

# MINUTES

Meeting of Council

Held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Tuesday 26 April 2022

The Agenda for the Meeting of Council, Tuesday 26 April 2022, forms part of these Minutes and is attached in full at the end of the Minutes. These Minutes are considered draft until adopted and confirmed at the next Meeting of Council.



The meeting commenced at 7:00pm.

**PRESENT:**

*Cr S Laukens (Mayor) Friberg Ward*

*Cr Y Allred Baird Ward*

*Cr J Dwight Chandler Ward*

*Cr M Timmers-Leitch Collier Ward*

*Cr S Grasso Dinsdale Ward*

*Cr M Baker Dobson Ward*

*Cr D Pearce Taylor Ward*

*Cr N Seymour Tirhatuan Ward*

*Mr B Dobson Chief Executive Officer*

*Mr G Thorne Director – Infrastructure*

*Mr M Kelleher Director - Strategy and Integrity*

*Ms T Scicluna (Via Zoom) Director – Connected Communities*

*Ms I Kelly Acting Director - City Centre*

*Ms S Stanton Executive Manager - Strategy, People and Culture, Interim Information Technology & Transformation*

*Mr A Dowling Acting Manager and Coordinator, Governance*

**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.”***

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## 1 Apologies and Requests for Leave of Absence

Apologies were received from Councillor Cooper.

## 2 Declarations of Conflict of Interest

Nil.

## 3 Confirmation of Minutes

The Chairperson, Councillor Laukens invited Councillors to raise any opposition to the Minutes of the Meetings of Council held on Monday 28 March 2022 and Monday 11 April 2022. There being none, the Chairperson declared the Minutes be confirmed.

## 4 Presentations, Petitions and Memorials

### **MEMORIAL- TERRY POTTER**

Councillor Baker acknowledged the passing of long-serving CFA Member Terry Potter who was a local Ferntree Gully and Upper Ferntree Gully resident and had served with the CFA for over 50 years, which included a stint as the Captain of the Ferntree Gully CFA.

Councillor Baker offered her condolences on behalf of Knox City Council to Mr Potter's family, friends and the broader CFA.

### **MEMORIAL- HELEN COULSON**

Councillor Laukens acknowledged the passing of Helen Coulson OAM (aged 103), author of the acclaimed book, Story of the Dandenongs. Councillor Laukens acknowledged her significant legacy and contribution to the documented history of Knox.

Councillor Laukens advised Council that Helen:

- Grew up in Upwey in the 1920's and 1930's before moving to Horsham in 1948.
- Was appointed Official Shire Historian for the Ferntree Gully Shire, following advertising for the position in the Mountain District Free press in January 1952.
- Described herself as an ordinary everyday housewife who enjoyed writing as a hobby; and would regularly visit the district whilst researching her book which chronicled the history of the area and the early pioneer life into the post war era from 1838 to 1958.

Councillor Laukens noted Helen's book, published in 1959 is still revered as the most reputable resource on the history of the Dandenongs and surrounds and expressed her condolences on behalf of Knox City Council to Ms Coulson's family.

## 5 Reports by Councillors

### 5.1.1 Councillor Baker

Councillor Baker reported attending the following meetings:

- Knox 2020/21 Sport and Leisure Awards
- Sherbrooke Little Athletics Annual General Meeting
- Knox City Council Budget Workshop
- Volunteer for Knox Celebrating You Garden Party at Coonara Community House
- Knox Disability Advisory Committee Meeting
- Opening of New Lakesfield Reserve Pavilion
- Knox Active Ageing Advisory Committee Meeting
- ANZAC Day Dawn Service at Quarry Reserve, Ferntree Gully

### 5.1.2 Councillor Timmers-Leitch

Councillor Timmers-Leitch reported attending the following meetings:

- Knox Staff Recognition Event- Knox Star Awards
- Knox City Council Budget Workshop
- International Women's Day Event at Millers Homestead
- Turning of the First Sod at Knox Hockey Field
- Knox Recreation and Leisure Advisory Committee Meeting
- Boronia Big Flix Festival
- Knox Youth and Advisory Committee Meeting
- Knox CEO Performance and Remuneration Committee Meeting
- Councillor Briefing- 203 Mountain Highway, Wantirna
- Wantirna South Junior Football Club ANZAC Day Medal Presentation
- ANZAC Day Dawn Service- Boronia RSL
- Peace and Loyalty Masonic Lodge ANZAC Day Remembrance Service at Tim Neville Arboretum

Councillor Timmers-Leitch also:

- Noted that the Final Stage of Wantirna Cycling Link Community Plan at Eynesbury Avenue is almost complete.

### **5.1.3 Councillor Allred**

Councillor Allred reported attending the following meetings:

- Knox Staff Recognition Event- Knox Star Awards
- Knox 2020/21 Sport and Leisure Awards
- Knox City Council Budget Workshop
- Knox Multicultural Advisory Committee Meeting
- Victoria Local Government Grants Commission Meeting
- CEO Performance and Remuneration Committee Meeting
- Environment Advisory Committee Meeting
- Rotary Club of Rowville/Lysterfield Environmental Presentation
- Boronia Hawks Football Netball Club 90 Years Celebration
- ANZAC Day Dawn Service at Boronia RSL

Councillor Allred also:

- Noted the growing residential concern regarding people sleeping rough at Boronia Park, and the amount of rubbish at Boronia Retarding Basin.
- Praised the significant crowds attended local ANZAC Day Ceremonies.
- Acknowledged Council's participation in a food budget workshop at Boronia Mall for International Stop Food Waste Day which will include various initiatives and tips to prevent food wastage, encouraging the community to register online via Council's website for free entry to the event.
- Promoted the temporary installation of the 257 Dorset Road Boronia Pop-Up Play Space which will be available every Sunday in May with different activities such as games and music for all ages and abilities, encouraging residents to visit Council's Events page online for details on this play space, noting bookings were not required.

### **5.1.4 Councillor Grasso**

Councillor Grasso reported attending the following meetings:

- The Basin Community House Multicultural Event involving the Zomi, Iranian and First Nations Community as part of Cultural Diversity Week which included a Welcome to Country, Cultural Walk and Persian History and Culture Presentation.
- Knox Citizenship Ceremony
- ANZAC Day Dawn Service at The Basin RSL, noting in particular a love-heart symbol signifying Peace for Ukraine with Ukrainian flag colours.

Councillor Grasso also:

- Acknowledged receipt of traffic, footpath, parking and tree concerns from residents.
- Noted concerns had been expressed to regarding Mountain High Shopping Centre, Penguin Park and the proposed development at 620 Burwood Highway, Knoxfield.
- Asked and hoped for peace in relation to the conflict between Ukraine and Russia.

#### **5.1.5 Councillor Seymour**

Councillor Seymour reported attending the following meetings:

- International Women's Day Celebration at Millers Homestead
- Carrington Park Multi-Purpose Centre and Seniors Activity Park Opening
- ANZAC Day Services

Councillor Seymour also:

- Noted she had enjoyed engaging with various community groups regarding grant rounds and volunteers.
- Reflected on the importance of ANZAC Day for reflecting and remembering fallen soldiers, and to acknowledge those who have more recently served, or continue to do so, and for whom the Ukrainian conflict may evoke hardship, encouraging the community to support each other in the interests of peace.

#### **5.1.6 Councillor Pearce**

Informed Council he was stepping down from the Audit and Risk Committee and ICT Governance Committee, noting the catalyst for his decision was the Victorian Independent Remuneration Tribunal to increase the allowance payable to the Deputy Mayor; and that vacating the positions would enable the Deputy Mayor to take up increased responsibilities commensurate with the increase in allowance.

Councillor Laukens noted that Council will make a decision regarding Committee appointments following a discussion amongst Councillors at a future Briefing and the community will be notified of any changes.

#### **5.1.7 Councillor Dwight**

Councillor Dwight reported attending the following meetings:

- Knox Staff Recognition Event- Knox Star Awards
- Knox City Council Budget Workshop
- Knox Community Safety, Health and Wellbeing Advisory Committee Meeting
- Pre-Federal Election Mayoral Roundtable on Climate Action with Chris Bowen MP
- Millers Homestead Community Reference Group Meeting
- Environment Advisory Committee Meeting



Councillor Dwight also:

- Acknowledged the concerns of residents regarding traffic congestion on Stuart Street, The Basin and low parking visibility in the area.
- Reported enquiries from residents regarding the demise of significant trees, Mountain Highway footpath and Wantirna Avenue footpath.
- Outlined enquiries received regarding bin inspections.
- Noted with respect to the upcoming Federal Election:
  - That many local issues that are linked to Federal election issues such as trade and import rules, power, telecommunications access, homelessness, transport, poverty, healthcare and waste.
  - That Local Government has been taking on more obligations from other levels of Government without a commensurate increase in funding.
  - The list of all candidates for the Federal seat of Aston which covers Knox City Council.
  - That democracy is intended to ensure the voices of the people are heard and society is only as strong as its weakest member, encouraging members of the community to use the opportunity of a Federal Election to vote carefully and their make needs known.

#### **5.1.8 Councillor Laukens**

Councillor Laukens reported attending the following meetings:

- Gilbert Park Knox Baseball Little League Event.
- ANZAC Day Ceremony at Boronia RSL with an attendance in the range of 800-1000 people.
- Knox Staff Recognition Event- Star Awards
- Knox 2020/21 Sport and Leisure Awards
- Meeting with Nick Wakeling MP
- International Women's Day Event at Millers Homestead
- Knox Citizenship Ceremony
- Knox Athletics Centre Championship Day
- Knox Council Budget Workshop
- Turning of the First Sod at Knox Hockey Field
- Monthly Mayoral Interview at Radio Eastern 98.1 FM
- Volunteer for Knox Celebrating You Garden Party at Coonara Community House
- Greater South East Melbourne Election Platform Launch
- Meeting with Victorian Local Government Grants Commission
- Carrington park Multi-Purpose Facility and Seniors Exercise Park Official Opening
- Opening of new Lakesfield Reserve Pavilion
- Reopening of Courts 4-6 at Eildon Park Tennis Club
- Tour and Lunch at The Basin Vakrathunder Vinayakar Temple
- Opening of 4 Mediums Exhibition at the Ferntree Gully Arts Society
- Melbourne Basketball League Grand Finals at Rowville Stadium
- Community Learning Centre Open Day at Rowville Community Centre
- Boronia Revitalisation Board Meeting
- CEO Performance and Remuneration Committee Meeting

- Meeting with Knoxfield Tennis Club
- 'Meet The Mayor' Segment on ABC Radio Melbourne with Virginia Trioli
- Rotary Club of Rowville/Lysterfield Environmental Presentation
- Eastern Metro Region Traditional Aboriginal Games Day
- Onemda- The Basin Campus Official Opening and Celebration
- Eastern Transport Coalition Meeting
- Tour of Knox Model Aircraft Club
- Eastern Regional Group of Councils Meeting
- ANZAC Day Dawn Service Bayswater RSL Visit
- Peace and Loyalty Masonic Lodge ANZAC Day Remembrance Service
- Visit to Knox Infolink with Shaun Leane MP
- Knox Model Aircraft Club meeting

Councillor Laukens also:

- Noted that Council via Councillor Cooper has been provided with a petition, signed by 34 local residents that are opposed to the proposed development at 500 Burwood Hwy, Wantirna South, advising:
  - The petition has been provided for Council's information only, with the petitioners acknowledging that Council does not play its usual decision making role as the responsible authority in relation to this development.
  - The development is proposed by Community Housing Victoria, which is planning to include 118 dwellings for social housing purpose and unlike a typical planning applications, the process under the Victoria's Big Housing Build program requires the applicant to lead the consultation process, with the application being submitted to the Department of Environment, Land, Water and Planning (DELWP) and the Minister for Energy, Environment and Climate Change as the responsible authority to decide on the application.
  - While the consultation process concluded on 14 April, information is still available on Community Housing's website at [www.chl.org.au](http://www.chl.org.au)
- Advised Council of her appearance on the Meet The Mayor Radio Segment with Virginia Trioli on 774 ABC Radio Melbourne and responded to the matters raised by callers during her appearance:
  - Outlining that dogs must be under effective control by its owner if off lead at local parks and reserves with the exceptions of active sporting reserves, children's play equipment areas, organised public meeting areas, barbeque areas, footpaths, shopping centres, bike tracks, walking tracks the on-lead only Egan Lee Reserve, Flemington Road Reserve, Gilmour Park Retarding Basin, JW Manson Reserve, Koolunga Native Reserve, Tim Neville Arboretum, Witts Reserve East and West, Koolunga Reserve, Lakewood Reserve and WG Morris Reserve.
  - Encouraging residents to report any dog attacks in the area and also pick up their dog droppings and general rubbish.
  - Noting feedback regarding bins to at FairPark Reserve and advising council sought to sufficiently cater for litter, while balancing the visual aesthetic of the park and the practical needs of bin collection.

- Encouraging residents to ensure they were responsibly picking up animal and disposing of animal waste in parks.
- Acknowledging that the new Knox Library would be on level three at Westfield and noted accessibility concerns but that the majority of community feedback was positive, and that if Westfield was less accessible for some users, there are multiple other libraries available in the municipality.
- Acknowledging concerns regarding parking visibility in the Studfield Shopping Centre Car Park, outlining that businesses in the shopping strip were consulted in 2019 regarding changes to disability parking spaces and the widening of parking spaces generally.
- Reminded residents of her appearances on Radio Eastern 98.1 FM on the first Wednesday of every month.
- Noted that the Knox Model Aircraft Club is only one of two control airline flight clubs allowed to fly in Victoria, and had expressed their appreciation to Council for its support of the club in Knox.
- Praised the atmosphere and success of the ANZAC Day Ceremonies in the municipality.

#### **5.1.9 Councillor Cooper**

Councillor Cooper reported attending the following meetings:

- Knox Recreation and Leisure Awards
- Community Session regarding the proposed housing development at 500 Burwood Highway, Wantirna South
- Knox Recreation and Leisure Committee Meeting
- Pre Federal Election Mayoral Roundtable on Climate Change with Chris Bowen MP
- Knox Early Years Advisory Committee Meeting

6 City Strategy and Integrity Officers' Reports for consideration

6.1 Report of Planning Applications Decided Under Delegation 1 March to 31 March 2022

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 reports (between 1 March 2022 to 31 March 2022) be noted.

**RESOLUTION**

**MOVED: Councillor Pearce**

**SECONDED: Councillor Baker**

**That the planning applications decided under delegation reports (between 1 March 2022 to 31 March 2022) be noted.**

**CARRIED**

## 6.2 23 Norris Road, Rowville

SUMMARY: Subdivision Planner, Marina Pegoraro

This report considers Planning Application P/2022/6019 for a two (2) lot subdivision at 23 Norris Road, Rowville.

### RECOMMENDATION (SUMMARY)

That Council issue a Notice of Decision to Grant a Planning Permit for two (2) lot subdivision at 23 Norris Road, Rowville subject to the conditions detailed in the full recommendation in section 10 below.

### RESOLUTION

**MOVED:** Councillor Pearce

**SECONDED:** Councillor Baker

That Council issue a Notice of Refusal to grant a planning permit for application P/2022/6019 for a two (2) lot subdivision at 23 Norris Road, Rowville, on the following grounds:

1. The proposal fails to satisfy relevant State Planning Policy Framework strategies and objectives, particularly Clause 15 (Built Environment and Heritage) and Clause 16 (Housing) of the Knox Planning Scheme.
2. The proposal fails to satisfy relevant Local Planning Policy Framework objectives and strategies, particularly Clause 21.03 (Environmental and Landscape Values), Clause 21.05 (Built Environment and Heritage), and Clause 21.06 (Housing).
3. The proposal fails to meet the purpose of Clause 32.03 Low Density Residential Zone as it does not respect the neighbourhood character of the area.
4. The proposal is not considered consistent with the existing pattern of subdivision in the area and fails to comply with objectives and standards within Clause 56, particularly relating to neighbourhood character and respecting existing subdivision patterns (Clause 56.03-5).
5. The proposal fails to meet the land subdivision guidelines outlined in Clause 65.02.

### CARRIED

### 6.3 273-275 Wantirna Road, Wantirna

SUMMARY: Principal Planner, Klaas Meekel

This report considers Planning Application P/2021/6342 for the development of the land for twelve (12) double storey dwellings and alteration of access to a Transport Zone 2.

#### RECOMMENDATION (SUMMARY)

That Council issue a Planning Permit for the development of the land for twelve (12) double storey dwellings and alteration of access to a Transport Zone 2 at 273-275 Wantirna Road, Wantirna, subject to the conditions detailed in the full recommendation in section 10 below.

#### RESOLUTION

**MOVED:** Councillor Timmers-Leitch

**SECONDED:** Councillor Seymour

**That Council issue a Notice of Refusal to Grant a Planning Permit for application P/2021/6342 for the development of the land for twelve (12) double storey dwellings and alteration to access to a Transport Zone 2 at 273-275 Wantirna Road, Wantirna, on the following grounds:**

- 1. The proposal fails to satisfy relevant State Planning Policy Framework strategies and objectives, particularly Clause 15 (Built Environment and Heritage) and Clause 16 (Housing) of the Knox Planning Scheme.**
- 2. The proposal fails to satisfy relevant Local Planning Policy Framework objectives and strategies, particularly Clause 21.05 (Built Environment and Heritage), Clause 21.06 (Housing) and Clause 22.07 (Development in Residential Areas and Neighbourhood Character) of the Knox Planning Scheme. In particular, the proposal is not considered to be architecturally or functionally well designed.**
- 3. The design outcome is not considered to be respectful of the existing or preferred neighbourhood character, due to siting and scale of the buildings and resultant impact on the amenity of adjoining residential properties.**
- 4. Non-compliance with the following objectives of Clause 55 of the Scheme as follows:**
  - a) Neighbourhood character objectives at Clause 55.02-1 of Knox Planning Scheme as the development is not respectful of the existing or preferred neighbourhood character in terms of the massing of the built form and the resultant visual impact.**
  - b) Non-compliance with the Design detail objective of the Scheme at clause 55.06-1 of the Scheme because of the large size of the upper floor elements of the double storey dwellings.**

**CARRIED**

## 6.4 203 Mountain Highway Wantirna

SUMMARY: Principal Planner, Merette Shenouda

This report considers Planning Application P/2016/6930/C for a Section 72 Amendment to the existing Permit at 203 Mountain Highway, Wantirna. The proposal seeks to amend the existing permit and plans by amending the development layout, including the number of dwellings, internal road and public open space areas layout as well as the removal and creation of an easement.

### RECOMMENDATION (SUMMARY)

That Council issue a Notice of Decision to Grant an amended Planning Permit for the development of the land for 303 dwellings, associated staged subdivision of the land, removal of native vegetation pursuant to Clause 52.17, alteration of access to a Transport Zone and creation and removal of an easement pursuant to Clause 52.02, subject to the conditions detailed in the full recommendation in section 10 below.

### RESOLUTION

**MOVED:** Councillor Timmers-Leitch

**SECONDED:** Councillor Dwight

**That Council issue a Notice of Decision to Grant an Amended Permit for the development of the land for two or more dwellings on a lot under Clause 32.08-4, associated staged subdivision of the land under Clause 32.08-2, remove, destroy or lop vegetation, including dead vegetation under Clause 52.17-2, Subdivide land adjacent to a Road in a Transport Zone 2 and alteration of access to a Road in a Transport Zone 2, and creation and removal of easements under Clause 52.02.**

- 1. Prior to the endorsement of plans required under Condition 2, a subdivision layout plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions. The plan must be generally in accordance with the plans prepared by Charlton Egg bearing reference: 1535 CP-A Revision 4.**

**Any consequential changes required as a result of plans / documentation endorsed under Condition 2 must be made to the endorsed subdivision layout plan, to the satisfaction of the Responsible Authority.**

## **Amended Plans**

- 2. Prior to the commencement of any buildings and works, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The development plans must be approved prior to other plans required by this permit. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans prepared by Rothelowman bearing Project No 221014 commencing at Drawing No TP00.01 and concluding at Drawing No. TP03.10 but modified to show:**
- a) All structures (including fences, letterboxes and meter boxes) must be relocated clear of a splayed area (2m x 2.5m) or no more than 900mm high near the access way in accordance with AS 2890.1 Clause 3.2.4 and the Knox Planning Scheme Clause 52.06-8.**
  - b) Location and design of electricity and supply meter boxes.**
  - c) The proposed laneways and roads to comply with Clause 56.06-7 (Neighbourhood Street Network) of the Knox Planning Scheme.**
  - d) Low height or bollard type lighting to be installed along access ways and footpaths in accordance with Australian Standards (AS1158).**
  - e) Location of all internal fencing clearly shown. Internal fencing must have a minimum height of 1.8m (not applicable to front fences).**
  - f) Upper floor habitable room windows within 9m of the southern boundary screened to comply with Standard B22 of ResCode.**
  - g) All dwellings to be provided with at least 6m<sup>3</sup> of internally or externally accessible storage.**
  - h) Deleted.**
  - i) Deleted.**
  - j) For Dwelling Types Faith (A) and Faith (B), setback the first floor level 8.3 meters from the southern boundary.**
  - k) Deleted.**
  - l) Deleted.**
  - m) Deleted.**
  - n) A threshold crossing treatment to be designed and constructed at the Mountain Highway entry.**
  - o) A raised platform treatment to be designed and constructed at the right angle bend in Road A.**
  - p) Pavement treatments to be designed and constructed at lanes intersecting with roads by treating them similar to a driveway access.**



- q) **A suitable barrier system for the drop to the retarding basin/wetland, designed by a suitably qualified road safety auditor. Alternatively, evidence may be provided that is not required depending on the depth of the drop proposed.**
- r) **A minimum footpath offset of 0.3 meters to be provided to all above ground structures.**
- s) **Traffic control treatments and right-of-way (ROW) to be shown for the intersection of Road A, Thompson Drive and Lane 7, designed to meet the requirements of Road Design Standards.**
- t) **Tandem garage spaces to have a minimum internal length of 11.3 meters in accordance with the requirements of Clause 52.06-9.**
- u) **Minimum garage doorway widths of 3 meters as per AS 2890.1 Fig. 5.4.**
- v) **Shared and pedestrian pathways to be shown for the public park, consistent with the cross-sections submitted.**
- w) **Properties to be numbered from the rear laneways as well as the front of the property.**
- x) **Pathway within the Mountain Highway frontage to be constructed using above grade permeable paving, within the TPZs of adjoining trees.**
- y) **Drainage Plans in accordance with Condition 3.**
- z) **Stormwater Management Strategy in accordance with Condition 4.**
- aa) **Landscape Plans in accordance with Condition 5.**
- bb) **Sustainability Management Plan in accordance with Condition 15.**
- cc) **Waste Management Plan in accordance with Condition 17.**
- dd) **A Native Vegetation Offset in accordance with Condition 18.**
- ee) **Tree protection measures shown on the Development, Drainage and Landscape Plans in accordance with Conditions 19-26.**
- ff) **Environmental Management Plan in accordance with Condition 31.**
- gg) **Construction Management Plan in accordance with Condition 38.**
- hh) **Any changes to comply with the Department of Transport Conditions 45-49.**
- ii) **Any changes to comply with East Connect Condition 50.**
- jj) **Any changes to comply with CFA Conditions 51-53.**
- kk) **A Staging Plan for Subdivision and Development.**

**To the satisfaction of the Responsible Authority.**

## **Drainage Plans**

- 3. Prior to the commencement of any buildings and works for the development, road drainage engineering plans and computations must be submitted to and approved by the Responsible Authority. Construction of the drainage must be in accordance with these plans. The plans must show the following:**
- a) All stormwater drainage discharge from the site connected to a legal point of discharge.**
  - b) The internal drains of the dwellings to be independent of each other.**
  - c) 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.**
  - d) The on-site detention system to be installed in a suitable location for easy access and maintenance.**
  - e) 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.**
  - f) Details including surface and underground drainage, vehicle crossovers, rollover kerb and channel, hydrants and outfall drainage.**
  - g) Details of street lighting and location, provided to the satisfaction of the relevant authority and in accordance with AS1158.**
  - h) The design depth and composition of pavement, including footpaths on both sides of the roads, pram crossings, connection to the existing footpaths and shared paths throughout the site. These must satisfy the Disability Discrimination Act 1992 or as otherwise approved in writing by the Responsible Authority, having regard to the gradients and topography of the site.**
  - i) The location of all services to be underground.**
  - j) New easements created to the satisfaction of the Responsible Authority over any drainage assets constructed as a result of this subdivision.**
  - k) Details of line marking and new traffic and street name signage.**
  - l) Turning movements and collections points for waste vehicles 10m long detailing turning, entry and exit within the road network without using private crossovers shall be superimposed on the plan.**
  - m) Location of street trees as shown on the Landscape Plans.**
  - n) Any Environmental Sustainable Design initiatives shown on the Development Plans approved pursuant to Condition 1 of this permit.**
  - o) Location of fencing in accordance with the Development Plans approved pursuant to Condition 1 of this permit.**

- p) All levels to be to AHD (Australian Height Datum).**

**To the satisfaction of the Responsible Authority.**

#### **Stormwater Management Strategy**

- 4. Prior to the commencement of buildings and works for the development, a revised Stormwater Management Strategy must be submitted and approved by the Responsible Authority. Construction of the drainage must be in accordance with this plan. The Stormwater Management Strategy must be generally in accordance with the version prepared by Alluvium dated October 2021, but revised to address the following:**
- a) Catchment analysis including catchment plans showing the subject site and any contributing external catchments.**
  - b) Stormwater management objectives, outlining the legislative requirements for managing stormwater at the site.**
  - c) Stormwater quantity analysis including a functional layout plan showing the proposed alignment of drainage infrastructure that will convey the 10 percent annual exceedance probability (AEP) flows and the designated overland flow paths that will convey the 1 percent AEP gap flows.**
  - d) Calculations showing that any road or access way intended to act as an overland flow path satisfies the floodway safety criteria.**
  - e) Functional designs for the proposed wetland retarding basin and three rain gardens addressing access and maintenance. The retarding basin design is to ensure fully developed peak runoff flow rates are reduced to pre-development/existing conditions peak runoff flow rates.**
  - f) Stormwater quality treatment outlining how water quality targets will be met.**
  - g) Stormwater drainage discharge from the site connected to a legal point of discharge.**

**To the satisfaction of the Responsible Authority**

#### **Landscape Plans**

- 5. Prior to the commencement of buildings and works for the development, a landscape plan prepared by a suitably qualified Landscape architect or a suitably qualified landscape designer to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority in accordance with Council's 'Landscape Plan Guidelines'. When approved, the plan will be endorsed and will then form part of the permit. The plan must show:**
- a) A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.**
  - b) The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Council's 'Landscape Plan Guidelines').**
  - c) Buildings and trees (including botanical names, height and width) on neighbouring properties within three meters of the boundary including all trees that have their Tree Protection Zone extending into the subject site.**

- d) Details of the surface finishes of pathways and driveways.**
- e) Details and location of all existing and proposed services including above and below ground lines, cables and pipes.**
- f) 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.**
- g) Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).**
- h) The plan must also show the provision of additional trees and additional medium/large shrubs chosen from plant list 1 or 2 of Council's 'Landscape Plan Guidelines'. These canopy trees must be a minimum of 1.5 – 2.0 meters tall when planted.**
- i) A revised Wetland and Sediment Pond Concept which realigns the outfall drain to avoid impacts on (Tree 42, 43 and 44), located within Connect East Land including updated arboricultural assessment.**
- j) A revised Entry Park Concept which provides for a permeable above grade pathway, minimising incursion to the protection zones for retained trees and the removal of Tree 33, including updated Arboricultural Assessment.**

**To the satisfaction of the Responsible Authority.**

- 6. Prior to issue of Statement of Compliance for each stage or before the occupation of the development of a stage, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.**
- 7. 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.**
- 8. Unless otherwise agreed in writing by the Responsible Authority, following the planting of street tree and reserve planting, an inspection will be arranged with representatives of the Owner, the landscape contractor appointed by the Owner and the Responsible Authority's Parks Services who when satisfied will issue a Certificate of Practical Completion.**
- 9. Unless otherwise agreed in writing by the Responsible Authority, soft landscaping will be maintained at no cost to the Responsible Authority for a period of two years following the date of issue of the Certificate of Practical Completion (a landscape bond of \$250.00 per tree will be paid by the Owner).**

**General**

- 10. The subdivision (including staging) and development must be carried out and completed in accordance with the endorsed plans.**
- 11. The layout of buildings and works as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority. This does not apply to:**
  - a) 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 meters above ground level; or**

- b) 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 16m<sup>2</sup>.

- 12. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 13. 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.**
- 14. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.**

#### **Sustainability Management Plan**

- 15. Prior to the commencement of any buildings or works, a Sustainability Management Plan detailing Sustainable Design initiatives to be incorporated into the development must be submitted to and approved by the Responsible Authority. The Sustainability Management Plan 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.**
- 16. Prior to the occupation of the development, the development must be constructed in accordance with the Sustainability Management Plan.**

#### **Waste Management Plan**

- 17. Prior to the commencement of buildings and works for the development, 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.**
- To the satisfaction of the Responsible Authority.**

#### **Native Vegetation Offset**

- 18. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the responsible authority. This offset must meet the offset requirements of the 'Permitted clearing of native vegetation – Biodiversity assessment guidelines' and the 'Native vegetation gain scoring manual' to the satisfaction of the Responsible Authority.**
  - a) Except with the further written consent of the Responsible Authority, offset evidence can be either:**
  - b) A security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan; or**
  - c) A credit register extract from the Native Vegetation Credit Register.**

## **Tree Protection**

- 19. 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.**
- 20. 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.**
- 21. 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 meters. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.**
- 22. The fence and signage is to be maintained throughout the construction period and removed at the completion of all works.**
- 23. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.**
- 24. 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.**
- 25. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:**
  - a) Construction activities.**
  - b) Dumping and/or storage of materials, goods and/or soil.**
  - c) Trenching or excavation.**
  - d) Lopping branches, nailing or affixing signs, service lines, lights etc. to the trees.**
- 26. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.**

### **Car Parking & Accessways**

- 27. Before the dwellings are occupied, driveways and car parking areas must be:**
- a) 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.**
  - b) Formed to such levels and drained so that they can be used in accordance with the approved plan.**
  - c) Treated with an all-weather seal or some other durable surface.**
  - d) Line-marked or provided with some other adequate means of showing the car parking spaces.**
- To the satisfaction of the Responsible Authority.**
- 28. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.**
- 29. Street lighting is to be provided by the developer ensuring adequate lighting at intersections, bends and where needed for pedestrian visibility as per AS1158. Appropriate line marking and signage for the roads is also to be provided for good visibility at night.**
- 30. All footpaths and pram crossings should be constructed to satisfy the Disability Discrimination Act (DDA).**

### **Environmental Management Plan**

- 31. Prior to the commencement of buildings and works for the development, an Environmental Management Plan must be submitted and approved by the Responsible Authority in consultation with the Department of Transport. The Management Plan shall be to the satisfaction of the Responsible Authority and detail the following but not be limited to:**
- a) stockpiling of topsoil;**
  - b) on-site water management;**
  - c) temporary infrastructure placement;**
  - d) solid waste management.**
  - e) rubbish and litter management**
  - f) vegetation protection zones.**
- 32. Upon the Responsible Authority approving the EMP, the EMP will be endorsed and then form part of the Planning Permit and the site shall be managed in accordance with the EMP to the satisfaction of the Responsible Authority.**
- 33. During the course of works, full access must be provided so as to allow inspections by the Responsible Authority's Planning Investigation Officer to be carried out to determine compliance with the Environmental Management Plan to the satisfaction of the Responsible Authority.**

- 34. No work shall be commenced on any assets additional to those considered by the subdivision permit requiring the Responsible Authority's approval or supervision until Responsible Authority's written agreement is obtained.**
- 35. All works shall be carried out in a manner that causes minimal environmental impacts however should any situation cause undue detriment to the amenity of the area then immediate remedial measures must be undertaken promptly to address the issue as directed by and to the satisfaction of the Responsible Authority.**
- 36. All topsoil removed during the earthworks must be stockpiled and maintained in a weed free condition. Disturbed ground after completion of the earthworks shall be re-vegetated to prevent dust, erosion to the satisfaction of the Responsible Authority.**
- 37. Any handling and disposal of site soil must be in accordance with the requirements of the Environment Protection Authority and the *Environment Protection Act 1970*.**

#### **Construction Management Plan**

- 38. Before the commencement of any buildings and works, Construction and Traffic Management Plan (CMP) to the satisfaction of the Responsible Authority, must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed as evidence of its approval and will then form part of the permit and shall thereafter be complied with. The CMP must specify and deal with, but is not limited to, the following:**
  - a) A detailed schedule of works including a full project timing;**
  - b) A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and preferred routes for trucks delivering to the site. The traffic management measures must minimise disruption to the operation of roadway during construction.**
  - c) The location for the parking of all construction vehicles and construction worker vehicles during construction;**
  - d) A fully detailed plan indicating where construction hoardings would be located;**
  - e) A waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing;**
  - f) Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site;**
  - g) Site security;**
  - h) Hours of operation;**
  - i) Public safety measures;**
  - j) Construction times, noise and vibration controls;**
  - k) Restoration of any Council assets removed and/or damaged during construction;**



- l) Protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);**
  - m) Remediation of any damage to road and other infrastructure (limited to an areas reasonably proximate to the site);**
  - n) An emergency contact that is available for 24 hours a day.**
  - o) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.**
- 39. During the construction, the following must occur to the satisfaction of the Responsible Authority:**
- a) Any stormwater discharges into the stormwater drainage system is to comply with EPA guidelines;**
  - b) Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enter the stormwater drainage system;**
  - c) Vehicle borne material must not accumulate on the roads abutting the site;**
  - d) The cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks;**
  - e) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and**
  - f) All site operations must comply with the EPA Publication 1254 (including all revisions or replacement guidelines).**

#### **Fencing**

- 40. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.**
- 41. Prior to the occupancy of the development all fencing must be in a good condition to the satisfaction of the Responsible Authority.**

#### **Amenity During Construction**

- 42. Upon commencement and until conclusion of the development, the developer must ensure that the development does not adversely affect the amenity of the area in any way, including:**
  - a) The appearance of building, works or materials on the land.**
  - b) Parking of motor vehicles.**
  - c) Transporting of materials or goods to or from the site.**
  - d) Hours of operation.**
  - e) Stockpiling of top soil or fill materials.**

- f) Air borne dust emanating from the site.**
- g) Noise.**
- h) Rubbish and litter.**
- i) Sediment runoff.**
- j) 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**

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

#### **External Materials**

- 44. Deleted.**

#### **Department of Transport Conditions**

- 45. Unless otherwise agreed in writing by VicRoads, and prior to the commencement of any works, the following must be submitted to and approved by the Roads Corporation (VicRoads):**
  - a. Functional layout plan (FLP) to show the Site Access Road and Mountain Highway intersection and include:**
    - i. extension of the existing right turn and left turn deceleration lanes along Mountain Highway on approach to the Site Access Road in accordance with current Austroads Guide to Road Design Part 4A;**
    - ii. modified traffic island at the Site Access Road with pedestrian refuge;**
    - iii. stand up lanes along Site Access Road on approach to Mountain Highway;**
    - iv. signage and line-marking plan;**
    - v. Swept path analysis for all movements associated with the proposed access points, including how the largest design vehicle that could be reasonably anticipated to access the subject land can turn in and out of the subject site from the arterial road network;**
  - b. A functional stage Road Safety Audit (RSA), together with any recommendations and subsequent amendments to the FLP; including any landscaping proposed adjacent to the arterial road network.**
  - c. An amended site layout plan must be submitted to, and approved by VicRoads. Once approved by VicRoads, the plan may then be endorsed by the Responsible Authority. The site layout plan must be generally in accordance with the advertised plans and amended in accordance with the approved FLP;**

- 46. Unless otherwise agreed in writing by VicRoads and prior to Certification of a plan of subdivision for any stage of the development, the Functional Layout Plan must be submitted to and approved by VicRoads.**
- 47. Subsequent to the approval of the Functional Layout Plan and prior to the commencement of any roadworks, the applicant must submit the detailed engineering design plans along with detailed design stage road safety audit to VicRoads for review and obtain written approval. The detailed design plans must be prepared generally in accordance with the approved functional layout plan and functional stage road safety audit;**
- 48. Unless otherwise agreed in writing by VicRoads and prior to the issuing of Statement of Compliance for any stage of the subdivision, all roadworks as required by VicRoads must be completed generally in accordance with approved FLP and detailed design plans to the satisfaction of VicRoads and the Responsible Authority and at no costs to VicRoads;**
- 49. No work may be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant Act or regulations created under those Acts.**

#### **Connect East Conditions**

- 50. Before the development starts, amended plans drawn to scale and dimensioned must be submitted to the Responsible Authority for approval. No buildings or works must be commenced until the plans have been approved and endorsed by the Responsible Authority. The endorsed copy of the plans forms part of this permit. The plans must be in accordance with the plans submitted with the application, but modified to include the following:**
  - a. All buildings set back 2m from the EastLink Freeway Reserve;**
  - b. Fencing on the boundary of the EastLink Freeway Reserve designed and constructed to meet the following requirements to the satisfaction of the responsible authority:**
    - i. Restricts access to the EastLink Freeway Reserve;**
    - ii. Prevents unauthorised dumping of materials onto the EastLink Freeway Reserve;**
    - iii. Prevents rubbish blowing onto the EastLink Freeway Reserve;**
    - iv. Preserves the urban design environment of the EastLink Freeway;**
    - v. Constructed with material and finishes that prevents the application of graffiti to the fence surface.**
  - c. Any filling/retaining walls located entirely within the subject land (unless otherwise agreed with Connect East);**

- d. Acoustic Assessment: The inclusion of any acoustic attenuation required in accordance with the recommendations of the acoustic report submitted to and approved by ConnectEast. The assessment must be prepared by a suitably qualified acoustic engineer and must identify whether the development complies with the EastLink Concession Deed (which specifies performance criteria in relation to traffic noise) or as updated. The assessment must be based on projected traffic volumes provided by ConnectEast. Where the development does not comply, the assessment must include recommendations for acoustic attenuation works required in order to achieve compliance.**
- e. Construction Management Plan submitted to and approved by ConnectEast. The plan must show:**
  - i. What dust suppression measures will be provided during construction works to minimise dust impact to EastLink; and**
  - ii. What measures will be provided to prevent construction fill encroaching onto or being placed within the EastLink Freeway reserve.**
- f. Detailed drainage construction plan submitted to and approved by ConnectEast. The plan must show:**
  - i. All surface water runoff connecting to existing Council or drainage authority waterways or piped assets prior to entering the EastLink Freeway Reserve (unless otherwise agreed with Connect East);**
  - ii. Unless otherwise agreed with ConnectEast, no earthwork filling is to extend onto the EastLink Freeway Reserve; and**
  - iii. Works and fillings associated with the development having no detrimental effect on the flood levels and drainage paths in and around the EastLink Freeway Reserve.**
- g. Unless otherwise agreed in writing with ConnectEast and prior to the commencement of the use of the development hereby approved, the landowner/developer must implement the recommendations of the acoustic assessment, at the landowner/developer's cost and at no costs to VicRoads and/or ConnectEast.**
- h. All drainage assets (including retarding basin and outflow pipework) are to be constructed and maintained by the developer in accordance with the approved drainage construction plan unless or until those assets are transferred to a Responsibility Authority or other relevant authority.**

#### **CFA Conditions**

- 51. The subdivision as shown on the endorsed plans must not be altered without the consent of CFA**

- 52. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:**
- a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart (unless otherwise agreed in writing by the CFA). These distances must be measured around lot boundaries.**
  - b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.**
- 53. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.**
- a) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.**
  - b) Unless otherwise proven by the appropriate service vehicle turning template, curves must have a minimum inner radius of 10 metres, except for curves at intersections which must have a minimum inner radius of 6 metres.**
  - c) Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.**
  - d) Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.**

To the satisfaction of the CFA.

#### **South East Water**

- 54. The owner of the subject land must enter into an agreement with South East Water for the provision of potable water supply and fulfil all requirements to its satisfaction.**
- 55. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.**
- 56. All lots on the Plan of Subdivision are to be provided with separate connections to our potable water supply and sewerage systems.**
- 57. Prior to certification, the Plan of Subdivision must be referred to South East Water, in accordance with Section 8 of the Subdivision Act 1988.**
- 58. The certified Plan of Subdivision will need to show sewerage supply easements over all existing and/or proposed South East Water sewer mains located within the land, to be in favour of South East Water Corporation pursuant to Section 12(1) of the Subdivision Act.**

### **Public Transport Victoria**

- 59. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Mountain Highway is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior.**
- 60. The existing bus stop and associated infrastructure on Mountain Highway must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.**

### **Ausnet Services**

- 61. The Plan of Subdivision submitted for certification must be referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the Subdivision Act 1988.**
- 62. The applicant must:**
  - a) Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.**
  - b) Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.**
  - c) Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.**
  - d) Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.**
  - e) Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.**
  - f) Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.**
  - g) Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.**
  - h) Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.**

- i) Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.**
- j) Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.**
- k) Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.**

#### **Multinet Gas**

- 63. The plan of subdivision submitted for certification must be referred to Multinet Gas in accordance with Section 8 of the Subdivision Act 1988.**
- 64. A Statement of Compliance must be obtained from MultiNet Gas prior to the plan of subdivision being released from the Titles Office.**

#### **Melbourne Water**

- 65. Any proposed basements of the buildings must not be within 15m of the sewer.**

#### **Subdivision Conditions**

- 66. The staging of the subdivision and the boundaries as shown on the endorsed plans must not be altered or modified (whether or not in order to comply with any statute, statutory rule or for any other reason) without the written consent of the Responsible Authority.**
- 67. All existing and proposed easements required for utility services on the land must be set aside in the plan submitted for certification in favour of the relevant authority for which the easement is to be created.**
- 68. The Owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the plans of subdivision in accordance with that authority's requirements and relevant legislation at the time.**
- 69. In accordance with Clause 66.01 of the Knox Planning Scheme, the Owner of the land must enter into an agreement with:**
  - a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and**
  - b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the Owner can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

- 70. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the Owner of the land must provide written confirmation from:**
- a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
  - b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the Owner can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

#### **Referral of plan**

- 71. The plan of subdivision must be submitted by the Owner for the Responsible Authority to circulate under the Subdivision Act 1988 to the relevant authorities in accordance with Section 8 of the Act.**

#### **Public Open Space**

- 72. Prior to the issue of a Statement of Compliance, a contribution to the Responsible Authority for public open space equal to 8.5% shall be required pursuant to Section 18 of the Subdivision Act 1988 and Clause 52.01 of the Knox Planning Scheme.**

#### **Road Naming**

- 73. All roads will require names in accordance with the Responsible Authority's Road Naming Policy prior to certification.**

#### **Vehicle crossings**

- 74. Prior to the issue of a Statement of Compliance for each stage, vehicle crossings shall be provided for all lots shown on the endorsed plans for that particular stage to the satisfaction of the Responsible Authority.**

#### **Asset Protection**

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

#### **Payments and Bonds**

- 76. Prior to the issue of a Statement of Compliance, the Owner shall pay to the Responsible Authority a payment for supervision of works being 2.5% of the value of all works to be vested in the Responsible Authority and shown on the Engineering Plans and a payment for checking of Engineering Plans being 0.75% of all works to be vested in the Responsible Authority and shown on the Engineering Plans.**



- 77. Prior to the issue of a Statement of Compliance, the Owner shall lodge with the Responsible Authority a refundable maintenance bond being 5% of the value of all works vested in the Responsible Authority shown on the Engineering Plan.**
- 78. (A priced Bill of Quantities shall be supplied to the Responsible Authority to validate the value of works as shown on the plan. This will be used to determine the amount of the fees and maintenance bond and provides a record of the value of the Responsible Authority's assets).**
- 79. Prior to the issue of a Statement of Compliance, the Owner shall lodge with the Responsible Authority a refundable maintenance bond of \$50,000 for the on-site retention reserve. The bond shall be returned (less any funds required to be expended by Council for the maintenance of the reserve) upon the on-site retention reserve vesting in Council as a drainage reserve.**

#### **Landscape Bond – Trees planted by Owner**

- 80. Prior to the issue of a Statement of Compliance, a bond shall be lodged with the Responsible Authority for any Street Trees and planting provided by the Owner. The bond (\$250.00 per street tree and planting subject to a written quote) shall be refunded at the expiration of a period of two years following the date of issue of the Certificate of Practical Completion, provided that landscaping is maintained and has not been affected by the development during this period as determined by a Final Inspection to the satisfaction of the Responsible Authority. At this point the maintenance responsibility will be assumed by the Responsible Authority's Parks Service.**

#### **Incomplete works Bond**

- 81. Prior to issue of a Statement of Compliance, the Owner may lodge an incomplete works bond for the value of the any unconstructed works or landscaping as shown on the endorsed plans. The value of the bond is to be to the satisfaction of the Responsible Authority.**

#### **Bond Return**

- 82. Prior to the issue of a Statement of Compliance or the return of bonds in respect to the subdivision works – whichever is the later, the Owner or his/her consultants must submit to the Responsible Authority the following information (whichever are applicable) in a format agreed by the Responsible Authority:**
  - a) title boundaries, road reserves, municipal reserves and easements, etc.;**
  - b) as constructed transparencies of (or alternative digital format as agreed with the responsible authority) engineering plans relating to roads, drains and other infrastructure constructed in conjunction with the subdivision;**
  - c) areas where fill exceeding 150 millimeters has been placed; and**
  - d) title to reserves/roads in favour of Responsible Authority.**

### **Street Lighting**

- 83. Prior to the issue of a Statement of Compliance, street lighting within the Responsible Authority's Road Reserve shall be provided to the satisfaction of the Responsible Authority and in accordance with AS 1158. Non Standard street lighting will be accepted provided it adheres to the Responsible Authority guidelines.**

### **Public Lighting Payment**

- 84. The Owner is required to pay to the Responsible Authority on request, an amount for the supply and installation of all street lighting lanterns required for the subdivision in accordance with the engineering plans.**

### **Final Development Inspection**

- 85. Prior to the issue of a Statement of Compliance a final inspection by Council's Enforcement Officer shall be carried out to verify the completion of development in accordance with the Endorsed Plans, to Council's standards.**

### **Final Landscaping Inspection**

- 86. Prior to the issue of a Statement of Compliance a final inspection by Council's Enforcement Officer shall be carried out to verify the completion of landscaping in accordance with the Landscape Plans, to Council's standards.**

### **Final Engineering Inspection**

- 87. Prior to the issue of a Statement of Compliance (subject to any works having been bonded) a final inspection by the Responsible Authority's Enforcement and Drainage Officer's shall be carried out, to verify the completion of works in accordance with the Endorsed Plans, to the Responsible Authority's standards and shall include:**
- a) all furniture, Plantings of landscaping any works within Municipal and Tree Reserves;**
  - b) completion of street tree planting;**
  - c) construction of vehicle crossings;**
  - d) construction of footpath and shared pathways;**
  - e) completion of road works and drainage;**
  - f) completion of line marking;**
  - g) installation of street lighting and hydrants;**
  - h) fencing where abutting Reserves; and**
  - i) installation of street name signage and appropriate traffic signage.**

**To the satisfaction of the Responsible Authority**

### **Permit Expiry**

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

- a) The development is not started within two years of the date of this permit.**
- b) The subdivision is not started within two years of the date of this permit as evidenced by a Plan of Subdivision for any stage being certified by the Council within that time limit;**
- c) The Certified Plan of Subdivision is not registered within five years from the date of the certification of the plan.**
- d) 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.**

***The starting of a subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan under section 6 of the Subdivision Act 1988 and where a subdivision is staged, from Certification of Stage One. Completion is regarded as registration of the subdivision and where the subdivision is staged, upon registration of the last stage.***

**CARRIED**

## 7 Public Question Time

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

Question Time commenced at 8:27pm.

The following questions were raised with Council:

### 7.1.1 Question One- Bill Waite

Question:

Residents and users of Koolunga Reserve in Boronia have been involved in a community consultation to assess future priorities for the management of the Reserve, as a Future Directions Plan. A report on the outcome of these consultations has been released by Council.

One notable feature of the consultations was the overall wish by the community to see only small changes in Koolunga, rather than large changes involving significant works. Community opposition to a proposed wetland has been a dominant feature of all consultation since the community was made aware of the existence of this proposal.

The community has noted that the Council budget shows an amount of \$386k earmarked specifically for a wetland in Koolunga, rather than a budget item set aside for development of the Future Directions Plan.

Bearing in mind the overall community sentiment in the consultations, will this item in Council's budget now be re-scoped and re-allocated to fund the more community focussed ideas in line with the Open Space objectives expressed by the community in consultations?

Answer:

The Director Infrastructure, Grant Thorne responded by stating that:

- There is ongoing engagement regarding the future of Koolunga Native Reserve and there remains mixed community views.
- The team is still working through plans for the future of Koolunga Reserve.
- There are two components to the Budget allocation and the increase in the figures relates to Living River Grant contributions from Melbourne Water. The total project has not changed from Council's perspective.
- The description within the Budget shown as 'Forest Road to Koolunga Reserve Ferntree Gully Wetland Construction' shows the \$386,00 being carried forward into next year's Budget. The naming of the project at this stage reflects the existing project name in order provide a clear line of sight of the project funding being carried forward from this year into the next year.

- Regardless of the name of the project, this funding will be used to implement the agreed directions following the completion of the community engagement process.

### 7.1.2 Question Two- Bill Waite

Question:

In respect of the public consultations for the Future Directions Plan for Koolunga Reserve, the general sentiment was that the community wanted such things such as a few picnic tables, better seats, improved paths, more signage, improved bridges etc. And not major interventions such as wetlands or other large construction works.

Prior to consultation and notification to the community of the existence of a proposal, Council had set aside a Budget of \$250,000 for construction of a wetland in Koolunga, which would mean loss of open space amenity for the residents and Reserve users. The overall community view was very strong in objection to this proposal and this continues to be the case, as evidenced in the most recent set of consultations.

Why then has Council now set aside a budget of \$386,000 (an increase of over 150% from the original) for a wetland in Koolunga when the strong view is that the wetland proposal is not wanted by the residents and Reserve users?

Answer:

This question was previously answers as part of Question one.

### 7.1.3 Question Three- Ewen Rankin

Question:

Knox Council has been in consultation with us residents about a wetland proposal. All of us in the community don't want this wetland. Why does Council persist in showing it in their budgets and where is the source of funding coming from, especially as it is now shown as \$386,000 in the Council Budget?

Answer:

The Director Infrastructure, Grant Thorne responded by stating that the answers provided to Mr Waite's questions would also apply to Mr Rankin's question.

### 7.1.4 Question Four- Cassandra Simpson

Question:

I've participated in the discussions on the future of Koolunga Native Reserve and followed all complimentary and competing ideas for the Reserve. My understanding from the recent public open forums was the community did not want much change in the Reserve and valued the green open space and bush area.

I was concerned Council is now showing an increased Budget to future works at the Reserve, despite community guidance that no changes are needed. I am concerned that Council is not transparent in the future for the Reserve as the Budget for the wetland proposal (previously about \$220,000) is now increased to over \$300,000. I am concerned the Council is not listening to the community.

Why has Council increased the Budget for this project, when the community has participated and explained they do not want any significant changes? What is this Budget for?

Answer:

The Director Infrastructure, Grant Thorne noted in addition to his previous response to Mr Waite on the same subject, that Council is listening to the community and there is an extensive engagement process with the community to determine whether agreed directions will be followed and the matter will come to Council in due course.

### 7.1.5 Question Five- Darren Wallace

Question:

Tonight's proposed Budget in Item 10.2 identifies expenditure of \$11.4 million on Parks, Reserves and Wetlands at Stamford and the 'Next stage of daylighting of Blind Creek and Lewis Park'; what is Council's contribution to funding of the daylight works?

Answer:

The Director Infrastructure, Grant Thorne responded by stating that:

- The Stage 1 Lewis Park Project encompassing daylighting and a wetlands project is largely being implemented by Melbourne Water with Stage 1 involving a total of \$18 million in works, within which some components will become Council assets.
- The Stage 1 Lewis Park Project will be constructed over 3 years by Melbourne Water.
- Council is contributing \$1 million in the first year with a further \$2.5 million in Year Three being a total of \$3.5 million directed to Council assets.

Councillor Laukens noted a response to a question submitted by Mr Wallace to the last Council meeting regarding renewable energy was outstanding and would be provided in writing.

### 7.1.6 Question Six- Darren Wallace

Question:

Following on from the previous question, has the proposed Daylight Design Works considered the opportunity to perform some of the Water Quality functions associated with the Water Sensitive Urban Design Plans by Development Victoria in relation to the 621 Burwood Highway proposal?

Answer:

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The Director Infrastructure, Grant Thorne responded by stating that:

- The project at Lewis Park is being undertaken with regard to the proposal from Development Victoria for 621 Burwood Highway.
- Melbourne Water are driving the design and an efficient use of the treatment will ensure the two projects will complement one another.

Question Time Concluded at 8:43pm.

**PROCEDURAL MOTION**

**ADJOURNMENT**

**MOVED:** Councillor Dwight

**SECONDED:** Councillor Grasso

**That Council adjourn the Meeting for 10 Minutes.**

**CARRIED**

**The Meeting was adjourned at 8:43pm and resumed at 8:55pm with all Councillors present.**

## 8 Infrastructure Officers' Reports for consideration

### 8.1 Contract 2887 Non Bin Based Hard and Green Waste Service

SUMMARY: Coordinator Waste Management, Nick Dunstan

This report considers the tender submissions and recommends the appointment of a tenderer to perform non-bin based Hard and green waste collection under conditions of Contract 2887: Non-Bin Based Hard and Green Waste collection.

This contract includes the kerbside collection, transport, receipt, processing, recovery and disposal of non bin based hard waste and bundled and own container green waste from residential premises within the Knox municipality and is a successor to Contract 2000.

A tender evaluation process was conducted in accordance with the approved procurement plan during January and February 2022.

The contract is proposed to be awarded for 4 years with the option of 1 x three-year extension based on satisfactory service delivery. The overall cost of the contract for the initial 4 years is estimated to be \$16,519,858 (ex. GST).

#### RECOMMENDATION

That Council resolves:

1. To accept the tender submitted by WM Waste Management Service Pty Ltd for Contract 2887: Waste Collection Services – Non bin based Hard and Green waste for the estimated price of \$16,519,858 (ex GST) for a period of 4 years from 1 July 2022 to 1 July 2026 with the option of 1 x three-year extension at Council's discretion;
2. To note expenditure under this contract in 2022/23 is in accordance with Council's draft budget and expenditure in future years will be in accordance with the approved forward budget allocations;
3. To authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to formalise and execute the contract documentation;
4. To authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to negotiate and execute contract extensions to the maximum 7-year term; and
5. That all tenderers are advised accordingly.



**RESOLUTION**

**MOVED: Councillor Dwight**

**SECONDED: Councillor Grasso**

**That Council resolves:**

- 1. To accept the tender submitted by WM Waste Mangement Service Pty Ltd for Contract 2887: Waste Collection Services- Non bin based Hard and Green waste for the estimated price of \$16,519,858 (ex GST) for a period of 4 years from 1 July 2022 to 1 July 2026 with the option of 1 x three-year extension at Council's discretion;**
- 2. To note expenditure under this contract in 2022/23 is in accordance with Council's draft budget and expenditure in future years will be in accordance with the approved forward Budget allocations;**
- 3. To authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to formalise and execute the contract documentation;**
- 4. To authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to negotiate and execute contract extensions to the maximum 7 year term; and**
- 5. That all tenderers are advised accordingly.**

**CARRIED**

## 9 Connected Communities Officers' Reports for consideration

### 9.1 Minor Grants Program 2021-2022 Monthly Report

SUMMARY: Community Partnerships Officer, Deb Robert

This report summarises the grant applications recommended for approval in April 2022 for the 2021-22 Minor Grants Program. All applications have been assessed against the criteria set out in the Minor Grants Program Policy.

Applications under the Minor Grants Policy are limited to a maximum of \$3,000 within the current financial year.

#### RECOMMENDATION

That Council:

1. Approve four applications for a total of \$6,801.20 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Wellington Care Centre	Equipment for Volunteer Team	\$996.00	\$996.00
Scoresby Football Netball Club	Purchase of Replacement Defibrillator	\$1,985.20	\$1,985.20
Knox Junior Football Netball Club Inc	Deep Clean of Canteen Kitchen	\$1,320.00	\$1,320.00
Saga Productions Inc	Saga Theatre Productions Inaugural Show	\$2,500.00	\$2,500.00
TOTAL		\$6,801.20	\$6,801.20

2. Note the approval under delegation of the application for \$500 detailed below:

Applicant Name	Project Title	Amount Requested	Amount Approved
Ferntree Gully Library Knitting for Charity Group	Knitting for Charity	\$500.00	\$500.00
TOTAL		\$500.00	\$500.00

3. Refuse two applications requesting \$4,980.00, as detailed below:

Applicant Name	Project Title	Amount Requested	Reason for Refusal
Tamil Senior Citizens Fellowship (Vic) Inc	2022 Christmas Celebrations	\$2,500.00	The Tamil Seniors are currently not eligible to receive a Minor Grant due to grants allocations to \$5,000 over last 3 financial years (CI 6.21). The group has applied for the same

Applicant Name	Project Title	Amount Requested	Reason for Refusal
			project/activity for more than two consecutive years (CI 6.25).
Melbourne 7-Melody Notes	Chinese Horse (Festival) Arts & Cultural Event	\$2,480.00	Melbourne 7-Melody is only eligible for a grant of \$1,480 due to grant allocations of \$3,520 in the last two financial years (CI 6.21). It is unclear if the event can proceed on lesser grant. Will advise to reapply in the new financial year.

4. Note that inclusive of the above recommended grants totalling \$7,301.20, a total of \$133,016.50 has been awarded to date under the 2021-22 Minor Grants Program supporting 63 community-based organisations and their programs.

**RESOLUTION**

**MOVED:** Councillor Seymour

**SECONDED:** Councillor Timmers-Leitch

**That Council:**

1. Approve four applications for a total of \$6,801.20 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Wellington Care Centre	Equipment for Volunteer Team	\$996.00	\$996.00
Scoresby Football Netball Club	Purchase of Replacement Defibrillator	\$1,985.20	\$1,985.20
Knox Junior Football Netball Club Inc	Deep Clean of Canteen Kitchen	\$1,320.00	\$1,320.00
Saga Productions Inc	Saga Theatre Productions Inaugural Show	\$2,500.00	\$2,500.00
<b>TOTAL</b>		<b>\$6,801.20</b>	<b>\$6,801.20</b>

2. Note the approval under delegation of the application for \$500 detailed below:

Applicant Name	Project Title	Amount Requested	Amount Approved
Ferntree Gully Library Knitting for Charity Group	Knitting for Charity	\$500.00	\$500.00
<b>TOTAL</b>		<b>\$500.00</b>	<b>\$500.00</b>

**3. Refuse two applications requesting \$4,980.00, as detailed below:**

<b>Applicant Name</b>	<b>Project Title</b>	<b>Amount Requested</b>	<b>Reason for Refusal</b>
Tamil Senior Citizens Fellowship (Vic) Inc	2022 Christmas Celebrations	\$2,500.00	The Tamil Seniors are currently not eligible to receive a Minor Grant due to grants allocations to \$5,000 over last 3 financial years (CI 6.21). The group has applied for the same project/activity for more than two consecutive years (CI 6.25).
Melbourne 7-Melody Notes	Chinese Horse (Festival) Arts & Cultural Event	\$2,480.00	Melbourne 7-Melody is only eligible for a grant of \$1,480 due to grant allocations of \$3,520 in the last two financial years (CI 6.21). It is unclear if the event can proceed on lesser grant. Will advise to reapply in the new financial year.

**4. Note that inclusive of the above recommended grants totalling \$7,301.20, a total of \$133,016.50 has been awarded to date under the 2021-22 Minor Grants Program supporting 63 community-based organisations and their programs.**

**CARRIED**

## 10 Office of the CEO Reports for consideration

### 10.1 Contract 2936 - Insurance and Brokerage Service

**SUMMARY:** Principal Safety, Wellbeing and Pandemic Response, Catherine Dwight and Insurance and Risk Specialist, Kevin Nicholls

This report considers and recommends the appointment of a provider for Contract 2936 – Insurance and Brokerage Services.

#### RECOMMENDATION

That Council:

1. Accept the tender submitted by JLT Risk Solutions for the schedule of rates Contract 2936 for an initial period of three (3) years from 1 July 2022 to 30 June 2025 with an option to extend for a further two (2) x one (1) years.
2. Note that acceptance of this tender includes the brokerage fee, insurance premiums, excesses and related ancillary costs.
3. Authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to formalise and sign the necessary contract documentation.
4. Authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to negotiate and execute contract extensions to the maximum 5-year term.
5. Note that officers will advise tenderers accordingly.

#### **RESOLUTION**

**MOVED:** Councillor Allred

**SECONDED:** Councillor Timmers-Leitch

That Council:

1. **Accept the tender submitted by JLT Risk Solutions for the schedule of rates Contract 2936 for an initial period of three (3) years from 1 July 2022 to 30 June 2025 with an option to extend for a further two (2) x one (1) years.**
2. **Note that acceptance of this tender includes the brokerage fee, insurance premiums, excesses and related ancillary costs.**
3. **Authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to formalise and sign the necessary contract documentation.**
4. **Authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to negotiate and execute contract extensions to the maximum 5-year term.**
5. **Note that officers will advise tenderers accordingly.**

**CARRIED**

## 10.2 Proposed 2022-23 Budget

SUMMARY: Chief Financial Officer, Navec Lorkin

The proposed 2022-23 Budget is presented to Council for consideration. The proposed Budget is the culmination of several months' work by Councillors and officers. The Proposed Budget includes the Operating Budget, the Capital Works Program for 2022-23 and the Fees and Charges Schedule.

The Budget has been prepared in accordance with Australian Accounting Standards, the Local Government Act 2020 and the Local Government (Planning and Reporting Regulations) Regulations 2020. To assist Council and the community in analysing this Budget, the following commentary is provided:

- The budget is prepared based on a 1.75% increase in overall rates and charges (excluding the waste charges) which is in line with the increase in rates permissible under State Government legislation.
- Standard residential waste charges are set to rise by \$41.00 per standard bin service. This incorporates the increase in the State Government Landfill Levy imposed on council and increasing costs of waste processing.
- It invests \$183 million in services and facilities to ensure Knox is a place where people and businesses can thrive.
- Includes a capital works program of \$81.781 million of which \$39.727 million is allocated to maintaining and renewing community assets. \$42.054 million is to be invested in new, upgraded and expanded community assets.
- New borrowings in 2022-23 of \$34.312 million to fund major capital works projects.

The proposed updated Revenue and Rating Plan 2021-2025 is also presented to Council for consideration. The Revenue and Rating Plan is a requirement of the Local Government Act 2020. The Revenue and Rating Plan has been updated to reflect the separation of the vacant land and derelict land differential.

The proposed Long Term Financial Plan 2022-2032 (LTFP) is presented to Council for consideration. The LTFP is a requirement of the Local Government Act 2020. It provides a long-term view of the resources required by Council and the proposed use of those resources over a 10-year period. It covers all aspects of the Council's role including services and capital investment/assets, and shows the resources required to implement the Council Plan and other legislated responsibilities.

### RECOMMENDATION

That Council:

1. Notes the following documents have been prepared for consideration by Council at its Meeting on Monday 27 June 2022 at Council Offices, 511 Burwood Highway, Wantirna South.
  - a. the proposed 2022-23 Budget (including proposed fees and charges) as set out in Attachment 10.2.1.

- b. the proposed updated Revenue and Rating Plan 2021-2025 as set out in Attachment 10.2.2.
  - c. the Proposed Long Term Financial Plan as set out in Attachment 10.2.3
2. Make available for community engagement the Proposed 2022-23 Budget, Revenue and Rating Plan 2021-2025 and the Long Term Financial Plan 2022-2032, and invite submissions.
3. Request the Chief Executive Officer make arrangements for a meeting to be held on 14 June 2022 from 6.30pm at Council Offices, 511 Burwood Highway, Wantirna South to enable Councillors to receive presentations from any submitters.

## **RESOLUTION**

**MOVED: Councillor Seymour**

**SECONDED: Councillor Allred**

### **That Council:**

1. **Notes the following documents have been prepared for consideration by Council at its Meeting on Monday 27 June 2022 at Council Offices, 511 Burwood Highway, Wantirna South.**
  - a. **the proposed 2022-23 Budget (including proposed fees and charges) as set out in Attachment 10.2.1.**
  - b. **the proposed updated Revenue and Rating Plan 2021-2025 as set out in Attachment 10.2.2.**
  - c. **the Proposed Long Term Financial Plan as set out in Attachment 10.2.3**
2. **Make available for community engagement the Proposed 2022-23 Budget, Revenue and Rating Plan 2021-2025 and the Long Term Financial Plan 2022-2032, and invite submissions.**
3. **Request the Chief Executive Officer make arrangements for a meeting to be held on 16 June 2022 from 7.00pm at Council Offices, 511 Burwood Highway, Wantirna South to enable Councillors to receive presentations from any submitters.**

## **CARRIED**

## 11 City Centre Reports for Consideration

Nil.

## 12 Notices of Motion

### 12.1 Notice of Motion 127- Advanced Waste Processing

#### **RESOLUTION**

**MOVED:** Councillor Dwight

**SECONDED:** Councillor Allred

That Council resolves:

1. To write to the South East Melbourne Advanced Waste Project Pty Ltd requesting that they actively engage with the State Government and seek that the State Government underwrite this regionally significant project in order to mitigate the substantial risks to our community over the next 25 years.
2. At key project gateways to receive further Council reports on the progress of the project, including updates on contract risks for Knox City Council, procurement processes and location of the facility when that information becomes available.
3. Provide the Knox community with regular information concerning the project, and, wherever possible promote circular economy principles and opportunities for resource recovery.

#### **CARRIED**

A Division was called by Councillor Dwight

For the motion: Councillor Allred, Councillor Baker, Councillor Dwight, Councillor Laukens, Councillor Pearce, Councillor Seymour and Councillor Timmers-Leitch

Against the motion: Nil

Abstention: Councillor Grasso

**CARRIED 7:0:1**



## 12.2 Notice of Motion 128- Tormore Reserve Federal Government Funding Commitment

### **RESOLUTION**

**MOVED:** Councillor Dwight

**SECONDED:** Councillor Seymour

That Council resolves that the Mayor write to The Hon. Alan Tudge MP, Federal Member for Aston:

- 1) Noting the recent announcement of \$5m of Federal Government funding for a new pavilion at Tormore Reserve, Boronia.
- 2) Noting Council has an assessed list of priorities for pavilion projects including those highlighted in Council's advocacy document at Park Ridge Reserve, Milpera Reserve and Carrington Park, and Council also welcomes Federal Government funding to assist in delivering these projects.
- 3) Noting that scoping of the Tormore Reserve project will consider the broader community needs identified in the Boronia Renewal Strategy that could be met, within the funding allocation, through the project.
- 4) Requesting written confirmation that the funding being provided by the Federal Government is to fully fund the project.
- 5) Requesting written clarification on the expected delivery time frame of the Tormore Reserve pavilion.

**CARRIED**

### **PROCEDURAL MOTION**

**MOVED:** Councillor Dwight

**SECONDED:** Councillor Grasso

That Councillor Seymour be permitted an extension of time to speak under Section 42 of the Governance Rules of Knox City Council.

**CARRIED**

13 Supplementary Items

Nil.

14 Urgent Business

Nil.

15 Questions Without Notice

Nil.

16 Confidential Items

Nil.

**MEETING CLOSED AT 9:33pm**

Minutes of Meeting confirmed at the  
Meeting of Council  
held on Monday, 23 May 2022

.....  
Chairperson

The Agenda for this meeting is attached in full at the end of the Minutes