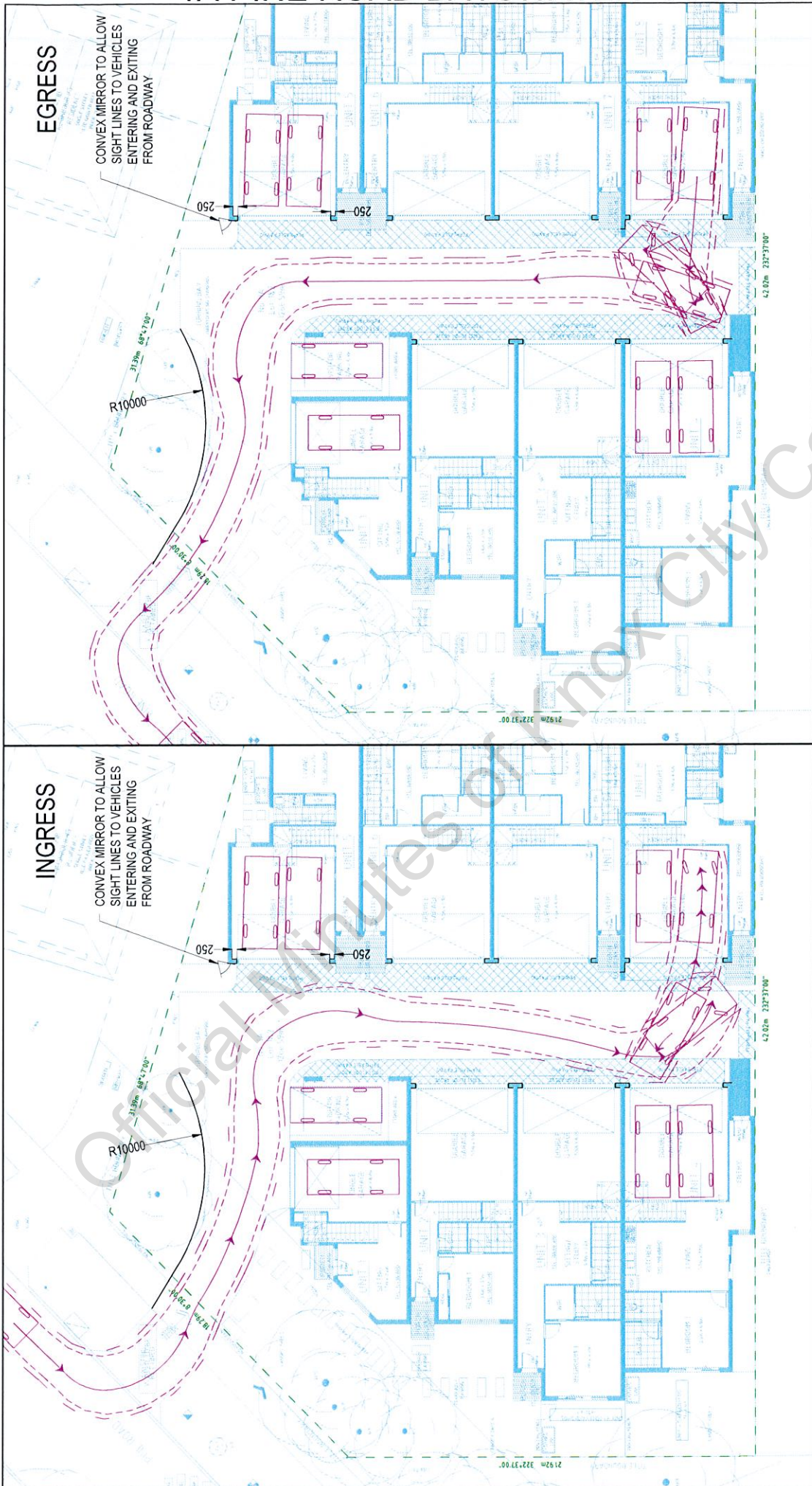
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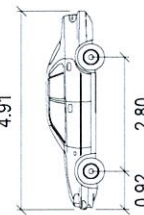
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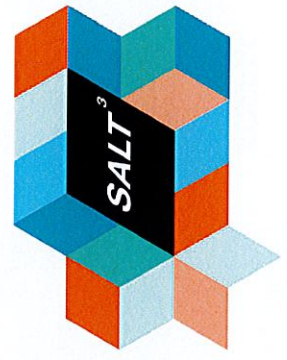
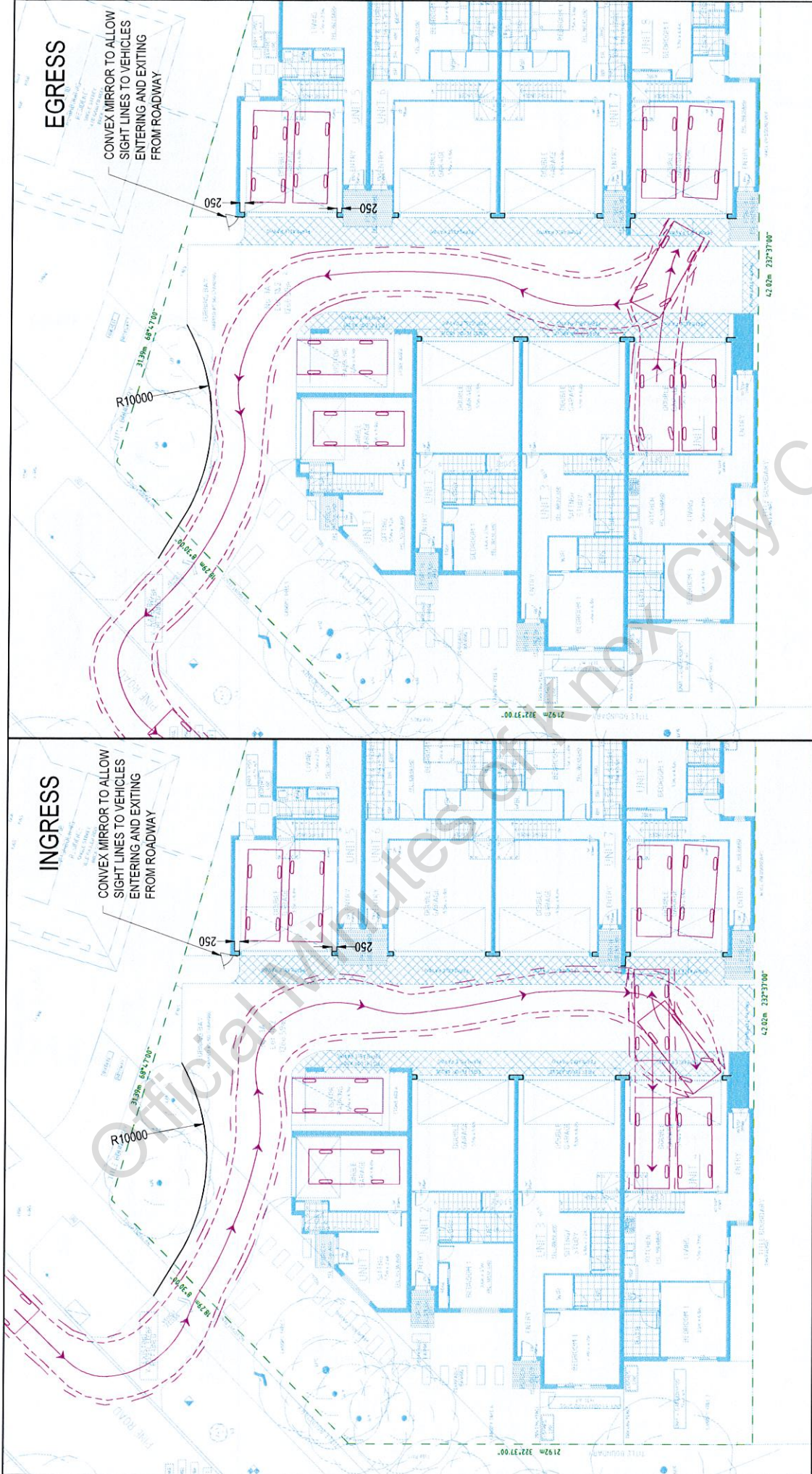
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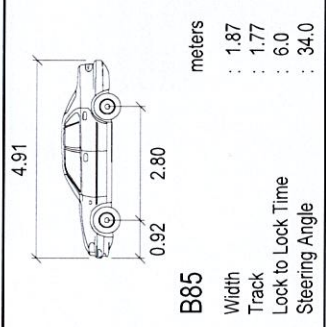
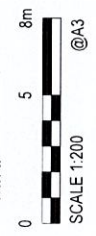
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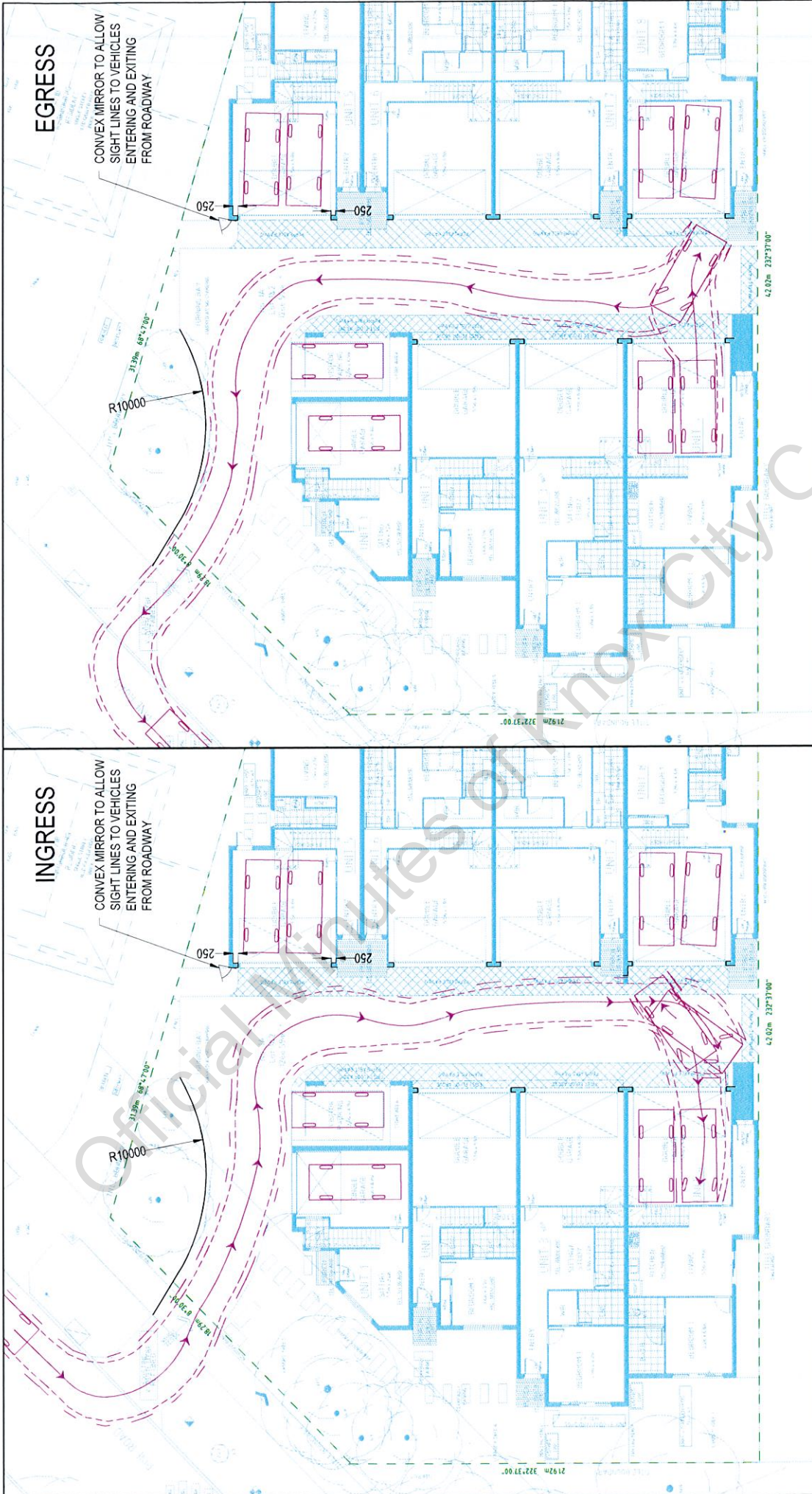
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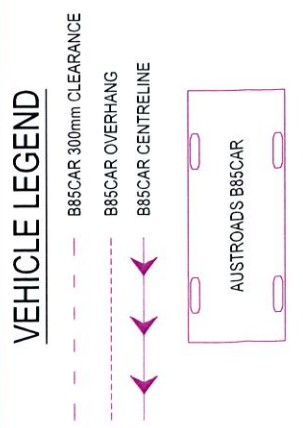
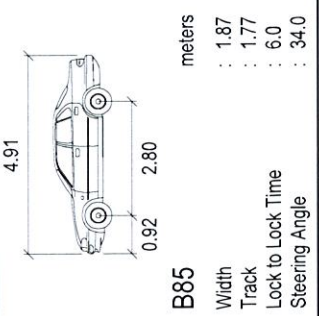
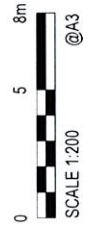
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ALL WARDS

6.4 AMENDMENT C150 TO THE KNOX PLANNING SCHEME – PLANNING SCHEME REWRITE – CONSIDERATION OF PLANNING PANEL REPORT

SUMMARY: *Senior Strategic Planner (Susan Thompson)*

Amendment C150 to the Knox Planning Scheme seeks to implement the recommendations of the Planning Scheme Review 2015, by rewriting the local content of the Knox Planning Scheme, including a new Municipal Strategic Statement, new local policies and other revised local content.

The Amendment was placed on exhibition in August/September 2016, and 16 submissions were received. A panel hearing was held from 27 February to 3 March 2017 to consider the submissions.

This report outlines the recommendations of the Planning Panel report which considers that the amendment is well founded and strategically justified, and should be supported subject to some changes.

This report recommends that Amendment C150 be adopted by Council in accordance with the Panel's recommendations and with some minor changes to reflect the updated Plan Melbourne 2017-2050, and be submitted to the Minister for Planning for approval.

RECOMMENDATIONS

That Council:

1. Note and accept all recommendations of the Panel Report for Amendment C150 (Appendix A);
2. Adopt Amendment C150 to the Knox Planning Scheme in the form attached as Appendix B;
3. Submit the adopted Amendment C150 to the Minister for Planning for approval;
4. Authorise the Director - City Development to make any minor changes required to Amendment C150 documentation for approval by the Minister for Planning, provided these are consistent with the intent of the adopted Amendment; and,
5. Notify the submitters to Amendment C150 of Council's decision.

1. INTRODUCTION

The Knox Planning Scheme guides and regulates land use and development in the City of Knox. It is the framework (used by Council and VCAT) to make decisions on planning permit applications and planning scheme amendment requests.

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

Amendment C150 implements the key recommendations of the *Knox Planning Scheme Review* (adopted by Council in May 2015), which was required to be completed under section 12 of the *Planning and Environment Act 1987* ('the Act').

A summary of the key features of Amendment C150 are:

- Introduces a new and restructured Municipal Strategic Statement (MSS) to improve clarity and strategic direction for Knox;
- Introduces four new local policies into the Knox Planning Scheme to address specific policy gaps:
 - *Advertising Signs Policy*
 - *Non-Residential Uses in Residential Areas Policy*
 - *Environmentally Sustainable Development Policy*
 - *Gaming Policy*
- Aligns Council's land use and development planning framework with Council's key corporate strategic directions (eg: Knox Vision, City Plan and Integrated City Strategy, and other relevant Council plans and strategies recently adopted, such as the Integrated Transport Strategy);
- Elevates and strengthens Council's place-based policies and structure planning outcomes in specific local areas, by introducing a new "Local Areas" section into the Municipal Strategic Statement;
- Raises the profile of liveability, social impact and community health and wellbeing issues in decisions on planning applications and planning scheme amendments;
- Introduces new content relating to environmental risks to provide local context for Knox in implementing State policy on issues including bushfire, land use conflict, closed landfills, climate change resilience and potentially contaminated land;
- Improves efficiencies and reduces complexity by cutting red tape for planning scheme users, particularly for less complex applications triggered by overlay controls within the Dandenong Foothills;
- Removes the Significant Landscape Overlay Schedule 5 from the Carrington and Rathgar Road residential estates in Lysterfield, as these estates are now fully developed and do not have the same landscape or environmental character as other parts of the Dandenong Foothills;
- Makes minor changes to some overlay schedules to improve consistency of permit triggers and decision guidelines, and to make the permit process more efficient;
- Updates details on all reference documents which inform and support local content of the planning scheme;

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

- Removes repetition and unnecessary detail, and provides a more concise and logical structure for the community to follow and understand.
- Better aligns the Local Planning Policy Framework with the State Planning Policy Framework; and,
- Reflects best practice planning policy.

2. DISCUSSION

2.1 Recommendations of the Planning Panel

The Panel Report for Amendment C150 has now been received (refer Appendix A).

In summary the Planning Panel concluded that the amendment was well founded and strategically justified, and stated:

“Knox Planning Scheme Amendment C150 (the Amendment) seeks to implement the findings of the Knox Planning Scheme Review Report 2015. The Review report forms a solid foundation for implementing changes to the Knox Planning Scheme to improve its strategic direction, policy implementation and overall operation. The report factored in the Knox Housing Strategy 2015 and the planning scheme amendment which implemented its findings.

The Amendment was exhibited from 8 August to 19 September 2016 and received 16 submissions and a further later submission from an existing submitter. Key issues raised in submissions related to bushfire management, environmental issues, transport, Dandenong Foothills, accessibility, advertising signs, gaming, social impact assessments and the way in which the Amendment was drafted.

Council then proactively worked with submitters, seeking to resolve issues. A significant proportion of issues were resolved and included in post-exhibition versions of the provisions. The Amendment’s evolution from the robust Review report through to the positive outcomes achieved through Council’s proactive and cooperative manner is a model process for others to consider.

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Planning Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in this report.

The Panel’s conclusions and recommendations align with most of Council’s response to issues raised in submissions, including post-exhibition changes to planning provisions. Most of the exhaustive list of recommendations reflects this alignment.”

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

The Planning Panel concluded that the Knox Planning Scheme Amendment C150 should be adopted as exhibited, with a number of changes outlined in the Executive Summary of the Panel Report.

The main comments in the Panel Report are as follows:

Bushfire Management:

- The Panel concluded that the exhibited amendment adequately responds to bushfire issues, however had no issue with introducing a number of post-exhibition changes agreed to between Council and the Country Fire Authority.

Environmental Issues:

- The Panel concluded that a local planning policy for closed landfills in Clause 21.04 is appropriate and justified. The Panel generally agreed with the suggested wording of Clause 21.04-3 provided by Council at the hearing with some modifications. These changes were to reflect the role of the Environment Protection Authority's publication *Best Practice Environmental Management: siting, design, operation and rehabilitation of landfills, August 2015 (Landfill BPEM)*, as part of the existing EPA legislative framework, for managing conflicting land uses within recommended buffers of closed landfills.
- The Panel did not support the submission from HD Jenkins & Sons who sought to have a policy included in the MSS stating that no further environmental audits should apply to its land at 1201-1211 High Street Road, Wantirna South. The Panel stated that future audit requirements should be assessed under the legislative framework which required the audit (ie: *Environment Protection Act 1970*), and therefore recommended that wording of Clause 21.04-3 refer to the relevant EPA publications.
- The Panel agreed with Council's position presented at the hearing, that it is not appropriate to include landfill buffer details on the map to Clause 21.04-3, as the wording of proposed Strategy 4.1 is sufficient in stating that the relevant EPA Landfill BPEM buffer considerations will be applied.
- The Panel considers that proposed local planning policies in Amendment C150 adequately respond to waste management issues.
- The Panel supports the proposed Environmentally Sustainable Design Policy, subject to a sunset clause that the policy will expire if it is superseded by an equivalent provision of the Victoria Planning Provisions.

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

Transport Issues

- Both the Rowville Rail project and the Burwood Highway tram extension are identified in the proposed MSS of Amendment C150 as “future” transport priorities in Knox. The Panel has determined that as the Rowville Rail project is identified in the PTV’s *Network Development Plan - Metropolitan Rail*, as a Stage 3 project within 15 years, this project should remain in the MSS as a “future” priority. However as the Burwood Highway Tram extension is not identified in any State strategy (and Council does not have the statutory ability to decide if this line will be extended), the MSS should be amended to refer to the tram extension as a “potential” project.
- The Panel supports Council’s proposed wording of a new strategy in the MSS at Clause 21.07 which supports grade separation of level crossings within activity centres, which can facilitate new development and community outcomes and to improve amenity, accessibility and economic viability of the centre.
- The Panel supports Council’s proposed new strategy in the MSS at Clause 21.05 to ensure appropriate consideration of freeway interface issues along EastLink.

Dandenong Foothills

- The Panel supports Council’s position that there is no justification to reduce minimum subdivision sizes or revise built form provisions, including building heights, as part of Amendment C150.

Accessibility

- The Panel believes the exhibited amendment adequately responds to all accessibility matters, however supports a number of minor wording changes agreed to by Council in response to one of the submissions, ensuring that the term ‘accessibility’ applies to ‘people of all abilities’.

Advertising Signs

- The Advertising Signs Policy is supported by the Panel, along with changes proposed by Council in response to submissions, to include policy references to better respond to issues associated with digital signs and the EastLink freeway corridor.

Gaming

- The Panel considers that the proposed Gaming Policy and other local content relating to gaming is justified and appropriately responds to gaming related issues. It supports Council’s proposed changes in order to respond to issues raised by the Department of Environment, Land, Water and Planning and one of the submissions, which the Panel believes will improve its operation.

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

Social Impact Assessments

- The Panel supports the proposed references in the MSS to require social impact assessments, with proposed Clause 21.08 appropriately clarifying the circumstances where Council would require them.

1157-1165 Burwood Highway, Upper Ferntree Gully

- The Panel considers that the site is inappropriately zoned as Neighbourhood Residential Zone Schedule 1, however agrees with Council that any rezoning is beyond the scope of Amendment C150.

12 Taylors Lane, Rowville

- The designation of the site as Bush Suburban is appropriate and justified, however Council may seek to consider some variation to specify exceptional circumstances to the policy which discourages aged care facilities in Bush Suburban areas.

Former Boronia Heights Secondary College

- The panel agrees with Council that there should be no specific strategic direction for the former Boronia Secondary College site in the MSS at this time, as existing policy and strategic priorities outlined in the MSS are adequate to determine future planning provisions for the site, prior to an integrated assessment occurring as part of any future rezoning/development approval.

Jenkins Orchard, Wantirna South/Strategic Investigation Sites

- The Panel supports changes proposed by Council to amend the MSS (and various maps), to reflect the existing residential and commercial zones which apply to the Jenkins Orchard site.
- The Panel concluded that describing sites such as the Jenkins Orchard site (which have already been strategically investigated for their suitability for residential development) as a “Strategic Investigation Site” in the MSS is confusing. However the Panel also recognised that this reference comes from the Knox Housing Strategy, which should be consistent with the terminology provided in the planning scheme. The Panel did not recommend any changes. It considers that Council should investigate whether the Jenkins site (and other similar sites which have already been investigated and subsequently rezoned) would benefit from a more refined site description, and that Council is best-placed to determine the appropriate term.

Form, content and post-exhibition changes

- The Panel considers that the various post-exhibition changes proposed by Council to improve drafting and in response to various submissions should be supported, as they will improve the operation of the planning scheme and better support the MSS and associated local planning policy.

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

Council officers have incorporated all the Planning Panel's recommendations into the Amendment C150 documentation, which is attached as Appendix B.

2.2 Response to the Planning Panel's recommendations

The Planning Panel concluded that Amendment C150 should be adopted as exhibited, with a number of changes outlined above in Section 2.1.

Council officers support all of the Planning Panel recommendations. Most of the recommended changes had already been agreed to by Council officers either prior to or at the panel hearing, and so in effect already represent Council's agreed position. None of the Panel's recommended changes impact on the overall purpose or intent of the amendment, and are considered to improve the legibility, understanding and operation of the Knox Planning Scheme.

In response to some of the specific comments of the planning panel, Council officers provide the following response:

12 Taylors Lane Rowville

This site is located within a Low Density precinct in Rowville, generally located on the north-east corner of Taylors Lane and Wellington Road, Rowville. The site was designated as 'Bush Suburban' as part of the Knox Housing Strategy, which is not proposed to change under Amendment C150. Both the existing MSS and the proposed MSS under Amendment C150, contain a strategy which states:

- *"Support new residential aged care facilities, except in Bush Suburban areas."*

The Panel supports the designation of Bush Suburban for this precinct, however suggests that Council considers a variation to the strategy to specify exceptional circumstances for the location of aged care facilities.

It is agreed that this strategy has more relevance for the Bush Suburban areas within the Dandenong Foothills or Sites of Biological significance where environmental, accessibility, or bushfire related issues would suggest less strategic suitability for aged care facilities. However, the designation of a site as 'Bush Suburban' does not in isolation preclude a permit being issued for aged care facilities. Council recently approved an aged care facility within the same Bush Suburban precinct in Rowville (Council meeting 27 February 2017), as on balance, the proposal was considered to achieve high levels of compliance with other policy considerations, such as design, locational advantages and demonstrated social/community need for the proposed use.

The site at 12 Taylors Lane Rowville is also subject to a planning application for an aged care facility, which is currently under consideration.

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

Given that there have now been two recent applications in this precinct for aged care facilities, which is in direct contrast to the purpose of the strategy, there is considered to be merit in the Panel's suggestion to amend the strategy to provide some appropriate exceptions. It is recommended that Strategy 3.2 in the MSS be amended to state:

- *“Support new residential aged care facilities, except in Bush Suburban areas within the Dandenong Foothills or in Sites of Biological Significance.*

Strategic Investigation Sites

The existing and proposed MSS identifies 14 'Strategic Investigation Sites' across Knox, which are intended to identify sites where the current land use is likely to change in the short-medium term timeframes and could be suitable for future residential development (either entirely or in part).

The Panel concluded that the term 'Strategic Investigation Site' was confusing when applied to sites like the Jenkins Orchard site, which had already been investigated and subsequently rezoned for residential and commercial purposes.

At the panel hearing, it was Council's submission that retaining the Jenkins Orchard site as a 'Strategic Investigation Site' in Council's MSS was important, as it was a site where significant change was likely to occur in the short-medium term, and this was important to identify through Council's strategic framework plan and housing policy in the MSS.

The term 'Strategic Investigation Site' was agreed upon by the Planning Panel to Amendment C131 (Implementation of the Knox Housing Strategy and new Residential Zones), which was approved in March 2016. In preparing Amendment C150, a conscious decision was made not to change the intent of any of the content introduced under C131, as it had already been through such a comprehensive and recent panel process. The content approved via Amendment C131 was translated into the new MSS format in a policy neutral manner as part of Amendment C150.

It is agreed by Council officers that the term 'investigation' does present some ambiguity for sites which have already been rezoned, however it is noted that the strategic context for all of the nominated Strategic Investigation Sites contained within the Knox Housing Strategy is very clear. The Housing Strategy provides site specific context for each site about its future development potential and level of 'readiness' for future development, which varies significantly for different sites. In the case of the Jenkins Orchard site, the Knox Housing Strategy is very clear that the rezoning approved under Amendment C74 provides the strategic context for the site and its future development potential.

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

Therefore whilst the term 'Strategic Investigation Site' might seem more relevant for sites which have not yet been investigated and/or rezoned, changing the term now as part of Amendment C150 is considered an adhoc response to an issue which received due consideration under the C131 panel process and development of the Knox Housing Strategy. Changing the term in the planning scheme will require amending the source document as well, being the Knox Housing Strategy. This is not considered an appropriate outcome for Amendment C150, which did not seek to review or change any of the outcomes of the C131 process.

Leaving the term as 'Strategic Investigation Site' in Council's MSS will not change the relevance or strength of the existing zone and overlay provisions which already apply to the Jenkins Orchard land, and will not impact on the future consideration of any Development Plan or planning application processes on the land.

Therefore, given the Panel did not make any definitive recommendation on this matter, and left it to Council to resolve, it is considered that there should be no change to the term 'Strategic Investigation Site' within the MSS at this time. However the Panel's comment is noted, and it is recommended that some additional text be included in the preamble to Clause 21.06-1 under 'Strategic Investigation Sites', to clarify that some sites which are likely to undergo significant change in the short to medium term have already been investigated and rezoned, and that further strategic guidance is provided for these sites within relevant zone and overlay schedules:

- *"Where Strategic Investigation Sites have already been subject to investigation processes and have been rezoned to facilitate future residential development, additional strategic guidance may also be found in the relevant zone and overlay schedules which apply to the land."*

2.3 Plan Melbourne 2017-2050 Implications

Since the Panel Hearing was held in early March 2017, the State Government has released its refreshed version of *Plan Melbourne 2017-2050*. Amendment VC134 was approved on 31 March 2017, which updated the State section of the planning scheme with relevant policies contained within *Plan Melbourne 2017-2050*.

All local provisions of the Knox Planning Scheme are required to be aligned with State policy. Therefore Amendment C150 will need to be amended to ensure complete alignment with the updated version of *Plan Melbourne 2017-2050*. The amendments required to Amendment C150 include:

- Update references from *Plan Melbourne 2014* to *Plan Melbourne 2017-2050*, where required;

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

- Remove references to the Rowville Rail project in the Municipal Strategic Statement (MSS) as being identified in *Plan Melbourne*. This project will still remain in the MSS as a key transport priority for Knox, which was reinforced by the Planning Panel.
- Mountain Gate Shopping Centre continues to be identified as a Major Activity Centre. Amendment C150 as exhibited had included Mountain Gate as a Neighbourhood Activity Centre. Amendments need to be made to the MSS (including various maps), to reflect *Plan Melbourne 2017-2050*.

Mountain Gate is proposed to be identified in the MSS as “Mountain Gate Activity Centre”, and with its strategic direction and role *unchanged* from what was included in the exhibited version of Amendment C150. The *Plan Melbourne 2017-2050* designation will therefore not have any impact on its future direction or growth potential from what the exhibited version of the MSS had already identified.

All of the suggested changes outlined above in Sections 2.2 and 2.3 in response to specific comments of the Planning Panel and to ensure alignment with *Plan Melbourne 2017-2050*, have been incorporated into the amendment documentation in Appendix B.

2.4 Next Steps

Under section 27 of the Act, Council must consider the Panel Report before deciding whether or not to adopt the Amendment.

Council may adopt the amendment, with or without changes. If Council decides not to accept the Panel’s recommendation, it must give its reasons for this when it submits the adopted amendment to the Minister for Planning for approval.

Council officers recommend that Council note and accept all recommendations of the Planning Panel (refer Appendix A), and that Amendment C150 be adopted in accordance with the Planning Panel recommendations and other changes outlined above, in the form attached in Appendix B.

3. CONSULTATION

Public exhibition of Amendment C150 occurred from mid-August to mid-September 2016.

Notification included:

- Public notices in the Government Gazette and the *Knox Leader* newspaper.
- Council media release.
- Notification in the August edition of the *Knox News* and 5 community newspapers (*Ferntree Gully News, Foothills News, Studfield-Wantirna News, Rowville-Lysterfield News, Boronia & The Basin Community News*).

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

- Notification of the Amendment on Council's website and use of social media (including Council's Facebook page). This included electronic links to all amendment documentation, fact sheet and background material.
- Hard copies of the amendment documentation and fact sheet available for viewing at the Civic Centre and all local libraries.
- Letters to statutory State Government Ministers and public authorities (as prescribed in the *Planning and Environment Act 1987*), local State and Federal MPs, and adjoining Councils.
- Direct notification to targeted interest groups which may have had a particular interest in all or part of the amendment, including:
 - Major and regular planning permit applicants;
 - Gaming vendors operating within Knox and gaming support groups;
 - Owners and occupiers of land impacted by the proposed changes to the Gaming Schedule to Clause 52.28;
 - Owners and occupiers of properties in the Carrington and Rathgar Road housing estates (affected by the proposed removal of the SLO5);
 - Relevant Council Advisory Committees:
 - Active Ageing Advisory Committee
 - Affordable Housing Advisory Committee
 - Arts and Culture Advisory Committee
 - Community Health and Wellbeing Reference Group
 - Community Safety Advisory Committee
 - Economic Development Advisory Committee
 - Environment Advisory Committee
 - Housing Advisory Committee
 - Knox Disability Advisory Committee
 - Knox Early Years Advisory Committee
 - Knox Central Advisory Committee
 - Recreation and Leisure Advisory Group
 - Transport and Mobility Advisory Committee

Sixteen submissions were received to Amendment C150 during the exhibition period, and a further late submission from an original submitter.

There has also been extensive consultation with internal service areas across all Council Directorates throughout the course of the Amendment, both in the preparation stages of the amendment and post-exhibition in response to submissions. This internal consultation has informed the content of Amendment C150 as contained in Appendix B.

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

The Planning Panel noted that Council had proactively worked with submitters seeking to resolve issues, and that a significant proportion of issues were resolved by Council and included in the post-exhibition versions of the amendment, as presented to the panel hearing by Council.

In accordance with Section 26 of the Act, the Panel Report was made available to view on Council's website and at Council's offices within 28 days of receipt of the report, and will be available for up to two months after the amendment comes into operation or lapses.

4. ENVIRONMENTAL/AMENITY ISSUES

Amendment C150 will deliver improved environmental and amenity outcomes by reinforcing current planning policy that protects Knox's valued environmental and landscape features, integrating related council policies and addressing gaps in the current planning scheme such as climate change resilience, flooding, land use buffers and facilitating environmentally sustainable development.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Amendment C150 will provide clearer policy direction for potential future investment in the City. Reducing red tape will reduce time and costs for applicants and Council for minor applications.

Processing of Amendment C150 (including planning panel costs and fees payable to the Minister for Planning to approve the amendment) are funded within Council's 2016/17 City Futures operational budget.

There are not expected to be any ongoing costs associated with implementation of Amendment C150 that cannot be met within existing operational budgets.

6. SOCIAL IMPLICATIONS

The rewritten Knox Planning Scheme is expected to deliver better social outcomes by updating and clarifying current content, integrating current strategies and plans, and addressing policy gaps in the current Scheme. In particular, a new Gaming local planning policy that introduces harm minimisation principles, and new content in the Municipal Strategic Statement which focuses on liveability and community wellbeing issues, are included in the rewrite.

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

The *Knox Vision 2013-17*, *Knox City Plan 2013-17* and *Integrated City Strategy and Implementation Plan 2015-17* are embedded in the rewritten Knox Planning Scheme as part of Amendment C150, ensuring that land use and development objectives are now aligned with key corporate strategies. This was a key driver for rewriting the Scheme.

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

Approval of Amendment C150 will implement components of all City Plan themes. It will also contribute to implementation of many specific actions contained within the *Integrated City Strategy and Implementation Plan 2015-17*, including:

- 1.3.2 *Ensure infrastructure and open space is of a high quality and copes with population and housing growth and change.*
- 1.4.2 *Promote and facilitate good quality and sustainable urban design outcomes for new development in Knox.*
- 2.2.1 *Improve lifelong learning opportunities by ensuring that the Planning Scheme enables the necessary local partnerships to deliver training and education in key locations such as the Bayswater Industrial Precinct, Scoresby-Rowville Employment Precinct, Wantirna Health Precinct, Ferntree Gully, Upper Ferntree Gully and Rowville.*
- 3.1.3 *Support Council's aspirations for affordable housing within the municipality through the development of land use strategies and policies that promote the provision of a diversity of housing including social housing across the City.*
- 3.1.5 *Ensure the ongoing review of Council's Planning Scheme is aligned with and responsive to the Integrated City Strategy outcomes as they relate to land use and development.*
- 3.3.2 *Incorporate environmentally sustainable development policies and strategies into the Planning Scheme to ensure maintenance and utility costs are affordable and the quality and standard of the built form is improved.*
- 4.4.3 *Ensure Council's key biodiversity policies and strategies are reflected in the Knox Planning Scheme to ensure new development minimises its impact on these values.*
- 4.6.1 *Complete a review of Council's Planning Scheme with a view to ensuring vegetation and biodiversity policies and strategies achieve biodiversity and landscape objectives for the City.*
- 5.3.1 *Ensure health and wellbeing principles (ie: prevention) are embedded in service and infrastructure planning.*
- 5.4.2 *Conduct research and planning to enable inclusion of policies and strategies into the Knox Planning Scheme which encourage healthy, active and accessible communities.*
- 7.3.4 *Ensure that the implications of a changing climate and guidance on future development design in response to these issues are adequately reflected in the Knox Planning Scheme.*
- 8.1.1 *Provide and maintain high quality public infrastructure and open space, to accommodate and support a growing and changing population structure in Knox.*

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)

- 9.1.1 *Promote a holistic and integrated approach to planning and delivery of public and alternative transport projects in Knox.*
- 10.4.1 *Ensure Council's key economic development strategies are reflected in the Knox Planning Scheme, as appropriate, in order to achieve aligned outcomes.*
- 11.2.5 *Ensure planning controls and processes are in place to facilitate and guide investment in strategic sites and precincts to achieve quality outcomes for the community.*
- 12.2.1 *Integrate 'Crime Prevention Through Environmental Design' principles into the Planning Scheme and develop social impact assessment tools and resources aimed at ensuring new development, amenity, health and wellbeing and safety outcomes.*
- 15.3.1 *Continually build and promote good governance practice at Knox.*

All references to Council's corporate strategic documents in the new MSS forming part of Amendment C150, such as the *City Plan* and the *Integrated City Strategy*, include the wording "or as amended", which will ensure that any new corporate strategic documents which replace earlier adopted versions of these documents, will continue to inform and support the local content in the Knox Planning Scheme.

8. CONCLUSION

Council has undertaken a comprehensive review and rewrite of the Knox Planning Scheme. Amendment C150 incorporates the major recommendations of the Planning Scheme Review Report (adopted May 2015) and is proposing a new Municipal Strategic Statement, new policy initiatives and amendments to other local content throughout the scheme. All content is aligned with Council's corporate strategic direction and vision.

Amendment C150 will improve the operation, legibility and relevance of the Knox Planning Scheme for Council and its community, and will deliver a more effective and contemporary planning framework to guide decision-making as required under the *Planning & Environment Act 1987*.

The Planning Panel considered that the Amendment is well founded and strategically justified. It recommends that Amendment C150 should be supported as exhibited, with a number of changes as outlined in the Panel Report. Most of the changes recommended by the Panel are changes which had already been identified and agreed to by Council either prior to or at the Panel Hearing.

This report recommends that Council adopt Amendment C150 in accordance with the Planning Panel recommendations, including some further minor changes to reflect the updated *Plan Melbourne 2017-2050*, and submit the amendment to the Minister for Planning for approval.

6.4 Planning Scheme Rewrite - Amendment C150 (cont'd)**9. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. TAYLOR

SECONDED: CR. LOCKWOOD

That Council:

1. Note and accept all recommendations of the Panel Report for Amendment C150 (Appendix A);
2. Adopt Amendment C150 to the Knox Planning Scheme in the form attached as Appendix B;
3. Submit the adopted Amendment C150 to the Minister for Planning for approval;
4. Authorise the Director - City Development to make any minor changes required to Amendment C150 documentation for approval by the Minister for Planning, provided these are consistent with the intent of the adopted Amendment; and,
5. Notify the submitters to Amendment C150 of Council's decision.

CARRIED

6.4 Planning Scheme Rewrite - Amendment C150

Appendix A - Knox Planning Scheme Amendment C150 - Planning Report - 4 April 2017 and Appendix B - Amendment C150 to the Knox Planning Scheme - Revised Planning Scheme Amendment Documentation for Adoption by Council Circulated Under Separate Cover

Official Minutes of Knox City Council

ALL WARDS

6.5 FOOD ACT PROSECUTIONS AND THE PUBLIC RELEASE OF INFORMATION

SUMMARY: *Manager City Safety and Health (Steven Dickson)*

This report responds to a Council request for a call up item seeking advice on whether Council has the legislative capacity and whether it would be considered appropriate to publicly name, via social media and other forums, local businesses that have been successfully prosecuted for breaches of health regulations including whether photographic evidence can be made public.

RECOMMENDATION

That Council:

1. Make available on its website a link to the Department of Health and Human Service Convictions Register which provides details of persons prosecuted, offences committed and penalty ordered for breaches of food safety laws.
2. Prepare a communications policy in relation to all of its prosecution activities in light of its statutory functions and obligations.
3. Pending the development and approval of a communications policy issue a media release for all food premises prosecutions in line with the details provided within this report and contained in the DHHS Convictions Register.

1. INTRODUCTION

On 27 March 2017, Council resolved the following call up item:

‘That Council receive a report at the 22 May 2017 Ordinary Meeting of Council outlining has the legislative capacity and whether it would be considered appropriate to publicly name, via social media and other forums, local businesses that have been successfully prosecuted for breaches of health regulations including whether photographic evidence can be made public.’

In preparing this report, officers have had regard to Council’s Call Up Items at Council Meetings Policy, and in particular, Item 6.5 which states: ‘Where preparing a report responding to a Call Up Item which will require more than 3 person days or \$5,000 in costs, then the matter which is subject to the Call Up Item should be referred by Council to the next budget considerations with a supporting business case for consideration along with other competing priorities.’

6.5 Food Act Prosecutions and the Public Release of Information

2. DISCUSSION

2.1 Legislative Capacity to Disclose and/or Publish Information

Council's ability to disclose and publish information relating to food businesses is set out in the provisions of the *Food Act 1984* ("Act"). Specifically, the Act provides secrecy provisions, which state that Council must not disclose information or publish a document or part of a document obtained by Council in connection with the administration of the Act unless the disclosure is made in certain circumstances. The circumstances include consent of the person from whom the information was obtained, released to a person administering a corresponding law, to prevent or lessen a threat to public health (such as a food outbreak or contaminated food recall) etc. A threat to public health does not apply in social media public naming of prosecuted food businesses as threats to public health are addressed through the direct actions of Council Environmental Health Officers.

Failing to comply with these provisions is an offence, which carries a maximum penalty of 60 penalty units (currently \$9,327.60) for a first offence.

However, an offence is not committed if the information was publicly available before, or at the time Council discloses or publishes information. In this regard, the name of the proprietor and the outcome of the prosecution is publically available information, as it is information that can be obtained by attending the Court or purchasing extracts of the Court Orders. However, with respect to photographs, members of the public cannot easily obtain these documents, so Council should not disclose/ publically distribute this evidence. This is discussed further below.

As of 1 July 2010, details of offences under the Act involving the conviction of a person by a court are publicly available on the Department of Health and Human Services (DHHS) website. This is in accordance with the Food Act, which requires the Secretary of the Department of Health to keep a register of convictions for offences under the Act and to publish the information on the DHHS website. The purpose of the convictions register is to increase the opportunities for a Court's decision to become more widely known and to make information about non-compliance with the Act more readily available to the public. Accordingly, the register is an indication from the State Government that the information contained in the register is the information considered appropriate to be made available to the public.

2.2 Appropriateness of Disclosure and/or Publication

Even though Council is able to disclose and/or publish information about convictions under the Food Act, Council should consider whether in fact it would be appropriate to do so.

6.5 Food Act Prosecutions and the Public Release of Information

In this regard, section 7A of the Food Act states that it is the role of the Council to carry out the powers and functions vested in it and to promote the objectives of the Act. The objectives of the Act include to ensure food for sale is both safe and suitable for human consumption.

So, to determine whether the publication of information including photographs on social media would fall within the objectives of the Act, it must be considered whether doing so would impact the sale of safe and suitable food. In this regard, it is noted that by the time the prosecution has come to an end the business is compliant with the Act (which is achieved through the exercise of environmental health officer powers) or it has permanently closed. In any event, it is difficult to see how the publishing of information including photographs would impact on food safety. Accordingly, it would be difficult to argue that the publication of photographs is necessary to ensure that food being sold is safe and suitable.

However, if Council wished to release information in order to promote its regulatory functions and in turn promote compliance, this may be achieved through the issuing and publishing of a press release, which could contain publicly available information.

Further, if Council were to publish information including photographs through social media it would have to engage significant resources to ensure that such social media was under constant surveillance ensuring that any defamatory, offensive or inappropriate comments were deleted. This is an important consideration, as Council is responsible for comments that are made on its social media sites, which may lead to potential liability. In addition, Council would not want to be seen as facilitating online discussion and debate which may have a significant negative impact on the livelihood and wellbeing of business owners who has already received their punishment from the Court.

In addition, if Council were to publish information including photographs only relating to food businesses that have been prosecuted, Council may be perceived as not having a consistent and transparent approach across all of its regulatory functions. Such behaviour may be considered as targeting food business proprietors and ignoring other wrong doers such as developers, builders, homeowners and pet owners.

Accordingly, it is recommended that Council prepare a communications policy in relation to all of its compliance and prosecution activities in light of its statutory functions and obligations. Such a policy could enable Council to issue media releases in relation to all matters of public interest and ensure that there is a fair and transparent process in place for making such releases. The creation of such a process will ensure that information released is done so in accordance with the law, and good governance practices and considers the risk to Council and local business.

6.5 Food Act Prosecutions and the Public Release of Information

In the interim, Council may make available on its website the link to the DHHS Convictions Register, which provides details of the person prosecuted, offences committed and penalty ordered. In addition, Council could issue a media release immediately after a successful food premises prosecution to the community providing similar details to those that would be later provided within the DHHS Register.

2.3 Disclosing of Photographic Evidence

If a member of the public wishes to obtain a copy of photographs that were tendered to the Court, the person would have to apply to the Court for a copy of such photographs. Such an application would only have a chance of success if it was made at the time of the hearing, as it is regular Court practice to return the photographs and other exhibits to the prosecution at the conclusion of the matter and would therefore not be available after the trial date. In any event, the release of the photographs would not be guaranteed as their release is at the discretion of the Court.

Accordingly, given the process by which a member of the public may obtain photographs, it may be difficult to establish that the photographs are publicly available documents. In this regard, it is noted that the *Privacy and Data Protection Act 2014* defines “publicly available information” as information contained in a document that is:

“a generally available publication; or

kept in a library, art gallery or museum for the purposes of reference, study or exhibition; or

a public record under the control of the Keeper of Public Records that is available for public inspection in accordance with the Public Records Act 1973; or

archives within the meaning of the Copyright Act 1968 of the Commonwealth.”

The types of photographs discussed in this report do not fall within a category that is considered a publicly available document. In relation to information and documents obtained under the Act, it may be argued that those that are publicly available are those documents that are contained in the Convictions Register (“Register”) published by the Department of Health and Human Services (“DHHS”).

3. CONSULTATION

There has been no community consultation associated with this report.

Internal consultation has been undertaken with Council’s - Coordinator Prosecutions – Lawyer, the Acting Manager Communications and Customer Service.

6.5 Food Act Prosecutions and the Public Release of Information

4. ENVIRONMENTAL/AMENITY ISSUES

There are no direct environmental /amenity issues associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Unauthorised disclosure or publication of information and documents is an offence and carries with it a maximum penalty of 60 penalty units (\$155.46 per penalty unit).

Further, proprietors of food businesses who have been negatively affected by an unauthorised disclosure or publication may seek compensation from Council for breach of the Act and Council's duty of confidentiality.

The communications policy suggested in this report can be prepared within existing resources.

6. SOCIAL IMPLICATIONS

Whilst there may be some public interest in identifying business that have breached the Food Act, publishing photographs of non-compliances observed in prosecuted food businesses on social media may have negative implications. The posting of such photographs encourages individuals to participate in negative discourse by commenting and the sharing of such information.

Such commentary and sharing of photographs may negatively impact on the wellbeing of the business proprietor who has to endure the negativity associated with the sharing of such information. In this regard, it is noted that the proprietor of the food business has already received a punishment from the Court which is usually by way of a significant fine with or without conviction and the publication of photographs may be seen as an unnecessary further punishment.

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

This report is relevant to Theme 1 of the City Plan – Healthy, Connected Communities – section 1.1 The Knox community benefits from good health and wellbeing at all life stages.

8. CONCLUSION

This report details a range of concerns relating to publicly naming local businesses via social media and other forums, which have been successfully prosecuted for offences under the Food Act. These considerations have included the use of any photographs forming part of the evidence utilised in the prosecutions.

6.5 Food Act Prosecutions and the Public Release of Information

Opportunities to more effectively inform the community within legislative ability have been outlined, including an increased use of media releases and providing easier access to existing DHHS Register of prosecutions information. In addition, the report recommends that further work be undertaken to develop a communications policy for all Council prosecution activities in light of its statutory functions and obligations.

9. CONFIDENTIALITY

There are no confidentiality aspects to this report.

COUNCIL RESOLUTION

MOVED: CR. GILL

SECONDED: CR. SEYMOUR

That Council adopt the officer's recommendation outlined in the report with the addition of the following point:

4. Write to The Hon. Jill Hennessy MP Minister for Health seeking changes to the Food Act 1984 to allow Council to publish concurrently with the State Food Act convictions register similar information on Council's website and other media including photos of food premises used in evidence to obtain a conviction.

CARRIED

ALL WARDS

6.6 REVIEW OF PLANNING CONSULTATIVE COMMITTEE TERMS OF REFERENCE

SUMMARY: *Manager City Planning and Building (Paul Dickie)*

This report relates to the Terms of Reference for the Planning Consultative Committee. The Terms of Reference are proposed to be reviewed together with the scheduled review of Planning Delegations. It is recommended that Council adopt a revised Terms of Reference.

RECOMMENDATION

That Council adopt the Terms of Reference for the Planning Consultative Committee, as outlined in Appendix A of this report.

1. INTRODUCTION

To better align the review of statutory planning processes, the operation of Council's Planning Consultative Committee (PCC) has been carried out at the same time as the review of Planning Delegations. The Terms of Reference have been reviewed, and a revised Terms of Reference prepared for Council consideration.

2. DISCUSSION**2.1 Background**

The purpose of the PCC is to exchange information and to explore any areas of common ground in relation to a planning application in an informal environment. The PCC is not convened in order to make a formal decision.

The scope of the PCC is to generate an understanding of the planning application proposal and any issues and concerns from all perspectives, as an input to Council's formal decision-making as a Responsible Authority under the Planning and Environment Act.

The PCC operates according to Council's Community Engagement Policy and is clearly aligned to the objectives of that policy, and the associated Community Engagement Manual and Engagement framework. The PCC is seen as aligning with the 'consult' level of the engagement spectrum and is designed to inform, and obtain feedback from, the community regarding planning applications that meet the adopted Planning Delegation criteria.

6.6 Review of Planning Consultative Committee Terms of Reference (cont'd)

Since the Terms of Reference was last reviewed in September 2014, the following key changes have occurred in the Planning system:

- On 17 March 2016 Amendment C131 to the Knox Planning Scheme was approved. The Amendment implemented the Knox Housing Strategy 2015, the Rowville Plan 2015, and the new residential zones.

The approval of Amendment C131 was a significant review of the Housing Strategy and introduced a refined approach to residential development in Knox. The approval of Amendment C131 will mean that the Knox Planning Scheme will better reflect Council and Community aspirations.

- In September 2014 the State Government amended the Victorian Civil and Administrative Tribunal Act 1998 by inserting a provision allowing the Tribunal to order Responsible Authorities to reimburse an applicant the whole of any statutory fees for an appeal lodged against failure to determine an application within the statutory time frame. This was a deliberate move to encourage Councils to improve processing times and avoid financial costs for failure appeals. (Note – at the time of writing, no orders for fee reimbursement have been made against Knox City Council).
- The State Government is now publishing performance statistics of Local Councils across a number of areas – including statutory planning, via the ‘Know Your Council’ website and the Planning Permit Activity Reporting System (PPARS). The publishing of performance data such as the percentage of applications determined within 60 statutory days and the time taken to determine applications, also encourages Councils to determine applications within a timely manner.

2.2 Proposed Changes

The proposed PCC Terms of Reference can be found in Appendix A. The tracked changes version is included as Appendix B for information.

As noted above there have been a number of factors which have increased the pressure on Councils to determine applications promptly and avoid failure appeals at VCAT – this is particularly relevant for the larger and controversial proposals that would often be the subject of a PCC meeting.

Whilst PCC meetings generally do have value with respect to engaging with the community and helping objectors to express their concerns, however most PCC meetings are not successful in resolving issues or providing a better understanding of concerns – rather existing positions are reinforced. Feedback is also received that some objectors and applicants find PCC meetings frustrating and pointless.

6.6 Review of Planning Consultative Committee Terms of Reference (cont'd)

It is therefore recommended that the trigger for a PCC meeting be increased from objections from 10 or more different properties to objections from 50 or more different properties. The proposed change will significantly reduce the number of PCC meetings, which will in turn allow for quicker decisions and reduced failure appeals at VCAT, whilst maintaining a forum for the most controversial applications to be discussed in an open forum. The exemptions for properties within an approved Structure Plan area, repeat applications, and applications where an urgent decision is required due to an upcoming VCAT hearing will remain.

It is of course noted that all submissions received to an application are considered when an application is determined.

3. CONSULTATION

There has been no consultation on the issues raised in this report, although as noted in section 2.2 above feedback has been received that some objectors and applicants find PCC meetings frustrating and pointless. The PCC Terms of Reference was discussed at a Confidential Issues Briefing in April 2017.

4. ENVIRONMENTAL/AMENITY ISSUES

The proposed change to the PCC Terms of Reference will not have any direct environmental/amenity impact.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The current PCC activity is delivered within the City Planning and Building operating budget and the cost of holding the meetings is approximately \$20,000 per annum.

The recommendation to amend the triggers for a PCC meeting will significantly reduce the number of meetings, which is expected to reduce the annual cost of the meetings by about 75%. The change will also lower the risk of failure appeals and future VCAT orders for Council to reimburse applicants VCAT fees due to time savings.

6. SOCIAL IMPLICATIONS

The proposed change to the PCC Terms of Reference will not have any direct social impact.

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

The governance of planning is relevant to a number of areas of the Knox City Plan incorporating the Council Plan, including: 'Healthy, Connected Communities', 'Prosperous, Advancing Economy', 'Vibrant and Sustainable Built and Natural Environments' and 'Democratic and Engaged Communities'.

6.6 Review of Planning Consultative Committee Terms of Reference (cont'd)**8. CONCLUSION**

The proposed revised Terms of Reference for the Planning Consultative Committee reflect recent changes to the planning system in Victoria to improve decision making times and reduce failure appeals at VCAT, whilst at the same time maintaining the PCC forum for the most controversial planning applications.

It is recommended that Council adopt the revised Planning Consultative Committee Terms of Reference.

9. CONFIDENTIALITY

There are no confidentiality issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. GILL

SECONDED: CR. LOCKWOOD

That Council adopt the Terms of Reference for the Planning Consultative Committee, as outlined in Appendix A of this report.

CARRIED

6.6 Review of Planning Consultative Committee Terms of Reference

Appendix A



TERMS OF REFERENCE

PLANNING CONSULTATIVE COMMITTEE

Directorate	City Development
Responsible Officer	Director City Development
Committee Type	Advisory Committee
Approval Date:	May 2017
Review Date:	May 2021

1. PURPOSE

The Planning Consultative Committee (Committee) is an Advisory Committee of Council, offering a forum for applicants, supporters and objectors of specific planning proposals to present their views and to explore opportunities to resolve issues, in an informal setting. The Committee seeks to facilitate outcomes; to facilitate an exchange of information; and to allow all parties to learn more about the circumstances of a proposal and the views of various stakeholders, to inform the Council's decision as the Responsible Authority.

The Committee operates according to Council's Community Engagement Policy and is clearly aligned to the objective of that Policy, and the associated Community Engagement Manual and engagement framework. The Committee is seen as aligning with the 'consult' level of the engagement spectrum and is designed to inform, and obtain feedback from, the community and applicants regarding planning applications under consideration.

2. OBJECTIVES

The objectives of the Committee are to:

- Exchange information and explore any areas of common ground in an informal environment. The meetings are not convened in order to make a formal decision on any planning application.
- Generate an understanding of the planning application proposal and any issues and concerns from all perspectives, as an input to Council decision making as the Responsible Authority.

3. MEMBERSHIP, PERIOD OF MEMBERSHIP AND METHOD OF APPOINTMENT

Any meeting of the Committee shall comprise the following:

- Two (2) Councillors (one being the Ward Councillor for the application being presented, and one being any other Knox City Council Councillor who will act as chairperson for that meeting of the Committee).

A quorum for the Committee shall be the Ward Councillor relevant to the subject planning application.

4. DELEGATED AUTHORITY AND DECISION MAKING

The Committee is an Advisory Committee and has no delegated authority or decision making powers.

5. MEETING PROCEDURES

The trigger threshold for holding a Committee meeting is the receipt of objections from 50 or more separate properties for any planning application received by Council that relates to land outside an adopted Structure Plan area. For clarity, a Committee meeting will not be held for planning applications that fall within an adopted Structure Plan area.

Committee meetings will be held on the third Tuesday of every month (excepting those times where no meeting is required).

Meetings are scheduled for 45mins to one hour duration.

Meetings will;

- Commence on time and aim to conclude at the scheduled time;
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each party to attend the Committee meeting;
- Encourage fair and reasonable discussion and respect for each others' views; and
- Focus on the relevant issues presented.

The Director City Development, with the consent of the relevant Ward Councillor, may determine that a Committee meeting is not required for a particular planning application where the following exceptional circumstances exist:-

- An upcoming VCAT appeal has been lodged and it is not practical from a timing perspective to schedule a meeting of the Committee to hear the matter in advance of the VCAT appeal proceedings.

- The subject application is a repeat application where there has already been a previous Committee meeting for an identical or very similar proposal.
- The Ward Councillor recommends that a Committee meeting is not required for a particular planning application.

6. CHAIR

Any Councillor other than the relevant Ward Councillor will act as Chairperson of the Committee. Councillors will be invited to chair the Committee on a monthly basis (or as needed) and on a rotating basis.

In the absence of a Councillor Chairperson (other than the relevant Ward Councillor), the most senior Council officer present will act as the Chairperson for the purpose of conducting the meeting.

If a Councillor Chair cannot be found for a particular Committee meeting, Council may use an independent external Chair for the purpose of conducting the meeting.

7. AGENDAS AND MEETING NOTES

Agendas will be circulated to all relevant parties not less than seven days prior to the time fixed for holding the meeting.

The meeting will generally follow a structure which will cover a summary of the application, confirmation of the issues, followed by a discussion during which the applicant is invited to comment. A summary and outline of next steps will be provided to ensure all parties are aware of the progression of the application.

From time to time there may be a requirement to change this format, which will be largely dependent on the number of attendees, and as such a level of flexibility will be applied to the meeting structure when necessary.

Formal minutes are not taken of the Committee meeting. Meeting notes are taken and provided to the relevant planning officer responsible for the application, and referenced in the relevant planning application report to Council.

8. VOTING

The Committee does not have any delegated authority to make decisions.

9. CONDUCT AND INTEREST PROVISIONS

In performing the role of Advisory Committee member, a person must:

- Act with integrity;
- Impartially exercise his or her responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

Meetings of an Advisory Committee may potentially form an Assembly of Councillors. When this occurs, Councillors and officers are required to comply with the conflict of interest provisions as set down in the Local Government Act 1989.

Where a Councillor or officer declares a conflict of interest in relation to a matter in which the Committee is concerned, they must disclose the interest to the Committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the notes of the meeting.

Where a meeting is identified as an Assembly of Councillors, staff must complete a Record of Assembly of Councillors form. Where a Conflict of Interest is identified by a Councillor or staff member at an Assembly of Councillors, the relevant Conflict of Interest form must also be completed. Forms should be forwarded to the Manager – Governance within 5 working days of the meeting. This information will be published at the next available Ordinary Council Meeting.

10. REPORTING

There are no reporting requirements for the Committee.

11. ADMINISTRATION SUPPORT

Administration support will be provided by the City Planning & Building Department.

12. CONTACT WITH THE MEDIA

Contact with the Media by Advisory Committee members will be conducted in accordance with the Councillor and Staff Media Policies.

13. SUNSET CLAUSE AND REVIEW DATE

The Committee will be reviewed as per the standard 4 year schedule and a report will be prepared for Council together with a recommendation for either a re-endorsement or disbanding of the Committee.

14. MEALS

The provision of refreshments during the course of an Advisory Committee meeting will be in accordance with the Meals and Beverages for Council Committees Policy.

15. ADMINISTRATIVE UPDATES

From time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

6.6 Review of Planning Consultative Committee Terms of Reference

Appendix B



TERMS OF REFERENCE

PLANNING CONSULTATIVE COMMITTEE

Directorate	City Development
Responsible Officer	<u>Director City Development</u> Business Support
Coordinator	City Development
Committee Type	Advisory Committee
Approval Date:	<u>May 2017</u> September 2014
Review Date:	<u>May 2021</u> September 2018

1. PURPOSE

The Planning Consultative Committee (Committee) is an Advisory Committee of Council, offering a forum for applicants, supporters and objectors of specific planning proposals to present their views and to explore opportunities to resolve issues, in an informal setting. The Committee seeks to facilitate outcomes; to facilitate an exchange of information; and to allow all parties to learn more about the circumstances of a proposal and the views of various stakeholders, to inform the Council's decision as the Responsible Authority.

The Committee operates according to Council's Community Engagement Policy and is clearly aligned to the objective of that Policy, and the associated Community Engagement Manual and engagement framework. The Committee is seen as aligning with the 'consult' level of the engagement spectrum and is designed to inform, and obtain feedback from, the community and applicants regarding planning applications under consideration.

2. OBJECTIVES

The objectives of the Committee are to:

- Exchange information and explore any areas of common ground in an informal environment. The meetings are not convened in order to make a formal decision on any planning application.
- Generate an understanding of the planning application proposal and any issues and concerns from all perspectives, as an input to Council decision making as the Responsible Authority.

3. MEMBERSHIP, PERIOD OF MEMBERSHIP AND METHOD OF APPOINTMENT

Any meeting of the Committee shall comprise the following:

- Two (2) Councillors (one being the Ward Councillor for the application being presented, and one being any other Knox City Council Councillor who will act as chairperson for that meeting of the Committee).

A quorum for the Committee shall be the Ward Councillor relevant to the subject planning application.

4. DELEGATED AUTHORITY AND DECISION MAKING

The Committee is an Advisory Committee and has no delegated authority or decision making powers.

5. MEETING PROCEDURES

The trigger threshold for holding a Committee meeting is the receipt of objections from ~~50~~ 40 or more separate properties for any planning application received by Council that relates to land outside an adopted Structure Plan area. For clarity, a Committee meeting will not be held for planning applications that fall within an adopted Structure Plan area.

Committee meetings will be held on the third Tuesday of every month (excepting those times where no meeting is required).

Meetings are scheduled for 45mins to one hour duration.

Meetings will;

- Commence on time and aim to conclude at the scheduled time;
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each party to attend the Committee meeting;
- Encourage fair and reasonable discussion and respect for each others' views; and
- Focus on the relevant issues presented.

The Director City Development, with the consent of the relevant Ward Councillor, may determine that a Committee meeting is not required for a particular planning application where the following exceptional circumstances exist:-

- An upcoming VCAT appeal has been lodged and it is not practical from a timing perspective to schedule a meeting of the Committee to hear the matter in advance of the VCAT appeal proceedings.

- The subject application is a repeat application where there has already been a previous Committee meeting for an identical or very similar proposal.
- The Ward Councillor recommends that a Committee meeting is not required for a particular planning application.

6. CHAIR

Any Councillor other than the relevant Ward Councillor will act as Chairperson of the Committee. Councillors will be invited to chair the Committee on a monthly basis (or as needed) and on a rotating basis.

In the absence of a Councillor Chairperson (other than the relevant Ward Councillor), the most senior Council officer present will act as the Chairperson for the purpose of conducting the meeting.

If a Councillor Chair cannot be found for a particular Committee meeting, Council may use an independent external Chair for the purpose of conducting the meeting.

7. AGENDAS AND MEETING NOTES

Agendas will be circulated to all relevant parties not less than seven days prior to the time fixed for holding the meeting.

The meeting will generally follow a structure which will cover a summary of the application, confirmation of the issues, followed by a discussion during which the applicant is invited to comment. A summary and outline of next steps will be provided to ensure all parties are aware of the progression of the application.

From time to time there may be a requirement to change this format, which will be largely dependent on the number of attendees, and as such a level of flexibility will be applied to the meeting structure when necessary.

Formal minutes are not taken of the Committee meeting. Meeting notes are taken and provided to the relevant planning officer responsible for the application, and referenced in the relevant planning application report to Council.

8. VOTING

The Committee does not have any delegated authority to make decisions.

9. CONDUCT AND INTEREST PROVISIONS

In performing the role of Advisory Committee member, a person must:

- Act with integrity;
- Impartially exercise his or her responsibilities in the interests of the local community;
- Not improperly seek to confer an advantage or disadvantage on any person;
- Treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- Commit to regular attendance at meetings; and
- Not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

Meetings of an Advisory Committee may potentially form an Assembly of Councillors. When this occurs, Councillors and officers are required to comply with the conflict of interest provisions as set down in the Local Government Act 1989.

Where a Councillor or officer declares a conflict of interest in relation to a matter in which the Committee is concerned, they must disclose the interest to the Committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the notes of the meeting.

Where a meeting is identified as an Assembly of Councillors, staff must complete a Record of Assembly of Councillors form. Where a Conflict of Interest is identified by a Councillor or staff member at an Assembly of Councillors, the relevant Conflict of Interest form must also be completed. Forms should be forwarded to the Manager – Governance within 5 working days of the meeting. This information will be published at the next available Ordinary Council Meeting.

10. REPORTING

There are no reporting requirements for the Committee.

11. ADMINISTRATION SUPPORT

Administration support will be provided by [the City Planning & Building Department](#) [Coordinator Business Support – City Development](#).

12. CONTACT WITH THE MEDIA

Contact with the Media by Advisory Committee members will be conducted in accordance with the Councillor and Staff Media Policies.

13. SUNSET CLAUSE AND REVIEW DATE

The Committee will be reviewed as per the standard 4 year schedule and a report will be prepared for Council together with a recommendation for either a re-endorsement or disbanding of the Committee.

14. MEALS

The provision of refreshments during the course of an Advisory Committee meeting will be in accordance with the Meals and Beverages for Council Committees Policy.

15. ADMINISTRATIVE UPDATES

From time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

ALL WARDS

6.7 INSTRUMENT OF DELEGATION – PLANNING FUNCTIONS

SUMMARY: *Manager City Planning & Building (Paul Dickie)*

Section 98(6) of the Local Government Act 1989 requires a review of all Delegations within 12 months of a General Election of Council. The purpose of this report is to review the Planning Instrument of Delegation which was adopted by Council on 22 October 2013. This report recommends several changes to the Instrument of Delegation due to changes in legislation, changes in officer titles, as well as changes to reduce the number of planning applications reported to Council for determination. The proposed Instrument of Delegation will still ensure that Council will continue to determine applications which attract significant objections where approval is recommended, as well applications which have been ‘Called Up’ by a Councillor or Senior Officer.

RECOMMENDATION

That Council

1. Approve the Planning Instrument of Delegation, as shown in Appendix A of this report, effective from 22 May 2017; and
2. Sign and Seal the approved Planning Instrument of Delegation; and
3. Effective from 22 May 2017, revoke the Planning Instrument of Delegation dated 22 October 2013.

1. INTRODUCTION**1.1 Background**

Council’s current Planning Instrument of Delegation was adopted on 22 October 2013.

This document details the duties and functions associated with planning and health processes that are delegated from the following Acts and Regulations:

- *Planning and Environment Act 1987;*
- *Planning and Environment Regulations 2005;*
- *Planning and Environment Interim (Fees) Regulations 2013;*
- *Residential Tenancies Act 1997; and*
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registrations and Standards) Regulations 2010.*

6.7 Instrument of Delegation – Planning Functions (cont'd)

Knox City Council receives around 1,000 Planning Applications per year, plus another 500 requests to amend permits/plans or extend the time of permits. The processing of applications, as well as the enforcement of permits and the Knox Planning Scheme, requires decisions and actions in accordance with the abovementioned legislation. The Planning Instrument of Delegation is therefore an important aspect of the effective and timely operation of Council's planning function.

A review of the Planning Instrument of Delegation has been undertaken in accordance with the *Local Government Act 1989*, which requires a review of Council delegations within 12 months of a general election. This process has examined changes to legislation, any changes in policy, as well as changes in organisational arrangements.

The review of the Planning Instrument of Delegation was discussed by Councillors at the Issues Briefing on 10 April 2017.

Council's lawyers have assisted in the preparation of this delegation document.

1.2 Delegation under the Planning and Environment Act

The *Planning and Environment Act 1987* (the Act) prescribes certain duties to Planning Authorities relating to the power to prepare Planning Scheme Amendments, and to Responsible Authorities relating to the administration and enforcement of Planning Schemes.

Knox City Council acts as both Planning Authority and Responsible Authority to the Knox Planning Scheme.

The Act enables the delegation of most tasks and duties to a Committee of Council, and to officers – except in relation to the following:

- Adopt or abandon a planning scheme amendment;
- Appoint a committee if one is proposed for hearings prior to a decision;
- Applying to a Court for an injunction relating to an enforcement order or interim enforcement order;
- Purchase, hold, lease, sell or otherwise dispose of land or exchange land on behalf of Council;
- Subdivide or develop land on behalf of Council;
- Compulsory acquisition; and
- The power to delegate (hence, planning delegation is not within the scope of the CEO's powers to delegate, and must be determined by Council).

6.7 Instrument of Delegation – Planning Functions (cont'd)

Delegation is necessary for the effective and efficient operations of Council's planning functions, as well as to enable routine and administrative tasks to be carried out with consistency and certainty (e.g. keeping of registers and making applications available to the public).

2. DISCUSSION

The proposed Planning Instrument of Delegation can be found in Appendix A. The tracked changes version is included as Appendix B for information.

There are number of changes proposed to the Instrument of Delegation, the main areas of change are as follows:

2.1 Council Staff Titles Updated

Part 2 of the Instrument of Delegation details various officer positions to which the delegation applies to. For ease of operation the positions are included in groupings (titled Group A to Group I) reflecting the position role and seniority.

Since 2013 there have been a number of changes in position titles within Council. The Instrument has been modified in accordance with those changes. The following positions have changed title:

- Principle Planner (formerly Senior Planner Band 7);
- Senior Planner – no change in title but now covers Band 6 Senior Planners only;
- Senior Subdivision Planner (formerly Subdivision Planner Band 6);
- Senior Project Manager (formerly Project Manager Strategic Planning);
- Team Leader Administration (formerly Team Leader City Planning Administration); and
- Administration Officer (formerly City Planning Administration Officers).

The existing positions of Student Planner and Project Support Officer are proposed to be included in the delegation – within the appropriate group which reflects the position duties.

Also changed in the delegations for the *Residential Tenancies Act and Regulations* is the Coordinator Health Services which is now the Coordinator Health Compliance.

2.2 Amended Requirements for Delegates

Section 3.3 of the Instrument of Delegation provides requirements that a Delegate of Council must not breach when acting under Delegated Authority. Further requirements outlined in Division 1A of the *Local Government Act 1989* are proposed to be added in Part 4 of the proposed Instrument of Delegation.

6.7 Instrument of Delegation – Planning Functions (cont'd)

The additional requirements have been added in accordance with advice provided through the Maddocks Lawyers Delegations and Authorisations Service.

An additional condition has been included in all sections relating to approval or refusal of applications. The new provision will require that Group A & B delegates must also have the consent of another delegate from Group A or B. This change ensures that all decisions are signed off by two officers. The change does reflect current practice, and is also considered to be good governance.

2.3 Changes in Legislation

There have been a number of changes in legislation since the adoption of the current Instrument of Delegation in October 2013, which require changes to delegations. In accordance with legal advice the proposed Instrument of Delegation deals with:

- *Planning and Environment Amendment (General) Act 2013* – Note the current Instrument of Delegation did deal with changes foreshadowed in this Act – however the proposed Instrument of Delegation removes a number of redundant notes;
- *Planning and Environment Amendment (Infrastructure Contributions) Act 2015*;
- *Planning and Environment Amendment (Recognising Objectors) Act 2015*;
- *Planning and Environment Regulations 2015* have replaced the *Planning and Environment Regulations 2005*; and
- *Planning and Environment (Fees) Regulations 2016* have replaced the *Planning and Environment Interim (Fees) Regulations 2013*.

All changes proposed to the Instrument of Delegation as a result of legislative changes will retain delegations to the same level as existing similar provisions. The proposed delegations for the changes are also considered to be appropriate from a day to day operational perspective.

2.4 Policy changes and other relevant considerations

Since the current Instrument of Delegation was adopted in October 2013, the following key changes have occurred in the Planning system:

- On 17 March 2016 Amendment C131 to the Knox Planning Scheme was approved. The Amendment implemented the Knox Housing Strategy 2015, the Rowville Plan 2015, and the new residential zones.

6.7 Instrument of Delegation – Planning Functions (cont'd)

The approval of Amendment C131 was a significant review of the Housing Strategy and introduced a refined approach to residential development in Knox. The approval of Amendment C131 means that the Knox Planning Scheme better reflects Council and Community aspirations.

- 2014, 2015 and 2016 all saw high numbers of planning applications submitted – particularly for multi dwelling applications. This is due to the continued strength of the Melbourne and Knox housing markets. It is expected that strong market conditions will continue in coming years.
- In September 2014 the State Government amended the *Victorian Civil and Administrative Tribunal Act 1998* by inserting a provision allowing the Tribunal to order Responsible Authorities to reimburse an applicant the whole of any statutory fees for an appeal lodged against failure to determine an application within the statutory time frame. This was a deliberate move to encourage Councils to improve processing times and avoid financial costs for failure appeals. (Note – at the time of writing, no orders for fee reimbursement have been made against Knox City Council).
- The State Government is now publishing performance statistics of Local Councils across a number of areas – including statutory planning, via the 'Know Your Council' website and the Planning Permit Activity Reporting System (PPARS). The publishing of performance data such as the percentage of applications determined within 60 statutory days and the time taken to determine applications, also encourages Councils to determine applications within a timely manner.

2.5 Changes to Delegation to Approve an Application

The following sections of the *Planning and Environment Act 1987* relate to decisions to approve a planning application:

- Section 61(1)(a) – Power to decide to grant a permit;
- Section 61(1)(b) – Power to decide to grant a permit with conditions;
- Section 84(1) – Power to decide on an application at any time after an appeal is lodged against failure to grant a permit; and
- Section 96G(1) – Power to determine to recommend to the Minister for Planning that a Permit be Granted or Refused for a combined Planning Scheme Amendment / Permit application.

The above sections all currently have the same triggers to determine to approve an application under delegated authority. Currently delegated authority exists to approve applications unless one or more of the following triggers apply:

- The application proposes five or more dwellings or lots outside an Activity Centre with an approved structure plan, or a Development Plan Overlay area with an approved Development Plan;

6.7 Instrument of Delegation – Planning Functions (cont'd)

- The application has received objections from the owners and/or occupiers of 10 or more separate properties; or
- The application is 'called up' by a Councillor or Senior Officer.

The triggers for determination of applications by Council, or by officers under delegated authority were extensively discussed at the Issues Briefing on 10 April 2017.

It is important that the triggers facilitate the efficient operation of Council's planning function (particularly given the increasing pressure to avoid failure appeals and improve timeliness), whilst still meeting community expectations that significant applications, or controversial applications (where approval is recommended) are determined by Council.

It is considered that the approval of Amendment C131 to the Knox Planning Scheme and the Knox Housing Strategy 2015 provides a significant opportunity to revise the triggers for Council determination and increase the level of delegation to officers. This is due to the Planning Scheme better reflecting Council and Community aspirations for development.

It is therefore recommended that the following changes be made to the triggers where approval of an application is recommended:

- That the five or more dwellings/lots trigger be removed;
- That the objections trigger be increased from 10 properties to 15 properties, with a further exemption that proposals in Activity Centres with an approved structure plan, or proposal located with an 'Activity Area' as identified in the Knox Housing Strategy 2015 can be determined under delegated authority.

The 'call up' provision is proposed to remain for any application that a Councillor or Senior Officer considers should be determined by Council.

It is considered that the proposed changes will improve timeliness for many applications whilst ensuring that Council continues to consider controversial applications in areas where the planning scheme does not anticipate significant change. The use of the Knox Housing Strategy to identify change areas is considered to be the best indicator of Council policy direction.

2.6 Changes to Delegation to Refuse an Application

The following sections of the *Planning and Environment Act 1987* relate to decisions to refuse a planning application:

- Section 61(1)(c) – Power to decide to refuse the application;
- Section 61(2) – Duty to decide to refuse the application if a relevant determining referral authority objects to the application;

6.7 Instrument of Delegation – Planning Functions (cont'd)

- Section 61(2A) – Power to decide to refuse the application if a relevant recommending referral authority objects to the application;
- Section 61(4) – Duty to decide to refuse the application if the grant of a permit would authorise a breach of a registered restrictive covenant;
- Section 84(1) – Power to decide on an application at any time after an appeal is lodged against failure to grant a permit; and
- Section 96G(1) – Power to determine to recommend to the Minister for Planning that a Permit be Granted or Refused for a combined Planning Scheme Amendment / Permit application.

The above sections all currently have the same triggers to determine to refuse an application under delegated authority. Currently delegated authority exists to approve applications unless one or more of the following triggers apply:

- The application has received objections from the owners and/or occupiers of 10 or more separate properties; or
- The application is 'called up' by a Councillor or Senior Officer.

As noted above, the triggers for determination of applications by Council, or by officers under delegated authority were extensively discussed at the Issues Briefing on 10 April 2017. It is important that the triggers facilitate the efficient operation of Council's planning function (particularly given the increasing pressure to avoid failure appeals and improve timeliness), whilst still meeting community expectations that significant applications, or controversial applications are determined by Council.

It is therefore recommended that the objections trigger be removed where refusal of an application is recommended. The 'call up' provision is proposed to remain for any application that a Councillor or Senior Officer considers should be determined by Council. This recommended change will have a positive impact on the number of failure appeals received as applicants that believe their application is likely to be refused will often lodge a failure appeal at VCAT whilst waiting for Council determination of their application.

It is considered that the proposed changes will improve timeliness for many applications whilst ensuring that Councillors or Senior Officers can call up applications for Council determination.

2.7 Other Changes

It is also proposed to make a small number of minor changes to the Instrument of Delegation based on the day to day operation of Council's Statutory and Strategic Planning functions. All changes proposed to the Instrument of Delegation are highlighted in Appendix B, and propose delegations to the same level as existing similar provisions. The proposed delegations for the changes are also considered to be appropriate from a day to day operational perspective.

6.7 Instrument of Delegation – Planning Functions (cont'd)

3. CONSULTATION

No consultation has been held with the community on this matter. Consultation has occurred with Councillors (at the Issues Briefing on 10 April 2017) and Officers affected by the proposed Instrument of Delegation.

4. ENVIRONMENTAL/AMENITY ISSUES

The determination of planning applications seeks to consider environmental and amenity issues.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There will be no significant financial implications associated with the changes proposed to the Planning Instrument of Delegation. The determination of applications under delegation saves Council resources and expedites decision making.

The proposed changes are expected to reduce the number of failure appeals lodged at VCAT – therefore reducing risks of VCAT making an order that Council pay VCAT fees for appeals.

6. SOCIAL IMPLICATIONS

The determination of planning applications seeks to consider social issues.

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

The governance of planning is relevant to a number of areas of the Knox City Plan incorporating the Council Plan, including, 'Healthy, Connected Communities', 'Prosperous, Advancing Economy', 'Vibrant and Sustainable Built and Natural Environments' and 'Democratic and Engaged Communities'.

8. CONCLUSION

This report concludes a review of Council's Instrument of Delegation for Planning as required by the *Local Government Act 1989*. It is recommended that Council adopt a revised Instrument of Delegation due to changes in legislation and policy that have occurred since 2013.

It is submitted that the proposed Instrument of Delegation will facilitate the efficient operation of Council's planning function, whilst continuing to meet community expectations regarding the type of applications that are determined by Council.

6.7 Instrument of Delegation – Planning Functions (cont'd)**9. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. GILL

SECONDED: CR. KEOGH

That Council

1. Approve the Planning Instrument of Delegation, as shown in Appendix A of this report, effective from 22 May 2017; and
2. Sign and Seal the approved Planning Instrument of Delegation; and
3. Effective from 22 May 2017, revoke the Planning Instrument of Delegation dated 22 October 2013.

CARRIED

6.7 Instrument of Delegation – Planning Functions

Appendices A and B – Instrument of Delegation: Council to Council Staff - Planning Circulated Under Separate Cover

Official Minutes of Knox City Council

ALL WARDS

6.8 COST OF ASSESSING PLANNING APPLICATIONS

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

This report responds to a call up item resolved by Council at the 27 March 2017 Council Meeting, regarding the cost to Council of processing planning applications. The report provides details regarding the income Council receives with respect to planning applications as well as the cost to Council. The report also considers the recent changes to planning and subdivision fees introduced by the State Government in October 2016, as well as two 2005 VCAT decisions which found some additional fees invalid. It is recommended that the report be noted.

RECOMMENDATION

That Council note the information provided in this report regarding cost recovery in the processing of planning applications and related processes.

1. INTRODUCTION

At the 27 March 2017 Council Meeting – Council resolved the following call up item:

That Council receive a report at the 22 May 2017 Ordinary Meeting of Council outlining the cost to Council of processing planning applications, including:

- a. The fees received from planning applications and the level of subsidy Council provides.*
- b. The average cost to Council by development type, and*
- c. Any legislative provisions stopping Council moving to full cost recovery on its fees.*

This report responds to the above call up item. As a part of undertaking the work required for this Call Up Item, officers have had regard to Council's Call Up Items at Council Meetings Policy, and in particular, Item 6.5 which states:

'Where preparing a report responding to a Call Up Item which will require more than 3 person days or \$5,000 in costs, then the matter which is subject to the Call Up Item should be referred by Council to the next budget considerations with a supporting business case for consideration along with other competing priorities.'

6.8 Cost of Assessing Planning Applications (cont'd)

2. DISCUSSION

2.1 Introduction

There are two basic categories of planning fees, which are set in significantly different ways – State Government set fees and Local Council set fees. For clarity, the fee categories are outlined below.

State Government Set Fees

- Planning Application Fees;
- Planning Application Amendment Fees;
- Planning Permit Amendment Fees;
- Planning Fines;
- Planning Certificates of Compliance;
- Matters to the satisfaction of the Responsible Authority Fees;
- Subdivision Engineering Plan Checking Fees;
- Engineering Construction Supervisions Fees (Subdivisions); and
- Subdivision Certifications.

Knox Council Set Fees

The following fees are set by Knox City Council as part of the annual Council Budget (Bonds are excluded as they are refunded and not considered income):

- Secondary Consent Request Fees;
- Extension of Time Request Fees;
- Planning Application for Tree Removal and Tree Pruning – Council has used its discretion as part of the budget process to reduce this fee from the level set by the State Government;
- Administration Fee for Incomplete Works Bonds;
- Fee to provide quote Incomplete Works Bonds;
- Public Notice (Advertising) Fees;
- Provision of Planning Permit Detail Request Fee; and
- Copy of Planning Permits and Endorsed Plans Fee.

6.8 Cost of Assessing Planning Applications (cont'd)

For the purposes of this report Public Open Space Contributions (which are received as part of the subdivision process) are not counted as fee income. Whilst income for Council from Public Open Space Contributions is currently around \$4m per annum, this is not a fee for service – rather it is a specific contribution for open space and is transferred to a specific reserve that can only be used for the purchase or improvement of public open space.

2.2 Planning and Subdivision Fees Regulations 2016

A significant change in the income Council receives from Planning Applications occurred in October 2016 when the State Government introduced new planning and subdivisions fee regulations. This was the first significant change in the regulation of planning fees since 1989. Until this point fees were only spasmodically indexed and the structure and fee levels was not reflective of anything close to cost recovery.

Local Governments and the MAV had lobbied the State Government for some time regarding the perceived low level which planning fees had been set, given the increase in complexity for planning assessments.

The new regulations establish fees in 'monetary units' like other government fees, which will mean the fees will be indexed every year, and the structure of fees is simpler and more reflective of cost recovery. It has been previously estimated that the new fee levels will increase planning income by about \$530,000 per annum.

In determining the new fees, the State Government adopted the following *Guiding Principles*:

- Fees charged for the planning and subdivision functions of municipal councils should support Victoria's planning objectives;
- Fees should be set to encourage the optimal use of planning and subdivision functions of municipal councils;
- Fees should not over-recover costs and fees are to be based on efficient cost;
- Fees should be equitable; and
- Fees should be simple to understand and administer.

The setting of the proposed fees was informed by collecting data from 15 councils, over a four week period (Knox was not part of the data collection) and from the State Government Department of Environment, Land, Water & Planning, on the time (and other costs) spent on processing applications.

6.8 Cost of Assessing Planning Applications (cont'd)

It was noted that while the prevailing purpose of the increases to (most of) the fees was to improve the level of cost recovery in all fees areas – less than full cost recovery was proposed for planning permits, reflecting consideration of the guiding principles related to equity and the potential for some fee increases to affect compliance (for example – fees for vegetation removal should not act as a deterrent to people lodging an application).

The State Government did carry out a Regulatory Impact Statement (RIS) for the proposed fees as well as public consultation, prior to the introduction of the new fees.

2.3 Planning Income and Costs

In responding to this call up item it is proposed to compare the 2015/16 completed financial year and the proposed budget for 2017/18 financial year.

This will demonstrate on a full year basis the difference made by the new State Government Fee Regulation (as the 2016/17 year will have a portion of the year under the old fees and a portion under the new fees), as well as show the change in terms of cost recovery.

To determine cost recovery, income and expenditure figures are taken directly from the Development Services budget, which includes statutory planning, planning enforcement, engineering plan assessment, landscape plan assessment, 40% of the planning and building administration team costs and relevant staff on-costs and vehicle costs. The program does not include management costs.

The structure of the Knox's budget for planning assessment does not reflect the cost structure used by the State Government when establishing the new planning and subdivision fees – and it is therefore not surprising that fee income is still well short of costs.

6.8 Cost of Assessing Planning Applications (cont'd)

The table below details all income accounts (identifying State and Council set fees) with the total costs and subsidy provided by Council/Rate income also identified.

Development Services Program Account Description	2015/16 Actuals	2017/18 Proposed Budget
Supervision Fees	\$166,210	\$60,000
Advertising Fees	\$129,179	\$140,000
Planning Fines	\$13,528	\$5,440
Subdivision Certification Fees	\$55,660	\$41,125
Tree Removal / Pruning Application Fees	\$15,504	\$22,500
Planning Cert of Compliance and matters to satisfaction of R.A. Fee	\$19,244	\$12,300
Bond Admin and Quotation Fees	\$3,760	\$10,300
Planning Application Fee	\$563,527	\$1,200,000
Planning Permit Amendment Fee	\$59,585	\$53,800
Plan Checking Fee	\$49,863	\$20,000
Permit search and copy fee	\$20,054	\$22,300
Extension of Time and Secondary Consent Fee	\$18,182	\$53,850
Total income (excluding open space contributions)	\$1,114,296	\$1,641,615
Total Expenditure (including staff on-costs and vehicles, excluding Council overheads)	\$2,788,705	\$2,955,724
Council Subsidy	\$1,674,409	\$1,314,109
Percentage of expenditure met by fee income	40%	56%

Note – Shaded row represents fees set by Knox City Council.

Note – Supervision Fees & Plan Checking Fees are heavily influenced by major subdivision proposals, with both having high income in 15/16 due to the Harcrest development.

6.8 Cost of Assessing Planning Applications (cont'd)

The above analysis shows that the new planning and subdivision fees will make a significant positive difference to income and cost recovery for the statutory planning function, however even with the additional income the cost of processing and assessing development is well short of cost recovery for this service.

The majority of expenditure for the statutory planning function is staff based, and this is reflected in the 6% increase in costs between 2015/16 and 2017/18. It should be noted that there have been no new initiatives within the budget over several years – with all of the additional income received dedicated to reducing the Council/rate subsidy for the service.

2.4 Cost per Application

The most reliable comparative measure of costs per application now comes from the State Governments 'Local Government Reporting Framework' which is accessible via the Know Your Council Website. The Framework provides a consistent definition of costs which allows a more reliable comparative measure to be established. It is noted that in this case costs do not include enforcement, landscape or engineering plan assessment.

The 2015/16 results show that across the 31 metropolitan and interface Councils, the cost per application (a product of direct service costs minus income received) varied from \$1,146.86 to \$3,047.50. The result for Knox was \$1,561.78 per application – this was the tenth lowest cost of the 31 Councils.

It is not possible with current data collection to determine the average cost per development type. However, as noted in section 2.2 above in setting the new fees the State Government did do an extensive data collection exercise to determine the costs for different types of applications – which then informed the new fees.

2.5 Consideration of Full Cost Recovery

As noted above, despite Knox Council operating a relatively low cost per application, and a new fee schedule being introduced (on cost recovery principles for applications), the operation of the statutory planning function will still operate well short of cost recovery.

One of the key reasons for the gap between income and cost remains is that there are a number of functions that the team carry out – or carry out to a high service standard – which do not attract fees, for example:

- Customer Service – every day officers deal with significant numbers of phone calls and counter enquiries which generate no income;
- Statistical Reporting and monitoring – as part of the governance of the service there is regular and consistent effort in the reporting of statistics to the State Government and within Council;

6.8 Cost of Assessing Planning Applications (cont'd)

- Pre-app discussions – Council encourages potential applicants to use a pre-application process to help assist with applications that provide the correct level of information and respect planning scheme and policy requirements. Whilst a fee is payable for this service, it is later deducted from the application fee – which means this process is provided for free. This upfront investment is helpful in maximising quality development outcomes;
- High expectations of new development – Knox Council does expect high standards from new development, with proposals required to provide drainage, landscape and sustainable design plans and information, which are all checked by qualified and experienced officers in each field. This additional assessment does not generate additional income, and is not part of the cost structures of all Councils; and
- Enforcement – Knox Council has 2.6 EFT staff devoted to enforcement of the planning scheme and issued permits, including a landscape inspection officer. Whilst this function does generate some income from fines – it is well short of cost neutrality.

The above tasks are in many ways core functions of the Statutory Planning Service, and they have been noted as examples where significant time and effort is invested to provide services to the Knox community or improved planning outcomes – with little or no income. These are functions where full cost recovery is not necessarily appropriate (for example – seeking cost recovery for pre-app discussions will lead to applicants avoiding the pre-app process which will extend the planning application process and possibly result in poorer planning outcomes).

The Statutory Planning Service is not only an ‘application approval service’ and does provide a community benefit (for example through the enforcement and customer service functions), therefore it is reasonable that the community contribute to the cost of achieving good community outcomes.

2.6 Potential to Increase Fee Income

As noted in section 2.2 above the State Government has just implemented significant changes to planning and subdivision fees. The change was well overdue, and was consistent with advocacy efforts over a considerable time period.

Given the time and effort to develop the new fees, the expression of the fees in monetary units to allow for indexation, and to some extent, the political difficulty for the government to increase the fees – it is considered unlikely that the government will be inclined to review the fees again any time soon.

6.8 Cost of Assessing Planning Applications (cont'd)

It is also noted that there are a number of planning fees that are set by Council – as outlined in Section 2.1 above. These fees are reviewed annually as part of the Council budget process. The fees are currently considered to be appropriate for the services provided, however it is of course open to Council to increase the fees. It should be noted however that the fees need to reasonably relate to the service being applied for – for example, the advertising fees to carry out the public notice obligations for a planning application must reasonably relate to the cost to provide that service. Fees for specific services should not be used to supplement a planning application fee. Council will also be conscious that most planning applicants are Knox residents, and not all jobs relate to site redevelopments that generate business profit.

There is also limited opportunities to introduce new fees – particularly fees that would generate the scale of income to achieve full cost recovery. Legal advice obtained by Council as part of the Service Planning project (based on the new fee regulations) indicates there is little to no scope for charging additional fees and charges above the new schedule of fees. For example, while some Councils charge an additional fee for 'fast tracking' certain applications, if challenged the fee could be found to be invalid, particularly in light of comments made by the Victorian Civil and Administrative Tribunal (VCAT) in *Bensen and Forsyth*.

The *Benson and Forsyth* cases were both considered in 2005 by the President of VCAT. The cases involved the City of Monash which had proposed an additional "*Administration Fee*" for new applications set at 10% of the prescribed application fee; and the City of Knox which had introduced a \$90 "*Satisfaction Fee*" to consider Neighbourhood and Site Descriptions submitted as part of some development applications. The Tribunal found that both fees were invalid – which effectively ended Council's ability to introduce similar fees into the future.

2.7 Potential to Reduce Costs

Full cost recovery can be achieved either by increasing revenue or reducing costs. As noted above the ability for Council to increase revenue is quite limited, certainly to the extent required to achieve full cost recovery. Council may also wish to explore cost reduction to move towards full cost recovery.

The Urban Planning Service Review has been developed as part of Council's Service Planning Program. The Analysis for this review has recently been completed and due to be discussed at a Council Issues Briefing in June 2017. The Service Review will provide an opportunity for Council to consider the services and service levels to be provided, as well as being informed of opportunities for efficiencies that may be possible through Council's Customer Focused Business Improvement Program and use of digital technology.

3. CONSULTATION

No consultation has been held with the community on this matter.

6.8 Cost of Assessing Planning Applications (cont'd)

4. ENVIRONMENTAL/AMENITY ISSUES

The determination of planning applications seeks to consider environmental and amenity issues.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The purpose of this report is to respond to a call up item to inform Council of the fee income received for the Statutory Planning function of Council and explore options for full cost recovery for the service. The provision of efficient statutory planning services is beneficial in providing good community outcomes.

6. SOCIAL IMPLICATIONS

The determination of planning applications seeks to consider social issues.

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

The governance of planning is relevant to a number of areas of the Knox City Plan incorporating the Council Plan, including, 'Healthy, Connected Communities', 'Prosperous, Advancing Economy', 'Vibrant and Sustainable Built and Natural Environments' and 'Democratic and Engaged Communities'.

8. CONCLUSION

This report examines the ability of the Statutory Planning service of Council to achieve full cost recovery. The report has found that whilst the new planning and subdivision fees introduced by the State Government in 2016 significantly improved income received, the service still operates short of full cost recovery.

The Statutory Planning service is not only an 'application approval service' and does provide a benefit for the whole of the Knox Community. Given the broad goal of achieving positive planning outcomes, expenditure above the fee income received is reasonable.

It is unlikely that the State Government will further increase fees in the near future. Council reviews its fees annually, but there is limited opportunity to introduce new fees. Finally, there are opportunities for Council to achieve better cost recovery by reducing costs of the service, and that the Service Planning project will provide Council with an opportunity to review services provided and service levels.

It is recommended that Council note the information provided in this report.

6.8 Cost of Assessing Planning Applications (cont'd)**9. CONFIDENTIALITY**

There are no confidentiality issues associated with this report.

COUNCIL RESOLUTION

MOVED: CR. GILL
SECONDED: CR. COOPER

That Council note the information provided in this report regarding cost recovery in the processing of planning applications and related processes.

CARRIED

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ALL WARDS

6.9 REVIEW OF PROCEDURE FOR CONSIDERATION OF APPEALS OF VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL DECISIONS

SUMMARY: *Manager City Planning and Building (Paul Dickie)*

This report relates to the internal procedure for the practice of consideration of appeals to the Supreme Court for a review of Victorian Civil and Administrative Tribunal (VCAT) decisions. The procedure is due for review, and it is recommended that Council adopt the procedure unchanged with a four year review period.

RECOMMENDATION

That Council adopt the Knox Procedure – Appeals of Victorian Civil and Administrative Tribunal Decisions, as outlined in Appendix A of this report.

1. INTRODUCTION

Approximately 30 Victorian Civil and Administrative Tribunal (VCAT) decisions are made each year for Knox planning applications. From time to time Council may consider seeking leave to appeal a VCAT decision to the Supreme Court based on a question of law.

In 2008 a Boarding Houses Special Audit was undertaken by DFK Collins. The audit considered a number of matters relating to boarding house issues and made a number of recommendations, including:

- *Clarifying in writing the process to clearly define the CEO's powers of delegation in relation to VCAT Appeals.*

Council at its meeting on 23 September 2008 adopted a procedure which provided a documented process to formalise consideration of such appeals. The procedure was reviewed by Council at the SPC Meeting on 14 May 2013 where it was adopted unchanged. The procedure is again due for review by May 2017.

2. DISCUSSION

2.1 Legislation

Section 148 of the *Victorian Civil and Administrative Tribunal Act 1998* Sections (1) and (2) state:

- (1) *A party to a proceeding may appeal, on a question of law, from an order of the Tribunal in the proceeding –*
 - (a) *if the Tribunal was constituted for the purpose of making the order by the President or a Vice President, whether with or without others, to the Court of Appeal with leave of the Court of Appeal; or*

6.9 Review of the Procedure for Appeals Against Victorian Civil and Administrative Tribunal Decisions (cont'd)

(b) in any other case, to the Trial Division of the Supreme Court with leave of the Trial Division.

(2) An application for leave to appeal must be made –

(a) no later than 28 days after the day of the order of the Tribunal; and

(b) in accordance with the rules of the Supreme Court.

The above provisions allow Council to appeal a VCAT decision only on a question of law, no later than 28 days after the decision is made.

Section 86 of the *Planning and Environment Act 1987* requires that if an order made by VCAT requires Council as the Responsible Authority to issue a permit, Council must issue that permit within three working days after the first Ordinary Meeting of Council after it receives a copy of the order.

There are a number of other provisions in the *Planning and Environment Act* which require that Council carry out an order made by the Tribunal for other types of appeals.

It is normal practice that VCAT orders are acted upon as soon as practicable by Council Officers.

2.2 Existing Procedure

The Procedure for Appeals Against Victorian Civil and Administrative Tribunal Decisions (the Procedure) outlines a process for considering appeals to the Supreme Court on VCAT Orders and is attached as Appendix A to this report.

The Procedure anticipates two origins of potential appeals; Councillor and officer driven, however it ensures that Council will always be the decision maker to proceed to appeal to the Supreme Court.

It is proposed that the CEO only exercise delegated authority to lodge an appeal if time frames mean that the next Council Meeting is more than 28 days after VCAT makes the decision, and only after advising all Councillors of his/her intention to proceed to an appeal under delegation. The Chief Executive Officer must consider any response received to that advice from a Councillor.

The Procedure also requires that two legal opinions be obtained before proceeding to Supreme Court appeal. This is considered appropriate as Supreme Court Appeals can be very costly, and tie up significant resources, and therefore decision making should be based on more than one source of legal advice.

6.9 Review of the Procedure for Appeals Against Victorian Civil and Administrative Tribunal Decisions (cont'd)

For Councillor generated matters it is proposed that Councillors nominate VCAT appeals they have an interest in, using the Appeals List that is provided to Councillors fortnightly in the City Development Bulletin. A procedure is provided for managing the appeals nominated to be of interest.

The Procedure has been in place since September 2008. In that time it has not been activated and Council has not lodged any Supreme Court Appeals against VCAT decisions. The Procedure remains up to date and provides a clear and transparent decision making framework should an appeal be contemplated. The Procedure has been re-formatted to the Council standard format, with some minor administrative and grammatical changes.

3. CONSULTATION

There has been no community consultation on the issues raised in this report. The Procedure was discussed at a Confidential Issues Briefing in April 2017.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no direct environmental/amenity implications as a result of this report or procedure.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Supreme Court Appeals can be very costly for Council. It is therefore appropriate that procedures are in place to ensure that Council retains the decision making authority to appeal.

The provision of two legal opinions before a decision is made will have some impacts (between \$5,000 - \$10,000 per case depending on complexity) however it is considered appropriate if required, given the potential cost magnitude of a decision to appeal to the Supreme Court.

6. SOCIAL IMPLICATIONS

There are no direct social implications as a result of this report or procedure.

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

The governance of planning is relevant to a number of areas of the Knox City Plan incorporating the Council Plan, including; 'Healthy, Connected Communities', 'Prosperous, Advancing Economy', 'Vibrant and Sustainable Built and Natural Environments' and 'Democratic and Engaged Communities'.

8. CONCLUSION

The Procedure maintains Council as the final decision maker to appeal, and provides for an effective process so that such a decision can be taken with relevant advice.

6.9 Review of the Procedure for Appeals Against Victorian Civil and Administrative Tribunal Decisions (cont'd)

Whilst the Procedure has never been activated, its existence provides for a clear and transparent decision making framework should an appeal be contemplated in the future.

It is recommended that the procedure, attached as Appendix A, be adopted and reviewed again in four years time.

9. CONFIDENTIALITY

There are no confidentiality aspects to this report.

COUNCIL RESOLUTION

MOVED: CR. TAYLOR

SECONDED: CR. COOPER

That Council adopt the Knox Procedure – Appeals of Victorian Civil and Administrative Tribunal Decisions, as outlined in Appendix A of this report.

CARRIED

6.9 Review of the Procedure for Appeals Against Victorian Civil and Administrative Tribunal Decisions

APPENDIX A

KNOX PROCEDURE



APPEALS OF VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL DECISIONS

Procedure Number:	2008/02	Directorate:	City Development
Approval by:	Council	Responsible Officer:	Director City Development
Approval Date:	22 May 2017	Version Number:	2
Review Date:	May 2021		

1. PURPOSE

To provide procedures for considering an appeal against a decision of the Victorian Civil and Administrative Tribunal (VCAT) on a Town Planning matter.

2. CONTEXT

2.1 Legislation

Section 86 of the *Planning and Environment Act 1987* requires that if an order made by VCAT requires Council as the Responsible Authority to issue a permit, Council must issue that permit within three working days after the first Ordinary Meeting of Council after it receives a copy of the order.

There are a number of other provisions in the Planning and Environment Act which require that Council carry out an order made by the Tribunal for other types of Appeals.

Section 148 of the *Victorian Civil and Administrative Tribunal Act 1998* Sections (1) and (2) state:

(1) *A party to a proceeding may appeal, on a question of law, from an order of the Tribunal in the proceeding—*

(a) *if the Tribunal was constituted for the purpose of making the order by the President or a Vice President, whether with or without others, to the Court of Appeal with leave of the Court of Appeal; or*

(b) in any other case, to the Trial Division of the Supreme Court with leave of the Trial Division.

(2) *An application for leave to appeal must be made—*

*(a) no later than 28 days after the day of the order of the Tribunal; and
(b) in accordance with the rules of the Supreme Court.*

2.2 Delegation

Council's Planning Instrument of Delegation to Staff acknowledges the duty to comply with a VCAT order, and delegates that duty to Staff as appropriate.

Council's Instrument of Delegation to the Chief Executive Officer allows the Chief Executive Officer to commence proceedings to appeal a decision of VCAT. This power is not further delegated.

3. SCOPE

This procedure will apply to Councillors, the Chief Executive Officer and all Staff of the City Development Directorate. This Procedure only applies to Town Planning matters.

4. REFERENCES

4.1 **Council Plan**

- Healthy, Connected Communities
- Prosperous, Advancing Economy
- Vibrant and Sustainable Built and Natural Environments
- Democratic and Engaged Communities

4.2 **Relevant Legislation**

- Planning and Environment Act 1987
- Victorian Civil and Administrative Tribunal Act 1998

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**

- Nil

4.5 **Related Council Procedures**

- Nil

5. DEFINITIONS

Council	means Knox City Council, whether constituted before or after the commencement of this Policy.
Councillor	means a person who holds the office of member of Knox City Council.

6. PROCEDURE

6.1 Process for Appealing a VCAT decision – Councillor Nomination

The City Development Bulletin is distributed to Councillors fortnightly and contains details of all upcoming VCAT Planning Appeals.

Councillors can nominate an “Appeal of Interest” with the Director City Development, as a matter that they would like to be informed of when the VCAT Appeal Order (Order) has been received by Council and before it is acted upon. Nominations must be in writing or email, and be received by the Director City Development prior to the Order being received from VCAT.

Subject to Clause 6.2 below, if an Order is received from VCAT, and there has been no “Nomination” of that appeal by a Councillor, the Order shall be complied with, as soon as practicable, in accordance with the Planning and Environment Act and the Planning Instrument of Delegation.

If the order is one which has been “Nominated” by a Councillor, officers shall not comply with the VCAT Order immediately. Instead the following steps shall be followed:

- a) A copy of the Order and VCAT decision shall be provided to the Councillor who nominated the matter and the Chief Executive Officer as soon as practicable after receipt at Council.
- b) The Councillor who nominated the matter must notify the Chief Executive Officer, within 7 calendar days of receipt of the order, if they would like further investigation into the matter. Should the next Ordinary Meeting of Council occur within 7 calendar days of receipt of the Order, the Councillor is required to advise the Director City Development of a decision to request further legal investigation as soon as is practicable, to allow Officers to act as required by sections d) and e) of this procedure below.
- c) If the Councillor provides no response within 7 days of receiving the Order; or indicates to the Chief Executive Officer that they do not seek further investigation into the matter – the VCAT order shall be complied with as soon as practicable.
- d) If the Councillor who nominated the matter indicates that they believe that the decision raises a ‘question of law’, and that they would like further investigation into the matter, the Councillor in the first instance, must consult with the Chief Executive Officer and Director – City Development to determine the planning merits of the case, the strategic significance of the decision and the merits of any proposed question of law. If following this consultation, the Councillor indicates that legal advice is warranted, the Chief Executive Officer must seek a minimum of two legal opinions (from suitably qualified and experienced legal practitioners) to advise on the probability of any error in law, the risks involved in pursuing litigation and the chances of success of an appeal of the VCAT Order.

- e) If the next Ordinary Meeting of Council is scheduled within 28 days of the date of the VCAT Order; the Chief Executive Officer must provide to all Councillors – a report providing advice as to whether appeal of the Order is recommended or not, a copy of the Order, and all legal opinions received as per item d) above. Should Council wish to pursue an appeal of the Order it must resolve to do so at the Ordinary Meeting of Council.
- f) If the next Ordinary Meeting of Council is more than 28 days from the date of the Order and the Chief Executive Officer recommends that an appeal be pursued; the Chief Executive Officer may to pursue an appeal of the Order under delegation, after receiving a minimum of two legal opinions as required by Section d) above. Prior to making such a decision the Chief Executive Officer must advise all Councillors of his/her intention to proceed to an appeal under delegation. The Chief Executive Officer must consider any response received to that advice from a Councillor.
- g) If an appeal is lodged in accordance with section f) above; the appeal must be reported to Council at the next Ordinary Meeting of Council.
- h) If the next Ordinary Council Meeting is more than 28 days from the date of the Order and the Chief Executive Officer does not intend to lodge an appeal under item f) above; the Chief Executive Officer must advise the Councillor who nominated the matter of his/her recommendation as soon as is practicable. Should the Councillor who nominated the matter still seek to pursue an appeal they must seek to call a Special Meeting of Council in accordance with the Meeting Procedure and Use of Common Seal Local Law to have the matter determined by Council.
- i) If there is no resolution by Council to proceed with an appeal of the Order under items e) or h) above, the Order shall be complied with within three days of the Ordinary Meeting of Council.

6.2 Process for Appealing a VCAT decision – Officer Nomination

If in reviewing any VCAT decision and order, any Officer of the City Development Directorate believes that VCAT raises a question of law; that officer shall bring the matter to the attention of the Director City Development.

If the Director City Development, after consultation with appropriate officers believes that a decision raises a question of law; the Director must seek a minimum of two legal opinions (from suitably qualified and experienced legal practitioners) seeking advice on the probability of any 'error in law', the risks involved in pursuing litigation and the chances of success of an appeal of the Order.

If following consideration of the above advice the Director City Development is of the opinion that an appeal is warranted, the Director must advise the Chief Executive Officer of the VCAT decision, concern(s) with the decision, and provide copies of the legal advice received.

From this point the same process as outlined in items e), f), g) and i) of 6.1 above shall be followed.

7. ADMINISTRATIVE UPDATES

From time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

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7. PUBLIC QUESTION TIME

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

Question Time commenced at 7.31pm

The following questions were raised with Council:

Question 1	How many health inspectors do we employ or sub-contractors. What targets do we set for them i.e. monthly inspections?
Answer	The Director City Development, Mr Angelo Kourambas, responded that Council employs approximately half a dozen inspectors and that the targets are set by State legislation. Mr Kourambas explained that the legislation takes a risk based approach to setting targets. Low risks, such as pre-packaged food, might be inspected once a year while higher risks require more inspections. Mr Kourambas stated that he did not have the exact number of inspections but this information could be provided in due course.
Question 2	What is the private open floor space of each dwelling? Ground floor area and balcony area. Balcony area should not be included in a townhouses private open space. How and I supposed to deal with neighbours from 4 large dwellings? Usually people have one neighbour per side of their property, however I will have 4 on one side alone. In addition, these dwellings will have massive balconies of minimum 15 sqm. This will create a lot of stress on us.
Answer	The Director City Development, Mr Angelo Kourambas, stated that he did not have the relevant application details at hand so it is difficult for him to respond. Mr Kourambas informed the questioner that the requirements for open space are set by the State and that in an activity area the requirement is 40sqm or a balcony. Further, balconies are permissible with no other open space required. Mr Kourambas offered to meet the questioner after the meeting to further discuss the issues.

A third question was submitted for public question time. Pursuant to the Meeting Procedure and Use of the Common Seal Local Law 2008, the Chair did not read the question as the submitter was not present in the chamber. A written response from Council Officers will be provided in due course.

Question Time concluded at 7.37pm

BAIRD & DINSDALE WARDS**8.1 PEDESTRIAN SIGNALS ON SCORESBY ROAD NEAR BAYSWATER HOTEL ENTRANCE**

SUMMARY: *Sustainable Transport Planner (Melissa Sparrow)*

Council, at its 27 March 2017 meeting, called for a report to be prepared for the May 2017 Council meeting on the feasibility, approval requirements, estimates of cost and funding options for the installation of pedestrian signals to Scoresby Road, Bayswater near the entrance to the Bayswater Hotel. This report is in response to the Call Up Item.

RECOMMENDATION

That Council:

1. receives and notes this Call Up report as resolved by Council on 27 March 2017 in relation to the installation of pedestrian signals on Scoresby Road, Bayswater near the entrance to Bayswater Hotel;
2. notes that a letter has been sent to the owner of the café at 1/21 Scoresby Road, Bayswater:
 - Requesting that they remove the signage advising customers park at the Bayswater Hotel due to the risks presented for pedestrians/customers crossing Scoresby Road;
 - Encouraging the owner to negotiate with businesses on the same side of Scoresby Road as the café to utilise any excess carparking available; and
3. includes consideration of pedestrian signals on Scoresby Road, Bayswater as part of its Arterial Road Projects submission to VicRoads, which will be presented to the August 2017 Ordinary Meeting of Council.

1. INTRODUCTION

This report responds to a Call Up Item raised at the Ordinary Meeting of Council on 27 March 2017:

“That a report be prepared for the May 2017 Council meeting on the feasibility, approval requirements, estimates of cost and funding options for the installation of pedestrian signals to Scoresby Road, Bayswater near the entrance to the Bayswater Hotel.”

This matter has been investigated which included undertaking pedestrian counts and analysis of vehicle numbers.

8.1 Pedestrian signals on Scoresby Road near Bayswater Hotel entrance (cont'd)

2. DISCUSSION

2.1 Background

Scoresby Road, in the vicinity of the Bayswater Hotel, is an undivided four lane arterial road carrying approximately 10,000 vehicles per day. The current posted speed limit is 60km/h. VicRoads is the responsible road authority for Scoresby Road.

The Bayswater Hotel driveway entrance is located on Scoresby Road, approximately 230m from the signalised Power Road intersection and 280m from the Mountain Highway intersection (refer to Appendix A).

There has been one casualty crash recorded in the last five year period. This was on an evening a few days before Christmas 2015 when a 19 year old male pedestrian stepped out onto Scoresby Road in the vicinity of Bayswater Hotel. The driver of the vehicle in the kerb side lane was able to avoid hitting him, however a driver in the adjacent lane was unable to stop in time. The pedestrian was taken to hospital with serious injuries.

The removal of the level crossing on Scoresby Road has reduced delays to motorists but has potentially contributed to reducing opportunities for pedestrians to identify gaps for crossing mid-block.

The installation of pedestrian signals on Scoresby Road is a VicRoads responsibility. Council officers are not aware of any previous customer requests for improved pedestrian crossing facilities in this location.

The request for a signalised pedestrian crossing has come about following the opening of a café on the east side of Scoresby Road opposite the hotel entrance. The café has proven to be popular which has led to an unexpected (on the part of the owner) demand for parking. While the cafe meets the requirements for car parking required in the Knox Planning Scheme, the site has limited opportunities to expand to include further parking. No on-street parking is available on Scoresby Road. It is understood that the café owners have made an arrangement with Bayswater Hotel to utilise their carpark (accessed immediately opposite) and signage advising customers to park at Bayswater Hotel has been installed. This arrangement is what has now resulted in concerns for the safety of pedestrians crossing Scoresby Road.

2.2 VicRoads Road Use Hierarchy

VicRoads has developed 'SmartRoads' as an approach to managing competing demands for limited road space. Road use hierarchy maps and network operating plans, which allocate priority for arterial roads, by transport mode and place, have been developed as part of this program. Through the SmartRoads process, Scoresby Road has been identified as a 'preferred traffic route' (refer to Appendix B). Preferred traffic routes seek to reduce conflicts between through traffic with other modes, particularly in activity centres.

8.1 Pedestrian signals on Scoresby Road near Bayswater Hotel entrance (cont'd)

In this instance, Scoresby Road is prioritised for through traffic in preference to Mountain Highway through the Bayswater activity centre, where priority is provided for pedestrians, cyclists and bus services on Mountain Highway. VicRoads supports this traffic preference along Scoresby Road through sequencing and timing of traffic signals which enables improved travel for drivers along Scoresby Road.

The installation of an additional delay to through traffic on Scoresby Road, where there is not a significant demand by an alternative mode, would therefore not accord with the VicRoads SmartRoads framework.

Through negotiations as part of the level crossing removal at Scoresby Road, VicRoads held a strong position not to install a pedestrian crossing on the northern approach at the Scoresby Road/Power Road intersection.

2.3 Assessment of Feasibility of Pedestrian Signals

Pedestrian crossings are classified as major traffic control items and therefore require VicRoads approval for their installation, regardless of the location.

VicRoads provide principles to aid in the decision making process for the consideration of pedestrian facilities. Pedestrian treatments must:

- Provide for pedestrians to cross roads while minimising the road safety risk involved;
- Minimise delays to pedestrians and road vehicles;
- Be consistent with the Network Operating Plan for the road section; and
- Be cost-effective ie. there needs to be a concentrated demand to justify the facility.

VicRoads requires that the Austroads online Pedestrian Facility Selection Tool be used when undertaking any pedestrian facility evaluation. This considers site information, physical/environmental variables, operational variables and safety performance. The tool then evaluates pedestrian and vehicle delays, safe sight distance, pedestrian level of service and calculates a benefit cost ratio for the proposed treatment.

A key input for the tool is both the volume of vehicles and pedestrians. Traffic volumes were obtained from VicRoads but there was no pedestrian information as to numbers crossing in this location.

In order to complete the assessment, pedestrian counts were undertaken, after school holidays and the long weekends of Easter and Anzac Day, on Thursday 27 April, Saturday 29 April and then for an extended period on 4 May 2017 and Saturday 6 May 2017. Results are shown in Figure 1 and Table 1.

8.1 Pedestrian signals on Scoresby Road near Bayswater Hotel entrance (cont'd)



	Thur 27 April 2017		Sat 29 April 2017		Thur 4 May 2017		Sat 6 May 2017	
Time	A	B	A	B	A	B	A	B
6-7am	1	0	1	0	3	1	1	1
7-8am	3	0	0	0	4	1	7	0
8-9am	6	0	6	1	5	0	22	0
9-10am	11	3	14	2	20	5	57	17
10-11am	22	4	34	15	21	15	58	57
11-12noon	30	22	51	26	23	23	24	42
12-1pm	46	38	36	47	44	30	15	40
1-2pm	47	32	31	49	27	30	13	20
2-3pm	22	41	27	33	6	28	7	12
3-4pm					0	12	3	16
4-5pm					1	10	1	15

Table 1 – Pedestrians crossing Scoresby Road outside the café

Utilising the Austroads assessment tool shows that while pedestrian signals would be the appropriate pedestrian treatment for the site, the installation of pedestrian signals has a low benefit cost ratio of 1.1 and is therefore unlikely to be a priority for VicRoads.

8.1 Pedestrian signals on Scoresby Road near Bayswater Hotel entrance (cont'd)

Given the number of pedestrians crossing Scoresby Road was greater than anticipated by Council officers, an observation survey was undertaken also between 11:15am and 12:15pm on Thursday 4th May 2017. Results are shown in the Table 2 below.

Time	Crossing from Hotel driveway to café	Crossing from Hotel driveway to other	Crossing from café to Hotel driveway	Crossing from other location to Hotel driveway
11:15-11:30am	11	0	4	0
11:30-11:45am	2	0	8	0
11:45-12noon	4	0	5	0
12-12:15pm	14	2	7	0
TOTAL	31	2	24	0

Table 2- Number of Pedestrians crossing Scoresby Road

Overwhelmingly it was found that the pedestrians crossing Scoresby Road are customers of the café. Of the 57 pedestrians recorded, 55 of those were going between the café and the Hotel carpark. Of particular concern was that there were a number of parents trying to cross with prams or with young children.

There is considerable risk for these pedestrians trying to cross Scoresby Road which is a busy four lane arterial road. In addition to there being no signalised pedestrian crossing, there are no pram kerbs. Parents with prams either have to lift prams over the kerb to access the footpath or cross between driveways in the industrial area and therefore risk being in conflict with trucks and other vehicles.

Some pedestrians were also seen to cross to the middle of Scoresby Road and wait on the dividing centre line which offers no protection.

Businesses can be transient and even if VicRoads were to fund pedestrian signals in this location, this is generally a minimum two year process for installation. The café may have changed over this time. This also would not provide an immediate solution to the current problem.

VicRoads are also unlikely to support the installation of pedestrian signals for a sole attractor such as a café.

Given the risk to pedestrian safety, Council should include this location on its ranked list of arterial road projects which is due to be considered next at its August meeting. This list is subsequently submitted to VicRoads following Council endorsement.

8.1 Pedestrian signals on Scoresby Road near Bayswater Hotel entrance (cont'd)

In addition to the concern for pedestrian safety, there is a risk to drivers who enter the driveway for the café, find there are no parking spaces and then try to access the hotel carpark. There is no right turn lane into the hotel carpark so drivers must turn left out of the café and then immediately right (see Figure 2).

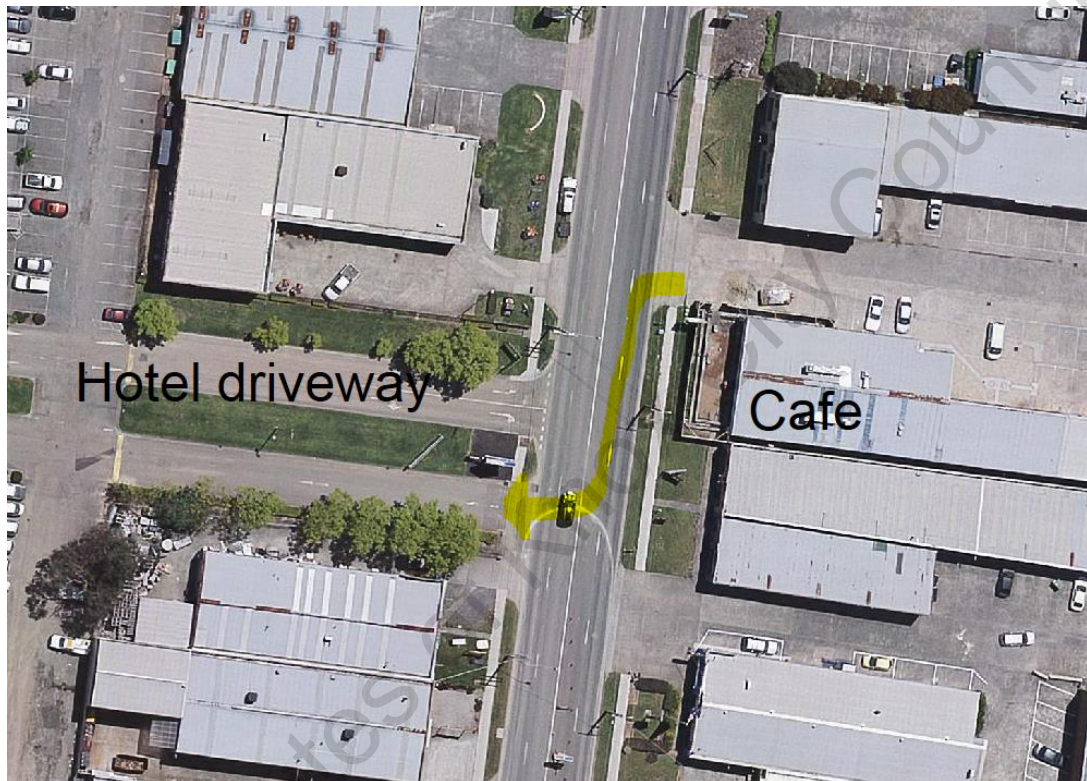


Figure 2 – Vehicle movements between the café driveway and the hotel carpark

Drivers pausing to turn right have little opportunity to warn drivers by using their indicator if they have only just turned left out of the café.

While the café owner has tried to address carparking demand, they have unintentionally caused the current concerns for pedestrians crossing Scoresby Road. A preferred solution would be for the café owner to negotiate with a business on the same side of Scoresby Road to utilise any excess carparking they may have. This would remove the risk of crossing Scoresby Road.

Following observations as to the risks to customers, a letter has been sent to the owner of the café seeking their immediate removal of the sign advising of additional parking at Bayswater Hotel.

8.1 Pedestrian signals on Scoresby Road near Bayswater Hotel entrance (cont'd)

2.4 Funding Options

The installation of pedestrian signals on Scoresby Road is the responsibility of VicRoads as the road authority. This means that this project would need to be assessed and prioritised by VicRoads against other locations for pedestrian signals and pedestrian treatments.

Council is able to fund the installation of pedestrian signals on arterial roads, however VicRoads approval is still required as it is a major traffic control item. There are a number

of locations across Knox where pedestrian signals would be seen as a greater priority on arterial roads given the volume and speed of vehicles and number of pedestrians wanting to cross the road. This includes a number of flagged school crossings, access to popular bus stops, access to retirement villages, and to connect parks, schools and shops.

3. CONSULTATION

VicRoads advice as to the process for investigating the installation of pedestrian signals was sought.

4. ENVIRONMENTAL/AMENITY ISSUES

The current arrangement the café has in directing pedestrians across Scoresby Road to the Bayswater Hotel is creating conflict between pedestrians and a high volume arterial road. A preferred parking location would be on the same side of Scoresby Road or nearby streets such as Malvern Street.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The installation of pedestrian signals is approximately \$250,000. The cost would be the responsibility of VicRoads on arterial roads.

As part of undertaking the work required for this Call Up Item, officers have had regard to Council's Call Up Items at Council Meeting Policy, and in particular, Item 6.5 which states:

“Where preparing a report responding to a Call Up Item which will require more than 3 person days or \$5,000 in costs, then the matter which is subject to the Call Up Item should be referred by Council to the next budget considerations with a supporting business case for consideration along with other competing priorities.”

8.1 Pedestrian signals on Scoresby Road near Bayswater Hotel entrance (cont'd)

6. SOCIAL IMPLICATIONS

A good transport system enables all members of the community to access employment, education and other services and activities. This helps to minimise social isolation.

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

The investigation into pedestrian signals of signals meets the City Plan Objective under Theme 3 – Vibrant and Sustainable Built and Natural Environments:

1.3 Infrastructure networks provide transport choice, affordability and connectivity.

8. CONCLUSION

Prior to the establishment of a café on the east side of Scoresby Road there had not been any requests for a pedestrian crossing near the entrance to the Bayswater Hotel. The major attractors for businesses on the east side of Scoresby Road are the Bayswater shops or railway station. Traffic signals at the intersections of Scoresby Road/Mountain Highway and Scoresby Road/Power Road adequately cater for these pedestrian movements.

It is not Council's responsibility to provide pedestrian signals to address a problem created by a private business.

Pedestrian signals are unlikely to be a high priority for VicRoads given the low Benefit Cost Ratio and that they would be seen as having an adverse impact on the majority of users of Scoresby Road.

9. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

8.1 Pedestrian signals on Scoresby Road near Bayswater Hotel entrance (cont'd)**COUNCIL RESOLUTION****MOVED: CR. LOCKWOOD****SECONDED: CR. SEYMOUR**

That Council:

1. receives and notes this Call Up report as resolved by Council on 27 March 2017 in relation to the installation of pedestrian signals on Scoresby Road, Bayswater near the entrance to Bayswater Hotel;
2. notes that a letter has been sent to the owner of the café at 1/21 Scoresby Road, Bayswater:
 - Requesting that they remove the signage advising customers park at the Bayswater Hotel due to the risks presented for pedestrians/customers crossing Scoresby Road;
 - Encouraging the owner to negotiate with businesses on the same side of Scoresby Road as the café to utilise any excess carparking available; and
3. includes consideration of pedestrian signals on Scoresby Road, Bayswater as part of its Arterial Road Projects submission to VicRoads, which will be presented to the August 2017 Ordinary Meeting of Council.

CARRIED

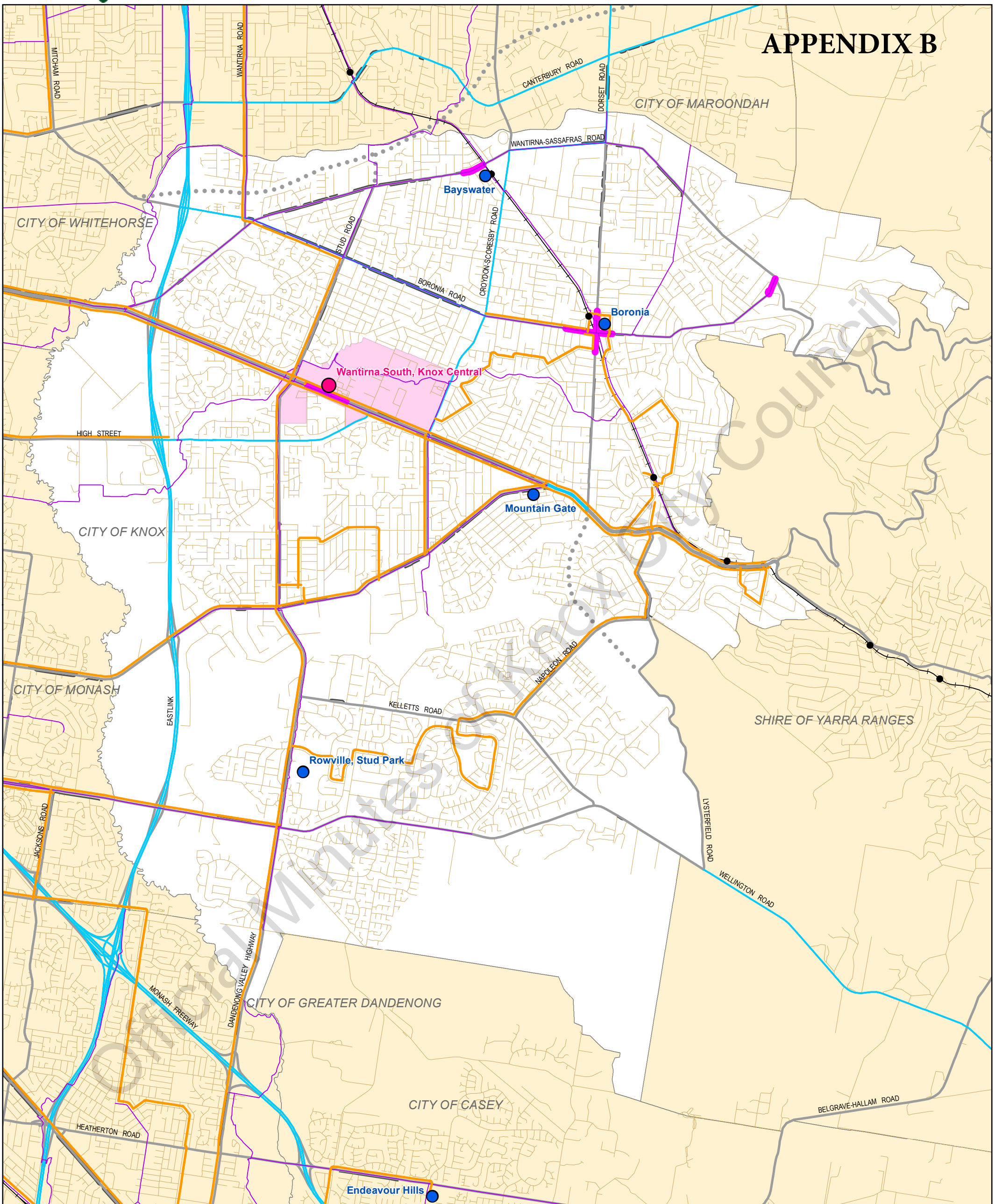
8.1 Pedestrian signals on Scoresby Road near Bayswater Hotel entrance (cont'd)

APPENDIX A – Site of proposed signals



NOTE: Red circles indicate existing crossing locations

APPENDIX B



LEGEND

Road Use Hierarchy	Activity Area
Tram Priority Route	Central Activities Area
Bus Priority Route	Principal Activity Area
Bicycle Priority Route	Major Activity Area
Pedestrian Priority Area	Specialised Activity Area
Preferred Traffic Route	Other
Future Preferred Traffic Route	Railway Station
Traffic Route	Railway Line
Future Traffic Route	Local Roads
Note: Some lines are offset to improve clarity.	Activity Area Boundaries

KEY MAP

ROAD USE HIERARCHY
CITY OF KNOX

0 1 2
Kilometres

DISCLAIMER

This VicRoads map is provided for general information purposes only. VicRoads does not accept any liability to any person for the information or advice (or use of such information or advice) which is provided on the map or incorporated into it by reference.

ALL WARDS

8.2 MAJOR TRANSPORT PROJECTS

SUMMARY: *Sustainable Transport Planner (Melissa Sparrow)*

Council, at its meeting on 28 May 2013, considered and endorsed a report on prioritising major transport infrastructure projects (greater than \$10m) based on a ranking criteria aligned with the objectives of the Transport Integration Act 2010. Council also resolved to receive a report, within six months of each new Council being elected, which considers the priority of major transport infrastructure projects in Knox for the purposes of advocacy.

RECOMMENDATION

That Council

1. receives and notes this report in relation to major transport projects within Knox;
2. endorses the ranked major transport infrastructure projects in Knox as follows:
 1. Rowville Rail
 2. Knox Tram
 3. Dorset Road extension
3. communicates the ranked major transport project priorities to the Minister for Public Transport, Minister for Roads and Local Members of Parliament;
4. continues to advocate to the State Government for Council's key strategic transport projects as opportunities arise, and via the Eastern Transport Coalition's advocacy campaign in addition to Council's own advocacy work.

1. INTRODUCTION

The Transport Integration Act (2010) is Victoria's principal transport statute and recognises that land-use and transport planning are interdependent. It requires that all decision affecting the transport system be made within the same integrated decision-making framework and support the same objectives.

All transport agencies are required to use this framework when making decisions related to the transport system. It is therefore appropriate to utilise this framework when assessing Council priorities in relation to transport infrastructure projects.

8.2 Major Transport Projects (cont'd)

2. DISCUSSION

2.1 Ranking of Major Transport Infrastructure Projects

The Transport Integration Act (TIA) sets out a vision, objectives and principles for transport that clearly establish transport decision making as a triple bottom line issue.

The TIA articulates six transport objectives:

1. Social and economic inclusion

The transport system should provide a means by which persons can access social and economic opportunities to support individual and community wellbeing including by-

- (a) minimising barriers to access so that so far as is possible the transport system is available to as many persons as wish to use it;*
- (b) providing tailored infrastructure, services and support for persons who find it difficult to use the transport system.*

2. Economic prosperity

The transport system should facilitate economic prosperity by-

- (a) enabling efficient and effective access for persons and goods to places of employment, markets and services;*
- (b) increasing efficiency through reducing costs and improving timeliness;*
- (c) fostering competition by providing access to markets;*
- (d) facilitating investment in Victoria;*
- (e) supporting financial sustainability.*

3. Environmental sustainability

The transport system should actively contribute to environmental sustainability by-

- (a) protecting, conserving and improving the natural environment;*
- (b) avoiding, minimising and offsetting harm to the local and global environment, including through transport-related emissions and pollutants and the loss of biodiversity*
- (c) promoting forms of transport and the use of forms of energy and transport technologies which have the least impact on the natural environment and reduce the overall contribution of transport-related greenhouse gas emissions;*
- (d) improving the environmental performance of all forms of transport and the forms of energy used in transport;*
- (e) preparing for and adapting to the challenges presented by climate change.*

8.2 Major Transport Projects (cont'd)

4. Integration of transport and land use

- (1) *The transport system should provide for the effective integration of transport and land use and facilitate access to social and economic opportunities.*
- (2) *Without limiting the generality of subsection (1), transport and land use should be effectively integrated so as to improve accessibility and transport efficiency with a focus on-*
 - (a) *maximising access to residences, employment, markets, services and recreation;*
 - (b) *planning and developing the transport system more effectively;*
 - (c) *reducing the need for private motor vehicle transport and the extent of travel;*
 - (d) *facilitating better access to, and greater mobility within, local communities.*
- (3) *Without limiting the generality of subsection (1), the transport system and land use should be aligned, complimentary and supportive and ensure that-*
 - (a) *transport decisions are made having regard to the current and future impact on land use;*
 - (b) *land use decisions are made having regard for the current and future development and operation of the transport system;*
 - (c) *transport infrastructure and services are provided in a timely manner to support changing land use and associated transport demand.*
- (4) *Without limiting the generality of subsection (1), the transport system should improve the amenity of communities and minimise impacts of the transport system on adjacent land uses.*

5. Efficiency, coordination and reliability

- (1) *The transport system should facilitate network-wide efficient, coordinated and reliable movements of persons and goods at all times.*
- (2) *Without limiting the generality of subsection (1), the transport system should-*
 - (a) *balance efficiency across the network so as to optimise the network capacity of all modes of transport and reduce journey times;*
 - (b) *maximise the efficient use of resources including infrastructure, land, services and energy;*
 - (c) *facilitate integrated and seamless travel within and between different modes of transport;*
 - (d) *provide predictable and reliable services and journey times and minimise any inconvenience caused by disruptions to the transport system.*

8.2 Major Transport Projects (cont'd)

6. Safety, health and wellbeing

- (1) *The transport system should be safe and support health and wellbeing.*
- (2) *Without limiting the generality of subsection (1), the transport system should-*
 - (a) *seek to continually improve the safety performance of the transport system through-*
 - (i) *safe transport infrastructure;*
 - (ii) *safe forms of transport;*
 - (iii) *safe transport system user behaviour;*
 - (b) *avoid and minimise the risk of harm to persons arising from the transport system;*
 - (c) *promote forms of transport and the use of forms of energy which have the greatest benefit for, and least negative impact on, health and wellbeing.*

The Knox Integrated Transport Plan (2015) has used the TIA framework to develop a transport vision for Knox due to the strong alignment to Council's Vision and Council Plan.

Council, at its 28 May 2013 meeting, endorsed ranking criteria based on the TIA objectives for prioritising major transport infrastructure projects. As the TIA objectives must be part of any transport making decision, they provide a good basis for Council to assess transport proposals for the municipality. This ranking criteria is shown in Appendix A.

Major transport infrastructure projects, in excess of \$10m in value, which have been identified for Knox through existing Council documents are:

- Rowville Rail – construction of a rail line between Huntingdale Station and Rowville, along Wellington Road.
- Knox Tram – extension of the route 75 tram from Vermont South to Knox, along Burwood Highway.
- Dorset Road extension – construction of Dorset Road (extension) between Burwood Highway and Wellington Road.

These projects have been ranked according to the endorsed ranking criteria. This is shown in Appendix B.

2.2 Advocacy

The Eastern Transport Coalition (ETC), of which Knox City Council is one of seven members, has reconsidered its policy agenda in the lead up to the 2018 State election. Under four key themes of Connectivity, Liveability, Productivity and Sustainability, a number of initiatives have been identified. These themes will form the basis of a new 'Commuters Count' campaign, which will run over the 20 months in the lead up to the November 2018 State election.

8.2 Major Transport Projects (cont'd)

All three major transport infrastructure projects identified within this report are part of the draft ETC priority projects document (currently being finalised) and therefore form part of the advocacy campaign for improved transport in the east.

Council's Communication officers are also currently preparing a Communications Strategy and Advocacy Plan for Council, which will include advocacy on the major transport projects identified within this report.

2.3 Successful Advocacy Outcomes

In the past six years, Council has successfully advocated for the delivery of a number of its previously identified major transport projects. This has included:

- High Street Road duplication
- Stud Road duplication
- Bayswater level crossing removal – Mountain Highway and Scoresby Road

Council's advocacy efforts leading up to the 2010 State election were particularly successful in the government committing to a feasibility study for the Rowville Rail. This study was completed in 2012. Council has continued its advocacy for the Rowville Rail – particularly in regard to the establishment of Planning protection for the rail corridor. To date, this has not been advanced by the State Government. Disappointingly, the recently released State Government document "Plan Melbourne 2017-50" does not make any reference to either the Rowville Rail or the Knox Tram.

3. CONSULTATION

No additional consultation has been undertaken with external stakeholders in the preparation of this report.

4. ENVIRONMENTAL/AMENITY ISSUES

Transport services affect the quality of life of residents and it is therefore important that there are transport choices and sustainable transport options available.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Major transport infrastructure projects ranked within this report would all be funded by the State and/or Federal Governments.

Advocacy planned as part of the Eastern Transport Coalition is being funded through the seven member Council's annual membership fees of \$8,000 plus an additional \$14,000 each across the life of the campaign. This is able to be accommodated within Council's existing operating budget.

8.2 Major Transport Projects (cont'd)

6. SOCIAL IMPLICATIONS

Transport provides opportunities for all members of the community to access employment, education and other local services and activities, thereby improving community capacity and minimising social isolation.

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

Providing transport fits within the City Plan objective in Theme 3 'Vibrant and Sustainable Built and Natural Environments' - Infrastructure networks provide transport choice, affordability and connectivity

8. CONCLUSION

Council's prioritised major transport infrastructure projects should continue to drive Council's advocacy efforts to ensure that the importance of these projects is reflected in future State and Federal Government transport and planning documents until such time as they are ultimately funded.

9. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

COUNCIL RESOLUTION

MOVED: CR. LOCKWOOD

SECONDED: CR. TAYLOR

That Council

1. receives and notes this report in relation to major transport projects within Knox;
2. endorses the ranked major transport infrastructure projects in Knox as follows:
 1. Rowville Rail
 2. Knox Tram
 3. Dorset Road extension
3. communicates the ranked major transport project priorities to the Minister for Public Transport, Minister for Roads and Local Members of Parliament;
4. continues to advocate to the State Government for Council's key strategic transport projects as opportunities arise, and via the Eastern Transport Coalition's advocacy campaign in addition to Council's own advocacy work.
5. Writes to relevant State MPs, advocating the preservation of the Rowville Rail reservation

CARRIED

8.2 Major Transport Projects

APPENDIX A – Major Transport Projects

Major Transport Projects Ranking Criteria

Criteria	Points
<p>Social and economic inclusion. The transport system enables people to access social and economic opportunities by minimising barriers to access so that the transport system is available to as many people as wish to use it and tailored infrastructure and services for those who find it difficult to use the transport system.</p> <p style="text-align: right;"><i>Significant</i> <i>Moderate</i> <i>Minor</i></p>	<p>10 6 2</p>
<p>Economic prosperity. The transport system enables efficient and effective access for people and goods to places of employment and improved efficiency through reduced transport costs.</p> <p style="text-align: right;"><i>Significant</i> <i>Moderate</i> <i>Minor</i></p>	<p>10 6 2</p>
<p>Environmental sustainability. The transport system should avoid harm to the local environment through emissions and pollutants and promote forms of transport which have the least impact on the environment.</p> <p style="text-align: right;"><i>Significant</i> <i>Moderate</i> <i>Minor</i></p>	<p>10 6 2</p>
<p>Integration of transport and land use. The transport system should integrate transport and land use to improve accessibility and transport efficiency and ensure decisions made regarding transport or land use consider the current and future impacts on the other.</p> <p style="text-align: right;"><i>Significant</i> <i>Moderate</i> <i>Minor</i></p>	<p>10 6 2</p>
<p>Efficiency, coordination and reliability. The transport system should facilitate network-wide efficient, coordinated and reliable movements of people and goods at all times, including facilitating seamless travel within and between different modes of transport.</p> <p style="text-align: right;"><i>Significant</i> <i>Moderate</i> <i>Minor</i></p>	<p>10 6 2</p>
<p>Safety and health and wellbeing. The transport system should be safe and support health and wellbeing.</p> <p style="text-align: right;"><i>Significant</i> <i>Moderate</i> <i>Minor</i></p>	<p>10 6 2</p>
Possible Maximum	60

8.2 Major Transport Projects

APPENDIX B – Major Transport Projects

Ranking of Major Transport Projects in Knox

	Rowville Rail	Knox Tram	Dorset Rd extension
Social and economic inclusion	10	6	0
Economic prosperity	10	10	10
Environmental sustainability	10	10	2
Integration of transport and land use	10	10	2
Efficiency, coordination and reliability	10	10	6
Safety and health and wellbeing	10	10	6
Total	60	56	26

COUNCILLOR HOLLAND VACATED THE CHAMBER AT 7.54PM DURING DISCUSSION ON ITEM 9.1**COUNCILLOR HOLLAND RETURNED TO THE CHAMBER AT 7.56PM PRIOR TO THE VOTE ON ITEM 9.1**

ALL WARDS

9.1 DISADVANTAGE IN KNOX**SUMMARY:** *Manager – Community Wellbeing (Kathy Parton)*

This report responds to a call up item from the 23 January 2017 Council Meeting. The call up item requested “that a report be prepared for the May Council meeting to assist Council’s understanding of disadvantage in Knox; and the report highlight an overview of population groups and suburbs where inequalities and disadvantage are represented (where available), data sources informing this report; and an explanation of the SEIFA Indexes be provided”.

RECOMMENDATION

That Council notes the Knox Community Access and Equity Profile 2017 – Communities of Low Socio Economic Status report.

1. INTRODUCTION

At the Council Meeting on 23 January 2017, Council resolved:

“that a report be prepared for the May Council meeting to assist Council’s understanding of disadvantage in Knox; and the report highlight an overview of population groups and suburbs where inequalities and disadvantage are represented (where available), data sources informing this report; and an explanation of the SEIFA Indexes be provided”.

2. DISCUSSION**2.1 Knox Community Access and Equity Profile 2017 – Communities of Low Socio Economic Status report**

The Knox Community Access and Equity Profile 2017 – Communities of Low Socio Economic Status report provides contextual information around this population group including definitions, demographics and socio-economic characteristics such as education, health, housing, economic capacity and community participation relative to, and how this differs from, and within the wider Knox population. The report presents Knox data compared with metropolitan averages and provides suburb-specific information as available. The profile report also includes a comprehensive overview of the (Socio-Economic Indexes for Areas (SEIFA) indexes.

9.1 Disadvantage in Knox (cont'd)

The 'Profile – Communities of Low Socio-Economic Status', focuses on socio-economic disadvantage by *area* (as measured by SEIFA) and upon low-income households in particular, as a means of identifying the number, location and age of *people* in our community with the least material resources. As noted in the Profile, reliance on 2011 Census data is supplemented by more recent data sources including Centrelink benefits data (September 2016) to establish a more contemporary distribution and composition (based on payment type) of those that are solely or largely dependent on government income.

While the Profile highlights the reality that the socio-economic status of Knox is relatively high when compared with other parts of the State and country, it establishes that this advantage is not evenly spread across the municipality. Statistics also hide substantial differences in the capacity of different groups, including vulnerable children, the Indigenous community, and people with a disability.

2.2 Data Sources

The Knox Community Access and Equity Profile 2017 – Communities of Low Socio Economic Status report has been informed by a number of data sources. The six key data sources include Australian Bureau of Statistics (ABS), Centrelink, Victorian Population Health Survey, Public Health Information Department Unit (PHIDU), Census National Health Survey and SEIFA.

Council officers have been advised that the first release of 2016 Census data will not be occurring until June 2017. It is understood that this first release will comprise households and population data and information at a local government and suburb level. SEIFA updates will not be available until 2018.

SEIFA is a suite of four area level summary measures that assist in understanding the level of social and economic wellbeing of an area (refer to Section 5, Appendix A).

The second ABS census data release in October 2017 is expected to comprise employment, education, transport data and information.

2.3 Key Findings

A summary of the key findings of the Profile is presented in Section 1 of the Profile. Full discussion and visuals, including tabular, graphical and spatially mapped data are contained in the full Profile as attached at Appendix A.

Whilst at a LGA level Knox's community is relatively advantaged, based on various socio-economic measures and indicators, an investigation of small area data and mapping illustrates a differential distribution of disadvantages within Knox.

9.1 Disadvantage in Knox (cont'd)

It concludes that the greatest number of people overall experiencing socio economic disadvantage in relation to a variety of social and economic disadvantage indicators assessed – vulnerable families, vulnerable children and financial stressors, live in the north-east region of Knox. There is however significant numbers of low-income households, people reliant on welfare and lower income households experiencing housing stress in the south of the municipality.

2.4 Definitions

The definition of disadvantage used within the profile report considers two lenses – people and area. It is measured by the SEIFA index and the prevalence of low-income or/and other income and financial capacity households. Low household income is a useful proxy measure of disadvantage since other aspects of socio-economic status such as education and employment, correlate strongly with income. Importantly, it provides access to the demographics of the people that live in households with the least access to income and other resources.

2.5 Community Access and Equity Plan

The 2016/17 Annual Plan Initiative to develop a Community Access and Equity Implementation Plan has informed this report. The Plan is an implementation plan of the draft Knox Community and Council Plan 2017-21. It aims to strengthen Council's commitment to addressing access and equity issues in Knox as well as to promote diversity, access and inclusion.

The Access and Equity Implementation Plan identifies a number of population groups that are or at risk of being marginalised and disadvantaged. Separate profiles that summarise the data around each group are currently under preparation.

The communities of low socio-economic status is one population group and the second profile to be completed after the People with a Disability profile. Other population groups and issues profiles currently under development include: Children and young people; Older people; Women; Culturally & Linguistically Diverse (CALD); Lesbian, Gay, Bisexual, Trans and Intersex (LGBTI); Indigenous; and People with mental health issues. These profiles combined will comprise the Community Access and Equity Profile.

This overall profile will improve awareness of each population group and associated access and equity issues i.e. who they are, how and where they live in Knox. This information will assist Council and community partner efforts to widen the opportunities and equality of outcomes enjoyed by other members of the community.

The Draft Access & Equity Implementation Plan and progress on the full summary profile will be presented to Council at its 26 June 2017 meeting for consideration.

9.1 Disadvantage in Knox (cont'd)

3. CONSULTATION

Consultation has occurred with a number of data providers to assist the development of this report. These include Department of Health and Human Services, Australian Bureau of Statistics and Centrelink.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The Knox Community Access and Equity Profile 2017 – Communities of Low Socio Economic Status report has been prepared using resources within Council's 2016/17 operating budget, and within the parameters of Council's policy on 'Call Up Items'.

6. SOCIAL IMPLICATIONS

Community disadvantage comes about as a result of the complex interplay between the characteristics of residents living in a community (e.g. unemployment, low income) and the effects of the social and environmental context within the community. Disadvantage can have the most detrimental impact within communities, both undermining social capital and interethnic relations. Consideration of disadvantage is important within public policy and community service development, implementation and decision making. Knowledge of community disadvantage can assist with planning and strategies to enhance opportunities for equitable participation in all aspects of social and economic life and improve the wellbeing of those who are disadvantaged.

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

The Knox Community Access and Equity Profile 2017 – Communities of Low Socio Economic Status report will inform and enable Council and community stakeholders to respond to all City Plan themes and objectives.

In particular, it supports *Objective 5.3 - Ensure Council is well governed and demonstrated effective leadership* and *Strategy 5.3.3 - Promote social, economic and environmental responsibility in Council's decision making*.

8. CONCLUSION

This report responds to a Call Up Item from the 23 January 2017 Council Meeting. The call up item requested *“that a report be prepared for the May Council meeting to assist Council's understanding of disadvantage in Knox; and the report highlight an overview of population groups and suburbs where inequalities and disadvantage are represented (where available), data sources informing this report; and an explanation of the SEIFA Indexes be provided”*.

The report outlines the types of disadvantaged groups within Knox as well as an overview of variability of disadvantage within areas within Knox.

9.1 Disadvantage in Knox (cont'd)

It concludes that the greatest number of people experiencing socio economic disadvantage in relation to all social and economic disadvantage indicators assessed – vulnerable families, vulnerable children and financial stressors live in the north-east region of Knox. However there are also low income households in the south of the municipality.

9. CONFIDENTIALITY

There are no confidentiality issues with this report.

COUNCIL RESOLUTION

MOVED: CR. LOCKWOOD

SECONDED: CR. SEYMOUR

That Council notes the Knox Community Access and Equity Profile 2017 – Communities of Low Socio Economic Status report.

CARRIED

9.1 Disadvantage in Knox

Appendix A - Knox Community Access and Equity Profile – Local Communities of Low Socio-Economic Status Circulated Under Separate Cover

Official Minutes of Knox City Council

ALL WARDS**10.1 2016-17 ANNUAL PLAN PROGRESS REPORT TO 31 MARCH 2017**

SUMMARY: *Business Intelligence Officer (Carrie Hudson)*

This report provides the third quarter progress on initiatives identified in the 2016-17 Annual Plan. The Annual Plan for 2016-17 was adopted by Council at the Ordinary Meeting of Council on 28 June 2016 as part of the 2016-17 Annual Budget. The Annual Plan satisfies the requirements of the Local Government Act 1989 by outlining the services provided by Council and the initiatives that Council will complete in the 2016-17 year.

The Annual Plan progress report only reports on those initiatives identified in the Annual Plan and Annual Budget process, it is not a comprehensive report on all of Council's activities.

RECOMMENDATION

That Council receive and note the 2016-17 Annual Plan progress report for the period ending 31 March 2017.

1. INTRODUCTION

An Annual Plan was established for the 2016-17 financial year to assist in the achievement of the objectives of the Knox City Plan (incorporating the Council Plan) 2013-17 and the Knox Vision. The 2016-17 Annual Plan progress report to 31 March 2017 (see Appendix A) reports on the initiatives that support those objectives.

2. DISCUSSION

Appendix A (attached) provides the Annual Plan progress report for the third quarter of 2016-17.

Q3 2016-17 Results:

Of the 32 initiatives included in the 2016-17 Annual Plan:

- 3 initiatives have progressed between 25% and 49%
- 8 initiatives have progressed between 50% and 74%
- 18 initiatives have progress to 75% or more
- 3 initiatives are complete

Of the 2016-17 Annual Plan initiatives, 22 were on track and had progressed to a minimum of 75% at the end of the third quarter. Highlights for the third quarter include:

- **Initiative**
Develop a plan to assist council prepare for the Victorian roll out of the National Disability Insurance Scheme within the Eastern Metropolitan Region in November 2017. **(100% complete)**

10.1 2016-17 Annual Plan Progress Report to 31 March 2017 (cont'd)

- **Initiative**
Continue preparation of a detailed structure plan and Planning Scheme Amendment to guide and support future development within the Knox Central Activity Centre. **(95% complete)**
- **Initiative**
Prepare the new City Plan and Council Plan 2017-21 through the use of a range of community engagement approaches including the introduction of a Community Panel, for Council adoption by 30 June 2017. **(85% complete)**

The initiatives below target and being monitored are:

- Progress the development of Developer Contributions Planning and its feasibility as a new model for alternative infrastructure funding. **(35% complete)**
- Progress preparation of a structure plan in collaboration with the Metropolitan Planning Authority to guide future investment and development for the Wantirna Health and Medical Precinct. **(40% complete)**
- Commence planning for the two Early Years Hubs in Wantirna South and Bayswater. **(45% complete)**

3. CONSULTATION

The 2016-17 Annual Plan actions are linked to, and support the delivery of, the Knox Vision and the Knox City Plan 2013-17. The community took part in developing the Knox Vision, which provided the context for the Knox City Plan 2013-17 (Incorporating Council Plan).

The Annual Plan 2016-17, including the initiatives, was approved as part of the Annual Budget after public consultation on 28 June 2016.

4. ENVIRONMENTAL/AMENITY ISSUES

Objectives for the environment are reflected in the Knox City Plan and relevant initiatives are reflected in the 2016-17 Annual Plan. The majority of initiatives supporting the environment and local amenity fall within Theme 3 – Vibrant and Sustainable Built and Natural Environments.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The initiatives for 2016-17 were developed in conjunction with the 2016-17 Annual Budget and all initiatives are funded.

6. SOCIAL IMPLICATIONS

There are no direct social implications arising from this report. A number of initiatives within the 2016-17 Annual Plan seek to have a positive social impact within the Knox municipality.

10.1 2016-17 Annual Plan Progress Report to 31 March 2017 (cont'd)**7. RELEVANCE TO CITY PLAN 2013-17 (INCORPORATING THE COUNCIL PLAN)**

This is a progress report on the third quarter of the 2016-17 Annual Plan, which supports the delivery of the Knox City Plan 2013-17.

8. CONCLUSION

There has been sufficient progress on most of the Annual Plan Actions for 2016-17 and it is expected that the majority of initiatives will be completed by the end of June 2017.

9. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

COUNCIL RESOLUTION

MOVED: CR. MORTIMORE

SECONDED: CR. COOPER

That Council receive and note the 2016-17 Annual Plan progress report for the period ending 31 March 2017.

CARRIED

Knox City Council

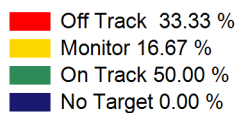
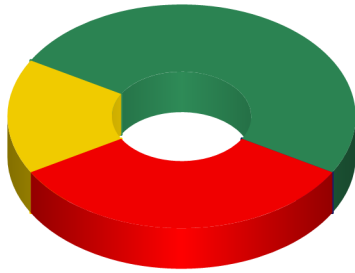
Annual Plan Report

March Quarter 2017

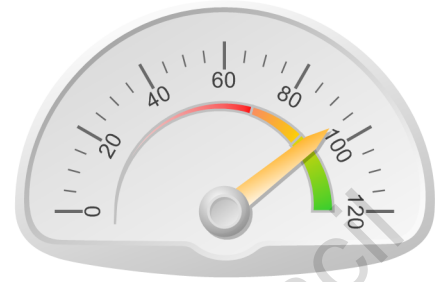


Healthy, Connected Communities

Action Status



Action Performance



Actions reported on	6
At least 90% of action target achieved	3
Between 70% and 90% of action target achieved	1
Less than 70% of action target achieved	2
Actions with no target set	0




Initiatives for 2016/17

Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Implement the transition of the Knox Home and Community Care (HACC) Assessment Service to full operation within the MyAgedCare system and provide recommendations and implement action regarding the transition of HACC services to the Commonwealth Home Support Program (CHSP).	01/07/2016	30/06/2017	In Progress	95%
Responsible Person	Tanya Clark-Manager Active Ageing and Disability Services		Department	Active Ageing and Disability Services
Progress Comments	<p>The Eastern Regional Assessment service is fully implemented with the Knox Council regional auspice agency. The Knox assessment service is fully operational under MyAgedCare protocols for over 65's and the HACC Program for Younger People has also been fully implemented. All Knox over 65 services are now operating under the Commonwealth Home Support Programme Guidelines.</p> <p>Knox Council's Active Ageing services will be reviewed by the Australian Aged Care Quality audit in May 2017 for compliance against new National Standards and an Aged Reform update will be discussed with Council in May.</p> <p><i>Last Updated : 09/05/2017</i></p>			

Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Increase utilisation of Councils current Senior Citizens Centre facilities through assessment of demand and capacity of Clubs across the municipality to respond to the ageing population, the implementation of a Senior Citizens Support Network, rebranding of existing Seniors Clubs and establishment of an Asset development plan for Councils 5 designated centres.	01/07/2016	30/06/2017	In Progress	50%
Responsible Person	Tanya Clark-Manager Active Ageing and Disability Services		Department	Active Ageing and Disability Services
Progress Comments	<p>The draft Asset Plan for Council's Senior Citizens Centres has been completed and reviewed by Council's Active Ageing team and the project steering group including a detailed analysis of current utilization data, population trends and options for future use. A report has been prepared and will be presented to Council in May 2017 for feedback. Outcomes of the report will inform rebranding of the existing facilities and a detailed communication and engagement plan will be developed. Ongoing engagement with the Senior Citizens Clubs and groups supporting older people continues to be completed through the Seniors Support Officer and the Knox Seniors Bright Ideas Network.</p> <p><i>Last Updated : 02/05/2017</i></p>			

Theme 1

Healthy, Connected Communities

Action Description		Start Date	End Date	Status	%
	Commence planning for the two Early Years Hubs in Wantirna South and Bayswater. The work during 2016-17 would include developing a detailed design (for the Wantirna South and Bayswater hubs), planning for the relocation of existing services (preschool, MCH and playgroup at both hubs), and commencing construction and planning for the transition and establishment phase to commence operation at the Wantirna South Hub in 2017-18. (Subject to Council's consideration of the feasibility and scoping)	01/07/2016	30/06/2017	In Progress	45%
Responsible Person	Kerry Stubbings-Director Community Services	Department	Family and Children Services		
Progress Comments	<p>The tender process for the Wantirna Hub was conducted in December 2016 with an update planned for SPC in May 2017. Knox Gardens preschool has been closed with families for 2017 allocated to other service locations to enable the construction site to be prepared.</p> <p>The detailed design for the Bayswater Hub has commenced and planning for the long term operational model for the Hubs is underway.</p> <p><i>Last Updated : 18/04/2017</i></p>				
Action Description		Start Date	End Date	Status	%
	Develop an integrated life stage plan that merges the Municipal Early Years, Knox Youth Strategic plan and Healthy Ageing plan and promotes the benefits of intergenerational connections.	01/07/2016	30/06/2017	In Progress	60%
Responsible Person	Kerry Stubbings-Director Community Services	Department	Family and Children Services		
Progress Comments	<p>The project is progressing in accord with the approved project plan to ensure that a life-stages framework is included within the draft Community and Council Plan 2017-21 to be completed by the end of June 2017. To date the principles and framework have been developed to inform the Goals and Strategies being developed for the Community and Council Plan 2017-21.</p> <p><i>Last Updated : 13/04/2017</i></p>				
Action Description		Start Date	End Date	Status	%
	Develop a plan to assist council prepare for the Victorian roll out of the National Disability Insurance Scheme within the Eastern Metropolitan Region in November 2017.	01/07/2016	30/06/2017	Completed	100%
Responsible Person	Kathy Parton-Manager Community Wellbeing	Department	Community Wellbeing		
Progress Comments	<p>This initiative was completed in quarter three 2016-17. Position descriptions are now under development to enable recruitment of the disability focused positions within the Municipal Strategic Disability plan 2017-2019 following Council's final approval of the 2017-18 budget on 26 June 2017.</p> <p><i>Last Updated : 18/04/2017</i></p>				

Theme 1

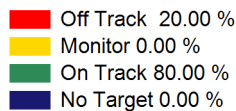
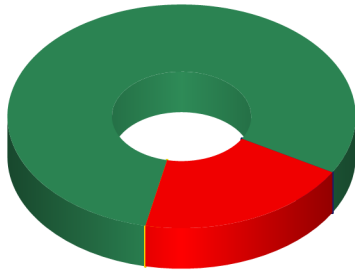
Healthy, Connected Communities

Action Description	Start Date	End Date	Status	%	
<input type="checkbox"/> Develop a Community Access and Equity strategic plan integrating multicultural, indigenous, disability, other equity issues and strategic plans to support an integrated approach and response to a diverse range of access and equity issues.	01/07/2016	30/06/2017	In Progress	75%	
Responsible Person	Kathy Parton-Manager Community Wellbeing		Department	Community Wellbeing	
Progress Comments	<p>The Community Access and Equity Implementation Plan 2017-2022 has further progressed and will be presented to Issues Briefing on 15 May 2017, to then be presented to Council for approval at the 26 June 2017 Council meeting. After this meeting council officers will finalise actions for implementation following the approval of the Community and Council Plan 2017-21 in June 2017.</p> <p>A Disadvantage Profile is under development and will be presented to Council at the 22 May Council meeting.</p> <p><i>Last Updated : 18/04/2017</i></p>				

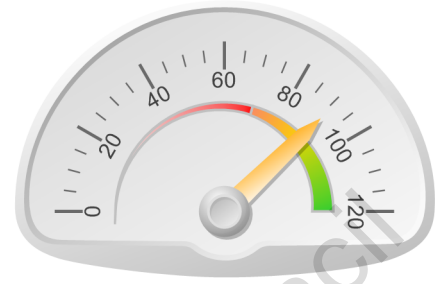
Official Minutes of Knox City Council

Prosperous, Advancing Economy

Action Status



Action Performance



Actions reported on	5
At least 90% of action target achieved	4
Between 70% and 90% of action target achieved	0
Less than 70% of action target achieved	1
Actions with no target set	0

Initiatives for 2016/17

Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Attract and assist new investment and assist existing businesses to grow through the Knox Investment Facilitation Service.	01/07/2016	30/06/2017	In Progress	75%
Responsible Person	Kim Rawlings-Manager City Futures		Department	City Futures
Progress Comments	<p>For the third quarter reporting period:</p> <ul style="list-style-type: none"> - Four investment enquiries remain open awaiting further information and assistance from these businesses. - Implementation of the Regional Investment Attraction Strategy Implementation Framework for Melbourne's East continues. - Knox Council is preparing an investment attraction plan using the CARE (Create, Attract, Retain and Expand) model. <p><i>Last Updated : 18/04/2017</i></p>			

Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Continue delivery of the Business Visits and Engagement Program to improve Council's understanding of the business community and their needs in terms of skills, growth, labour force, technology and infrastructure requirements.	01/07/2016	30/06/2017	In Progress	75%
Responsible Person	Kim Rawlings-Manager City Futures		Department	City Futures
Progress Comments	<p>90 business visits and 28 business engagement opportunities have occurred since 1 July 2016. Connecting directly with businesses through visits and at various events provides an opportunity to promote Council's Business and Economic Development Service and to better understand the challenges and opportunities facing Knox businesses.</p> <p><i>Last Updated : 13/04/2017</i></p>			


Theme 2

Prosperous, Advancing Economy

Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Continue to advance Council's place based planning to achieve business growth, attract investment and boost employment in key strategic precincts, specifically Bayswater Employment/Industrial Precinct.	01/07/2016	30/06/2017	In Progress	75%
Responsible Person	Kim Rawlings-Manager City Futures		Department	City Futures
Progress Comments	<p>The Bayswater Project continues to progress with partnering councils Maroondah and Yarra Ranges and Melbourne East Regional Development Australia (MERDA). Strong connections are being established with Bayswater businesses and other stakeholders such as South East Melbourne Manufacturers Alliance (SEMMA).</p> <p>Progress has included:</p> <ul style="list-style-type: none"> - Recruitment of a Project Coordinator to drive the strategic direction of the project is underway with commencement in early April. - The Bayswater Business Precinct website development and preparation of collateral is established. - 50 Business Visits in the Bayswater Business Precinct have been completed. - Eight promotional and network business events have occurred facilitating engagement with over 100 businesses. <p><i>Last Updated : 13/04/2017</i></p>			

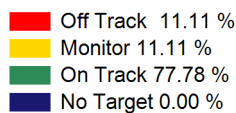
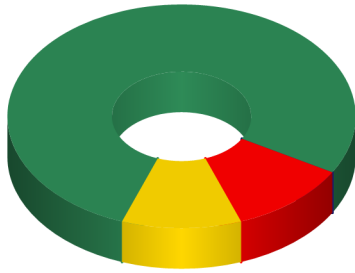
Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Proactively participate in regional forums and initiatives with Melbourne East Regional Development Australia Group and the Regional Metropolitan Planning Group to achieve regional collaboration, build networks across Government and business and increase joint advocacy.	01/07/2016	30/06/2017	In Progress	75%
Responsible Person	Kim Rawlings-Manager City Futures		Department	City Futures
Progress Comments	<p>The Melbourne East Regions Councils (7 Councils) and the Victorian Government, under an MOU, have set up a model of collaborative working with the Melbourne East Regional Economic Development Group (MEREDG) which reports through to the Eastern Metropolitan CEO's Group. This groups priority is to advance the implementation framework for delivery against the Regional Investment Attraction Strategy and related major regional economic development initiatives as currently being identified in the action plan.</p> <p>Progress has continued based on the confirmed regional priorities established late last year. This has included the development of a digital strategy for the region, which includes a strengthening of the 'About ME' website that promotes key investment sites within the region.</p> <p><i>Last Updated : 13/04/2017</i></p>			

Prosperous, Advancing Economy

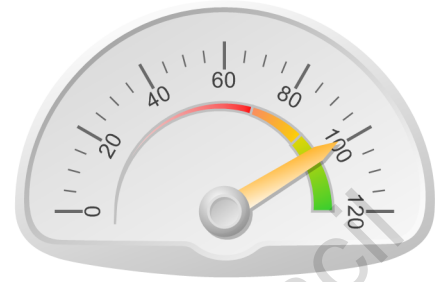
Action Description	Start Date	End Date	Status	%
 Progress preparation of a structure plan in collaboration with the Metropolitan Planning Authority to guide future investment and development for the Wantirna Health and Medical Precinct.	01/07/2016	30/06/2017	In Progress	40%
Responsible Person	Kim Rawlings-Manager City Futures		Department	City Futures
Progress Comments	<p>This initiative has experienced delays as a consequence of the recent release of Plan Melbourne Refresh and uncertainty around VPA's priorities.</p> <p>Progress for quarter three:</p> <ul style="list-style-type: none"> - Council has established a 'planning' partnership with, amongst others, the Victorian Planning Authority (formerly MPA) Regional Development Australia Metro East (RDA ME), Eastern Health, Invest Victoria and Department Health & Human Services. - This preliminary discussion paper will be the output of a roundtable/forum involving public and private sector policy and investment interests. The Forum will be held end May/June. - A matched funding proposal for \$40k was prepared and submitted to the RDA ME in January 2017. This has been successful. The first stage towards the preparation of an 'Integrated Policy Platform and Precinct Investment Planning Framework/ brief is underway. Scoping for a roundtable/forum involving public and private sector policy and investment interests will be complete by mid-April and the Forum will be held in May/June. Further to this a funding application has also been made to the VPA 'Streamlining for Growth' for \$95,000 to fund a Senior Project Manager for Wantirna Health. <p><i>Last Updated : 05/05/2017</i></p>			

Vibrant and Sustainable Built and Natural Environments

Action Status



Action Performance



Actions reported on	9
At least 90% of action target achieved	7
Between 70% and 90% of action target achieved	1
Less than 70% of action target achieved	1
Actions with no target set	0

Initiatives for 2016/17

Action Description	Start Date	End Date	Status	%
■ Progress the development of Developer Contributions Planning and its feasibility as a new model for alternative infrastructure funding.	01/07/2016	30/06/2017	In Progress	35%
Responsible Person	Kim Rawlings-Manager City Futures		Department	City Futures
Progress Comments	The next stage of this initiative is underway with the recent completion of the preliminary long-term renewal and new and upgraded infrastructure projects in conjunction with Council's budget and capital works program development. The next stages of the project including the consolidation of the long term capital works schedule, capital works project mapping and cost analysis have only recently been completed. The associated project mapping and cost analysis of these long term capital works projects will now occur to identify a possible development contribution program			
	<i>Last Updated : 05/05/2017</i>			
Action Description	Start Date	End Date	Status	%
■ Continue preparation of a detailed structure plan and Planning Scheme Amendment to guide and support future development within the Knox Central Activity Centre.	01/07/2016	30/06/2017	In Progress	95%
Responsible Person	Kim Rawlings-Manager City Futures		Department	City Futures
Progress Comments	The first deliverable has been met, and the second deliverable is on track to be completed on time. Council adopted the draft Structure Plan and proposed planning scheme amendment for exhibition at the September SPC meeting. The amendment was exhibited in November – December 2016. 106 submissions were received and reported to Council on 27 March 2017 for consideration with a recommendation that the submissions are referred to an Independent Planning Panel.			
	<i>Last Updated : 13/04/2017</i>			

Theme 3

Vibrant and Sustainable Built and Natural Environments

Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Progress a strategic review of land for business and employment in the municipality to reinforce Knox's important areas for employment and the role and function of its Activity Centres.	01/07/2016	30/06/2017	In Progress	80%
Responsible Person	Kim Rawlings-Manager City Futures	Department	City Futures		
Progress Comments	Work has been progressing. Council Officers have received comment on the final draft Direction Plan which has been returned to the consultants for completion of the final report. <i>Last Updated : 18/04/2017</i>				
Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Complete the bulk streetlight replacement program to achieve significant energy and cost savings and promote energy efficiency in the community.	01/07/2016	30/06/2017	In Progress	98%
Responsible Person	Kim Rawlings-Manager City Futures	Department	City Futures		
Progress Comments	The bulk streetlight replacement program is nearing completion with approximately 100 more lights to be replaced to complete the replacement of all Standard 80W MV lights across Knox. Planning and design is currently underway to replace a further 1,000 non-standard 80W Mercury Vapour lights with works expected to be completed by June 2017. <i>Last Updated : 13/04/2017</i>				
Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Continue to work collaboratively with Stockland to progress the development of the residential parcel, advance planning of the parkland and progress the restoration of the Stamford Homestead, in accordance with the Stamford Park Master Plan.	01/07/2016	30/06/2017	In Progress	75%
Responsible Person	Kim Rawlings-Manager City Futures	Department	City Futures		
Progress Comments	Residential Pad: Stockland has commenced earthworks to construct the residential pad. The earthworks are planned to be completed by June 2017. Parklands: Refinement of the concept and associated costings for the implementation of Council owned public open space continues. In principle, support for the concept and associated expenditure will be sought from the Stamford Park Steering Committee at its next meeting on 3 May 2017. Homestead: Underpinning works are to continue on the Homestead. CCTV has been installed to improve the security of the Homestead and grounds. Discussions are underway with Heritage Victoria to determine the most appropriate cataloguing and storage of artefacts excavated in the numerous digs that have occurred in the Homestead grounds. <i>Last Updated : 05/05/2017</i>				

Theme 3

Vibrant and Sustainable Built and Natural Environments


Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Following on from the release of Stage 2 of the Rowville Rail Study, continued advocacy to seek a commitment from the state government to improve existing bus services, to protect a land corridor for the future train line, and expedite delivery of the Rowville Rail.	01/07/2016	30/06/2017	In Progress	75%
Responsible Person	Matthew Hanrahan-Manager Sustainable Infrastructure	Department	Sustainable Infrastructure	
Progress Comments	Council prepared a submission to Infrastructure Victoria's 30 year infrastructure strategy, calling for a more holistic approach to transport planning for metropolitan Melbourne. Council's response included a specific section to support the proposed Rowville Rail line and the need for appropriate planning measures to be put in place to protect the corridor against future development. A private delegation was made on behalf of Eastern Transport Coalition representatives to support the proposal and a formal letter calling for protection of the corridor was presented to the State Government.			
	<i>Last Updated : 05/05/2017</i>			

Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Continue to participate in the implementation of the Bayswater Level Crossing Renewal Project to provide an integrated product that satisfies both the state government's business case and Council's objectives, as outlined in the Bayswater Structure Plan.	01/07/2016	30/06/2017	In Progress	75%
Responsible Person	Matthew Hanrahan-Manager Sustainable Infrastructure	Department	Sustainable Infrastructure	
Progress Comments	The station has been opened with level crossings removed on Mountain Hwy and Scoresby Road. The surrounding station works remain ongoing with car park works continuing and tree planting/landscaping works to be completed. The design of the Mountain Hwy streetscape is 95% complete with signoff required for undergrounding of power through the precinct. The streetscape works are anticipated to commence at the end of March with work expected to take 2-3 months.			
	<i>Last Updated : 20/03/2017</i>			

Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Actively participate in an advocacy program for improved public transport through membership of the Eastern Transport Coalition.	01/07/2016	30/06/2017	In Progress	70%
Responsible Person	Matthew Hanrahan-Manager Sustainable Infrastructure	Department	Sustainable Infrastructure	
Progress Comments	Council continues to participate in the Eastern Transport Coalition, which as a group is currently finalising its strategy document to guide key directions over the coming years. An advocacy plan to support the plan has also been presented to member Councils for their comment and has been presented to the Eastern Metropolitan Region Mayors and CEO's group.			
	<i>Last Updated : 13/04/2017</i>			

Theme 3

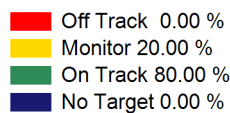
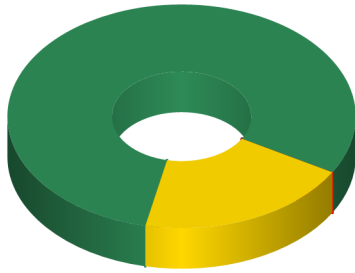
Vibrant and Sustainable Built and Natural Environments

Action Description	Start Date	End Date	Status	%	
 Continue to prioritise Council's Integrated Transport Plan to inform reviews of the Pedestrian Plan, the Bicycle Plan, Mobility Study Implementation Plan and Road Management Plan.	01/07/2016	30/06/2017	In Progress	65%	
Responsible Person	Matthew Hanrahan-Manager Sustainable Infrastructure		Department	Sustainable Infrastructure	
Progress Comments	<p>Priority actions from the Integrated Transport Plan include the development of parking precinct areas across the municipality, with work recently completed on a concept plan for Ferntree Gully.</p> <p>The program of proposed path connections for 2016-17 is continuing to progress with officers engaging with community members on a number of key paths to be delivered.</p> <p>Council made a successful submission to the Transport Accident Commission (TAC) to improve on road bicycle facilities in George St, Scoresby. An information letter was sent to residents in March. Detailed design work has now commenced with construction proposed to begin in January 2018.</p>				
<i>Last Updated : 13/04/2017</i>					

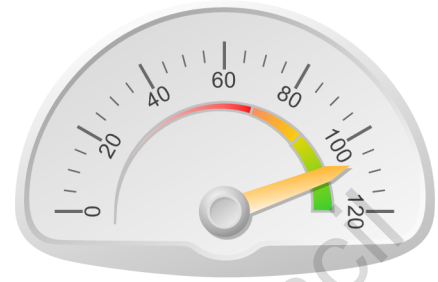
Official Minutes of Knox City Council

Culturally Rich and Active Communities

Action Status



Action Performance



Actions reported on	5
At least 90% of action target achieved	4
Between 70% and 90% of action target achieved	1
Less than 70% of action target achieved	0
Actions with no target set	0

Initiatives for 2016/17

Action Description	Start Date	End Date	Status	%
■ Implement a Knox mentoring program for Year 11 female students from local secondary schools that connect participants with inspiring local business women to support their personal career development.	01/07/2016	30/06/2017	Completed	100%
Responsible Person	Peter Gore-Manager Youth, Leisure and Cultural Services		Department	Youth, Leisure and Cultural Services
Progress Comments	Implementation of the Knox mentoring program is now complete. 13 young women were involved and 13 business women mentors. A presentation by facilitators and participants occurred at the Knox Women on the Go breakfast			
	<i>Last Updated : 03/02/2017</i>			
Action Description	Start Date	End Date	Status	%
■ Develop a Knox Aquatic Strategy to determine future aquatic needs and service facility provision for the Knox community	01/07/2016	30/06/2017	In Progress	60%
Responsible Person	Peter Gore-Manager Youth, Leisure and Cultural Services		Department	Youth, Leisure and Cultural Services
Progress Comments	The contract was awarded to InSync Consulting to undertake the study. The community consultation phase will commence in late April 2017. It is anticipated that a final report will be completed between August and October 2017. The project will inform the most effective and viable way to accommodate the community's aquatic and health and fitness needs so that broader planning and budgeting for future aquatic provision can be incorporated into Council's capital works program. Progress is based on actions in the 2016-17 financial year although a delay in appointing the contractor will mean the final report will be presented to Council next financial year.			
	<i>Last Updated : 05/05/2017</i>			

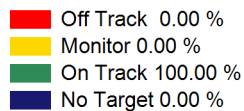
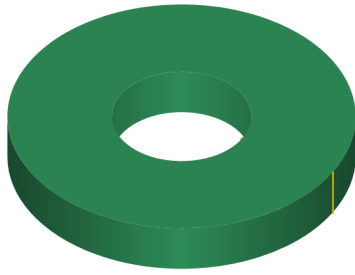
Theme 4

Culturally Rich and Active Communities

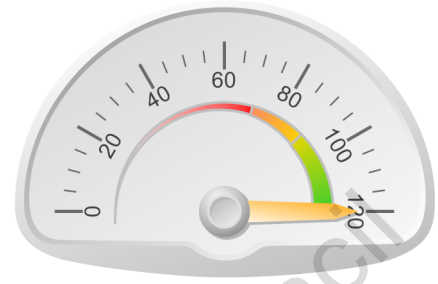
Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Progress the development of a temporary library facility within Knox City Shopping Centre	01/07/2016	30/06/2017	In Progress	70%
Responsible Person	Peter Gore-Manager Youth, Leisure and Cultural Services	Department	Youth, Leisure and Cultural Services		
Progress Comments	The project timeframe has been delayed as architectural drawings for the total site are now being completed in-house (new architects have been appointed to assist with detailed design completion). Completion is now likely to be mid to late 2017. <i>Last Updated : 02/05/2017</i>				
Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Continue the development of the 'Immerse' exhibition program in Knox to promote visual arts in Council, community and commercial venues	01/07/2016	30/06/2017	In Progress	85%
Responsible Person	Peter Gore-Manager Youth, Leisure and Cultural Services	Department	Youth, Leisure and Cultural Services		
Progress Comments	A Project Plan and Marketing Plan have been developed for the 2017-18 exhibition. Contracts and EOI documentation is currently being prepared for the curators and artists. Exhibition venues have been secured. This year exhibitions will focus within building spaces with potential for external projections and similar new media. Progress is based on actions for the 2016-17 financial year although Immerse itself is not presented until November 2017. <i>Last Updated : 13/04/2017</i>				
Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Promote positive attributes of young people identified in the Knox Youth Social Profile through social and print media outlets to strengthen the positive image of young people in Knox.	01/07/2016	30/06/2017	In Progress	85%
Responsible Person	Peter Gore-Manager Youth, Leisure and Cultural Services	Department	Youth, Leisure and Cultural Services		
Progress Comments	Fact sheets will be available from the printers in April 2017. Promotion of the Green Foot Flicks Film Festival was conducted through social media with the event held on 5 April 2017 at Village Cinemas Knox. The Knox School Expo held in March was also promoted through social media and school newsletters. <i>Last Updated : 13/04/2017</i>				

Democratic and Engaged Communities

Action Status



Action Performance



Actions reported on	7
At least 90% of action target achieved	7
Between 70% and 90% of action target achieved	0
Less than 70% of action target achieved	0
Actions with no target set	0

Initiatives for 2016/17

Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Prepare the new City Plan and Council Plan 2017-21 through the use of a range of community engagement approaches including the introduction of a Community Panel, for Council adoption by 30 June 2017.	01/07/2016	30/06/2017	In Progress	85%
Responsible Person	Fleur Cousins-Manager Governance and Innovation		Department	Governance and Innovation
Progress Comments	A suite of engagement activities to provide input into the development of the Community and Council Plan 2017-21 have been completed, including a municipal survey, focus groups with community, business, key partners and staff, a listening post at Knox City Shopping Centre and the development of a Community Panel. The outcomes of the Community Panel were presented to Councillors in February 2017. Information from all other engagement activities has been collated for review and analysis and a final Community Engagement Report has been drafted for endorsement. The draft Community Plan and Council Plan 2017-21 has been prepared and presented to Council on several occasions. The draft Community and Council Plan 2017-21 is to be endorsed by Council to release for public comment at its Ordinary Council Meeting scheduled for April 2017. <i>Last Updated : 13/04/2017</i>			
Action Description	Start Date	End Date	Status	%
<input checked="" type="checkbox"/> Conduct the 2016 Council general elections and a comprehensive induction program for the new Council.	01/07/2016	30/06/2017	Completed	100%
Responsible Person	Fleur Cousins-Manager Governance and Innovation		Department	Governance and Innovation
Progress Comments	The conduct of the general election has been finalised with the tabling of the General Election Report prepared by the Victorian Electoral Commission at the February meeting of Council. The VEC continues to progress the enforcement of penalties for those who did not vote in the 2016 General Election. <i>Last Updated : 31/03/2017</i>			

Theme 5

Democratic and Engaged Communities

Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Complete a minimum of ten service reviews as part of the implementation of Year Four of Council's four-year rolling service review program.	01/07/2016	30/06/2017	In Progress	75%
Responsible Person	Fleur Cousins-Manager Governance and Innovation	Department	Governance and Innovation		
Progress Comments	The Year 4 Service Planning program has begun, with 10 services included in the 2016-17 year. Six of the 10 services have included a focus on process improvement using lean principles. Regular meetings to support the service analysis stage with key staff have been delivered. The majority of service analysis drafts have been presented to EMT for their review and final amendments are being made prior to presentation to Council in June 2017. <i>Last Updated : 13/04/2017</i>				
Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Implement a customer focused business improvement approach to drive improved customer experiences and organisational efficiencies.	01/07/2016	30/06/2017	In Progress	75%
Responsible Person	Fleur Cousins-Manager Governance and Innovation	Department	Governance and Innovation		
Progress Comments	An Expression of Interest (EOI) process to implement a customer focused business improvement approach based on Lean and Six Sigma principles was conducted in November 2016 with a strong response received. A number of short listed submissions were invited to present to the Executive Management Team in December 2016. A more detailed project specification was developed and released for stage two of the EOI process. Final tender evaluation is underway with a preferred tenderer to be identified in April 2017. A number of pilot improvement processes have been implemented. The customer focussed business improvement approach is planned to be discussed at the Strategic Leadership Forum to be held on 10 April 2017. <i>Last Updated : 30/03/2017</i>				
Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Continue the preparation of a Digital Plan that focuses on increasing customer interaction including options for self service through technology.	01/07/2016	30/06/2017	In Progress	70%
Responsible Person	Lesley Milburn-Manager Information Management	Department	Information Management		
Progress Comments	The Draft Digital and ICT Strategy have been completed for Council's consideration, this strategy, proposed implementation, risk assessment and governance framework will be provided to Council for consideration in the coming months. <i>Last Updated : 09/05/2017</i>				
Action Description		Start Date	End Date	Status	%
<input checked="" type="checkbox"/>	Continue to advance Council's Advocacy Strategy to guide Council's advocacy priorities and efforts.	01/07/2016	30/06/2017	In Progress	65%
Responsible Person	Jude Whelan-Marketing and Campaigns Coordinator	Department	Communications and Customer Service		
Progress Comments	The Advocacy draft framework is still in development and it is being reviewed by the Steering Group before broader distribution and discussion with Council. <i>Last Updated : 09/05/2017</i>				

Theme 5

Democratic and Engaged Communities

Action Description	Start Date	End Date	Status	%
<input type="checkbox"/> Commence the replacement of Council's Electronic Document and Records Management System (EDRMS).	01/07/2016	30/06/2017	In Progress	95%
Responsible Person	Lesley Milburn-Manager Information Management		Department	Information Management
Progress Comments	Replacement of the Councils Electronic Document and Records Management system (EDRMS) with Knox Explorer (KX) is now almost complete. The removal of the network drive (G:\) drive is underway to ensure that Council records will always be preserved as a part of Knox CC Corporate memory, plus the introduction of the Mobility Application with Knox Explorer, which means that Knox Explorer can be accessed via a mobile device. Knox Explorer is a modern intuitive and easy to use system that is streamlining data and document management in all departments within Council.			
	<i>Last Updated : 02/05/2017</i>			

Official Minutes of Knox City Council

ALL WARDS

10.2 FINANCIAL PERFORMANCE REPORT FOR THE PERIOD ENDED 31 MARCH 2017

SUMMARY: *Coordinator Management Accounting
(James Morris)*

The Financial Performance Report for the period ended 31 March 2017 is presented for consideration.

The overall financial position for the period ended 31 March 2017 is satisfactory and indicates that Council is on track to achieve the budget targets for the year.

RECOMMENDATION

That Council

1. receive and note the Financial Performance Report for the period ended 31 March 2017.
2. approve the write-off of debts totalling \$200.60 which are considered no longer collectable as detailed in the confidential attachment (Appendix B) to this report.

1. INTRODUCTION

The provision of quarterly Financial Performance Report to Council ensures that associated processes are accountable, transparent and responsible resulting in sound financial management.

The attached Financial Performance Report (Appendix A) has been prepared in accordance with Australian Accounting Standards and contains the following financial statements:

- Comprehensive Income Statement;
- Balance Sheet;
- Cash Flow Statement; and
- Statement of Capital Works.

The Financial Performance Report is aimed and designed to identify major variations against Council's year to date financial performance (actual results) and the Adopted Budget. Council adopted its 2016-17 annual budget at its Ordinary Council Meeting held 28 June 2016.

10.2 Financial Performance Report for Quarter Ended 31 March 2017 (cont'd)

The financial year-end position of Council is anticipated by way of forecasts. The full year Adopted Budget is compared against the full year projected position as reflected by the Forecast. The 2016-17 Forecast includes the following details:

- Carry forward funding from 2015-16 into 2016-17 for both operational and capital works expenditure items. These funds are required for the successful completion and delivery of key outcomes and projects;
- Anticipated carry forward funding from 2016-17 into 2017-18 for capital works expenditure. These funds will not be expended during the current financial year but will be required in the following financial year for the successful completion and delivery of key outcomes and projects; and
- Adjustments to the Adopted Budget as a result of officers periodically assessing Council's financial health and landscape as a result of emerging events and matters.

2. DISCUSSION

General discussion in regards to this report is detailed under Section 5 'Financial & Economic Implications'.

3. CONSULTATION

This report does not necessitate community consultation. A copy of the quarterly Financial Performance Report is provided to Council's Audit Committee.

4. ENVIRONMENTAL/AMENITY ISSUES

This report does not have any environmental or amenity issues for discussion.

5. FINANCIAL & ECONOMIC IMPLICATIONS

5.1 Financial Performance for Period Ended 31 March 2017

The overall financial position at 31 March 2017 is satisfactory and indicates that Council, after taking into consideration carry forward funding requirements from 2015-16 into 2016-17, is on track to complete the current financial year within the targets established in the 2016-17 Adopted Budget.

For the period ending 31 March 2017, Council has achieved an operating surplus of \$42.732 million. This is \$6.593 million favourable to the year to date (YTD) Adopted Budget. Council's forecast year end position is an operating surplus of \$2.578 million, which is \$7.388 million less than the Adopted Budget primarily due to carry forward expenditure from 2015-16 into 2016-17 and borrowing costs in relation to the early extinguishment of Council's existing interest bearing loans.

10.2 Financial Performance Report for Quarter Ended 31 March 2017 (cont'd)

The total capital works expenditure for the period ended 31 March 2017 is \$26.766 million. This is \$5.216 million less than the YTD Adopted Budget. The forecast capital works expenditure for the year is \$49.864 million and includes \$17.984 million in carry forward funding requirements from 2015-16 into 2016-17, and excludes \$22.226 million in anticipated carry forward expenditure from 2016-17 into 2017-18.

Further detail and discussion of the financial performance of Council for the period ended 31 March 2017 is provided in the attached Financial Performance Report (Appendix A).

5.2 Write-off of Unrecoverable Debt

A recommendation to write-off debts totalling \$200.60 has been included in the confidential attachment (Appendix B) to this report.

An extensive debt collection process has been undertaken using all available debt collection avenues in accordance with Council's Sundry Debtor Management and Collection Procedures. No further action is recommended in pursuit of these outstanding debts. Accordingly, the relevant Manager and Director have recommended that these amounts should be written off.

6. SOCIAL IMPLICATIONS

There are no direct social implications arising from this report.

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

Through the provision of quarterly financial reports, Council ensures that it is contributing towards meeting its objectives under Theme 5 of the 2013-17 City Plan: Democratic and Engaged Communities. Council manages assets and financial resources on behalf of the community in a responsible and sustainable manner.

8. CONCLUSION

Council has achieved an operating surplus of \$42.732 million for the period ended 31 March 2017, which compares favourably with the year to date adopted budget of \$36.138 million.

**10.2 Financial Performance Report for Quarter Ended 31 March 2017
(cont'd)****9. CONFIDENTIALITY**

There is one component of this report (Appendix B) which has been declared confidential in accordance with the Local Government Act 1989 and has been distributed separately.

COUNCIL RESOLUTION

MOVED: CR. KEOGH
SECONDED: CR. TAYLOR

That Council

1. receive and note the Financial Performance Report for the period ended 31 March 2017.
2. approve the write-off of debts totalling \$200.60 which are considered no longer collectable as detailed in the confidential attachment (Appendix B) to this report.

CARRIED



financial performance report

for year to date ended 31 March 2017





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Financial Performance Report for year to date ended 31 March 2017

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Executive Summary

Financial Performance Report for the quarter ended 31 March 2017



Introduction and Purpose

The Financial Performance Report for quarter ended 31 March 2017 has been prepared in accordance with Australian Accounting Standards and contains the following financial statements:

- Comprehensive Income Statement;
- Balance Sheet;
- Cash Flow Statement; and
- Statement of Capital Works.

This report is aimed and designed to identify major variations against Council's year to date financial performance (actual results) and the Adopted Budget and anticipate the financial position of Council as at financial year end by way of Forecasts. Council adopted its 2016-17 Annual Budget at its Ordinary Council Meeting held 28 June 2016.

The full year Adopted Budget is compared against the full year projected position as reflected by the Forecast. The 2016-17 Forecast takes into account the following details:

- Carry forward funding from 2015-16 into 2016-17 for both operational and capital works expenditure items. These funds are required for the successful completion and delivery of key outcomes and projects;
- Anticipated carry forward funding from 2016-17 into 2017-18 for capital works expenditure. These funds will not be expended during the current financial year but will be required in the following financial year for the successful completion and delivery of key outcomes and projects; and
- Adjustments to the adopted budget as a result of officers periodically assessing Council's financial health and landscape as a result of emerging events and matters.

Discussion of Financial Results

Forecast

The 2016-17 Forecast includes the following adjustments:

Income

- \$1.645M in higher than anticipated supplementary rates income as a result of 2016 revaluation of properties;
- \$0.752M increase in Statutory Fees and Charges with the majority of this increase being in City Planning due to higher than anticipated application numbers, coupled with an increase in the statutory fees;
- \$0.415M increase in Monetary Contributions with the majority of this increase again being in City Planning due to higher than expected income from public open space contributions;
- \$0.378M decrease in User Fees is mainly related to a decrease in fees from the childcare centres (\$0.714M decrease), however this has been partially offset in the childcare centres by an increase in the childcare benefit received (\$0.485M increase);
- \$0.152M increase in interest income revised upwards to reflect 2015-16 year-end cash position and anticipated 2016-17 outcomes; and
- \$0.344M net decrease in the final 2016-17 financial assistance grant income allocation received from the Victoria Grants Commission (general purpose and local roads funding).

Executive Summary (continued)

Financial Performance Report for the quarter ended 31 March 2017



Expenses (Operating and Capital Works)

- \$20.288M in carry forward funding from 2015-16 into 2016-17 for both operational expenditure (\$2.304M) and capital works expenditure (\$17.984M). These funds are required for the successful completion and delivery of key outcomes and projects;
- Anticipated \$22.226M in carry forward funding from 2016-17 into 2017-18 for approved capital works expenditure identified as being required to carry forward. This anticipated carry forward in capital works includes \$11.864M relating to the Knox Central project (including library), \$6.500M relating to the Early Year Hubs and \$2.141M relating to the Stamford Park redevelopment; and
- \$1.168M increase in loan interest payments as a result of a strategic early extinguishment of Council's existing interest bearing loans.

Balance Sheet

- Adjustment to the full year Adopted Budget position as a result of the final year end position for 2015-16. The balance sheet within the Adopted Budget had been prepared on the forecast year end position for 2015-16. Adjustments include increments to Property, Infrastructure, Plant and Equipment as a result of bringing into effect the 2015-16 year-end valuations;
- Change in timing of new loan borrowings of \$4.750M that was expected to occur in 2015-16 but has now been anticipated in 2016-17. Further budgeted borrowings of \$16.702M in 2016-17 have been carried forward to 2017-18 due to the carry forward of related major projects; and
- Strategic decision to extinguish the balance of Council's existing interest bearing loans well before the completion of their term. This resulted in unbudgeted principal repayments of \$10.209M that have been reflected in the year end forecast.

Operating Results

Operating Results	Year to Date			Full Year		
	Adopted Budget	Actual	Variance	Adopted Budget	Forecast	Variance
	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's
Income	142,677	146,754	4,077	157,800	161,146	3,346
Expense	106,539	104,022	2,516	147,834	158,568	(10,734)
Surplus (Deficit)	36,138	42,732	6,593	9,966	2,578	(7,388)

Full year Forecast for Operating Results includes \$2.304M in carryforward net expenditure from 2015-16 into 2016-17, together with \$5.736M in carry forward expenditure for capital works that is operational in nature.

Income has an overall favourable variance of \$4.077M compared to the year to date (YTD) Adopted Budget of \$142.677M. This is primarily due to higher than anticipated supplementary rates income, together with favourable variances in Monetary Contributions and Operating Grants. The full year forecast income is anticipated to be \$161.146M and is \$3.346M favourable to the Adopted Budget.

Expenditure has an overall favourable variance of \$2.516M compared to the YTD Adopted Budget of \$106.539M. The favourable variance in Materials and Services of \$3.948M is partially offset by the \$1.280M unfavourable variance in Borrowing Costs. The full year forecast expenditure is anticipated to be \$158.568M and is \$10.734M unfavourable to the Adopted Budget. This is primarily due to carry forward funding from 2015-16 into 2016-17 for operational expenditure and capital works expenditure that is operational in nature (i.e. expenses that do not meet the criteria for capitalisation) and the strategic early extinguishment of Council's existing interest bearing loans.

Executive Summary (continued)

Financial Performance Report for the quarter ended 31 March 2017



The operating surplus for the period ended 31 March 2017 is \$42.732M, which is \$6.593M favourable to the YTD Adopted Budget. The forecast operating surplus for the year is \$2.578M and is \$7.388M less than the Adopted Budget of \$9.966M.

Capital Works Program

Capital Works Expenditure	Adopted			Adopted		
	Budget	Actual	Variance	Budget	Forecast	Variance
	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's
Property	8,232	3,192	5,040	25,178	10,183	14,995
Plant and Equipment	3,992	2,295	1,697	6,334	6,029	305
Infrastructure	19,757	21,279	(1,522)	25,620	33,652	(8,032)
Total Capital Works Expenditure	31,982	26,766	5,216	57,132	49,864	7,268

Full year Forecast for Capital Works Expenditure includes \$17.984M in carryforward expenditure from 2015-16 into 2016-17, and excludes \$22.226M in carry forward expenditure from 2016-17 into 2017-18.

The performance of the Capital Works Program including details of variances is reported in the Statement of Capital Works.

For the period ended 31 March 2017 the Capital Works Program shows an expenditure of \$26.766M – this is \$5.216M less than the expected YTD Adopted Budget position. After taking into consideration the capital works projects carried forward from 2015-16 into 2016-17, and also taking into account the capital works projects expected to be carried forward from 2016-17 into 2017-18, the forecast Capital Works Expenditure for the year is \$49.864M.

Balance Sheet

Balance Sheet	Year to Date			Full Year		
	Adopted Budget	Actual	Variance	Adopted Budget	Forecast	Variance
	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's	\$'000's
Current Assets	75,879	93,580	17,701	61,736	61,794	58
Non-Current Assets	1,563,516	1,676,059	112,543	1,574,939	1,705,451	130,512
Total Assets	1,639,395	1,769,638	130,244	1,636,675	1,767,245	130,570
Current Liabilities	27,815	27,012	803	34,740	31,845	2,895
Non-Current Liabilities	18,854	7,660	11,194	34,818	11,920	22,898
Total Liabilities	46,669	34,672	11,997	69,558	43,765	25,793
Net Assets	1,592,726	1,734,967	142,241	1,567,117	1,723,480	156,363
Accumulated Surplus	642,924	630,759	(12,165)	619,139	628,960	9,821
Asset Revaluation Reserve	919,580	1,067,083	147,503	919,580	1,067,083	147,503
Other Reserves	30,222	37,125	6,903	28,398	27,437	(961)
Total Equity	1,592,726	1,734,967	142,241	1,567,117	1,723,480	156,363
Working Capital Ratio	2.73	3.46		1.78	1.94	

Executive Summary (continued)

Financial Performance Report for the quarter ended 31 March 2017



The Balance Sheet as at 31 March 2017 indicates a sustainable result. A comparison of total Current Assets of \$93.580M with total Current Liabilities of \$27.012M continues to depict a sustainable financial position (Working Capital Ratio of 3.46 to 1). Current Assets primarily comprises Cash and Cash Equivalents (\$21.587M), Other Financial Assets (\$44.800M) and Trade and Other Receivables (\$26.989M). Trade and Other Receivables includes \$24.843M of rates debtors (of which \$4.191M relates to arrears pre July 2016) and \$1.578M in other debtors.

Trade and Other Receivables	Ageing				Total \$'000
	Current - 30 Days \$'000	31 Days - 60 Days \$'000	61 Days - 90 Days \$'000	More than 90 Days \$'000	
Rates Debtors	20,652	0	0	4,191	24,843
Special Rate Assessment	0	0	0	52	52
Parking and Animal Infringement Debtors	84	105	88	239	516
Other Debtors	1,173	136	101	168	1,578
Total Trade and Other Receivables	21,909	241	189	4,650	26,989

Rate debtors in arrears is \$4.191M. This amount has been outstanding from 2015-16 and prior.

The percentage of rates collected to 31 March 2017 of 79.93% is slightly down on the percentage collected for the same period last year of 80.29%. Rate amounts owing are a charge over the property and therefore Council has recourse to collect these debts. Penalty interest at 9.5% per annum also applies. The due date for rates being paid in full was 15 February 2017, while the final quarterly instalment is due on 31 May 2017.

Trade and Other Payables are \$5.267M at 31 March 2017 – this has decreased from \$6.107M as at 31 December 2016.

The working capital ratio of 3.46 has reduced from 4.16 at 31 December 2016. The Working Capital Ratio is anticipated to continue to diminish over the course of the financial year as Council utilises its funds to deliver on its operating programs and capital works. The forecast working capital ratio is anticipated to remain healthy at 1.94 at year end. This is greater than the Adopted Budget working capital ratio of 1.78 as a result of the forecast carry forward of capital works projects, together with the decision to extinguish Council's existing Council interest bearing loans.

Investment Analysis

Investment	Year to Date			Full Year		
	Adopted Budget \$'000's	Actual \$'000's	Variance \$'000's	Adopted Budget \$'000's	Forecast \$'000's	Variance \$'000's
Cash and Cash Equivalents	44,287	21,587	(22,701)	51,201	50,288	(913)
Other Financial Assets	0	44,800	44,800	0	0	0
Total Funds Invested	44,287	66,387	22,099	51,201	50,288	(913)
Earnings on Investments	884	932	48	1,290	1,442	152

There was \$66.387M invested with various financial institutions as at 31 March 2017 – this includes Cash and Cash Equivalents (\$21.587M) and Other Financial Assets (\$44.800M). These funds include monies from trust funds and deposits and specific purpose reserves.

Executive Summary (continued)

Financial Performance Report for the quarter ended 31 March 2017



The earnings on investments for the period ended 31 March 2017 is \$0.932M and is \$0.048M favourable to YTD Adopted Budget as a result of current holdings of Cash and Cash Equivalents and Other Financial Assets. The forecast full year earnings from investments are \$1.442M (\$0.152M favourable to the Adopted Budget) based on forecast Cash and Cash Equivalents balances throughout the year.

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Comprehensive Income Statement

for year to date ended 31 March 2017

Description	Notes	Year-to-Date				Full Year		
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S
Income								
Rates and Charges		104,835	106,612	1,777	1.70%	104,835	106,480	1,645
Statutory Fees and Fines	1	1,491	2,010	518	34.77%	2,040	2,792	752
User Fees		11,785	11,919	133	1.13%	14,717	14,339	(378)
Grants - Operating		16,577	17,371	794	4.79%	22,417	22,824	407
Grants - Capital		2,167	1,936	(231)	(10.68%)	3,909	4,204	294
Contributions - Monetary	2	3,453	4,526	1,073	31.07%	4,633	5,048	415
Contributions - Non-Monetary		0	0	0	0.00%	2,000	2,000	0
Increment on investment in associates		0	0	0	0.00%	0	0	0
Other Income		2,367	2,380	12	0.52%	3,249	3,459	210
Total Income		142,677	146,754	4,077	2.86%	157,800	161,146	3,346
Expenses								
Employee Costs		49,704	49,275	429	0.86%	66,797	67,453	(655)
Materials and Services	3	35,693	31,746	3,948	11.06%	52,723	60,365	(7,643)
Depreciation and Amortisation		15,015	15,416	(401)	(2.67%)	19,780	20,894	(1,114)
Contributions and Donations		5,206	5,201	5	0.09%	5,323	5,358	(35)
Borrowing Costs	4	766	2,045	(1,280)	(167.13%)	1,021	2,189	(1,168)
Bad and Doubtful Debts		48	104	(56)	(115.52%)	64	64	0
Other Expenses		403	376	27	6.77%	561	533	27
Net (Gain) Loss on Disposal of Property, Infrastructure, Plant and Equipment		(297)	(141)	(155)	(52.41%)	1,565	1,711	(146)
Total Expenses		106,539	104,022	2,516	2.36%	147,834	158,568	(10,734)
Surplus (Deficit)		36,138	42,732	6,593	18.24%	9,966	2,578	(7,388)
Total Comprehensive Income for the Year		36,138	42,732	6,593	18.24%	9,966	2,578	(7,388)

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✔ 0% or greater.
- ⚠ Less than 0% and greater than negative 10%.
- ✘ Negative 10% or less.

Notes have been provided for the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$500K and equal to or greater than positive 10%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$500K and equal to or less than negative 10%.

Notes:

1	\$477K favourable variance in statutory Planning Application fees.
2	\$1.124M favourable variance in Public Open Space Contributions; income of this nature is unpredictable and is directly contingent on developer activities in the municipality.
3	\$653K favourable variance mainly attributable to adverse weather conditions impacting scheduled works in Open Space Maintenance, Stormwater Management and Footpath Maintenance Programs. Partially offset by \$300K unfavourable variance in Tree Maintenance and Drainage Maintenance and \$246K unfavourable variance in Drainage Maintenance Works due to storm events and heavy rain weather. \$340K favourable variance in Information Management mainly attributable to timing variances in the cost of software maintenance, licensing and upgrades. \$340K favourable variance in timing of activities to progress the Knox Central Project activities. \$260K favourable variance in Workshop Services due to the timing of invoices and lower than anticipated fuel prices. \$251K favourable variance in Waste Management from underspend in waste collection and transport costs. \$248K favourable variance in Street and Public Lighting due to savings associated with LED installation and seasonal utilisation of lighting. \$247K favourable variance in Building Maintenance Services due to the timing of maintenance and repair activity. \$199K favourable in Traffic Management due to the timeliness of the VicRoads annual invoice and the timing of activities. The remaining favourable variance is partially attributed to delays (across the organisation) in receiving invoices from suppliers for payment; further compounded by the timing of expenditure tied to planned activities and projects in various projects.
4	Higher than budgeted loan interest payments due to the strategic early extinguishment of Council's existing interest bearing loans.

The 2016-17 Forecast includes \$2.304M in carry forward expenditure from 2015-16 into 2016-17 required for the completion and delivery of key operational projects. Also included is \$5.736M in carry forward expenditure for capital works that is operational in nature.

Summary of Net Income and Expenditure by Department

for year to date ended 31 March 2017



Net (Income) / Expenditure	Notes	Year-to-Date				Full Year			
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)	
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S	
Rates									
Rates and Valuation		(101,004)	(102,770)	1,766	1.75%	✓	(101,004)	(102,649)	1,645
Net (Income) / Expense - Rates		(101,004)	(102,770)	1,766	1.75%		(101,004)	(102,649)	1,645
CEO and Council									
Chief Executive Officer		463	426	37	7.97%	✓	607	607	0
Councillors		586	581	5	0.85%	✓	781	758	22
Net (Income) / Expense - CEO and Council		1,048	1,007	42	3.99%		1,388	1,366	22
City Development									
Directorate City Development		387	299	89	22.88%	✓	516	431	85
City Planning	1	(596)	(2,309)	1,714	287.67%	✓	(794)	(1,916)	1,122
City Safety and Health	2	2,217	1,894	323	14.56%	✓	2,931	2,794	138
City Futures	3	2,503	2,300	203	8.10%	✓	3,486	4,124	(638)
Net (Income) / Expense - City Development		4,510	2,183	2,328	51.60%		6,139	5,433	706
Knox Central									
Knox Central	4	719	265	454	63.20%	✓	959	853	105
Net (Income) / Expense - Knox Central		719	265	454	63.20%		959	853	105
Community Services									
Directorate Community Services		462	523	(62)	(13.35%)	✗	614	705	(91)
Community Wellbeing		2,492	2,490	2	0.09%	✓	3,019	3,274	(255)
Family and Children's Services	5	3,720	4,615	(895)	(24.05%)	✗	5,326	6,672	(1,346)
Active Ageing and Disability Services	6	2,458	1,387	1,071	43.56%	✓	3,289	2,681	608
Youth, Leisure and Cultural Services		7,195	6,978	217	3.02%	✓	7,952	8,375	(423)
Net (Income) / Expense - Community Services		16,328	15,994	334	2.05%		20,200	21,707	(1,507)
Corporate Development									
Directorate Corporate Development		447	353	94	20.92%	✓	596	596	0
Finance and Property Services	7	(2,756)	(1,573)	(1,183)	(42.91%)	✗	(4,122)	(2,393)	(1,729)
Governance and Innovation		2,912	2,806	106	3.63%	✓	3,756	3,896	(139)
Information Management	8	2,533	2,389	144	5.68%	✓	3,102	3,429	(327)
Communications and Customer Service		3,053	2,907	145	4.77%	✓	4,045	3,881	164
People Performance		1,994	1,922	73	3.64%	✓	2,276	2,346	(70)
Net (Income) / Expense - Corporate Development		8,182	8,804	(621)	(7.60%)		9,653	11,755	(2,102)
Engineering and Infrastructure									
Directorate Engineering and Infrastructure		496	597	(101)	(20.28%)	✗	662	662	0
Sustainable Infrastructure	9	5,010	3,921	1,089	21.73%	✓	9,485	9,156	330
Community Infrastructure	10	4,513	3,952	561	12.43%	✓	6,169	6,236	(68)
Operations	11	10,846	9,980	866	7.98%	✓	14,444	14,386	58
Net (Income) / Expense - Engineering and Infrastructure		20,865	18,450	2,415	11.57%		30,760	30,440	320

Summary of Net Income and Expenditure by Department

for year to date ended 31 March 2017



Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✔ 0% or greater.
- ⦿ Less than 0% and greater than negative 5%.
- ✘ Negative 5% or less.

Notes have been provided for these variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$100K and equal to or greater than positive 5%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$100K and equal to or less than negative 5%.

Notes:

1	Higher than expected income from Public Open Space Contributions and Supervision fees (\$1,124K favourable); income of this nature is unpredictable and is directly contingent on Developer activities in the municipality. Increased activity experienced in Planning Application fees (\$477K favourable).
2	Higher than expected Permit Fees (\$28K) due to an increase in fee amount and establishment of new fees to align to the Local Laws service delivery and objectives. Animal Registration Fees are \$18K greater than budget due to receipts of 2016 fees in current year due to a registration follow-up program undertaken during Sept-Dec 2016. Favourable variance in employee costs (\$149K) as a result of staff vacancies across Local Laws for which recruitment is underway. Favourable variance in Health Compliance' registration income (\$37K) partially due to the introduction of one-off lifetime hairdresser registration fees, following changes to the Public Health and Wellbeing Amendment (Hairdressing Registration) Act. Favourable variance in Emergency Services' reimbursement income relating to reimbursement of the Municipal Emergency Resources Project Officer which are funded from a Government Grant provided to Yarra Ranges Council – this is offset by permanent unfavourable variance in Emergency Services' salaries due to the extension of the Municipal Emergency Resources Project Officer role to April 2017 (originally forecast to end in September 2016). Also unfavourable variance in employee costs (\$76k) in School Crossing program due to a one-off back-pay to meet national minimum wages changes.
3	Favourable timing variance in Fees under Strategic & Economic Development income due to unanticipated receipt (\$100K) of additional user pay income for proposed Planning Scheme Amendment and Redevelopment for former Norvel Road Quarry – which will be offset by related future expenditure. Also favourable is Consultants Cost under Strategic & Economic Development due to timing of activities in Development Contributions Plan and Bayswater Industrial Precinct and Stamford Park.
4	Permanent favourable variance due to change in program (\$274K) and vacancy (\$115K).
5	Unfavourable permanent variance (\$546K) in Specialist Support due to conclusion of Illoura ECIS in addition to an unfunded EFT related to approved team structure changes. Unfavourable permanent variance in Childcare employee costs (\$198K) due to the budgeting of three weeks annual leave in January, but only one week actually being taken and to backfill staff leave to meet legislated child-staff ratio. Unfavourable Employee Costs for Agency staff (\$119K) in Preschool program to backfill staff leave and meet legislated child-staff ratio. Unfavourable Preschool grants income due to timing of receipt (\$99K) in addition to delayed timing of payment for Preschool Committee Fee (\$67K). Unfavourable variances partially offset by favourable variances in Child, Health & Wellbeing - income is higher than anticipated due to adjustments made by Government to operational grant funding with the percentage escalation changed (\$130K favourable).
6	Favourable variance in Active Living grant income as reforecast due to increase in grant funding (\$255K). Favourable variance in expenditure in Active Living due to staff movements with recruitment currently underway and lower than projected service delivery levels (\$681K favourable in Active Living employee costs and on costs and \$71K in Active Living contracts cost). This is also reflected in unfavourable variance in Fees income (\$168K).
7	Unfavourable variance in loan interest payments as a result of a strategic early extinguishment of Council's existing interest bearing loans (\$1.280M) and greater than budgeted WorkCover premiums due to higher rates. Partially offset by lower than budgeted maternity leave take up across the organisation.
8	Favourable variances in Software Maintenance/Licensing (\$179K) and Communications (\$99K) due to timing of programs. Also favourable is Contract cost (\$178K) and Employee cost (\$206K) which are directly offset by higher than anticipated Agency cost (\$402K) to backfill a few vacancies. Favourable variance for Software Upgrade (\$168K), partly utilised by higher than anticipated Software Licensing Extensions (\$62K) due to increase in Microsoft software annual true up cost. Unfavourable variances in Telephone (\$201K) as telephone costs are no longer distributed to the organisation.
9	Favourable variance in income due to higher than anticipated take up of supplementary green waste bins (\$74K) and timing of invoices (\$55K). Also favourable variance in Waste collection services (\$361K) due to lower than anticipated fuel pricing, quarterly CPI and quantum of materials; in street & public lighting due to savings associated with LED installation and seasonal utilisation of lighting (\$235K); in asset management strategy due to timing of condition audits (\$74K) and employee costs (\$86K) due to a few vacancies; and in Traffic Management for signal maintenance charges (\$70K) due to the timeliness of VicRoad annual invoice and contract cost (\$104K) due to timing of activities. These are offset by an unfavourable variance (\$126K) in transport of green waste due to higher than anticipated tonnage.

Summary of Net Income and Expenditure by Department

for year to date ended 31 March 2017



Notes (continued):

10	Favourable variance due to timing of activities in Flood Mapping for Stormwater (\$257K), delays in programmed planting within the Landscaping program (\$105K); timing of activities in Building Maintenance Services (\$206K) across the programs. These are offset by unfavourable is the variance in Community Infrastructure Management due to unanticipated works which increases both Consultant Costs (\$59K) and Agency Costs (\$43K).
11	Favourable variance mainly attributable to adverse weather conditions affecting scheduled works in footpath maintenance, local road maintenance, bike path maintenance, open space mowing and garden bed maintenance contracts. Favourable variance in tree maintenance' contracts (\$262K) due to timing of invoices and activities of planting and pruning. Favourable variance in open space management's employee costs due to a few vacancies that is to be filled. Favourable in roads maintenance due to unbudgeted income received to rectify damage on McMahons Road, Ferntree Gully (\$46K) which will be offset by expenditure when these works are carried out. Also favourable is plant operations due to timing of fuel invoices (\$230K) and insurance premium (\$21K) and in works management due to staff movements and vacancies (\$145K). This is offset by unfavourable variances in drainage maintenance due to heavy rain (\$272K), unfavourable variance in reactive tree works (\$566K) and unfavourable variance in Open Space Management due to timing of labour recovery (\$72K) for the utilisation of internal resources for capital works program.

Official Minutes of Knox City Council

Statement of Capital Works

for year to date ended 31 March 2017



Description	Notes	Year-to-Date				Full Year		
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S
Expenditure - Capital Works Program								
Property								
Land		0	44	(44)	(100.00%)	7,985	585	7,400
Buildings	1	8,232	3,148	5,084	61.76%	17,193	9,598	7,595
Total Property		8,232	3,192	(5,040)	(61.22%)	25,178	10,183	14,995
Plant and Equipment								
Artworks		20	0	20	100.00%	40	0	40
Plant, Machinery and Equipment	2	1,758	723	1,036	58.90%	3,217	2,587	630
Fixtures, Fittings and Furniture	3	630	3	627	99.49%	630	45	585
Computers and Telecommunications		1,584	1,569	15	0.94%	2,447	3,397	(950)
Total Plant and Equipment		3,992	2,295	(1,697)	(42.52%)	6,334	6,029	305
Infrastructure								
Roads (including Kerb and Channel)		7,970	8,421	(451)	(5.66%)	9,370	13,005	(3,635)
Drainage	4	2,430	1,497	933	38.38%	3,195	3,918	(723)
Bridges		316	33	283	89.50%	350	425	(75)
Footpaths and Cycleways		1,847	1,793	54	2.93%	3,114	2,523	591
Off Street Car Parks		515	303	213	41.24%	550	641	(91)
Recreation, Leisure, Parks and Playgrounds	5	4,815	5,620	(805)	(16.72%)	6,405	9,051	(2,646)
Other Infrastructure	6	1,864	3,610	(1,747)	(93.74%)	2,636	4,089	(1,454)
Total Infrastructure		19,757	21,279	1,522	7.70%	25,620	33,652	(8,032)
Total Expenditure - Capital Works Program		31,982	26,766	5,216	16.31%	57,132	49,864	7,268
Represented by:								
Extension / Expansion		576	394	182	31.61%	3,787	471	3,315
Legal Requirements		0	615	(615)	(100.00%)	0	362	(362)
New		2,685	533	2,152	80.14%	12,877	5,202	7,675
Renewal		20,137	18,507	1,629	8.09%	25,857	29,376	(3,519)
Upgrade		8,584	6,716	1,868	21.76%	14,611	14,453	159
Total Expenditure - Capital Works Program		31,982	26,766	5,216	16.31%	57,132	49,864	7,268
Funding Source for Capital Works Program								
External Funding								
Contributions - Monetary - Capital		138	3	(135)	(97.66%)	138	261	123
Grants - Capital		2,167	1,936	(231)	(10.68%)	3,909	4,204	294
User Fees - Capital		0	0	0	0.00%	0	0	0
Proceeds from Loan Borrowings		0	0	0	0.00%	16,702	4,750	(11,952)
Other Income - Capital		0	0	0	0.00%	0	0	0
Total External Funding		2,305	1,939	(366)	(15.89%)	20,749	9,215	(11,534)
Internal Funding								
Proceeds from Sale of Property, Infrastructure, Plant and Equipment		777	427	(349)	(44.98%)	4,036	5,242	1,206
Reserves	7	4,232	2,476	(1,756)	(41.50%)	7,817	7,965	148
Rate Funding	8	24,668	21,924	(2,744)	(11.12%)	24,530	27,442	2,912
Total Internal Funding		29,676	24,827	(4,850)	(16.34%)	36,382	40,649	4,267
Total Funding Source for Capital Works Program		31,982	26,766	(5,216)	(16.31%)	57,132	49,864	(7,268)
Carry forward expenditure from 2015-16							17,984	
Carry forward expenditure to 2017-18							(22,226)	
Movement in carry forward expenditure							(4,242)	

Statement of Capital Works

for year to date ended 31 March 2017

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- ✔ 0% or greater.
- ⚠ Less than 0% and greater than negative 10%.
- ✘ Negative 10% or less.

Notes have been provided for the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$500K and equal to or greater than positive 10.00%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$500K and equal to or less than negative 10%.

Notes:

1	Favourable variance in Early Years Hubs; \$6.500M of this is forecast to be carried forward into 2017-18. Also favourable timing variances in the Council Building Renewal Program, the Stamford Park Development and the Eildon Park Reserve Pavilion Upgrade. \$2.141M of the Stamford Park Redevelopment is forecast to be carried forward into 2017-18.
2	Favourable timing variance relates to phasing of budgeted expenditure for the plant and machinery replacement program.
3	Favourable timing variance relates to phasing of budgeted expenditure for the Knox Library (interim) - Fitout project. Commitment/approval of the project by Westfield is expected by mid-April, pending approval from Westfield's investment partner.
4	Favourable variance due to the Boronia Road Overland Flowpath construction project being put on hold subject to long term resolution of facilities and associated drainage strategy for the park site. Favourable timing variance with the Water Sensitive Urban Design renewal; a contractor has been appointed with works to commence in April. Favourable timing variance with the Mint Street, Wantirna, Dandenong Creek Wetland construction; currently out to tender with construction anticipated to commence by late May.
5	Unfavourable variance related to the carry forward of capital works from 2015-16 into 2016-17. Carry forward capital works include the Colchester Reserve Renewal, Marie Wallace Reserve Masterplan Development, and Tennis Court Renewals.
6	Expenditure for Bulk Replacement of Street Lights with LED project, carried forward from 2015-16. Final spot replacements of standard streetlights are underway. Design works on the decorative streetlights have also commenced. Approximately 675 decorative streetlights are due to be replaced.
7	Unfavourable variance from an accounting transaction to reinstate the Landfill Rehabilitation Reserve resulting in an allocation into the reserve. Costs (as and when they occur) are covered by the Provision for Landfill Rehabilitation. Committed reserve funding tied to the project CSR Quarry Reserve - Implementation Stage 4 carried forward from 2015-16 into 2016-17.
8	Council generates cash from its operating activities which is used as a funding source for the capital works program. It is forecast that \$27.442M will be generated from operations to fund the 2016-17 capital works program (inclusive of projects carried forward into 2016-17).

The 2016-17 Forecast includes \$17.984M in carry forward expenditure from 2015-16 into 2016-17 required for the successful completion and delivery of key capital works projects (including \$5.736M in carry forward expenditure for capital works that is operational in nature). As at 31 March 2017, a total of \$22.226M of approved capital works projects for 2016-17 have been identified as required to be carried forward into 2017-18.

Balance Sheet

as at 31 March 2017

Description	Notes	Year-to-Date				Full Year		
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)
		\$000'S	\$000'S	\$000'S	%	\$000'S	\$000'S	\$000'S
Current Assets								
Cash and Cash Equivalents	1	44,287	21,587	(22,701)	(51.26%)	51,201	50,288	(913)
Other Financial Assets	2	0	44,800	44,800	100.00%	0	0	0
Trade and Other Receivables	3	30,267	26,989	(3,279)	(10.83%)	9,211	10,012	801
Other Current Assets	4	1,317	185	(1,132)	(85.92%)	1,317	1,490	173
Non-Current Assets classified as Held for Sale		0	11	11	100.00%	0	0	0
Inventories		7	8	1	8.76%	7	4	(3)
Total Current Assets		75,879	93,580	17,701	23.33%	61,736	61,794	58
Non-Current Assets								
Investment in Associates		3,522	3,741	219	6.23%	3,522	3,741	219
Property, Infrastructure, Plant and Equipment		1,559,268	1,671,267	111,999	7.18%	1,570,691	1,700,398	129,707
Intangible Assets		726	1,050	324	44.66%	726	1,312	586
Total Non-Current Assets		1,563,516	1,676,059	112,543	7.20%	1,574,939	1,705,451	130,512
Total Assets		1,639,395	1,769,638	130,244	7.94%	1,636,675	1,767,245	130,570
Current Liabilities								
Trade and Other Payables		5,968	5,267	701	11.75%	10,430	11,376	(946)
Trust Funds and Deposits	5	3,278	6,033	(2,755)	(84.04%)	3,278	2,734	544
Provisions - Employee Costs		14,491	15,121	(630)	(4.35%)	16,976	16,623	353
Defined Benefits Superannuation		0	0	0	0.00%	0	0	0
Provision - Landfill Rehabilitation		508	591	(83)	(16.35%)	508	591	(83)
Interest-Bearing Loans and Borrowings	6	3,570	0	3,570	100.00%	3,548	522	3,026
Other Provisions		0	0	0	0.00%	0	0	0
Total Current Liabilities		27,815	27,012	803	2.89%	34,740	31,845	2,895
Non-Current Liabilities								
Provisions - Employee Costs		1,025	850	175	17.04%	1,025	882	143
Interest-Bearing Loans and Borrowings	7	12,326	0	12,326	100.00%	28,290	4,228	24,062
Provision - Landfill Rehabilitation	8	5,503	6,810	(1,307)	(23.74%)	5,503	6,810	(1,307)
Defined Benefits Superannuation		0	0	0	0.00%	0	0	0
Other Provisions		0	0	0	0.00%	0	0	0
Total Non-Current Liabilities		18,854	7,660	11,194	59.37%	34,818	11,920	22,898
Total Liabilities		46,669	34,672	11,997	25.71%	69,558	43,765	25,793
Net Assets		1,592,726	1,734,967	142,241	8.93%	1,567,117	1,723,480	156,363
Equity								
Accumulated Surplus		642,924	630,759	(12,165)	(1.89%)	619,139	628,960	9,821
Asset Revaluation Reserve		919,580	1,067,083	147,503	16.04%	919,580	1,067,083	147,503
Other Reserves		30,222	37,125	6,903	22.84%	28,398	27,437	(961)
Total Equity		1,592,726	1,734,967	142,241	8.93%	1,567,117	1,723,480	156,363

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

- 🟢 0% or greater.
- 🟡 Less than 0% and greater than negative 10%.
- 🔴 Negative 10% or less.

Notes have been provided for items with the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$1M and equal to or greater than positive 10%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$1M and equal to or less than negative 10%.

Balance Sheet

as at 31 March 2017



Notes:

1	The cash and cash equivalents balance (together with other financial assets) increase in February due to the annual rates amounts being due for payment. The cash and cash equivalents balance will reduce over the next few months.
2	Other financial assets are term deposits currently held with an original maturity date of more than 90 days.
3	Trade and other receivables includes \$24.843M for rates debtors.
4	Prepayments are taken up at year end.
5	Trusts funds and deposits includes \$1.257M collected for the fire services levy; this amount is payable to the State Revenue Office by the 28th June 2017.
6	Currently no interest-bearing loans and borrowings due to the strategic early extinguishment of Council's existing interest-bearing loans, together with the need to borrow being deferred due to the anticipated carry forward of a number of major projects.
7	Currently no interest-bearing loans and borrowings due to the strategic early extinguishment of Council's existing interest-bearing loans, together with the need to borrow being deferred due to the anticipated carry forward of a number of major projects.
8	An adjustment was made to the landfill provision on 30th June 2016, after the 2016-17 budget was adopted. To date there has been no further change to this provision balance in the 2016-17 financial year.

Official Minutes of Knox City Council

Cash Flow Statement

for year to date ended 31 March 2017

Description	Notes	Year-to-Date				Full Year		
		Adopted Budget	Actual	Variance Fav/(Unfav)		Adopted Budget	Forecast	Variance Fav/(Unfav)
		\$000'S	\$000'S	\$000'S		\$000'S	\$000'S	\$000'S
Cash Flows from Operating Activities								
Receipts								
Rates and Charges		85,730	91,179	5,449	6.36%	104,681	106,327	1,645
Statutory Fees and Fines	1	1,491	2,010	518	34.77%	2,040	2,792	752
User Fees		10,692	11,679	987	9.23%	14,676	14,299	(378)
Grants - Operating		15,728	17,200	1,472	9.36%	22,410	22,817	407
Grants - Capital		2,061	1,919	(143)	(6.91%)	3,909	4,203	294
Contributions - Monetary	2	3,347	4,509	1,162	34.71%	4,632	5,047	415
Interest Received		1,194	1,223	29	2.43%	1,704	2,027	323
Other Receipts		1,173	1,156	(17)	(1.43%)	1,545	1,432	(113)
Net Movement in Trust Deposits	3	80	3,379	3,299	4,123.97%	80	80	0
Employee Costs		(51,631)	(50,251)	1,380	2.67%	(66,239)	(66,895)	(655)
Materials and Services		(39,489)	(36,351)	3,138	7.95%	(52,402)	(60,045)	(7,643)
Contributions and Donations		(6,002)	(6,326)	(324)	(5.41%)	(5,227)	(5,262)	(35)
Other Payments		(403)	(376)	27	6.77%	(561)	(533)	27
Net Cash Provided by / (Used in) Operating Activities		23,973	40,950	16,977	70.82%	31,248	26,289	(4,960)
Cash Flows from Investing Activities								
Payments for Property, Infrastructure, Plant and Equipment	4	(31,182)	(26,766)	4,416	14.16%	(50,490)	(37,486)	13,004
Proceeds from Sales of Property, Infrastructure, Plant and Equipment		777	565	(212)	(27.26%)	4,036	5,241	1,206
Payments for investments	5	0	(44,800)	(44,800)	(100.00%)	0	0	0
Proceeds from sale of investments	6	0	58,100	58,100	100.00%	0	58,100	58,100
Net Cash Used in Investing Activities		(30,405)	(12,901)	17,504	57.57%	(46,454)	25,855	72,309
Cash Flows from Financing Activities								
Proceeds of Borrowings		0	0	0	0.00%	16,702	4,750	(11,952)
Repayment of Borrowings	7	(2,279)	(13,247)	10,968	481.39%	(3,038)	(13,247)	(10,209)
Finance costs	8	(766)	(2,045)	1,280	167.13%	(1,021)	(2,189)	(1,168)
Net Cash Provided by / (Used in) Financing Activities		(3,044)	(15,292)	12,248	402.34%	12,643	(10,686)	(23,329)
Net increase / (decrease) in Cash and Cash Equivalents		(9,477)	12,756	(22,233)	(234.61%)	(2,563)	41,458	44,021
Cash and Cash Equivalents at the Beginning of the Financial Year		53,764	8,830	(44,934)	(83.58%)	53,764	8,830	(44,934)
Cash at the End of the Year		44,287	21,587	(22,701)	(51.26%)	51,201	50,288	(913)

Indicators of the variances between year to date (YTD) Adopted Budget and Actual results:

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- ⚠ Less than 0% and greater than negative 10%.
- ✘ Negative 10% or less.

Notes have been provided for items with the following variances:

1. Favourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or greater than positive \$500K and equal to or greater than positive 10%.
2. Unfavourable variances between year to date (YTD) Adopted Budget and Actual results are equal to or less than negative \$500K and equal to or less than negative 10%.

Cash Flow Statement

for year to date ended 31 March 2017

Notes:

1	\$477K favourable variance in statutory Planning Application fees.
2	\$1.124M favourable variance in Public Open Space Contributions; income of this nature is unpredictable and is directly contingent on developer activities in the municipality.
3	Trust deposits includes \$1.257M collected for the fire services levy in March 2017; this is payable to the State Revenue Office by the 28th June 2017.
4	Favourable variance is mainly related to the favourable variance in expenditure for Buildings, in particular for the Early Years Hubs and Stamford Park redevelopment.
5	Payments for investments are term deposits with a maturity of greater than 90 days that have been invested during the 2016-17 financial year and have yet to mature.
6	Proceeds from the sale of investments are term deposits held at 30 June 2016 with a maturity of greater than 90 days that have matured during the 2016-17 financial year.
7	Higher than budgeted repayment of borrowings due to the strategic early extinguishment of Council's existing interest bearing loans.
8	Higher than budgeted finance costs due to the strategic early extinguishment of Council's existing interest bearing loans.

Financial Performance Indicators

as at 31 March 2017

The following table highlights Council's current and forecasted performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be interpreted in the context of the Council's objectives.

Indicator	Calculation of Measure	Expected Bands	Full Year		Notes
			Adopted Budget	Forecast	
<p>Operating Position - Measures whether a council is able to generate an adjusted underlying surplus.</p> <p>Adjusted Underlying Result</p> <p>Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position. The adjusted underlying surplus and the adjusted underlying revenue exclude the following types of income: grants - capital (non-recurrent), contributions - monetary (capital) and contributions - non-monetary.</p>					
	[Adjusted Underlying Surplus (Deficit) / Adjusted Underlying Revenue] x 100	(20%) to 20%	4.29%	(0.74%)	1
<p>Liquidity - Measures whether a council is able to generate sufficient cash to pay bills on time.</p> <p>Working Capital</p> <p>Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity.</p>					
	[Current Assets / Current Liabilities] x 100	100% - 400%	177.71%	194.04%	✓
<p>Unrestricted Cash</p> <p>Indicator of the broad objective that sufficient cash which is free of restrictions is available to pay bills as and when they fall due. High or increasing level of unrestricted cash suggests an improvement in liquidity.</p>					
	[Unrestricted Cash / Current Liabilities] x 100	10% - 300%	113.91%	122.11%	✓
<p>Obligations - Measures whether the level of debt and other long term obligations is appropriate to the size and nature of the Council's activities.</p> <p>Loans and Borrowings</p> <p>Indicator of the broad objective that the level of interest bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations.</p>					
	[Interest Bearing Loans and Borrowings / Rate Revenue] x 100	0% - 70%	30.37%	4.46%	✓ 2
<p>Debt Commitments</p> <p>Defined as interest and principal repayments on interest bearing loans and borrowings as a percentage of rate revenue.</p>					
	[Interest and Principal Repayments / Rate Revenue] x 100	0% - 20%	3.87%	14.50%	✓ 3
<p>Indebtedness</p> <p>Indicator of the broad objective that the level of long term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long term liabilities suggests an improvement in the capacity to meet long term obligations</p>					
	[Non Current Liabilities / Own Source Revenue] x 100	2% - 70%	27.89%	9.38%	✓ 4

Financial Performance Indicators

as at 31 March 2017

Indicator	Calculation of Measure	Full Year		Notes
		Expected Bands	Adopted Budget Forecast	
Asset Renewal Indicator of the broad objective that assets should be renewed as planned. High or increasing level of planned asset renewal being met suggests an improvement in the capacity to meet long term obligations	$\frac{[\text{Asset Renewal Expenditure} / \text{Depreciation}] \times 100}{}$	40% - 130%	104.87% 115.56%	✓
Stability - Measures whether a council is able to generate revenue from a range of sources. Rates Concentration Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability.	$\frac{[\text{Rate Revenue} / \text{Adjusted Underlying Revenue}] \times 100}{}$	30.00% - 80.00%	67.87% 67.65%	✓

✓ Forecasts improvements in Council's financial performance / financial position indicator compared to the Adopted Budget position.
 ⚠ Forecasts that Council's financial performance / financial position indicator will be reasonably steady and is within Expected Bands.
 ✗ Forecasts deterioration in Council's financial performance / financial position indicator compared to the Adopted Budget position.

Notes:

1	Forecast adjusted underlying result ratio is within expected bands. The anticipated decrease in the ratio is due to expenditure increasing from the inclusion of carry forward projects from 2015-16 into 2016-17, the interest payments associated with the early extinguishment of Council's existing interest bearing loans and changes in depreciation amounts as a result of the periodic revaluation of drainage infrastructure assets that occurred at 30 June 2016.
2	Forecast loans and borrowings ratio is within expected bands. The anticipated decrease in the ratio is due to the need to borrow being deferred due to the anticipated carry forward of a number of major projects.
3	Forecast debt commitments ratio is within the expected bands. The anticipated increase in the ratio is due to the increased interest payments and principal repayments associated with the early extinguishment of Council's existing interest bearing loans.
4	Forecast indebtedness ratio is within expected bands. The anticipated decrease in the ratio is due to the need to borrow being deferred due to the anticipated carry forward of a number of major projects.

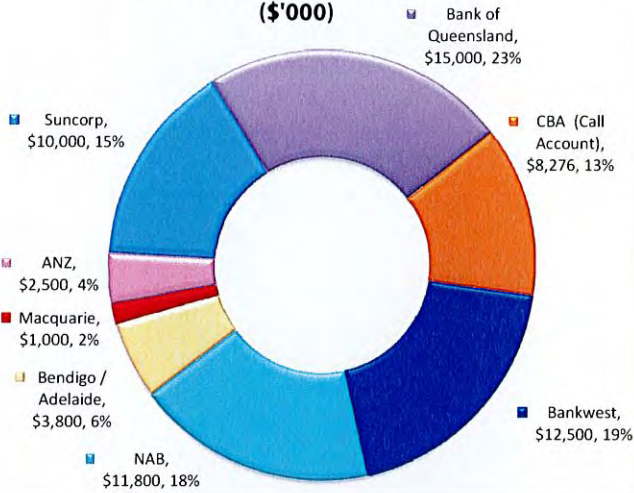


Investment Analysis

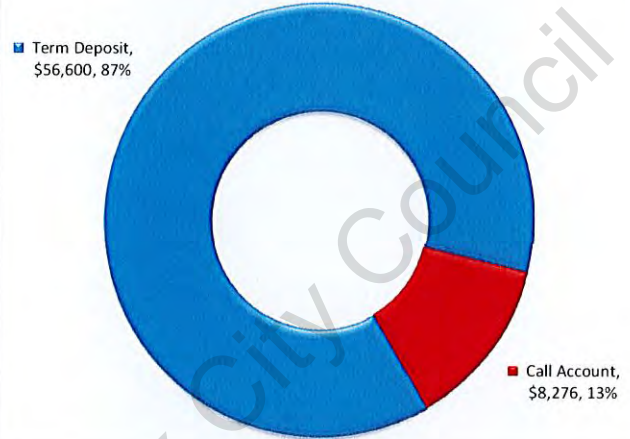
as at 31 March 2017

A total amount of \$64.876 million in funds were invested with various financial institutions as at 31 March 2017.

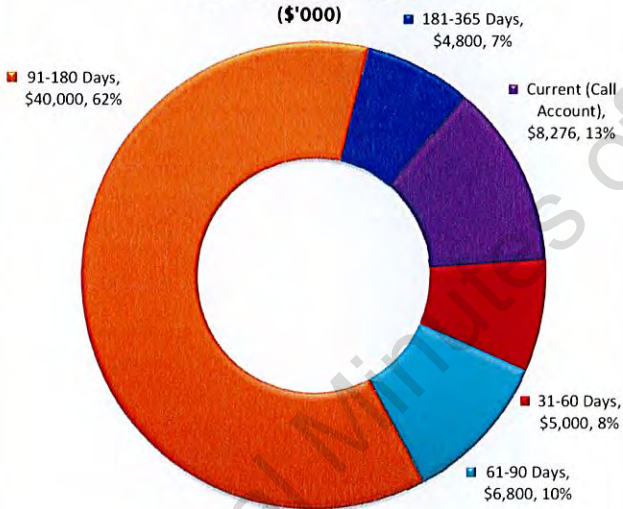
Investment Institutions (\$'000)



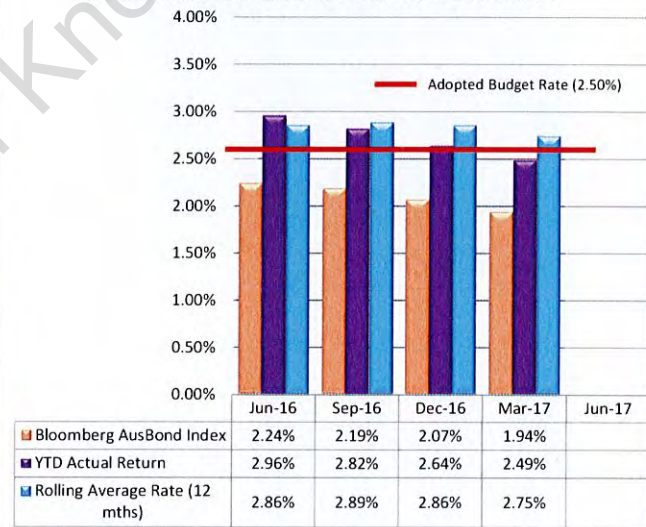
Investment Products (\$'000)



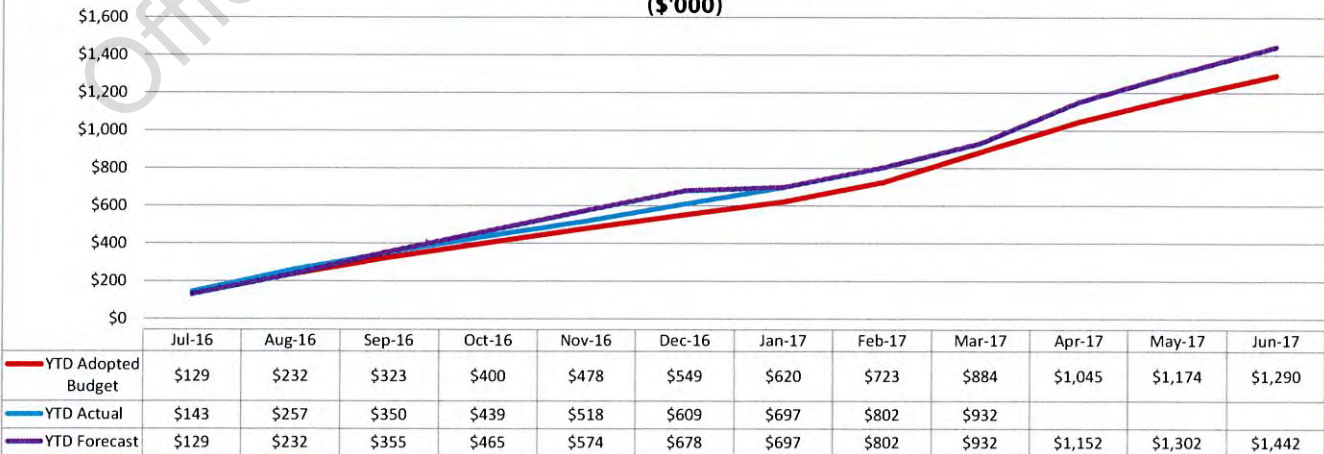
Investment Term (\$'000)



Investment Benchmark Indicator



Investment Income (\$'000)



10.2 Financial Performance Report for Quarter Ended 31 March 2017**Confidential Appendix B Circulated Under Separate Cover**

Official Minutes of Knox City Council

ALL WARDS

10.3 MAYORAL AND COUNCILLOR ALLOWANCES

SUMMARY: *Governance Officer (Kirstin Ritchie)*

Council is required to review and determine the level of the Councillor and Mayoral allowances for its 2016-2020 term of office within the period 6 months after a general election or by 30 June, whichever is later.

The Victorian Government sets the upper and lower limits for all allowances paid to the Mayor and Councillors by Order of Council. It is a requirement of Council to then determine the level of allowance within this set range.

This report commences the review process to seek community feedback on the proposed allowances.

RECOMMENDATION

1. That Council endorse in principle a Mayoral allowance of \$94,641, plus an amount equivalent to the superannuation guarantee of \$8,990, and Councillor allowance of \$29,630, plus an amount equivalent to the superannuation guarantee of \$2,814.
2. That public notice of the proposed Mayoral and Councillor Allowances by given inviting submissions to be made in accordance with sections 74(4) and 223 of the Local Government Act 1989.
3. That a Committee comprising all Councillors be appointed to consider all submissions received, and that the Committee meet on Thursday, 22 June 2017 commencing at 5.30pm at the Council Offices, 511 Burwood Highway, Wantirna South.
4. That following the consideration of all submissions, the proposed Mayoral and Councillor Allowances be presented to a Meeting of Council to be held on Monday, 26 June 2017 commencing at 7pm at the Council Offices, 511 Burwood Highway, Wantirna South.

1. INTRODUCTION

The Mayor and Councillors are entitled to receive remuneration in the form of an allowance as per section 74A of the *Local Government Act 1989* (the Act).

Under section 74(1) of the Act, the Council must review and determine the level of Mayoral and Councillor allowance within the period of 6 months after a general election or by the next 30 June, whichever is later.

The allowance set will remain in effect for the full term of the Council and is subject to an annual review and automatic adjustment if declared by the Minister for Local Government.

10.3 Review of Mayoral and Councillor Allowances (cont'd)

2. DISCUSSION

The Victorian Government sets upper and lower limits for all allowances paid to the Mayor and Councillors by Order in Council. Under that Order, which specifies 3 categories of Council based upon population and total recurrent revenue, Knox City Council is deemed a Category 3 Council.

The allowance range for a Category 3 Council, approved by the Minister for Local Government, and applicable from 1 December 2016, is:

- Mayor: up to \$94,641 per annum
- Councillors: \$12,367 - \$29,630 per annum

There is also a legislative requirement for an amount equivalent to the superannuation guarantee under Commonwealth taxation legislation (currently 9.5%) to be paid in addition to the allowance.

At least once every year, the Minister for Local Government reviews the limits and ranges of Mayoral and Councillor allowances. This review must have regard to movements in salaries of executives within the meaning of the Public Administration Act 2004. Council must increase its Mayoral and Councillor allowances in accordance with the adjustment factor specified by the Minister. The last adjustment was gazetted on 24 November 2016 and saw an increase of 2.5%.

In reviewing allowances, a Council may determine to either retain its current allowances or vary them to a different amount within the range and limit applicable to Category 3. Given the scale and complexity of Council's operations as a large metropolitan Council, it is proposed that the current allowance level be retained at the upper limit of Category 3; noting that both allowances may increase annually by an adjustment factor determined by the Minister for Local Government.

3. CONSULTATION

Section 74(4) of the Act provides that a person has a right to make a submission under section 223 of the Act in respect of a review of allowances.

Section 223 requires Council to publish a public notice specifying that the Mayoral and Councillor allowances are being reviewed and invite submissions. The submission period will be open for 28 days from the date of the notice's publication. Submissions received will be considered by a committee appointed by Council for that purpose.

Notices will be placed in the local press and on Council's website, inviting submissions.

10.3 Review of Mayoral and Councillor Allowances (cont'd)**4. ENVIRONMENTAL/AMENITY ISSUES**

There are no environmental or amenity issues associated with the preparations of this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The provision of mayoral and councillor allowances is managed within Council's adopted budget.

6. SOCIAL IMPLICATIONS

There are no direct social implications associated with the preparation of this report.

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

The provision of a Mayoral and Councillor allowance assists Council in meeting its general objectives under the Council Plan.

8. CONCLUSION

The proposed 2016-2020 Mayoral and Councillor allowances are submitted for the consideration by Council and the community.

9. CONFIDENTIALITY

This report does not contain confidential information.

10.3 Review of Mayoral and Councillor Allowances (cont'd)**COUNCIL RESOLUTION****MOVED: CR. GILL****SECONDED: CR. LOCKWOOD**

1. That Council endorse in principle a Mayoral allowance of \$94,641, plus an amount equivalent to the superannuation guarantee of \$8,990, and Councillor allowance of \$29,630, plus an amount equivalent to the superannuation guarantee of \$2,814.
2. That public notice of the proposed Mayoral and Councillor Allowances be given inviting submissions to be made in accordance with sections 74(4) and 223 of the Local Government Act 1989.
3. That a Committee comprising all Councillors be appointed to consider all submissions received, and that the Committee meet on Thursday, 22 June 2017 commencing at 5.30pm at the Council Offices, 511 Burwood Highway, Wantirna South.
4. That following the consideration of all submissions, the proposed Mayoral and Councillor Allowances be presented to a Meeting of Council to be held on Monday, 26 June 2017 commencing at 7pm at the Council Offices, 511 Burwood Highway, Wantirna South.

CARRIED

ALL WARDS**10.4 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 nine recommended Incidental Community Grant applications, as detailed in Appendix A, for a total value of \$8,550.00.

1. INTRODUCTION

At the Ordinary Council meeting, held on 28 June 2016, Council resolved to endorse the Incidental Community Grants Program Policy (the Policy) to enable the continued provision of ad hoc one-off grants.

Under the endorsed policy the following criteria are used to determine the eligibility of applications for Incidental Community Grants:

- 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.

10.4 Incidental Community Grants Program Applications (cont'd)

2. DISCUSSION

Council has established the Incidental Community Grants program to ensure that funding may be provided to individuals and community groups who request ad hoc, incidental, community based, one-off grants.

The Policy sets out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the Local Government Act 1989.

In accordance with the Policy guidelines, applications for funding up to \$500 are assessed and determined under delegation. Applications for funding between \$501 and \$1,000 have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

This report outlines the grant applications received since the 24 April 2017 Ordinary Council meeting, and recommends nine grants for Council's approval.

It is noted that the value requested in two applications exceed the maximum permitted in the Policy. Consequently, the Chief Executive Officer's delegate has recommended that the maximum grant limit of \$1,000 be paid.

A comprehensive review of this policy is currently underway, with a report to be presented to a future Strategic Planning Committee meeting. In addition, a broader review of Council's grants programs is scheduled to be undertaken later this calendar year.

3. CONSULTATION

No consultation has been undertaken in relation to the grant applications detailed in this report as the policy specifies assessment can occur by the CEO, or delegate, for Council's determination.

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.

10.4 Incidental Community Grants Program Applications (cont'd)**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.

8. CONCLUSION

This report contains the recommendation for funding though the Incidental Community Grants program.

9. CONFIDENTIALITY

Confidential Appendix B contains each of the individual grant applications for Council's consideration.

COUNCIL RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. MORTIMORE

That Council approve the nine recommended Incidental Community Grant applications, as detailed in Appendix A, for a total value of \$8,550.00.

CARRIED

10.4 Incidental Community Grants Program Applications

APPENDIX A – Incidental Community Grants Applications

Applicant Name	Project Title	Amount Requested	Amount Recommended
Australian Breastfeeding Association Knox Group	Purchase of incidentals (signage, apparatus and information sheets) for use in the baby and toddler change/feeding rooms provided by the group at community events.	\$600.00	\$600.00
Scoresby West Preschool	Purchase of resources to assist with the development and engagement of the children who attend the centre.	\$1,000.00	\$1,000.00
Fairpark Netball Club	Purchase of rainbow socks, hair ribbons, flags, balloons and face paint for Pride Round, on 3 rd June, to support inclusion of LGBTI.	\$1,000.00	\$1,000.00
Residents Association, Links at Waterford	Purchase of a band saw for the nearly completed Men's Shed.	\$1,043.10	\$1,000.00
The Basin Theatre Group	Funds to replace the hot water urn in the theatre green room.	\$950.00	\$950.00
Wantirna South Football Netball Club	Assist with the purchase of new uniforms, training and playing equipment, hire of training facilities and safety equipment for the growing club.	\$1,000.00	\$1,000.00
Mick V	Assist with running a forum to increase community awareness surrounding the Rowville Rail project.	\$1,241.00	\$1,000.00
NG Haynes Rostered Activity Group	Purchase and installation of water pump for water tank, as well as art supplies, books, educational toys and outdoor play equipment for the kindergarten.	\$1,000.00	\$1,000.00
Taylor's Lane Playgroup Rowville	Assist with the purchase and installation of patio blinds for outside play space.	\$1,000.00	\$1,000.00
		Total	\$8,550.00

10.4 Incidental Community Grants Program Applications**Confidential Appendix B Circulated Under Separate Cover**

Official Minutes of Knox City Council

ALL WARDS**11.1 WORKS REPORT AS AT 27 APRIL 2017**

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 27 April 2017.

RECOMMENDATION

That the works report, as at 27 April 2017, be received and noted.

1. INTRODUCTION

This report summarises Council's Capital Works Program for the 2016/2017 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 27 April 2017, is attached as Appendix A.

COUNCIL RESOLUTION

MOVED: CR. COOPER

SECONDED: CR. KEOGH

That the works report, as at 27 April 2017, be received and noted.

CARRIED

Project Number	Project Name	Total Approved
1	Bridges Renewal Program The renewal of the Forest Road Pedestrian Bridge is due to commence by the end of this month. All works will be completed prior to the end of the financial year.	\$350,000
4	High Risk Road Failures Reactive works will complete this program.	\$500,000
7	Road Surface Renewal Program Program completed.	\$3,640,000
8	Drainage Pit and Pipe Renewal Program Works have recently been completed in Eildon Reserve. Program is progressing well.	\$1,760,000
9	Footpath Renewal Program Program progressing on schedule and at 80% expended.	\$1,600,000
10	Bicycle / Shared Path Renewal Program Works on the Kelletts Road path are due to commence in early May.	\$500,000
16	Building Renewal Program Program 56% committed/expended with approx. 30% planned works to be committed by end of May. Works nearing completion/commencing over May include Knox Park Grandstand - external painting, Carrington Leisure Centre - internal painting, Boronia Basketball Stadium - function roof cladding replacement, Millers Reserve Football Pavilion - internal painting, Talaskia Pavilion - showers/toilet refit, Kings Park Baseball Pavilion - kitchen refit.	\$4,300,000
17	Playground Renewal Program Documentation currently being finalised. Public Tender phase to commence in May.	\$1,412,146
22	Fire Hydrant Replacement Program Payments to South East Water due by mid-June.	\$123,000
24	Carpark Renewal Works have recently been completed at Egan Lee Reserve.	\$640,931
25	Plant & Machinery Replacement Program Fleet Renewal Program 54% of funding committed.	\$2,787,000
26	Street Tree Replacement Program Tree stock ordered and planting program schedule has been prepared. Planting works commencing early May.	\$585,454
31	Stamford Park Redevelopment Stage 2 verandah works well underway. Review of restoration/repair works and associated costs undertaken. Awaiting advice on extent of future works.	\$4,440,820

Project Number	Project Name	Total Approved
43	Shade Sails & Play Structure Maintenance Tracking well - all funds will be expended.	\$38,500
104	Roadside Furniture Renewal Program Program completed.	\$60,000
147	Energy & Greenhouse Program for Council Facilities Lighting replacements at Sports Clubs have commenced. All lighting works will be completed by June.	\$60,000
229	Building Code Australia Compliance Program 25% committed/expended with further 50% planned works to be committed over the month of May, including replacement of non-compliant staircase and addition of handrails to lower wall at Knox Park Athletics Grandstand. Emergency lighting to be installed at rear of stage at Knox Community Arts Centre.	\$100,000
289	CSR Quarry Reserve - Implementation Stage 4 Completed. Contract works reached Practical Completion on 20 January.	\$500,937
345	Asbestos Removal Program 70% committed/expended with a further 25% planned works to be committed over month of April/May identified from commissioned Asbestos audits.	\$100,000
347	Miscellaneous Industrial Roads - Pavement Rehabilitation Reactive works will complete this program.	\$250,000
409	Parks Furniture Renewal Minor installations required	\$67,000
410	Parks Signage Renewal Project completed.	\$20,000
412	Water Sensitive Urban Design Renewal Colchester Reserve Wetlands: contractor appointed and works have commenced. Expected to be completed end of July weather permitting.	\$332,613
441	Tim Neville Arboretum Renewal Stage 1 Civil Contract: Contract works are complete. Project packaged with Project 412 - WSUD renewal and 751 - Tim Neville Arboretum lake structure upgrade. Stage 2 Parks works: Arboretum works and renewals are to occur as per the Masterplan between February and June.	\$534,108

Project Number	Project Name	Total Approved
455	Parks Crescent, Cypress Avenue, Boronia - Drainage Upgrade	\$189,738
	Project construction has been put on hold subject to long term resolution of facilities and associated drainage strategy for the park site. This project is linked with Project No. 763 Boronia Overland Flow Path. No construction to occur in 2016-17. Catchment analyses, detailed survey and functional concept designs have been completed for future consideration of works associated with this site.	
459	Dobson Street Reserve Retarding Basin	\$621,628
	Contractor appointed with commencement of works on site delayed due to permit approval process. Significant alteration to design now removes the need for SE Water involvement. Negotiations with contractor now well underway to reflect altered design. Works now anticipated to commence around May/June.	
492	Food Act Compliance - Kitchen Retrofitting	\$25,000
	Kitchen refits to meet Food Act requirements will be undertaken at Wantima Pavilion, Kings Park Baseball Pavilion.	
495	Fencing Replacement in Early Years Facilities - Scope and Implementation	\$24,000
	Program 50% committed/expended. Remainder of projects to be undertaken over May/June.	
516	Rumann and Benedikt Reserves - Open Space Upgrade	\$200,000
	Awaiting tender drawings from consultants.	
529	Dobson Park - Water Harvesting System	\$51,678
	Maintenance plan has been provided by the contractor. Final completion paperwork is underway.	
532	Sheffield and Basin Olinda Roads, The Basin - Water Sensitive Urban Design	
	Project Completed.	
536	Parkland Asset Renewal	\$60,000
	Program completed.	
537	Bush Boulevard Renewal	\$30,000
	Works on Kelletts Road completed.	
566	Artwork Renewal	\$20,000
	Audit of artworks being undertaken. Work will begin soon on the remaining works following the audit and assessment.	
576	Early Years Facility Emergency Warning System	\$50,000
	Four early warning systems have been installed during the school holidays at Mariemont, The Basin, Knoxfield and Wattleview. Upgrades of existing systems have also been undertaken to ensure compatible installations at all sites undertaken.	

Project Number	Project Name	Total Approved
584	Tormore Reserve - Masterplan Development Remaining works include concrete path and associated drainage and seating along the eastern section of the site, towards the cricket nets. These works are to commence in early May.	\$200,000
587	Upper Ferntree Gully Neighbourhood Activity Centre - Design Project on hold at Council request.	\$473,153
589	Knox Early Years (KEYs) Online Group Allocation proceeding to plan.	\$27,411
593	Marie Wallace Park - Masterplan Development (1) Open Space works: Design and costing for train safety improvements received - works to be undertaken subject to additional funding. (2) Access road carpark - Commitment for contribution for pavement reinstatement works received from LXRA with road reinstatement works built into scope of project. Detailed design completed and quotes being sought.	\$914,102
607	Ashton Road, Ferntree Gully - Reconstruction Contract packaged with Kingston Street & Mountain Gate Drive projects. Contract works for Ashton Road completed along with Practical Completion.	\$452,285
608	Kingston Street, Ferntree Gully - Reconstruction Contract packaged with Ashton Road and Mountain Gate Drive projects. Contract works for Kingston Street completed along with Practical Completion.	\$393,301
609	Mountain Gate Drive, Ferntree Gully - Reconstruction Contract packaged with Kingston Street & Ashton Road projects. Contract works for Mountain Gate Drive completed along with Practical Completion.	\$526,116
610	Elm Street, Bayswater - Reconstruction Project completed.	\$447,079
611	Orange Grove, Bayswater- Reconstruction Project completed.	\$397,031
612	Maple Street, Bayswater - Reconstruction Project completed.	\$263,583
618	Rubber Rock Removal in Child Care Centres Rubber rock removal works have been completed.	\$60,000
622	Walker Reserve - Stage 2, Wantirna South Contract works completed. Court lights tested mid-April and awaiting confirmation of test results. Practical Completion inspection to follow.	\$320,000

Project Number	Project Name	Total Approved
628	Boronia Library - Scope and Concept Project on hold, subject to wider precinct investigations.	\$71,782
630	Early Years Hubs - Bayswater Revised design layout to achieve cost savings submitted and approved. Architects to deliver final Design Development package, including revised Landscape plan, by first week May.	\$650,000
649	Scoresby (Exner) Reserve - Masterplan Quote from Knox Construction accepted and Works Authorisation Certificate issued to allow construction works to commence. Works to commence in early May.	\$250,000
655	Entry Signage - Scope and Concept Project completed.	\$3,500
660	Mountain Highway (No. 598), Bayswater Drainage - Design Council officers provided final comments to detailed design. Consultants making final edits and will submit completed design in May.	\$23,967
667	Dobson Creek Catchment - Streetscape Water Sensitive Urban Design Quotes provided to Council in late April. Contractor scheduled to be appointed mid-May.	\$203,402
668	Knox Active Aging Management System (KAAMS) Mobility module progressing in pilot phase, training underway, manuals developed and devices purchased.	\$212,595
675	Public Art Project The Public Art Plan (previously called the Public Art Strategy and Blueprint) is still in draft form and is being reviewed. The Plan to be endorsed prior to going on public exhibition and then back to Council for final endorsement later in the year. No money is being expended from the public art funds budget until this process is finalised. It is planned that the allocated capital works accrued amount be rolled over into the 2017/18 financial year.	\$119,658
689	Lewis Park Oval 1 Renewal Construction plans being prepared by consultants for 2017/18 works.	\$20,000
699	Miller Road/Dorrigo Drive Traffic Treatment Project completed.	\$4,964
704	Mountain Highway footpath connection 4 Preliminary discussions have been held with the developers of 1268 Mountain Highway about the proposed footpath. To avoid foreseeable damage to the footpath, works will not be undertaken until construction works at the front of the property have been completed.	\$80,000
707	Practice wickets / sports reserve assets / tennis courts / netball courts Chandler Park netball courts are complete. Boundary fences are being erected around Tormore nets. Slab and support poles to follow in the next few weeks.	\$225,000

Project Number	Project Name	Total Approved
708	Cricket run ups and goal squares Sods laid around Knox Gardens to repair storm damage. New sites for work are being considered.	\$20,000
710	Colchester Reserve Rugby Pitches Contract works nearing completion with grass coverage being monitored - pathway still to be reinstated. Discussions continuing with contractor to ensure optimum conditions prevail in order to allow successful handover to club in May.	\$457,230
712	Tennis Court Renewals Rita Mathews TC: Contract works completed and Practical Completion has occurred. Leisure to supply club with formal instruction about ongoing maintenance requirements.	\$235,065
713	Sports Facility Lighting Renewal Project completed.	\$36,500
714	Family and Children Services Sofffall Program Program completed.	\$25,000
716	Early Years Hubs - Wantirna South Evaluation of revised tender submissions completed. Council report completed for consideration at SPC meeting on 8 May.	\$6,578,222
717	Knox Central Package Negotiations to acquire parcels for future road corridor and delivery of Knox Central Masterplan continue, with conclusion expected in the next financial year (17-18). The Operations Centre land has settled with residual funding to remain allocated to the project should additional land be required.	\$11,585,000
718	Bulk Replacement of Street Lights with LED Design works on the decorative lamp replacement has been completed. Orders placed for the replacement of 675 lights.	\$6,071,446
721	Eildon Park Reserve (Pavilion upgrade), Rowville Currently finalising all internal and external cladding. Aiming for July completion.	\$658,969
724	Knox (Interim) Library Westfields will be confirming their commitment /approval of the project by mid-May, pending approval from Westfield's investment partner.	\$678,520
725	Placemakers Site - Design Design to be finalised for works to replace the fire damaged premises to progress to building works in mid to late 2017.	\$222,263
727	Knox Community Arts Centre - Outdoor Furniture Minor landscape works to be scoped and confirmed.	\$12,000

Project Number	Project Name	Total Approved
733	Preschool Office/Storage - Minor Works Works now largely completed. Awaiting invoices for finalization.	\$70,000
735	Family & Children Services Buildings Door Jamb Protectors Program completed.	\$25,000
738	The Basin Progress Hall - Stage 4 of 4 Project completed.	\$72,501
743	Quarry Road, Upper Ferntree Gully Project completed.	\$456,263
746	Revegetation Plan Planting expected to commence in mid-May.	\$100,000
747	Chandler Park, Boronia - Masterplan Implementation Grading and site preparation for multipurpose activity area and play space underway.	\$368,169
749	Fairpark Reserve, Ferntree Gully - Masterplan Implementation Concrete works completed, final minor works currently being completed. Contractor is aiming to schedule practical completion in early May.	\$240,609
750	Basin Triangle Reserve, The Basin - Masterplan Implementation Project completed.	\$95,450
751	Tim Neville Arboretum - Lake Structure Upgrade Project completed. Project packaged with Project 441 Tim Neville Arboretum Masterplan Implementation, Project 751 TNA Lakes Upgrade & Wetland system and Project 529 Dobson Park Stormwater Harvesting.	\$150,000
752	Mountain Gate Shopping Centre Reserve - Design Concept design development in progress.	\$19,425
755	Talaskia Reserve, Upper Ferntree Gully - Design Council officers to review draft tender documents and provide feedback to consultant prior to tendering.	\$100,000
756	Heany Park, Rowville - Masterplan Implementation Quote requested from the Contractor for additional hand rail. It is expected that all the additional works are to be completed by mid-May.	\$73,741
757	Carrington Park, Knoxfield - Masterplan Seats to be installed by Knox Construction Department. Liaising with Leisure Department regarding future works at site.	\$150,000

Project Number	Project Name	Total Approved
758	David Cooper Park Masterplan Implementation Shelter and WSUD works are 95% complete. Contractor to construct small rock outlet. Additional works have been sought for electrical connection and supply of a double BBQ to complete works at the shelter.	\$41,332
759	Alchester Village - Masterplan Implementation Final planting works to commence in May.	\$89,600
760	Alchester Village - Park Masterplan As for 759 above.	\$60,000
761	Dandenong Creek Gateways - Revegetation of Strategic Road Corridors Site plans being collated and planting design works to commence in late April.	\$49,620
762	Dobsons-Clyde Street Flood Retarding System - Design Refer to Project No. 459.	\$0
763	Boronia Road Overland Flowpath - Construction Project construction has been put on hold subject to long term resolution of facilities and associated drainage strategy for the park site. No construction to occur in 2016-17. Catchment analysis, detailed survey and functional concept designs have been completed for future consideration of works at this site.	\$550,000
765	Alchester Village Shopping Centre - new toilet block Project completed.	\$135,200
768	Wantirna Mall Toilets Project completed.	\$116,530
769	Mint Street, Wantirna – Dandenong Creek Wetland Construction Contract has been advertised with tenders having closed on 20 April. Tender evaluation underway and expect to be able to appoint a contractor by early May with construction anticipated to commence by late May.	\$400,000
771	Colchester Road, Boronia – Wetland and Raingarden Refer to Project No. 412.	\$40,000
773	Suffern Avenue (Waldheim Street) Wetland Plans reviewed with design amendments to be completed before going out to tender. Tender documentation being prepared.	\$373,979
775	Alchester Village Lighting Project Park lighting works are complete and operational. Street lighting upgrade works (by Ausnet) are complete and operational. Have engaged contractor to install additional park lights.	\$91,775

Project Number	Project Name	Total Approved
785	Printer Upgrade All MFD's (Multifunction Devices) are installed, fax solution in process, and removal of redundant printers being planned.	\$78,107
786	Microsoft Office Upgrade Rollout at Civic centre complete, radio connected sites are complete, remaining outposts will be completed once the Wide Area Network infrastructure is complete by early May.	\$150,000
787	Website Development On hold pending resources	\$36,000
788	Electronic Record System Upgrade (Knox eXplorer) Additional module being implemented including removal of network drives for file storage. Training underway for those affected.	\$743,038
789	Facilities Booking Review/Upgrade Project on hold due to lack of upgrade availability by vendor.	\$35,800
791	Server Infrastructure Implementation continuing.	\$198,500
792	PC Rollout Project completed.	\$80,000
793	Non Leased Software and Hardware Project scheduled for completion by the end of June.	\$100,000
794	Switch Replacement Program (Leased) Due for completion by early May.	\$38,000
796	Park Crescent, Boronia - Reconstruction Project packaged with Erica Avenue and Woodvale Road. Contract works within Park Crescent completed with practical completion inspection to follow once Erica Avenue works are completed.	\$240,000
797	McMahons Road, Ferntree Gully - Reconstruction Project deferred to future years due to potential development of Norvel Quarry site likely to adversely affect road.	\$240,000
798	Woodvale Road, Boronia - Reconstruction Project packaged with Erica Avenue and Park Crescent. Contract works within Woodvale Road completed with practical completion inspection to follow once Erica Avenue works are completed.	\$210,000

Project Number	Project Name	Total Approved
799	Windermere Drive, Ferntree Gully - Reconstruction Project packaged with Smithfield Square project as one tender. Tenders closed and contractor appointed on 11 April 2017. Awaiting submission of pre-construction documentation before issuing Possession of Site.	\$350,000
800	Smithfield Square, Wantirna - Reconstruction Project packaged with Windermere Drive project as one tender. Tenders closed and contractor appointed on 11 April 2017. Awaiting submission of pre-construction documentation before issuing Possession of Site.	\$210,000
801	Sasses Avenue, Bayswater - Reconstruction Contract advertised and tenders have closed with evaluation underway. Anticipate being able to appoint a contractor by early May 2017.	\$240,000
802	Erica Avenue, Boronia - Reconstruction Project packaged with Park Crescent and Woodvale Road. Contract works within Erica Avenue commenced 18 April 2017 and works approximately 5% complete.	\$240,000
803	Macquarie Place, Boronia - Reconstruction Contractor has been appointed and works now due to commence early May. Awaiting pre-construction documentation to be submitted and approved.	\$210,000
804	Dorset Road (169), Boronia - Flood Mitigation Detailed design completed and design review about to commence - expect construction to occur from May.	\$97,000
806	Cash Fues Place, Wantirna – Dandenong Creek Wetland Design Detail design approval by Project Delivery underway. Quotes to be sought in May.	\$65,000
809	Bayswater Activity Centre Streetscape Improvements Design works for Mountain Hwy remain ongoing, with costing and detailed program yet to be finalised. Project is currently influenced by design and costs for undergrounding of power. Council officers are currently liaising directly on these matters with Level Crossing Removal Authority.	\$1,700,000
812	Asset Management System Project yet to commence.	\$20,000
813	Information architecture design and planning Awaiting endorsement of ICT/Digital Strategy.	\$75,200
814	Standard Operating Environment Upgrade Minor updates have been applied, continuing with rollout.	\$70,000
815	Pathway Smartclient implementation Working with vendor to complete this process.	\$87,300

Project Number	Project Name	Total Approved
816	ePathway Payment enhancements/extension Working with vendor to complete this process.	\$70,000
817	WAN Upgrade Due for completion in May.	\$100,000
818	DRP Update and full test Equipment purchased for Manningham disaster recovery site. License with Manningham executed, implementation underway, testing to be undertaken post June.	\$100,000
819	IT Security Audit (policies & procedures) Scheduled for May.	\$40,000
820	Mobile phone refresh (iPhone) Project Underway	\$20,000
821	Nimble Project about to commence in May.	\$90,000
822	Security, Email Filtering and Firewall Due for completion in May.	\$120,000
823	DCI - Air Conditioner Design work and quotes being compiled and vendor to be chosen.	\$100,000
824	VESDA Fresh Air Unit This project not being implemented, updated technology removes the need for this system to be augmented with extra warning devices.	\$2,000
825	Microsoft Licensing (True Up) Microsoft will contact KCC once it is ready to adjust the number of licences to match the number of users.	\$150,000
826	Microsoft SQL Licence Microsoft will contact KCC once it is ready to adjust the number of licences to match the number of users.	\$220,000
827	Microsoft SharePoint Upgrade Awaiting endorsement of ICT/Digital strategy and roadmap to commence SharePoint upgrade.	\$100,000
828	New Licences - HelpMaster Pro Not proceeding with this solution, investigating an alternate solution.	\$2,500

Project Number	Project Name	Total Approved
829	Knox Community Art Centre, Bayswater Quotations for furniture replacement being obtained.	\$30,000
830	Park Ridge Reserve, Rowville - Oval Renewal Grass patchy and progressing slowly. Contractor to plant more material and fertilise more to promote growth.	\$440,000
831	Templeton Reserve, Wantirna - Oval Renewal Grass is progressing as expected. There are bare areas that will be addressed by contractor at a time to be determined.	\$260,000
832	Knox Gardens Reserve, Wantirna South - Oval 2 Renewal Ground has been top dressed prior to winter. Cricket pitch will be installed in the next month, weather permitting. Cricket club should be back online in December.	\$250,000
833	Knox Gardens Reserve, Wantirna South - Tennis Court Renewal Preliminary estimate prepared for works required for Courts 6 & 7. Discussed scope of works with Leisure who will seek advice through Tennis Victoria.	\$44,000
834	Oversowing of Sports Fields Kings Park and HV Jones are progressing slowly due to weather events. Batterham reserve looking great. Knox Park progressing well.	\$20,000
837	Westfield Library - Design Still awaiting outcomes of discussions with Westfields.	\$200,000
838	Bayswater Community Hub - Scoping Council Officers are continuing to engage with the LXRA on land related matters.	\$120,000
839	Preschool Bathroom Upgrades, Scoping and Design Concept designs have been completed and signed off for detailed design. Cost estimates have been provided to inform next year's budget process. Detailed design documentation expected by end of April.	\$60,000
840	Knoxfield Preschool - Bathroom Upgrade Project completed.	\$54,000
841	Knox Skate & BMX Park, New Floodlighting Project completed.	\$70,000
842	Knox Athletics Track, Hammer Throw Cage Upgrade Feedback from the Athletics Club and Leisure have confirmed positive outcome of discussions with BMX Club concerning relocation of playground. Detailed design being finalized and estimate being prepared subject to quote from specialist cage supplier.	\$60,000

Project Number	Project Name	Total Approved
843	Gilbert Park Reserve, Pavilion Upgrade - Design Revised concept design and costings have been completed. Concept incorporates modular design and Council's Sporting Reserve Facility Development Guidelines Policy. Currently seeking indicative construction costs from suppliers to complete this design phase.	\$65,000
844	Score Boards - Design and Installation Budget approx. 70% expended. All eight projects at construction/completion stage.	\$350,000
845	Carrington Park Leisure Centre - Basketball Rings Works programmed to be complete by end of June (as part of structural rectification project).	\$35,000
846	Knox Gardens Reserve - Lower Oval Shelters Site has been assessed for location of shelters with quotes currently being sought for mid-May commencement.	\$40,500
847	Boronia Basketball Stadium - Safety Padding Works expected to commence early May.	\$65,000
848	Mariemont Preschool, Wantirna - Upgrade of Foyer and Office Space Concept design and estimate provided. Proceeding to detailed design with expectation of completion by end of April for construction in 2017/18.	\$158,000
849	Repurposing Scoping of Facilities from Hub Projects. Scoping the future use of Family and Children's Services Child Care Centres is tracking on schedule. Concept information is complete. Information will go to Council for further advice. Need to spend another \$5,000 then the rest will be rolled over.	\$50,000
850	Murrindal Playgroup, Rowville - Outdoor Blind Installation (Community Submission) Project completed.	\$3,450
851	Senior Citizens Centres - Facilities Development Plan Asset Development Plan completed and reviewed and to be presented to Council at the May Issues Briefing Meeting.	\$85,000
852	Community Facilities Climate Control - Options Analysis Draft Report from Consultant has been delivered with final report due in early May.	\$15,000
853	Aimee Seebeck Hall, Amenities Design Cost plan received. Awaiting invoice for project signoff.	\$10,000
854	Knox Community Gardens/Vineyard Pergola Upgrade Project to proceed prior to Masterplan with commencement expected mid-May	\$10,000

Project Number	Project Name	Total Approved
855	Boronia Road, Wantirna - Footpath Footpath constructed as part of adjacent development. Funds transferred to next priority footpath project.	\$25,000
856	Boronia Road, Boronia - Footpath Feasibility Study Advice received from Traffic & Transport that footpath can be aligned between property frontage and service road with no apparent vegetation issues now likely to affect the design. Design to be initiated early May.	\$10,000
857	Rollings Road, Upper Ferntree Gully - Footpath Project completed.	\$65,100
858	Ferntree Gully Road, Ferntree Gully - Footpath Works are scheduled to commence early May with the project being completed by mid-May.	\$31,500
859	Mountain Highway, Wantirna - Footpath 3 Footpath constructed as part of adjacent development. Funds transferred to next priority footpath project.	\$57,750
860	Bergins Road, Rowville - Footpath 3 Awaiting feedback on vegetation issues and possible alterations to Telstra pits.	\$125,000
861	Beresford Drive/Colchester Road, Boronia - Channelised Right Turn Knox Construction quote accepted March - awaiting advice on construction status.	\$70,000
862	Burwood Highway, Wantirna - Shared Path 2 - Design Biodiversity consultant to be engaged to advise on vegetation and path alignment.	\$10,000
863	Fitzgerald Street, Ferntree Gully - Streetlights Light has now been installed.	\$45,000
864	Lakeside Boulevard, Rowville - Pedestrian Refuge Construction works have been completed. Waiting on line marking works and final invoices.	\$15,000
865	Mountain Highway, Boronia - Footpath Connection 2 Project completed.	\$20,000
866	Ferntree Gully Village Square - Masterplan Implementation Still liaising with VicTrack regarding lease/MOU of Vic Track land.	\$100,000
867	Knox Regional Netball Centre, Ferntree Gully - Masterplan Consultants have commenced review of background documents and site analysis.	\$55,000

Project Number	Project Name	Total Approved
868	H V Jones, Ferntree Gully Masterplan Implementation Consultants have commenced review of background documents and site analysis.	\$45,000
869	Gilbert Park, Knoxfield - Masterplan Review Draft revised Master Plan is currently being prepared, along with costing. Feature survey will be completed May 2016.	\$30,000
870	Ferntree Gully Stormwater Masterplan Funds transferred to Dobsons-Clyde Street Flood Retarding System project.	\$20,000
871	Energy Performance Audit for Community Buildings A contractor is in the process of being awarded by the four participating Councils. Assessments for all buildings will commence in May.	\$120,000
874	Fulham Road, Rowville Reconstruction - Design Geotech investigation and survey completed. Detailed design has commenced.	\$30,000
875	Parkhurst Drive, Knoxfield Reconstruction - Design Geotech investigation and survey completed. Detailed design has commenced.	\$45,000
876	Eastgate Court, Wantirna South Reconstruction - Design Design completed - survey to assess business needs underway with survey responses gradually being returned.	\$25,000
877	Rosehill Street, Scoresby Reconstruction - Design Geotech investigation and survey completed. Detailed design around 60% complete and now expected to be completed by during May.	\$25,000
878	Alma Avenue, Ferntree Gully Reconstruction - Design Geotech investigation and survey completed with detailed design underway and 50% complete.	\$25,000
879	Winwood Drive, Ferntree Gully Reconstruction - Design Geotech investigation and survey completed with detailed design completed with design review to follow.	\$25,000
880	Helene Court, Boronia Reconstruction - Design Geotech investigation, survey and detailed design completed. Parks agreed to remove significant eucalypt tree due to it causing damage to road infrastructure.	\$25,000
882	Knox Regional Football Centre Storage Shed Project no longer proceeding as an alternative solution has been implemented.	\$0

Project Number	Project Name	Total Approved
883	Road Reconstruction Audit Works Road reconstruction funding for audit priority works and to supplement this year's Roads to Recovery funding shortfall.	\$1,160,000
884	Glenfern Road, Ferntree Gully - Footpath Detailed design reviewed with Knox Construction team with re-design required and now well underway. Construction due to commence in May.	\$162,750
885	Various Isolated Traffic Treatments Works to be completed as part of this project have been arranged.	\$70,000
886	Schultz Reserve - Internal Pavilion Upgrades (Female Friendly) Council allocated funding to this project at its December 2016 meeting to match State Government Community Sports Infrastructure 2017/18 funding.	\$100,000
887	Knox Regional Sports Park Signage - Design Project completed.	\$13,500
888	Batterham Reserve Floodlighting Upgrade Addition of new project as part of Community Development Grants Programme following election commitment made prior to last year's federal election. Works to be completed in the 2017/18 Capital Works Program.	\$200,000
889	Wally Tew Reserve Floodlighting Upgrade Addition of new project as part of Community Development Grants Programme following election commitment made prior to last year's federal election. Works to be completed in the 2017/18 Capital Works Program	\$200,000
891	Henderson Road Bridge - Preconstruction Project scope completed and investigation works getting underway.	\$0
907	Construction of Council's section of JW Manson Reserve WSUD system Funding for resource, design and construction provided by Melbourne Water. Design underway. Design scheduled to be completed by 30 June.	\$255,500
Total:		\$74,490,636

ALL WARDS**11.2 ASSEMBLIES OF COUNCILLORS**

SUMMARY: *Manager – Governance and Innovation (Fleur Cousins)*

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 10 April 2017 and Sunday 7 May 2017 are attached to this report.

COUNCIL RESOLUTION

MOVED: CR. COOPER

SECONDED: CR. GILL

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.

CARRIED

RECORD OF ASSEMBLY OF COUNCILLORS



(Section 80A Local Government Act)

Date of Assembly: 10/4/2017	
Name of Committee or Group (if applicable): Special Issues Briefing	
Time Meeting Commenced: 8:48pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	Cr Jackson Taylor
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Jake Keogh
Cr Adam Gill	Cr Nicole Seymour
Council Staff in Attendance:	
Tony Doyle	Dale Monk
Ian Bell	Angela Mitchell
Angelo Kourambas	Paul Dickie
Kerry Stubbings	
Matters Considered:	
1. Capital Works Program – Inclusion of Path at Lewis Park, Wantirna South	
2. Review of Planning Delegations, Planning Consultative Committee Terms of Reference and Procedure for Appeals Against Victorian Civil and Administrative Tribunal (VCAT) Decisions	

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: 18/4/2017	
Name of Committee or Group (if applicable): Knox Community Health and Wellbeing Advisory Committee	
Time Meeting Commenced: 9:30am	
Councillors in Attendance: Cr John Mortimore	
Council Staff in Attendance: Annette Dodson Kathy Parton Darlene Swan Sharon Barker Sam Salamone	
Matters Considered:	
1. Update on State of Knox, Knox Community Plan & Council Plan Projects	
2. Update and Discussion on Recent State and Federal Government Policy Influencing Health and Wellbeing Outcomes	
3. Knox Life Stages Implementation Plan	
4. Family Violence	
5. Organisational Updates	

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: 20/4/2017	
Name of Committee or Group (if applicable): Knox Disability Advisory Committee	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance: Cr Nicole Seymour	
Council Staff in Attendance: Felicity Smith Amanda Wiggs Peter Johnstone Nicole Columbine	
Matters Considered: 1. Knox Aquatic Future Direction Plan 2. Community Access and Equity Implementation Plan	

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: 20/4/2017	
Name of Committee or Group (if applicable): Planning Consultation Committee	
Time Meeting Commenced: 6:00pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	
Cr John Mortimore	
Council Staff in Attendance:	
Peter Steele	
Cliff Bostock	
Matters Considered:	
The development of the land for four (4) double storey and two (2) single storey dwellings at 50 Murray Crescent, Rowville (P/2016/6744)	

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: 20/4/2017	
Name of Committee or Group (if applicable): Planning Consultation Committee	
Time Meeting Commenced: 7:00pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	
Cr John Mortimore	
Council Staff in Attendance:	
Peter Steele	
Ollie Graovac	
Matters Considered:	
The development of the land for four (4) double storey and two (2) single storey dwellings at 48 Murray Crescent, Rowville (P/2016/6839)	

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: 20/4/2017	
Name of Committee or Group (if applicable): Planning Consultation Committee	
Time Meeting Commenced: 8:00pm	
Councillors in Attendance: Cr John Mortimore	
Council Staff in Attendance: Peter Steele Morgan Livingstone	
Matters Considered: The development of the land for four (4) double storey dwellings at 47 Wattletree Road, Ferntree Gully (P/2016/6862)	

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: 27/4/2017	
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:	
Wendy Roberts	Mark Patterson
Kerry Stubbings	Beck Wright
Angela Morcos	Felicity Smith
Gillian Shelley	
Matters Considered:	
1. Municipal Disability Leadership Model	
2. Preschool Service Planning/EYMF	
3. Access and Equity Plan	
4. Draft Early Years Advisory Committee Workplan	

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: 1/5/2017	
Name of Committee or Group (if applicable): Issues Briefing	
Time Meeting Commenced: 6:20pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	Cr Jackson Taylor
Cr Peter Lockwood	Cr Lisa Cooper
Cr John Mortimore	Cr Jake Keogh (6:30pm)
Cr Tony Holland (6:25pm)	Cr Nicole Seymour
Cr Adam Gill (6:30pm)	
Council Staff in Attendance:	
	Fleur Cousins
Tony Doyle	Tanya Clark & Robbie Leslie (Item 3)
Ian Bell	Peter Gore & Marco D'Amico (Item 4)
Angelo Kourambas	Jude Whelan & Donna Hillier (Item 5)
Kerry Stubbings	Sam Stanton (Item 6)
Kim Rawlings	Matt Hanrahan (Item 7)
Matters Considered:	
1. Update on Rental Review	
2. Development Offer – Kingston Links Golf Course	
3. Asset Development Plan for Council's Senior Citizens Centre	
4. Eastern Football League Licence Agreement	
5. Visual Identity Review	
6. Review of Organisational Culture and Organisational Development Needs	
7. Draft Knox Parking Policy	
8. Eastern Regional Group of Councils Governance Arrangements	
9. Forward Report Schedule	

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: 3/5/2017	
Name of Committee or Group (if applicable):	
Stamford Park Project Steering Committee	
Time Meeting Commenced: 6:30pm	
Councillors in Attendance:	
Cr Darren Pearce, Mayor	
Cr Nicole Seymour	
Council Staff in Attendance:	
Tony Doyle	Ingo Kunic
Angelo Kourambas	Andrew Chadder
Kim Rawlings	Justin Schreuder
Monica Micheli	Rodney McKail
Rick Berry	
Matters Considered:	
1. Stamford Park Residential Estate – Progress on Development Plan and Status of Planning Applications	
2. Homestead Restaurant – Outcomes of Alternative Lease Offer from Caboodle	
3. Stamford Park Parklands – Draft Concept Master Plan and Costings	
4. Viability of Including a Dog Park and/or Sporting Facilities within the Stamford Park Parklands	
5. Stamford Park Men's Shed – Update on the Temporary Relocation of the Men's Shed and Options for Permanent Location	
6. Temporary Security Measures for the Homestead – Portable CCTV	
7. Community Reference Group – Upcoming Communications	
8. Media and Communications – Recent Articles about the Project and Communication with the Community	
9. Heritage – Artefact Cataloguing and Storage	

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: 4/5/2017	
Name of Committee or Group (if applicable): Knox Community Safety Advisory Committee	
Time Meeting Commenced: 9:30am	
Councillors in Attendance:	
Cr John Mortimore	
Cr Jackson Taylor	
Council Staff in Attendance:	
Lisette Pine	
Elizabeth Lim	
Samantha Spooner	
Tony Justice	
Matters Considered:	
1. Community Safety Issues	
2. Family Violence	
3. Graffiti Management	
4. Committee Recruitment	

Conflict of Interest Disclosures: Nil		
Councillor's Name	Type of Interest	Councillor Left Assembly While Matter Being Considered

12. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**12.1 NOTICE OF MOTION NO. 62****USE OF THE LANDFILL LEVY FOR NON-WASTE AND RECOVERY PURPOSES****COUNCIL RESOLUTION****MOVED: CR. MORTIMORE****SECONDED: CR. GILL****That Council:**

- Write to the Minister for Energy, Environment and Climate Change requesting that funding generated through the collection of the Municipal and Industrial Landfill Levy be constrained to the purposes for which the Levy was introduced and raising concerns with the Levy funds currently being allocated to supplement Parks Victoria initiatives not related to the original purposes of the Levy.
- Support the Metropolitan Local Government Waste Management forum writing to the Minister for Energy, Environment, Climate Change on behalf of all member Councils in line with the motion presented at its meeting on May 11, 2017.

CARRIED

12.2 NOTICE OF MOTION NO. 63**BASKETBALL IN THE CITY OF KNOX****COUNCIL RESOLUTION****MOVED: CR. LOCKWOOD****SECONDED: CR. SEYMOUR**

That Council:

- A) Acknowledges the contribution local basketball makes to the physical, social and emotional wellbeing of the Knox community and to job creation for youth of Knox,
- B) Acknowledges basketball as a principal recreational sport in the Knox Municipality with a strong domestic competition at both junior and senior levels, a strong representative basketball participation and the fact that the State Basketball Centre located in Knox is home to Basketball Australia, Basketball Victoria and the WNBL Melbourne Boomers ,
- C) Acknowledges that the State Basketball Centre at the Knox Regional Sports Park is the premier basketball venue in Victoria and is the home of basketball in Australia,
- D) Commits to supporting the continued growth of the basketball at all levels, prioritising grassroots participation and inclusion through the provision of contemporary facilities that meet community needs,
- E) Acknowledges ageing infrastructure at the Boronia Stadium and whilst a review is undertaken as to the future of existing facilities allows Knox Basketball Inc to use the funds from the 2016-17 contribution to the Boronia Capital Improvement Fund (approximately \$27,000) to make minor functional &/or aesthetic improvements to Boronia Basketball Stadium,
- F) Note it owns outright the Boronia Stadium and State Basketball Centre facilities, specifically noting the original loan for the State Basketball Centre has been repaid in full and the facility is unencumbered,

**12.2 Notice of Motion No. 63 - Basketball in the City of Knox (cont'd)
Resolution (cont'd)**

- G) Receives a cost benefit report for the July Ordinary meeting detailing the actual cost to Council for providing both the State Basketball Centre and the Boronia stadium to the Knox community. This same report should detail the balance in the Capital Improvement Funds (sinking funds) for both Boronia and the State Basketball Centre, the amount of money collected from Knox Basketball Inc on an annual basis for the last 3 years, and where this money was used; whether it was reinvested back into basketball, reallocated to benefit recreational sport in Knox more generally, or whether basketball revenue has been consolidated into "general revenue".
- H) Reaffirms its fundamental belief in a quadruple bottom line approach to the provision of sport and recreation infrastructure in Knox, where primary use of facilities supports grassroots participation through localised domestic competition that is age, gender and ability inclusive and adds significant value to the wellbeing of Knox residents.

PROCEDURAL MOTION

MOVED: CR. COOPER
SECONDED: CR. KEOGH

That Councillor Seymour be permitted an extension of time under Clause 47 of the Meeting Procedure and Use of Common Seal Local Law 2008.

CARRIED

THE SUBSTANTIVE MOTION WAS CARRIED

12.3 NOTICE OF MOTION NO. 64**HOUSING OPTIONS IN KNOX****COUNCIL RESOLUTION****MOVED: CR. TAYLOR****SECONDED: CR. GILL**

That Council:

1. Write to the Minister for Housing, Disability and Ageing, The Hon Martin Foley, Minister of Planning, The Hon Richard Wynne, Minister for Consumer Affairs, Gaming and Liquor Regulation, The Hon Marlene Kairouz and the Premier of Victoria, The Hon Daniel Andrews to:
 - Outline concerns about the pending closure of the Wantirna Caravan Park in early 2018 and impact of this on the estimated 189 permanent residents currently living in accommodation within the Park;
 - Note that a survey of residents at the Wantirna Caravan Park identified 85% are aged 61 years and over, 83% live alone and 84% are receiving a pension.
 - Note the advocacy and support work being undertaken by Council and other organisations to assist the residents through this change process;
 - Advocate for a compensation clause within the Victorian Residential Tenancies Act 1997 which would support compensation for termination of agreements or relocation of dwellings to new residential sites in a similar way to the current NSW Residential Parks Act 1998 which does have a clause relating to termination of a residential site agreement for residential parks.
 - Advocate for the release of State Government land to support social housing outcomes in Knox including land suitable for a caravan park within Knox, or in the vicinity of Knox.

CARRIED UNANIMOUSLY

13. SUPPLEMENTARY ITEMS

ALL WARDS

13.1 APPOINTMENT OF INDEPENDENT MEMBERS TO THE KNOX COUNCIL AUDIT COMMITTEE

SUMMARY: *Manager – Governance and Innovation
(Fleur Cousins)*

The Knox Council Audit Committee (the Committee) is an advisory committee of Council and currently has two independent member vacancies. In accordance with the Committee's Terms of Reference, recruitment for two independent members has been completed and this report recommends the appointment of Dr John Purcell and Lisa Tripodi to the Committee.

RECOMMENDATION

That Council

1. Appoint Dr John Purcell as an independent member of the Knox Council Audit Committee commencing 1 June 2017 to 31 December 2019.
2. Appoint Lisa Tripodi as an independent member of the Knox Council Audit Committee commencing 1 June 2017 to 31 May 2020.
3. Advise all applicants of Council's decision and thank them for their interest in the Knox Council Audit Committee.

1. INTRODUCTION

Under section 139 of the *Local Government Act 1989*, Council is required to have an Audit Committee, which is an advisory committee to Council.

In accordance with the resolution of Council made at its Ordinary Meeting on 27 March 2017 and the Knox Council Audit Committee Terms of Reference attached as Appendix A, a recruitment process for two independent members was commenced following the resignation of two independent members.

This report is to advise Council of the process undertaken to select two independent members for the Knox Council Audit Committee and recommends Council appoint the recommended applicants of the selection panel.

2. DISCUSSION

The primary objective of the Knox Council Audit Committee is to assist and advise Council and Council's management in fulfilling their responsibilities in relation to finance and reporting practices, management of risk, maintenance of internal controls, operation of good governance practices and facilitation of sound organisational ethics.

13.1 Appointment of Independent Members to the Knox Council Audit Committee (cont'd)

The Knox Council Audit Committee membership comprises:

- Three Councillors
- Three Independent Members
- The Mayor, who is an ex-officio member (no voting entitlement)

At the Ordinary Meeting of Council held on 27 March 2017, Council resolved:

'That Council

- 1. Adopt the Audit Committee Terms of Reference attached as Appendix A.*
- 2. Commence a recruitment process for two Independent members for appointment to the Audit Committee.*
- 3. Invite Ms Linda MacRae, current independent member of the Audit Committee to be part of the selection panel comprising of the Mayor, Cr Darren Pearce and Tony Doyle, Chief Executive Officer as defined in the Audit Committee Terms of Reference.*
- 4. Formally acknowledge and thank Mr Stan Naylor and Mr Peter Harford for their outstanding contribution over the past 11 years and 6 years respectively, to the Knox Audit Committee.'*

In accordance with this resolution, the recruitment process was commenced by the placement of a public advertisement in The Age newspaper on Saturday 1 April 2017 calling for expressions of interest. The same advertisement was also place on LinkedIn.

At the close of the expression of interest period, on 24 April 2017, a total of 12 expressions of interest had been received. Following the review of all expressions of interest, five (5) candidates were shortlisted to meet with the selection panel comprising of the Mayor, Cr Darren Pearce, Chief Executive Officer, Tony Doyle and Independent Member, Linda MacRae. Interviews were conducted on Monday 8 May 2017. Following interviews an evaluation was undertaken considering written applications and interviews.

The applicants were evaluated against three primary criteria:

1. Level of experience in business, financial management, risk management, governance, information technology, human resources and/or executive management.
2. Demonstrated experience providing advice on the adequacy of policies, systems and internal controls on matters within the scope of the Audit Committee.

13.1 Appointment of Independent Members to the Knox Council Audit Committee (cont'd)

3. An understanding of Local Government, including financial and performance reporting requirements.

An overview of the five candidates short listed considered through the interview process is document in Confidential Appendix B and further information on each shortlisted candidate can be found in Confidential Appendix C.

Following the interview and evaluation process the candidates recommended for appointment by the selection panel are:

- Dr John Purcell
- Ms Lisa Tripodi

The two recommended applicants have extensive senior level management, finance, risk management and audit experience, extensive experience of the operations of audit committees including local government audit committees and a sound knowledge of the business of local government and its changing operating environment. Combined the recommended applicants will bring to the Knox Council Audit Committee a capacity to advise Council in relation to financial, internal control, information technology, risk management and systems related issues.

The term of appointment of independent members is staggered in accordance with the Terms of Reference and to limit the potential loss of experienced independent members at the same time.

3. CONSULTATION

No external consultation has been undertaken in this matter.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Council resolved at its Strategic Planning Committee meeting held on 12 February 2013 that independent members of the Knox Council Audit Committee receive an annual remuneration, with payments made at the conclusion of each quarter. The annual remuneration for 2017 is \$7,149.20 for each independent member appointed to the Knox Council Audit Committee. The annual remuneration is indexed annually by the Consumer Price Index. Councillors appointed to the Audit Committee do not receive an additional allowance.

Remuneration for all independent members of the Knox Council Audit Committee are included in Council's budget.

13.1 Appointment of Independent Members to the Knox Council Audit Committee (cont'd)

6. SOCIAL IMPLICATIONS

There are no social implications in relation to this report.

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

The establishment and work of the Knox Council Audit Committee supports Council in maintaining accountable and transparent governance practices and Council's sound stewardship of the community's finances and assets. This accords to the objectives of Theme 5 – Democratic and Engaged Communities as outlined in the City Plan 2013-17 (incorporating the Council Plan).

8. CONCLUSION

The Knox Council Audit Committee plays an integral role in the corporate governance structure of Council. Having independent members on the Committee provides an external review capability and independent expertise to advise Council and Council's management on fulfilling their responsibilities in relation to finance and reporting practices, management of risk, maintenance of internal controls, operation of good governance practices and facilitation of sound organisational ethics. To ensure that Council is serviced with high quality independent members a rigorous evaluation process has been undertaken to ensure the high standards of operation of the Knox Council Audit Committee are continued. The applicants recommended by the selection panel have the expertise and experience to provide the Council with necessary high level professional advice on matters considered by the Audit Committee. The applicants, recommended by the selection panel, for appointment as independent members to the Knox Council Audit Committee are presented for Council consideration.

9. CONFIDENTIALITY

Appendix B and Appendix C to this report is being treated as confidential as it contains personal information in relation to the applicants.

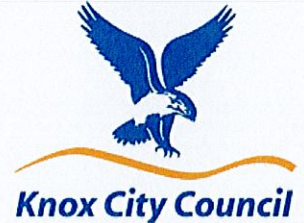
13.1 Appointment of Independent Members to the Knox Council Audit Committee (cont'd)**COUNCIL RESOLUTION****MOVED: CR. PEARCE****SECONDED: CR. KEOGH**

That Council

1. Appoint Dr John Purcell as an independent member of the Knox Council Audit Committee commencing 1 June 2017 to 31 December 2019.
2. Appoint Lisa Tripodi as an independent member of the Knox Council Audit Committee commencing 1 June 2017 to 31 May 2020.
3. Advise all applicants of Council's decision and thank them for their interest in the Knox Council Audit Committee.

CARRIED

TERMS OF REFERENCE



AUDIT COMMITTEE

Directorate	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Committee Type	Advisory Committee - established in accordance with section 139 of the Local Government Act 1989
Approval Date:	March 2017
Review Date:	October 2021

1. PURPOSE

The Knox City Council Audit Committee ("Committee") is an Advisory Committee of Knox City Council. The Committee's purpose is to assist the Councillors and Council Management in fulfilling their responsibilities in relation to accounting and reporting practices, management of risk, maintenance of internal controls, operation of good governance practices and facilitation of sound organisational ethics.

2. OBJECTIVES

The objective of the Audit Committee is to provide independent assurance and assistance to the Knox City Council, its Councillors, Chief Executive Officer and Management in fulfilling their responsibilities.

2.1. TERMS OF REFERENCE

The duties and responsibilities of the Committee are:

- To consider matters brought to its attention by Council, Committee members, Management, external auditors, internal auditors and other investigative/regulatory bodies;
- To consider the appropriateness of Council's accounting policies and procedures, and any changes to them, ensuring they are in accordance with the stated financial reporting framework;
- To review the Council's draft annual financial and performance statements prior to their approval by the Council, focusing particularly on:
 - significant changes in accounting policies and practices
 - major judgemental areas
 - significant audit adjustments
 - proposed departures from accounting standards
 - significant variances from previous years
 - significant legal risk or contractual exposures
 - significant performance variations

- To understand the scope of the external audit as outlined to the External Auditor by the Auditor General and the audit plan including the proposed audit strategies as they relate to identified risk areas;
- To receive advice from external auditors as to whether they have had full and open access to all personnel and information required to complete the audit;
- To discuss matters arising from the external audit with the external auditor and to obtain regular reports from Management and auditors concerning the resolution of the matters raised;
- To be represented on the Committee recommending the appointment of the Internal Auditor;
- To review the scope (nature, timing and extent) of the internal audit program and the effectiveness of the function;
- To ensure that the Internal Audit Program systematically addresses over time:
 - internal controls over significant areas of risk
 - internal controls over revenue, expenditure, assets and liabilities
 - the efficiency, effectiveness and economy of significant Council programs
 - compliance with statutes, regulations, policies, best practice guidelines and instructions
 - major contracts
- To review reports of the Internal Auditor and obtain regular advice concerning the resolution of matters raised;
- To monitor the risk exposure of Council by determining if Management have adequate risk management processes over financial and non financial risks and to monitor the operation of these processes and controls;
- To ensure that the internal audit program contains projects that consider effective governance of Council's operations, including the primary good governance characteristics of fairness, discipline, independence, accountability, responsibility, transparency and social responsibility;
- To identify and request any specific projects or investigations or advice deemed necessary through the Chief Executive Officer;
- To obtain and review Management and auditor's reports and advice concerning:
 - the adequacy of management information systems
 - the currency and effectiveness of the business continuity and disaster recovery plan
 - the adequacy and timeliness of financial reports received by Council
 - Council's compliance with statutory requirements for financial and performance reporting, including the reporting of Council's main corporate governance practices
 - the adequacy of the internal control environment established by Management
 - significant transactions outside of the Council's normal business

- compliance with regulations, policies, instructions and contractual arrangements relevant to the Council's activities
- the implementation status of major Council projects
- To facilitate the enhancement of the credibility and objectivity of internal and external financial and performance reporting; and
- To report to Council all recommendations as determined by the Committee, and any other matter or issue considered appropriate and within the Committee's Terms of Reference.

2.2. PERFORMANCE OF THE COMMITTEE

The Audit Committee shall undertake an Annual Self-Assessment in June of each year.

Results of the Annual Self-Assessment are to be included in the annual report of the Audit Committee provided to Council each year.

The Audit Committee will meet annually with the External Auditors and the Internal Auditors respectively without Management present.

2.3. ANNUAL PLAN

The Audit Committee will prepare an Annual Work Plan setting out the intended work schedule for the forthcoming twelve months as part of a four year program of work that is reviewed annually. A draft Annual Plan is to be presented to the Audit Committee for consideration by no later than June of each year.

3. MEMBERSHIP, PERIOD OF MEMBERSHIP AND METHOD OF APPOINTMENT

The membership of the Committee shall comprise:

1. Three Councillors.
2. Three independent members who will have a business qualification and senior experience in business, financial management, risk management, governance, information technology, human resources, and/or management. Independent members should be conversant with the financial requirements relating to Local Government.
3. At least one independent member will possess financial qualifications and have experience at a senior level.
4. Where the Mayor is not otherwise appointed to the Committee, they will serve as an ex-officio member (no voting entitlement).

Any Councillor, not appointed to the Committee, may attend the meeting and will not have any voting entitlement.

3.1. METHOD OF APPOINTMENT OF COUNCILLORS TO THE COMMITTEE

Councillors will be appointed to the Committee through Council's annual Committee appointment process.

3.2. METHOD OF APPOINTMENT OF INDEPENDENT MEMBERS TO THE COMMITTEE

The appointment of independent members will be by way of a public expression of interest process. The evaluation of potential members will be undertaken by the Mayor or Councillor nominated by the Mayor and Chief Executive Officer, using appropriate selection criteria. The appointment of independent members will be recommended to Council through a report to Council following the evaluation.

3.3. TERM OF APPOINTMENT OF INDEPENDENT MEMBERS

The term of each independent member will be for a maximum period of three years from the date of appointment following which the Council may reappoint the member or advertise for expressions of interest to appoint a new member.

Where possible, the retirement of independent members will be staggered to avoid the potential loss of experienced members at the same time.

Where an independent member has not been in attendance for two consecutive meetings, without submitting an apology or been granted a leave of absence, a casual vacancy will be created.

Where a casual vacancy is created with the departure of an independent member from the Committee the position will be filled using the independent member's appointment process.

3.4. INDEPENDENCE OF MEMBERS

All Audit Committee members have direct access to the Chief Executive Officer and can request through the Chief Executive Officer access to other staff members or any other person if deemed necessary.

Any Committee member can submit an issue to the Chief Executive Officer for placement on the Agenda for the next appropriate meeting of Council, where the Committee Member may be afforded the opportunity to address the meeting (in camera if required).

In addition, the Chairperson may submit any report prepared by the Committee to be tabled at the next ordinary meeting of the Council.

3.5. INDUCTION OF INDEPENDENT MEMBERS

Council shall provide a detailed independent member induction that will highlight the current issues that are applicable to the Audit Committee within Council, provide detailed written reference material.

4. DELEGATED AUTHORITY AND DECISION MAKING

Advisory Committees act in an advisory capacity only and have no delegated authority to make decisions as if they were the Council. Advisory Committees provide advice to Council and staff to assist them in their decision making.

The Audit Committee, by resolution, may request to meet with other Council Committees or external parties in consideration of a specific matter before the Audit Committee.

5. MEETING PROCEDURES

- Meetings of the Committee will be held 4 to 6 times per year at regular intervals. A schedule of meetings will be developed and agreed to by the members.
- Due to the sensitive nature of the material routinely considered by the Audit Committee meetings are not open to the public and all meeting agendas, minutes and proceedings are deemed confidential.
- Extra meetings may be scheduled on request of the Chairperson or any three members of the Committee after consultation with the Chief Executive Officer.
- The Chief Executive Officer, Director Corporate Development, Manager Governance and Innovation, Manager Financial Services and Internal Auditor will attend meetings, unless requested by the Committee to not attend. The Committee can request through the Chief Executive Officer other staff members or any other person if deemed necessary to attend meetings as may be required.
- Where practicable, the responsible Director or Manager will be present for tabling of a new Internal Audit Report.
- Other Council staff may attend meetings at the CEO's request where issues require clarification.
- External Audit representatives will attend when required.
- The quorum for each meeting is a majority of members.

6. CHAIR

The members of the Committee will appoint a Chairperson annually at the commencement of the first meeting each calendar year. The Chairperson is to be an independent member of the Committee. The members of the Committee may also appoint a Deputy Chairperson who is to be an independent Committee member, to undertake the duties of the Chairperson where the elected person may not be able to undertake their duties.

When appointing the Chairperson, the Committee should consider candidates in regards to the relevant professional and personal skills required to undertake this role.

7. AGENDAS AND MINUTES

Minutes will be taken of each Committee meeting and will include issues discussed, general outcomes of discussions and formal resolutions of the Committee. The attendance of Committee members and Council officers will be recorded.

Minutes will be presented for formal endorsement at the next meeting of the Committee.

The endorsed minutes of each meeting will be made available to all Councillors as soon as practicable after the meeting.

8. VOTING

Councillor and independent members have voting rights.

Staff provide support and advice to the Committee only and have no voting rights.

In the event of an equality of votes the Chairperson has a second, casting vote.

9. CONFLICT AND INTEREST PROVISIONS

Committee members are subject to the provisions of S76D (Misuse of Position) and S79 (Conflict of Interest) of the Local Government Act. Independent members of the Committee are also required to submit Primary or Ordinary Returns (reference: S81, Local Government Act).

In performing the role of a Committee member, a person must:

- act honestly;
- exercise reasonable care and diligence;
- not make improper use of their position; and
- not make improper use of information acquired because of their position.

9.1. FULL DISCLOSURE OF ISSUES TO THE COMMITTEE

The Committee will ascertain at each meeting whether the work of the Internal Auditor has been obstructed in any way. Where the Internal Auditor's response is that the work has been obstructed, the Chairperson of the Committee will ascertain from the Chief Executive Officer what action will be taken to remedy the issue. Where it is alleged that the Chief Executive Officer has obstructed the Internal Auditor's work, the Chairperson of the Committee will consult with the Chief Executive Officer to ascertain what resolution can be reached. If it is considered that the obstruction is substantiated, and is of an ongoing nature that creates a risk to effective internal audit practices, the Chairperson of the Committee will consult with the Chief Executive Officer and the Mayor to seek a resolution. Where the matter cannot be resolved through this process the matter will be referred to Council for appropriate attention.

In order to ascertain whether there are any issues that the Audit Committee should be aware of, the Chief Executive Officer or their representative attending each meeting should be questioned as to whether there are any breaches of legislation or practices that should be brought to the Committee's attention. Where issues are disclosed and substantiated, the Committee members will seek from the Chief Executive Officer an explanation as to what appropriate actions are to be taken to remedy same. Where the Chief Executive Officer is alleged to have caused the breach of legislation or practices and a satisfactory resolution is not arrived at, the Chairperson of the Committee will consult with the Mayor and the Chief Executive Officer in an attempt to resolve the issue. Where no satisfactory resolution can be reached through this process, the matter will be referred to Council for appropriate attention.

10. REPORTING

The Committee will provide an annual report to Council summarising the activities undertaken during the year. This report will be made public on Council's website after it has been considered by Council.

11. ADMINISTRATION SUPPORT

Administration support is provided as directed by the Chief Executive Officer.

12. CONTACT WITH THE MEDIA

Contact with the Media by members of the Committee will be conducted in accordance with the Councillor and Staff Media Policies.

13. REVIEW DATE

The Audit Committee Terms of Reference are to be reviewed by the Committee within 12 months of the General Municipal Election held every 4 years and presented to Council for consideration.

14. MEALS

The provision of refreshments will be in accordance with the Meals and Sustenance Policy.

15. CONCLUSION

The Committee is an Advisory Committee of Council with a role of providing a forum for the assessment of the Council's internal controls, management of risk, operation of good governance practices, adherence to proper organisational ethical practices and the adequacy of financial reporting. It provides an independent link between Council, management and auditors that should ensure the Council's interests and assets are protected.

13.1 Appointment of Independent Members to the Knox Council Audit Committee

Confidential Appendices B and C Circulated Under Separate Cover

Official Minutes of Knox City Council

SCOTT WARD

13.2 PROPOSED SALE OF TREE RESERVE – 2R MOWBRAY DRIVE, WANTIRNA SOUTH (ABUTTING 1344 HIGH STREET ROAD, WANTIRNA SOUTH)

SUMMARY: *Coordinator Property Management (Angela Mitchell)*

Council has been approached by the property owner of 1344 High Street Road, Wantirna South to acquire the tree reserve identified as 2R Mowbray Drive, Wantirna South. This site has been assessed as surplus to Council's requirements in accordance with Council's Sale of Land and Buildings Policy and Sale of Council Owned Tree Reserves Policy. This report recommends that Council gives notice of its intention to commence the statutory process to sell this property by private treaty.

RECOMMENDATION

That Council, being of the opinion that the property known as 2R Mowbray Drive, Wantirna South and currently identified as Reserve 2 on Plan of Subdivision 120186 contained within Certificate of Title Volume 9316 Folio 649, as shown on attached plan as Appendix A (Subject Land), is surplus to Council's requirements:

1. Proceed to remove the reserve status from the Subject Land pursuant to Section 24A of the Subdivision Act 1988.
2. Commence the statutory process, under Section 189 of the Local Government Act 1989, to sell the Subject Land to the owner of 1342-1344 High Street Road, Wantirna South by private treaty for no less than a value determined by an independent valuer appointed by Council plus GST (plus Council's costs in relation to this sale).
3. Under Section 223 of the Local Government Act 1989, give public notice of the proposed sale of the Subject Land in the Knox Leader newspaper.
4. Hear submissions in accordance with Section 223(1)(b) of the Local Government Act 1989 and appoint the following Committee of Council comprising Cr _____, Cr _____ and Cr _____ to consider submissions at 5.00pm on 10 July 2017.
5. That a further report be presented to Council following the conclusion of the statutory process.

13.2 Proposed Sale of Tree Reserve – 2R Mowbray Drive, Wantirna South (abutting 1344 High Street Road, Wantirna South) (cont'd)

1. INTRODUCTION

The property known as 2R Mowbray Drive, Wantirna South abuts 1344 High Street Road, Wantirna South fronts the western side of Mowbray Drive and south western corner of the intersection of High Street Road and Mowbray Drive, Wantirna South. The vacant land comprises an area of 287m² and is a narrow rectangular strip.

The property forms part of Certificate of Title Volume 9316 Folio 649, which contains Reserves 1 and 2 on Plan of Subdivision 120186, with this property identified as Reserve 2. The property is included within General Residential Zone – Schedule 2 (GRZ2) and is not subject to any overlays.

One of Council's core responsibilities is to manage its assets in order to optimise their value to the community. Part of this responsibility involves evaluating any unused or redundant assets and releasing the funds tied up in these assets in order to acquire, develop or improve other assets. The subject land is an example of resources tied up in an asset considered to be surplus to Council's needs which Council can deploy in other areas of priority.

2. DISCUSSION

The subject property identified as Reserve 2 on Certificate of Title Volume 9316 Folio 649 is irregular in shape and has an overall area of 287m² (refer Appendix A). The adjoining property owner has approached Council to acquire this tree reserve and consolidate with their adjoining overall site. They have indicated their intention is to acquire this site to improve access requirements to these sites (refer Confidential Appendix B). It should be noted that the site at 1342-1344 currently has a permit to construct seven (7) double storey dwellings and one (1) single storey dwelling.

In contemplating the proposed sale of this property, consideration should be given to Council's Sale of Council Owned Tree Reserves Policy and Council's Sale of Land and Buildings Policy.

2.1 Assessment against Criteria for Sale of Council Owned Tree Reserve

This policy defines a tree reserve as an area of land created by subdivision or by other means to act as a buffer between roads and other land to restrict crossover access and/or provide opportunities for landscaping, recreation and/or community infrastructure (eg shared pathways). This policy (refer Appendix C) articulates a number of criteria that apply when considering a proposed sale of tree reserves. The proposed sale of this tree reserve meets the majority of the criteria. The criteria relating to traffic management requires further investigation with VicRoads, Council's Traffic and Transport Department and extensive community consultation by the prospective purchaser to satisfy this criteria.

13.2 Proposed Sale of Tree Reserve – 2R Mowbray Drive, Wantirna South (abutting 1344 High Street Road, Wantirna South) (cont'd)

2.2 Assessment against Criteria for Sale of Land and Buildings

In accordance with Council's policy on the Sale of Land and Buildings (refer Appendix D), consideration should be given to a number of criteria in order to ensure that the proposed disposal of this property is in the community's best interests prior to resolving to proceed with the public consultation process.

An assessment of these criteria follows:

ENVIRONMENTAL

Principle:	Council will sell surplus land where retention will not enhance or protect its environmental value.
Assessment:	The property is not affected by any overlay. There have been some plantings undertaken in this tree reserve. In addition to this, any prospective purchaser will be advised that new trees will be planted in the naturestrip and future infrastructure is to be built to withstand potential drying effects of tree roots as per the 2011 AS Building and Foot Standards.

PHYSICAL WORKS

Principle:	Council will sell surplus land where it is not required in the foreseeable future for the development of new assets or the improvements of existing assets.
Assessment:	There is no identified requirement for this site.

RECREATION

Principle:	Council will sell surplus land where it is not required in the foreseeable future for recreational purposes.
Assessment:	This site has not been identified in the Knox Open Space Plan.

LAND USE PLANNING

Principle:	Council will sell surplus land where there are not compelling land use planning grounds for retention.
Assessment:	Concern has been raised relating to the use of Mowbray Drive for access for any development at 1342-1344 High Street Road. Traffic management issues require further investigation from other authorities eg VicRoads. Any potential purchaser should undertake further discussions with Council's Traffic and Transport Department and VicRoads. Any access from Mowbray Drive will also require community consultation.

SOCIAL

Principle:	Council will sell surplus land where alternative social uses have not been identified.
Assessment:	As a stand-alone site it is not suitable for residential development, however consolidated with the adjacent land would enable residential and other uses appropriate to the zoning.

13.2 Proposed Sale of Tree Reserve – 2R Mowbray Drive, Wantirna South (abutting 1344 High Street Road, Wantirna South) (cont'd)

2.3 Land Use Zoning

The current zoning of 2R Mowbray Drive, Wantirna South is General Residential Zone – Schedule 2 (GRZ2). The property is encumbered by a Reserve status. Should Council resolve to commence the sale, a process will be put in place to remove the Reserve status and create a lot in preparation to sell.

2.4 Method of Sale

Council's policy on the Sale of Land and Buildings provides that the sale will occur through a public process unless Council resolves that circumstances exist that justify an alternative method of sale.

The policy and guidelines provide that public process be selected from the options of public auction, public tender or registration of expressions of interest and will be determined by the Chief Executive Officer on recommendation from the Director Corporate Development and be based on achieving the optimum economic return to Council.

In this instance it is proposed to sell 2R Mowbray Drive, Wantirna South by private treaty to the abutting property owner. The placement and restrictions on this site do not warrant a public process.

2.5 Proposed Sale by Private Treaty

Council was approached by the abutting property owner to acquire the Council owned tree reserve and consolidate with the property at 1342-1344 High Street Road, Wantirna South. Ongoing discussions have been undertaken between Council, the property owner, the valuers acting for Council and valuers acting for proposed purchaser.

Council's Sale of Land and Building Policy states in part "prior to the sale of any property the optimum development of the land must be considered, including subdivision, in order to enhance the return". Valuations received indicate a market valuation range to meet the policy requirements. These valuations are attached as Confidential Appendix E. Also attached as Confidential Appendix F are valuations received from the prospective purchaser.

In determining an appropriate sale price, Council needs to consider the policy requirements and how it relates specifically to this land. Whilst the development potential is acknowledged, it is also appropriate to consider that this site cannot developed as a stand-alone lot. Valuers have considered this and have therefore provided a range in their valuations.

13.2 Proposed Sale of Tree Reserve – 2R Mowbray Drive, Wantirna South (abutting 1344 High Street Road, Wantirna South) (cont'd)

3. CONSULTATION

Section 189 of the Local Government Act 1989 provides the statutory procedures to enable the sale to be commenced and Section 223 of that Act requires public notice of the proposed sale be given in a newspaper generally circulating in the municipal district. In giving public notice, Council must state that submissions in respect of the sale will be considered.

In accordance with Section 223 of the Act, Council or where Council determines, a Committee of Council shall consider any written submissions which are received by Council within 28 days after the publication of the public notice and allow persons making submissions to appear in support of their submission. If submissions are received, a further report will be presented to Council for its consideration prior to progressing the proposed land sale.

It is also proposed to send a copy of the public notice to residents immediately surrounding the property.

4. ENVIRONMENTAL/AMENITY ISSUES

These have been addressed in the Assessment Criteria of this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The property at 2R Mowbray Drive, Wantirna South is proposed to be sold for no less than value determined by an independent valuer appointed by Council. Valuations for this site, both from Council's valuer and proposed purchaser's valuer, are attached as Confidential Appendices D and E.

6. SOCIAL IMPLICATIONS

The sale of this tree reserve provides no social implications.

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

This initiative supports the City Plan objective:

Theme 5 Democratic and Engaged Communities

5.3.1 Maintain accountable and transparent governance practices, and Council's sound stewardship of the community's finances and assets.

8. CONCLUSION

Council received an approach from the property owner at 1342-1344 High Street Road, Wantirna South to acquire the Council owned tree reserve abutting this property. Following an assessment, the tree reserve known as 2R Mowbray Drive, Wantirna South is considered surplus to Council's requirements and it is recommended that this property be sold by private treaty to the property owner of 1342-1344 High Street Road, Wantirna South for no less than the valuation determined by an independent valuer appointed by Council.

13.2 Proposed Sale of Tree Reserve – 2R Mowbray Drive, Wantirna South (abutting 1344 High Street Road, Wantirna South) (cont'd)**9. CONFIDENTIALITY**

Appendices B, E and F to this report are being treated as confidential due to contractual matters.

COUNCIL RESOLUTION

MOVED: CR. KEOGH
SECONDED: CR. TAYLOR

That Council, being of the opinion that the property known as 2R Mowbray Drive, Wantirna South and currently identified as Reserve 2 on Plan of Subdivision 120186 contained within Certificate of Title Volume 9316 Folio 649, as shown on attached plan as Appendix A (Subject Land), is surplus to Council's requirements:

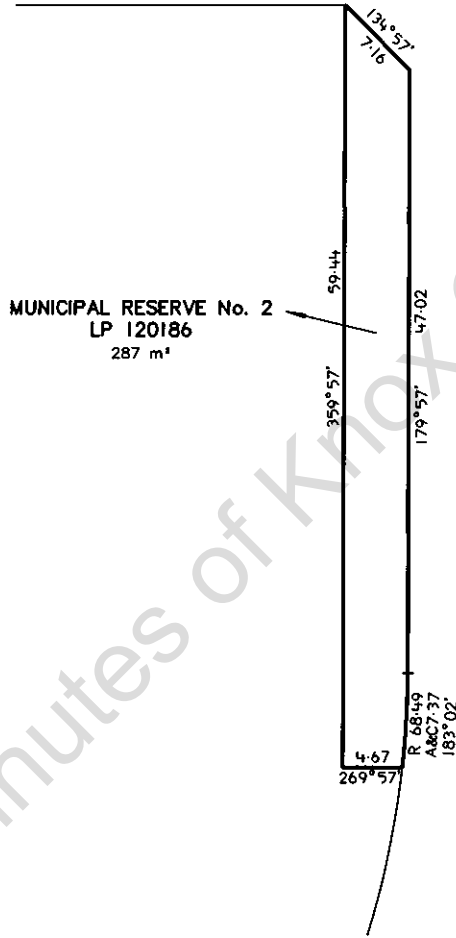
1. Proceed to remove the reserve status from the Subject Land pursuant to Section 24A of the Subdivision Act 1988.
2. Commence the statutory process, under Section 189 of the Local Government Act 1989, to sell the Subject Land to the owner of 1342-1344 High Street Road, Wantirna South by private treaty for no less than a value determined by an independent valuer appointed by Council plus GST (plus Council's costs in relation to this sale).
3. Under Section 223 of the Local Government Act 1989, give public notice of the proposed sale of the Subject Land in the Knox Leader newspaper.
4. Hear submissions in accordance with Section 223(1)(b) of the Local Government Act 1989 and appoint the following Committee of Council comprising Cr Seymour, Cr Cooper and Cr Gill to consider submissions at 5.00pm on 10 July 2017.
5. That a further report be presented to Council following the conclusion of the statutory process.

CARRIED





HIGH STREET ROAD



MOWBRAY DRIVE

Official Minutes of Knox City Council

NOTATIONS:	SITE PLAN MUNICIPAL RESERVE No. 2 ON LP 120186 PARISH OF SCORESBY		LOCATION: 2R MOWBRAY DRIVE, WANTIRNA SOUTH.		
	SCALE LENGTHS ARE IN METRES		CERTIFICATE OF TITLE: VOL. 9316 FOL. 649		
KIRKPATRICK & WEBBER PTY. LTD. Land Surveyors and Planning Consultants ABN 84 962 510 405 15 Maroondah Hwy, Croydon Vic. 3136 Tel. (03) 9870 4422 Fax. (03) 9870 5267 E-mail. admin@kirkpatrickwebber.com.au	SURVEYORS REF. 9558A	F			
		E			
	a3psubv.dwg	C			
		B			
	REV.	DATE	COMMENTS	APP.	
ORIGINAL SCALE 1:400			SHEET SIZE A3		

**13.2 Proposed Sale of Tree Reserve – 2R Mowbray Drive, Wantirna South
(abutting 1344 High Street Road, Wantirna South)**

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Official Minutes of Knox City Council

KNOX POLICY



Knox City Council

SALE OF COUNCIL OWNED TREE RESERVES

Policy Number:	2003/20	Directorate:	Corporate Development
Approval by:	Council	Responsible Officer:	Director – Corporate Development
Approval Date:	26 May 2015	Version Number:	2
Review Date:	26 May 2019		

1. PURPOSE

To ensure that Council owned tree reserves, wherever possible, are retained for their original purpose.

To provide guidance on matters that need to be addressed when considering requests for the sale of all or part of Council Tree Reserves.

2. CONTEXT

This policy aims to provide a consistent approach to considering requests for the sale of Council owned Tree Reserves. The policy also aims to ensure that appropriate information is obtained and provided to Council when making decisions on such requests.

3. SCOPE

This policy applies to all staff when considering requests and preparing reports to Council for the sale of land identified as a Council owned Tree Reserve.

4. DEFINITIONS

Detail any definitions within the policy.

Tree Reserve	An area of land created by subdivision or by other means to act as a buffer between roads and other land to restrict crossover access and/or provide opportunities for landscaping, recreation and/or community infrastructure (e.g. shared pathways)
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5. COUNCIL POLICY

The following principles and guidelines shall apply when considering requests for the sale of all or part of Council Tree Reserves.

- 5.1 It is Council policy that Tree Reserves should be protected and retained for the purpose that they were originally established for.
- 5.2 Land forming part of the tree reserves will not be sold unless the sale is considered to result in net community benefit and the criteria below are satisfied.

Criteria for the sale (part or all) of Tree Reserves

- 5.4 For a request to be approved, it must be demonstrated that the sale will result in a net community benefit (e.g. facilitate a major community facility or employment generator).
- 5.5 For a request to be approved, it must also satisfactorily address the following issues:
 - 5.5.1 Public safety and security issues – e.g. will it result in the creation of 'blind areas' not visible to the public? Will it sever a shared pathway? Will it result in increased natural surveillance?).
 - 5.5.2 Traffic management – e.g. do VicRoads object to access? Will it create traffic safety issues? Is the reserve required for a future road widening? Will it result in additional crossovers?
 - 5.5.3 Neighbourhood Character – Would it allow development that supports the preferred neighbourhood or 'bush boulevard' streetscape character?
 - 5.5.4 Open space – e.g. What is the current role or potential of the land to contribute towards a public open space network?
 - 5.5.5 Street trees – What is the significance of any street trees located within the reserve?
 - 5.5.6 Existing infrastructure – e.g. will it result in additional infrastructure (footpaths, drains) or maintenance costs for Council?
 - 5.5.7 Potential or proposed future infrastructure – e.g. How does it support or hinder potential or proposed future infrastructure such as shared pathways, drainage, landscaping etc?
 - 5.5.8 Flora and fauna – e.g. Does it involve the potential loss of significant vegetation and/or fauna habitat?
 - 5.5.9 Council strategies, policies and plans – e.g. Is it consistent with and assist in the implementation of relevant Council policies and plans, including any structure plan, zone or overlay, and all Related Documents in Section 6 (as relevant)?
 - 5.5.10 Existing access – e.g. is the current level of road access to the site to benefit from the proposed purchase of the tree reserve already adequate?

- 5.6 Other matters to be considered (as relevant):
- 5.6.1 Whether the original or current purpose of the tree reserve can be effectively and efficiently achieved by other means, such as:
- a) Section 173 Agreement,
 - b) Knox Planning Scheme provisions, or
 - c) recoupment of the value of Council-owned street trees (where loss of the trees are considered reasonable).
- 5.6.2 Whether the proceeds from sale of the tree reserve could be directly used for greater net community benefit by buying or developing other land locally to achieve any of the purposes of tree reserves.
- 5.6.3 Whether an anomaly, error or inconsistency exists.

Decision making

- 5.7 In the circumstance where the Director Corporate Development or Chief Executive Officer believes that the criteria have been met, a report regarding the sale of the Tree Reserve will be presented to Council for consideration. The Council report will outline how the criteria have been met.
- 5.8 In all circumstances where it is proposed to recommend the sale of a Council property, a Council report must be prepared outlining the proposal and the recommendation must incorporate the statutory requirements in respect of any proposed sale.

6. RELATED DOCUMENTS

- 6.1 Knox Policy – Valuation of Council Land for Sale
- 6.2 Knox Planning Scheme
- 6.3 Knox Open Space Plan 2012-2022
- 6.4 Integrated Transport Plan
- 6.5 Liveable Streets Plan 2012-2022
- 6.6 Knox Green Streets Policy

KNOX POLICY



Knox City Council

SALE OF LAND AND BUILDINGS

Policy Number:	2004/06	Directorate:	Corporate Development
Approval by:	Council	Responsible Officer:	Property Management Coordinator
Approval Date:	28 January 2014	Version Number:	3
Review Date:	28 January 2018		

1. PURPOSE

The purpose of this Policy is to:

- Optimise the value of property assets to the Community, including the evaluation of unused or redundant assets and releasing the funds tied up in these assets in order to acquire, develop or improve other assets.
- Maximise the return to Council from any sale of property assets.
- Define the process for identifying and proceeding with the sale of any Council owned land (with or without improvements) and to also identify how the proceeds from any land sales are to be allocated.

2. CONTEXT

The process for the sale, exchange and transfer of Council land is subject to comprehensive Government Guidelines and requirements of the Local Government Act 1989. This Policy reflects those Guidelines and statutory requirements.

This Policy supersedes previous Policies and Plans with the exception of the Council Policy on the Sale of Council Owned Tree Reserves.

3. SCOPE

This Policy applies to any land surplus to Council's requirements. This policy does not apply to the closure and sale of roads.

4. REFERENCES

4.1 *Council Plan*

- Democratic and Engaged Communities

4.2 *Relevant Legislation*

- Local Government Act 1989
- Planning and Environment Act
- Subdivision Act
- Sale of Land Act
- Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land (June 2009)
- Annual Budget

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/Plans*

- Valuation of Council Land for Sale Policy (2003/01)
- Community Engagement Policy (2007/10)
- Sale of Council Owned Tree Reserves Policy and Procedures (2003/20)
- Knox Affordable Housing Action Plan 2007-2012
- Financial Governance Policy
- Knox Open Space Plan (2012-2022)

4.5 *Related Council Procedures*

- Sale of Land Procedure (2006/11)

5. DEFINITIONS

“Land” means land of any tenure, and buildings or parts of buildings (whether the division is horizontal, vertical or made in any other way) and other corporeal hereditaments; and also an undivided share in land and any estate or interest in land.

“Council Owned Land” means land for which Council is the registered proprietor

“Public Open Space” land set aside in a plan or land in a plan zoned or reserved under a planning scheme—

- a) for public recreation or public resort; or
- b) as parklands; or
- c) for similar purposes

as defined in the Subdivision Act 1988

6. COUNCIL POLICY

1. The identification of land surplus to Council needs will be achieved by applying the following principles:

Component	Principle	Assessment Process
Economic	Council evaluation of surplus property will consider the cost of funds tied up in property, the costs of retaining land – including forgone revenue - and any return available from use for alternative purposes.	A standard Cost/benefit analysis will be completed for each sale.
Legal	Council will comply with all statutory requirements in the sale of property.	A written Council Procedure will set out the process of compliance to be followed.
Public Consultation	Council will comply with all statutory requirements in the sale of property in order to ensure that ratepayers and residents are given an opportunity to have their views heard.	A written Council Procedure will set out the process of compliance to be followed.
Environment	Council will sell surplus land where retention will not enhance or protect its environmental value.	Individual properties retained by Council will be those specifically identified in the study of Sites of Biological Significance.
Physical Works	Council will sell surplus land where it is not required in the foreseeable future for the development of new assets or the improvements of existing assets.	Individual properties retained by Council will be those specifically identified in the 5 Year Capital Works Plan or an adopted strategic project plan for the development of new assets or the improvements of existing assets.
Recreation	Council will sell surplus land where it is not required in the foreseeable future for recreational purposes.	Individual properties retained by Council will be those specifically identified in the Knox Open Space Plan 2004-2014.
Land Use Planning	Council will sell surplus land where there are not compelling land use planning grounds for retention.	Individual properties will be considered for sale unless it can be demonstrated that there are compelling land use planning grounds for retention.
Social	Council will sell surplus land where alternative social uses have not been identified.	Individual properties retained by Council will be those required for social uses in accordance with existing plans and strategies.

2. Council will consider a Report covering the above principles and criteria in order to ensure that proposed disposition of land is in the best interests of Council prior to resolving to proceed with the public consultation process to sell land.
3. The sale of land will occur through a public process unless Council resolves that circumstances exist that justify an alternative method of sale.
4. The public process selected from the options of public auction, public tender or registration of expressions of interest will be determined by the Chief Executive Officer on recommendation from the Director Corporate Development and be based on achieving the optimum economic return to Council.
5. Prior to the sale of any property it is to be appropriately zoned in order that the ultimate use of the land is determined by that zone and the highest possible sale price is achieved. Land with a 'reservation on title' will have this restriction removed through issue of a planning permit.
6. Prior to the sale of any property the optimum development of the land must be considered, including subdivision, in order to enhance the return.
7. Proposals for the exchange of land will be considered by Council on a case-by-case basis and will be subject to the principles and criteria in 1 above.
8. Nothing in this Policy will prevent Council from determining to sell small parcels of land directly to abutting owners on the best terms achievable.

The proceeds from any sale of surplus Council land shall be allocated on the following basis:

- **Public Open Space**

All proceeds from public open space land which has not been rezoned for another purpose will to be applied in accordance with the Subdivision Act 1988 and must be held in Council's Open Space Reserve. Replacement land will be identified prior to any sale of any public open space.

- **Sale of Other Land**

Allocation of funds from sale of land be contributed to the Municipal Fund for allocation to Capital Projects within the municipality, or the retirement of Council debt, as part of the annual budget process and in accordance with Council's strategic priorities of the day.

Council may by resolution determine that funds from sale of land and buildings in a defined area be allocated to a specific project where the sale of the land and buildings is being undertaken to support a broader strategic program or infrastructure project. In this instance, expenditure of the funds must occur within five years from the date of sale after which time the reserve fund will be reviewed by Council. In particular, Council will honour its previous commitment to allocate funds from the sale of land and buildings towards the Stamford Park Development project.

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COUNCILLOR KEOGH VACATED THE CHAMBER AT 8.41PM DURING DISCUSSION ON ITEM 14.2

COUNCILLOR KEOGH RETURNED TO THE CHAMBER AT 8.43PM PRIOR TO THE VOTE ON ITEM 14.2

PROCEDURAL MOTION

MOVED: CR. TAYLOR
SECONDED: CR. SEYMOUR

That Item 13.3 be moved and considered after item 15 on the Agenda.

CARRIED

14. URGENT BUSINESS

14.1 URGENT BUSINESS

Nil.

14.2 CALL UP ITEMS

SEX WORK INDUSTRY IN KNOX

COUNCIL RESOLUTION

MOVED: CR. TAYLOR
SECONDED: CR. MORTIMORE

That a Report be prepared for discussion at September 2017 Issues Briefing and consideration at the October 2017 Council Meeting on Council's regulatory, enforcement and advocacy role and approach with respect to Legal and Illegal Brothels in Knox. The Report shall be informed by officers meeting with the Victoria Police and Project Respect, and must address the following items

- How we are currently assisting Victoria Police on tackling the issue of illegal brothels and how Council could further assist (including available statistics regarding complaints and actions for illegal brothels over the last 5 years); and
- How council can best advocate for change in the sex work industry and to acknowledge the gender equity issues and the risk it places those in the industry whether at legal or illegal sites

CARRIED

15. QUESTIONS WITHOUT NOTICE

Nil.

PROCEDURAL MOTION**CLOSURE OF MEETING**

MOVED: CR. GILL

SECONDED: CR. LOCKWOOD

That in accordance with Sections 89 (2) of the Local Government Act 1989, the Meeting be closed to members of the public on the basis that discussion is required on matters set out in Section 89(2)(d) (contractual matters) of the Local Government Act.

CARRIED

THE MEETING WAS CLOSED TO THE PUBLIC AT 8.44 PM**13.3 PROPOSED PROPERTY ACQUISITION**

A confidential report was discussed and resolved upon in camera.

PROCEDURAL MOTION

MOVED: CR. MORTIMORE

SECONDED: CR. KEOGH

That the meeting be re-opened to the Public.

CARRIED

THE MEETING REOPENED TO THE PUBLIC AT 9.21PM**MEETING CLOSED AT 9.21PM**

Minutes of Meeting confirmed at the
Ordinary Meeting of Council
held on
Monday 26 June 2017

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Chairperson