

MINUTES



Meeting of Council

Held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 28 November 2022

The Agenda for the Meeting of Council, Monday 28 November 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:

<i>Cr M Timmers- Leitch (Mayor)</i>	<i>Collier Ward</i>
<i>Cr Y Allred</i>	<i>Baird Ward</i>
<i>Cr J Dwight</i>	<i>Chandler Ward</i>
<i>Cr S Grasso</i>	<i>Dinsdale Ward</i>
<i>Cr M Baker</i>	<i>Dobson Ward</i>
<i>Cr S Laukens</i>	<i>Friberg Ward</i>
<i>Cr L Cooper</i>	<i>Scott Ward</i>
<i>Cr D Pearce</i>	<i>Taylor Ward</i>
<i>Mr B Dobson</i>	<i>Chief Executive Officer</i>
<i>Mr G Curcio</i>	<i>Director - Customer and Performance</i>
<i>Mr G Thorne</i>	<i>Director – Infrastructure</i>
<i>Mr M Kelleher</i>	<i>Director - City Livability</i>
<i>Ms T Scicluna</i>	<i>Director – Connected Communities</i>
<i>Mr A Dowling</i>	<i>Manager, Governance and Risk</i>

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

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

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1 Apologies and Requests for Leave of Absence

Nil.

Councillor Seymour did not attend the Meeting, having been previously granted a leave of absence.

2 Declarations of Conflict of Interest

Nil.

3 Confirmation of Minutes

The Chairperson, Councillor Timmers-Leitch invited Councillors to raise any opposition to the Minutes of the Meeting of Council held on Monday 24 October 2022 and the Statutory Meeting of Council held on Monday 14 November 2022 . There being none, the Chairperson declared the Minutes be confirmed.

4 Presentations, Petitions and Memorials

Nil.

Councillor Timmers-Leitch acknowledged the contribution of outgoing Director Connected Communities, Tanya Sciclunanoting she was attending her last Council Meeting at Knox City Council, and wished her continued success in her new role.

5 Reports by Councillors

5.1.1 Councillor Grasso

Councillor Grasso reported attending the following meetings:

- Knox Arts and Culture Committee Meeting

Councillor Grasso also:

- Encouraged the community to attend the Knox Community Arts Centre Programs from March 2023 in Bayswater and to support local business by eating in one of the nearby restaurants before a show, noting that details of all events would be publicised on the Knox Arts and Events Facebook page.

5.1.2 Councillor Cooper

- Acknowledged numerous enquiries from the community relating to grass and overgrown trees.
- Congratulated Councillor Grasso and Councillor Seymour for their respective State Election campaigns.
- Acknowledged the contribution of Director Connected Communities Tanya Scicluna at Knox City Council.

5.1.3 Councillor Laukens

- Congratulated the elected representatives in the Knox municipality following the State Election and particularly thanked Nick Wakeling for his tireless work in the community as the Member for Ferntree Gully, noting his electorate was abolished in a recent boundary review.
- Congratulated Denise Barge for her contribution to Knox Infolink upon her impending retirement, noting her work in the Boronia Revitalisation Board while also championing and advocating for funding for the vulnerable in the community.

5.1.4 Councillor Allred

Councillor Allred reported attending the following meetings:

- Knox Infolink Annual General Meeting
- ICT Governance Meeting
- Children's Week Event at Wally Tew Reserve, Ferntree Gully
- Eastern Regional Libraries Board Meeting
- Knox Early Years Advisory Committee Meeting
- CEO Performance and Remuneration Committee Meeting
- Miller's Homestead Community Reference Group Meeting
- Remembrance Day Service
- Update Meeting on Egan Lee Synthetic Soccer Surface Pitch Design
- Alchester Pre-School Annual General Meeting
- Friends of Old Joe's Working Creek Working Bee in Boronia

- Environmental Volunteers End Of Year Celebration
- Victoria Day Council Separation Tree Ceremony and Sapling Presentation at Royal Botanic Gardens, Melbourne
- Rotary Club of Boronia Trivia Night
- Environment Advisory Committee Meeting
- Youth Advisory Committee Induction

Councillor Allred also:

- Acknowledged enquiries from the community regarding long grass, weed infestation, isolated flooding on private property and hard waste services performance which were being managed by Council.

5.1.5 Councillor Dwight

Councillor Dwight reported attending the following meetings:

- Environmental Volunteers End Of Year Celebrations
- Councillor Workshop regarding Waste Management
- The Basin Music Festival
- Knox Remembrance Day Commemorative Service at Tim Neville Arboretum
- Miller's Homestead Community Reference Group Meeting
- Koolunga Reserve Update Meeting
- Monthly Update- Notice of Motion 126: Vegetation and Landscape Compliance
- Meet your Councillor at Millers Event
- Councillors Update- Egan Lee Synthetic Soccer Pitch Design
- Victoria Day Council Separation Tree Ceremony and Sapling Presentation at Royal Botanic Gardens, Melbourne
- Rotary Club of Boronia Trivia Night
- Tecoma Ethical Twilight Market
- Solar Savers Community Information Session
- Youth Advisory Committee Induction Session

Councillor Dwight also:

- Noted she had enjoyed the recent privilege of serving as as Acting Mayor of Knox .
- Reported attending the Environmental Volunteers end-of-year celebration acknowledging the incredible work of volunteers over the year and noted particularly the wonderful Welcome to Country delivered by Uncle Chris at the event.
- Recognised the efforts of Council's Events team and residents to make The Basin Music Festival a resounding success.

5.1.6 Councillor Baker

Councillor Baker reported attending the following meetings:

- Remembrance Day Service at Tim Neville Arboretum organised by the Boronia RSL

- Cuppa with a Cop Event at Ferntree Gully Village in association with Victoria Police- where issues surrounding graffiti and antisocial behaviour were raised.
- Knox Active Ageing Advisory Committee Meeting
- Ferntree Gully Cricket Club Presidents Lunch
- Ferntree Gully Artisan Market at The Avenue, Ferntree Gully

Councillor Baker also:

- Acknowledged the contributions of local community groups to the markets at Ferntree Gully Village.
- Noted community enquiries regarding waste service changes and fallen tree limbs which had been brought to the attention of Council officers.

5.1.7 Councillor Pearce

Councillor Pearce

- Reported attending the Rowville Lysterfield Community News Annual General Meeting and:
 - Noted seventy people attended the Rowville-Lysterfield Community News Annual General Meeting, the first held in person for three years
 - Rowville-Lysterfield Community News is the longest continuing community newspaper in Australia, having been in existence since 1981; and is still going strong with over 200 volunteers.
 - Congratulated the new President Dr Rosemary Hermans and acknowledged the work of the past and present committee members, and particularly Rob James for his many years of dedicated service to the Committee.
- Thanked and acknowledged Tanya Scicluna for her contribution as the Director Connected Communities at Knox City Council.

5.1.8 Councillor Timmers-Leitch

Councillor Timmers-Leitch reported attending the following meetings:

- Effective Cyber Governance Security Workshop: Principles and Best Practices
- Knox Infolink Annual General Meeting
- Knox Factor Semi Finals
- Eastern Regional Libraries Board Meeting
- Knox Arts and Culture Committee Meeting
- Mammaball Event at State Basketball Centre
- CEO Performance and Remuneration Committee Meeting
- Meeting with Templeton Cricket Club
- Knox Remembrance Day Commemoration Service at Tim Neville Arboretum
- Councillors Update- RD Egan Lee Synthetic Soccer Pitch Design
- Billoo Park Annual General Meeting
- Knox Youth Advisory Committee Meeting
- Women On The Go 2022- The Power of Purpose Event

- Citizenship Ceremony Briefing
- Eastern Regional Libraries Briefing
- Mountain District Association Grand Final Award Presentation
- Templeton Cricket Club Gala Day

Councillor Timmers-Leitch also:

- Echoed Councillor Laukens in congratulating all elected representatives in the Knox municipality following the State Election and particularly thanked Nick Wakeling for his contribution as the former Member for Ferntree Gully.
- Thanked Deputy Mayor Councillor Dwight for serving as Deputy Mayor during her recent period of leave.

6 Planning Matters

6.1 3 Gregory Road, Boronia

SUMMARY: Senior Planner, Leonard Tyssen

This report considers Planning Application P/2021/6729 for the Development of the land for three dwellings (two (2) double storey dwellings and one (1) single storey dwelling) at 3 Gregory Road, Boronia.

RECOMMENDATION (SUMMARY)

That Council issue a Notice of Decision to Grant a Planning Permit for the Development of the land for three dwellings (two (2) double storey dwellings and one (1) single storey dwelling) at 3 Gregory Road, Boronia, subject to the conditions detailed in the full recommendation below.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the development of the development of the land for three dwellings (two (2) double storey dwellings and one (1) single storey dwelling) at 3 Gregory Road, Boronia, subject to the following conditions:

Amended Development Plans

1. Prior to the commencement of the development approved under this Permit, amended development 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 submitted with the application but modified to show:
 - 1.1 Annotation stating, 'all structures (including fences, letterboxes and meter boxes) must be constructed to a maximum height of 900mm or relocated clear of a splayed area near the access way to ensure safe sight distances.' Letterboxes must front the street.
 - 1.2 The height, location and design of fencing, the mail boxes and electricity supply structures to comply with Condition 1.1 of this Planning Permit.
 - 1.3 A notation on the plans stating that windows to be screened will have fixed obscure glazing (non-openable) to a height of 1.7 metres above finished floor level. The windows may be clear and openable above 1.7 metres. Adhesive film must not be used.
 - 1.4 Delete reference of water tank capacity sizes from Development and Landscape plans.
 - 1.5 Dwelling 3 tandem parking space to be identified with the use of an alternative paving with colour contrast or line marking and to be a minimum 2.6m wide and 5.4m long in accordance with Clause 52.06 of the Knox Planning Scheme.

- 1.6 An annotation stating, “landscaping adjoining turning areas must be kept at a maximum height of 150mm to allow for an unimpeded maneuvering area for an exiting vehicle to turn around.”
- 1.7 An annotation stating “on-site access lighting must be provided to the satisfaction of the relevant authority and in accordance with AS1158.”
- 1.8 Removal of existing crossing and provision of new 3 metre wide crossing to Council standard a minimum of 500 mm from the boundary, aligning with the internal driveway.
- 1.9 Removal of Tree 1 – Melaleuca armillaris within the front setback.
- 1.10 An annotation of the plans stating, “The existing driveway must be kept in situ within the Tree Protection Zone of Tree 2 - Corymbia citriodora until the end of the construction period.”
- 1.11 The Driveway constructed on the alignment of original driveway, above grade using approved permeable paving with excavation limited to removal of surface debris only, within TPZ of Tree 2 – Corymbia citriodora.
- 1.12 The location of Tree Protection Fencing and Tree Protection Zones to be drawn on the Development, Drainage and Landscape Plans in accordance with Condition 15-22.
- 1.13 All levels to be to AHD (Australian Height Datum).
- 1.14 Key sustainability features that are required as part of the Sustainable Design Assessment (SDA) report including:
 - 1.14.1 Note showing WELS rating for water fittings/fixtures (refer to SDA report) provided as part of base building work have to be chosen within one WELS star of best available at the time of purchase.
 - 1.14.2 Commitment to 6.5 Star average energy rating for the development (on planning and construction drawings)
 - 1.14.3 Lighting sensors for external lighting (motion detectors, timers etc.)
 - 1.14.4 2kW Solar PV system per dwelling on roof of development
 - 1.14.5 External Adjustable shading (east/west/north) or improved horizontal fixed shading (north only)
 - 1.14.6 Note showing double glazing on all living areas and bedrooms (elevations)
 - 1.14.7 Notes showing other key elements of the SDA report including reverse cycle electric heating and cooling systems include a minimum 3 star energy efficiency rating and solar or Heat pump hot water systems.
 - 1.14.8 An updated SDA report in accordance with condition 13.

To the satisfaction of the Responsible Authority.

Other Plans

2. Prior to the commencement of the development and issue of a Building Permit for the development approved under this Permit, the following plans and computations must be submitted to the Responsible Authority as a complete set. When approved, the plans will be endorsed and will then form part of the permit. Construction must be in accordance with these plans. The plans must comprise the following:
 - 2.1 Drainage plans in accordance with Condition 3.
 - 2.2 Landscape plans in accordance with Condition 4.
 - 2.3 Tree Management Plan in accordance with Condition 12.
 - 2.4 Construction Management Plan in accordance with Condition 26.

To the satisfaction of the Responsible Authority.

Drainage Plans

3. Prior to the commencement of the development approved under this Permit, drainage 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:
 - 3.1 All stormwater drainage discharge from the site connected to a legal point of discharge.
 - 3.2 The internal drains of the dwellings to be independent of each other.
 - 3.3 An on-site detention system designed by a suitably qualified Civil Engineering Consultant to ensure no net increase in stormwater discharge from the proposed development.
 - 3.4 The on-site detention system to be installed in a suitable location for easy access and maintenance.
 - 3.5 A suitable overland flow path for the entire site to the satisfaction of the Responsible Authority. Details of the overland flow path are to be included on the plans.
 - 3.6 Any Environmental Sustainable Design initiatives shown on the Development Plans approved pursuant to Condition 1 of this permit.
 - 3.7 Location of fencing in accordance with the Development Plans approved pursuant to Condition 1 of this permit.
 - 3.8 All levels to be to AHD (Australian Height Datum).

To the satisfaction of the Responsible Authority.

Landscaping

4. Prior to the commencement of the development approved under this Permit, 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
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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:

- 4.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.
- 4.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Council's 'Landscape Plan Guidelines').
- 4.3 Buildings and trees (including botanical names, height and width) on neighbouring properties within three metres of the boundary including all trees that have their Tree Protection Zone extending into the subject site.
- 4.4 Details of the surface finishes of pathways and driveways.
- 4.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.
- 4.6 A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- 4.7 Landscaping and planting within all open areas of the site (including additional planting within open space areas of the existing dwelling/s).
- 4.8 The Landscape plans must show the provision of at least 6 additional indigenous or native canopy trees and 3 additional large feature shrubs with a mature height of 4-5 metres chosen from Plant List 1, 2 or 3 of Council's Landscape Plan Guidelines for Planning Permits. These canopy trees must be a minimum 1.5 metres tall when planted and are to be in the following areas:
 - 4.8.1 Front setback – 2 large indigenous canopy trees and 1 large feature shrub with a mature height of 4-5 metres in addition to existing *Corymbia citriodora* to be retained and protected.
 - 4.8.2 Dwelling 1 SPOS – 1 small canopy tree and 1 large feature shrub with a mature height of 4-5 metres.
 - 4.8.3 Dwelling 2 SPOS – 1 small canopy tree.
 - 4.8.4 Dwelling 3 SPOS – 2 small canopy trees and 1 large feature shrub with a mature height of 4-5 metres.
 - 4.8.5 Driveway Bump-out – 1 small canopy tree.
- 4.9 Planting of this site to comprise 60% of the vegetation species to be indigenous (across all plant forms) from plant list 1 of the 'Landscape Plan Guidelines' and 30% additional native species (across all plant forms) from plant list 2 of the 'Landscape Plan Guidelines'. Remaining plant species (10%) can be indigenous, native or exotic (across all plant forms) provided they are not listed as weeds.
- 4.10 Deletion of raingarden.

- 4.11 Deletion of *Melaleuca armillaris* proposed to be retained in front setback. (Environmental weed).
- 4.12 Tree protection for neighbouring trees (T14, T17) and subject site tree (T2) to be shown on all plans. NB Large Eucalypt in neighbouring property to rear will not be impacted by proposal.
- 4.13 Driveway must be constructed, under supervision of a suitably qualified Project Arborist, on alignment of original driveway, above grade using approved permeable paving with excavation limited to removal of surface debris only, within TPZ of *Corymbia citriodora* on subject site (T2).

To the satisfaction of the Responsible Authority.

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

General

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

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

- 9. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 10. Prior to the occupation of the dwellings the development is to be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.
- 11. All walls on the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.

Tree Management Plan

- 12. Prior to the commencement of any buildings or works, a tree management plan created for the management of the *Corymbia citriodora* (Tree 2) within the nature strip must be submitted to the satisfaction of the responsible authority. The tree management plan must include the entire TPZ of the tree. Any tree roots identified during works must be pruned under the guidance of a suitably qualified arborist in accordance with AS 4373-2007 – Pruning of amenity trees. The management plan must include TPZ fencing.

Sustainable Design Assessment

13. Prior to the commencement of any buildings or demolition works, an updated Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority including:
 - 13.1 An InSite Water Report or equivalent addressing stormwater quality performance, in addition to ensuring that the Responsible Authority's collective integrated water management expectations and requirements pursuant to a person's general environmental duty under section 25 of the Environment Protection Act 2017 (Vic) and with regard to the Environment Reference Standard issued under section 93 of the Environment Protection Act 2017 (Vic), are satisfied. This includes sufficiently sized rainwater tank(s) for retention purposes for each dwelling, as well as, permeable paving to parts of the driveway areas in lieu of raingardens, to the satisfaction of the Responsible Authority.
 - 13.2 Commitment to 6.5 Star average energy rating for the development (on planning and construction drawings)
 - 13.3 Hot water systems noted as energy efficient electric solar / heat pump hot water heating system. Electric systems are net zero emissions ready in line with Knox planning clause 22.04 (To reduce total operating greenhouse gas emissions).
 - 13.4 32 Amp power is to be supplied to a garage switchboard of each dwelling for future EV car charging.
 - 13.5 Solar photovoltaic panels with capacity maximised for the available roof area (min 2kW/dwelling).
14. Prior to the occupation of the development, the development must be constructed in accordance with the endorsed Sustainable Design Assessment, except for stormwater and Water Sensitive Urban Design (WSUD) requirements which are adopted, pursuant to the collective Responsible Authority's expectations and requirements, reflected on Drainage Plans.

Tree Protection

15. All works, including excavation, within the critical root zone areas of the tree/s to be retained and other critical root zones on the land must be undertaken under the supervision of a qualified Arborist to ensure that there is no unreasonable damage to the root system of trees to be retained and/or protected, to the satisfaction of the Responsible Authority. Before the development starts, the owner must submit to the Responsible Authority details of the name of the Arborist who will supervise the works and the tasks to be undertaken by the Arborist, to the satisfaction of the Responsible Authority.
 - 15.1 Tree 2 – *Corymbia citriodora*. TPZ 7.1m. Install protection measures prior to works commencing.
 - 15.2 Tree 11 – *Pittosporum tenuifolium 'cv'*. TPZs 2m. Install ground protection measures between boundary fence and proposed building prior to works commencing.
 - 15.3 Tree 14 – *Eucalyptus nicholii*. TPZ 7.8m. Install ground protection measures between boundary fence and proposed building prior to works commencing.
 - 15.4 Tree 17 – *Pyrus calleryana*. TPZ 4.2m. Boundary fence will be sufficient protection.

16. Prior to any works commencing on the site, all trees and vegetation to be retained including other critical root zones must be fenced off to create a protection zone. The protection zone must extend around the trees canopy drip-line unless an alternative tree protection zone has been approved by the responsible authority.
17. The fence is to be chain link or wire mesh, comprise either wooden or steel posts set into the ground or on concrete pads, and be a minimum height of 1.4 metres. Signage is to be affixed to the fence advising that the area is a tree protection zone and a no-go development area.
18. The fence and signage is to be maintained throughout the construction period and removed at the completion of all works.
19. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.
20. Prior to erecting the fence around the tree protection zone, all unwanted vegetation and weed species must be removed from within the zone, and the ground within the protection zone must be covered with a layer of well composted organic mulch (maximum 100mm depth). The area is to be watered at least fortnightly throughout the construction period.
21. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:
 - 21.1 Construction activities.
 - 21.2 Dumping and/or storage of materials, goods and/or soil.
 - 21.3 Trenching or excavation.
 - 21.4 Lopping branches, nailing or affixing signs, service lines, lights etc. to the trees.
22. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.

Car Parking & Accessways

23. Before the dwellings are occupied, driveways and car parking areas must be:
 - 23.1 Fully constructed to the minimum standard of 100mm reinforced concrete and available for use in accordance with the plans submitted to and approved by the Responsible Authority.
 - 23.2 Formed to such levels and drained so that they can be used in accordance with the approved plan.
 - 23.3 Treated with an all-weather seal or some other durable surface.
To the satisfaction of the Responsible Authority.
24. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.
25. Before the development is occupied vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s), crossing opening(s) or parts thereof must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

Construction Management Plan

26. Prior to the commencement of the development approved under this Permit, a 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 must thereafter be complied with. The CMP must specify and deal with, but is not limited to, the following:
 - 26.1 A detailed schedule of works including a full project timing.
 - 26.2 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.
 - 26.3 The location for the parking of all construction vehicles and construction worker vehicles during construction.
 - 26.4 A fully detailed plan indicating where construction hoardings would be located.
 - 26.5 A waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
 - 26.6 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.
 - 26.7 Site security.
 - 26.8 Public safety measures.
 - 26.9 Construction times, noise and vibration controls.
 - 26.10 Restoration of any Council assets removed and/or damaged during construction.
 - 26.11 Protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site).
 - 26.12 Remediation of any damage to road and other infrastructure (limited to an areas reasonably proximate to the site).
 - 26.13 An emergency contact that is available for 24 hours a day.
 - 26.14 All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
 27. During the construction, the following must occur to the satisfaction of the Responsible Authority:
 - 27.1 Any stormwater discharges into the stormwater drainage system is to comply with EPA guidelines.
 - 27.2 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.
 - 27.3 Vehicle borne material must not accumulate on the roads abutting the site.
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- 27.4 The cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks.
- 27.5 All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
- 27.6 All site operations must comply with the EPA Publication 1254 (including all revisions or replacement guidelines).

Fencing

- 28. All costs associated with the provision of the fencing are to be borne by the owner/developer under this permit.
- 29. 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

- 30. 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:
 - 30.1 The appearance of building, works or materials on the land.
 - 30.2 Parking of motor vehicles.
 - 30.3 Transporting of materials or goods to or from the site.
 - 30.4 Hours of operation.
 - 30.5 Stockpiling of top soil or fill materials.
 - 30.6 Air borne dust emanating from the site.
 - 30.7 Noise.
 - 30.8 Rubbish and litter.
 - 30.9 Sediment runoff.
 - 30.10 Vibration.

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

Stormwater

- 31. 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.

Permit Expiry

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

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

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

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

NOTES

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

- Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be designed in accordance with the Knox City Council (Responsible Authority) Stormwater Drainage Guidelines, (copy available on Council's website), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the dwellings, and be easily accessible for maintenance.
- Stormwater discharge from property is to be directed to the kerb & channel near the northern corner of the property to Council standards and satisfaction.
- The total Permissible Site Discharge (PSD) for the property, including all dwellings, is 3.7 L/s to the existing Council drainage system for a 5 year ARI (18.13% AEP) event.
- The Applicant is required to use Australian Height Datum (AHD) to present levels in all future plans. Applicant must ensure that levels on the plan are accurate.
- Drainage works in the Road reserve or in the Council easement will require a road opening permit.
- Drainage system designed so as to avoid impact on any vegetation shown on the endorsed plans as being retained.
- Water Sensitive Urban Design (WSUD) should be addressed as part of this development, e.g. water storage tanks, swale drains, etc.

Other Notes:

- Council encourages the consideration of water storage tanks for all existing and proposed residential developments.
- A building permit must be obtained before development is commenced.
- Buildings are not allowed to be built over Council easements.
- The dwelling/s must achieve a minimum 6-Star Energy Rating.
- In accordance with Council policy, an 8.5% public open space contribution may apply in the event of the subdivision of the land.
- To arrange an inspection of the Tree Protection fencing please contact Council Landscape Team on 9298 8125.
- Indigenous plants can be purchased through approved indigenous nurseries, as listed in the Knox City Council 'Preferred Local Replacement Plants' Information Sheet.
- A minimum of 80% of all new vegetation (both canopy trees and understorey) should be indigenous species.
- Dwelling numbers as shown on the endorsed plans do not necessarily indicate any future street numbers. Property (street) numbering shall be in accordance with Council's

Property (Street) Numbering Policy. Information regarding this can be obtained from Council's Property and Revenue Services Department on 9298 8215.

- Letterboxes and all other structures (including meter boxes) shall be constructed to a maximum height of 900mm or relocated clear of a splayed area (2m x 2.5m) in accordance with AS2890.1, Clause 3.2.4 to ensure safe sight distances. Letterboxes shall face towards the street frontage.
- Internal public lighting shall be provided to the satisfaction of the relevant authority and in accordance with AS1158. This would generally be low height or bollard type lighting to avoid spill-over into adjacent properties. It may be sensor activated, to avoid all night running costs.
- Raised concrete slabs on the existing footpath fronting the site should be grounded.
- All litter and rubbish associated with the construction must be contained on site at all times.

RESOLUTION

MOVED: Councillor Allred

SECONDED: Councillor Dwight

That Council issue a Notice of Refusal to Grant a Planning Permit for application P/2021/6729 development of the land for three dwellings (two (2) double storey dwellings and one (1) single storey dwelling), 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 (Environment and Landscape values) 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.**
- 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. The proposal is inconsistent with the preferred character and design guidelines of the Bush Suburban Neighbourhood area pursuant to Clause 22.07 (Development in residential areas and neighbourhood character) with regard to built form and scale.**
- 5. 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 extent of upper floors of the dwellings;**

- 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

6.2 Consideration of submissions in relation to Amendment C189Knox - Rowville (Murray Crescent, Taylors Lane, Vista Crescent, Fordham Court)

SUMMARY: Strategic Planner, David Cameron

At its meeting of 26 April 2021, Council resolved to commence Amendment C189knox to the Knox Planning Scheme to rezone specific properties along Murray Crescent, Vista Crescent, Fordham Court and Silkwood Way in Rowville from the Neighbourhood Residential Zone – Schedule 4 (NRZ4) to the proposed Neighbourhood Residential Zone – Schedule 9 (NRZ9). It was also resolved to include a new strategy under clause 21.06-3 (Design and Character) of the Knox Planning Scheme.

The planning scheme amendment was initiated following a strategic review of the current planning scheme provisions prepared for Council by Glossop Town Planning which recommended creating a ‘buffer area’ between small lot residential subdivision and larger Low Density Residential Zone (LDRZ) lots by applying the proposed NRZ9. The NRZ9 notably includes modified Rescode requirements for landscaping, side and rear setbacks, and private open space to reinforce the existing backyard orientated ‘buffer’ to the LDRZ.

Amendment C189knox underwent public exhibition between 7 July and 9 August 2022. A total of 6 submissions (2 supporting, 4 opposing) were received by Council.

Key issues raised in the submissions include:

- Indication of support for the amendment and its intention.
- Objection to the amendment on grounds of existing planning permit approvals, which are suggested to have already altered the transitional neighbourhood character beyond what the amendment seeks to reinforce.
- Objection to the proposed setbacks within the NRZ9.
- Existing outbuildings contrary to the identified neighbourhood character by the amendment, and clarity of language surrounding the construction of outbuildings within amendment sites.
- Where existing sewerage connections within the LDRZ border properties subject of the amendment, they should be removed from the amendment.
- Removal of properties from the amendment area that have no direct connection with the LDRZ.
- Clarification of the language within the NRZ9 used to refer to dwellings and buildings.
- Biodiversity considerations.

Officers have reviewed all submissions received and have provided a response to the points raised in Attachment 1 to this report. Based on this assessment, officers are not recommending any changes to be made to the Amendment in response to submissions received.

To enable the amendment to proceed, it is recommended that Council resolve to request that the Minister for Planning appoints an independent Planning Panel to consider all submissions received. If Council opts not to refer these unresolved submissions to an independent Planning Panel, Council is required to abandon the amendment.

RECOMMENDATION

That Council:

1. Receives and notes the submissions to Amendment C189knox (Attachment 1) to the Knox Planning Scheme in accordance with Section 22 of the Planning and Environment Act 1987.
2. Endorses the officers' response and recommendations regarding submissions to Amendment C189knox as shown at Attachment 1, noting that no further changes are proposed to the exhibited planning scheme amendment documents as a result of submissions.
3. Requests the Minister for Planning to appoint a Planning Panel under Section 153 of the Planning and Environment Act 1987, to consider all submissions to Amendment C189knox.
4. Refers the Amendment (as exhibited) and all submissions to a Planning Panel in accordance with Section 23(1) of the Planning and Environment Act 1987.
5. Authorises the Chief Executive Officer (or such person nominated by the Chief Executive Officer) to undertake administrative changes to Amendment C189knox prior to the Panel Hearing where the changes do not affect the purpose or intent of the Amendment.

RESOLUTION

MOVED: Councillor Pearce

SECONDED: Councillor Dwight

That Council:

1. Receives and notes the submissions to Amendment C189knox (Attachment 1) to the Knox Planning Scheme in accordance with Section 22 of the Planning and Environment Act 1987.
2. Endorses the officers' response and recommendations regarding submissions to Amendment C189knox as shown at Attachment 1, noting that no further changes are proposed to the exhibited planning scheme amendment documents as a result of submissions.
3. Requests the Minister for Planning to appoint a Planning Panel under Section 153 of the Planning and Environment Act 1987, to consider all submissions to Amendment C189knox.
4. Refers the Amendment (as exhibited) and all submissions to a Planning Panel in accordance with Section 23(1) of the Planning and Environment Act 1987.
5. Authorises the Chief Executive Officer (or such person nominated by the Chief Executive Officer) to undertake administrative changes to Amendment C189knox prior to the Panel Hearing where the changes do not affect the purpose or intent of the Amendment.

CARRIED

6.3 Report of Planning Applications Decided Under Delegation 1 October 2022 to 31 October 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 October to 31 October 2022) be noted.

RESOLUTION

MOVED: Councillor Laukens

SECONDED: Councillor Cooper

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

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 7:45pm.

Four questions were submitted from Michael Dower. Under Rule 53 Governance Rules, Council could only accept a maximum of two questions. Therefore, two submitted questions from Mr Dower were disallowed. Councillor Timmers-Leitch encouraged Mr Dower to liaise with Council officers in relation to the disallowed questions.

The following questions were raised with Council:

7.1.1 Question One- Allison Inskip

How will Council support or protect renters with the proposed changes to waste services? For example, renters don't pay the bin rates, landlords do - will renters have the option to purchase an extra bin (to account for reduced waste collection) or will they be at the mercy of landlords?

Does Council also propose to change its tip facilities and its fees as they are likely to be affected by the proposed changes to waste services?

The Director Infrastructure, Grant Thorne responded:

- Renters can currently apply for a standard bin service at their property of residence without the approval of a landowner or managing agent. Any additional services, that incur a cost, must be applied for by the landlord or managing agent. This process will remain unchanged under the new service.
- Separate to paid additional waste services, Council currently operates a special consideration request process. In this process residents, renters and homeowners alike that meet the required criteria (having an acute medical condition that generates significant additional waste) can access additional waste services at no additional cost by providing supporting information from their medical provider. As this does not add cost to the properties rates notice this can be applied for directly by renters.
- In recognising that next year's collection frequency changes have potential to significantly impact some residents, Council is currently confirming the details to expand this special consideration request process. Updates to the special consideration request process are being designed to assist residents whose personal circumstance will result in a significant impact from the changed collection frequency. These support measures will again be available to all residents, renters and homeowners alike that meet the required criteria. These support measures are proposed to be provided at a reduced or no cost, in line with the current special consideration request process, to ensure fair and transparent access to the service. More information will be available on these services in the lead up to the service change next year.
- The Knox Transfer station is a privately run facility, operating on a site leased from Council. This facility is primarily for disposal on non-kerbside waste, any increased residential requirements for disposal of kerbside waste will be addressed by Councils

special consideration request process as previously mentioned, increased education and awareness on how residents can reduce their waste.

- Council's waste charges for the 2023/24 year will take into consideration the new services and ensure a fair and transparent representation of the cost and impact of the new Food and Garden service and collection frequency changes.

7.1.2 Question Two- Sam Henderson

In regards to Planning Application P/2021/6729, 3 Gregory Road Boronia, previously I raised concerns in writing that the East Facing Second Story Windows (unfrosted) would have direct line of site into my residence at 40 Rankin Rd due to the elevation. The windows in the revised plan are still unfrosted - could this please be amended as part of a revised plan?

The Director City Liveability, Matt Kelleher responded:

- Council resolved to refuse the planning permit application earlier in the meeting.
- Irrespective, the plans show that windows are either shown to have obscure glazing to 1.7 metre above finished floor level (which will be re-enforced by condition 1.3 of the recommendation), or are highlight windows – that is the lower sill height of the windows are 1.7 metres above the finished floor level. Therefore the application as presented complies with the overlooking requirements of Clause 55 (ResCode) of the Planning Scheme, and does not represent an overlooking risk.
- Even though the application has been refused, the applicant may appeal this decision. An objector can choose to participate in an appeal to ensure their concerns are considered by VCAT.

7.1.3 Question Three- Sam Henderson

In regards to Planning Application P/2021/6729, 3 Gregory Road Boronia, although the plan has parking in line with requirements it is a common concern that this is insufficient to cater for the number of residence. This will add to the number of vehicles that already park illegally (single white line) near the corner of Rankin Rd and Gregory Street which is dangerous for turning traffic. What is the council doing to ensure cars are not parked in an unsafe and dangerous manner?

The Director City Liveability, Matt Kelleher responded:

- Council resolved to refuse the planning permit application earlier in the meeting.
- It is correct that the application was compliant with planning scheme car parking requirements.
- Whether associated with an application or not, drivers are required to park their vehicles in a safe and legal manner in accordance with the Road Rules. If there are ongoing instances of illegal or unsafe parking practices taking place, Council's Parking Enforcement team can patrol the area.

- If there is more of an issue with the parking restrictions that apply, a request can be made to Council's traffic and transport team to review the restrictions and consider if there are appropriate alternate arrangements.

7.1.4 Question Four- Roslyn Tomkins

David Helms Heritage Planning was enlisted by Knox Council to prepare a report on the Heritage Advice for Millers Homestead. This report was presented at the Ordinary Meeting of Council on 29th April, 2019. One component of the report assessed the Homestead and gardens against criteria in use by the Victorian Heritage Register at the time, and found that 5 criteria for Heritage listing were met - only 1 is required to be met for Heritage Registration. In order to protect this significant community asset, will Council please nominate Millers Homestead to be included in the Victorian Heritage Register?

The Director City Liveability, Matt Kelleher responded:

- Miller's Homestead is currently covered by the Heritage Overlay under the Knox Planning Scheme.
- David Helms Heritage Planning was appointed in 2018 to provide heritage advice to inform a review of the Schedule to the Heritage Overlay applicable to this site (HO25). The heritage advice provided by Mr Helms (March 2018), developed a new Statement of Significance for Miller's Homestead, which was then incorporated into the Knox Planning Scheme as part of Amendment C173knox. Amendment C173knox modified the Schedule to the Heritage Overlay, to provide a more accurate representation of the heritage significance of Miller's Homestead within the overlay - including the correct name of the site, where internal heritage controls apply, tree names, and an updated Statement of Significance.
- The heritage advice from David Helms, which continues to be the most recent heritage advice for Miller's Homestead, assessed the heritage values of the site and made recommendations towards its heritage significance. In reviewing the heritage significance of this place, the common criteria from the 1998 Conference on Heritage (HERCON) were utilised. Following an assessment of the Cultural Heritage Significance, the site was determined to continue to meet the threshold for local heritage significance within Knox. There was no mention of meeting the threshold for inclusion within the VHR or recommendation made.
- It is correct that multiple criteria were found to apply to Miller's Homestead in the determination of Cultural Heritage Significance within the heritage advice from David Helms. However, the fact that more than 1 criterion applies is not in itself a reason to elevate a heritage site to the level of the VHR. The new Statement of Significance included in this heritage advice clearly states that the level of significance is determined to be at a local level. Therefore the current protection afforded by the Heritage Overlay is appropriate and the VHR nomination is unwarranted.
- As anyone can nominate a place or object to be included on the Victorian Heritage Register, this is something open to Ms Tomkins to consider, however it is reiterated that the Statement of Significance reaffirms its significance as local.

The Mayor Councillor Timmers-Leitch noted Mr Michael Dover had submitted four questions, and while all four had been circulated to Councillors for their information, a maximum of two questions were permissible under Council's Governance Rules and consequently two questions had been disallowed.

7.1.5 Question Five- Michael Dover

Why is it so hard for computer illiterate persons to communicate with Council?

Mr Dover clarified that the question referred to the building notice dated 10 November but was sent on 22 November with only some residents receiving the correspondence, stating that the dating system on Council's letters is confusing for post workers and recipients.

7.1.6 Question Six- Michael Dover

Why is date on paper impossible to adhere to?

The Director City Liveability, Matt Kelleher responded to questions Five and Six together:

- The matter relates to a Building Enforcement matter.
- Encouraged the resident to direct all representation on the matter to Council's Municipal Building Surveyor, Jason McNulty, whose contact details would be provided to the submitter.
- If there were issues regarding service of notices, or the time available to respond, that Mr McNulty could address these issues with Mr Dover.

Councillor Timmers-Leitch undertook to discuss Mr Dover's concerns with him following the meeting..

7.1.7 Question Seven- Peter Fischer

In relation to 1 Chandler Road, Boronia, why did it take four years to notify owners that there were building defects? How was final approval obtained with these defects?

The Director City Liveability Matt Kelleher responded:

- Final approval for this building was issued by a private building surveyor, with Council not managing this building permit. Any complaints should be directed to the Victorian Building Authority. In relation to time, Council reacts to complaints when received as Council is not the official surveyor but encouraged the submitter to direct enquiries to the Municipal Building Surveyor, Jason McNulty to discuss the building enforcement process.

Question Time Concluded at 8:05pm.

8 Officer Reports

8.1 Quarterly Performance Report

SUMMARY: Coordinator Finance Operations, James Morris and Coordinator Strategy and Business Intelligence, Kate McInnes

The Quarterly Performance Report for the period ended 30 September 2022 is presented for consideration, including an amended budget that will be used for management reporting purposes.

RECOMMENDATION

That Council:

1. Receive and note the Quarterly Performance Report for the period ended 30 September 2022.
2. Note the Amended Budget as detailed in Attachment 1 which will be used for management reporting purposes.

RESOLUTION

MOVED: Councillor Laukens

SECONDED: Councillor Allred

That Council:

1. **Receive and note the Quarterly Performance Report for the period ended 30 September 2022.**
2. **Note the Amended Budget as detailed in Attachment 1 which will be used for management reporting purposes.**

CARRIED

8.2 Kerbside Reform Project Update

SUMMARY: Coordinator Waste Management, Nick Dunstan and Kerbside Reform Project Lead, Lindsey Pettifer

Council approved the kerbside reform project at the Ordinary Council Meeting on the 23rd of August 2021, resolving to support resourcing for delivery of a suite of mandated reforms to Knox City Council's waste management services. The project aims to align Council's waste and recycling services with the state-wide standards detailed within the State Government's *Recycling Victoria* Policy. For Knox City Council, this will include aligning bin lids to conform with Australian Standard bin lid colours, implementing a food and garden bin service and a separate glass collection service by mandated dates.

In subsequent meetings in July and September 2022, Council approved further operational and strategic aspects of the project including a change to collection frequency schedules associated with the new service, development of a new waste strategy to help manage and align the reforms in a long-term strategic context and appointment of a service provider (via contract variation) for supply and delivery of bin infrastructure required to deliver the food and garden service.

This report provides updated project details (including timelines and costings) as well as information regarding the current strategic, operational and legislative environment in which the changes are occurring.

RECOMENDATION

That Council:

- 1. Note the update on key elements of Council's Kerbside Reform project as set out in this report.**
- 2. Note the costings for individual kerbside reform elements within the project as set out in this report.**

RESOLUTION

MOVED: Councillor Dwight

SECONDED: Councillor Allred

That Council:

- 1. Note the update on key elements of Council's Kerbside Reform project as set out in this report.**
- 2. Note the costings for individual kerbside reform elements within the project as set out in this report.**

CARRIED

8.3 Minor Grants Program 2022-23 Monthly Report

SUMMARY: Community Partnerships Officer, Deb Robert

This report summarises the grant applications recommended for approval in November for the 2022-2023 Minor Grants Program. All applications have been assessed against the criteria set out in the Minor Grants Program Procedure and the Grants Framework Policy.

This report also advises Council of the new Procedure for the Minor Grants Program, including the interim modification to allow for the allocation of funding for food relief supplies, and requests the rescinding of the superseded Minor Grants Policy (Version 5).

RECOMMENDATION

That Council:

1. Approve five applications for a total of \$12,430.00 as detailed below:

Applicant Name	Project Title	Amount Requested	Amount Recommended
Knox United Soccer Club	Replacing Broken Equipment in Canteen	\$2,995.00	\$2,396.00
Boronia Cricket Club	Junior Cricket Playing Cap Program	\$1,526.00	\$1,526.00
Upwey-Tecoma Junior Football Club	Improved Governance of Upwey-Tecoma Junior Football Club – Committee Training	\$2,750.00	\$2,750.00
Out of the Wings Theatre	“Heathers” the Musical	\$2,758.00	\$2,758.00
Scoresby Tennis Centre Inc.	LED Upgrade Courts 6-8	\$3,000.00	\$3,000.00
TOTAL		\$13,029.00	\$12,430.00

2. Refuse the following four applications requesting a total of \$10,970, as detailed below:

Applicant Name	Project Title	Reason for Ineligibility	Amount Requested
Dream Bridge Foundation	Lata Mangeshkar Meri Awaz Hi Pehchan	Insufficient evidence of the benefit to the Knox community.	\$2,000.00
Young Life Australia Inc.	Young Life Club	Insufficient evidence of the benefit to the Knox community and unclear budget details.	\$3,000.00

Applicant Name	Project Title	Reason for Ineligibility	Amount Requested
Palesviaki Enosis of Melbourne and Victoria/Lesvos Culture Club	Gas line repair	Request is for utility/property maintenance which is considered part of an organisation's operating budget and not eligible under CI 6.22 of Minor Grants Procedure.	\$2,970.00
Lightbox Productions Inc.	Capital Expenditure: Rehearsal Technology	Insufficient evidence of the benefit to the Knox community.	\$3,000.00
TOTAL			\$10,970.00

- Note that inclusive of the above recommended grants, totalling \$12,430.00, a total of \$94,703.00 has been awarded to date under the 2022-2023 Minor Grants Program, supporting 44 community-based organisations and their programs in Knox.
- That Council note the new Minor Grants Procedure, as approved under CEO delegation under Council's Grants Framework Policy on 16 November 2022 (Attachment 2).
- That Council rescind the Minor Grants Policy (Version 5 as approved by Council in April 2020 – Attachment 3).

RESOLUTION

MOVED: Councillor Baker

SECONDED: Councillor Grasso

That Council:

- Approve five applications for a total of \$12,430.00 as detailed below:**

Applicant Name	Project Title	Amount Requested	Amount Recommended
Knox United Soccer Club	Replacing Broken Equipment in Canteen	\$2,995.00	\$2,396.00
Boronia Cricket Club	Junior Cricket Playing Cap Program	\$1,526.00	\$1,526.00
Upwey-Tecoma Junior Football Club	Improved Governance of Upwey-Tecoma Junior Football Club – Committee Training	\$2,750.00	\$2,750.00
Out of the Wings Theatre	"Heathers" the Musical	\$2,758.00	\$2,758.00

Scoresby Tennis Centre Inc.	LED Upgrade Courts 6-8	\$3,000.00	\$3,000.00
TOTAL		\$13,029.00	\$12,430.00

2. Refuse the following four applications requesting a total of \$10,970, as detailed below:

Applicant Name	Project Title	Reason for Ineligibility	Amount Requested
Dream Bridge Foundation	Lata Mangeshkar Meri Awaz Hi Pehchan	Insufficient evidence of the benefit to the Knox community.	\$2,000.00
Young Life Australia Inc.	Young Life Club	Insufficient evidence of the benefit to the Knox community and unclear budget details.	\$3,000.00

Applicant Name	Project Title	Reason for Ineligibility	Amount Requested
Palesviaki Enosis of Melbourne and Victoria/Lesvos Culture Club	Gas line repair	Request is for utility/property maintenance which is considered part of an organisation's operating budget and not eligible under Cl 6.22 of Minor Grants Procedure.	\$2,970.00
Lightbox Productions Inc.	Capital Expenditure: Rehearsal Technology	Insufficient evidence of the benefit to the Knox community.	\$3,000.00
TOTAL			\$10,970.00

3. Note that inclusive of the above recommended grants, totalling \$12,430.00, a total of \$94,703.00 has been awarded to date under the 2022-2023 Minor Grants Program, supporting 44 community-based organisations and their programs in Knox.
4. That Council note the new Minor Grants Procedure, as approved under CEO delegation under Council's Grants Framework Policy on 16 November 2022 (Attachment 2).
5. That Council rescind the Minor Grants Policy (Version 5 as approved by Council in April 2020 – Attachment 3).

CARRIED

8.4 Use of Library Reserve Funds for the Knox Library

SUMMARY: Manager Community Wellbeing, Petrina Dodds Buckley and Chief Financial Officer, Navec Lorkin

The Eastern Regional Libraries Corporation (ERLC) delivers library services to the Knox community on Council's behalf. At the ERLC Board Meeting held on 25 February 2021, the Board approved the distribution of accumulated surplus to the three member Councils (Knox, Maroondah and Yarra Ranges) with each Council receiving a distribution of \$2.0M in the 2021/2022 financial year.

At the Ordinary Meeting of Council held on 27 June 2022, Council approved the establishment of a Library Reserve account to hold these funds for the purpose of major capital expenditure for acquiring, refurbishing, or redeveloping library premises as standalone premises, or as part of community hubs for all five Knox Library Branches.

Construction of the new Knox Library is being undertaken in the 2022/2023 financial year as part of Scentre Group's redevelopment of Westfield Knox. Whist funding for the fit-out and construction of the new Library will be funded from the 2022/2023 Council Capital Works budget (which includes the Living Libraries grant), additional funds are required to purchase new furniture.

This report seeks approval to allocate \$495,000 for the purpose of acquiring furniture for the new Knox Library at Westfield Knox.

The intended opening of the Knox Library is 27 April 2023, and furniture is required to be installed prior to this date.

RECOMMENDATION

That Council approves the allocation of up to \$495,000 from the Library Reserve account for the purpose of purchasing furniture for the new Knox Library located at Westfield Knox.

RESOLUTION

MOVED: Councillor Grasso

SECONDED: Councillor Laukens

That Council approves the allocation of up to \$495,000 from the Library Reserve account for the purpose of purchasing furniture for the new Knox Library located at Westfield Knox.

CARRIED

8.5 Flying and Display of Flags Policy

SUMMARY: Acting Coordinator Governance, Saskia Weerheim

The Flying and Display of Flags at the Knox Civic Centre is due for updating to ensure that Council's Policy aligns with accepted national flag protocols. This report presents Council with an overview of the key proposed changes to the Policy. The changes incorporate the most up-to-date flag protocol advice from the Federal Government and covers all flags managed by Council within the Knox municipality.

RECOMMENDATION

That Council adopt the Council Flying and Display of Flags Policy as set out in Attachment 2 of the officer's report.

RESOLUTION

MOVED: Councillor Grasso

SECONDED: Councillor Allred

That Council adopt the Council Flying and Display of Flags Policy as set out in Attachment 2 of the officer's report.

CARRIED

8.6 Review and Update of the Knox Public Arts Policy (2017-2022) and Civic Artwork Collection Management Policy (2018-2022)

SUMMARY: Coordinator Arts and Cultural Services, Elissa Bates

This report provides a review of the existing Civic Art Collection Management Policy (2017-2022) and the Public Art Policy (2018-2022) and provides an overview of the key changes suggested to reflect current industry best practice, refined assessment and approvals processes, minor updates to resource descriptions, and the provision of revised drafts for both the Civic Art Policy (2022-2026) and Public Art Policy (2022-2026) for Councillor consideration.

RECOMMENDATION

That Council:

1. Adopt the updated (and renamed) Civic Art Policy (2022-2026) as per attachment 3; and
2. Adopt the updated Public Art Policy (2022-2026) as per attachment 4.

RESOLUTION

MOVED: Councillor Laukens

SECONDED: Councillor Grasso

That Council:

1. **Adopt the updated (and renamed) Civic Art Policy (2022-2026) as per attachment 3; and**
2. **Adopt the updated Public Art Policy (2022-2026) as per attachment 4.**

CARRIED

8.7 Miller's Homestead Pilot Program Review

SUMMARY: Coordinator Arts and Cultural Services, Elissa Bates

This report provides Council with a review of the 12-month pilot program for Miller's Homestead under a License Agreement with Eastern Regional Libraries (ERL) as a collective use Arts and History Centre.

After many years of under-utilisation, Council committed to reopen Miller's Homestead in response to significant community feedback to retain this heritage facility and develop it as a "collective use Arts and History Centre" through appointing a community organisation to the tenancy and service delivery. The Miller's Homestead Project Officer was appointed for

12-months to oversee an Expression of Interest process and tenancy pilot period, with ERL successfully appointed as tenants via Licence Agreement officiated in January 2022. After some delays due to COVID-19, the venue re-opened to the public in March 2022.

The Licence Agreement terms include the option to extend the agreement for a further four years until January 2027, upon review after the initial 12-month pilot period, concluding in January 2023. ERL have indicated they would like to remain at the venue and have effectively delivered on their Licence Agreement requirements in terms of venue management, programming and reporting requirements.

The programming offered by ERL during the pilot period reflects a creative and inclusive approach to arts, literature and history focused activities, supported by Council's temporarily appointed Miller's Homestead Project Officer. ERL'S future program plan builds on the strengths of the programming offered through 2022, with evidence of ongoing program diversification.

As part of the pilot review, extensive community consultation, stakeholder feedback and ERL reporting, including visitation data has been reviewed, with results indicating strong community support for the ERL tenancy, showing high levels of enjoyment of the diverse programming, positive local and partner relations, and nearly double the anticipated visitation expected, with nearly 8,000 visits recorded for active programs held at the venue since its reopening.

Given the success of the pilot period, the recommendation is to extend ERL as tenants in the venue, by way of the option to extend their Licence Agreement for a further four years until January 2027.

Finally, the report addresses the scheduled review of the Millers Homestead Community Reference Group, established to provide a mechanism for residents/interested parties to provide feedback to Council during the tenancy establishment and 12-month pilot period. As per their Terms of Reference, (TOR) the group may be disbanded after 12-months since their first scheduled meeting. It is proposed that where the ERL Licence Agreement is extended, this group has successfully fulfilled its pilot focused role, and is recommended for sunseting on 7 December 2022, with ongoing communication and engagement options provided to members to enable timely information sharing about potential tenancy or venue variations into the future.

RECOMMENDATION

That Council:

1. Note the success to date of the Eastern Regional Library's (ERL) pilot tenancy at Miller's Homestead.
2. Note officers propose to extend ERL's Licence Agreement for Miller's Homestead for a further four years until January 2027; in accordance with the authority provided in the resolution of Strategic Planning Committee on 11 October 2021.
3. Note that the Miller's Homestead Community Reference Group has successfully fulfilled and completed its purpose and objectives as set out in the Group's Terms of Reference, and consequently:
 - a. Thank members of the Group for their contribution; and
 - b. Disband the Group effective from 7 December 2022.

RESOLUTION

MOVED: Councillor Dwight

SECONDED: Councillor Allred

That Council:

1. **Note the success to date of the Eastern Regional Library's (ERL) pilot tenancy at Miller's Homestead.**
2. **Note officers propose to extend ERL's Licence Agreement for Miller's Homestead for a further four years until January 2027; in accordance with the authority provided in the resolution of Strategic Planning Committee on 11 October 2021.**
3. **Note that the Miller's Homestead Community Reference Group has successfully fulfilled and completed its purpose and objectives as set out in the Group's Terms of Reference, and consequently:**
 - a. **Thank members of the Group for their contribution; and**
 - b. **Disband the Group effective from 7 December 2022.**

CARRIED

9 Supplementary Items

Nil.

10 Notices of Motion

Nil.

11 Urgent Business

Nil.

12 Questions Without Notice

Nil.

13 Confidential Items

Nil.

MEETING CLOSED AT 8:43pm

Minutes of Meeting confirmed at the
Meeting of Council
held on Monday, 19 December 2022

.....
Chairperson

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