

AGENDA



Ordinary Meeting of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 27 July 2020 at 7:00 pm

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Tony Doyle
Chief Executive Officer

1 Apologies and Requests for Leave of Absence

2 Declarations of Conflict of Interest

3 Confirmation of Minutes

Confirmation of Minutes of Ordinary Meeting of Council held on Monday 22 June 2020

4 Petitions and Memorials

5 Reports by Councillors

5.1 Committees and Delegates

5.2 Ward Issues

6 City Development, Finance and Governance Officers’ Reports for consideration

6.1 Report of Planning Applications Decided Under Delegation - 1 June to 30 June 2020

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 June to 30 June 2020) be noted

1.REPORT

Details of planning applications decided under delegation from 1 June to 30 June 2020 are attached. The applications are summarised as follows:

| Application Type | No. |
|-------------------------------|------------|
| Building & Works: Residential | 5 |
| Other | 2 |
| Subdivision | 11 |
| Units | 22 |
| Tree Removal / Pruning | 17 |
| Change of Use | 4 |
| Single Dwelling | 3 |
| Signage | 1 |
| Mixed Use | 1 |
| TOTAL | 66 |

2.CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Manager, City Planning & Building, Paul Dickie

Report Authorised By: Director, City Development – Interim Finance and Governance, Matt Kelleher

Attachments

Nil

Knox City Council

Planning Applications Decided - Council

1 June 2020 and 30 June 2020

| Ward | No/ Type | Address | Description | Decision |
|----------|-----------|---|--|-------------------------------------|
| Baird | 2019/7349 | 7 Oaklands Avenue FERNTREE GULLY VIC 3156 | Development of the land for two (2) double storey dwellings and one (1) single storey dwelling | 4/06/2020 Notice of Decision |
| Baird | 2020/6021 | 37 McMahons Road FERNTREE GULLY VIC 3156 | Construction of a single storey dwelling to the rear of the existing dwelling | 11/06/2020 Notice of Decision |
| Baird | 2018/6694 | 341-343 & 347 Dorset Road BAYSWATER VIC 3153 | Use the land for a place of worship, conference centre, associated staged buildings and works within an IN1Z and SBO, associated reduction of carparking, alterations to the access of a category one road, and display of advertising signage | 12/06/2020 Notice of Decision |
| Baird | 2020/9075 | 25 Piperita Road FERNTREE GULLY VIC 3156 | Two lot subdivision (Approved unit development) | 12/06/2020 Approved |
| Chandler | 2020/6215 | 11 Alison Avenue BORONIA VIC 3155 | Remove Twelve (12) Chamaecyparis lawsoniana | 3/06/2020 Approved |
| Chandler | 2020/6243 | 8 Glendale Court BORONIA VIC 3155 | Removal of six (6) Chamaecyparis lawsoniana | 5/06/2020 Approved |
| Chandler | 2019/7519 | 26 Olive Grove BORONIA VIC 3155 | Construction of a single dwelling and lopping of vegetation | 9/06/2020 Approved |
| Chandler | 2020/6256 | 24 Interman Road BORONIA VIC 3155 | Pruning of one (1) Melaleuca linariifolia | 22/06/2020 Approved |
| Chandler | 2020/6253 | 9 Rawdon Court BORONIA VIC 3155 | Remove two (2) Alnus jorullensis | 19/06/2020 Approved |
| Chandler | 2020/6321 | 17 Biscay Court BORONIA VIC 3155 | The removal of one Acer palmatum (Japanese Maple) and one Agonis flexuosa (Willow Myrtle) | 30/06/2020 Approved |
| Chandler | 2020/6266 | 18 Daffodil Road BORONIA VIC 3155 | Remove one (1) Pittosporum eugenioides and one (1) Liquidambar styraciflua | 30/06/2020 Approved |

| Ward | No/ Type | Address | Description | Decision |
|-------------|-----------------|---|---|----------------------------------|
| Collier | 2020/6037 | 22 Selkirk Avenue WANTIRNA VIC 3152 | The construction of three (3) double storey dwellings | 1/06/2020 Notice of Decision |
| Collier | 2019/7508 | 251 Mountain Highway WANTIRNA VIC 3152 | Removal of native vegetation in the Vegetation Protection Overlay Schedule 1 (VPO1) and alteration of access to a Road Zone Category 1 (RDZ1) | 5/06/2020 Approved |
| Collier | 2020/6294 | 21 Roxburgh Road WANTIRNA VIC 3152 | Two (2) Lot Subdivision (Approved Unit Development) | 11/06/2020 Approved |
| Collier | 2020/6289 | 287 Wantirna Road WANTIRNA VIC 3152 | Two Lot Subdivision - (Approved Unit Development) | 11/06/2020 Approved |
| Collier | 2020/6177 | 321 Wantirna Road WANTIRNA VIC 3152 | Fifty-nine (59) lot subdivision (Approved Unit Site) | 17/06/2020 Approved |
| Dinsdale | 2019/7325 | 307 Boronia Road BORONIA VIC 3155 | The construction of two (2) double storey dwellings and one (1) single storey dwelling and access to a road zone category 1 | 1/06/2020 Approved |
| Dinsdale | 2020/6103 | 28 Elm Street BAYSWATER VIC 3153 | Development of the land for a single storey dwelling to the rear of the existing dwelling | 4/06/2020 Notice of Decision |
| Dinsdale | 2020/6288 | 19 Wilhelma Avenue BAYSWATER VIC 3153 | Two (2) lot subdivision (Approved Unit Development) | 5/06/2020 Approved |
| Dinsdale | 2019/7496 | 8 Bimbadeen Court BAYSWATER VIC 3153 | The construction of two double storey dwellings | 9/06/2020 Notice of Decision |
| Dinsdale | 2019/7391 | 12 Pine Road BAYSWATER VIC 3153 | Development of the land for a double storey dwelling to the side of the existing dwelling and a 2 lot division | 9/06/2020 Approved |
| Dinsdale | 2019/7426 | 36 Orange Grove BAYSWATER VIC 3153 | Development of the land for two (2) double storey and one (1) single storey dwelling (Total three dwellings) | 9/06/2020 Approved |
| Dinsdale | 2019/7074 | 672 Mountain Highway BAYSWATER VIC 3153 | Develop the land for a four (4) storey mixed use building comprising ground floor office space and twelve (12) apartments | 10/06/2020 Notice of Decision |

| Ward | No/ Type | Address | Description | Decision |
|-------------|-----------------|---|--|----------------------------------|
| Dinsdale | 2020/6059 | 9 Dalpura Drive BAYSWATER VIC 3153 | Development of the land for two (2) dwellings | 12/06/2020 Approved |
| Dinsdale | 2020/9078 | 31 Dixon Court BORONIA VIC 3155 | Remove one (1) Eucalyptus leucoxylon | 30/06/2020 Approved |
| Dinsdale | 2020/6307 | 10-14 High Street BAYSWATER VIC 3153 | Buildings and Works (alteration from existing double swing glazing door to a sliding glaze door) | 25/06/2020 Approved |
| Dinsdale | 2020/6073 | 3 Valma Street BAYSWATER VIC 3153 | The construction of one (1) double storey dwelling and one (1) single storey dwelling | 16/06/2020 Notice of Decision |
| Dinsdale | 2020/6039 | 251 Stud Road WANTIRNA SOUTH VIC 3152 | Change of Use - Office (Real Estate Agent) and Associated Business Identification Signage | 24/06/2020 Approved |
| Dinsdale | 2020/6178 | 453 Boronia Road WANTIRNA SOUTH VIC 3152 | Construction of two double storey dwellings on the land and alteration to road zone category 1 | 25/06/2020 Notice of Decision |
| Dinsdale | 2020/9070 | 1/13 Orchard Road BAYSWATER VIC 3153 | Construct a front fence | 17/06/2020 Approved |
| Dinsdale | 2020/6138 | 67 Stud Road BAYSWATER VIC 3153 | Buildings and Works (2 floor extension), Liquor Licence, Signage, Alteration to Road Zone Category 1 and Reduction in Car Parking. | 30/06/2020 Approved |
| Dobson | 2020/9062 | 20 Rathgar Road LYSTERFIELD VIC 3156 | Removal of one (1) Eucalyptus goniocalyx | 1/06/2020 Refused |
| Dobson | 2020/6226 | 55 Finmere Crescent UPPER FERNTREE GULLY VIC 3156 | Remove one (1) partially living Acacia melanoxylon and three (3) dead Acacia melanoxylon | 5/06/2020 Approved |
| Dobson | 2020/6270 | 23 Railway Avenue UPPER FERNTREE GULLY VIC 3156 | Removal of three (3) Eucalyptus macrorhyncha (Red Stringybark) and two (2) Eucalyptus melliodora (Yellow Box) | 11/06/2020 Approved |
| Dobson | 2020/6251 | 11 Walbundry Avenue FERNTREE GULLY VIC 3156 | Removal of one (1) Dead Eucalyptus sp and the Pruning of one (1) Eucalyptus goniocalyx | 19/06/2020 Approved |
| Dobson | 2020/6269 | 4 George Street FERNTREE GULLY VIC 3156 | The construction of a shed on land | 19/06/2020 Approved |

| Ward | No/ Type | Address | Description | Decision |
|-------------|-----------------|--|---|---------------------------------|
| Dobson | 2020/6262 | 61 Forest Road FERNTREE GULLY VIC 3156 | Buildings and Works (addition of a third bedroom to the rear of the existing dwelling) | 16/06/2020 Approved |
| Dobson | 2020/6264 | 1 Acacia Road UPPER FERNTREE GULLY VIC 3156 | Removal of one (1) Liquidambar styraciflua | 22/06/2020 Approved |
| Dobson | 2020/6231 | 6 Prince Street FERNTREE GULLY VIC 3156 | Construction of one dwelling | 24/06/2020 Approved |
| Dobson | 2020/6302 | 20 Frederick Street FERNTREE GULLY VIC 3156 | Removal of one Eucalyptus macrorhyncha (Red Stringybark) and the pruning of two Eucalyptus macrorhyncha (Red Stringybark) | 30/06/2020 Approved |
| Dobson | 2020/6175 | 13 Nelson Street FERNTREE GULLY VIC 3156 | Buildings and works - Shed adjacent to existing significant tree to the south east of the property | 30/06/2020 Approved |
| Friberg | 2020/6275 | 20 Dobson Street FERNTREE GULLY VIC 3156 | 2 Lot Subdivision (Approved Unit Site) | 3/06/2020 Approved |
| Friberg | 2020/6148 | 280 Windermere Drive FERNTREE GULLY VIC 3156 | Development of two single storey dwellings | 3/06/2020 Approved |
| Friberg | 2020/6047 | 54 Dobson Street FERNTREE GULLY VIC 3156 | The construction of a double storey dwelling to the rear of the existing dwelling | 3/06/2020 Notice of Decision |
| Friberg | 2020/9071 | 134 Murrindal Drive ROWVILLE VIC 3178 | 2 Lot Subdivision (Approved Unit Development) | 5/06/2020 Approved |
| Friberg | 2020/9072 | 72 Windermere Drive FERNTREE GULLY VIC 3156 | Two (2) Lot Subdivision (Approved Unit Development) | 5/06/2020 Approved |
| Friberg | 2019/7415 | 37 Anne Road KNOXFIELD VIC 3180 | The construction of four (4) double storey dwellings on the land | 5/06/2020 Notice of Decision |
| Friberg | 2019/7476 | 3 Balladonia Road ROWVILLE VIC 3178 | The development of the land for three double storey dwellings | 19/06/2020 Approved |
| Friberg | 2020/6107 | 39 Yarana Street FERNTREE GULLY VIC 3156 | Two lot subdivision, development of an additional dwelling and creation of a drainage and sewerage easement. | 12/06/2020 Approved |

| Ward | No/ Type | Address | Description | Decision |
|-------------|-----------------|--|--|-------------------------------------|
| Friberg | 2020/6113 | 21 O'Connor Road KNOXFIELD VIC 3180 | Development of the land for two (2) double storey dwellings | 22/06/2020 Approved |
| Friberg | 2020/6247 | 1/35 Anne Road KNOXFIELD VIC 3180 | Mitigation Pruning of Two (2) Corymbia citriodora | 25/06/2020 Approved |
| Friberg | 2020/6101 | 1 Lydford Road FERNTREE GULLY VIC 3156 | The development of the land for the construction of four dwellings | 30/06/2020 Approved |
| Scott | 2020/9067 | 10 Elphinstone Way WANTIRNA SOUTH VIC 3152 | Verandah & Deck | 4/06/2020 Approved |
| Scott | 2020/9074 | 4 Findon Court WANTIRNA SOUTH VIC 3152 | Buildings and works (construction of a double storey dwelling) | 9/06/2020 Approved |
| Taylor | 2020/9077 | 3 Norris Road ROWVILLE VIC 3178 | Removal of one (1) Eucalyptus bicostata | 26/06/2020 Approved |
| Taylor | 2020/6279 | 8 Rayner Close ROWVILLE VIC 3178 | Two (2) Lot Subdivision (approved unit site) | 12/06/2020 Approved |
| Taylor | 2020/6108 | 57 Taupo Crescent ROWVILLE VIC 3178 | Construction of two double storey dwellings | 18/06/2020 Notice of Decision |
| Tirhatuan | 2019/7466 | 4/14 Corporate Avenue ROWVILLE VIC 3178 | Construct multiple dwellings (construction of one dwelling on lots less than 300sqm when subdivided) | 1/06/2020 Approved |
| Tirhatuan | 2019/7460 | 3 & 5/14 Corporate Avenue ROWVILLE VIC 3178 | Use of land for a Display home centre and the display of associated signage | 11/06/2020 Approved |
| Tirhatuan | 2020/9079 | 48 English Avenue SCORESBY VIC 3179 | Two Lot Subdivision (Approved Development Site) | 23/06/2020 Approved |
| Tirhatuan | 2020/6254 | 11 Corporate Avenue ROWVILLE VIC 3178 | Removal of one (1) Eucalyptus scoparia | 19/06/2020 Approved |
| Tirhatuan | 2020/9082 | 18 Golding Court SCORESBY VIC 3179 | Two lot subdivision (approved unit development) | 25/06/2020 Approved |
| Tirhatuan | 2020/6015 | 46 Seebeck Road ROWVILLE VIC 3178 | The construction of three (3) double storey dwellings | 29/06/2020 Refused |

| Ward | No/ Type | Address | Description | Decision |
|-------------|-----------------|---------------------------------------|--|-------------------------------------|
| Tirhatuan | 2020/6112 | 69 Borg Crescent SCORESBY VIC 3179 | Development of the land for two (2) double storey dwellings | 12/06/2020 Notice of Decision |
| Tirhatuan | 2020/6218 | 970 Stud Road ROWVILLE VIC 3178 | Construct three (3) major promotion signs | 23/06/2020 Approved |
| Tirhatuan | 2020/6036 | 758 Stud Road SCORESBY VIC 3179 | Use of land for a car wash, buildings and works and alteration of access to a road in a Road Zone Category 1 | 30/06/2020 Approved |

Total: 66

6.2 56 Kingloch Parade, Wantirna

SUMMARY: Leonard Tyssen, Principal Planner

This report considers an application for the approval of a Development Plan associated with Development Plan Overlay Schedule 15 at 56 Kingloch Parade, Wantirna (former Wantirna Heights School).

RECOMMENDATION (SUMMARY)

That Council resolve to approve the '56 Kingloch Parade' Development Plan outlined in Attachment 2 subject to the following changes detailed in the full recommendation in section 10 below.

1. INTRODUCTION

This application is being reported to Council to consider the '56 Kingloch Parade' Development Plan in accordance with Clause 43.04 Development Plan Overlay Schedule 15 (DPO15) of the Knox Planning Scheme. The matter is being reported directly to Council as there is not the provision to delegate the decision to approve a Development Plan within the Instrument of Delegation.

2. DISCUSSION

The Development Plan implements the provisions of the DPO15 and the policy statements which apply to the land. The land at 56 Kingloch Parade, Wantirna is currently vacant and was formerly the site of the Wantirna Heights School. The land was rezoned as part of the State Government's disposal of the site through the Government Land Standing Advisory Committee process during 2018/19.

Specifically, the Development Plan identifies land use precincts (including residential and open space areas); indicative height, massing and interface treatments; landscape and open space themes; movement through existing neighbourhood street networks; stormwater management initiatives; servicing and infrastructure; and retention of existing canopy trees.

The Development Plan is characterised by the following key features: development of approximately fifty-one (51) dwellings; broad range of lot sizes, housing types and bedroom products through a ratio of thirty-one (31) two-storey dwellings and twenty (20) three-storey dwellings, and vehicle access to the site via Kingloch Parade with an active and passive centralised open space for community use. A thorough assessment of the Development Plan and supporting documents is detailed in Attachment 1 with the Development Plan documentation provided at Attachment 2.

It is considered that the proposed Development Plan is consistent with the DPO15, and State and Local Planning Policies, subject to changes which include the provision of two bedroom dwellings, increased front setbacks along Kingloch Parade and Greenlow Avenue, and the ability for increased landscape opportunities along the western boundary. In addition to the proposal is considered to provide an appropriate neighbourhood character outcome.

3. CONSULTATION

The application was advertised by way of three (3) signs on the site and notices were sent to adjoining property owners and occupiers. In total seven (7) objections were received. It is important to note that while the Development Plan was advertised, formal third party notice and appeal rights (to the Victorian Civil and Administrative Tribunal) do not apply. A detailed summary of the objections received and the officer's response to these objections are outlined in Attachment 1.

The application was referred internally to Council's Traffic Engineer, Stormwater Engineer, Assets Officer, Landscape Officer, Parks Department, Arborist, Waste Engineers and ESD Officer. No major concerns were raised with the application.

4. ENVIRONMENTAL/AMENITY ISSUES

Subject to changes to the Development Plan, there will be no significant environmental impacts or amenity issues associated with the proposal. A thorough assessment of the application against environmental and amenity considerations can be found at Section 4 of the Officer's Report at Attachment 1.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with the proposed development for Council.

6. SOCIAL IMPLICATIONS

There are no significant social implications associated with the proposed development. A thorough assessment of the application against all relevant considerations of the Knox Planning Scheme can be found at Section 4 of the Officer's Report at Attachment 1.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.1 - Protect and enhance our natural environment

Strategy 1.2 - Create a greener city with more large trees, indigenous flora and fauna

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure

Goal 2 - We have housing to meet our changing needs

Strategy 2.1 - Plan for a diversity of housing in appropriate locations

Strategy 2.2 - Encourage high quality sustainable design

Strategy 2.3 - Support the delivery of a range of housing that addresses housing and living affordability needs

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Acting Principal Planner, Leonard Tyssen - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development – Interim Finance and Governance, Matt Kelleher
- In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The Development Plan and supporting documentation is consistent with the requirements outlined within the DPO15 and State and Local Planning Policies, and is recommended for approval subject to changes.

10. RECOMMENDATION

That Council approve the Development Plan for the redevelopment of the former Wantirna Heights School site at 56 Kingloch Parade, Wantirna and supporting documents in Attachment 2 in accordance with the Development Plan Overlay Schedule 15 (DPO15) of the Knox Planning Scheme, subject to the following changes:

- 1.1 The provision of housing as shown in the development plan amended to include a minimum 10 percent of the housing to be 2 bedroom dwellings.**
- 1.2 A minimum front setback of dwellings to be 6 metres from Kingloch Parade and Greenlow Avenue.**
- 1.3 A minimum 20 square metres permeable area for each dwelling along the western boundary to allow for the provision of a small canopy tree in each of the secluded private open space areas.**
- 1.4 A notation to show the Tree Protection Zones of Trees 4, 6- 9, 11- 13, 34, 49, 51, 52, 56 and 57.**

To the satisfaction of the Responsible Authority.

11. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Leonard Tyssen, Acting Principal Planner

**Report Authorised By: Director, City Development – Interim Finance and Governance,
Matt Kelleher**

Attachments

- 1. Attachment 1 - Officer report - 56 Kingloch Parade, Wantirna [6.2.1 - 11 pages]**
- 2. Attachment 2 - Development Plan - 56 Kingloch Pde Wantirna [6.2.2 - 47 pages]**

Attachment 1




Consideration of the Development Plan associated with Development Plan Overlay Schedule 15 at 56 Kingloch Parade, Wantirna.

1. Summary:

| | |
|---------------------------|---|
| Subject Site: | 56 Kingloch Parade, Wantirna |
| Proposed Development: | Development Plan associated with Development Plan Overlay Schedule 15 (Kingloch Parade) |
| Existing Land Use: | Vacant lot |
| Site Area: | 12,540sqm |
| Planning Scheme Controls: | General Residential Zone Schedule 1, Development Plan Overlay Schedule 15 |
| Application Received: | 15 August 2019 |
| Number of Objections: | 7 |
| PCC Meeting: | Not applicable |
| Ward: | Collier |

2. Purpose

The purpose of this report is to provide Councillors with the Council Planning Officer's assessment of the Development Plan submitted in accordance of Clause 43.04 - Schedule 15 to Development Plan Overlay (DPO15) to assist in making a decision on the application. It should be read in conjunction with the other attachments.

2. Background

2.1 Subject Site and Surrounds

The location of the subject site and surrounds is shown in Attachment 2.

The immediate surrounding land is zoned General Residential and is developed as follows:

- North: to the immediate north is Kingloch Parade; accommodating one lane of traffic in each direction, footpaths on both sides of the street and indented parallel parking immediately adjacent the site (associated with the Site's former use as a school). The footpath which runs along the site boundary interfaces directly with this parking (with no nature strip in between). On the far side of Kingloch Parade are single and double storey detached homes.
- East: to the immediate east is Greenlow Avenue; accommodating one lane of traffic in each direction, footpaths on both sides of the street and parallel parking along its western side. On the far side of Greenlow Avenue are single storey detached homes.
- South: to the immediate south the site interfaces with the rear private open space of numbers 6, 7 and 8 Downe Place. 7 Downe Place has a shallow setback to the site with this area accommodating a service yard area. The common boundary is timber paling fenced to approximately 1.8m in height.
- West: to the immediate west is 54 Kingloch Parade, an 'over 55's' villa unit development served by a central driveway. The development includes detached and semi-detached units, all single storey, with limited



landscaping throughout the site. A retaining wall sits on the common boundary with the site, noting that there is a significant level change to this interface in the order of 1.6 metres.

- The Site is located approximately 70 metres east of the Schultz Reserve, and 500 metres south east of the Wantirna Mall which includes an IGA Supermarket, medical centre, pharmacy, post office and various food and drink outlets.

The subject site

- The subject site comprises of an irregular square shape, 1.254 hectare (approx.) land parcel at the corner of Kingloch Parade and Greenlow Avenue, Wantirna. The northern boundary to Kingloch Parade measures approximately 125 metres and the east boundary to Greenlow Avenue measures approximately 100 metres.
- The topography is varied with relatively flat sections as well as steep contours with an overall cross fall of approximately 5 metres from the south-east to the north-west corners of the site.
- The subject site is moderately vegetated with a combination of planted native canopy trees and shrubs.
- The Site formerly accommodated Wantirna Heights School but has been cleared of all buildings with some canopy trees remaining.
- The land is not constricted by any restrictive covenant or Section 173 Agreement. A drainage easement affects part of the south west corner of the site as identified on the Title Plan and the submitted Development Plan.

2.3 The Proposal

The proposal seeks the approval of the submitted Development Plan under Development Plan Overlay, Schedule 15 (DPO 15) to allow for a future application for residential development.

The Development Plan is characterised by the following key features:

- Development of approximately 51 dwellings, consisting of 50 per cent three (3) bedroom and 50 per cent four (4) bedroom dwellings in two and three storey built form. The two storey dwellings will line the outside of the site and three storey dwellings will be internalised in the centre of the subject site.
- A range of lot sizes and styles ranging from traditional two storey, traditional three storey, reverse two storey and reverse three storey dwelling products (generally smaller than normally encountered in the surrounding established residential area).
- Vehicle access in the site via Kingloch Parade. Majority of vehicle access to dwellings is internalised within the development.
- Active and passive open space centralised within the centre of site with retention of existing canopy trees.
- The overall site coverage is proposed 40 percent and proposed site permeability is 50 percent.

Refer to plans at Attachment 2.

3. Consultation

3.1 Advertising

The application was advertised by way of three (3) signs on the site and notices were sent to adjoining property owners and occupiers. In total 7 objections were received and are summarised below.

Car parking / impact on traffic



- There is nothing to suggest that insufficient car parking will be provided within the estate. The provision of on street car parking will be assessed as part of any future subdivision application for the site. Further, Council's Traffic and Transport Department have not raised concerns with reference to the street networks ability to cater for the proposed development.

Restricted community open space

- Internal roads and the large central open space area are proposed to remain in the ownership of residents through a body corporate and this is common for multi dwelling developments.

Overlooking/ Overshadowing

- A full Clause 55 assessment will be undertaken at the planning permit stage for the development of dwellings to ensure that overlooking and overshadowing does not unreasonably impact surrounding properties.

Garbage collection

- The proposed development plan and supporting documentation mention private garbage collection is proposed and would be managed under the Body Corporate.

Removal of vegetation

- The retention of trees on the site has been determined with reference to the condition of existing trees, their life expectancy and species (noting that there are many exotic and weed species on the site). Council's Arborist has assessed the health of the existing canopy trees through a site inspection and with the aid of the submitted Arborist report. A number of existing canopy trees are proposed for retention and are those which have been assessed as the significantly important vegetation and of ecological value to the subject site. New planting is proposed to compliment the retained native vegetation, particularly along the north, south and east boundaries.

Neighbourhood Character

- The proposed development plan is consistent with the guidance provided by DPO 15, with two storey dwellings proposed around the site periphery in respect of the existing scale of the surrounds and three storey dwellings proposed only in the centre of the site. Further, due to the steep level difference between the Greenlow Avenue footpath and the proposed dwellings fronting the street, these dwellings will present as single storey to the street.

3.2 Referrals

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

Traffic Engineer:

- The location of the access complies with requirements for access driveways and meets the minimum access driveway widths as per the Australian Standards AS2890.1.
- It is noted that the subject site is located within the PPTN area and under the Knox Planning Scheme, Clause 52.06, there is no requirement to provide visitor parking within the development.



- The current parallel car parking spaces along Kingloch Parade are a minimum of 6.7m long. The new proposed parallel parking spaces must be a minimum of 6.7m long, in accordance with Knox Planning Scheme requirements.
- For pedestrian safety, light post type street lighting should be installed along access ways in accordance with AS1158.
- The land within the proposed footpath along the frontage of Kingloch Parade should be transferred to Council. This will resolve any public liability issue on private land and maintenance concerns.

Stormwater:

- The proposed development has provided an adequate Overland Flow Path.

Council's Arborist:

- Tree protection fencing conditions be included on any future permit issued.

Landscape:

- The front street setbacks along Greenlow Avenue and Kingloch Parade are insufficient for the planting and future growth of canopy trees especially given the presence of overhead power lines on both streets. Frontages require redesign to allow minimum 6m setback on Kingloch Parade and Greenlow Avenue and sufficient space for small canopy trees to be planted with a minimum 3m setback from buildings along Kingloch Parade.
- The western side setback/Secluded Private Open Spaces are generally insufficient for planting of any canopy trees or other meaningful vegetation. Shrub planting will render these spaces essentially unusable. Climbers on freestanding screens will be the only practical option. A redesign required to allow planting of narrow, upright large feature shrubs with mature height of 4-5 metres such as *Syzygium* 'Pinnacle'.

Officer's response:

To address the concerns of Council's Landscape Officer changes will be required to the Development Plan to show a minimum front setback of dwellings to be 6 metres from Kingloch Parade and Greenlow Avenue. In addition, a minimum of 20 square metres permeable area for each dwelling along the western boundary will be required to allow for the provision of a small canopy tree in each of the secluded private open space areas and a notation to show the Tree Protection Zones of Trees 4, 6- 9, 11- 13, 34, 49, 51, 52, 56 and 57 to ensure that the tree protection zones are clearly identified.

ESD Officer:

- The Sustainable Design Assessment (SDA) checklist submitted with the application is considered satisfactory and will be assessed with the development application.

Parks Services:

- Street trees along Greenlow Avenue can be retained within this design. TPZ fencing protection will be required.

Waste:



- This proposed development will require the lodgement of a Waste Management Plan (WMP) in accordance with Council's Waste Management in Multiple Unit Development Policy and Procedure for the review and approval by the Waste Management team. This will form part of any permit to issue.

Assets:

- No objection to the proposal.

Social Planner:

- Council is in the strongest position to negotiate a social housing contribution through a rezoning application, in accordance with Knox Community and Council Plan 2017-21, Knox Housing Strategy 2015 and Knox Affordable Housing Action Plan 2015-20.

Officer's response:

It is noted that a social housing requirement was proposed by Council when the site was rezoned, and that the Standard Advisory Committee (SAC) determined that this was not appropriate. This application is for the consideration of a Development Plan under the Development Plan Overlay, not a rezoning proposal.

The Committee noted the submission of Council and others for the inclusion of a component of social housing. The Committee believed that it was necessary to distinguish between affordable and social housing. The Committee supported the intent to generally encourage affordable housing (lower priced housing), but was not been convinced of the need to mandate a minimum requirement for social housing (public or community rental housing for low income people) on this site.

The Committee also noted that part of the original school site has already been developed for social housing run by Housing Vic (DHHS). The Committee was of the view that the recommended GRZ1, in combination with the DPO15 encouraged a range of housing types, including some smaller and less expensive 'affordable housing' options. Therefore a provision for social housing was not required as part of the rezoning of the land and not able to be required as part of this Development Plan.

4. Discussion

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

4.1 Zoning and Overlays

4.1.1 Zone

The purpose of the General Residential Zone – Schedule 1 is to encourage development that respects the neighbourhood character of the area; to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport; and to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

- It is considered that the proposed development plan is consistent with the purpose of the General Residential Zone – Schedule 1.

4.1.2 Overlays

Clause 43.04 – Schedule 15 to Development Plan Overlay

Pursuant to the Knox Planning Scheme, the site is located within the Development Plan Overlay – Schedule 15 (DPO15), which relates specifically to the subject site. The Development Plan Overlay (DPO) outlines that prior to a planning permit being granted to subdivide land or construct a building or construct or carry out works, a Development Plan must be prepared to the satisfaction of the Responsible Authority. This Overlay is therefore the planning control which requires the preparation of a Development Plan to Council's satisfaction and once approved,



Planning Applications which are consistent with the Development Plan are exempt from normal notification and third party VCAT appeal provisions.

Plan Components:

- An existing conditions plan showing the key attributes of the land, its context, the surrounding area and its relationship with existing and/or proposed uses on adjoining land.
- Concept plans for the layout of the site which show:
 - Proposed lot layout and vehicle access locations.
 - Proposed earthworks and levels for future development.
 - A mix of dwelling sizes to provide for a diversity of housing.
 - Tree protection zones and appropriate integration of any significant vegetation to be retained with the future development.
 - Stormwater and drainage management treatments including any water sensitive design, or integrated water management elements. How the layout pattern and proposed development responds to the concept plan shown at Figure 1, the site analysis, and how it responds to residential interfaces.
 - A traffic management report prepared by a suitably qualified person(s), which identifies, as relevant:
 - Indicative access arrangements for vehicles, cyclists and pedestrians.
 - Recommendations for any traffic management measures.
 - An arboricultural assessment of any significant vegetation on the land. A landscape plan for the site. Details of how the proposal will demonstrate best practice environmentally sustainable design principles.

Officer's response:

Subject to changes discussed below, the applicant has provided an acceptable response to the plan components listed above in accordance with DPO15.

Development Plan Objectives:

- A design outcome that is generally in accordance with the concept plan shown at Figure 1.

The proposed Development Plan is considered to be generally consistent with the concept plan in Figure 1. Two storey dwellings are proposed fronting Kingloch Parade and Greenlow Avenue with 5m setbacks. A maximum two storey height is proposed along the southern and western interfaces. Three storey built form is proposed at centre of the site, away from adjoining interfaces.

- A range of dwelling types, as appropriate, to cater for a variety of housing needs.

The proposed Development Plan includes an indicative dwelling mix schedule which demonstrates that a diversity of housing is intended, with variety in both bedroom numbers, dwelling size and dwelling typology including conventional and reverse-living typologies, two and three storey forms, and three (50% ratio) and four bedroom dwellings (50% ratio). In light of the Knox Community and Council Plan 2017-21, Knox Housing Strategy 2015 and Knox Affordable Housing Action Plan 2015-20 strategies; a greater density of housing product is required to satisfy the DPO requirements in providing a 'a range of dwelling types.' It is considered that these change is required to the Development Plan prior to it being approved by Council.

- Provision of dwelling setbacks to Kingloch Parade and Greenlow Avenue, and a building design response that respects the existing built form character of the streetscape.

The proposed Development Plan respects the existing built form character of the streetscape through the provision of a maximum 2 storey built form to Kingloch Parade and Greenlow Avenue, decent front setbacks, and subject to a few changes will provide landscaping which will make a meaningful contribution to both streetscapes.



- Development that addresses and provides opportunities for the passive surveillance of Kingloch Parade and Greenlow Avenue.

Proposed Lots facing Kingloch Parade and Greenlow Avenue have been orientated with the dwellings fronting the dwellings facing the streetscape. This will ensure that there is adequate passive surveillance of the street.

- Minimisation of crossovers to Kingloch Parade and Greenlow Avenue.

The development plan responds to this with a centrally located vehicle crossover to Kingloch Parade to provide access into the majority of the site, and double crossovers providing for direct vehicular access to the corner lots. This arrangement promotes a strong built form presentation to Kingloch Parade and Greenlow Avenue and maximises space available for landscaping within the front setbacks.

- Protection of the amenity of adjoining sites by providing for a maximum of 2 storey built form immediately adjacent to or opposite any existing single or double storey residential development.

The proposed development plan shows the adjoining dwellings to the south and west with dwelling height in these location proposed at a maximum two storey height. The minimum boundary setbacks is proposed to be 3 metres at ground floor and five (5) metres at first floor to the west, and three (3) metres at ground and first floor to the south.

These sensitive interfaces to the south and west of the subject site will be further softened through native canopy tree planting as detailed within the Landscape Masterplan.

- Internal amenity for future residents. Identification and protection of any significant vegetation along the property boundaries.

The maximum building envelopes have been designed to ensure that significant trees can be retained, noting that the Australian Standard allows encroachment into the tree protection zone (TPZ) of up to 10%.

- Sustainable design features to address water management, solar access and energy saving initiatives, to deliver lower housing costs for future residents.

The proposed Development Plan includes a commitment to the following:

- A minimum average 6 star energy rating for proposed future dwellings.
- Provide a 2000L water tank for each lot.

The Landscape Masterplan includes several water sensitive urban design initiatives, including:

- A mechanical irrigation system where water is pumped to high points to enhance passive irrigation.
- Road runoff channeled to provide passive irrigation of planting between driveways which will act as raingardens.

4.2 Policy Consideration: State and Local Planning Policy Framework

State and local policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development. The key themes for the assessment of the application include Housing, Sustainability and Environment, Transport and Urban Design.

4.2.1 Housing

Clause 16 Housing: Encourage the development of well-designed medium-density housing that respects the neighbourhood character; improves housing choice; makes better use of existing infrastructure; and, improves energy efficiency of housing. Locate new housing in or close to activity centres and employment corridors and at other strategic development sites that offer good access to services and transport.

Municipal Strategic Statement: Council's MSS encourages development occurring with the necessary consideration to such matters as managing population growth, encouraging sustainable development, and influencing the urban



form so that Knox itself becomes more sustainable. The MSS makes specific reference to the diversifying and aging population in Knox which will see an increase in the number of smaller household types, with 'lone person' and 'couple only' households making up just over half of all households in Knox within 20 years.

Clause 21.06 Housing: The Housing theme implements the Knox Housing Strategy 2015. In managing the City of Knox's current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community's changing household needs. Development in residential areas will need to respond positively to the desired future character of the local area and take account of the particular built form and natural environmental elements that make up the neighbourhood character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

- The proposed development is considered to be consistent with the state and local policy direction for housing provision on this site, is consistent with the DPO15, and will provide an appropriate balance between the need for additional housing within the Urban Growth Boundary whilst ensuring that the character of the area is not detrimentally compromised.

4.2.2 Sustainability and Environment

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

Clause 22.04 Environmentally Sustainable Development: This new policy introduced into Knox Planning Scheme under Amendment C150 requires applicants to address Environmentally Sustainable Development (ESD) principles including energy performance, water resources, indoor environmental quality, stormwater, waste management, transport and urban ecology, by applying these principles within the proposed development.

- The Sustainable Design Assessment submitted with the application is considered to be acceptable in accordance with DPO15 requirements.

4.2.3 Transport

Clause 18 Transport – Ensure that access is provided to all available modes of transport.

- The site is located within a 550m walk of bus stops on the 901 (on Boronia Road) and 745 bus routes along Dunbarton Drive (500m).

4.4.4 Urban Design (including Neighbourhood Character)

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

Clause 21.05 Built Environment and Heritage: Development should address needs of changing household structures, creating high quality, well-designed places that respect and strengthen the local context and landscape qualities of Knox. It is important to achieve environmentally sustainable development that contributes to a more liveable and sustainable Knox, including efficient use of urban water runoff and the quality of stormwater entering waterways.

Housing liveability and amenity for occupants should be improved by supporting indoor environment quality (such as access to daylight and ventilation).

Clause 22.07 Development in Residential Areas and Neighbourhood Character: Knox Neighbourhood Area. Clause 22.07 identifies the subject site as "a Strategic Investigation Site, Site 3, Wantirna Heights School."



- A full local policy assessment will be undertaken at the planning permit stage for the development of dwellings. However, the proposed development in a general sense is considered to be consistent with these policy directions, has the potential to achieve good design and built form outcomes, and will create a new character for the streetscape which is respectful of existing character, but which will also be contemporary.

4.3 Particular Provisions

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

Clause 52.06-5 specifies a ratio of two car spaces to each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) and one visitor space to every five dwellings for developments of five or more dwellings. A permit may be granted to reduce or to waive the number of car spaces required by the table.

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

The site is located within the Principal Public Transport Network Area and is therefore subject to the 'Column B' rates at Table 1 apply (with no requirement to provide visitor car parking).

- The maximum dwelling envelopes shown on the Development Plan have accounted for the provision of on-site car parking in accordance with Clause 52.06.
- The 17 Kingloch Parade on-street parallel parking spaces are proposed to be retained resulting in a net zero change to on-street parking spaces along the site's road frontages.
- While the majority of the internal road network is proposed to be managed by an owner's corporation, reference is made to Clause 56 of the Knox Planning Scheme. The internal roads are generally similar to and characterised as an Access Place under Clause 56.06-8 which is a minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority".

Clause 52.17 (Native Vegetation)

The purpose of Clause 52.17 is:

- To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):
 - Avoid the removal, destruction or lopping of native vegetation.
 - Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
 - Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.
 - To manage the removal, destruction or lopping of native vegetation to minimize land and water degradation.
- The proposed Development Plan ensures that the purposes of Clause 52.17 are satisfied by generally avoiding the removal of native vegetation where possible. Any proposed removal of native vegetation would be subject to the planning permit application process.

Clause 56 (Residential Subdivision): The purpose of Clause 56 is to:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create liveable and sustainable neighbourhoods and urban places with character and identity.



- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
 - Metropolitan Melbourne growth areas.
 - Infill sites within established residential areas.
 - Regional cities and towns.

- To ensure residential subdivision design appropriately provides for:
 - Policy implementation.
 - Livable and sustainable communities.
 - Residential lot design.
 - Urban landscape.
 - Access and mobility management.
 - Integrated water management.
 - Site management.
 - Utilities.

The Development Plan ensures that the purposes of Clause 56 are generally satisfied by:

- Providing a framework for a liveable and sustainable neighbourhood that offers a range of residential lot sizes and housing types (subject to condition).
- Providing a framework for a future residential subdivision that appropriately responds to the site and its context.
- Ensuring streets and houses promote passive surveillance of public open spaces.
- Providing attractive and continuous landscaping in streets and public open spaces that contributes to the character and identity of the existing and future neighbourhood.
- Creating a unique sense of place and urban identity.
- Providing an internal road and pedestrian network that ensures a high level of permeability.
- Future subdivision applications will be assessed against the relevant provisions of Clause 56.

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

A full Clause 55 assessment will undertake at the planning permit stage for the development of dwellings.

4.5 General Decision Guidelines

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

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

5. Conclusion

That Council approve the Development Plan for the redevelopment of the former Wantirna Heights School and supporting documents in Attachment 2 in accordance with the Development Plan Overlay Schedule 15 (DPO15) of the Knox Planning Scheme, subject to the following changes:

- 1.1** The provision of housing as shown in the development plan amended to include a minimum 10 percent of the housing to be 2 bedroom dwellings.
- 1.2** A minimum front setback of dwellings to be 6 metres from Greenlow Avenue.
- 1.3** A minimum 20 square metres permeable area for each dwelling along the western boundary to allow for the provision of a small canopy tree in each of the secluded private open space areas.



[Attachment 1](#)

1.4 A notation to show the Tree Protection Zones of Trees 4, 6- 9, 11- 13, 34, 49, 51, 52, 56 and 57.
To the satisfaction of the Responsible Authority.

Attachment 6.2.2 is available as a separate file

6.3 158-160 Boronia Road, Boronia

SUMMARY: Principal Planner, Domenic Petrilli

This application is for P/2019/7158 for the use and development of land for a medical centre and associated variation to car parking requirements and alteration to access in a Road Zone Category 1 at 158-160 Boronia Road, Boronia.

RECOMMENDATION (SUMMARY)

That Council issue a Planning Permit for the use and development of land for a medical centre, associated variation to car parking requirements and alteration to access in a Road Zone Category 1 at 158-160 Boronia Road, Boronia, subject to the conditions detailed in the full recommendation in section 10 below.

1. INTRODUCTION

Application P/2019/7158 has been received for the use and development of land for a medical centre, associated variation to car parking requirements and alteration to access in a Road Zone Category 1 at 158-160 Boronia Road, Boronia.

This application is being reported to Council as the building height exceeds the maximum preferred height of 14 metres as specified within the Design and Development Overlay Schedule 7. Within the Boronia Activity Centre, building heights are set out in Knox City Council (2006) Boronia Structure Plan. Any variations to these specified heights cannot be approved under delegated authority – given the recommendation to issue a planning permit, the application must be considered by Council.

The development proposes a purpose-built medical facility with pharmacy, function room and cafe. The five storey building includes basement and at grade car parking and will cater for 25 health practitioners operating 7am – 12am, 7 days per week.

2. DISCUSSION

It is considered that the use and development will strike an appropriate balance between providing a well located essential service, protecting the amenity of nearby residential area and complementing surrounding commercial uses. Sufficient car parking and vehicle and pedestrian access has been provided on site.

The proposed development is considered to be consistent with the State and Local policy direction for Economic Development, Sustainability and Environment, Transport and Urban Design and Local Areas.

The building design is respectful of local area design policy. The development will maintain and contribute to the green and leafy character of Knox, with the retention of and provision of canopy trees, shrubs and landscaping across the site.

The proposal is consistent with key directions of the draft Boronia Renewal Strategy. The proposal supports economic development and investment, local employment opportunities within the identified Boronia Health Precinct. The proposal is consistent with the proposed new Activity Centre Zone. The site is located in Precinct 3 which will support built form up to 6 storeys. The building at five-storeys is well-designed, sustainable, and will a positive contribution to the local neighbourhood. The proposal also provides good pedestrian and cycling accessibility, suitable level of appropriately located and designed car parking and is accessible public transport.

The property owners are currently in a lease arrangement with Council regarding the rear public car park area of both lots. Discussions are currently underway with Council's Property team to renegotiate the lease arrangement. A condition will be included on the permit requiring that the lease arrangement be resolved with Council prior to works commencing. Further public access must be maintained for both vehicles and pedestrians through to Park Crescent.

3. CONSULTATION

The application was advertised by way of two (2) signs on the site and notices were sent to adjoining property owners and occupiers. No objections were received.

The application was referred to the Department of Transport and to Council's Traffic Engineer, Stormwater Engineer, Assets Officer, Landscape Officer, Arborist, Waste Officers, Property Services, City Futures, Urban Design and ESD Officer. No major concerns were raised with the application. Any conditions from referrals have been included in the Conditions within the Recommendation.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no significant environmental impacts or amenity issues associated with the proposed use/development. A thorough assessment of the application against environmental and amenity considerations can be found at Section 4 of the Officer's Report at Appendix A.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with the proposed use/development for Council.

6. SOCIAL IMPLICATIONS

There are no significant social implications associated with the proposed use and development. A thorough assessment of the application against all relevant considerations of the Knox Planning Scheme can be found at Section 4 of the Officer's Report at Attachment 1.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.1 - Protect and enhance our natural environment

Strategy 1.2 - Create a greener city with more large trees, indigenous flora and fauna

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure.

Goal 5 - We have a strong regional economy, local employment and learning opportunities

Strategy 5.1 - Attract new investment and support the development of existing local businesses, with a particular focus on Health Service sectors.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author - Principal Planner, Domenic Petrilli - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director City Development – Interim Finance and Governance, Matt Kelleher – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The proposal will strike an appropriate balance by providing a well located essential service, protecting the amenity of the nearby residential area and complementing surrounding commercial uses. The well-considered design provides a purpose-built facility and achieves good building design and landscaping outcomes.

10. RECOMMENDATION

That Council issue a planning permit for the use and development of land for a medical centre, associated variation to car parking requirements and alteration to access in a Road Zone Category 1 at 158-160 Boronia Road, Boronia subject to the following conditions:

Amended Plans

- 1. Prior to the commencement of the use and 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 Notation, 'No more than 22 medical practitioners are to be onsite at any one time.'**
 - 1.2 Notation, 'The function room must not be used, during 9am to 5pm Monday to Saturday, or when any of the medical appointing/consultation is occurring onsite.'**
 - 1.3 A notation on the plans stating that obscured windows to the residential interface 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.**

Traffic and Transport

- 1.4 Access way surface in undercroft area treated with materials/texture/traffic calming to give safe and legible space for pedestrian movement within car park and for pedestrian movement to Park Crescent and other medical facilities, and between bicycle facilities and undercroft access/entries.**
- 1.5 The redundant crossing located on Boronia Road to be removed and kerb and nature strip to be reinstated to Council standard.**
- 1.6 All vehicles must enter and exit the site in a forward direction.**
- 1.7 A turning area at the end of the parking aisle in the basement carpark.**
- 1.8 The width of the driveway to align with the crossover on Cypress Avenue.**
- 1.9 All internal footpaths, pedestrian ramps, landings and pram crossings constructed to satisfy the Disability Discrimination Act (DDA) and AS 1428.1:2009.**
- 1.10 A 1.5m wide footpath on the east side of Cypress Avenue constructed along the frontage of the property from the driveway to the public footpath on Boronia Road to allow safe access for pedestrians.**
- 1.11 On-site public lighting must be provided within the carpark to the satisfaction of the relevant authority and in accordance with AS1158.**
- 1.12 Bicycle facilities provided in accordance with Clause 52.34 of the Knox Planning Scheme. Bicycle parking facilities must be provided on site for a minimum of 3 bicycles in the form of secure bicycle lockers or compound which conform to AS2890.3:2015.**

Urban design

- 1.13 Introduction of a horizontal architectural element to break up the sheer presentation of the stair core and foyer (in the north-east corner) and distinguish between the middle rise component of the building and the recessive top.**

Tree Protection

- 1.14 Tree Protection Zones and tree protection measures for all trees being retained including trees 4, 6, 12 and 13.**

Waste

- 1.15 A dedicated secure clinical waste storage area.**

ESD

- 1.16** Annotation stating, 'Prior to the occupation of the development, the development must be constructed in accordance with the Sustainable Design Assessment.'
- 1.17** A notation on the plans stating that the location and size of any water tanks may be varied but must in accordance with the approved Drainage Plans and Sustainable Design Assessment.
- 1.18** Development plans to reflect all sustainability features indicated in the submitted, amended and approved Sustainability Management Plan (SMP). Where features cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating and cooling systems, plumbing fixtures etc.). The plans are to be generally in accordance with the plans submitted indicating:
 - 1.19** Water-sensitive urban design measures, as reflected in a STORM Assessment or equivalent which reciprocally addresses the Responsible Authority's integrated water management expectations and requirements, as well as, appropriate access indicated to maintain and service such systems.
 - 1.20** A notation indicating the capacity of the rainwater tanks and that such capacities are allocated exclusively for reuse/retention purposes and excludes any volume allocated for detention.
 - 1.21** A notation indicating the amount of toilet services and irrigation areas that the rainwater tanks shall facilitate.
 - 1.22** Design measures as identified in the BESS Report, as required to exceed an acceptable overall 50% score and exceed the 'pass' marks in the categories of Water, Energy, Stormwater and Indoor Environment Quality (IEQ) to the satisfaction of the Responsible Authority.
 - 1.23** All operable windows, doors, terrace openings and vents in elevation drawings.
 - 1.24** Preliminary glazing specifications for glazing, including solar heat gain coefficient (SHGC), visual light transmittance (VLT) and U-value. Ensure that such values are consistent with Daylight Modelling and Preliminary Section J or JV3 Energy Efficiency Modelling inputs.
 - 1.25** Any exterior building services equipment, including any heating, cooling, ventilation, hot water systems and renewable energy.

- 1.26 The location of alternative transport facilities (cycling, motorcycle and car-share, where necessary) including common/employee showers, change room facilities and lockers provided for employees.**
- 1.27 An annotation of the timber species intended for use as decking or outdoor timber, noting that unsustainably harvested imported timbers (such as Merbau, Oregon, Western Red Cedar, Meranti, Luan, Teak etc.) must not be used.**
- 1.28 Where measures cannot be visually shown, include a notes table or 'ESD Schedule' providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc.).**

To the satisfaction of the Responsible Authority.

Rear carpark Lease and public access

- 2. Before commencement of any buildings and works, the current rear carpark lease arrangement with Council must be renegotiated and resolved with Council's Property Department, to the Satisfaction of the Responsible Authority.**
- 3. Public access must be maintained through the rear carpark through to Park Crescent at all times.**

Other Plans

- 4. 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:**
 - 4.1 Drainage plans in accordance with Condition 5.**
 - 4.2 Landscape plans in accordance with Condition 8-15.**
 - 4.3 Sustainable Design Assessment in accordance with Condition 20.**
 - 4.4 Waste Management Plan in accordance with Condition 36.**
 - 4.5 Car Parking Management Plan in accordance with Condition 37.**
 - 4.6 Construction Traffic Management Plan in accordance with Condition 38.**
 - 4.7 Construction Management Plan in accordance with Condition 39.**

To the satisfaction of the Responsible Authority.

Drainage Plans

- 5. 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:**
 - 5.1 All stormwater drainage discharge from the site connected to a legal point of discharge.**
 - 5.2 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.**
 - 5.3 The on-site detention system to be installed in a suitable location for easy access and maintenance.**
- 6. 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.**
- 7. The use of water quality improvement systems is required to be provided for this development. The use of rainwater tanks, bioretention systems and vegetated swales can be used and these are to be incorporated in the stormwater drainage design plans.**

To the satisfaction of the Responsible Authority.

Landscaping

- 8. 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 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:**
 - 8.1 A survey (including botanical names, height and width) of all existing vegetation to be retained and / or removed.**
 - 8.2 The identification and removal of all vegetation identified as an environmental weed in Knox (as outlined in Council's 'Landscape Plan Guidelines).**
 - 8.3 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.**
 - 8.4 Details of the surface finishes of pathways and driveways.**
 - 8.5 Details and location of all existing and proposed services including above and below ground lines, cables and pipes.**

- 8.6 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.**
- 8.7 Landscaping and planting within all open areas of the site.**
- 8.8 The layout of the proposed development.**
- 8.9 The Landscape plans must show the provision of at least 7 additional indigenous or native canopy trees and 9 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:**
 - 6.9.1 Front setback (Boronia Rd) - 1 large indigenous canopy tree and 3 medium indigenous or native canopy trees.**
 - 6.9.2 Front setback (Cypress Ave) - 1 medium indigenous or native canopy tree and 5 large feature shrubs with a mature height of 4-5 metres.**
 - 6.9.3 Southern boundary – 4 large feature shrubs with a mature height of 4-5 metres.**
 - 6.9.4 Car park planter box – 2 small canopy trees.**
- 9. Planting of this site to comprise 40% of the vegetation species to be indigenous (across all plant forms) from plant list 1 of the 'Landscape Plan Guidelines' and 40% additional native species (across all plant forms) from plant list 2 of the 'Landscape Plan Guidelines'. Remaining plant species (20%) can be indigenous, native or exotic (across all plant forms) provided they are not listed as weeds.**
- 10. The plan must incorporate Raingardens and/or Bioswales to treat the water runoff from the hard surfaces (car parks and driveways). The surface area of the proposed raingarden should be 3-5% of the surface area of the catchment feeding it. The levels should be shown on the plan and the concrete pavement should be shaped to drain into the raingarden (at the lowest point) through gaps in the kerbing. Details of the raingarden should be shown on drainage and landscape plan in accordance with Knox City Council's standard. The roof water is to be captured by rainwater tanks and reused for toilet flushing and garden.**
- 11. At least 50% of the vegetation species located in the raingarden should comprise of some or all of the following; Carex sp, Juncus sp, Melaleuca and Goodenia. This ensures adequate removal of Nitrogen and Phosphorus. Low and tufting plants proposed for the raingarden should be planted at a minimum density of 6 plants/m2.**
- 12. Show tree protection measures for trees to be retained and neighbouring trees with TPZs extending into subject site.**
- 13. Any relevant Water Sensitive Urban Design techniques in accordance with Condition 7.**

- 14. 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.**
- 15. 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.**

To the satisfaction of the Responsible Authority.

General

- 16. All use and development must be in accordance with the endorsed plans.**
- 17. The layout of buildings and works as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
- 18. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 19. Prior to the occupation of the development, the development must be completed in accordance with the endorsed plan/s to the satisfaction of the Responsible Authority.**

Sustainable Design Assessment

- 20. Prior to the commencement of any buildings or demolition works, an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. This SMP must be generally in accordance with the SMP submitted with the application and amended to include the following changes:**
 - 20.1 A STORM Assessment or equivalent addressing stormwater quality performance, in addition to ensuring that the Responsible Authority's collective integrated water management expectations and requirements pursuant to Clauses 34 and 44 of the State Environment Protection Policy (Waters), are satisfied.**
 - 20.2 A complete, published BESS Report, with an acceptable overall score that exceeds 50% and exceed the 'pass' marks in the categories of Water, Energy Stormwater and Indoor Environment Quality (IEQ) to the satisfaction of the Responsible Authority.**
 - 20.3 A Preliminary BCA Section J or JV3 Energy Efficiency Assessment indicating a 10% improvement in energy efficiency performance with respect to the development's reference/base case. The assessment is required to include indicative commitments towards thermal performance (i.e. R-values), artificial lighting and glazing (utilisation of BCA Glazing Calculator indicating U- and SHGC- values) for non-residential areas.**
 - 20.4 Daylight modelling assessment to the satisfaction of the Responsible Authority.**
 - 20.5 Double glazing for all external windows.**
 - 20.6 Control car park ventilation with CO sensors.**

- 20.7 Control car park lighting, where reasonably safe to do so, with motion sensors or timers.**
 - 20.8 Control all common, service and lift area lighting with sensors or timers.**
 - 20.9 Control common, service and lift area ventilation with sensors or timers.**
 - 20.10 Provide energy efficient heating, cooling and hot water systems indicating the associated COP and EER values or energy efficiency star ratings.**
 - 20.11 Include a minimum 5 kW renewable energy photovoltaic system.**
 - 20.12 Provide water efficient fixtures and appliances indicating the associated WELS ratings.**
 - 20.13 Divert at least 80% of construction and demolition waste from landfill.**
 - 20.14 Once submitted and approved to the satisfaction of the Responsible Authority, the SMP will form part of the endorsed plans under this permit.**
 - 20.15 The requirements of the SMP must be demonstrated on the plans and elevations submitted for endorsement, and the requirements of this plan must be implemented by the building manager, owners and occupiers of the site when constructing and fitting out the building, and for the duration of the buildings operation in accordance with this permit, to the satisfaction of the Responsible Authority.**
- 21. Prior to the occupation of the development, the development must be constructed in accordance with the Sustainable Design Assessment.**

Tree Protection

- 22. 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.**
- 23. Prior to any works commencing on the site (including demolition and tree removal), 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.**
- 24. 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.**

- 25. The fence and signage is to be maintained throughout the construction period and removed at the completion of all works.**
- 26. No temporary removal of the fence, or encroachment into the protection zone is permitted without the written consent of the responsible authority.**
- 27. 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.**
- 28. The following activities are prohibited from the tree protection area, without the written consent of the responsible authority:**
 - 28.1 Construction activities.**
 - 28.2 Dumping and/or storage of materials, goods and/or soil.**
 - 28.3 Trenching or excavation.**
 - 28.4 Lopping branches, nailing or affixing signs, service lines, lights etc to the trees.**
- 29. Prior to any works commencing on site, the Responsible Authority must be contacted to inspect the Tree Protection fencing.**

Car Parking & Accessways

- 30. Before the development is occupied, driveways and car parking areas must be:**
 - 30.1 Fully constructed in accordance with plans submitted to and approved by the Responsible Authority. The plans must show existing and proposed levels of driveways and car parking areas, together with drainage layout, invert levels, surfacing and vehicular crossing proposal.**
 - 30.2 Properly formed to such levels that they can be used in accordance with the plans.**
 - 30.3 Constructed to the absolute minimum standard of 125 mm depth of reinforced concrete or other approved hardstanding sealed surface.**
 - 30.4 Line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.**

To the satisfaction of the Responsible Authority.
- 31. Parking areas and driveways must be kept available and maintained for these purposes at all times to the satisfaction of the Responsible Authority.**
- 32. All vehicles must enter and exit the site in a forward direction.**
- 33. All internal footpaths, pedestrian ramps, landings and pram crossings constructed to satisfy the Disability Discrimination Act (DDA) and AS 1428.1:2009.**

Lighting

- 34. Accessway and car parking lighting shall be provided to the satisfaction of the Responsible Authority in accordance with AS1158.**
- 35. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent adverse effects on adjoining land.**

Waste Management Plan

- 36. Prior to the commencement of the development approved under this Permit, 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 and a dedicated secure clinical waste storage area. Garbage and recyclables storage and collection must be undertaken in accordance with the approved plan/documentation, and must be undertaken by a private contractor, to the satisfaction of the Responsible Authority. Council will not collect waste from the proposed development.**

Car Parking Management Plan

- 37. Before the plans are endorsed, a Car Parking Management Plan must be prepared by an appropriately qualified traffic consultant must be submitted to and approved by the Responsible Authority. When approved, the document will be endorsed and form part of this permit. The car parking management plan must address, but is not necessarily limited to, all of the following:**
 - 37.1 Allocation of car parking for different patrons to the site;**
 - 37.2 Signage for parking spaces;**
 - 37.3 Line marking of parking spaces; and**
 - 37.4 An operational manual that details staff policies for car parking, procedures for the management of tandem and express car parking spaces and complaints handling procedures.**

The car parking management plan must be implemented to the satisfaction of the Responsible Authority. No alterations may be made without the prior written approval of the Responsible Authority.

Construction Traffic Management Plan

- 38. An approved Construction Traffic Management Plan (CTMP) must be developed prior to the commencement of the construction to minimize adverse impacts of construction activities on Boronia Road and Cypress Avenue and to the satisfaction of 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 CTMP must specify and deal with, but is not limited to, the following:**

- 38.1 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 of the site;**
- 38.2 Onsite facilities for washing construction vehicles;**
- 38.3 Parking arrangements for construction workers;**
- 38.4 Delivery and unloading points and expected frequency;**
- 38.5 A liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced;**
- 38.6 An outline of requests to occupy public footpaths or roads, or anticipated disruption to local services.**

Construction Management Plan

39. Prior to the commencement of the development approved under this Permit, a Construction 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:

- 39.1 A detailed schedule of works including a full project timing;**
- 39.2 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.**
- 39.3 The location for the parking of all construction vehicles and construction worker vehicles during construction;**
- 39.4 A fully detailed plan indicating where construction hoardings would be located;**
- 39.5 A waste management plan including the containment of waste on site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing;**
- 39.6 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;**
- 39.7 Site security;**
- 39.8 Public safety measures;**
- 39.9 Construction times, noise and vibration controls;**
- 39.10 Noise produced from the construction of the development should not impact upon the health of the neighbouring properties. In accordance with section 2 of the Noise Control Guidelines (EPA Publication 1254), construction noise should not impact upon neighbouring properties outside the hours of:

7am – 8pm Monday to Friday**

7am – 1pm Saturday.

- 39.11 Restoration of any Council assets removed and/or damaged during construction;**
 - 39.12 Protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);**
 - 39.13 Remediation of any damage to road and other infrastructure (limited to an areas reasonably proximate to the site);**
 - 39.14 An emergency contact that is available for 24 hours a day.**
 - 39.15 All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.**
- 40. During the construction, the following must occur to the satisfaction of the Responsible Authority:**
- 40.1 Any stormwater discharges into the stormwater drainage system is to comply with EPA guidelines;**
 - 40.2 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;**
 - 40.3 Vehicle borne material must not accumulate on the roads abutting the site;**
 - 40.4 The cleaning of machinery and equipment must take place on site and not on adjacent footpaths, roads or parks;**
 - 40.5 All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and**
 - 40.6 All site operations must comply with the EPA Publication 1254 (including all revisions or replacement guidelines).**

Amenity During Construction

- 41. 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:**
- 41.1 the appearance of building, works or materials on the land**
 - 41.2 parking of motor vehicles**
 - 41.3 transporting of materials or goods to or from the site**
 - 41.4 hours of operation**
 - 41.5 stockpiling of top soil or fill materials**
 - 41.6 air borne dust emanating from the site**
 - 41.7 noise**
 - 41.8 rubbish and litter**

41.9 sediment runoff

41.10 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.

Amenity

- 42. In the event that any undue detriment is caused to the amenity of the area as a result of noise emanating from the activities within the building hereby permitted then noise amelioration measures shall be undertaken to address this amenity issue to the satisfaction of the Responsible Authority.**
- 43. The owner and/or occupier shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which the permit relates.**
- 44. Noise from the property must not exceed limits prescribed by the State Environment Protection Policy (Control of noise from Commerce Industry & Trade) No. N-1 and State Environment Protection Policy (Control of noise from Public premises) No. N-2.**

Fencing

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

Stormwater

- 47. 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

- 48. The external materials of the development hereby permitted (including the roof) must be non-reflective and finished in subdued tones and/or colours to the satisfaction of the Responsible Authority.**

Signage

- 49. Except as may be permitted by the Planning Scheme no advertising signs, flags, bunting or the like devices shall be displayed on the site without the further permission of the Responsible Authority.**
- 50. The permitted sign(s) must not be illuminated by flashing lights.**

51. All signs must be wholly located within the boundaries of the subject land.
52. Signs must not be illuminated by external lights except with the further written consent of the Responsible Authority.
53. No further advertising signs, flags, buntings or similar devices must be displayed on the site without the prior written consent of the Responsible Authority, unless otherwise permitted by the Knox Planning Scheme.
54. External sign lighting must be designed, baffled and located so that no direct light is emitted beyond the boundaries of the site and no nuisance is caused to adjoining properties, to the satisfaction of the Responsible Authority.
55. The intensity of the light in the signs must be limited so as not to cause glare or distraction to motorists or other persons or loss of amenity in the surrounding area all to the satisfaction of the Responsible Authority.
56. The location and details of sign(s) (including the detailed signwriting, message and/or images displayed) as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

Maintenance

57. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Use

58. Not more than 22 practitioners registered under Victorian legislation in the diagnosis or treatment of physical or mental injuries or illnesses shall conduct consultations or carry out procedures on the premises at any one time.
59. The medical use and associated uses may only operate between the hours of 7am and 12am.
60. The function room must not be used, during 9am to 5pm Monday to Saturday, or when any of the medical appointing/consultation is occurring onsite.
61. Deliveries to the premises should be made in accordance with section 9 of the Noise Control Guidelines (EPA Publication 1254), where a residential area will be impacted by noise from deliveries, then deliveries should be inaudible in a habitable room of any residential premises (regardless of whether any door or window giving access to the room is open) outside the hours of:
 - 7am – 10pm Monday to Saturday
 - 9am – 10pm Sundays and public holidays.
62. Any noise emissions from the premises must comply with State Environmental Protection Policy (Control of Noise from Commerce, Industry and Trade) N – 1 (SEPP N – 1).

- 63. The various activities forming parts of the use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**

Permit Expiry

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

64.1 The use and development is/are not started within two years of the date of this permit.

64.2 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):

- The Applicant shall engage a certified Engineering Consultant to analyse the site's existing drainage to determine type and size of the Onsite Detention (OSD) system. This shall be designed in accordance with the Knox City Council (Responsible Authority) Stormwater Drainage Guidelines, (copy available on request), and approved drainage design methods specified in the current edition of Australian Rainfall and Runoff. It should be located preferably in a common area to the development and be easily accessible for maintenance.**
- Approximately 65 m of outfall drain will be required to connect the property to the nearest Council side entry pit located near south-east of 152 Boronia Rd. The outfall drain is to be a minimum of 300mm diameter and constructed to Council standards and satisfaction. The applicant is to submit detailed design plans of the outfall drain to Council for approval.**
- Existing 150mm pipe which is in the middle of the property is to be abandoned, flush cut and blocked within the property boundary.**
- 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 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, eg water storage tanks, swale drains, etc.**
- Inadequate overland flow path through the property is shown. The applicant must demonstrate how overland flow for the 100 year ARI (1% AEP) will be appropriately**

managed to Councils satisfaction. Details must be included in the engineering stormwater design plans.

Landscape Notes (to be read in conjunction with the above landscape conditions)

- The plan should incorporate Raingardens and/or Bioswales to treat the water runoff from the hard surfaces (car parks and driveway's). The surface area of the proposed raingarden should be 3-5% of the surface area of the catchment feeding it. The levels should be shown on the plan and the concrete pavement should be shaped to drain into the raingarden (at the lowest point) through gaps in the kerbing. Details of the raingarden (cross section enclosed) should be shown on drainage and landscape plan in accordance with Knox City Council's standard.
- At least 50% of the vegetation species located in the raingarden should comprise of at least two of the following species; Carex sp, Juncus sp, Melaleuca and Goodenia. This ensures adequate removal of Nitrogen and Phosphorus.

Other Notes:

- A building permit must be obtained before development is commenced.
- This approval relates to the development of the subject land only. A further planning permit for the use of the land may be required. Confirmation should be obtained from the Planning Department of Knox City Council prior to occupation.
- Buildings are not allowed to be built over Council easements.
- 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.
- 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.
- 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.
- A Road Opening Permit is required for any works within or affecting the road reserve.

Health notes

- Prior to commencing the fit-out of any food premises, floor plans should be submitted for review and comment to Council's Health Compliance Unit to assess compliance under the *Food Act 1984* and Food Standards Code.
- Prior to the commencement of trade of any food premises, the operator must be in receipt of a current Food Act registration issued by the Health Compliance Unit of Knox City Council.

- **The development must comply with South East Water requirements in relation to the installation of a food and oil interceptor (grease trap).**
- **Any proposed mechanical extraction system in the proposed food premises should be installed in accordance with the requirements of the Australian Standards AS 1663.2. The mechanical extraction system should be designed and installed to ensure that odours and fumes do not cause a nuisance for the neighbouring properties.**
- **All waste disposal points (designated bin storage areas) are to be maintained in a clean, sanitary condition and free from obstruction at all times. If upon the request of the Responsible Authority (Knox City Council or Environmental Protection Authority), the operator must remedy any situation to the satisfaction of the Responsible Authority or its Authorised Officer within 24 hours.**
- **Any noise emissions from the premises must comply with State Environmental Protection Policy (Control of Noise from Commerce, Industry and Trade) N – 1 (SEPP N – 1).**
- **At the request of the Responsible Authority, the operator will within thirty (30) days, supply an assessment of the noise levels emitted from the site by a qualified acoustic consultant/engineer with readings taken at times specified by the Responsible Authority.**
- **The assessment will document compliance with SEPP N – 1 and/or environmental noise impacts detected at residential properties and/or commercial properties indicating frequency and intensity of PEAK noise exposure. All costs associated with this assessment are to be borne by the operator of the business.**

11. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Principal Planner, Domenic Petrilli
Report Authorised By: Director, City Development – Interim Finance and Governance, Matt Kelleher

Attachments

1. Attachment 1 - 158-160 Boronia Road, Boronia [6.3.1 - 9 pages]
2. Attachment 2 - Council Attachments - 158-160 Boronia Rd Boronia P 2019 7158 [6.3.2 - 16 pages]



Planning Application P/2019/7158 for the use and development of land for a medical centre and associated variation to car parking requirements and alteration to access in a Road Zone Category 1 at 158-160 Boronia Road, Boronia.

1. Summary:

| | |
|---------------------------|---|
| Subject Site: | 158 - 160 Boronia Road, BORONIA VIC 3155 |
| Proposed Development: | Use and development of land for a medical centre, associated variation to car parking requirements and alteration to access in a Road Zone Category 1 |
| Existing Land Use: | Medical Centre |
| Site Area: | 1948 square metres |
| Planning Scheme Controls: | Commercial 1 Zone, Design Development Overlay 7, Adjacent to Road Zone 1 |
| Application Received: | 12 June 2019 |
| Number of Objections: | Nil |
| PCC Meeting: | Not required |
| Ward: | Baird |

2. Purpose

The purpose of this report is to provide Council with the Council Planning Officer's assessment of Planning Permit Application P/2019/7158 to assist in making a decision on the application. It should be read in conjunction with the other appendices. This application is being reported to Council as the building height exceeds the suggested maximum height of 14 metres as outlined within the Design and Development Overlay Schedule 7.

2.1 Subject Site and Surrounds

The location of the subject site and surrounds is shown in Appendix C.

- The subject site is two allotments located on the corner of Boronia Road and Cypress Avenue, known as 158 and 160 Boronia Road, Boronia. The subject site is rectangular in shape and has a fall of approximately 2 metres (m) from the south eastern to the north western corner of the land.
- The subject site and surrounds are located within an established commercial area within the Boronia Activity Centre. To the east, west and north are commercial developments. To the south is residential.
- The total site area is 1948m². 158 Boronia Road has vehicular access via a single width crossover to Boronia Road. 160 Boronia has vehicular access via a double width crossover to Cypress Avenue from a public carpark. Council currently has a lease with the property owners to manage the public carpark.
- A 1.83m wide drainage and sewerage easement is located along the southern boundary of the site.
- Both lots are developed with single storey weatherboard dwellings which are used as a medical centres.
- There is significant existing vegetation on the site.



2.3 The Proposal

The proposal seeks permission for use and development of land for a medical centre and associated variation to car parking requirements and alteration to access in a Road Zone Category 1.

Refer to attached plans at Attachment 2. Details of the proposal are as follows:

- A five storey building including basement and at grade car parking. The main pedestrian entrance will be on Boronia Road with additional pedestrian entry through the main vehicle access point on Cypress Avenue. Public vehicle and pedestrian access will be maintained through to the adjacent carparks and Park Crescent.
- The building design is contemporary using materials such as zinc cladding, acrylic render, tinted glass and powder coated vertical louvers.
- The minimum building setback to the frontage (Boronia Road) will be 3.7m, a 3m side setback to Cypress Avenue and a maximum building height of 21.4m.
- The proposed number of staff will be 25 health practitioners and up to 5 staff for the ancillary pharmacy and café. Operating hours will be 7am – 12am, 7 days per week.
- The proposed function room on Level 4 will cater for private functions for up to 60 patrons and will only occur outside of the operating hours for the medical centre.
- The basement level includes parking for 42 car spaces (one disabled, four tandem), circular accessway, bicycle store, services, carpark foyer with lift and stairs.
- The ground floor has a pharmacy, entrance foyer and amenities, waste storage and undercroft parking for 19 vehicles (two disabled, four tandem). Two way vehicle and pedestrian access is provided from Cypress Avenue to the adjacent public carpark and Park Crescent.
- The first floor, second and third floors have facilities for medical practitioners, communal waiting areas, shared amenities and foyers with lift and stairs.
- The fifth floor has a 248 square metre area communal space with west and east facing outdoor terraces, 200 square metre ancillary cafe, staff room and staff amenities, shared amenities and foyer with lift and stairs.

3. Consultation

3.1 Advertising

The application was advertised by way of two (2) signs on the site and notices were sent to adjoining property owners and occupiers. No objections were received.

3.2 Planning Consultative Committee Meeting

No consultative meeting was required.

3.3 Referrals

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

Department of Transport: No response to date.

Traffic: Council's Traffic team have reviewed the proposal and applied car parking requirements per health practitioner rather than floor area. Giving consideration to the function room being used outside normal hours, the amount of expected short term patient parking and the availability of on street parking on Cypress Avenue and Boronia Roads, it is predicted shortfall of car parking is 9 spaces which equates to 3 medical practitioners. Therefore a condition will require that a maximum number of practitioners on the site at any given time will be reduced from 25 to 22. Further the function room must not be used, during 9am to 5pm Monday to Saturday, or when any of the medical appointing/consultation is occurring onsite.



Other conditions relating the pedestrian and vehicle access to be included on the permit.

A Construction Traffic Management Plan (CMP) and Car Parking Management Plan should form part of any permit to issue.

Stormwater: Standard conditions to be included on any permit issued. Notes regarding outfall drainage requirements and overflow path.

Landscape: The Landscape plans must show the provision of at least seven additional indigenous or native canopy trees and nine additional large feature shrubs. Standard conditions to be included on any permit issued.

ESD Officer: The Sustainability Management Plan (SMP) submitted with the application is satisfactory. The development plans are required to reflect all sustainability features indicated in the submitted, amended and approved SMP. Standard conditions to also be included.

Waste: This proposed development will require the lodgement of a Waste Management Plan (WMP) for approval by the Waste Management team. This will form part of any permit to issue. The WMP and site plans must show clinical and related waste stored in dedicated secure storage area.

Assets: Standard conditions to be included on any permit issued.

Planning Arborist: Standard conditions to be included on any permit issued and specific tree protection measures for Trees 4, 6, 12 and 13.

Property Services: The owners are currently in consultation with Council's Property team regarding the current lease arrangement of the car park at the rear. A condition will be included on the permit to ensure the leasing arrangement with Council are resolved prior to any construction commencing.

City Futures: Design improvements have been addressed in the amended design and others to be included as permit conditions. Other issues such as consolidations of lots is beyond the scope of this process.

Urban Design: Council's consulting Urban Designer has advised that the revised plans responded to and incorporated recommendations and is therefore broadly supportive of the proposal. A few minor design adjustments to be included as conditions.

Health: Supportive subject to conditions and notes regarding food, noise and amenity and waste.

4. Discussion

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

4.1 Zoning and Overlays

4.1.1 Zone

The site is located within the Commercial 1 Zone. A permit is required for use as a medical centre. A planning permit is also required to construct a building or construct or carry out works.

The purpose of the Commercial 1 Zone is;

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

A response to the relevant Decision Guidelines of the Commercial 1 Zone is provided below.

- *The proposal is consistent with the Planning Policy Framework and the Municipal Strategic Statement providing a purpose-built, conveniently located medical facility which will provide essential services to the Knox and wider community. The sustainable design is respectful of local area built form and landscape policy.*



- *The proposal has an active commercial frontage to Boronia Road and also has a measured interface with the adjoining residential area to the south. The significantly reduced building footprint at the southern end of levels 4 and 5 minimises potential visual bulk when viewed from the residential area. The setbacks also prevent any unreasonable overshadowing of secluded private open space.*
- *Undercroft and basement carparking will ensure traffic and parking is predominately contained within the building. Light spill can be managed by permit condition. Noise levels are likely to be contained within the building with main outdoor terraces area which face Cypress Avenue.*
- *Delivery and despatch of goods and materials and waste collection will occur within the undercroft and basement car park. Further it is not expected that the use will require large deliveries. Delivery times will also be managed through permit condition.*
- *Fixed obscure glass is provided to the south elevation to prevent overlooking to the residential area.*
- *The existing use is a medical centre. The proposal represents an expansion of the existing use and is complementary to the existing surrounding commercial uses. The operating hours will be 7am – 12am, 7 days a week are typical of activities within a major activity centre such as Boronia.*
- *The cafe and pharmacy will only serve patients and staff of the medical centre and not the external public.*
- *The proposed community space (Community Hub) on Level 4 will cater for private events for up to 60 patrons and these will only occur outside the operating hours of the medical centre.*
- *Drainage and services are already connected and any further requirements can form a condition on the permit.*
- *The development provides clear pedestrian access and for cyclists. Vehicle is clear and efficient to undercroft and basement car parking. There is clear access for emergency vehicles.*
- *Being within the Boronia Activity Centre the site has excellent access to public transport including the Boronia Train Station.*
- *Existing mature trees will be retained and new canopy trees will be included in the landscape design to supplement the existing canopy trees.*

4.1.2 Overlays

The site is affected by the Design and Development Overlay 7 (DDO7).

Schedule 7 refers to the Boronia Structure Plan Area.

Pursuant to Schedule 7 to the Design Development Overlay a planning permit is required.

A response to the relevant Design standards of the DD07 is provided below.

Heights:

- *The subject site is located within an area where the maximum building height is 14m or four storeys. The maximum building height proposed is 21.4m. The variation in building height is considered to be acceptable as the height variation allows outstanding architectural design in the form of recessed upper levels accommodating generous setbacks at the street level to allow the retention of existing and the planting of new canopy trees. The development avoids interfering with view lines of the Dandenong Ranges.*
- *It is also noted that in the Boronia Renewal Strategy 2019-2040 adopted by Council in 2019 the site is located in Precinct 3 which will support built form up to 6 storeys.*

Design standards

General:

- *The scale of development is appropriate for the site and the provision of active edges through clear entries and extensive use of glazing creates opportunities for passive surveillance. The main pedestrian entrance on Boronia Road is distinguished by a projected feature canopy.*



- *The development incorporates principles of ecologically sustainable design. An approved Sustainability Management Plan will form part of any permit issued.*

Colours & Materials:

- *The use of use of contrasting, textured and variated naturally robust materials such as zinc cladding, acrylic render, green tinted glass and powder coated gold vertical louvers provide a high level of visual interest. The colours based on natural earth based tones complement the naturalistic theme of the local area and complement the existing and proposed landscaping.*

Landscape Design:

- *The building has been designed to frame the large canopy tree on the Cypress Avenue frontage. Two trees will also be retained on the southern boundary. Further, space has been provided on both street frontage for at least seven additional indigenous or native canopy trees and nine additional large feature shrubs. The design will strengthen landscape themes and incorporate substantial canopy planting in new development and the public realm reinforcing the horticultural values that are part of the local area and the landscape values within the Dandenong Foothills Policy area.*

4.2 Policy Consideration: State and Local Planning Policy Framework

State and local policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development. The key themes for the assessment of the application include Economic Development, Sustainability and Environment, Transport, Urban Design and Local Areas.

4.2.1 Economic Development

Clause 17 Economic Development: Provide for a strong and innovative economy, where all sectors are critical to economic prosperity. Planning is to contribute to the economic wellbeing of the state and foster economic growth by providing land, facilitating decisions and resolving land use conflicts, so that each region may build on its strengths and achieve its economic potential.

Clause 17.02-15 Business: To encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.

Clause 21.07 Economic Development: The policy aims to maintain a strong and sustainable local economy and strengthening local employment opportunities. Support the development of local businesses with a focus on Knox's propulsive industry sectors, including advanced and high value manufacturing, health care, construction, wholesale trade and professional services.

- *The development represents a business that is likely to provide local employment opportunities and also generate economic activity in the area through the patronage who will be visiting the facility and are likely to come from the wider regional area.*

4.2.2 Sustainability and Environment

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

Clause 22.04 Environmentally Sustainable Development: This new policy introduced into Knox Planning Scheme under Amendment C150 requires applicants to address Environmentally Sustainable Development (ESD) principles



including energy performance, water resources, indoor environmental quality, stormwater, waste management, transport and urban ecology, by applying these principles within the proposed development.

- *The Sustainability Management Plan submitted with the application is considered to be acceptable.*

4.2.3 Transport

Clause 18 Transport: Ensure that access is provided to all available modes of transport.

- *The site has convenient access to public transport including being walking distance to the Boronia Train Station.*

4.4.4 Urban Design

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

- *The design provides a positive response to the streetscape of Boronia Road and Cypress Avenue by providing a feature purpose built facility that responds to the surrounding built form, engages with the public realm, responds to the amenity needs of adjoining residents and compliments the landscape character of the locality.*

4.4.5 Local Areas

Clause 11.03-1 - Activity Centres - Metropolitan Melbourne Strategies: Support the development and growth of Metropolitan Activity Centres by ensuring they are able to accommodate significant growth for a broad range of land uses.

Clause 19 Infrastructure: to assist the integration of health facilities with local and regional communities.

- *The expansion of the existing medical facilities provide a vital service within a major Activity Centre to the Knox community and wider area, close to public transport.*

Clause 21.05-7 Advertising signs: Advertising signs provide important information relating to local businesses and services and support economic growth, however they can have detrimental impacts on the visual amenity of local areas.

Clause 22.01 Advertising Signs: Clause 21.05-7 of the MSS identifies the need to ensure that advertising signs meet the advertising needs of businesses on the land, without creating visual clutter or having detrimental streetscape or amenity impacts.

- *No advertising signage has been proposed.*

Clause 21.10-3 Boronia Activity Centre: The vision for Boronia includes providing a great place to live, a thriving hub of activity for commerce and all aspects of community life. It will include a series of diverse and confident retail and commercial precincts will provide a vibrant and complementary mix of businesses and services. The centre will attract high quality development, urban design and streetscape improvements which reference the unique foothills setting by incorporating indigenous vegetation, species and exotic horticultural values that are part of the local area.

Relevant objectives include:

Objective 2 - To ensure that the centre is defined by a mix of complementary land uses providing a great place to live and a thriving hub of activity for commerce and all aspects of community life.



- 2.4 Support medical and health related services area along Boronia Road, between Park and Pine Crescents
- *The subject site is located within an area designated for mixed use commercial professional services. The proposal is also consistent with Strategy 2.4 which is to support medical and health related services area along Boronia Road, between Park and Pine Crescents.*

Objective 4 - To provide a safe and well connected pedestrian network.

Objective 5 - To support sustainable travel behaviour, including public transport and pedestrian and bicycle movement.

- *The design provide clear pedestrian networks, bicycle facilities and the sites is close to public transport.*

Clause 21.03 Environmental and Landscape Values: Key issues include maintaining and strengthening Knox's 'green and leafy' image and its identifiable landscape character (despite development pressures) along with recognising the importance of retaining canopy trees as the single most important factor in retaining Knox's landscape character and its natural environment.

It is important that the unique landscape character, amenity and natural values of Knox's significant landscapes (the Dandenong Foothills, Lysterfield Valley and the Dandenong Creek Valley), are maintained despite development pressures and managing bushfire risk.

- *The proposal maintains Knox's green and leafy image by the provision of landscaping within both street frontages to the rear of the site. Significant mature trees will be retained on the site including a large tree on Cypress Avenue on which the building has been designed to frame.*

4.3 Particular Provisions

Clause 52.05 Signs: To regulate the development of land for signs and associated structures; to ensure signs are compatible with the amenity and visual appearance of an area.

- *No signage is proposed.*

Clause 52.06 Car Parking: Prior to a new use commencing or a new building being occupied the car parking spaces required under Clause 52.06-5 must be provided on the land.

Pursuant to Clause 52.06 the applicable car parking rates in this case for the land uses proposed are:

- Medical centre – 3.5 spaces to each 100 square ms of leasable area; and
- Function room (Place of Assembly) – 0.3 spaces to each patron permitted.
- Pursuant to Clause 52.06 the applicant is seeking a reduction in the statutory car parking requirement.
- The site is also within the Principal Public Transport Network area within the City of Knox. Therefore, the Column B rate in Table 1 to Clause 52.06-5 of the Knox Planning Scheme will apply (shown in table below).

| Use | Rate Column A | Rate Column B | Car parking measure | Parking Requirement |
|-------------------|---------------|---------------|---|---------------------|
| Medical Centre | | 3.5 | To each 100 sq m of leasable floor area | 125 |
| Place of Assembly | 0.3 | 0.3 | To each patron permitted | 18 |
| | | | Total | 143 spaces |



The proposed amended development therefore has a statutory requirement to provide 143 car parking spaces. With 61 spaces provided on site, the amended application is seeking a car parking reduction of 82 spaces.

Council's Traffic team has advised that a more appropriate rate is actual doctors and patient numbers rather than using floor area as applied in the table below.

| Land Use | Parking Rates | Areas/Patrons | Parking Demand | Empirical Assessment |
|---|---|------------------|----------------|--------------------------------|
| Health Practitioners | *5 spaces for 1st and 3 spaces for the rest | 25 practitioners | 77 spaces | 77 spaces |
| Ancillary (community space, pharmacy, café) | | | | 5 spaces for pharmacy and cafe |
| Function Room | 0.3 space for 1 patron | 60 patrons | 18 spaces | 18 spaces |
| Total | | | | 100 spaces |

With the supply of 61 onsite car spaces and the demand of 100 car parking spaces, there is a shortfall of 39 car parking spaces. However, as the function room is to be operated outside of the business hours of the medical centre, the actual shortfall of the medical centre becomes 21 spaces (100 – 18 – 61). With at least one patient per practitioner, the shortfall of 21 spaces can be considered as patient short-term parking. Furthermore, the onsite 61 spaces are adequate in providing for all long term staff parking.

There is also on-street car parking on Cypress Avenue and Boronia Road. Council's Traffic team have advised that it can be expected that there is nearby on-street parking in the order of 12 spaces (8 on Cypress Avenue and 4 on Boronia Road). As such, the shortfall of 21 spaces becomes 9 spaces (21 – 12) that cannot be catered for. A total shortfall of 9 spaces equates to 3 medical practitioners in terms of car parking rates. Hence, the maximum number of medical practitioners onsite should be reduced to 22 (25 – 3). This will be included as a permit condition.

Clause 52.29 Land adjacent to a Road Zone: The purpose of the Clause is to ensure appropriate access to identified road is achieved. Boronia Road is the identified in its capacity as a Road Zone Category 1. The clause carries a statutory referral to VicRoads, the Road Corporation pursuant to Section 55 of the Planning and Environment Act 1987.

The application includes the reinstatement of an existing crossover to Boronia and was therefore referred to Head of Transport as a determining Authority.

Clause 52.34 Bicycle Facilities: A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

The proposal generates a requirement of 11 bicycle spaces. The applicant has proposed 21 bicycle spaces (9 in the basement and 12 at street level) which complies with this Clause.

Boronia Renewal Strategy 2019-2040

The Boronia Renewal Strategy 2019-2040 provides a strategic vision for the future growth of the Centre over the next 20 years. The proposal is consistent with key directions of the Boronia Renewal Strategy.



The proposal supports economic development and investment, local employment opportunities within the identified Health Precinct. The proposal is consistent with the proposed new Activity Centre Zone. The site is located in Precinct 3 which will support built form up to 6 storeys. The building at five-storeys is well-designed, sustainable, and will a positive contribution to the local neighbourhood. The proposal also provides good pedestrian and cycling accessibility, suitable level of appropriately located and designed car parking and is accessible public transport.

4.5 Other matters

Existing lease for rear car park and public access

Council has a lease with the property owners to manage the rear common carpark across 5 properties at this location, including these 2 properties. This development will introduce an underground carpark and buildings structure to the lease area. A permit condition will require that before commencement of construction the current rear carpark lease arrangement with Council must be renegotiated and resolved with Council's Property Department.

The rear carpark also provides access to the carpark for the adjacent commercial properties through to Park Crescent. A condition will be included on the permit which requires that public access must be maintained through the rear carpark to Park Crescent at all times.

4.6 General Decision Guidelines

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

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

5. Conclusion

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

- The development is consistent with the Planning Policy Framework and Local Planning Policy Framework with regard to Economic Development, Sustainability and Environment, Transport and Urban Design and Local Areas.
- The proposal is consistent with the purpose and decision guidelines of the Commercial 1 Zone.
- The proposal is consistent with the purpose and design guidelines of the Design and Development Overlay Schedule 7.
- The development will maintain and contribute to the green and leafy character of Knox, with the retention of and provision of canopy trees, shrubs and landscaping across the site.
- Subject to a condition of permit limiting the numbers of practitioners to 22, sufficient car parking and vehicle and pedestrian access has been provided.

Attachment 6.3.2 is available as a separate file

6.4 980 Stud Road, Rowville

SUMMARY: Simon Ilsley, Principal Planner

Amendment to the approved Development Plan for Stamford Park by substituting a 30 dwelling four storey apartment building with 15 dwellings in a two storey attached development.

RECOMMENDATION

That Council approve the amended Development Plan (in the form of attachment 2) in accordance with the Development Plan Overlay – Schedule 9 of the Knox Planning Scheme.

1. INTRODUCTION

Council has received an application to amend the Development Plan approved in accordance with Development Plan Overlay – Schedule 9, which was endorsed on 15 February 2017. The approved development plan covers informal Council open space area adjacent to Corhanwarrabul Creek, Stamford Park Homestead and the residential zoned land owned by Stockland.

This application is being reported to Council as the decision to approve the development plan was made by Council in November 2016. The approval of Development Plans is a decision that is not delegated.

2. DISCUSSION

This amendment relates to the residential development known as Waterlea and in particular it concerns an area of the development that was earmarked for the construction of a four-storey apartment building containing 30 dwellings.

The details of the proposed apartment building were discussed on page 65 of the approved Development Plan, which is provided in attachment 3. This showed a modern four-storey building with undercover car parking and minimal front setbacks. The proposed apartment building contained a diversity of dwellings in terms of layout and bedroom numbers.

This application is proposing to amend the Development Plan to allow for the construction of ten two storey attached townhouses, which will be book-ended by five single level apartments in attached two-storey form that will provide for social housing.

Private open space and car parking will be located to the rear of the dwellings, with upper level dwellings provided with balconies.

The proposed amendment is consistent with the objectives specified in Schedule 9 to the Development Plan Overlay for the following reasons:

- The proposal provides for a diverse mix of housing types, including the provision of social housing.
- The land is affected by a Section 173 Agreement that obligates the landowner to provide social housing in accordance with the Stamford Park Social Housing Report – August 2016. One of the project requirements in this report is that Stockland will provide 5% of dwellings

for social housing, which equates to 9 dwellings. With a reduction in the number of dwellings from 190 to 175, this has reduced the 5% figure to below 9 dwellings. Despite this, Stockland have agreed to provide 9 dwellings for social housing and this amendment maintains this provision.

- The proposal also provides sustainability measures such as water tanks and solar panels that will achieve the sustainability objectives of the Development Plan.
- The proposed design is consistent with the surrounding development within the Waterlea estate.

3 CONSULTATION

The application has not been advertised for the following reasons:

- The reduction in the number of dwellings from 30 to 15 will significantly decrease the development intensity, which in turn will result in reduced vehicle movements associated with this development and reduced car parking demand.
- The proposed two-storey form will be significantly less prominent than the previously approved four-storey building, particularly in the context of the adjacent residential area to the south.
- The townhouse development proposed in the amended Development Plan is generally consistent with the objectives of the Development Plan Overlay – Schedule 9. The proposed townhouse development will achieve comparable sustainability outcomes to the apartment building, will continue to provide a diversity of housing types and provide affordable housing through the provision of five social housing units.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no significant environmental impacts or amenity issues associated with the proposed use/development. A thorough assessment of the application against environmental and amenity considerations can be found at Section 4 of the Officer's Report at Appendix A.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with the proposed use/development for Council.

6. SOCIAL IMPLICATIONS

There are no significant social implications associated with the proposed use/development. A thorough assessment of the application against all relevant considerations of the Knox Planning Scheme can be found at Section 4 of the Officer's Report at Appendix 1. As stated earlier, the land is affected by a Section 173 Agreement that obligates the landowner to provide social housing in accordance with the Stamford Park Social Housing Report – August 2016. One of the project requirements in this report is that Stockland will provide 5% of dwellings for social housing, which equates to 9 dwellings. With a reduction in the number of dwellings from 190 to 175, this has reduced the 5% figure to below 9 dwellings. Despite this, Stockland have agreed to provide 9 dwellings for social housing and this amendment maintains this provision.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure

Goal 2 - We have housing to meet our changing needs

Strategy 2.1 - Plan for a diversity of housing in appropriate locations.

Strategy 2.2 - Encourage high quality sustainable design.

Strategy 2.3 - Support the delivery of a range of housing that addresses housing and living affordability needs.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Principal Planner, Simon Ilsley - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development – Interim Finance and Governance, Matt Kelleher - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The amended Development Plan is consistent with the requirements outlined within Development Plan Overlay – Schedule 9 and is recommended to be approved.

11. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Principal Planner, Simon Ilsley
Report Authorised By: Director, City Development – Interim Finance and Governance,
Matt Kelleher

Attachments

1. Attachment 1 - Officer Report - 980 Stud Road, Rowville [6.4.1 - 6 pages]
2. Attachment 2 - Proposed Amended Development Plan - 980 Stud Rd Rowville - P 2016 6593 [6.4.2 - 21 pages]
3. Attachment 3 - Excerpt from Original Stamford Park Development Plan [6.4.3 - 1 page]



Amendment to Development Plan for Stamford Park in accordance with Development Plan Overlay – Schedule 9 at 980 Stud Road, Rowville.

1. Summary:

| | |
|---------------------------|---|
| Subject Site: | Stamford Park Estate, 980 Stud Road, Rowville |
| Proposal: | Amendment to Development Plan |
| Existing Land Use: | Residential |
| Site Area: | 6.3 hectares |
| Planning Scheme Controls: | General Residential Zone – Schedule 8 and Development Plan Overlay – Schedule 9 |
| Application Received: | 14 May 2020 |
| Number of Objections: | N/A |
| PCC Meeting: | N/A |
| Ward: | Tirhatuan |

2. Purpose

The purpose of this report is to provide Council with the Council Planning Officer's assessment of the amended Development Plan for Stamford Park, which is now called Waterlea, to assist in making a decision on the application. It should be read in conjunction with the other appendices.

2. Background

2.1 History

Council initiated the redevelopment of the Council owned parkland between Corhanwarrabul Creek and Stud, which was being used for informal recreation purposes. Following community consultation, the Stamford Park Master Plan Report was prepared by Tract Consultants in conjunction with Council. This Master Plan outlined Council's vision for the redevelopment of the parkland, the Homestead and future residential precinct.

The Stamford Park Master Plan was implemented into the Knox Planning Scheme through the gazettal of Amendment C93 on the 8 August 2013.

In line with Council's vision for the parkland, the Amendment rezoned a portion of Stamford Park to Residential 1 Zone (now the General Residential Zone – Schedule 1) and applied a new Development Plan Overlay – Schedule 9 (DPO9) to the residential precinct to ensure built form outcomes that are consistent with the Master Plan.

In March 2016, Stockland purchased the residential land from Council with contractual obligations to deliver a residential community in line with the Stamford Park Master Plan Report 2014.

Roberts Day Consultants acting on behalf of Stockland, prepared the Development Plan in accordance with the requirements of DPO9. This Development Plan was approved by Council on 22 November 2016. To date, much of the site has been developed in accordance with the Development Plan.



2.2 Subject Site and Surrounds

The location of the subject site and surrounds is shown in Appendix 3.

- The subject site is a large single allotment accessed from Stud Road via Emmeline Row that has been subdivided from Council land that surrounds the site. Residential development of the site is currently well advanced and this development has occurred in accordance with the Development Plan approved under the Development Plan Overlay – Schedule 9 (DPO9).
- As previously mentioned, the site predominantly adjoins Council land used for unimproved open space. To the immediate north-east is the Stamford Park homestead and beyond this in the industrial development on Enterprise Drive.
- To the immediate east is a place of assembly and to the south adjoining Council land is an established residential area.
- Section 173 Agreement AM657781B is registered on the copy of title. This agreement was placed on title as a consequence of the sale of the land to Stockland in 2016. The agreement includes a number of restrictions relating to timeframes for lodgment of applications, completion of development, provision of social housing, future sale of land, construction of car parking, relocation of stormwater drains and provision of open space.

2.3 The Proposal

The proposal seeks to amend the approved Development Plan in accordance with the Development Plan Overlay – Schedule 13. The approved development plan amongst other things, identified a future development pad to be in the form of a four-storey apartment building containing 30 dwellings (refer to attached plans at Appendix 2). Details of the proposal are as follows:

- Amendment to the Development Plan to allow for the construction of ten two storey attached townhouses, which will be book-ended by five single level apartments in attached two-storey form that will provide for social housing in lieu of the four-storey apartment building. Market analysis undertaken by Stockland has outlined that there is currently low demand for apartment style living in Rowville.
- Private open space and car parking will be located to the rear of the dwellings, with upper level dwellings provided with balconies.

Council has recently received a Section 72 Amendment to Planning Permit P/2016/6768, which approved the development of the subject site. This Section 72 amendment includes the detailed design for the proposed fifteen dwellings.

3. Consultation

3.1 Advertising

The application has not been advertised for the following reasons:

- The proposal reduces the number of dwellings from 30 to 15.
- This reduction in the number of dwellings will also reduce vehicle numbers associated with this development and the car parking demand.
- The proposed two-storey form will be significantly less prominent than the previously approved four-storey building, particularly in the context of the adjacent residential area to the south.

3.3 Referrals

The application has not been referred to external authorities or internal departments for advice.

4. Discussion



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

4.1 Zoning and Overlays

4.1.1 Zone

General Residential Zone – Schedule 8

The purposes of the General Residential Zone are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Officer Response:

- The proposed amendment to the Development Plan is consistent with the purposes of the General Residential Zone.

4.1.2 Overlays

Development Plan Overlay – Schedule 9

The site is affected by the Development Plan Overlay 9 (DPO9) and the purpose to this schedule is:

- To ensure the development of the residential precinct within Stamford Park occurs in the manner envisaged in the Stamford Park Masterplan Report (July 2014); and require the resolution of detailed design and planning issues prior to commencement of development.

The objectives of the Development Plan area:

- To ensure that residential development and the associated subdivision supports a high quality water sensitive urban design (WSUD) system.
- To incorporate innovative sustainability measures through ecologically sustainable design.
- To ensure seamless integration between the residential precinct and the adjoining public open space, and between the residential precinct and the nearby Stamford Park Homestead.
- To incorporate a hierarchy of public open spaces that includes a focal point for community gatherings.
- To ensure a diverse mix of lot sizes, housing types and dwelling sizes.
- To provide affordable housing options.
- To ensure the fill required to raise the residential precinct above the 1:100 year flood level does not significantly reduce or impact the capacity of the floodplain.
- To provide for a possible future pedestrian and local vehicular link between Stamford Parkland and land to the west.

To achieve these objectives, DPO9 requires the Development Plan to respond to a list of matters relating to sustainability, subdivision, movement, community spaces, housing style, amenity, landscaping and public open spaces. The following design principles relating to housing style and amenity are relevant to the consideration of this amendment request:

- Innovation in testing, displaying and locating different housing typologies and sizes to achieve a higher dwelling yield than the existing low densities in Rowville;
- Dwellings that are contemporary, innovative and individual in style, avoiding reproduction styles (e.g. Federation) and standardised designs;



- Minimise dwelling bulk through the use of articulated facade and roof forms, including the use of windows, balconies and other design features;
- Dwellings that are orientated to maximise solar access to liveable areas and private open spaces;
- Dwellings with a strong sense of address to their primary frontage and carefully designed secondary and/or tertiary frontages where these are visible from public areas such as streets, rear laneways or open spaces;
- Dwellings that are designed to address public streets and spaces by facilitating passive surveillance through the use of windows and balconies;
- Fencing that is located and designed to facilitate community interaction and passive surveillance of public streets and open spaces; and
- Garages and parking areas that are designed so that they do not dominate building frontages, compromise sense of address, or reduce pedestrian safety.

Officer Response:

- The housing typology proposed in this amendment is consistent the majority of other dwellings constructed in this estate.
- The land is affected by a Section 173 Agreement that obligates the landowner to provide social housing in accordance with the Stamford Park Social Housing Report – August 2016. One of the project requirements in this report is that Stockland will provide 5% of dwellings for social housing, which equates to 9 dwellings. With a reduction in the number of dwellings from 190 to 175, this has reduced the 5% figure to below 9 dwellings. Despite this, Stockland have agreed to provide 9 dwellings for social housing and this amendment doesn't compromise this provision.
- The proposed design addresses building bulk by incorporating design features such as balconies, recessed elements, windows and doors.
- The proposed dwellings are orientated on a north-south axis, which results in the courtyards being located on the southern side of the development. This an unavoidable situation due to rear laneway being a secondary road and having a dwellings fronting this laneway is not a desirable design outcome. Residents of these dwellings will have access to large areas of public open space within the immediately adjoining Council land as an alternative to this courtyard, which will probably be used more as a service yard. The design detail of each townhome will be further assessed during the planning permit process and will ensure that outcomes are satisfactory.
- Front fencing is only proposed at the eastern end of the development for a small length of the frontage.
- Garages will be located along the entire southern boundary, which is acceptable because of the pattern of development on the southern side of the laneway which is dominated by garages.

Clause 45.04-4 of the Knox Planning Scheme allows for an amendment to the development plan subject to Council being satisfied with the amendment.

4.2 Policy Consideration: State and Local Planning Policy Framework

State and local policy requires Council to integrate the range of policies relevant to the issues to be determined, and balance conflicting objectives in favour of net community benefit and sustainable development. The key themes for the assessment of the application include Housing, Sustainability and Environment, Transport and Urban Design (including neighbourhood character).

4.2.1 Urban Design

Clause 15.01-1R: Urban Design – Metropolitan Melbourne: To create a distinctive and liveable city with quality design and amenity.

Clause 15.01-2S: Building Design: To achieve building design outcomes that contribute positively to the local context and enhance the public realm.



Clause 21.05 Built Environment and Heritage – Development should address needs of changing household structures, creating high quality, well-designed places that respect and strengthen the local context and landscape qualities of Knox. It is important to achieve environmentally sustainable development that contributes to a more liveable and sustainable Knox, including efficient use of urban water runoff and the quality of stormwater entering waterways.

Housing liveability and amenity for occupants should be improved by supporting indoor environment quality (such as access to daylight and ventilation).

Officer Response:

- The proposed amendment to the Development Plan provides for a continuation of the predominant dwelling type in this development and introduces modern housing stock to the Rowville area.

4.2.2 Housing

Clause 16.01-1S: Integrated Housing: To promote a housing market that meets community needs.

Clause 16.01-3S Housing Diversity: To provide for a range of housing types to meet diverse needs.

Municipal Strategic Statement: Council's MSS encourages development occurring with the necessary consideration to such matters as managing population growth, encouraging sustainable development, and influencing the urban form so that Knox itself becomes more sustainable. The MSS makes specific reference to the diversifying and aging population in Knox which will see an increase in the number of smaller household types, with 'lone person' and 'couple only' households making up just over half of all households in Knox within 20 years.

Clause 21.06 Housing: The Housing theme implements the Knox Housing Strategy 2015. In managing the City of Knox's current and future housing needs, Council supports a scaled approach to residential development. This scaled approach recognises that some parts of the City will need to accommodate change, due to population growth and the community's changing household needs. Development in residential areas will need to respond positively to the desired future character of the local area and take account of the particular built form and natural environmental elements that make up the neighbourhood character of Knox. The strong landscape character is the unifying element of the neighbourhood character of Knox.

Officer Response:

The proposed development is considered to be consistent with the state and local policy direction for housing provision for the following reasons:

- An apartment style building would have provided a housing typology not commonly found in Rowville. However, this amendment to the Development Plan increases the number of two-storey town-homes within this development, which is a housing typology that is common in Rowville. It should also be noted that there has been a growing trend away from apartment style developments in the municipality in recent years and this proposal is consistent with this trend.
- The density of the proposed development is appropriate for a site identified for intensive residential development.
- The site is located close to the Rowville Activity Centre and the Stud Park Shopping Centre.

4.2.3 Sustainability and Environment

Clause 15.02-1S Energy and resource efficiency: To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 22.04 Environmentally Sustainable Development: This new policy introduced into Knox Planning Scheme under Amendment C150 requires applicants to address Environmentally Sustainable Development (ESD) principles including energy performance, water resources, indoor environmental quality, stormwater, waste management, transport and urban ecology, by applying these principles within the proposed development.



Officer Response:

- The sustainability objectives in the amended Development Plan remain unchanged from the previously approved Development Plan, which seeks to exceed current industry practice to achieve a resource efficient development that goes beyond current regulations. The development of Stamford Park will be measured and recognised under the best practice framework of the Green Star Communities rating tool.

4.2.4 Transport

Clause 18.02-1S Sustainable personal transport – To promote the use of sustainable personal transport.

Clause 18.02-2S Public transport – To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.

Officer Response:

- The site is located adjacent to walking and cycling paths that provide connection to a broad network of paths.
- The road network within this subdivision has been designed to facilitate the movement of buses through the site, which will connect into the adjacent Kingston Links development site. Several bus services operate on Stud Road that provide a connection to locations such as Knox City Shopping Centre and Dandenong.

5. Conclusion

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

- The amendment to the Development Plan proposing the substituting of a four-storey apartment building with two-storey townhome development aligns with the objectives of the Development Plan Overlay – Schedule 9.
- The social housing obligations contained with the Section 173 Agreement will be satisfied by this amendment to the Development Plan.
- The proposed amended Development Plan is generally consistent with the Stamford Park Master Plan Report 2014.

Attachment 6.4.2 is available as a separate file

6.5 980 Stud Road Rowville - Section 173 Agreement Removal

SUMMARY: Simon Ilsley, Principal Planner

Ending of Section 173 Agreement AM657781B from lots S16, S17, S18 and S19 on Plan of Subdivision 743596S/S3

RECOMMENDATION

That Council resolve to end Section 173 Agreement AM657781B affecting lots S16, S17, S18 and S19 on Plan of Subdivision 743596S/S3.

1. INTRODUCTION

Council has received an application requesting the ending of the Section 173 Agreement affecting the majority of stage 3 of the Waterlea subdivision in Rowville, developed by Stockland. The purpose to this request is to avoid the Section 173 Agreement being transferred onto individual house lots, as the obligations of the agreement are not relevant to future individual house lot owners.

Council at its Ordinary Meeting of 29 April 2019 considered a request to remove the same Section 173 Agreement (AM657781B) from stages 1 to 14 on Plan of Subdivision 743596S. In determining this request, Council carried the following resolution:

- *That Council agree that with the exception of Stages 16, 17, 18 & 19 and Lot B, to remove Section 173 Agreement AM657781B from Stages 1 to 14 on Plan of Subdivision of 743596S, and consent to the registration of removal by Land Registry only, pursuant to Section 178E of the Planning and Environment Act 1987.*
- *That Council agree to remove Section 173 Agreement AM657781B from Stages 16, 17, 18 & 19 and Lot B on Plan of Subdivision 743596S, and consent to the registration of removal by the Land Registry only, pursuant to Section 178E of the Planning and Environment Act 1987, once all obligations contained within the agreement have been satisfied and subject to a further report being presented to Council for formal approval.*

In line with the Council resolution above, this application is being reported to Council.

2. DISCUSSION

This proposal is a request made under Section 178 of Planning and Environment Act (1987) for the ending of Section 173 Agreement AM657781B from the majority of stage 3 in this subdivision. The applicant is requesting that the agreement remain on lot S22, which was previously referenced as Lot B.

Section 173 Agreement AM657781B is an agreement between Council and Stockland Development Pty Ltd registered on the copy of title. The Agreement was required as part of the sale of land. Council sold the land and the Contract for the sale of the land included obligations on the Owner to enter into this Agreement, the key components of which are:

- Requiring the owner to obtain all the necessary planning permits and other approvals;
- Requiring the relocation of stormwater drains on site;
- Specifying the nature of the Development proposed by the Owner on the Land;
- Outlining works to be constructed on the Council Homestead Land;
- Outlining works to be constructed within the Council Park Land;
- The provision of social housing on the site;
- Requiring the Owner to exercise its best endeavours to obtain all necessary planning permits and other approvals for the Development by a prescribed date;
- Specifying the date by which Substantial Commencement and Practical Completion (as defined in this Agreement) of the Development must be achieved;
- Requiring the Owner to comply with certain Requirements in respect of the Development and land in the vicinity of the Development;
- Undertaking the Development in a manner consistent with the provision of the Possible Future Link to the Kingston Links Golf Course Land across the Council Park Land;
- Entitling Council to specified rights as set out in this Agreement in the event that the Owner fails to provide Social Housing within the Development in accordance with the Requirements; and
- Providing a Bank Guarantee in favour of Council to secure performance of specified obligations of the Owner as contained in this Agreement.

3. CONSULTATION

Pursuant to Section 178C of the Planning and Environment Act, the proposal to end the Section 173 Agreement was advertised to Stockland, who is the only party to the agreement.

Section 178C(2)(b) of the Planning and Environment Act also requires Council to give notice to any other person Council considers may suffer material detriment as a result of the decision to end the agreement. As previously mentioned, the outstanding obligations in the agreement only relate to matters internal of the development and these will cause no material detriment to any other person. For these reasons this application was not advertised more broadly than the party to the agreement.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no significant environmental impacts or amenity issues associated with this proposal.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial or economic implications for Council associated with the proposal.

6. SOCIAL IMPLICATIONS

There are no significant social implications associated with the proposal. Lot S16 contains a social housing lot and Section 4 of the Officer's Report at Attachment 1 discusses this matter in detail.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure

Goal 2 - We have housing to meet our changing needs

Strategy 2.1 - Plan for a diversity of housing in appropriate locations.

Strategy 2.2 - Encourage high quality sustainable design.

Strategy 2.3 - Support the delivery of a range of housing that addresses housing and living affordability needs.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Principal Planner, Simon Ilsley - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development – Interim Finance and Governance, Matt Kelleher - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The ending of Section 173 Agreement AM657781B from four of the five lots in Stage 3 is appropriate as most of the obligations in this agreement have been satisfied. The one outstanding obligation relates to securing social housing on one lot in lot S16. Council has endorsed a development plan showing social housing, the subdivision plan for Stage 16 accords with this development plan, and a draft Section 173 Agreement that will secure social housing to this lot has been reviewed by Council officers and is ready to be applied. In addition to this, the applicant is proposing that the agreement remains on lot S22 in stage 3 and this provides Council with a mechanism to ensure that all outstanding obligations in the Section 173 Agreement are satisfied prior to removing this agreement from non-relevant lots in the final stage of the subdivision.

It is considered that ending the agreement from the land will not disadvantage any persons.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Principal Planner, Simon Ilsley

Report Authorised By: Director, City Development – Interim Finance and Governance,
Matt Kelleher

Attachments

1. Attachment 1 - Report - 980 Stud Road Rowville - P 2020 6364 [6.5.1 - 5 pages]
2. Attachment 2 - Existing S173 Agreement - 980 Stud Road Rowville - P 2020 6364 [6.5.2 - 24 pages]



Attachment 1



Ending of Section 173 Agreement AM657781B from lots S16, S17, S18 and S19 at 980 Stud Road, Rowville.

1. Summary:

| | |
|---------------------------|---|
| Subject Site: | Stamford Park Estate, 980 Stud Road, Rowville |
| Proposal: | Ending of Section 173 Agreement AM657781B from lots S16, S17, S18 and S19 on Plan of Subdivision 743596S/S3 |
| Existing Land Use: | Residential |
| Site Area: | 6.3 hectares |
| Planning Scheme Controls: | General Residential Zone – Schedule 8 and Development Plan Overlay – Schedule 9 |
| Application Received: | 7 July 2020 |
| Number of Objections: | N/A |
| PCC Meeting: | N/A |
| Ward: | Tirhatuan |

2. Purpose

The purpose of this report is to provide Councillors with the Council Planning Officer's assessment of the request to end the Section 173 Agreement AM657781B effecting lots S16, S17, S18 and S19 in stage 3 of the Waterlea development at Stamford Park. This Section 173 Agreement will remain on lot S22. It should be read in conjunction with the other appendices.

2. Background

2.1 History

Council initiated the redevelopment of the Council owned parkland between Corhanwarrabul Creek and Stud, which was being used for informal recreation purposes. Following community consultation, the Stamford Park Master Plan Report was prepared by Tract Consultants in conjunction with Council. This Master Plan outlined Council's vision for the redevelopment of the parkland, the Homestead and future residential precinct.

The Stamford Park Master Plan was implemented into the Knox Planning Scheme through the gazettal of Amendment C93 on the 8 August 2013.

In line with Council's vision for the parkland, the Amendment rezoned a portion of Stamford Park to Residential 1 Zone (now the General Residential Zone – Schedule 1) and applied a new Development Plan Overlay – Schedule 9 (DPO9) to the residential precinct to ensure built form outcomes that are consistent with the Master Plan.

In March 2016, Stockland purchased the residential land from Council with contractual obligations to deliver a residential community in line with the Stamford Park Master Plan Report 2014. One of the contractual obligations



Attachment 1

was for Stockland to enter into a Section 173 Agreement, which is the agreement Stockland is now seeking to remove.

Roberts Day Consultants acting on behalf of Stockland, prepared the Development Plan in accordance with the requirements of DPO9. This Development Plan was approved by Council on 22 November 2016.

Council at an ordinary meeting on 29 April 2019 considered a request to remove the same Section 173 Agreement (AM657781B) from stages 1 to 14 on Plan of Subdivision 743596S. In determining this request, Council carried the following resolution:

- That Council agree that with the exception of Stages 16, 17, 18 & 19 and Lot B, to remove Section 173 Agreement AM657781B from Stages 1 to 14 on Plan of Subdivision of 743596S, and consent to the registration of removal by Land Registry only, pursuant to Section 178E of the Planning and Environment Act 1987.

That Council agree to remove Section 173 Agreement AM657781B from Stages 16, 17, 18 & 19 and Lot B on Plan of Subdivision 743596S, and consent to the registration of removal by the Land Registry only, pursuant to Section 178E of the Planning and Environment Act 1987, once all obligations contained within the agreement have been satisfied and subject to a further report being presented to Council for formal approval.

Lot B referenced in the resolution above is now Lot S22 on the current plan of subdivision.

2.2 Subject Site and Surrounds

The location of the subject site and surrounds is shown in Appendix C.

- The subject site is a large single allotment accessed from Stud Road via Emmeline Row that has been subdivided from Council land that surrounds the site. Residential development of the site is currently well advanced and this development has occurred in accordance with the Development Plan approved under the Development Plan Overlay – Schedule 9 (DPO9).
- As previously mentioned, the site predominantly adjoins Council land used for unimproved open space. To the immediate north-east is the Stamford Park homestead and beyond this in the industrial development on Enterprise Drive.
- To the immediate east is a place of assembly and to the south adjoining Council land is an established residential area.
- Section 173 Agreement AM657781B is registered on the copy of title.

2.3 The Proposal

The proposal seeks to end Section 173 Agreement AM657781B affecting lots S16, S17, S18 and S19 in stage 3 of the Waterlea development at Stamford Park. This Section 173 Agreement will remain on lot S22

Section 173 Agreement AM657781B is an agreement between Council and Stockland Development Pty Ltd registered on the copy of title. The Agreement was required as part of the sale of land. Council sold the land and the Contract for the sale of the land included obligations on the Owner to enter into this Agreement, the key components of which are:

- Requiring the owner to obtain all the necessary planning permits and other approvals
- Requiring the relocation of stormwater drains on site
- Specifying the nature of the Development proposed by the Owner on the Land



Attachment 1

- Outlining works to be constructed on the Council Homestead Land
- Outlining works to be constructed within the Council Park Land
- The provision of social housing on the site
- Requiring the Owner to exercise its best endeavours to obtain all necessary planning permits and other approvals for the Development by a prescribed date;
- Specifying the date by which Substantial Commencement and Practical Completion (as defined in this Agreement) of the Development must be achieved;
- Requiring the Owner to comply with certain Requirements in respect of the Development and land in the vicinity of the Development;
- Undertaking the Development in a manner consistent with the provision of the Possible Future Link to the Kingston Links Golf Course Land across the Council Park Land;
- Entitling Council to specified rights as set out in this Agreement in the event that the Owner fails to provide Social Housing within the Development in accordance with the Requirements; and
- Providing a Bank Guarantee in favour of Council to secure performance of specified obligations of the Owner as contained in this Agreement.

3. Consultation

3.1 Advertising

Pursuant to Section 178C of the Planning and Environment Act, the proposal to end the Section 173 Agreement was advertised to Stockland, who is the only party to the agreement.

Section 178C(2)(b) of the Planning and Environment Act also requires Council to give notice to any other person Council consider may suffer material detriment as a result of the decision to end the agreement. As previously mentioned, the outstanding obligations in the agreement only relate to matters internal of the development and these will cause no material detriment to any other person. For these reasons this application was not advertised more broadly than the party to the agreement.

3.3 Referrals

The application has not been referred to external authorities or internal departments for advice.

4. Discussion

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

4.1 Zoning and Overlays

4.1.1 Zone

General Residential Zone – Schedule 8

The site is located within the General Residential Zone – Schedule 8 (GRZ8).

- A planning permit is not required for the proposal under the GRZ8.

4.1.2 Overlays

Development Plan Overlay – Schedule 9

The site is affected by the Development Plan Overlay 9 (DPO9).



Attachment 1

- A planning permit is not required for the proposal under the GRZ8.

4.2 Policy Consideration: State and Local Planning Policy Framework

The application to end a Section 173 Agreement if not affected by the State and Local planning policy Frameworks.

4.3 Section 178B(2) of the Planning and Environment Act (1987)

Section 178B(2) of the Planning and Environment Act (1987) outlines the matters that must be considered by the Responsible Authority when considering a proposal to end an agreement. These matters are:

4.3.1 The purpose of the agreement.

- The purpose of the agreement was to enforce permit conditions, site restrictions and create and construct a road. These obligations will remain on the parent title, and will only be removed from individual lots as they are sold for development.
- The owner has obtained all necessary planning permits.
- The owner has met and passed the substantial commencement date, and has obtained practical completion on the early stages.
- The carpark has been constructed, and the land released to Council.
- The owner provided an area for the future link, and Kingston Links (Bankside) has had the connection approved within a Development Plan.
- Bank Guarantees' have been provided and are held by Council.

4.3.2 Whether and why the agreement is no longer required.

- The agreement is no longer required as the majority of the obligations have been satisfied.
- Lot 130 in Lot S16 is identified for social housing and whilst this request seeks to remove the agreement from this lot, Council has already reviewed the draft Section 173 Agreement that will secure the social housing provision for this lot. Based on the preparation of this draft agreement and the retention of Section 173 Agreement AM657781B on the final stage – S22, there are no concerns that Stockland won't enter into the social housing agreement on Lot 130.
- Section 173 Agreement AM657781B should not be registered on the lots subdivided from stages 16 through to 19. The agreement has no relevance to future landowners and was only intended to place obligations on Stockland to achieve development and social housing outcomes.

4.3.3 Whether the ending of the agreement would disadvantage any person, whether or not a party to the agreement.

- As mentioned above, the basis for the agreement was to obligate Stockland to achieve certain development and social housing outcomes. The majority of the obligations pertaining to development outcomes have been satisfied. The outstanding requirement relates to the provision of social housing and by retaining the agreement on lot S22, Council remains in control of the process for entering into agreements on Lot 130 and the relevant social housing lots in stage 22.
- The obligations in the agreement that have potential for off-site considerations have been satisfied and therefore there are no parties that will be disadvantaged by the ending of Section 173 Agreement AM657781B.

4.3.4 The reasons why the Responsible Authority entered into the agreement.

- The Responsible Authority entered into the agreement to ensure that land was developed in accordance with pre-determined conditions on the site. These obligations should not affect new owners of subdivided lots.



Attachment 1

4.3.5 Any relevant permit or other requirements the land is subject to under the Subdivision Act 1988.

- The requirements of the agreement under the Subdivisions Act are considered satisfied.

4.3.6 Any other prescribed matter.

- There are no other prescribed matters.

5. Conclusion

The proposal to end the Section 173 Agreement AM657781B affecting lots S16, S17, S18 and S19 in stage 3 will not disadvantage any person or parties. The owner must still satisfy any outstanding obligations as the agreement will remain on lot S22 in stage 3, which is the final lot in the development.

It is therefore recommended that Council agree to end Section 173 Agreement AM657781B affecting lots S16, S17, S18 and S19 on Plan of Subdivision 743596S/S3.

Attachment 6.5.2 is available as a separate file

6.6 Housing Monitoring Program Report

SUMMARY: City Researcher, Tanya Styles

This report summarises the findings of Council's 12th annual Housing Monitoring Program, for the 2019 calendar year. The purpose of the Housing Monitoring Program is to assess Knox's alignment with, and progress against, the six objectives of the Knox Housing Strategy 2015.

Taking into account demolitions, the planning and subdivision permits approved in 2019 could result in a net yield of 602 additional dwellings, the lowest possible net gain since 2013. The approval of new apartments, townhouses, and other smaller dwellings continues to make a positive contribution to dwelling diversity in areas that have the best access to services and transport.

In general, the types of dwellings approved reflects the preferred outcomes in the Housing Policy Areas defined in the Knox Housing Strategy 2015, with 75% of the dwellings approved in 2019 being of a type consistent with what the Knox Housing Strategy 2015 indicates as preferable for the area. This figure was higher (98%) for Local Living and Activity Areas, where denser forms of development are preferred, and lower (37%) for Bush Suburban areas where the protection of the natural environment is given higher priority. Most developments that were of a typology denser than preferred for the associated Housing Strategy area are considered small-scale developments (three or four dwelling developments). Others demonstrated characteristics that allowed them to achieve positive planning outcomes that are consistent with the Knox Planning Scheme, including large lot size, significant setbacks, and accommodation of canopy trees.

Projected population growth can be accommodated within Knox's estimated capacity until at least 2036 but a lack of affordable housing options and a shortfall in social housing remains evident in 2019 as in previous years.

RECOMMENDATION

That Council note the 12th Housing Monitoring Program Annual Report for 2019 shown at Attachment 1.

1. INTRODUCTION

The Housing Monitoring Program was developed to assess the effectiveness of housing policies and planning controls in delivering the Knox Housing Statement 2005. More recently it has evolved to provide an assessment of the objectives of the Knox Housing Strategy 2015.

This report outlines the findings from an analysis of Planning Permits approved between 1 January 2019 and 31 December 2019, which was the fourth year that the new residential zones and planning controls relating to the Knox Housing Strategy 2015 were part of the Knox Planning Scheme.

2. DISCUSSION

2.1 Program purpose and structure

This report provides a measure of progress against the six objectives in the Knox Housing Strategy 2015 by examining data related to planning approvals, housing provision, and population. The indicators reported on for 2019 include:

- the types and size of dwellings that were approved in planning permits
- alignment with Knox Housing Strategy 2015 areas
- sustainability measures in new dwellings
- social housing
- rental and housing affordability
- walkability
- tree canopy cover
- VCAT decisions.

2.2 Key findings

In 2019 there were 234 planning and subdivision applications approved that would result in at least one additional dwelling in Knox. If enacted, these approved permits would result in an additional 602 dwellings in Knox, taking into account demolition of existing dwellings on these sites.

This represents considerably fewer approved applications and net new dwellings possible than in 2018, when there were 288 planning and subdivision permits approved with a potential net yield of 955 net new dwellings.

The following information summarises Council's progress against the six objectives in the Knox Housing Strategy 2015 (with more detailed information included in Attachment 1).


2.2.1 Knox Housing Strategy Objective 1: A diversity of housing is provided in appropriate locations.

At the 2016 Census, 84% of the dwellings in Knox were separate houses, most having three bedrooms or more. A lack of diversity in the size, type, and pricing of housing can limit housing choice and affordability.

The Knox Housing Strategy 2015 defines four Housing Strategy areas and provides guidance on the types of housing preferable in each.

Overall, 75% of new dwellings in permits approved in 2019 were the preferred type for their corresponding Housing Strategy area. Table 1 provides a summary of how planning decisions based on the Knox Planning Scheme are delivering the intended outcomes.

Table 1: Number of new dwellings approved in 2019, by dwelling type and Housing Strategy area

| Area type | | Net new dwellings | Total new dwellings | Detached dwellings | Dual occupancy | Villa units | Townhouses | Apartments / Mixed use |
|--|---|-------------------|---------------------|--------------------|----------------|-------------|------------|------------------------|
| Outside the Urban Growth Boundary | All lots - includes rural and other non-residential zones | 8 | 8 | 8 | 0 | 0 | 0 | 0 |
| Bush Suburban | All lots - min. subdivision requirements apply | 93 | 126 | 20 | 26 | 51 | 29 | 0 |
| Knox Neighbourhood | Lots under 1000m ² | 131 | 198 | 1 | 150 | 25 | 22 | 0 |
| | Lots over 1000m ² | 79 | 101 | 4 | 5 | 66 | 26 | 0 |
| Local Living | All lots - additional controls from local plans may apply | 76 | 92 | 1 | 1 | 4 | 86 | 0 |
| Activity Areas | All lots - additional controls from local plans may apply | 109 | 127 | 0 | 2 | 0 | 98 | 27 |
| Commercial Areas | All lots - additional controls from local plans may apply | 106 | 106 | 0 | 0 | 0 | 1 | 105 |
|  PREFERRED HOUSING TYPE | | | | | | | | |

2.2.2 Objective 2: Residential development better responds to the community's current and future needs, and allows people to 'age-in-place'

Average household size in Knox is declining. Smaller dwellings tend to be less expensive and easier to maintain, providing an attractive option for first homebuyers, ageing residents looking to downsize, and anyone else keen to reduce their living costs. Although average household size is declining, the retention and continued supply of larger dwellings is still sought after by some members of the community.

Projected future growth can be accommodated within Knox's estimated capacity until at least 2036. Although slightly more net new small dwellings (less than 3 bedrooms) were approved in 2019 than 2018, the number was down from earlier years and does not appear to match forecast growth in small households.

There were limited affordable rental opportunities in Knox in 2018-19 and fewer than 50 dwellings sold at a price affordable to a low-income household. Although the number of social housing dwellings increased by 24 during 2019, the gap between demand and supply of social housing in Knox is significant and increasing.

2.2.3 Objective 3: Energy, water, and waste efficient design are increased in residential dwellings

Knox residents recognise the importance of sustainability and care for our environment. The sustainability assessments that must accompany planning permit applications for two or more new dwellings indicate that residential design in Knox will improve in terms of potable water consumption and greenhouse gas emissions.

2.2.4 Objective 4: Quality housing design in Knox is improved to better respond to neighbourhood identity and create a stronger sense of place

Knox is known for its green and leafy neighbourhoods, quiet streets, and a mix of city and country feel. Of the 11 Council responsibility areas assessed in the annual community satisfaction survey, satisfaction with “planning for population growth” was one of the lowest.

Just under two-thirds of the new development approved is within the more walkable areas of Knox’s suburbs. The two largest developments (in terms of dwelling yield) approved in 2019 were for 55 apartments at 711 Mountain Highway, Bayswater and 50 apartments at 1-13 Erica Avenue in Boronia. Both of these were in locations deemed “very walkable” and “walker’s paradise” respectively according to Walkscore, an index that measures access to shops, amenities, and transport.

2.2.5 Objective 5: Protect and enhance landscape and environmental values of natural areas of significance

As the Knox population grows, it will be increasingly important to ensure that new development does not erode Knox’s unique sources of environmental value.

Large areas of Ferntree Gully, Boronia, Bayswater and Wantirna saw tree canopy loss of at least two percentage points between 2014 and 2018. Some of this loss is likely due to new housing, but this does not appear to explain the canopy loss evident in the Dandenong Foothills. To the east of Dorset Road, it appears that vegetation has been removed from areas affected by the Bushfire Management Overlay (where planning permit exemptions apply), or where planning permits have been issued for the removal of vegetation, for trees towards the end of their life or at risk of dropping limbs.

Small concentrations of “denser than preferred” development were evident in parts of Knoxfield between Ferntree Gully Road and Burwood Highway and in Boronia southwest of Boronia Junction.

2.2.6 Objective 6: Development responds to neighbourhoods in an integrated and balanced manner

Consistency between Council policy, the Knox Planning Scheme, and Council decision-making process is critical for the efficiency of Council’s planning decisions and the quality of the outcomes these decisions deliver.

For the third time in the past six years, VCAT upheld fewer Council decisions (related to planning permits that would yield at least one net new dwelling) than it overturned in 2019. This included a noticeable decline in the percentage of Council refusals upheld by VCAT in 2019 after five years of relatively small fluctuations.

2.3 Future Program Development

The Housing Monitoring Report will continue to be published annually and the indicators reported on will be refined and potentially expanded over time.

A ‘Housing Scorecard’ is also being developed as a supplement to the annual report. The Housing Scorecard will present some of the key insights in a format that can be understood easily by a wide range of audiences, from politicians and policy makers to developers and residents of the Knox community.

3. CONSULTATION

This report has been prepared by the City Research and Mapping team. City Strategy and Planning, City Planning and Building, Municipal Strategic Social Planning, and Business Intelligence were all consulted to collate the required data and information.

The Housing Monitoring Report was presented to Council at its 6 July 2020 Issues Briefing for the purpose of information and feedback.

4. ENVIRONMENTAL/AMENITY ISSUES

The Knox Housing Strategy 2015 seeks in part to address residents' concerns about the impact of residential development on neighbourhood amenity and character. It aims to strengthen Council's approach to balancing residential development that meets the diverse needs of the community with protecting environmental and neighbourhood character values.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The Housing Monitoring Program annual report for 2019 was completed within the existing City Futures 2019/20 budget, and it is anticipated that the Housing Monitoring Program will continue to be completed within proposed annual budgets.

6. SOCIAL IMPLICATIONS

There are no direct social implications of this report. The Knox Housing Strategy 2015 seeks to, where possible, address residents' concerns about social issues such as the availability of affordable and accessible housing. This report has highlighted an area where Knox appears to be providing well for residents (residential aged care) and an area where supply in Knox appears not to be meeting demand (social and affordable housing).

The Knox Community and Council Plan 2017-2021 also seeks to ensure that planning decisions made by Council are informed by, and have the confidence of, the Knox community. This report supports such a process.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.2 - Create a greener city with more large trees, indigenous flora and fauna

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure

Goal 2 - We have housing to meet our changing needs

Strategy 2.1 - Plan for a diversity of housing in appropriate locations

Strategy 2.2 - Encourage high quality sustainable design

Strategy 2.3 - Support the delivery of a range of housing that addresses housing and living affordability needs

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – City Researcher, Tanya Styles - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development – Interim Director Finance and Governance, Matt Kelleher - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The Housing Monitoring Report for the 2019 calendar year presents indicators to demonstrate Knox's alignment with, and progress against, the six objectives set out in the Knox Housing Strategy 2015.

Combined, these indicators show progress such as the increased approval of energy and water-efficient designed dwellings, as well as ongoing challenges, such as protecting Knox's natural environment, and housing affordability.

The Housing Monitoring Report will continue to be refined in future as new indicators and data sources are incorporated.

The Housing Monitoring Report for the 2019 calendar year is provided as Attachment 1.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: City Researcher, Tanya Styles

Report Authorised By: Director, City Development – Interim Director Finance and Governance, Matt Kelleher

Attachments

1. Attachment 1 - Housing Monitoring Report 2019 [6.6.1 - 32 pages]

Attachment 6.6.1 is available as a separate file

6.7 Rent Relief for Commercial Tenants in Council Owned Facilities

SUMMARY: Acting Senior Property Officer, Paige Kennett

In March 2020, the COVID-19 Omnibus (Emergency Measures) (Commercial Leases and Licences) Regulations 2020, came into effect in Victoria. The temporary measures apply to tenants and landlords under certain eligible leases to mitigate the impacts of COVID-19 and related government restrictions.

Council has received requests from commercial tenants for rent relief in respect of eligible leases in Council owned property and these have been assessed according to the prescribed regulations.

RECOMMENDATION

That Council:

- 1. Note the applications for rent relief from various commercial tenants as detailed in Confidential Attachment 1.**
- 2. Approve an initial total rent relief support package for the months of April and May of \$7,630.06, broken down into \$3,815.03 waived rent, and \$3,815.03 deferred rent.**
- 3. Authorise the Chief Executive Officer to consider and approve future commercial rent relief packages during the relevant period that meet regulation eligibility criteria.**
- 4. Authorise the Chief Executive Officer to execute any necessary lease variations in accordance with the Regulations to give effect to these resolutions.**

1. INTRODUCTION

In March 2020, the COVID-19 Omnibus (Emergency Measures) (Commercial Leases and Licences) Regulations 2020, came into effect in Victoria. The temporary measures apply to tenants and landlords under certain eligible leases to mitigate the effects of COVID-19. The regulations outline the relevant period, eligibility criteria, requirements of tenants and landlords, timelines and methodology for calculating rent relief offers.

Commercial tenants have requested rent relief for the relevant period (29 March 2020 to 29 September 2020). Officers have followed the Victorian COVID-19 Regulations to assess rent relief requests and offers for eligible commercial tenants, confirming Council requirements and offers with legal advice.

This paper details the rent relief scheme, requests made to Council and proposed offers for initial eligible rent relief requests. Due to the uncertain distinction between 'debts, fees and charges' and how they relate to the Council to CEO delegation, this paper has been brought to Council.

Future rent relief requests are expected to be received by Council under the scheme, so subsequently Council delegation to the CEO is sought to enable efficient approval of additional eligible rent relief requests during the relevant period that meet the eligibility criteria that strictly fit within the regulations.

2. DISCUSSION

Under the current delegation from Council to the CEO, the CEO can waive any fees or charges with a limit of \$5,000. The reference to 'rates and charges' under the delegation are as described by Section 155 of the Local Government Act which does not include rent. The reference to 'fees' should be read as a reference to the 'fees and charges' set by Council as part of the annual budget process and therefore does not include rent. As there is no clear distinction for where the definition of 'rent' belongs, this matter has been brought to Council. This also provides an opportunity to delegate the CEO to make these decisions in future.

An overview of the COVID-19 Omnibus regulations applicable to Council as landlord are as follows:

- Relevant Period: 29 March 2020 to 29 September 2020.
- Regulation 8: Landlords and tenants must work together cooperatively and act reasonably and in good faith in all discussions and actions to which the Regulations apply.

The tenant's request:

- A rent relief application must fulfil the below requirements to be valid:
 - a. A written request which includes a statement by the tenant that the tenant's lease is an eligible lease (retail or non-retail commercial lease or licence), and
 - b. Is a Small to Medium Enterprise (SME) (with under \$50 million in turnover), and
 - c. The tenant qualifies for, and is a participant in, the JobKeeper scheme.
- The Regulations do not stipulate what financial information a landlord can request however the Victorian Small Business Commissioner suggests appropriate financial information can be an extract from BAS, an accounting system or that which is provided to a financial institution.
- On receipt of a conforming request a landlord must offer rent relief within:
 - a. 14 days after receiving that request, or
 - b. A different time frame as agreed between the landlord and tenant in writing.

The rent relief offer from the landlord:

- Must be based on all the circumstances of the eligible lease, and:
 - a. Relate to up to 100% of the rent payable under the eligible lease during the period; and
 - b. Provide that no less than 50% of the rent relief offered be in the form of a waiver, unless otherwise agreed in writing; and
 - c. Apply to the relevant period; and
 - d. Take into account:
 - The reduction in a tenant's turnover associated with the premises during the relevant period; and
 - Any waiver of outgoings given to the tenant by the landlord; and
 - Whether a failure to offer sufficient rent relief would compromise a tenant's capacity to fulfil their ongoing lease obligations, including repayment of rent; and
 - A landlord's financial ability to offer rent relief, including any relief provided to a landlord by any of its lenders as a response to the COVID-19 pandemic; and
 - Any reduction to any outgoings charged, imposed or levied in relation to the premises.
 - e. In determining the amount of rent to be deferred/waived, landlords can calculate the rent relief offer based on monthly financial information from the tenant, or make an estimated, reasonable offer for the relevant period.
-

Negotiation between tenant and landlord:

- Following receipt of a landlord's offer, the tenant and landlord must negotiate in good faith with a view to agreeing on the rent relief to apply during the relevant period.

For rent that is waived:

- The rent amount agreed by both parties to be waived, must be included in a lease variation agreement for the relevant period.

Payment of rent that is deferred:

- Any rent that is agreed to be deferred must occur in accordance with regulation 16(2) unless the parties agree in writing and:
 - A landlord must not request deferred rent payments before 29 September 2020;
 - The tenant must pay the deferred rent, amortised over a period no less than 24 months; and
 - A landlord may not charge interest, fees or charges in respect of any deferred rent (reg.17).

Rent increases:

- Landlords must not increase rent under the lease until after September 2020 (the relevant period), with the only exception being rent which is determined by turnover.

The lease extension:

- Reg. 13 prescribes that if payment of rent during the relevant period is to be deferred, then the landlord must offer the tenant an extension to the term of its lease on the same terms and conditions that applied prior to the commencement of the Regulations; and
- The extension must be for the period for which rent is deferred, unless the parties agree in writing that reg. 13 does not apply to their lease.
- Once all rent relief offers have been concluded for the relevant period, any lease extensions as a result of any rent relief offers will be signed and sealed by the Chief Executive Officer in accordance with the report recommendation.

Where rent relief is agreed:

- Once the tenant and landlord agree to the rent relief offer, the Regulations state that it may be effected by a variation to the lease or separate agreement.

3. CONSULTATION

Council officers have consulted with commercial tenants and managing agents to ascertain their individual situation and receive the correct information in accordance with the regulations. Officers have also consulted with Council's lawyers to ensure consistency and application of the regulations for commercial tenants.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental/amenity issues.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The commercial tenants that have requested rent relief are in varied situations, with most having to abide by a Government forced shutdown. In accordance with the Victorian Government COVID-19 regulations, staff have requested and received all required documentation from commercial tenants that have requested rent relief, and calculated rent relief, with details provided in Confidential Attachment 1.

Based on the calculations for April and May eligible and complete rent relief requests, it is recommended that Council provide an accumulated rent relief package for April and May of \$7,630.06, broken down into \$3,815.03 waived rent and \$3,815.03 deferred rent.

6. SOCIAL IMPLICATIONS

As part of a wider relief package announced by Knox Council, providing rent relief at this time encourages and supports Council's commercial tenants to remain in business and enables an accelerated recovery of our local economy from the COVID-19 pandemic.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 5 - We have a strong regional economy, local employment and learning opportunities

Strategy 5.3 - Promote and improve infrastructure and technology within the municipality and enhance strategic employment places for business

Strategy 5.4 - Increase and strengthen local opportunities for lifelong learning, formal education pathways and skills development to improve economic capacity of the community

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author - Acting Senior Property Officer, Paige Kennett - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development - Interim Finance and Governance, Matt Kelleher - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

Council is committed to supporting the community during COVID-19. With the introduction of the Victorian Regulations for COVID-19, Council as landlord will support eligible commercial tenants with eligible leases in Council owned buildings, by working with them to offer rent relief that enables accelerated recovery from the COVID-19 pandemic.

10. CONFIDENTIALITY

Attachment 1 is included in the confidential agenda, having been declared confidential information pursuant to Section 77(2)(c) of the Local Government Act 1989, as the information relates to:

- personal information, including names, addresses information that reveals a person's identity that would be unreasonable to disclose in a public report;
- private commercial information, that if released, would unreasonably expose the business to disadvantage because it would release financial information about the business that is not generally available to their competitors.

It is also noted that Regulation 19 of the COVID-19 Omnibus imposes confidentiality obligations on the parties with respect to protected information obtained under or in connection with the Regulations.

Report Prepared By: Acting Senior Property Officer, Paige Kennett

**Report Authorised By: Director, City Development – Interim Finance and Governance,
Matt Kelleher**

Attachments

Confidential Attachment 1 is circulated under separate cover

6.8 Revised Instruments of Delegation to Members of Council Staff and Delegation from Council to the Chief Executive Officer

SUMMARY: Governance Officer, Damian Watson

Instruments of Delegation represent the formal delegation of powers by Council and enable the effective functioning of Council.

The attached Instruments of Delegation (Instruments) have been revised to reflect minor legislative changes based on advice from Council's solicitors and current executive responsibilities.

RECOMMENDATION

In the exercise of the powers conferred by the legislation referred to in the attached:

- Instrument of Delegation – Cemeteries and Crematoria (Attachment 1);
- Instrument of Delegation - Road Management Responsibilities (Attachment 2) ;
- Instrument of Delegation – Planning (Attachment 3) ;
- Instrument of Delegation – Domestic Animals, Environment Protection and Food Act (Attachment 4) ; and
- Instrument of Delegation – Council to Chief Executive Officer (Attachment 5);

Knox City Council (Council) resolves that:

1. There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached:
 - Instrument of Delegation – Cemeteries and Crematoria (Attachment 1),
 - Instrument of Delegation - Road Management Responsibilities (Attachment 2)
 - Instrument of Delegation – Planning (Attachment 3), and
 - Instrument of Delegation – Domestic Animals, Environment Protection and Food Act (Attachment 4);
 - Instrument of Delegation – Council to the Chief Executive Officer (Attachment 5) the powers, duties and functions set out in that respective instrument, subject to the conditions and limitations specified in the instrument;
2. The changes tracked in each Instrument of Delegation in Resolution 1 be accepted and the resulting instruments be sealed and come into force immediately upon the common seal of Council being affixed to the instrument;
3. On the coming into force of each instrument set out in Resolution 1 above, the respective previous Instrument of Delegation be revoked; and
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may adopt from time to time.

1. INTRODUCTION

Council is empowered to delegate its powers, duties or functions with some strategic exemptions such as setting rates, borrowing funds, adopting a planning scheme amendment and adopting a budget.

Delegations are necessary to facilitate effective functioning of councils as they enable day-to-day decisions to be made in relation to routine administrative and operational matters.

In granting delegations, Council is not granting unfettered power to Council staff or relinquishing its own powers. A delegate must comply with the conditions of delegation as well as any policies of Council and any legislative framework. Council can still exercise any delegated power, duty or functions itself by resolution in the Chamber.

The attached Instruments are recommended for the effective and efficient operations of Council's activities, as well as to enable routine and administrative tasks to be carried out with consistency and certainty.

2. DISCUSSION

The attached Instruments are updated to ensure that they remain contemporaneous and consistent with current legislation and business practices.

- The current Instrument of Delegation – Cemeteries and Crematoria has been in force since 25 September 2017.
- The current Instrument of Delegation – Road Management Responsibilities has been in force since 24 July 2017.
- The current Instrument of Delegation – Planning has been in force since 28 August 2017.
- The current Instrument of Delegation – Domestic Animals, Environment Protection and Food Act has been in force since 27 March 2018.
- The current Instrument of Delegation – Council to Chief Executive Officer has been in force since 22 June 2020.

The revised Instruments are based upon the previous Instruments considered by Council and have been amended to reflect recent legislative changes.

The amendments to the delegations are all minor in nature, with no significant variations proposed.

Changes to the instruments in Attachments 1 to 4:

- Reflect the transition to the Local Government Act 2020;
- Remove references to the Conduct and Interest provisions of the Local Government Act 1989, which are not replaced, as they are included in the Chapter 5 (Conflicts of Interest) of the Knox City Council Governance Rules.
- Ensure appropriate delegates have been nominated according to current business practices and processes; and
- Reflect the legislative changes as part of the new Local Government Act 2020.
- Reflect the remaking of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020.

Changes to the Instrument of Delegation – Council to Chief Executive Officer are administrative only, correcting or clarifying grammar in the instrument.

3. CONSULTATION

Council subscribes to the Maddocks Authorisations and Delegations Service, which provides advice regarding legislative amendments and template instruments, which are then tailored to organisational requirements. The proposed instruments (Attachments 1, 2, 3, 4 and 5) have been prepared based on the advice provided by Maddocks Lawyers.

4. ENVIRONMENTAL/AMENITY ISSUES

Nil.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The costs to prepare and adopt the attached Instruments are minimal and will be met within the current departmental budget.

6. SOCIAL IMPLICATIONS

Nil.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author - Governance Officer, Damian Watson - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development- Interim Finance and Governance, Matt Kelleher - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The form and content of the attached revised Instruments are consistent with the Instruments previously adopted by Council and enable the effective functioning of Knox City Council. It is therefore recommended that Council sign and seal the revised attached Instruments (Attachment 1, 2, 3, 4 and 5).

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Governance Officer, Damian Watson

Report Authorised By: Director, City Development - Interim Finance and Governance, Matt Kelleher

Attachments

1. Attachment 1 - Delegation s6 Council to Council Staff Cemeteries and Crematoria Act July 20 [6.8.1 - 36 pages]
2. Attachment 2 - Delegation s6 Council to Council Staff Road Management Responsibilities July [6.8.2 - 39 pages]
3. Attachment 3 - Delegation s6 Council to Council Staff Planning July 2020 [6.8.3 - 113 pages]
4. Attachment 4 - Delegation s6 Domestic Animals Environment Protection Food Act July 2020 Upd [6.8.4 - 16 pages]
5. Attachment 5 - Delegation s5 Council to CEO July 2020 [6.8.5 - 4 pages]

Attachments 6.8.1 - 6.8.5 are available as a separate file

8 Engineering & Infrastructure Officers' Reports for consideration

8.1 Collaborative Procurement for Advanced Waste Processing Solutions

SUMMARY: Coordinator - Waste Management, Misty Johannsen

Council has been participating in the Expression of Interest (EOI) phase for procurement of Advanced Waste Processing (AWP), as facilitated by the Metropolitan Waste and Resource Recovery group (MWRRG). This project is in collaboration with 15 other Councils within the South East Melbourne Region, and aims to address the issue of limited landfill capacity in our region, whilst providing improved environmental, social and economic outcomes from landfill treatment. The proposed procurement and contract model is via establishment of a separate legal entity, a Special Purpose Vehicle (SPV), which would occur in collaboration with participating Councils.

The EOI phase is complete, and a short list of providers has been recommended by the evaluation team, and endorsed by the Working Group of Council representatives. The process attracted strong interest from industry. The evaluation process has been a robust process, drawing upon technical/environmental, legal, financial and probity advisors, who have assisted the Evaluation Panel.

Council now has the opportunity to consider participating in the next non-binding phase of the process (this report).

RECOMMENDATION

That Council:

- 1. Supports participating in Stage 2, the Solution Development phase, for Advanced Waste Processing, as facilitated by the Metropolitan Waste and Resource Recovery Group (MWRRG);**
- 2. Authorise the Chief Executive Officer to make the necessary decisions and enter into agreements to progress the Solution Development phase; and**
- 3. Note that any processes, agreements or documents associated with Council participating in the Special Purpose Vehicle will be assessed for compliance with Council's obligations under Section 193 of the Local Government Act 1989; and / or any relevant obligations under the new Local Government Act 2020.**

1. INTRODUCTION

Council has participated in the Expression of interest phase for Advanced Waste Processing, as facilitated by MWRRG. This procurement process incorporates 16 participating Councils in the South East region of Melbourne, to collaboratively address landfill capacity issues and provide long term environmental, social and financial benefits when managing waste. The EOI phase is now complete, and Council is provided with the opportunity to consider progress to future stages (this report)

2. DISCUSSION

Background

Historically, landfills were the only option available for managing residual waste and were perceived to offer a low cost, reliable and long-term solution to dispose of waste that could not be recycled.

Other proven alternatives to landfill, which are widely used internationally, are becoming an accepted alternative to landfill disposal in Australia. These technologies are collectively known as Advanced Waste Processing. Project fact sheets related to Advanced waste processing, the benefits, and how they are regulated can be seen in Attachment 1, 2 and 4.

Continuing to rely solely on landfill to manage residual waste will not deliver the best outcomes for Knox City Councils' community. The most significant impacts from landfill include:

- Environmental and social impacts – Emissions from landfill make up a significant proportion of greenhouse gas emissions. Other potential issues include odours, litter, vermin, and legacy contamination issues;
- Lost opportunity to recover resources – landfills don't fully capture the value of discarded resources, despite containing materials with commercial value;
- Putting the financial and environmental burden on future generations of the ongoing treatment and management of landfills; and
- Rising costs and reduced environmental and social outcomes due to longer travel distances to utilise landfills that are located in north/west Melbourne.

Previous work investigating these issues and opportunities saw clear benefits to exploring AWP as an alternative to landfill. In September 2019, Knox City Council and 15 other councils signed a Management Deed with MWRRG to participate in a collaborative procurement process for AWP solutions. ACCC approval was gained in January 2020.

The proposed procurement is a multi-staged process, taking approximately 2 years to explore all the solution options in detail. While the procurement is being led by MWRRG, Councils will select the preferred solution, via the procurement Evaluation process, and then endorsement of the recommendations by a Working Group. The Evaluation team consists of a team of 6 nominated and endorsed Council officers, supported by a group of technical experts. Knox City Council is represented by Misty Johannsen, Acting Manager Sustainable Infrastructure on this panel. The Working Group consists of 1 nominated representative of each participating Council.

The procurement process will have multiple stages:

- Stage 1 – expression of interest (complete)
- (Council decision point)
- Stage 2 – solution development
 - Stage 2 (a) – outline specification
 - Stage 2 (b) – competitive dialogue
 - Stage 2 (c) – detailed specification and final tender
- Stage 3 – council endorse or refute working group recommendation
- Stage 4 – contract negotiation
- (Council decision point)

- Stage 5 – contract award

EOI phase

Following a delay at the request of the State Government, due to the release of the Victorian Governments Recycling Victoria Policy, on 10 March 2020, the invitation for EOI was released.

An outline of the EOI and evaluation process can be seen in Attachment 3.

Following a comprehensive EOI evaluation process three tenderers have been shortlisted. The Working Group approved the Evaluation Teams recommendation on the 10 June 2020. The short list is as follows:

- **Veolia Environmental Services (Australia) Pty Ltd** - An integrated mechanical and potential biological treatment solution which recovers recyclables, with a combustion process to treat non-recoverable residues and recover energy.
- **Sacyr Environment Australia** - An integrated mechanical and biological treatment solution which recovers recyclables, with either a combustion or gasification process to treat non-recoverable residues and recover energy.
- **Pacific Partnerships and REMONDIS** (A consortium comprised of Pacific Partnerships and REMONDIS Australia, together with CIMIC Group Companies CPB Contractors and UGL) - A mass burn combustion solution that recovers energy from residual waste with recycling of metals (and potentially bottom ash) post the combustion phase.

Council are not obliged to adopt the proposed technology solutions by the tenderers. The solution(s) will be co-developed with the participating councils and the shortlisted tenderers during the second stage of procurement.

Special Purpose Vehicle - Progress

Establishing the new processing infrastructure will require substantial investment, and the aggregation of waste streams by participating Councils will be the key enabler to drive investment from the private sector.

MWRRGs legal advisors recommended that Councils form a Special Purpose Vehicle (SPV) – a company with its own assets and liabilities, as well as its own separate legal identity.

An SPV would provide the following benefits:

- create economies of scale for the contract (by aggregating waste streams);
- be attractive to the market as a single contracting entity;
- limit a Council's liability to its shareholding in the SPV, protecting Council's financial position and wider asset pool;
- facilitate clear decision making structures and administration processes for a large Council group;
- provide the vehicle to attract investment grants from other levels of government; and
- allow the SPV to own, operate or apply for planning permission for a facility.

MWRRG and its advisors have been working with a subset of officers from the Working Group to develop a draft shareholder agreement and a draft constitution. There will be a statutory process required to establish an SPV. Any processes, agreements or documents associated with the Special Purpose Vehicle will need to be in compliance with either Council's obligations under Section 193 of the Local Government Act 1989; or any relevant obligations under the new Local Government Act 2020.

Policy settings

Recycling Victoria

The release of the EOI for the AWP project was subject to the Victorian Government's announcement of its Circular Economy Policy, Recycling Victoria. The timing of the EOI launch was delayed somewhat to accommodate this and changed to 10 March 2020.

As part of the *Recycling Victoria* policy, AWP solutions will play a significant role in achieving the Victorian Government's new target to divert 80 per cent of household rubbish from landfill by 2030.

The policy sets out alignment to the EPA's Waste Hierarchy, where best outcomes will be achieved by minimising our waste, reusing and recycling including separation of food and green waste for composting. What is left over can go to AWP, which is more productive than burying it in the ground.

The policy supports AWP projects where they create clear net benefits and complement efforts to reduce or recycle waste. The AWP procurement will ensure any facilities:

- meet best-practice environment protection requirements and energy efficiency standards
- reduce the amount of waste sent to landfill
- do not displace or inhibit innovation in reduce or recycle efforts
- reduce greenhouse gas emissions compared to the waste and energy services they displace
- have sustainable business models creating new jobs and economic development in local communities.

The Victorian Government have also indicated they plan to provide policy certainty for waste to energy facility proponents. This will include placing a cap of one million tonnes each year until 2040 on the amount of residual waste that can be used in thermal waste to energy facilities. The cap will be implemented through new rules, which will be given effect by legislation or regulations. The final technology solution selected as part of the AWP project will need to align with the *Recycling Victoria* policy objectives. The Solution Development phase of this procurement process will allow Councils to explore the technology that best suits their needs, as well as ensuring it aligns with Policy settings and any future regulations.

Way forward

The next step is for Council to consider participation in the Solution Development phase (Stage 2).

The intention of Stage 2, the Solution development phase, is to seek further information on proposals from the shortlisted providers and engage in open dialogue to develop the contract requirements and solution. A final tender process will then take place as part of Stage 2.

It is expected that Councils committing to Stage 2 will remain part of the procurement process up until final tenders have been completed and the preferred tenderer(s) identified.

Councils will have the option to withdraw from the process at the end of Stage 2 (July –December 2021), prior to Contract Award. Being part of Stage 2 will not obligate Council to enter into a Contract for AWP.

3. CONSULTATION

The Environment Advisory Committee were briefed in February 2019 on a variety of issues, including Advanced Waste Processing, with overall support. A separate EMT discussion has also been held to discuss this project, in the context of the wider Waste and Recycling sector in early 2019. Upon release of the EOI phase in March 2020, the MWRRG undertook the following communication activities:

- Exclusive editorial in the Herald Sun;
- Advertisements (print and online) in Victorian, Australian and international newspapers and trade journals; and
- Radio interviews with key spokespeople.

Council was also briefed on the 7 July 2020 about the outcomes of the EOI phase.

4. ENVIRONMENTAL/AMENITY ISSUES

In many parts of the world, many of the technologies that treat landfill are shown to deliver lower environmental impacts than landfill, in areas such as air quality, carbon abatement, and transport impacts.

The EOI phase included assessment of environment performance within criteria 3, as can be seen in Attachment 3. A full review of the environmental and amenity issues will be assessed with consideration of the final phases of the procurement process.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The EOI phase did not provide an indication of cost - this will come through the solution development and final tender phase. Respondents were required to provide financial data and reporting, which was reviewed by the Financial advisor, and fed into the Evaluation process.

Previous work that explored the potential for a collaborative procurement for AWP indicated that capital expenditure for the project can be financed by the private sector, with no financing required from Councils, through a full-services concession contract model. A Special Purpose Vehicle, or SPV will support this model.

Councils will need to fund the processing of each tonne of residual waste at a facility, through a service charge, as currently funded for landfill. Councils' Garbage Charges and associated fees are likely to be sufficient to implement all technology options, and at a lower forecasted cost than the business as usual landfill services.

The case for change from a financial perspective was improved with the Recycling Victoria policy and EPA reforms, where the State Government announced increases to the Landfill Levy, from current rates of approximately \$66 per tonne to \$126 per tonne over the next 3 years. This levy is in addition to the contracted landfill disposal gate fees. This change will align Victoria's landfill levy to be similar in price to other states, and add to the case for change to AWP from a financial benefit perspective, as AWP tonnages would not attract this levy.

6. SOCIAL IMPLICATIONS

AWP technologies would see improvements in air quality, carbon abatement, job creation and transport impacts, than current landfill arrangements.

The EOI phase considered social elements, as outlined in Attachment 3. Ongoing review of these implications would occur through the next Evaluation phase.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.1 - Protect and enhance our natural environment

Goal 2 - We have housing to meet our changing needs

Strategy 2.1 - Plan for a diversity of housing in appropriate locations

Goal 4 - We are safe and secure

Strategy 4.4 - Protect and promote public health, safety and amenity

Goal 5 - We have a strong regional economy, local employment and learning opportunities

Strategy 5.1 - Attract new investment to Knox and support the development of existing local businesses, with particular focus on Advanced Manufacturing, Health, Ageing and Business Service sectors

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author - Coordinator – Waste Management, Misty Johannsen - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Acting Director, Engineering and Infrastructure, Matt Hanrahan - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

There are clear benefits to Knox City Council being part of this process, with minimal, to no risk. The EOI phase has seen very strong industry interest. A robust process, drawing upon the work of the MWRRG Project team, supported by financial and commercial, technical, and legal advisors, with strong involvement by Council officers has delivered a strong short list.

The next phase will allow the MWWRG project team to work with the 3 tenderers to develop a solution that meets the needs of Councils and the community. As there is no obligation to enter into a contract with providers, it would be prudent to continue to collaborate with our South East region Council partners and MWWRG to address landfill capacity issues, and aspire to achieve improved environmental, social and financial outcomes.

It must also be noted, that other long-term feasible options related to treatment of Landfill within the South East region of Melbourne are not widely available.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Acting Manager – Sustainable Infrastructure, Misty Johanssen

Report Authorised By: Acting Director, Engineering and Infrastructure, Matt Hanrahan

Attachments

1. Advanced Waste Processing - About AWP Fact Sheet -2020-6-23 [**8.1.1** - 5 pages]
2. Advanced Waste processing - A Smarter Solution - 2020-6-23 [**8.1.2** - 4 pages]
3. Advanced Waste Project Update - 2020-6-23 [**8.1.3** - 2 pages]
4. Advanced waste processing - Regulating brief - 2020-6-23 [**8.1.4** - 3 pages]



About advanced waste processing

Different technologies are being used successfully overseas to recover recyclables or produce electricity and heat.

Advanced waste processing facilities are being used safely and reliably around the world, including in the United Kingdom (UK), Europe, Asia and North America. They provide an essential and cost effective service to local authorities and businesses.

Best practice facilities have strong safety track records and are characterised by:

- proven and efficient technology
- strict emission controls and safety standards
- transparent operations that are open to the local community
- appropriate locations and a design that is sympathetic to the surrounding area
- excellent transport links
- ongoing and effective community engagement.

A medium sized plant can process 300,000-400,000 tonnes each year (the waste from around 10 or more councils in Melbourne). Combustion is the most commonly used technology overseas.

Advanced waste processing solutions are proven technologies that make better use of household rubbish than burying it in the ground.

PART OF A TOTAL SOLUTION

Advanced waste processing solutions have great potential as part of a total approach to managing the waste we produce.

Best outcomes will be achieved by minimising our waste, reusing or recycling, and then what is left over can go to advanced waste processing.

Converting waste to energy is better than putting waste in landfill, but only material that can't be viably recycled should be transformed into energy.



Severnside Energy Recovery Centre, UK

Used reliably and safely around the world

Large cities overseas rely on advanced waste processing to manage residual waste, with landfill as a last resort.

It is common for plants to be modernised over time with up to date technology. This ensures that plants continue to operate efficiently and economically, and be as environmentally friendly as possible.

Exterior designs range from industrial style buildings to architect designed landmarks.

Here are just a few examples of advanced waste processing facilities from the UK and Europe.



Suffolk Energy From Waste Facility, UK

This combustion facility processes 269,000 tonnes of waste a year from households and some businesses, and will reduce greenhouse gas emissions by 75,000 tonnes a year. The facility generates electricity and metals are extracted from the ash that is left over. An educational visitor centre and tours let the local community see the facility in action.



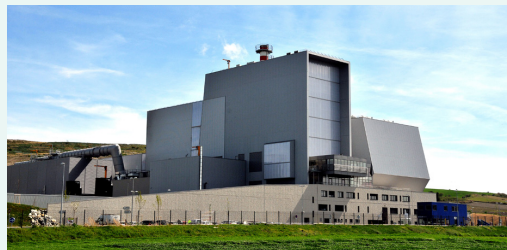
Spittelau Waste to Energy Facility, Austria

Behind this unusual façade in central Vienna is a combustion facility that processes 250,000 tonnes of household rubbish every year. It produces electricity, heat and scrap iron.



Twence, The Netherlands

Twence is an integrated waste processing centre established by 14 municipalities. Originally a landfill site, Twence includes facilities for anaerobic digestion of organic household waste, a biomass power plant that uses waste wood and a combustion plant. These facilities produce electricity, heat, steam for industry and waste metals.



Vernéa Integrated Waste Treatment Facility, France

Vernéa handles household and similar waste, and processes 230,000 tonnes of waste each year. This facility combines advanced sorting, anaerobic digestion/composting and combustion. The facility produces electricity, agricultural compost, and materials that can be used in steelworks or construction.



Marchwood Energy Recovery Facility, UK

Marchwood is located on the Southampton Water estuary. It processes 165,000 tonnes of residual waste each year for the Hampshire County, Southampton City and Portsmouth City councils. It supplies enough electricity to power 22,000 homes. The unusual design was created through consultation with local residents, councils and architects.



Ruhleben Waste to Energy Facility, Germany

Modernised in 2012, the Ruhleben combustion facility can process 520,000 tonnes of residual waste each year. The plant provides electricity and heat. It also recycles around 12,000 tonnes of ferrous metals every year.



Ardley Energy Recovery Facility, UK

Ardley is a combustion facility that processes 326,000 tonnes of waste a year. It diverts at least 95% of Oxfordshire's residual waste from landfill and generates enough electricity to power 53,000 homes. The facility also processes residual waste from businesses and other local authorities.

How safe are facilities?

Modern waste to energy plants use sophisticated emission control equipment to minimise pollution. The newest facilities in Europe and North America are designed to meet strict emissions standards. Facilities have real-time emission monitoring and they are inspected and tested regularly to ensure safety standards are achieved, and many outperform standards.

All large industrial facilities have to manage the risks of pollution. The Environment Protection Authority (EPA) Victoria has strict standards for new waste to energy facilities to protect people's health and the environment.

According to EPA, waste to energy is an established disposal method used globally with international best practice standards available. An independent literature review commissioned by EPA found that there was little potential for health impacts or risk from exposure to air emissions from modern facilities.¹

Similarly, in the UK, the Health Protection Agency (now Public Health England) produced a report in 2010 on the impact on health of air emissions from combustion facilities.² The report states that modern, well-managed combustion facilities make only a very small contribution to local concentrations of air pollutants, and that "It is possible that such small additions could have an impact on health but such effects, if they exist, are likely to be very small and not detectable".

A study funded by Public Health England³ and published in 2017, found that particle levels caused by combustion facilities are extremely low, and could often not be distinguished from other background sources such as traffic.

¹ EPA. Australian Paper waste to energy works approval decision. 2018, Publication 1717

² Maynard, R L et al. The impact on health of emissions to air from municipal waste incinerators. Health Protection Agency. 2010. [PDF file]

³ Douglas, P et al. Estimating particulate exposure from modern municipal waste incinerators in Great Britain. Environ. Sci. Technol. 2017, 51, 7511–7519

How do they work?

There are two broad types of advanced waste processing that are commonly used to process household rubbish.

Waste to Energy

Waste to energy technologies all recover energy from waste to produce electricity, heat or gas. The three most common technologies are:



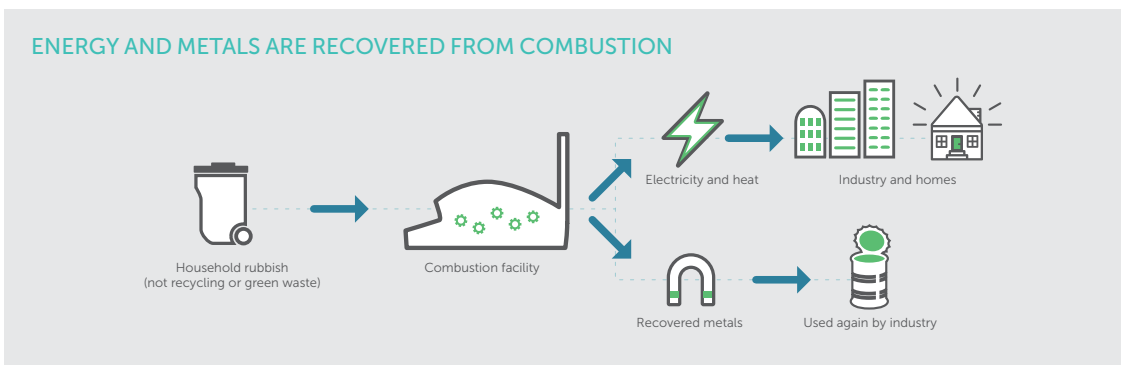
Anaerobic digestion—a biological process (e.g. microbes) used to produce gas from organic waste. The gas can be used in an engine or turbine to generate electricity. Digestate (what is left over from the process) is sent to landfill.



Combustion—waste is burned to produce heat. The heat is used to create steam that turns a turbine to produce electricity. Metals can be extracted from the ash that is left over. Ash and residues are sent to landfill.

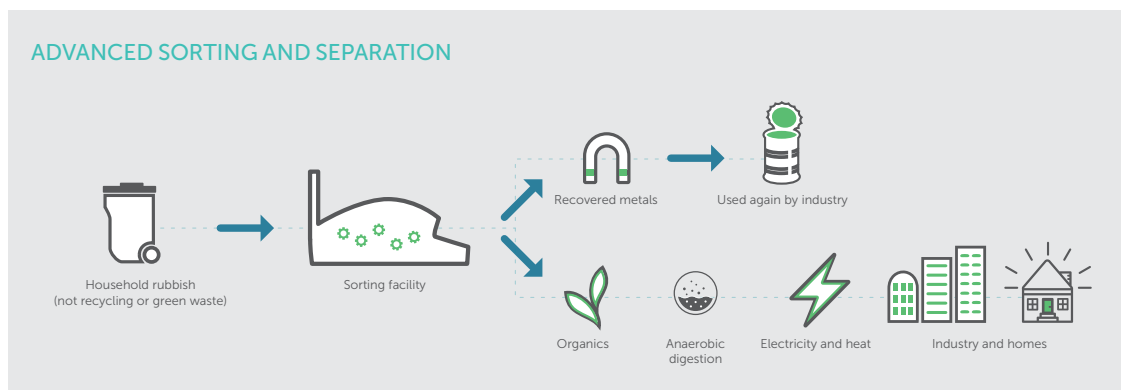


Gasification—waste is heated (but not burned) to release gases that can be used in a gas engine or furnace to produce electricity. Metals can be extracted from the ash that is left over. Ash and residues are sent to landfill.



Advanced sorting and separation

Also known as Mechanical Biological Treatment (MBT), advanced sorting and separation extracts hard recyclables (e.g. metals) and then treats the food and garden waste to reduce the amount of organic material that is then sent to landfill. The organic treatment can produce energy (e.g. anaerobic digestion).



Advanced waste processing in Australia

There are some advanced waste processing solutions already operating in Australia, however there are no facilities that can handle the metropolitan Melbourne quantities of household rubbish. Councils are seeking proposals from businesses to design, build and operate facilities to meet the needs of their local communities.

- The Kwinana Waste to Energy facility will be located in the Kwinana Industrial Area, south of Perth, Western Australia. Co-developed by Macquarie Capital (Australia) Limited and Phoenix Energy Australia Pty Ltd, the project has sourced financing from the private sector and government to build the \$668 million facility. When complete in 2021, the combustion facility will process 400,000 tonnes of residual, commercial and industrial waste each year, and generate enough electricity to power more than 50,000 homes.
- In New South Wales, the recently commissioned Woodlawn MBT facility is able to process 144,000 tonnes of waste a year from six councils. The plant will recycle metals and divert approximately 55% of general waste from landfill.
- German company REMONDIS has announced plans to build a \$400 million waste-to-energy facility in Swanbank, south of Ipswich, Queensland. The proposed plant will process 300,000–500,000 tonnes of waste each year.
- In Victoria, Australian Paper has proposed a large combustion facility in Maryvale to process up to 650,000 tonnes of residual waste as well as commercial and industrial waste. The facility would provide steam and electricity to Australian Paper’s Maryvale mill. EPA granted works approval in late 2018, which was amended and resolved in 2019.
- Recovered Energy Australia is proposing to construct a gasification facility in Laverton North, Victoria to process 200,000 tonnes of residual waste each year. A works approval was issued by the EPA in 2019, and a planning permit was issued by the City of Wyndham in 2019.

REGULATED BY EPA

Since 1970, EPA has regulated the operations of industries to prevent harm to the environment and people—industries such as petrol refineries, landfills, abattoirs, chemical manufacturers, power stations and sewage treatment plants.

EPA sets standards that facilities must operate within, and regularly monitors compliance with these standards through reporting and inspections.

Advanced waste processing facilities are also regulated by EPA. Any facility will need to be appropriately located, constructed and operated according to strict regulations that minimise risks to the environment and people.

Benefits of advanced waste processing



Send less waste to landfill



Reduce greenhouse gas emissions



Recover more resources from household waste



Can transform waste into energy to power homes and businesses



Better outcomes for community, economy and environment



Preserve land for better uses than burying waste



Finding a smarter solution for household rubbish

Project overview

A group of councils from the south and east of Melbourne have partnered with the Metropolitan Waste and Resource Recovery Group (MWRRG) to seek proposals from industry for a smarter way to deal with household rubbish.

The project will deliver a vital alternative to landfill that will transform how household rubbish is managed by putting it to good use instead of burying it in the ground.

Which councils are involved?

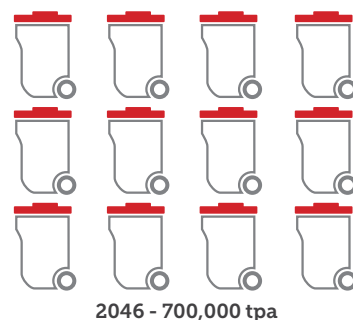
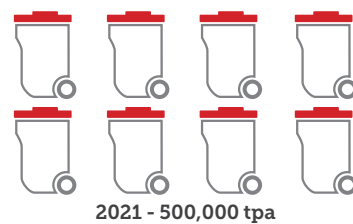
- Bayside City Council
- Frankston City Council
- Bororoondara City Council
- Glen Eira City Council
- Cardinia Shire Council
- Knox City Council
- City of Casey
- Manningham City Council
- City of Greater Dandenong
- Maroondah City Council
- City of Kingston
- Mornington Peninsula Shire
- City of Monash
- Shire of Yarra Ranges
- City of Whitehorse
- Stonnington City Council.

Why this project is needed

The south east has some of Melbourne’s fastest growing suburbs, and the population is expected to grow substantially in coming years.

More people produce more rubbish—household rubbish in the 16 councils is projected to increase by 40% over the next 25 years.

It will all be sent to landfill unless another solution is found.





We shouldn't rely on landfill

Household rubbish is sent to landfill and buried. But relying on landfill to dispose of rubbish isn't a sustainable solution:

- Landfills in the south east of Melbourne are filling up and no more are planned to be built. So councils will have to transport large amounts of waste across Melbourne to other landfills.
- Food and green waste in landfill breaks down and creates methane, a potent greenhouse gas.
- Future generations have to deal with the problem as rubbish contained in landfills breaks down over decades.
- Landfill is a costly way to dispose of rubbish and costs are expected to keep going up.
- Advanced waste processing solutions will play a significant role in achieving the Victorian Government's new target to divert 80 per cent of household rubbish from landfill by 2030.

But why bury rubbish when the average rubbish bin contains materials that could be put to better use?

Advanced waste processing — an alternative to landfill

MWRRG and 16 councils have been exploring an alternative to landfill called advanced waste processing.

Advanced waste processing solutions are proven technologies that recover valuable materials or produce electricity and heat from rubbish.

Advanced waste processing facilities are being used safely and reliably around the world, including in the United Kingdom, Europe, Asia and North America.

Modern, best practice facilities have strong safety track records

They provide an essential and cost effective service to local authorities and businesses.

Advanced waste processing technologies can include:

- advanced sorting to extract recyclables (e.g. metals) plus treatment of food and garden waste to reduce the amount of organic material that is sent to landfill
- technologies that transform waste to energy and produce electricity, heat or gas.

Modern, best practice facilities have strong safety track records and are designed to meet strict emissions standards. They are inspected and tested regularly to ensure safety and environmental standards are achieved.

Advanced waste processing solutions have great potential as part of a total approach to managing the rubbish we produce. Alongside recycling, and separating food and green waste for composting, advanced waste processing is a smarter solution for household rubbish than burying it in the ground.

These solutions are also a financially viable option for councils compared to projected landfill costs.

Best outcomes will be achieved by minimising our waste, reusing or recycling, and then what is left over can go to advanced waste processing.



Next steps

Currently, there are no advanced waste processing facilities that can handle the metropolitan Melbourne quantities of household rubbish - new facilities are needed.

MWRRG is leading a procurement process on behalf of the 16 councils to seek proposals from bidders to design, build and operate an advanced waste processing facility.

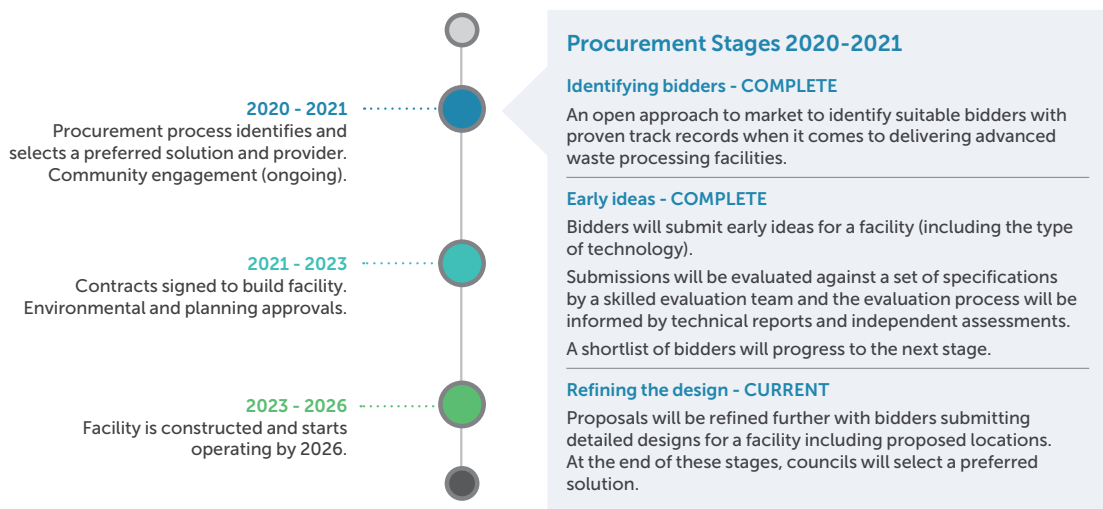
No technology or site has been selected yet. These will be identified during the procurement process.

The procurement process will take a couple of years to rigorously explore all the options in detail. During this

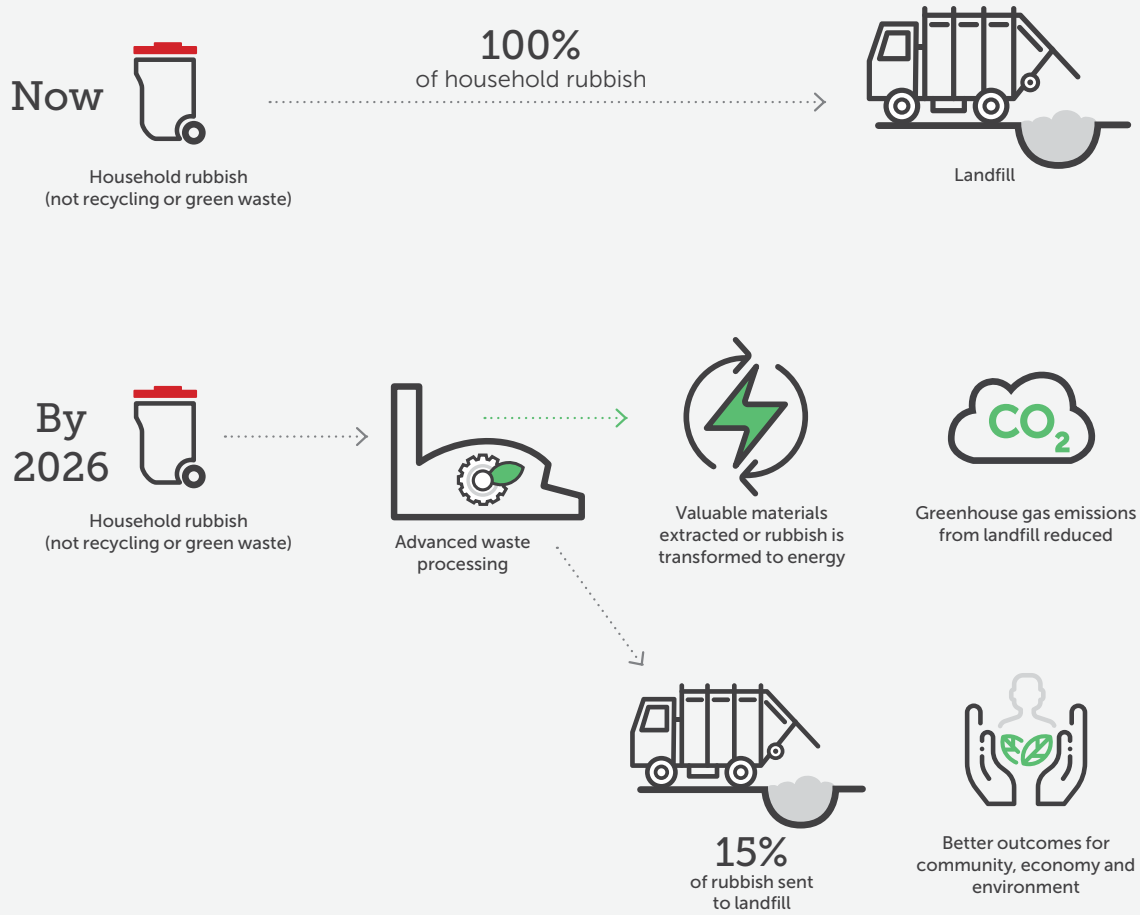
process, we will also actively talk with communities to understand their views.

At the end of the two years, councils will have a preferred solution with very detailed designs and specifications.

Once a preferred solution is selected, it will need to get environmental and planning approvals before it can be built. Construction will take approximately three years.



What will be achieved

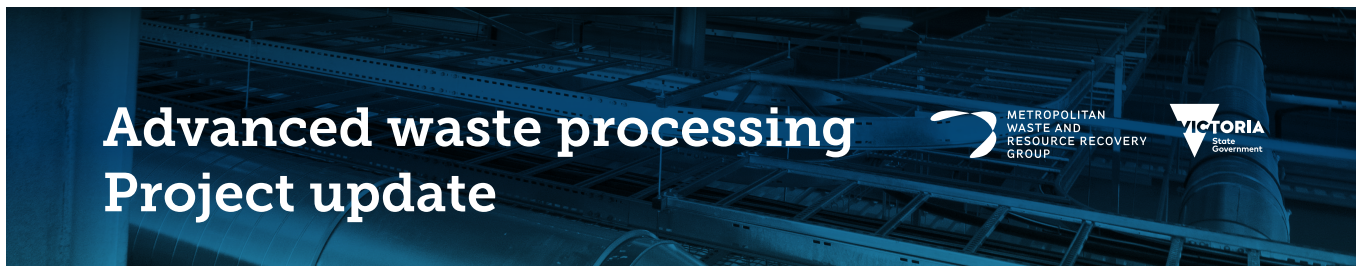


More information

www.mwrrg.vic.gov.au/smartersolution
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Please contact us if you would like this information in an accessible format.
Published by the Metropolitan Waste and Resource Recovery Group.
March 2020.





Advanced waste processing Project update

June 2020

Procurement update

On 10 March the Metropolitan Waste and Resource Recovery Group (MWRRG) called for Expressions of Interest (EOI) for solutions to provide an alternative to landfill for 16 councils in Melbourne’s south east.

Shortlisted tenderers and proposed technology

Following a comprehensive EOI evaluation process three tenderers have been shortlisted.

- **Veolia Environmental Services (Australia) Pty Ltd** - An integrated mechanical and potential biological treatment solution which recovers recyclables, with a combustion process to treat non-recoverable residues and recover energy.
- **Sacyr Environment Australia** - An integrated mechanical and biological treatment solution which recovers recyclables, with either a combustion or gasification process to treat non-recoverable residues and recover energy.
- **Pacific Partnerships and REMONDIS** (A consortium comprised of Pacific Partnerships and REMONDIS Australia, together with CIMIC Group Companies CPB Contractors and UGL) - A mass burn combustion solution that recovers energy from residual waste with recycling of metals (and potentially bottom ash) post the combustion phase.

Council are not obliged to adopt the proposed technology solutions by the tenderers. The solution(s) will be codeveloped with the councils and the shortlisted tenderers during the second stage of procurement.

Evaluation process and criteria

MWRRG received 30 responses via eProcure that were then individually assessed by each of the six council representatives on the evaluation panel.

The responses were also reviewed, but not scored, by representatives from MWRRG and its advisors:

- Ernst & Young – financial and commercial
- Arcadis – technical
- Holding Redlich – legal.

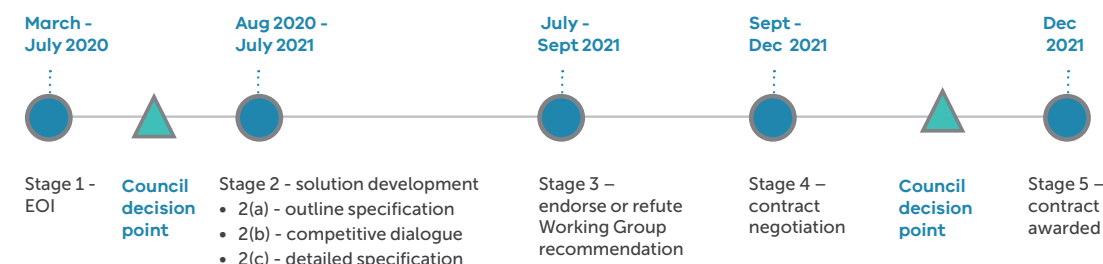
The evaluation panel then met on four occasions in May to assess the responses on a collective basis for consensus scoring.

Landell, as the appointed probity advisor, attended all meetings and reviewed all formal communication with tenderers.

Submissions were evaluated against the following six criteria:

1. Financial capacity of the lead solution provider
2. Demonstrated capability to deliver solutions
3. Demonstrated capability to deliver best practice environmental and sustainability performance
4. Demonstrated experience of achieving broad community acceptance for advanced waste processing solutions
5. Understanding of the legal, regulatory and policy landscape
6. Technology proposals to manage councils’ residual municipal solid waste.

Multi-stage procurement timeline



Stage 1 – EOI highlights

- 30 responses received
- Domestic and international submissions
- Mix of consortia and non-consortia
- A variety of technologies proposed:
 - Mass burn combustion with energy recovery
 - Advanced thermal treatment / gasification / pyrolysis (biochar production)
 - Integrated sorting and energy recovery
 - Autoclaving / energy recovery
- 15 deemed non-compliant or lacking evidence of the capacity to fund the bid process or raise financing for the project.

Council decision points

MWRRG is in consultation with the 16 councils to determine whether they are willing to participate in Stage 2 of the procurement, which is scheduled to commence on 3 August 2020.

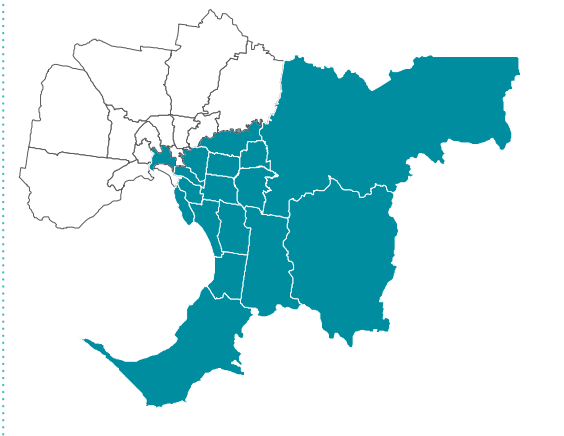
Involvement in Stage 2 is on an opt out basis. The Management Deed covers council's commitment for the duration of the procurement. Councils wishing to opt out must do so in writing no later than 26 July 2020.

Council obligations in Stage 2

It is expected councils committing to Stage 2 will remain part of the procurement process up until final tenders have been completed and the preferred tenderer(s) identified.

Councils not in agreement with the Working Group's recommendations of the preferred tenderer(s) will have the option to withdraw from the process at the end of Stage 2 (July 2021).

Participating councils



Recycling Victoria update

As part of the Recycling Victoria policy, waste to energy solutions will play a significant role in achieving the Victorian Government's new target to divert 80 per cent of household rubbish from landfill by 2030.

Best outcomes will be achieved by minimising our waste, reusing and recycling, including separation of food and green waste for composting. What is left over can go to advanced waste processing which is more productive than burying it in the ground.

The Victorian Government supports waste to energy projects where they create clear net benefits and complement efforts to reduce or recycle waste. The advanced waste processing procurement will ensure any facilities:

- meet best-practice environment protection requirements and energy efficiency standards
- reduce the amount of waste sent to landfill
- do not displace or inhibit innovation in reduce or recycle efforts
- reduce greenhouse gas emissions compared to the waste and energy services they displace
- have sustainable business models creating new jobs and economic development in local communities.

Communications and media support

MWRRG will support the council consultation process by providing information and responding to council enquiries. Available resources include:

- Fact sheets
- PowerPoint presentations for council to use
- Briefings from MWRRG and the advisors.

Council elections

The current timing of the candidate nominations and council elections in October 2020 will occur during Stage 2 of the procurement (during the solution development stage).

Council commitment to enter the second stage of procurement will be required by the end of July 2020 and will therefore not impact council elections.

Any new councillors may have limited project background and will therefore require extensive briefings, so they are well informed ahead of the next council decision point in July 2021.

Regulating advanced waste processing facilities



Overview

Advanced waste processing facilities are regulated by Environment Protection Authority Victoria (EPA) and councils. Facilities must be appropriately located, constructed and operated according to strict regulations.

EPA regulates the operations of industries to prevent harm to the environment and people—industries such as petrol refineries, landfills, abattoirs, chemical manufacturers, power stations and sewage treatment plants. Advanced waste processing facilities are also regulated by other agencies, such as WorkSafe and the councils to ensure all permits are complied with.

In 2021, EPA will get new regulatory powers that will strengthen its ability to regulate advanced waste processing facilities and place an even stronger focus on the prevention of harm.

Advanced waste processing solutions are proven technologies that process household rubbish and put it to good use.

Advanced waste processing technologies can include:

- advanced sorting to extract valuable materials (e.g. metals) plus treatment of food and garden waste to reduce the amount of organic material that is sent to landfill
- technologies that transform waste to energy and produce electricity, heat or gas.

EPA approval to build advanced waste processing facilities

Most advanced waste processing facilities will require a works approval from EPA before they can be built. EPA's works approval process is designed to ensure that new facilities don't adversely impact the environment and community.

To obtain the works approval, the proposal must show that the design, construction and operation of the facility will be able to meet all legislative and policy requirements, including the use of best available techniques to protect the surrounding environment. Protection of public health is also an essential requirement for works approval.

New proposals must:

- demonstrate that the proposed technology is proven, well understood and best practice
- show how emissions will be minimised and managed (including pollutants, odour and noise)
- be on appropriately zoned industrial land, meet local planning requirements, and have a buffer distance around the facility that minimises impacts on communities, the environment and public health.



Licensing and ongoing monitoring

An EPA licence will set conditions such as emissions limits, reporting requirements and how waste must be accepted, stored and treated.

Once built, most advanced waste processing facilities will need an EPA licence to operate. Penalties apply if licence conditions are breached.

A facility must have a monitoring program to ensure it complies with the licence and an annual performance statement must be provided to EPA each year, showing how each licence condition has been met. There are severe penalties for providing false or misleading information.

EPA will also conduct regular compliance inspections of facilities to ensure licence conditions are being met.

How overseas facilities meet standards

Advanced waste processing facilities are being used safely and reliably around the world.

Here's three ways waste to energy facilities overseas maintain the highest environmental and health standards.

Minimising emissions

Waste to energy facilities minimise emissions by using extensive pollution control systems that capture particles, absorb heavy metals and other pollutants, and neutralise gases. Computer systems constantly monitor pollution levels to make sure the facility is meeting strict air quality standards.

In Victoria, facilities will need to be designed, built and operated to world's best practice, which includes meeting the European Union Industrial Emission Directive limits. Facilities will need to publicly report monitoring results.

Disposing of ash or digestate

Anything left over from a waste to energy process such as ash (from combustion or gasification facilities) or digestate (from anaerobic digestion) must be tested before disposal or reuse. If it is contaminated, then it must be sent to a landfill that is specially designed and licenced to receive hazardous waste.

Controlling odour

To manage the smell of waste, most facilities have an enclosed area that stores rubbish under a negative pressure—this can prevent unpleasant smells from escaping into the surrounding environment.

Waste to energy safety record

International experience has shown that well run, modern facilities (in the European Union) are capable of preventing impacts to human health and the environment. In Victoria, an independent literature review commissioned by EPA found that exposure to air emissions from modern facilities posed little potential health impacts or risk, noting there are few studies available. The objective of the literature review was to determine possible impacts on the health of residents living close to waste to energy facilities.

Similarly, in the UK, the Health Protection Agency (now Public Health England) produced a report

in 2010 on the impact on health of air emissions from combustion facilities.¹ The report states that modern, well-managed combustion facilities make only a very small contribution to local concentrations of air pollutants, and that "It is possible that such small additions could have an impact on health but such effects, if they exist, are likely to be very small and not detectable."

A recent study by Public Health England², found that particle levels caused by combustion facilities are extremely low, and could often not be distinguished from other background sources such as traffic.



¹ Maynard, R L et al. The impact on health of emissions to air from municipal waste incinerators. Health Protection Agency. 2010. [PDF file]

² Douglas, P et al. Estimating particulate exposure from modern municipal waste incinerators. 2017

More information

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 March 2020.



METROPOLITAN
 WASTE AND
 RESOURCE RECOVERY
 GROUP



8.2 Funding Allocation Policy

SUMMARY: Acting Manager - Sustainable Infrastructure, Misty Johannsen

The (Untied) Funding Allocation Policy was first introduced in 2005 to ensure Council allocated funding in accordance with approved Council Plans and to help support the introduction of a strategic priority on its asset renewal program. A review of this policy is currently due.

The attached Draft Policy, proposed to be renamed Funding Allocation Policy, has been reviewed to ensure it remains relevant to Council's current practices, and considers funding in line with related policy and legislative requirements. The Draft Policy has been supported by Council's Audit Committee, and it is now recommended that it be considered and endorsed for adoption by Council.

1. RECOMMENDATION

That Council adopt the Funding Allocation Policy shown at Attachment 1.

2. INTRODUCTION

The review date for the (Untied) Funding Allocation Policy (Policy number 2005/16) is July 2020. This policy was last reviewed, and then endorsed, by Council in January 2016.

The purpose of this renamed Draft Funding Allocation Policy is to outline the principles and approach in allocation of funding across competing projects and services through the annual budget process. The updated draft policy was presented to Council's Executive Management Team (EMT) and then Council's Audit Committee in June for comment and endorsement, and is now progressing to Council for consideration and adoption (this report).

3. DISCUSSION

It is proposed to rename this policy Funding Allocation Policy to eliminate confusion over what is and isn't untied funding. The (Untied) Funding Allocation Policy was first introduced in 2005 to ensure Council allocated funding in accordance with approved Council Plans and help support the introduction of a strategic asset renewal program. The Funding Allocation Policy works within the constraints of Councils legislated and other income parameters and provides a template for Knox's Funding Allocation Framework. The updated policy was presented to EMT and the Audit Committee in June for comment and endorsement prior to progressing to Council for consideration and adoption.

The policy has been updated to reflect current processes and practices related to allocating funding through the annual budget process. Changes include broadening the scope of projects that are defined as "Major Projects", to include those projects with inherent complexities, not simply projects over a certain value. References to redundant Service Planning processes have been removed, and replaced with new wording to better reflect how Council currently identifies and assesses Business Improvement Initiatives through the budget process.

The project readiness assessment process has also been expanded upon, and another section added regarding consideration of Developer Contribution Plans when prioritising funding allocation. Reference to constraints of the Rate cap have also been included. Updates also include administrative updates of policy and document names.

Attachment 1 contains the revised Draft Funding Allocation Policy.

Attachment 2 contains the revised Draft Funding Allocation Policy with track changes for Councillor information.

Council policies regarding budget guidelines and financial governance are to be re-developed in 2020-21 to enhance Council financial performance and performance reporting.

4. CONSULTATION

The Governance, Business and Financial Services, Sustainable Infrastructure, Asset Strategy, Capital works, City Futures, Corporate Planning teams and EMT have all provided input into this policy review.

5. ENVIRONMENTAL/AMENITY ISSUES

No issues identified.

6. FINANCIAL & ECONOMIC IMPLICATIONS

This policy ensures sound financial management of Councils funds.

7. SOCIAL IMPLICATIONS

This policy ensures Council's funding aligns with its goals as identified in the Community and Council plans.

8. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 5 - We have a strong regional economy, local employment and learning opportunities

Strategy 5.3 - Promote and improve infrastructure and technology within the municipality and enhance strategic employment places for business.

Goal 6 - We are healthy, happy and well

Strategy 6.2 - Support the community to enable positive physical and mental health.

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations.

9. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Acting Manager - Sustainable Infrastructure, Misty Johannsen - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, City Development – Interim Finance and Governance, Matt Kelleher
Acting Director, Engineering and Infrastructure, Matt Hanrahan - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: **Acting Manager - Sustainable Infrastructure, Misty Johannsen**

Report Authorised By: **Acting Director, Engineering and Infrastructure, Matt Hanrahan;
Director, City Development – Interim Finance and Governance,
Matt Kelleher**

Attachments

1. Draft Funding Allocation Policy [8.2.1 - 11 pages]
2. Draft Funding Allocation Policy - Track Changes Version [8.2.2 - 12 pages]



Funding Allocation Policy

| | | | |
|----------------|---------------------------|-----------------------|---|
| Policy Number: | 2005/13 | Directorates: | Engineering & Infrastructure City Development – Finance and Governance |
| Approval by: | Council | Responsible Officers: | Director – Engineering and Infrastructure Director – City Development – Finance and Governance |
| Approval Date: | Meeting Date | Version Number: | 6 |
| Review Date: | 3 Years from Meeting Date | | |

1. Purpose

The purpose of this policy is to ensure allocation of operational and capital expenditure is aligned to the Community and Council Plan(s), by outlining the approach in allocating funding across competing projects and services through the annual budget process. This policy will:

- Ensure transparency in the prioritisation of funding within Council's Budget.
- Maintain financial sustainable service delivery to the community.
- Provide requisite funding to manage Council's assets in line with sound asset management principles.
- Ensure Council's operational and capital expenditure is managed on a prioritised basis in line with the Community and Council Plan(s).
- Provide greater financial certainty on availability of funding for new and upgrade capital projects.
- Support presentation of the Capital Works program across a five year horizon and Council's Long Term Financial Forecast.

This policy aims to enhance Council's overall financial governance and stewardship to improve the resource allocation process.



2. Context

The Funding Allocation Policy works within the constraints of Council's legislated and other income parameters and provides a template for Knox's Funding Allocation Framework.

It provides guidance to Council on the allocation of funding to ensure alignment with the Community and Council Plan(s), and the goals within those plans.

For example, projects selected for the discretionary New/Upgrade 5-Year Capital Works Program will be determined by targets set in Council's strategic documents and objective project ranking criteria.

Ongoing economic sustainability requires development of a framework for managing available funds and assigning priority to the allocation of those funds to support both operational and Capital projects. In applying this methodology it is imperative that Council recognises that it has to:

- Manage existing assets across their expected life;
- Respond to service and infrastructure requirements mandated by others;
- Support service delivery needs;
- Align both service and asset provision with community expectations.

3. Scope

This policy will apply to all Council staff and Councillors involved in the preparation of Council's Annual Plan, Budget, Long Term Financial Forecast and the Capital Works Program.

Specific purpose funding is allocated in accordance with the legal requirements and obligations required to enable Council to fulfil its commitments associated with this funding and is not specifically considered in this policy.

4. References

4.1 Community & Council Plan(s)

4.2 Relevant Legislation

- Local Government Act 2020
- Local Government (Planning and Reporting) Regulations 2014

4.3 Charter of Human Rights

- This policy has been assessed against and complies with the charter of Human Rights.

4.4 Related Council Policies

- Asset Management Policy
- Policies requiring Audit Committee endorsement
- Councillor Code of Conduct



4.5 Related Council Procedures

- External Grant/Contribution Application Procedure

4.6 Other Related Documents

- Long Term Financial Forecast (LTFF)
- 5-Year Capital Works Program
- Budget documents
- Annual Council (SPC) Report: Capital Works Program – Project Ranking Criteria

5. Definitions

Detail any definitions within the policy.

| | |
|----------------------------------|--|
| Asset New | Expenditure that creates a new asset that does not currently exist. |
| Asset Renewal | Expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability. |
| Asset Upgrade | Expenditure that: (a) enhances an existing asset to provide a higher level of service; or (b) increases the life of the asset beyond its original life. |
| Asset Expansion | Expenditure that extends the capacity of an existing asset to provide benefits to new users at the same standard as is provided to existing beneficiaries. |
| Business Improvement initiatives | Ideas that are generated across Council to improve operations or address service gaps and future needs. These ideas are then developed as business cases and considered for implementation/approval via Councils budget process. |
| Capital Works Project | <p>Delivery of physical infrastructure works to meet an identified community need or goal in the Community and Council Plan(s). The Capital Works delivery process comprises three distinct phases for significant projects, which include:</p> <ul style="list-style-type: none"> • Scoping – this phase articulates the strategic need for the project and identifies key functional requirements, having regard for operational business cases to support business improvement initiatives, integration/alignment opportunities across complementary projects and progresses the conceptual design. • Design Development – this phase progresses the functional design requirements of the project, having regard to permits, planning and functional requirements. This process incorporates progression to detailed design plans, incorporating bill of quantities, cost estimates and specification suitable for incorporation into the contract package. • Delivery – this phase includes implementation of the project in line with aspirations identified in the Design Development phase. |
| Contingency Allocation | Funds set aside to specifically provide emergency or contingency funding. |
| Development Contributions Plan | A mechanism used to levy new development for contributions to planning infrastructure needed by the future community and enforced by a Development Contributions Plan Overlay in the Knox Planning Scheme. |
| Discretionary Funding | Refers to all general revenues received by Council that are not required to be allocated for a specific purpose. Funding from accumulated surplus for carryover, reserve funding, proceeds from sale of plan and equipment and tied grants are specifically excluded. |
| Lifecycle Cost | Refers to the total cost of owning and managing an asset over its anticipated life. Key lifecycle cost elements may include: |



- Acquisition and financing costs;
- Asset operations including externalities;
- Operational saving due to energy and efficiency;
- Asset maintenance;
- Risk exposure costs;
- Rehabilitation costs;
- Replacement costs;
- Asset administration;
- Rate of return requirement on capital use charges
- Asset depreciation; and
- Asset disposal and site reinstatement costs.

Also referred to as Whole of Life cost.

| | |
|--------------------------------|---|
| Major Project | A capital major project shall be defined as being \$1.0m or higher in value and/or has inherent complexities in the nature of development, design and delivery. |
| New Initiatives/Service Growth | Refers to an addition/increase in Operational Services or a strategic project, above that currently funded in the Operational Budget. |
| Operational Services | Includes all funds required to provide a range of services by Council to meet the needs and expectations of our community, at levels agreed to by Council. |
| Ranking criteria | A Ranking criteria is used to prioritise capital works projects within individual categories. This process provides a robust methodology is measuring the merits of competing projects by category. |
| Rate cap | A cap which is the maximum amount Council can increase its general rate and municipal charge within a financial year, under the Fair Go Rates System framework. |
| Reserve | An allocation of funding set aside for a defined purpose. |

6. Council Policy

Council funds its services, programs and projects through general rates and municipal charges, and grants. The maximum amount which the General rate and municipal charge can increase is set annually by the Minister for Local Government, with guidance from the Essential Services Commission. Expenditure decisions are constrained by this rate cap.

As part of the annual budget process a judgement is required by Council to determine the allocation of untied funding. In making such decisions, Council seeks to deliver the best overall outcome for the community in line with the goals articulated in the Community and Council Plan(s).

As part of the budget process funding is allocated between capital and operating expenditure, and between discretionary and non-discretionary funding.

Figure 1 below shows Council's framework for prioritising funding expenditure across both capital and operational programs.

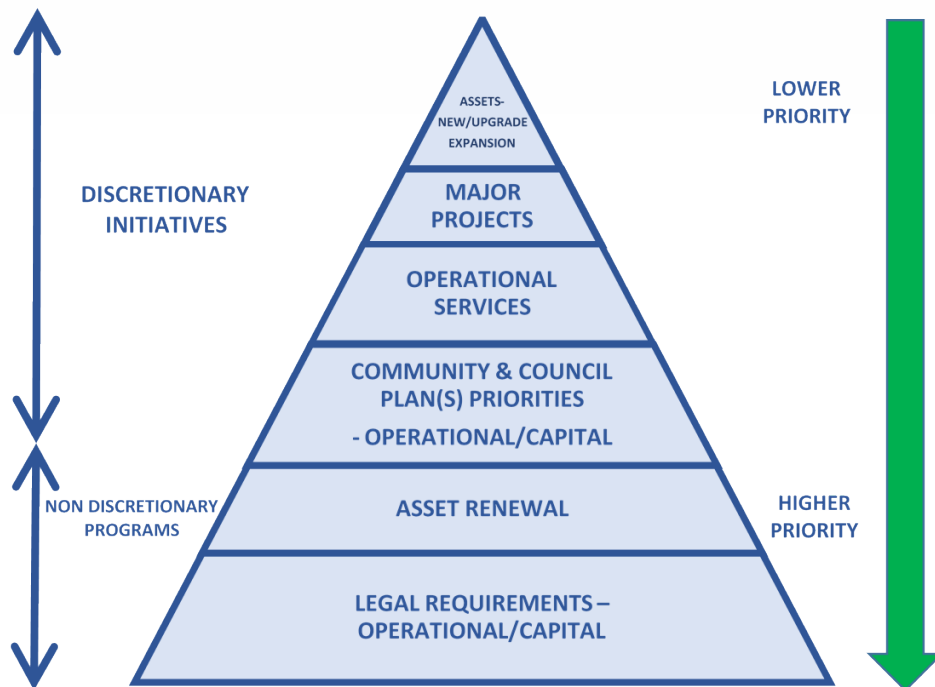


Figure 1: Funding Allocation Framework

The methodology outlined below recognises that there is a precedence of funding provision across both operational and capital services. Each allocation category is defined by a funding platform, ranging from 1 to 6, which reflect both non-discretionary and discretionary priorities.

The framework ensures that:

- Non-discretionary programs are funded as a priority over discretionary items.
- Legislative and regulatory requirements for both Council services and assets are prioritised over other programs.
- Business improvement initiatives, where approved inform both operational and capital requirements.
- Existing assets are managed as a priority over new, upgraded or expanded assets.
- Operating funds are provided to maintain any additional asset stock managed by Council.

The framework recognises that while Capital Works projects are presented to Council to provide a five year outlook to the program, the annual budget process is used to identify and articulate both service and asset management requirements and typically reflects a 12 month horizon. Council's Long Term Financial Forecast articulates the budget framework over a 10 year outlook, having regard to both service and asset requirements.

6.1 Platform 1: Legal Requirements

Funding Aim: *To make available as a priority any funding that is required operationally or in the Capital Works Program to address legislative or regulatory compliance.*

Funds shall be prioritised on a non-discretionary basis to accommodate Council's legal or regulatory requirements. This funding may be classified as operational or capital in nature and will be allocated to ensure Council complies with any outstanding legislative or regulatory conditions.



Where the expenditure is a treatment or response to a known corporate risk it is mandatory for this allocation to be recorded in the appropriate risk framework.

If a Development Contributions Plan (DCP) is endorsed by Council, and forms part of the Knox Planning Scheme by way of a gazetted Development Contributions Plan Overlay, there is an obligation for the infrastructure listed in the DCP to be delivered within the designated timeframe(s) of the DCP.

6.2 Platform 2: Asset Renewal

Funding Aim: *Adequate funding is provided towards ensuring sustainable asset renewal targets in line with existing levels of service. This includes additional renewal modelling requirements to support new, upgraded or contributed assets.*

Knox's Asset Management Policy states that...

"Upon approving a new or upgrade capital works project, Council shall also commit to provide appropriate lifecycle funding for renewal, maintenance and operation within the capital works and operational budget."

Council's Long Term Financial Forecast makes provision for renewal expenditure with the aim of funding the renewal program in alignment with Council's asset renewal modelling, which gives regard to the anticipated life of the asset, current condition and expected deterioration rates across asset categories.

When reviewing the required level of funding, consideration shall be given to managing the renewal funding gap, any identified backlog (unfunded failed assets) or strategic objectives Council may have identified either through Asset Management Plans, operational business cases to support business improvement initiatives or Strategic documents, which may impact on Level of Service considerations.

This practice ensures that an appropriate financial allocation supports asset renewal in a timely and cost effective manner whilst ensuring that the levels of services are delivered in alignment with community expectations.

6.3 Platform 3: Community and Council Plan(s) Priorities – Operational/Capital

Funding Aim: Adequate funds are provided to support delivery of project and service enhancements which align with the Community and Council Plan(s) goals.

The Community and Council Plan(s) include;

- a vision for the Knox community;
- shared goals to achieve the vision; and
- Council's contribution to achieving the vision, including the strategies and initiatives it will undertake and the targets it has set over the next four years

Where identified, it is expected that initiatives are aligned to an operational or capital budget, which affords delivery of that goal. Where this cannot be achieved, appropriate funding shall be allocated to support its delivery.

New/upgrade works programs fall under a number of categories. These categories, as outlined in *Attachment 1*, will be used as the basis for the preparation of the 5-Year New/Upgrade Capital Works Program in this area.

Programs which are considered well-suited for funding under this category will generally meet the following objectives:

- Community expectations regarding Council's role is unlikely to vary from one year to the next.
- Priorities are informed by existing adopted strategies.
- Council Officers are able to produce objective evidence based lists of prioritised projects.



- Projects tend to involve standardised engineering design solutions, which generally require less complex planning and scoping than more unique projects.

6.4 Platform 4: Operational Services

Funding Aim: Adequate funds are provided to support operational services delivered to the Knox community in line with service levels agreed to by Council. Funding levels will support staff Award requirements and changes to legislation. Asset maintenance funding shall support new, upgraded or contributed assets in the previous year, as determined by a lifecycle cost analysis.

To facilitate the provision of Budget Parameters for the forthcoming financial year, the timing of any review of operational services should be finalised to provide input to the review of the LTFF.

The operational service costs determined from the lifecycle cost analysis of the previous year's approved New/Upgrade Capital Projects and/or Contributed Assets (i.e. from external developments) are also incorporated into the LTFF.

The updated LTFF then articulates Council's direction in the form of Budget parameters on the split of funding between Operational and Capital funding.

Operational Business cases are to be used to inform changes to operational services and provide Council with the necessary information to make an informed decision as to the extent and level of services provided to the community.

6.5 Platform 5: Major Projects

Funding Aim: Funds allocated to achieve significant strategic outcomes and long term Council objectives through delivery of a Major Project.

Council may commit funds to a substantial operational or capital major project or program which has been identified as delivering on a key strategic objective.

A capital major project shall be defined as being \$1.0m or higher in value and/or has inherent complexities in the nature of development, design and delivery.

A lifecycle cost analysis is to be conducted for all major projects so that the full financial impact of commissioning such a project is documented.

6.6 Platform 6: Assets – New/ Upgrade/Expansion

Funding Aim: Funds allocated to new/upgrade/expansion capital works program over a 5 year horizon in line with budget capacity as articulated in the Long Term Financial Forecast.

A Five Year Capital Works Program is presented to Council on an annual basis for consideration and aligns with the availability of funds as articulated in the Long Term Financial Forecast. From 2021, Council will also comply with the requirements to prepare a 10 year Asset Plan as part of the revised Local Government Act 2020.

Depending on the scale of the project, funding may only be provided for the relevant stage of the project, namely Scoping, Design or Delivery. It is mandatory that all projects of a value greater than \$0.5 million are subject to a scoping process prior to progressing to a detailed design phase. All projects of a value greater than \$50,000 shall incorporate a detailed design phase prior to progressing to a construction phase.

Projects to be considered for funding are required to be subjected to a Project Readiness Assessment prior to receiving funding. A lifecycle cost analysis will also be conducted for all projects so that the full financial impact of commissioning such a project is understood.



This program is presented across 22 discrete Capital Works asset categories and supports the delivery of new, upgrade and expanded Capital Works projects. Within each of the programs, ranking criteria are reviewed and presented to Council on an annual basis to ensure a transparent process is applied to the allocation of funding.

Program lists are determined by relevant service areas within Council and there exists opportunity for new projects to be assessed, ranked and added to the program listing at any time throughout the year. These may be identified by Councillors, community group representatives or individuals.

6.7 Other Administrative Matters

Business Improvement Initiatives

Council regularly reviews its operations and programs to identify business improvements initiatives. Operational business cases are developed and then considered through the budget process annually. These business cases are developed to provide a strategic assessment of both the existing and future operating context and examine service delivery scenarios which respond to the changing needs of the Knox community.

Applications for External Grants and Contributions

Prior to the submission of an application for a new grant/contribution (excluding recurrent grants), approval must be sought from the Executive Management Team, as per the External Grant/Contribution Application Procedure, unless the total value of the grant is less than \$10,000 and the direct or in-kind contribution from Council towards the project remains less than \$10,000 and is provided for within existing budgets. In such cases, the decision to pursue a grant remains the responsibility of the appropriate Director. In all cases, it is a requirement that the project clearly aligns with goals in the Council Plan.

When considering a potential grant/contribution application deliberation shall be given to:

- Community and Council Plan(s)
- Long Term Financial Forecast
- Available resources
- Political overlay/environment
- Stage of budget planning cycle
- Project/Program type
- Threshold of grant application.

If an application is approved, the project will be presented to Council during the current budget planning process as an Officer recommended project with the associated required funding from Council.

Should the value of the grant or contribution be greater than \$1,000,000 for a single transaction or \$500,000 for a multi-year grant or contribution then approval must be sought from Council.

Ranking Criteria

New/Upgrade/Expansion Capital works programs fall under a number of categories. These categories as outlined in *Attachment 1* and will be used as the basis for the preparation of the Capital Works Program.

Ranking criteria to prioritise projects within individual categories is applied to provide a robust methodology that measures the merits of competing projects in that particular category. The criteria and associated weightings used to rank projects within each category will be reviewed regularly and endorsed by Council to ensure that they continue to address contemporary issues.



On completion of the ranking of projects, the consequential priority listing of works for each category are tabled for Council consideration as part of the annual budget process.

In addition to the ranking criteria, the selection of New/Upgrade/Expansion projects shall apply the following principles:

- To enable the Capital Works Program to be delivered, individual projects that are not adequately scoped (i.e. with concept plans and preliminary cost estimates prepared) will be excluded and considered for funding in the subsequent year.
- Applications for External Grant funding to be accompanied by a detailed scoping of works and preliminary cost estimate.
- Preference shall be provided to projects that have completed design and public consultation phases.
- Large and complex works, projects requiring extensive consultation with residents or external authority approval, shall be staged over a 2-3 year period to facilitate detailed design and consultation.
- Projects with identified works spread across two or more financial years shall have the funding reflected accurately within the Budget/s of the respective years.
- All New/Upgrade/Expansion projects short-listed for consideration in the first year of the Draft 5-year Capital Works Program shall (where practicable) have a lifecycle costing completed to inform the financial implications (future maintenance and renewal costs) of the works.

Project Readiness Assessment

All individual New/Upgrade/Expansion and Renewal Projects listed in the 5-Year Program and future listings will have at least a preliminary estimate based on a defined project scope, both of which are reviewed at least annually. It is mandatory that all projects of a value greater than \$0.5 million are subject to a scoping process prior to progressing to a detailed design phase. All projects of a value greater than \$50,000 shall incorporate a detailed design phase prior to progressing to a construction phase.

This process will ensure that projects have been adequately planned and costed and are ready for progression to either detailed design and/or construction phases.

All individual New/Upgrade/Expansion and Renewal Projects listed in the first year of the Draft 5 Year Program, of a value greater than \$200,000, will require a Project Readiness Assessment prior to being considered for funding to progressing to a construction phase.

The Project Readiness Assessment process may recommend the following:

- Individual projects that are not adequately scoped are referred back to the 5 Year Program and reconsidered for Capital funding in subsequent years.
- Where project proposals are found to be infeasible based on the cost, benefit and/or deliverability, continuance with a specific project may be terminated.

Public Submissions

As part of the development process for the Operating and Capital Works Program, additional projects may be considered for funding as part of the Budget Public Submission Hearing process.

For Capital Works Projects the relevant ranking criteria shall be applied to assess and assign priority across program.

Where applicable, to ensure that Operating and Capital Works projects are adequately scoped and have a preliminary cost estimate completed, a Project Readiness Assessment should be undertaken to confirm the ability to complete the project on time, within budget and to the required quality (service level).



Reporting

Council shall report on an annual basis as to its performance in delivering the Operating Budget and the Capital Works Program in line with the requirements of the Local Government Act (2020). Sustainability initiatives and strategic objectives achieved shall also be considered and presented to Council.

7. Administrative Updates

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

8. Related Documents

- Council's Annual Budget Documents
- Community and Council Plan(s)
- Long Term Financial Forecast
- Asset Management Policy
- Strategic Resource Plan
- Annual Council (SPC) Report: Capital Works Program – Project Ranking Criteria
- External Grant/Contribution Application Procedure



Attachment 1 – New / Upgrade / Expansion Capital Works Program Categories

| Business Case No. | Program | Description |
|-------------------|---|--|
| 4000 | STRUCTURED SPORTING FACILITIES | Development of new and upgraded recreation/leisure infrastructure at Council's Open Space structured recreation/leisure reserves. |
| 4001 | CULTURAL & LIBRARY FACILITIES | Development and upgrade of cultural and library facilities. |
| 4002 | INDOOR LEISURE FACILITIES | Development of new and upgraded recreation/leisure infrastructure at Council's Indoor Leisure Centres. |
| 4003 | FAMILY & CHILDREN SERVICES BUILDINGS & FACILITIES | Related Building Works for Maternal & Child Health, Pre-school, Playgroups, Child Care, Early Childhood Intervention. |
| 4004 | AGED CARE BUILDINGS | Development and upgrade of aged care buildings. |
| 4005 | COMMUNITY BUILDINGS AND FACILITIES FOR OTHERS | Improving the condition, location and management of Council owned community facilities. |
| 4006 | NEW FOOTPATH CONSTRUCTION PROGRAM & PEDESTRIAN FACILITIES | Annual allocation to provide paths to link with existing pathways, new paths and bus stops. |
| 4007 | ROAD & BRIDGE CONSTRUCTION | Road and Bridge Improvement Works. |
| 4008 | LOCAL AREA TRAFFIC MANAGEMENT SCHEMES | On-going program to provide traffic management devices to existing streets to enhance safety and local amenity. |
| 4009 | NEW BICYCLE / SHARED PATHS | A program for extensions to the existing bicycle and shared path network. |
| 4010 | LOCAL ROAD SAFETY INITIATIVES | Program for local road safety infrastructure projects to enhance road safety and amenity. |
| 4011 | PUBLIC TRANSPORT INFRASTRUCTURE | Works to improve the amenity, accessibility and functionality of the public transport system. |
| 4012 | NEW PLANT & MACHINERY | Program of new plant purchase for new services. |
| 4014 | UNSTRUCTURED RECREATION | Upgrade Existing Open Space for Unstructured Recreation. |
| 4015 | PLACE MANAGEMENT | Program of New and Upgrade works at Council Activity Centres. |
| 4016 | STREETScape UPGRADES | Program to support the street tree environment through the removal of weed species and the provision of trees and understorey planting. |
| 4017 | DRAINAGE UPGRADES | Flood mitigation works as identified through Knox City Council's drainage strategy report and major drainage issues identified through Council's customer response system. |
| 4018 | SUSTAINABILITY INITIATIVES | Initiatives to reduce environmental impact from new and existing Council facilities through the use of Environmentally Sustainable Design Principles. |
| 4019 | CIVIC & CORPORATE BUILDINGS & FACILITY UPGRADES | Program for new / upgrade works for Council facilities. |
| 4021 | SUSTAINABLE INITIATIVES FOR OUTDOOR STRUCTURED FACILITIES | Initiatives to make Council's Outdoor Structured Sporting Facilities more sustainable. |
| 4022 | WATER QUALITY IMPROVEMENTS | Creation of new or upgrade of existing assets to treat and improve the quality of water discharging to Council's natural waterways. |
| 4023 | COMMUNITY SAFETY INITIATIVES | Creation of new or upgrade existing assets to enhance community safety. |



Untied Funding Allocation Policy

Name

| | | | |
|----------------|---------------------------|-----------------------|---|
| Policy Number: | 2005/13 | Directorates: | Corporate Development Engineering & Infrastructure City Development – Finance and Governance |
| Approval by: | Council | Responsible Officers: | Director – Engineering and Infrastructure Director – City Development – Finance and Governance |
| Approval Date: | Meeting Date | Version Number: | 6 |
| Review Date: | 3 Years from Meeting Date | | |

1. Purpose

The purpose of this policy is to ensure allocation of operational and capital expenditure is aligned to the Community and Council Plan(s), by outlining e the approach in allocating untied funding across competing projects and services through the annual budget process. This policy will:

- Ensure Support transparency in the prioritisation of untied funding within Council’s Budget.
- ~~Enhance capacity and guidance to ensure Council’s operational and capital expenditure is based on agreed priorities in alignment with (s)the Council Plan~~
- Maintain financial sustainable service delivery to the community.
- Provide requisite funding to manage Council’s assets in line with sound asset management principles.
- Ensure Council’s operational and capital expenditure is managed on a prioritised basis in line with the Community and Council Plan(s), (s).
- Provide greater financial certainty on availability of funding for new and upgrade capital projects.
- Support presentation of the Capital Works program across a five year horizon and Council’s Long Term Financial Forecast.

This policy aims to enhance Council’s overall financial governance and stewardship to improve the resource allocation process.



2. Context

The ~~Untied Funding~~ Allocation Policy works within the constraints of Council's legislated and other income parameters and provides a template for Knox's Funding Allocation Framework.

~~This policy~~ provides guidance to Council on the allocation of ~~untied~~ funding to ensure alignment with the ~~Community and Council Plan 2017-2021 (Community and Council Plan(s), and)~~ Council Plan. This policy directs Council to allocate funds towards its public ~~the policy objectives~~ the goals within those plans, as outlined in the Council Plan(s), in a concerted and transparent way.

~~For example, in particular,~~ projects selected for the discretionary New/Upgrade 45-Year Capital Works Program will be determined by targets set in Council's strategic documents and objective project ranking criteria.

Ongoing economic sustainability requires development of a framework for managing available funds and assigning priority to the allocation of those funds to support both operational and Capital projects. In applying this methodology it is imperative that Council recognises that it has to:

- Manage existing assets across their expected life;
- Respond to service and infrastructure requirements mandated by others;
- Support service delivery needs;
- Align both service and asset provision with community expectations.

3. Scope

This policy will apply to all Council staff and Councillors involved in the preparation of Council's Annual Plan, Budget, Long Term Financial Forecast and the Capital Works Program.

Specific purpose funding is allocated in accordance with the legal requirements and obligations required to enable Council to fulfil its commitments associated with this funding and is not specifically considered in this policy.

4. References

4.1 Community & Council Plan(s) 2017-2021

- ~~Democratic and Engaged Communities~~

4.2 Relevant Legislation

- Local Government Act ~~2020~~1989 ~~Conflict and Interest Provisions~~
- Local Government (Planning and Reporting) Regulations 2014

4.3 Charter of Human Rights

- This policy has been assessed against and complies with the charter of Human Rights.

4.4 Related Council Policies

- ~~Service Planning Policy~~
- Asset Management Policy
- ~~Financial Governance Policy~~
- Policies requiring Audit Committee endorsement
- Councillor Code of Conduct



4.5 Related Council Procedures

- External Grant/Contribution Application Procedure

4.6 Other Related Documents

- Long Term Financial Forecast (LTFF)
- 4-5-Year Capital Works Program
- Budget documents
- Annual Council (SPC) Report: Capital Works Program – Project Ranking Criteria

5. Definitions

Detail any definitions within the policy.

| | |
|--|--|
| Asset New | Expenditure that creates a new asset that does not currently exist. |
| Asset Renewal | Expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability. |
| Asset Upgrade | Expenditure that: (a) enhances an existing asset to provide a higher level of service; or (b) increases the life of the asset beyond its original life. |
| Asset Expansion | Expenditure that extends the capacity of an existing asset to provide benefits to new users at the same standard as is provided to existing beneficiaries. |
| Business Improvement initiatives | Ideas that are generated across Council to improve operations or address service gaps and future needs. These ideas are then developed as business cases and considered for implementation/approval via Councils budget process. |
| Capital Works Project | <p>Delivery of physical infrastructure works to meet an identified community need or strategic objective goal in the Community and Council Plan(s). The Capital Works delivery process comprises three distinct phases for significant projects, which include:</p> <ul style="list-style-type: none"> • Scoping – this phase articulates the strategic need for the project and identifies key functional requirements, having regard for operational business cases to support business improvement initiatives service plan priorities, integration/alignment opportunities across complementary projects and progresses the conceptual design. • Design Development – this phase progresses the functional design requirements of the project, having regard to permits, planning and functional requirements. This process incorporates progression to detailed design plans, incorporating bill of quantities, cost estimates and specification suitable for incorporation into the contract package. • Delivery – this phase includes implementation of the project in line with aspirations identified in the Design Development phase. |
| Contingency Allocation | Funds set aside to specifically provide emergency or contingency funding. |
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| Lifecycle Cost | <p>Refers to the total cost of owning and managing an asset over its anticipated life. Key lifecycle cost elements may include:</p> <ul style="list-style-type: none"> • Acquisition and financing costs; • Asset operations including externalities; • Operational saving due to energy and efficiency; • Asset maintenance; • Risk exposure costs; • Rehabilitation costs; • Replacement costs; • Asset administration; • Rate of return requirement on capital use charges • Asset depreciation; and • Asset disposal and site reinstatement costs. <p><u>Also referred to as Whole of Life cost.</u></p> |
| Major Project | <p>A capital major project shall be defined as being greater than four times the multiple of one per cent of rates (refer to the Loan Borrowings and Return on Investment Policy). An operational major project shall be deemed to be greater than one per cent of rates</p> <p><u>A capital major project shall be defined as being \$1.0m or higher in value and/or has inherent complexities in the nature of development, design and delivery.</u></p> |
| New Initiatives/Service Growth | Refers to an addition/increase in Operational Services or a strategic project, above that currently funded in the Operational Budget. |
| Operational Services | Includes all funds required to provide a range of services by Council to meet the needs and expectations of our community, at levels agreed to by Council. |
| <u>Ranking criteria</u> | <u>A Ranking criteria is used to prioritise capital works projects within individual categories. This process provides a robust methodology in measuring the merits of competing projects by category.</u> |
| <u>Rate cap</u> | <u>A cap which is the maximum amount Council can increase its general rate and municipal charge within a financial year, under the Fair Go Rates System framework.</u> |
| Reserve | An allocation of funding set aside for a defined purpose. |
| <u>Service Planning</u> | <u>Service Planning reviews and articulates short, medium and long term objectives across Council's programs and projects which collectively provide support or guidance to the community in order to achieve the objectives of Knox's Vision and City Plan</u> <u>Community & Council Plan.</u> |

6. Council Policy

Council funds its services, programs and projects through general rates and municipal charges, and grants. The maximum amount which the General rate and municipal charge can increase is set annually by the Minister for Local Government, with guidance from the Essential Services Commission. Expenditure decisions are constrained by this rate cap.

As part of the annual budget process a judgement is required by Council to determine the allocation of untied funding. In making such decisions, Council seeks to deliver the best overall outcome for the community in line with



Council's the objectives goals as articulated in the Community and Council Plan(s) and in alignment with key directions established by Council's Service Planning processes.

As part of the budget process, untied funding is allocated between capital and operating expenditure, and between discretionary and non-discretionary funding.

Figure Table-1 below shows Council's framework for prioritising untied funding expenditure across both capital and operational programs.

Commented [MJ1]: Figure updated from Council Plan to Community & Council Plan(s)

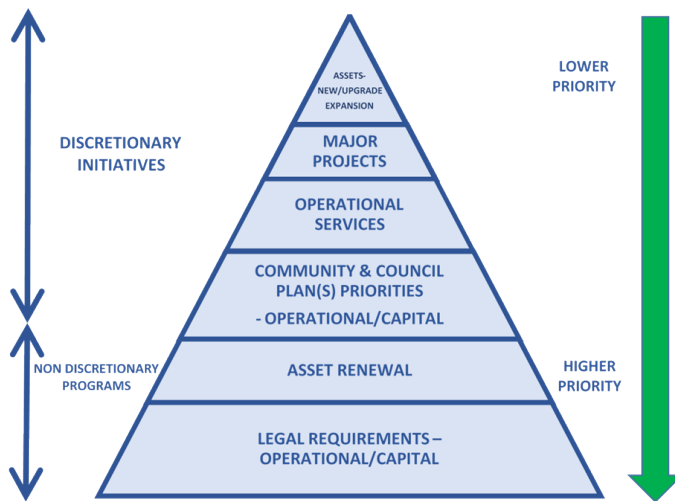


Table-Figure 1: Funding Allocation Framework

The methodology outlined below recognises that there is a precedence of funding provision across both operational and capital services. Each allocation category is defined by a funding platform, ranging from 1 to 6, which reflect both non-discretionary and discretionary priorities.

The framework ensures that:

- Non-discretionary programs are funded as a priority over discretionary items.
- Legislative and regulatory requirements for both Council services and assets are prioritised over other programs.
- Business improvement initiatives, where approved Service planning informs both operational and capital requirements.
- Existing assets are managed as a priority over new, upgraded or expanded assets.
- Operating funds are provided to maintain any additional asset stock managed by Council.

The framework recognises that while Capital Works projects are presented to Council to provide a five year outlook to the program, the annual budget process is used to identify and articulate both service and asset management



requirements and typically reflects a 12 month horizon. Council's Long Term Financial Forecast articulates the budget framework over a 10 year outlook, having regard to both service and asset requirements.

6.1 Platform 1: Legal Requirements

Funding Aim: To make available as a priority any **untied** funding that is required operationally or in the Capital Works Program to address legislative or regulatory compliance.

Untied funds shall be prioritised on a non-discretionary basis to accommodate Council's legal or regulatory requirements. This funding may be classified as operational or capital in nature and will be allocated to ensure Council complies with any outstanding legislative or regulatory conditions.

Where the expenditure is a treatment or response to a known corporate risk it is mandatory for this allocation to be recorded in the appropriate risk framework.

If a Development Contributions Plan (DCP) is endorsed by Council, and forms part of the Knox Planning Scheme by way of a gazetted Development Contributions Plan Overlay, there is an obligation for the infrastructure listed in the DCP to be delivered within the designated timeframe(s) of the DCP.

6.2 Platform 2: Asset Renewal

Funding Aim: Adequate funding is provided towards ensuring sustainable asset renewal targets in line with existing levels of service. This includes additional renewal modelling requirements to support new, upgraded or contributed assets.

Knox's Asset Management Policy states that...

"Upon approving a new or upgrade capital works project, Council shall also commit to provide appropriate lifecycle funding for renewal, maintenance and operation within the capital works and operational budget."

Council's Long Term Financial Forecast makes provision for renewal expenditure with the aim of funding the renewal program in alignment with Council's asset renewal modelling, which gives regard to the anticipated life of the asset, current condition and expected deterioration rates across asset categories.

When reviewing the required level of funding, consideration shall be given to managing the renewal funding gap, any identified backlog (unfunded failed assets) or strategic objectives Council may have identified either through Asset Management Plans, operational business cases to support business improvement initiatives -Service Plans or Strategic documents, which may impact on Level of Service considerations.

This practice ensures that an appropriate financial allocation supports asset renewal in a timely and cost effective manner whilst ensuring that the levels of services are delivered in alignment with community expectations.

6.3 Platform 3: Community & Council Plan(s) Priorities – Operational/Capital

Funding Aim: Adequate funds are provided to support delivery of project and service enhancements which align with the City Plan-Community & Council Plan(s) and its key objectives goals.

The City Plan, incorporating the Community and Council Plan(s) includes:

- a vision statement for the Knox community;
- shared goals and strategies to achieve the vision; and
- the Council Plan outlining Council's contribution to achieving the vision, including the role and focus of Council, the strategies and initiatives it will undertake and the targets it has set and the initiatives it will undertake over the next four years;



- seeks to provide alignment between community aspirations and Council's strategic direction, and is articulated by five City Plan Objectives. While in the main, the City Plan does not often articulate specific deliverable objectives, focusing instead on aspirations for the city and its people. The Council Plan, however does identify specific Council Plan strategies which align to these objectives.

Where identified, it is expected that ~~each objective targets and initiatives are~~ aligned to an operational or capital budget, which affords delivery of that ~~objective goal~~. Where this cannot be achieved, appropriate funding shall be allocated to support its delivery.

New/upgrade works programs fall under a number of categories. These categories, as outlined in *Attachment 1*, will be used as the basis for the preparation of the 5-Year New/Upgrade Capital Works Program in this area.

Programs which are considered well-suited for funding under this category will generally meet the following objectives:

- Community expectations regarding Council's role is unlikely to vary from one year to the next.
- Priorities are informed by existing adopted strategies.
- Council Officers are able to produce objective evidence based lists of prioritised projects.
- Projects tend to involve standardised engineering design solutions, which generally require less complex planning and scoping than more unique projects.

6.4 Platform 4: Operational Services

Funding Aim: Adequate funds are provided to support operational services delivered to the Knox community in line with service levels agreed to by Council. Funding levels will support staff Award requirements and changes to legislation. Asset maintenance funding shall support new, upgraded or contributed assets in the previous year, as determined by a lifecycle cost analysis.

To facilitate the provision of Budget Parameters for the forthcoming financial year, the timing of any review of operational services should be finalised to provide input to the review of the LTFF.

The operational service costs determined from the lifecycle cost analysis of the previous year's approved New/Upgrade Capital Projects and/or Contributed Assets (i.e. from external developments) are also incorporated into the LTFF.

The updated LTFF then articulates Council's direction in the form of Budget parameters on the split of funding between Operational and Capital funding.

Operational Business cases Service Planning outcomes are to be used to inform changes to operational services and provide Council with the necessary information to make an informed decision as to the extent and level of services provided to the community.

6.5 Platform 5: Major Projects

Funding Aim: Funds allocated to achieve significant strategic outcomes and long term Council objectives through delivery of a Major Project.

Council may commit ~~untied~~ funds to a substantial operational or capital major project or program which has been identified as delivering on a key strategic objective.

~~A capital major project shall be defined as being greater than four times the multiple of one per cent of rates (refer to the Loan Borrowings and Return on Investment Policy). A capital major project shall be defined as being \$1.0m or higher in value and/or has inherent complexities in the nature of development, design and delivery. An operational major project shall be deemed to be greater than one per cent of rates.~~



~~When considering funding sources for a major project/s the Loan Borrowings and Return on Investment Policy shall be referenced in the first instance to ensure compliance and good corporate governance.~~

A lifecycle cost analysis is to be conducted for all major projects so that the full financial impact of commissioning such a project is documented.

6.6 Platform 6: Assets – New/ Upgrade/Expansion

Funding Aim: Funds allocated to new/upgrade/expansion capital works program over a 55 year horizon in line with budget capacity as articulated in the Long Term Financial Forecast.

A Five Year Capital Works Program is presented to Council on an annual basis for consideration and aligns with the availability of funds as articulated in the Long Term Financial Forecast. [From 2021, Council will also comply with the requirements to prepare a 10 year Asset Plan as part of the revised Local Government Act 2020.](#)

Depending on the scale of the project, funding may only be provided for the relevant stage of the project, namely Scoping, Design or Delivery. It is mandatory that all projects of a value greater than \$0.5 million are subject to a scoping process prior to progressing to a detailed design phase. All projects of a value greater than \$50,000 shall incorporate a detailed design phase prior to progressing to a construction phase.

Projects to be considered for funding are required to be subjected to a Project Readiness Assessment prior to receiving funding. A lifecycle cost analysis will also be conducted for all projects so that the full financial impact of commissioning such a project is understood.

This program is presented across 23-22 discrete Capital Works asset categories and supports the delivery of new, upgrade and expanded Capital Works projects. Within each of the programs, ranking criteria are reviewed and presented to Council on an annual basis to ensure a transparent process is applied to the allocation of funding.

Program lists are determined by relevant service areas within Council and there exists opportunity for new projects to be assessed, ranked and added to the program listing at any time throughout the year. These may be identified by Councillors, community group representatives or individuals.

6.7 Other Administrative Matters

Business Improvement Initiatives

~~Council regularly reviews its operations and programs to identify business improvements initiatives. Service Planning Operational business cases are developed and then considered through the budget process annually. These business cases are developed to provide a strategic assessment. Council is progressing service planning processes across 35 discrete Council services. The service plans have been developed to provide a strategic assessment of both the existing and future operating context and examine service delivery scenarios which respond to the changing needs of the Knox community.~~

~~The service plan outcomes identify potential changes in service delivery which may materially impact on Council's budgeting process, either as a result of service enhancement or reduction. Once endorsed by Council, it is acknowledged that the following year's budget process makes allowance for key service planning decisions.~~

~~Where appropriate, all service plan priorities requiring a Capital Works outcome will be referred as appropriate to either the Major Projects or New/ Upgrade/Expansion Capital works program. Where service planning has been undertaken, the ranking criteria within these discrete programs shall provide appropriate weighting to reflect this assessment.~~

Applications for External Grants and Contributions



Prior to the submission of an application for a new grant/contribution (excluding recurrent grants), approval must be sought from the Executive Management Team, [as per the External Grant/Contribution Application Procedure](#), unless the total value of the grant is less than \$10,000 and the direct or in-kind contribution from Council towards the project remains less than \$10,000 and is provided for within existing budgets. In such cases, the decision to pursue a grant remains the responsibility of the appropriate Director. In all cases, it is a requirement that the project clearly aligns with [objectives-goals](#) in the Council Plan.

When considering a potential grant/contribution application deliberation shall be given to:

- [Council Vision and Strategy Community and Council Plan\(s\)](#)
- [Outcomes from Service Planning](#)
- Long Term Financial Forecast
- Available resources
- Political overlay/environment
- Stage of budget planning cycle
- Project/Program type
- Threshold of grant application.

If an application is approved, the project will be presented to Council during the current budget planning process as an Officer recommended project with the associated required funding from Council.

Should the value of the grant or contribution be greater than \$1,000,000 for a single transaction or \$500,000 for a multi-year grant or contribution then approval must be sought from Council.

Ranking Criteria

New/Upgrade/Expansion Capital works programs fall under a number of categories. These categories as outlined in *Attachment 1* and will be used as the basis for the preparation of the Capital Works Program.

Ranking criteria to prioritise projects within individual categories is applied to provide a robust methodology that measures the merits of competing projects in that particular category. The criteria and associated weightings used to rank projects within each category will be reviewed regularly and endorsed by Council to ensure that they continue to address contemporary issues.

On completion of the ranking of projects, the consequential priority listing of works for each category ~~should be~~ tabled for Council consideration as part of the annual budget process.

In addition to the ranking criteria, the selection of New/Upgrade/Expansion projects ~~should~~ shall apply the following principles:

- To enable the Capital Works Program to be delivered, individual projects that are not adequately scoped (i.e. with concept plans and preliminary cost estimates prepared) will be excluded and considered for funding in the subsequent year.
- Applications for External Grant funding to be accompanied by a detailed scoping of works and preliminary cost estimate.
- Preference shall be provided to projects that have completed design and public consultation phases.
- Large and complex works, projects requiring extensive consultation with residents or external authority approval, shall be staged over a 2-3 year period to facilitate detailed design and consultation.
- Projects with identified works spread across two or more financial years shall have the funding reflected accurately within the Budget/s of the respective years.



- All New/Upgrade/Expansion projects short-listed for consideration in the first year of the Draft 5-year Capital Works Program shall (where practicable) have a lifecycle costing completed to inform the financial implications (future maintenance and renewal costs) of the works.

Ranking criteria are equally applied to assign priority across the asset renewal programs.

Project Readiness Assessment

All individual New/Upgrade/Expansion and Renewal Projects listed in the 5-Year Program and future listings New and Upgrade Program will require a Project Readiness Assessment prior to being considered for funding in the Capital Works Program. This process will ensure that projects have been adequately planned and costed and are ready for progression to either detailed design and/or construction phases. ~~Will have at least a preliminary estimate based on a defined project scope, both of which are reviewed at least annually.~~ It is mandatory that all projects of a value greater than \$0.5 million are subject to a scoping process prior to progressing to a detailed design phase. All projects of a value greater than \$50,000 shall incorporate a detailed design phase prior to progressing to a construction phase.

This process will ensure that projects have been adequately planned and costed and are ready for progression to either detailed design and/or construction phases.

All individual New/Upgrade/Expansion and Renewal Projects listed in the first year of the Draft 5 Year Program, of a value greater than \$200,000, will require a Project Readiness Assessment prior to being considered for funding to progressing to a construction phase.

The Project Readiness Assessment process may recommend the following:

- ~~Large and complex works (i.e. projects requiring extensive consultation with residents or external authority approval), shall be staged over a 2-3 year period to facilitate detailed design and consultation.~~
- ~~Projects with identified works spread across two or more financial years shall have the funding reflected accurately within the Budget/s.~~
- Individual projects that are not adequately scoped are referred back to the 5 Year Program and reconsidered for Capital funding in subsequent years.
- Where project proposals are found to be infeasible based on the cost, benefit and/or deliverability, continuance with a specific project may be terminated.

Public Submissions

As part of the development process for the Operating and Capital Works Program, additional projects may be considered for funding as part of the Budget Public Submission Hearing process.

For Capital Works Projects the relevant ranking criteria shall be applied to assess and assign priority across program.

Where applicable, ~~t~~to ensure that Operating and Capital Works projects are adequately scoped and have a preliminary cost estimate completed, a Project Readiness Assessment should be undertaken to confirm the ability to complete the project on time, within budget and to the required quality (service level).

Reporting

Council shall report on an annual basis as to its performance in delivering the Operating Budget and the Capital Works Program in line with the requirements of the Local Government Act (~~1989~~2020). Sustainability initiatives and strategic objectives achieved shall also be considered and presented to Council.

7. Administrative Updates



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

8. Related Documents

- Council's Annual Budget Documents
- [Council-Community and Council Plan\(s\), Knox Vision and City Plan \(incorporating the Community and Council Plan 2017-21\)](#)
- Long Term Financial Forecast
- Asset Management Policy
- [Loan Borrowings and Return on Investment Policy](#)
- [Financial Governance Policy](#)
- Strategic Resource Plan
- Annual Council (SPC) Report: Capital Works Program – Project Ranking Criteria
- [Service Plans](#)
- External Grant/Contribution Application Procedure



Attachment 1 – New / Upgrade / Expansion Capital Works Program Categories

| Business Case No. | Program | Description |
|-------------------|---|--|
| 4000 | STRUCTURED SPORTING FACILITIES | Development of new and upgraded recreation/leisure infrastructure at Council's Open Space structured recreation/leisure reserves. |
| 4001 | CULTURAL & LIBRARY FACILITIES | Development and upgrade of cultural and library facilities. |
| 4002 | INDOOR LEISURE FACILITIES | Development of new and upgraded recreation/leisure infrastructure at Council's Indoor Leisure Centres. |
| 4003 | FAMILY & CHILDREN SERVICES BUILDINGS & FACILITIES | Related Building Works for Maternal & Child Health, Pre-school, Playgroups, Child Care, Early Childhood Intervention. |
| 4004 | AGED CARE BUILDINGS | Development and upgrade of aged care buildings. |
| 4005 | COMMUNITY BUILDINGS AND FACILITIES FOR OTHERS | Improving the condition, location and management of Council owned community facilities. |
| 4006 | NEW FOOTPATH CONSTRUCTION PROGRAM & PEDESTRIAN FACILITIES | Annual allocation to provide paths to link with existing pathways, new paths and bus stops. |
| 4007 | ROAD & BRIDGE CONSTRUCTION | Road and Bridge Improvement Works. |
| 4008 | LOCAL AREA TRAFFIC MANAGEMENT SCHEMES | On-going program to provide traffic management devices to existing streets to enhance safety and local amenity. |
| 4009 | NEW BICYCLE / SHARED PATHS | A program for extensions to the existing bicycle and shared path network. |
| 4010 | LOCAL ROAD SAFETY INITIATIVES | Program for local road safety infrastructure projects to enhance road safety and amenity. |
| 4011 | PUBLIC TRANSPORT INFRASTRUCTURE | Works to improve the amenity, accessibility and functionality of the public transport system. |
| 4012 | NEW PLANT & MACHINERY | Program of new plant purchase for new services. |
| 4013 | LAND ACQUISITION | Program of purchasing or disposal of Council land |
| 4014 | UNSTRUCTURED RECREATION | Upgrade Existing Open Space for Unstructured Recreation. |
| 4015 | PLACE MANAGEMENT | Program of New and Upgrade works at Council Activity Centres. |
| 4016 | STREETSCAPE UPGRADES | Program to support the street tree environment through the removal of weed species and the provision of trees and understorey planting. |
| 4017 | DRAINAGE UPGRADES | Flood mitigation works as identified through Knox City Council's drainage strategy report and major drainage issues identified through Council's customer response system. |
| 4018 | SUSTAINABILITY INITIATIVES | Initiatives to reduce environmental impact from new and existing Council facilities through the use of Environmentally Sustainable Design Principles. |
| 4019 | CIVIC & CORPORATE BUILDINGS & FACILITY UPGRADES | Program for new / upgrade works for Council facilities. |
| 4020 | INFORMATION COMMUNICATION TECHNOLOGY (ICT) | Program of improved IT systems as determined by the ICT Master Plan. |
| 4021 | SUSTAINABLE INITIATIVES FOR OUTDOOR STRUCTURED FACILITIES | Initiatives to make Council's Outdoor Structured Sporting Facilities more sustainable. |
| 4022 | WATER QUALITY IMPROVEMENTS | Creation of new or upgrade of existing assets to treat and improve the quality of water discharging to Council's natural waterways. |
| 4023 | COMMUNITY SAFETY INITIATIVES | Creation of new or upgrade existing assets to enhance community safety. |

8.3 Contributory Schemes - Special Rates and Charges Policy

SUMMARY: Acting Manager – Community Infrastructure, Andrea Szymanski

Council's Contributory Schemes - Special Rates and Charges Policy was endorsed on 12 July 2017 and will sunset three years from adoption. This report notes a review of the current Policy and provides very minor changes to the Policy document.

RECOMMENDATION

That Council adopt the Contributory Schemes Special Rates and Charges Policy shown at Attachment 1.

1. INTRODUCTION

The Contributory Schemes Special Rates and Charges Policy was originally presented to Council for endorsement in September 2008 and has since been modified, with respect to its application to minor drainage installations, and endorsed in September 2011.

The sunset/review date for the Contributory Schemes Special Rates and Charges Policy is 12 July 2020. This report notes a review of the current policy and provides minor changes to the Policy document, primarily relating to updated reference documents being the Local Government Act 2020 and inclusion of social media as an outlet for notices or information. Refer Attachment 1.

The essence of the Policy:

- Is intended as a procedural guide for the creation and implementation of all Contributory Schemes, which accords with the Ministerial Guidelines.
- Provides apportionment guidelines and methodology in respect of schemes for:
 - Road Construction
 - Footpath Construction (those which are not scheduled on the current Capital Works Program)
 - Kerb and Channel Construction
 - Drainage Construction
 - Off-street Car Parking.
- Outlines that requested projects are to be mostly funded by benefitting property owners with partial subsidy, depending on degree of community benefit, from Council with minimum subsidy of 10%.
- Outlines that requested projects require minimum 60% support from benefitting property owners before Council will consider investigating scheme.
- Outlines the processes that Council can undertake if sufficient support is received from benefitting residents.

2. DISCUSSION

The Local Government Act gives Council the power to levy special rates and charges to cover the cost of infrastructure improvement works.

Council's Contributory Schemes Special Rates and Charges Policy provides opportunities for infrastructure such as road construction, footpath construction, kerb and channel construction, drainage construction and off street car parking, where considerable landowner support can be demonstrated, before referring the project for consideration in Council's Capital Works Program.

Section 163B of the Local Government Act requires that Council cannot proceed with a scheme where objections are received from owners representing a majority of rateable properties related to the scheme.

In September 2008, the Contributory Schemes – Special Rates and Charges Policy (the Policy) was endorsed by Council, following the establishment of Ministerial Guidelines for the implementation of such schemes and amendments to the Local Government Act.

Since that time, the Policy has had a number of reviews, which have considered minor drainage installations (endorsed by Council, September 2011) and footpaths identified in Council's Five-Year Capital Works Program (endorsed by Council, July 2016).

Whilst Council receives a number of enquiries in relation to the construction of unmade roads, it is clear that whilst many may desire the road, very few are prepared to contribute to the cost. Further, whilst some residents may desire a fully constructed road, the feedback received from some residents is that they prefer the rural nature of these roads and the surrounding environment.

To this end, Council's Policy position remains, that residents on these unmade roads – as key beneficiaries – will need to contribute to this infrastructure.

3. CONSULTATION

The original Policy was the subject of a consultation process and reflects the requirements of the Local Government Act.

It is recommended that no further consultation should occur at this time, unless substantial changes to the Policy are proposed.

4. ENVIRONMENTAL/AMENITY ISSUES

While there are minor environmental issues identified with this Policy (eg. dust reduction on unsealed roads), improved amenity is usually the main factor (eg. improved access, reduced flooding, additional parking) for undertaking asset improvements.

Those who have approached Council, with a view to improving infrastructure via this Policy, have found it difficult to reach the 60% support levels and believe Council should either fund the works or make the required level of support less.

In some cases, some residents prefer to live in areas with unsealed roads, as they prefer the rural look of a street and feel it reduces the speed of traffic.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The application of Special Rates and Charges provides a mechanism for Council to fund improvement works for infrastructure which was not created at the time of subdivision.

However, this does not relieve Council of its obligation for care and management of its current infrastructure assets (eg. maintenance of unmade roads, table drains, etc.).

While Council has not had any Schemes in recent times, the Policy provides a mechanism for those wishing to have improvements undertaken and a method for apportioning costs, via identified benefits.

The Policy remains aligned with current Council practice and is not expected to have additional financial implications for Council, in the near future.

6. SOCIAL IMPLICATIONS

The Policy provides a fair and equitable method of apportioning costs to the benefitting landowners, should they wish to upgrade their facilities.

It also gives an opportunity for those who do not wish for improvements to be undertaken.

The Policy remains aligned with current Council practice and is not expected to have additional social implications to Council.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.2 - Create a greener city with more large trees, indigenous flora and fauna

Strategy 1.3 - Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author - Acting Manager – Community Infrastructure, Andrea Szymanski - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Acting Director, Engineering and Infrastructure, Matt Hanrahan - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

In recent years a number of residents have demonstrated some interest in the need for construction/sealing of the unsealed roads across the municipality. When the process and Ministerial Guidelines of the contributory scheme are communicated, these requests generally cease.

This is typically due to the high cost of construction (and consequently relatively high cost apportioned to property owners) and for some residents who prefer to maintain the rural nature of their street.

It is recommended that the Contributory Schemes – Special Rates and Charges Policy be updated to reflect the minor edits and be endorsed by Council.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Acting Manager – Community Infrastructure, Andrea Szymanski

Report Authorised By: Acting Director, Engineering and Infrastructure, Matt Hanrahan

Attachments

1. Contributory Schemes - Special Rates and Charges Policy - updated May 2020 [8.3.1 - 22 pages]



Contributory Schemes - Special Rates and Charges Policy

| | | | |
|----------------|---------------------------|----------------------|------------------------------------|
| Policy Number: | Issued by Governance | Directorate: | Engineering & Infrastructure |
| Approval by: | Council or EMT | Responsible Officer: | Manager – Community Infrastructure |
| Approval Date: | EMT 19 May | Version Number: | 5 |
| Review Date: | 3 Years from Meeting Date | | |

1. Purpose

The purpose of the policy is to set out the principles of a Special Rates and Charges Scheme (Contributory Scheme) to fund infrastructure works.

2. Context

In September 2004, Local Government Victoria established Ministerial Guidelines for the Implementation of Special Rates and Charges in response to amendments to the Local Government Act in 2003 to ensure fairness and equity when implementing Special Rates and Charges under Section 163 of the Local Government Act 1989.

[The implementation of the Local Government Act 2020 started coming into effect on 6 April 2020, with no change pertaining to the existing guidelines relating to Special Rates and Charges.](#)

This Policy is intended as a procedural guide for the creation and implementation of all Contributory Schemes, which accords with the Ministerial Guidelines.

Specific guidelines for determining Special and Community Benefits and thus the apportionment of cost referred to as the Maximum Total Levy are included as appendices to this report. Appendix 1 provides apportionment guidelines and methodology in respect of schemes for:

- Road Construction
- Footpath Construction
- Kerb and Channel Construction
- Drainage Construction
- Off street Car Parking

~~Schemes can be used for any project or related project listed above.~~ An operational guidelines and flowchart is shown in Appendix 2.



3. Scope

[This Policy will apply to the development of all Special Rates and Charges Schemes.](#)

~~3.~~

This policy will apply to the [investigation and](#) development of all Special Rates and Charges Schemes.

4. References

- Local Government Act 1989 and amendments
- Ministerial Guidelines 2004

5. Definitions

The terms used in this policy are defined in the Local Government Act 1989 and the Ministerial Guidelines.

6. Council Policy

6.1 Scheme Initiation

The special rate or charge process may be initiated by Council, members of the public, residents within the area, Council Officers or as a result of requests from officers of Statutory Authorities with services in the area or providing service to the area.

6.1.1 Preliminary Consultation and Report

Except for the case where the process has been initiated by a [petition](#) containing the signatures of a two thirds majority of potential contributors, the relevant Director shall circulate a questionnaire to identify the potential contributors and their level of support for a scheme.

Note: At the Council meeting held on 26 June 2007, Council resolved that a 60% minimum level of support from contributing properties be a base requirement for a road construction scheme to be prepared and before committing Council funds in the Capital Works Program.

Council may consider proceeding with a particular scheme based on compelling reasons relating to issues of safety, health or amenity.

Having allowed fourteen (14) days for reply, the Responsible Officer shall prepare a preliminary report to the subsequent Council Meeting which may include the following:

- background information detailing the reason for canvassing potential contributors;
- a statistical analysis of results of responses and an assessment of their substance;
- the circumstances which may exist whereby the considerations of safety or other matters override all other considerations;
- the outcome of public consultation;
- an expansion of the preliminary report taking into account the following matters where relevant:



- the function of the infrastructure;
 - safety and amenity;
 - technical matters such as design speeds for local roads, impact on drainage and road networks;
 - environmental impact including removal or protection of native vegetation; and
 - cost to the community regarding options, including no action, i.e. cost to maintain the existing facility.
- Council contribution to the scheme;
 - recommendation of any committee which may have been formed to participate with development of the functional and conceptual issues;
 - recommendation to either abandon, amend or adopt the proposed scheme and/or proceed with detail design of the preferred option; and
 - recommendation that affected owners/occupiers and any party which has registered its interest in the scheme in writing with Council be advised of Council's decision.

6.1.2 Five Year Capital Works Program

Following a resolution by Council to proceed with the scheme, a preliminary estimate should be referred to the Five year Capital Works program. When funding becomes available for the project, the scheme may continue.

6.2 Detailed Scheme Preparation

Following the Council resolution to proceed with the Scheme, the final design, estimates and apportionments shall be prepared. The officer responsible for the detailed preparation of the Scheme shall maintain a high level of consultation with parties to be affected by the proposal.

6.3 Statutory Requirements for Scheme Adoption

6.3.1 Declaration of Special Rate or Charge

- A proposed declaration must include a description of the works or services to be provided, the total cost of the works or services and the total amount of the special rates and charges to be levied. (This is in addition to information already required).
- When Council gives public notice of a proposed special rate or charge it must, within three working days, send a copy of the public notice to each person who will be required to pay the rate or charge.
- Before declaring a Scheme, Council must determine the "total amount" of the special rates and charges to be levied. The total amount may not exceed the maximum total amount calculated by the formula $R \times C = S$; where R is the benefit ratio, C is the total cost of the works or service and S is the total maximum amount.
- If Council proposes to levy a total amount that exceeds two thirds of the total cost, the affected ratepayers have a right to object and if the Council receives objections from a majority of those ratepayers within 28 days of the public notice it may not declare the scheme. (This is in addition to the existing Section 223 consultation process).
- If Council proposes to alter a declared special rate or charge in a way that will require an additional person(s) to pay, or that will involve a material increase in the amount that a person has to pay, it must



give public notice of the proposal. The Public Notice in Section 163 (1B) must: Outline the proposed declaration, show date on which it is proposed to make a declaration and allow inspection for at least 28 days after the notice and consider public submissions, in accordance with Section 223 of the Act.

- Council's responsible officer shall report to Council with the details of the scheme, including calculation of Maximum Total Levy and the maximum amount that Council will levy as outlined in the Ministerial Guidelines dated 23 September 2004 shown in Appendix 3.
- Council or a committee of Council (established by Council) must consider any written submission made in respect of the scheme (S.223).

Also included in this report will be a Notice of Motion including:

- the period the Special Rate or Charge remains in force;
- the purpose of the Special Rate or Charge;
- a specification of the wards, groups, users or areas for which the Special Rate or Charge is declared;
- a specification of the criteria which forms the basis of the Special Rate or Charge. For local street construction this will be the ownership of properties that abut or are adjacent to the project and/or derive benefit from improved access and amenity;
- a specification of the manner in which the Special Rate or Charge will be assessed and levied. In general, apportionment should be carried out using the traditional methods well established through Administrative Appeals Tribunal precedent;
- an estimate of owners' liabilities. This estimate shall include ancillary costs such as survey, design, supervision and administration. Ancillary costs may be estimated using the Association of Consulting Engineers Australia (ACEA) Principle Consultant rates;
- the impact of the Council's liability to the contribution in the event of over expenditure;
- period of maintenance required for the works (if works are relevant to the rate or charge);
- incentives to be given to ratepayers as detailed in the policy;
- planning policies and specific objectives (if any) as referred in Section 185 of the Local Government Act 1989;
- the manner of payment of the Special Rate or Charge and the detail of the financing provisions to be accommodated by Council in regard to the scheme;
- that a Public Notice will be given of the declaration;
- that submissions made in accordance with Section 223 Local Government Act 1989 will be considered by Council; and
- a requirement for Council to establish a committee to consider any written submission made and hear people, in respect of the scheme (S223).

The Responsible Officer for the scheme in his report to Council will have regard to the Council policy which applies at the time in respect to the level of interest to be charged on the principal and any penalty interest which may apply to overdue repayment instalments.

6.3.2 Advice to Affected Persons

Should Council resolve to declare a Special Rate or Charge, a letter advising of this decision shall be sent to all persons required to pay and occupiers. This letter shall include the information to be contained in the Public Notice, including advice that submissions may be lodged by any interested party.



6.3.3 Public Notice

Following the declaration of the Special Rate or Charge a notice shall be published in a newspaper [and or other relevant media](#), generally circulating in the area setting out the declaration and stating that submissions will be considered in accordance with Section 223 Local Government Act 1989.

The Responsible Officer shall ensure that copies of the advertisement are retained on file as confirmation that the notice was given.

6.3.4 Consideration of Submissions

Written submissions received by Council within the time prescribed in the public notice will be considered by a committee nominated by the Council. Personal appearances to support written submissions will be encouraged.

However, submitters must state their desire to appear before the Committee in their written submission. This committee will then make a recommendation to full Council for a final decision.

6.3.5 Council Resolution following Submissions

Following consideration of the committee's recommendation Council may resolve to:

- abandon the scheme by not giving effect to the declaration to levy the Special Rate or Charge or;
- prepare a new Special Rate or Charge Scheme due to the need to significantly modify the original scheme, therefore requiring the process to be recommenced; or
- proceed with or without minor variation to the original declaration.

NOTE: Any variation in the amount of the proposed rate or charge which exceeds more than 10% of the amount specified in the original notice will require the scheme to be returned to Council for consideration of a new declaration.

All persons making submissions and all parties affected by the scheme shall be advised of Council's resolution.

In the circumstance that no submissions are lodged, Council may resolve to confirm, modify or abandon its original scheme.

6.3.6 Levy of Special Rate or Charge

Council levies the Special Rate or Charge by sending a notice to all those liable to pay. This notice shall be in accordance with sub-sections 163(1A) and (1B) and (1C) of the Local Government Act 1989 and shall contain prescribed information detailed in Regulation 163(3).

6.3.7 Appeal

Following the levying of the Special Rate or Charge aggrieved persons may appeal to the Victorian Civil and Administrative Tribunal (VCAT) within one month after the date of issue of a notice to the person of the Special Rate or Special Charge or combination thereof. Section 185 of the Local Government Act sets down the criteria for an appeal and provides the following grounds:



- i. the works and projects or the period of maintenance for the purposes of which the Special Rate or Special Charge was imposed are not or will not provide a special benefit to that person; or
- ii. the basis of distribution of the rate or charge amongst those persons who are liable to pay it is unreasonable; or
- iii. if the planning scheme for the area contains any relevant policies or specific objectives, the works and projects proposed for the construction of a road or for the drainage of any land are inconsistent with those policies or objectives; or
- iv. if the planning scheme for the area does not contain any relevant policies or specific objectives, the works and projects proposed for the construction of a road or for the drainage of the land are unnecessary, unreasonable, excessive, insufficient, unsuitable or costly, having regard to the locality or environment and to the probable use of the road or drainage of land.

Following notification from the VCAT of appeals lodged, contact may be made with appellants in order to carry out negotiations prior to the hearing. Failing this the Responsible Officer will prepare Council's case for the VCAT hearing.

NOTE: An aggrieved person may in addition, or alternatively, appeal within 60 days to the County Court. Notice must be given to Council in the prescribed form for this to occur. (S. 184 L.G.A.). Grounds of appeal can be non-rateable land, assessment calculated incorrectly or the person considers that they are not liable to be rated.

6.3.8 Council Options Following VCAT Decision

Where VCAT upholds the scheme entirely or varies it with respect to the applicants, Council must proceed with the scheme as determined by VCAT.

Council can then:

- issue notices requiring payment within fourteen (14) days (S.167 (3)); or
- resolve to declare a variation to the scheme with all liable owners to be notified of the variation advice (S.166 (1) (b) and (2)); or

Where VCAT quashes a scheme, Council could only proceed to declare a scheme for the same street if the new scheme differs significantly from the quashed one and in particular in no way is inconsistent with VCAT's reasons for quashing the scheme as determined by VCAT.

Council may then:

- resolve the discontinuance of the declaration and provide all liable owners with discontinuance advice (S.164(2)); and
- significantly differ the scheme and proceed.

NOTE: (i) The issue of notice requiring payment (S.167 (3)) would follow Council's resolution to declare a variation and notification of variation.
 (ii) Once a discontinuance notice has been sent out no further action is required.



- (iii) The person who is liable to pay the Special Rate or Charge may apply to Council for permission to pay by a lump sum as determined between that person and Council S167 (4).

6.4 Scheme Implementation and Finalisation

6.4.1 Implementation Process

The Responsible Officer shall ensure that the tasks necessary to implement the scheme are carried out. Schemes which involve provision of services or Capital Works for the provision of infrastructure shall be competitively tendered in accordance with the procedure set down in the Council's Contract Administration Policy.

If the Tendered Price for the Contract works component of the Scheme exceeds the estimated cost by 10% or more, the proposal shall be referred to Council for reconsideration and a resolution sought to either abandon the scheme or accept the Tendered Price and proceed with the work.

6.4.1.1 Notice of Demand for Payment

Following the decision of Council to proceed with the Scheme and its implementation through the Public Tender Process, a Notice of Demand for Payment will be served on all contributors indicating all the relevant scheme details and the charge or rate based on the accepted tender price.

The notice shall clearly indicate that this demand for payment is based on the tendered price for the contract work forming part of the estimated scheme total cost and may be subject to variation of up to a maximum of 10% of the amount stated.

Should demand for payment exceed the maximum variation of 10% of the amount stated, then the amount in excess shall be funded by Council.

6.4.2 Reconciliation and Report to Council

6.4.2.1 Special Charge Schemes

Schemes shall be finalised and reconciled within two months of finalisation of the works.

The responsible officer shall report to Council advising that the works are completed and costs finalised. The report will include final apportionment of costs and details where variations from original estimates affect final apportionments costs.

NOTE: In any case where the Special Rate or Charge is varied by any amount, notice is required to be given to all affected parties pursuant to Section 166(2) of the Local Government Act 1989.

7. Related Documents

The policy document is related to the Local Government Act 1989.



8. Administrative Updates

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



APPENDICES

| | |
|-------------------|--|
| APPENDIX 1 | Apportionment Principles |
| APPENDIX 2 | Summary of Procedure for Implementation of a Special Charge for Road Schemes Flowchart of Procedure |
| APPENDIX 3 | Special Rates and Charges Calculation of Maximum Levy – Ministerial Guidelines 2004 |



APPENDIX 1

SPECIAL RATES AND CHARGES POLICY

APPORTIONMENT PRINCIPLES

Officers responsible for the detailed development of cost apportionment for contributory schemes should have regard to this policy and the following principles:

1.0 BENEFIT RATIO

The calculation of the maximum total levy for a scheme shall comply with the Ministerial Guideline applying to Section 163(2C) of the Local Government Act 1989 as promulgated in the Victoria Government Gazette G39 23 September 2004. In most cases this will yield the limiting amount for levying by way of a special charge scheme. However to ensure consistency with past practice the following guidelines shall also be regarded in determining the Benefit Ratio.

2.0 METHOD OF APPORTIONMENT

The general method of apportionment in residential areas is based on 80% for access benefit and 20% amenity benefit using the effective frontage guidelines set out in City of Knox Plan 225-A1.

3.0 FOOTPATH AND BICYCLE PATH PROJECTS

The construction of imperviously sealed paths, with the exception of those in Council reserves and projects prioritised within the Capital Works Program, Program 4006 – New Footpath Construction Program, are to be undertaken by Special Charge Scheme with full cost of vehicle crossings and footpath thickenings chargeable to owners. The maintenance of the constructed asset will be Council responsibility.

Contributions by adjoining owners to be based on fairness, equity and in the absence of special circumstance on the following guidelines:

3.1 Residential Area - Access Roads

Subject to Council paying for non-rateable land proportion. Then:

- Extent of scheme - abutting and opposite residences.
- Owners pay costs as derived.
- Individual charges based on Special Benefit derived from the calculation of maximum total levy and for through traffic that provides "Community Benefit".

Allow one Benefit Unit per residential Unit as determined by the Planning Scheme provision for the area (i.e. minimum Lot size for a residential unit).

Where a larger lot exists and more than one residential unit can be developed then an additional Benefit Unit should be charged for each additional potential development unit.



3.2 Residential Area - Residential Collector Road

Subject to Council paying for non-rateable land proportion. Then:

- Residences included in scheme where path is proposed.
- Owners charged 2/3 of scheme cost. (Subject to variation when using Maximum Levy calculation).
- Council pays 1/3 of cost.
- Benefit Unit based on residential unit and apportionment as above prescribed under Section 2.1.

3.3 Link Roads

- Due to the need to ultimately have paths on both sides, then abutting residents only will be included in the scheme. Owners charged on benefit unit basis of 1/3 scheme cost.
- Due to function of path to serve broader needs of the community, Council to meet 2/3 of cost of construction i.e. owners liable for 1/3 cost of footpath.

3.4 Arterial Road

- Due to function of path to serve broader needs of the community Council to meet 100% of cost of construction. — Owners charged nil cost.

3.5 Recreational Paths

3.5.1 Path located in Council Reserve.

- Full cost to Council.

3.5.2 Shared Pedestrian/Cycle Paths

Owners of abutting and, where applicable, opposite residences are required to contribute to the normal 1.4 metre width path as prescribed for the various types of situations above. The extra width for cycle use, whether shared or segregated, being paid for by Council.

3.6 Paths in Commercial and Industrial Areas

Where an existing or proposed development requires construction of a footpath, the Council contribution shall not exceed 50% of the cost of the works unless special circumstances exist.

4.0 DRAINAGE CONSTRUCTION SCHEMES

Council's policy is aimed at making drainage schemes equitable and creating an incentive by offering the following:



- Council will contribute 10% of the total cost of works as a subsidy.

For all property drainage schemes apportionment shall be undertaken on the following basis:

- All properties which benefit from the construction of the drain by being able to connect to the drain or receive protection by the drain shall be included in the scheme.
- The determination of benefit to be derived from the construction of such drains shall be at the discretion of Council with the liability being assessed on the general basis that properties contributing to the drain and being protected by it will be treated equally on an area basis.

Special Rates and Charges Schemes shall not be applied in the provision of public drains where the works:

- are considered minor;
- can be delivered for an estimated cost of \$50,000 or less;
- will improve amenity, safety and health;
- will mitigate local flooding;
- can be delivered with minimal consultation;
- are unencumbered by other infrastructure needs (ie. the scheme does not require road construction, kerb and channel or other works);
- satisfies a missing link in the drainage network; and
- is uncomplicated to deliver.

5.0 ROAD CONSTRUCTION SCHEMES

5.1 Policy for Unsealed Roads Program

Council's policy is aimed at making road schemes equitable and creating an incentive by offering the following:

- i Council will make an allowance for through traffic and pay the percentage of works as a "Community Benefit".
- ii Council will also pay the proportional cost share of the non-rateable component.
- iii Council will contribute 10% of the total cost of works as a subsidy.

Full cost of vehicle crossings and footpath thickenings to be met by owners.

Council maintains constructed asset.

5.2 Access Roads

Cost to owners based on using guidelines in Appendix 3 part H and I for Benefit Ratio and Calculation of Maximum Benefit and apportioned on the basis of Benefit Unit and/or Frontage. (Refer to Council Plan No. 225-A1 when frontage is to be considered).

The actual cost to owners is based on a calculation of Maximum Levy which now exempts non-rateable property. An allowance for through traffic component with a community benefit is to be used as shown in Appendix 3.



5.3 Collector Roads

Cost to owners using through traffic volumes as community benefit and based on the attached Benefit Ratio and Calculation of Maximum Levy and cost as for residential streets and exempting non-rateable land.

5.4 Arterial Roads

Full cost of Road Pavement to Road Authority (i.e. Council or VicRoads).

Half cost of kerb and channel to owner; half cost to Road Authority.

6.0 OFF STREET CAR PARKING SCHEME (RATE OR CHARGE)

6.1 Retail

The cost to be recovered shall be apportioned to those properties which will derive a benefit. Have regard to existing and potential shop size, type, proximity and any provision or contribution towards spaces provided.

6.2 Commercial

Costs to be apportioned to beneficiaries on the basis of leasable floor space and proximity and any previous contributions or provisions.

7.0 COUNCIL CONTRIBUTIONS

General principles to follow:

A Council contribution should occur where there is an identifiable benefit received from a project to persons other than those landowners determined as being liable for the Special Rate or Charge (e.g. a street being constructed that is used as a through road to serve other streets). This is generally known as "Community Benefit" as defined and used in Appendix 3.

A Council contribution may occur on behalf of a non contributing Government Authority which has a property within the boundary of a Scheme. (Section 221(3) states that Crown land cannot be included in a Special Rate or Charge). Council will pay the proportional costs of the non-rateable land.

A Council contribution will occur where there exists Council owned property within the boundary of a Scheme. The extent of contribution should be based upon the existing or potential equivalent benefit received compared to other properties included in the Scheme.

A Council contribution should occur for replacement, modification or reinstatement of any existing infrastructure affected by a proposed project.

A Council contribution should occur for works included in a project that are for the main benefit of the wider community or landowners outside the designated area of a proposed Special Charge Scheme.

An increased Council contribution may occur for locations:



- where severe slope and terrain require more significant works than for general locations;
- where user or community safety is of concern;
- where significant risk management issues to Council exist;
- where excessive maintenance costs of the existing conditions are being incurred by Council.



APPENDIX 2

SUMMARY OF PROCEDURE FOR IMPLEMENTATION OF A SPECIAL CHARGE SCHEME FOR ROAD CONSTRUCTION

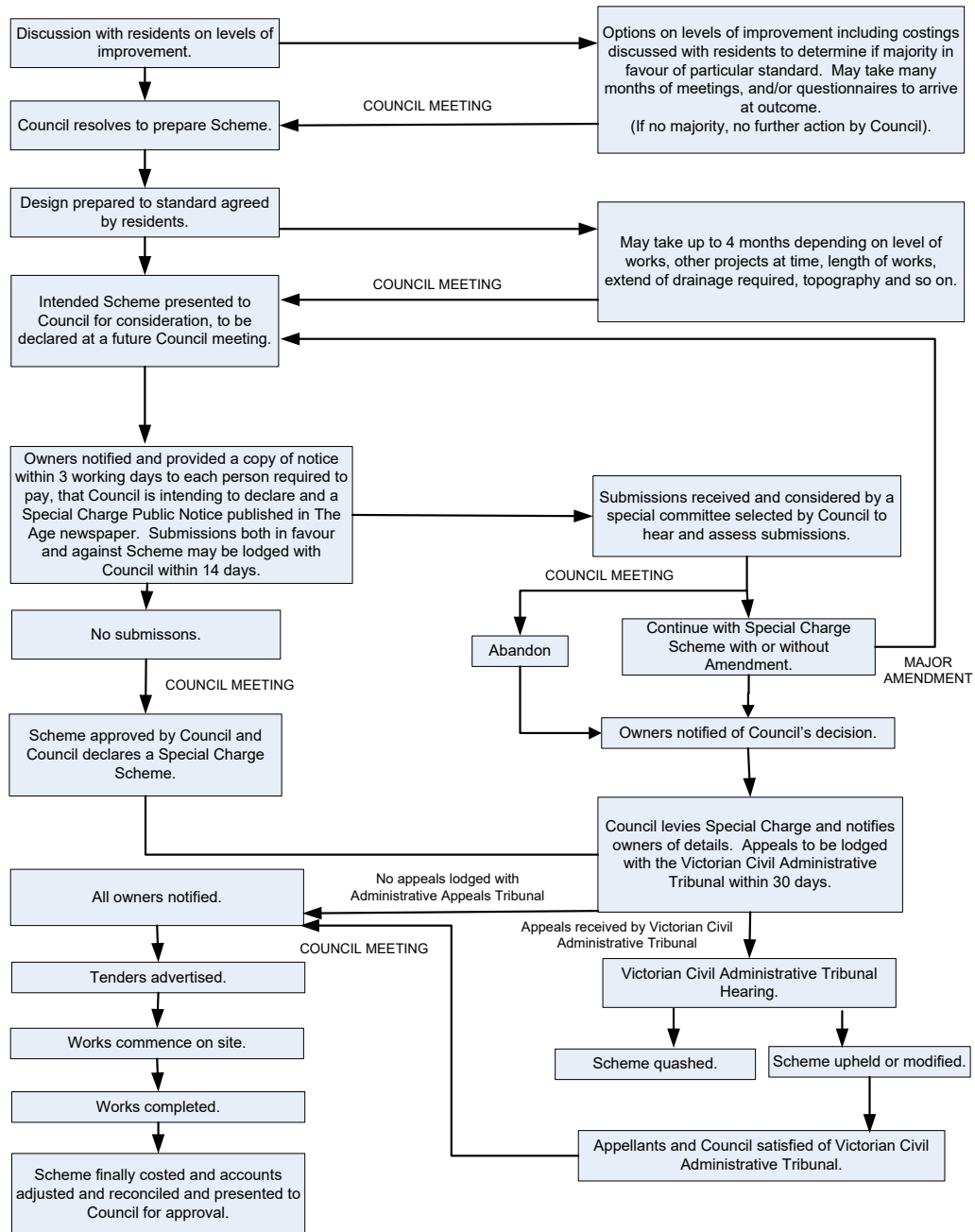
1. A report is prepared and presented to Council requesting Council resolve to approve the preparation of a Scheme as a result of a request and consultation with landowners.
2. Survey, design plans and scheme prepared in accordance with landowners. (This step may take several months depending on the length of the street, the extent of drainage required, topography etc.)
3. A report is prepared and presented to Council to consider the Intended Scheme.
Council may either:
 - approve the intended scheme and agree to proceed and declare at a future meeting; or
 - decide not to proceed with the intended scheme.
- 4(a) If Council resolves to proceed, liable landowners shall be notified and a public notice published. Submissions, both in favour and against the scheme, may be lodged with the Council within 14 days.
- 4(b) When Council gives public notice of a proposed special rate or charge it must, within three working days, send a copy of the public notice to each person who will be required to pay the rate or charge.
5. A person who has made a submission may apply to Council to speak in support of their submission before the Council. A committee of the Council must consider any written submission which is received by the Council within 14 days after the publication of the public notice.
- 6(a) A report is prepared and presented to Council, to declare and adopt the Special Charge, with or without modification or may decide to abandon the scheme.
- 6(b) If the Council resolves to proceed, notice is served on landowners stating details of scheme, charge liable and advising that persons aggrieved by Council's decision may (within 30 days) apply to the Planning division of the Victorian Civil Administrative Tribunal for a review of the decision.
7. If no submissions are received by the Victorian Civil Administrative Tribunal, Council proceeds to administer the scheme.
8. If Submissions are received by the Victorian Civil Administrative Tribunal, a date shall be set by the Tribunal to consider the submissions.
9. Tribunal conducts the hearing and advises those who made submissions and Council of its decision. A time delay up to four months can be experienced while waiting for a hearing time to be set and a decision to be handed down.
10. A report is presented to Council to finalise the scheme details and determine the scheme will proceed or otherwise.
11. All landowners liable are advised of whether the scheme has been approved or abandoned.



12. If the scheme is approved, the works are tendered out to obtain the most competitive price.
13. Council considers tenders received and resolves to award the contract for the scheme.
14. Works commence.
15. Payment will generally be aligned with your payment of municipal rates, as described in the notice sent to landowners and will be based on the estimated cost of works
16. Following completion of works, actual costs are calculated and become the final amount payable by landowners. If the actual cost is less than the estimated cost, a refund is forwarded to those landowners whose payment has been received in full. If the actual cost is greater than the estimated cost, landowners are advised and become liable for the additional cost, (up to 10% above the estimated cost of works). Where instalments are being paid by a landowner, these are adjusted as appropriate.



**Knox City Council
TYPICAL PROCEDURE FOR IMPLEMENTATION OF A SPECIAL CHARGE FOR
ROAD AND/OR UNDERGROUND DRAINAGE IMPROVEMENTS**





APPENDIX 3

Local Government Act 1989 – Section 163(2C)

Special Rates and Special Charges: Calculating Maximum Total Levy

Ministerial Guideline

(Published in the Government Gazette on 23 September 2004)

INTRODUCTION

1. This Guideline is made under section 163(2C) of the Local Government Act 1989 (the Act). It relates to the application of sections 163(2), 163(2A) and 163(2B) of the Act. It specifically addresses the calculation of the maximum total amount that may be levied as a special rate or special charge (referred to as the “*maximum total levy*”).
2. Some terminology used in this Guideline should be noted:
 - a. “*Scheme*” refers to a special rate or special charge scheme.
 - b. “*Works or services*” refers to the functions or powers being exercised by the council for which it is proposed to levy a special rate or charge.
 - c. “*Property*” refers to property in the form of land.
3. The calculation of the *maximum total levy* requires the following:
 - a. Calculation of the “total cost” of the works or services,
 - b. Calculation of the “benefit ratio”, which depends on reasonable estimates of:
 - “*Total special benefits*” to properties included in the scheme,
 - “*Total special benefits*” to properties not included in the scheme (if any), and
 - “*Total community benefits*” (if any).

STEPS IN CALCULATION

4. The following steps apply to the calculation of the maximum total levy.
 - A. DEFINE PURPOSE
 - B. ENSURE COHERENCE.
 - C. CALCULATE TOTAL COST
 - D. IDENTIFY SPECIAL BENEFICIARIES
 - E. DETERMINE PROPERTIES TO INCLUDE
 - F. ESTIMATE TOTAL SPECIAL BENEFITS
 - G. ESTIMATE COMMUNITY BENEFITS
 - H. CALCULATE THE “BENEFIT RATIO”
 - I. CALCULATE THE MAXIMUM TOTAL LEVY

**A. Define Purpose**

5. The purpose, or purposes, of the proposed works or services should be clearly defined at the outset. The purpose should describe the reasons why the proposed works or services are proposed.
6. The description of the purpose would normally take account of the following:
 - a. Reasons why the works or services are considered necessary or appropriate, noting any relevant background information.
 - b. Who has proposed that the works or services be undertaken and including the following information;
 - If the works or services have been proposed by the council, the relevant council policy or resolution.
 - If the works or services were requested by a person or people other than the council, an indication of whether those people are proposed to be included in the scheme and what reasons they have given for requesting the works or services.
7. A scheme may serve multiple purposes and can be proposed by multiple parties.

B. Ensure Coherence

8. For the purposes of calculating the maximum total levy, and therefore total cost and benefit ratio, the works or services for which the special rate or charge is proposed should have a natural coherence.
9. Proposed works or services can be considered to have a natural coherence if:
 - a. They will be physically or logically connected, or
 - b. They will provide special benefits, of a related nature, to a common, or overlapping, group of properties.

C. Calculate total cost

10. The "*total cost*" is the aggregate cost of defraying expenses related to providing the works or services and establishing the scheme.
11. The following should apply to the calculation of the "*total cost*":
 - a. Costs included in the *total cost* must be for purposes in section 163(1) of the Act.
 - b. Costs included in the *total cost* may only be for expenses listed in section 163(6) of the Act.
 - c. Costs included in the *total cost* should be based on actual expenses that have been incurred, or reasonable estimates of expenses expected to be incurred. (For example, any interest should be based on estimated actual interest costs rather than on prescribed penalty interest rates).
 - d. Costs included in the *total cost* may relate to known activities but not to activities that are purely speculative or hypothetical in nature. (For example, provision for incidental costs related to the proposed works might be included but not costs related to possible legal proceedings that may or may not occur).



D. Identify special beneficiaries

12. The council should identify, as far as possible, which properties will receive a special benefit from the proposed works or services. A “*special benefit*” is considered to be provided to a property if the proposed works or services will provide a benefit that is additional to or greater than the benefit to other properties.
13. It is important to note that, while special benefits are considered to accrue to properties, the actual measurable benefits are provided to the owners and/or occupiers of the properties (see also paragraph 23.a).
14. Special benefits should be benefits that are either tangible benefits to the owners or occupiers of the properties that are not remote, or they should be clear benefits to those owners or occupiers that were identified in the defined purpose of the works or services (paragraph 5). Types of benefits included as special benefits generally include services provided for the properties, identifiable improvements in physical or environmental amenity, improved access, improved safety or economic benefits.
15. A special benefit may be considered to exist if it would reasonably be expected to benefit the owners or occupiers of the property. It is not necessary for the benefit to be actually used by the particular owners or occupiers of a specified property at a particular time in order for a special benefit to be attributed to the property.

E. Determine properties to include

16. Having identified which properties will receive *special benefits*, the council must decide which properties to include in the scheme. The properties included in the scheme will be those that are required to pay the special rate or charge.
17. If a property will receive a *special benefit* but is not included in the scheme, the calculation of the benefit ratio will result in the council paying the share of costs related to the special benefits for those properties.
18. The council is not required to levy a special rate or charge on any or every property that will receive a *special benefit*. A property with a special benefit may be excluded from the scheme for any of the following reasons:
 - a. the council is unable to levy a special rate or charge on the property,
 - b. the owner of the property has already contributed to the costs of the works through a development levy,
 - c. the council considers that there are particular advantages for the municipality in excluding the property from the scheme,
 - d. the council considers that the special benefits for the property are marginal and would not warrant including the property in the scheme, or
 - e. any other reason that the council considers appropriate.



F. Estimate total special benefits

19. Total special benefits can be defined to include two parts, as follows:

$$TSB = TSB(in) + TSB(out)$$

- **TSB** is the estimated total special benefit for all properties that have been identified to receive a special benefit.
 - **TSB(in)** is the estimated total special benefit for those properties that the council proposes to include in the scheme.
 - **TSB(out)** is the estimated total special benefit for those properties with an identified special benefit that the council does not propose to include in the scheme.
20. In estimating the total special benefits for properties that will be included in the scheme, particular attention should be paid to:
- a. The identified purpose of the proposed works or services.
 - b. Specific benefits relevant to the type of works or services proposed.
21. There is no single or prescribed method for estimating total special benefits. However, whatever method is used, it is essential that the comparative weightings attributed to different types of benefits are reasonable and are applied consistently by a council. It is also essential that consistent weightings are used between those properties that are included in the scheme and those that are not included.
22. It is particularly important to note that, while it may sometimes be useful to estimate special benefits on a property by property basis, this is not always necessary. The calculation of the benefit ratio only requires aggregate estimates of total special benefits for properties included in the scheme and for properties excluded from the scheme.
23. The following matters should be noted in calculating "total special benefits"
- a. While changes in property values are considered to be an indication that a special benefit exists, this is generally derived from benefits provided to the owners or occupiers of the property. To avoid double counting, changes in property values should not normally be included in the calculation of total special benefits.
 - b. Where the services or works proposed under a scheme include benefits to people who are servicing or accessing properties that are identified as having special benefits, the benefits to those people may be included as special benefits to the properties rather than as community benefits.

G. Estimate total community benefit

24. Before calculating the benefit ratio, a council must consider if the proposed works or services will provide "*community benefits*". Not all schemes have community benefits.
25. *Community benefits* are considered to exist where the works or services will provide tangible and direct benefits to people in the broader community. These will generally derive from the provision of facilities or services that are generally available to people, other than owners or occupiers of properties with special benefits.



26. Where there is a use or amenity value to people in the broader community that is a clear, tangible and direct, the council should attribute a community benefit. The council should also attribute a community benefit where it identified in the defined purpose of the works or services (paragraph 5).
27. Councils should use a method of estimating community benefits that is reasonable and consistent in comparison to the estimates of special benefits. In making these estimates, care should be taken to avoid double counting. If a benefit is identified as a special benefit it should not also be counted as a community benefit.

H. Calculating the benefit ratio

28. The benefit ratio is calculated as follows:

$$\frac{TSB(in)}{TSB(in)+TSB(out)+TCB} = R$$

- ***TSB(in)*** is the estimated total special benefit for those properties that the council proposes to include in the scheme
- ***TSB(out)*** is the estimated total special benefit for those properties with an identified special benefit that the council does not propose to include in the scheme.
- ***TCB*** is the estimated total community benefit,
- ***R*** is the benefit ratio.

I. Calculating the Maximum Total Levy

29. Having calculated the total cost and the benefit ratio, the council is required to calculate the maximum total levy, in accordance with section 163(2A) of the Act.

$$R \times C = S$$

- ***R*** is the benefit ratio
 - ***C*** is the total cost
 - ***S*** is the maximum total levy.
30. A council may not levy a special rate or charge to recover an amount that exceeds the maximum total levy. However, a council may decide to levy a lower amount.

8.4 Contract 2612 - Road Renewal Construction Program 2020-2021

SUMMARY: Coordinator Project Delivery – Community Infrastructure, Hans Pelgrim

This report considers and recommends the appointment of a tenderer for Contract 2612 – Road Renewal Construction Program 2020-21.

RECOMMENDATION

That Council:

- 1. Accepts the tender submitted by Parkinson Group (Vic) Pty Ltd for the adjusted Lump Sum Price of \$2,826,362.16 including GST (\$2,569,420.60 excl. GST) for Contract 2612 – Road Renewal Construction Program 2020-21;**
- 2. Authorise the Chief Executive Officer to execute all relevant contract documentation; and;**
- 3. Advises all tenderers accordingly.**

1. INTRODUCTION

The attached Procurement Report considers the tender submissions, under conditions of Contract 2612, and recommends the appointment of a tenderer to perform works for the 2020/2021 Road Renewal Construction Program.

Project Delivery officers have been able to complete individual road renewal design projects ahead of schedule, similar to what has occurred in the previous two financial years. This has again provided Council with an opportunity to look at an efficient way to deliver these construction projects. For the last two financial years it was agreed that the road renewal construction projects could be combined in one construction contract. This particular contract has enabled a much more efficient process and, at the same time, provided economy of scale and a more seamless and flowing construction program for the coming financial year.

This contract comprises the following projects identified for construction within the 2020/2021 Capital Works Program budget for Program 1001 – Road Sub-structure and Kerb & Channel program detailed below:

- A. Project No. 1101, Cathies Lane, No. 103 – 125 Cathies Lane, Wantirna South
- B. Project No. 1102, Lydford Road, Adele Avenue to Elton Road, Ferntree Gully
- C. Project No. 1103, Laser Drive, No. 19 Laser Drive to Henderson Road, Rowville
- D. Project No. 1226, Lewis Road, Tilba Place to Kanooka Road, Wantirna South
- E. Project No. 1227, Albert Street, Talaskia Road to Townley Place, Upper Ferntree Gully
- F. Project No. 1113, Barry Street, No. 60 to Holloway Drive, Bayswater

It is recommended that this contract be awarded as a single Lump Sum contract. It is further recommended that the tender submitted by Parkinson Group (Vic) Pty Ltd for the adjusted Price of \$2,826,362.16 including GST (\$2,569,420.60 excluding GST) be accepted for Contract No. 2612 – Road Renewal Construction Program 2020/2021.

2. DISCUSSION

The objective of this program for each of the projects is to rehabilitate the road pavement and renew kerb and channel along with associated works, and to ensure that works are carried out to accord with Council's engineering design standards.

2.1 Tenders Received

The contract was advertised in The Age on Saturday 23 & 30 May 2020, as a Lump Sum, Quality Assured contract.

Eight tenderers submitted tenders electronically via Council's e-tendering portal.

Tender responses were received from the following contractors:

- ACE Infrastructure Pty Ltd
- Bitu-mill (Civil) Pty Ltd
- Etheredge Mintern Pty Ltd
- G&S Fortunato Group Pty Ltd
- JNR Civil Pty Ltd *
- MACA Infrastructure Pty Ltd
- Negri Contractors (Vic) Pty Ltd
- Parkinson Group (Vic) Pty Ltd

Note * - This tenderer failed to formally sign any documentation (Mandatory Criteria).
Subsequently it was agreed that this tenderer should not be considered.

2.2 Tender Evaluation Panel

The Tender Evaluation Panel consisted of members experienced in the evaluation and awarding of major capital works projects. The Panel was advised by Council's Strategic Procurement team.

All members of the Panel signed the Tender Evaluation Panel Declaration Form and Conflict of Interest and Confidentiality Agreement indicating that they had no conflict of interest or association with any of the submitting tenderers.

2.3 Tender Evaluation Results

Tender submissions were analyzed in detail and compared to the Engineer's Estimate and to corresponding bids.

After considering all submissions, the Tender Evaluation Panel agreed to short-list bids and to assess four (4) submissions in detail due to the relative closeness of the top three bids in price and the recent excellent performance of the fourth price-rated tenderer, with the remaining bids well over the Engineer's Estimate.

On analysis of the detailed tender submissions it was evident that some tenderers had made minor mathematical errors in their bids and some construction items also required clarification of price. Clarification was subsequently requested, and received, from tenderers.

Pre-evaluation checks on tenderers were carried out, which included documentation conformance and a check of submitted tender amounts to identify errors that needed correction or clarification. Tenderers were asked to clarify unusual individual item sub-totals, correct arithmetical errors and clarify submission conditions and to also present any adjustment to their final Lump Sum price bid.

Tenderers responded and re-submitted their tender accordingly.

Financial checks were obtained for all shortlisted tenderers to inform deliberations.

All tenderers are mostly known to Council, and all are reasonably well experienced, with varying degrees of past performance.

Subsequently, the Tender Evaluation Panel arrived at the following summary rating results:

| Preference Order | Tenderer |
|------------------|-------------------------------|
| 1 | Parkinson Group (Vic) Pty Ltd |
| 2 | Etheredge Mintern Pty Ltd |
| 3 | Ace Infrastructure Pty Ltd |
| 4 | Bitu-mill (Civil) Pty Ltd |

2.4 First Preferred Tenderer

Parkinson Group (Vic) Pty Ltd is the recommended tenderer, with an adjusted tender Lump Sum price of \$2,826,362.16 (including GST).

Parkinson Group (Vic) Pty Ltd provided the lowest priced bid and scored well across all stated criteria. Parkinson Group (Vic) Pty Ltd scored highly in regard to the following Criteria:

- Evidence of Experience, Capability and past Quality of road renewals;
- Assessment of Detailed Works Program, tender conditions, evidence of technical, managerial, physical and financial resources;
- Traffic Management; and
- Integrated Management Systems.

Parkinson Group (Vic) Pty Ltd have successfully completed a number of similarly type contracts with Council in recent years, including Reconstruction of Kingston Street and Ashton Road, Ferntree Gully Stage 2; Reconstruction of Windermere Drive, Ferntree Gully and Smithfield Square Wantirna; and Reconstruction of Selkirk Avenue group of streets, Wantirna. They have also successfully delivered a number of similar projects for other Councils and are very experienced in delivering this type of road construction.

Parkinson Group (Vic) Pty Ltd's Works Program indicates the use of two crews and they plan to commence in August and be completed by May. The total expected duration is approximately 40 weeks. They have also presented a methodology that suggests a level of preparedness and professionalism.

Parkinson Group (Vic) Pty Ltd's adjusted tender bid also includes the use of locally sourced products and suppliers including concrete, landscaping products and they also intend to utilize a traffic company based in the Knox region. They also have a number of company employees that reside in the Knox City Council.

Their tender bid is competitive and reasonably reflects the current market for this type of project. It is expected that Parkinson Group (Vic) Pty Ltd will perform well and will successfully deliver this contract.

2.5 Second Preferred Tenderer

Etheredge Mintern Pty Ltd is the second lowest price tender bid. They are well known to, and respected by, Council and have previously satisfactorily completed its contract obligations for the similarly styled road renewal construction program for 2018/19. Its performance on this contract on all fronts has been strong. They have also successfully delivered a number of similar projects for other Councils and are very experienced in delivering this type of road construction contract.

Etheredge Mintern Pty Ltd also scored highly in regard to the following Criteria:

- Evidence of Experience, Capability and past Quality of tennis court renewals;
- Assessment of Detailed Works Program, tender conditions, evidence of technical, managerial, physical and financial resources;
- Traffic Management; and
- Integrated Management Systems.

Etheredge Mintern Pty Ltd's Works Program also indicates the use of two crews and they plan to commence in August and be completed by May. The total expected duration is approximately 40 weeks. They have also presented detailed methodology that suggests a level of preparedness and professionalism.

Etheredge Mintern Pty Ltd's adjusted tender bid includes the use of locally sourced product and suppliers with the aim of sourcing a minimum of 80% of these within Knox City Council, including Boral Quarries, Boral Concrete/Asphalt, Hanson Quarries, Super Soil, Bunnings Warehouse, All Mark linemarking and Australian Road Covers.

It is anticipated that Etheredge Mintern Pty Ltd would give a satisfactory performance and successfully deliver the project.

2.6 Third Preferred Tenderer

Ace Infrastructure Pty Ltd is the third highest in the evaluation score and also the third lowest priced tender bid. They have not delivered any projects for Council in recent years but have delivered a number of similar projects for other Councils and are very experienced in delivering this type of road construction.

Ace Infrastructure Pty Ltd also scored highly in regards to the following Criteria:

- Evidence of Experience, Capability and past Quality of tennis court renewals;
- Assessment of Detailed Works Program, tender conditions, evidence of technical, managerial, physical and financial resources;
- Traffic Management; and
- Integrated Management Systems.

Ace Infrastructure Pty Ltd's Works Program indicates the use of a different crew for each road in the program and plan to commence in July and be completed by December. The total expected duration is approximately 20 weeks.

Ace Infrastructure Pty Ltd stated that where possible they will utilise materials and sub-contractors sourced from within the Knox City area.

2.7 Fourth Preferred Tenderer

Bitu-mill (Civil) Pty Ltd is the fourth highest in the evaluation score and also the fourth lowest priced tender bid. While they are relatively new to Council, they successfully delivered last year's Road Renewal Construction Program to a high standard and in quick time thus reducing the overall inconvenience to Knox residents. Their submitted price was within range of the Engineer's Estimate.

Bitu-mill (Civil) Pty Ltd also scored highly in regards to the following Criteria:

- Evidence of Experience, Capability and past Quality of tennis court renewals;
- Assessment of Detailed Works Program, tender conditions, evidence of technical, managerial, physical and financial resources;
- Traffic Management; and
- Integrated Management Systems.

Bitu-mill (Civil) Pty Ltd's Works Program indicates a commencement in July and they expect to be completed by May. The total expected duration is approximately 40 weeks.

Bitu-mill (Civil) Pty Ltd's submission includes the engagement of local community suppliers. They also have approximated the employment of 20 persons from the Knox City Council area, with 90% of the contract value and 95% being locally Victorian/State sourced and is committed to investing in the local community.

A Certificate of Prequalification with VicRoads indicates a satisfactory rating for financials.

3. CONSULTATION

Residents along each of the streets will be advised by Council of the impending works and the appointment of the contractor via a letter drop once approval for an appointment is confirmed.

The contractor will also be required to do a more detailed letter drop to the residents advising residents of the more specific project works timing and contact details.

4. ENVIRONMENTAL/AMENITY ISSUES

The nominated project sites do not adjoin a sensitive vegetation zone but contain tree assets adjacent to the road. This was taken into account, with no adverse impact expected.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The projected project costs and funds available for this project are summarized as follows:

Projected Costs

| <u>Description</u> | <u>Cost (excluding GST)</u> |
|--------------------------------------|-----------------------------|
| Contract Lump Sum Price | \$2,569,420.60 |
| Project Management Fees | \$102,770.00 |
| Advertising and Tender Documentation | \$2,000.00 |
| Contingencies | \$275,809.40 |
| Total Estimated Project Costs | \$2,950,000.00 |

Funds available

The allocated funding totals for the projects nominated within this contract and approved for the 2020/2021 Capital Works Program – 1001 Roads Sub-Structure and Kerb and Channel Program, are:

| | |
|---|--------------------|
| (1A) Project No. 1001 Sub-Total Road Renewal projects | \$2,965,000 |
| (1B) Project No. 1001 Programmed works from Audit | <u>\$440,000</u> |
| Sub-Total available | \$3,405,000 |
| | |
| (2) Project No. 4006-1409 Albert St, UFTG Footpath | <u>\$100,000</u> |
| Total Funding Available | \$3,505,000 |

The total funding available adequately meets the contract sum of the preferred tenderer, plus associated costs, if the works are awarded under the terms of Contract No. 2612.

6. SOCIAL IMPLICATIONS

This project will have social implications during construction in terms of temporary inconvenience and access restrictions for abutting residents and local traffic. All the short-listed tenderers have shown systems and experience to be able to manage these implications in a satisfactory manner and be pro-active in their response to public relations.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1 - We value our natural and built environment

Strategy 1.3 – Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure.

Goal 3 - We can move around easily

Strategy 3.1 - Enable improved transport choices supported by integrated and sustainable transport systems and infrastructure

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Coordinator Project Delivery – Community Infrastructure, Hans Pelgrim - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Acting Director, Engineering and Infrastructure, Matt Hanrahan - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The tender representing best value for Contract No. 2612 – Road Renewal Construction Program 2020/2021 was presented by Parkinson Group (Vic) Pty Ltd for the adjusted lump sum price of \$2,826,362.16 including GST (\$2,569,420.60 excluding GST).

The company is adequately resourced and available to successfully undertake this contract within the constraints of time, quality and cost as detailed in the contract documentation.

10. CONFIDENTIALITY

Attachment 1 is included in the confidential agenda, having been declared confidential information pursuant to Section 77(2)(c) of the Local Government Act 1989, as the information relates to:

Private commercial information, that if released, would unreasonably expose tenderers to disadvantage because it would release financial information about the business that is not generally available to their competitors [other reasons may be available];

- Confidential information is contained in the attachments in the confidential agenda, in accordance with Section 89(2) of the Local Government Act 1989, as the information relates to contractual matters; and premature disclosure of the information could be prejudicial to the interests of Council or other persons.

Report Prepared By: Coordinator Project Delivery – Community Infrastructure, Hans Pelgrim

Report Authorised By: Acting Director, Engineering and Infrastructure, Matt Hanrahan

Attachments

Confidential Attachment 1 is circulated under separate cover

9 Community Services Officers' Reports for consideration

9.1 Regional Charter Local Government Homelessness and Social Housing

**SUMMARY: Manager Community Wellbeing, Petrina Dodds Buckley and
Manager City Futures, Anthony Petherbridge**

The Regional Local Government Charter Homelessness and Social Housing represents the commitment of 13 East and South-East councils to collectively act to address the urgent need for increased social housing and a more effective, integrated and supported homelessness service system. The purpose of the Charter is for the 13 councils to collaboratively address the urgent need for increased social housing and a more effective, integrated and supported homelessness service system. Fundamentally, it is a collective commitment to solve homelessness through social housing and geographically represents more than 2 million residents.

RECOMMENDATION

That Council endorses the Regional Local Government Charter Homelessness and Social Housing shown at Attachment 1.

1. INTRODUCTION

During late 2019 to July 2020, a coalition of 13 Eastern and South-Eastern councils united to develop a regional local government Charter to respond to homelessness and to advocate for an increased supply of social housing across Victoria.

The purpose of the Charter is for the 13 councils to collectively act to address the urgent need for increased social housing and a more effective, integrated and supported homelessness service system. The Charter recognises that housing is a human right for every person, that housing solves homelessness and that social housing is core infrastructure for local communities. It represents a powerful example of the local government's sector ability to come together in a relatively short period of time to unite agendas and timelines with the fundamental commitment to solve homelessness through social housing (refer draft Charter, Attachment 1).

2. DISCUSSION

2.1 Regional Local Government CEO Forum on Homelessness & Social Housing, November 2019

This initiative began at the Regional Local Government CEO Forum on Homelessness and Social Housing, held on 26 November 2019. At this gathering, CEOs and executive staff representing 13 Eastern and South-Eastern councils came together in a forum focused on homelessness and social housing in response to an increase in homelessness and rough sleeping across the region. The Forum was hosted by Monash Council.

CEOs present at the Forum agreed that there had been increase in homelessness across the Eastern and South-Eastern metropolitan communities and that Local Government staff are often first responders to people experiencing homelessness in local communities. Councils representing the 13 municipalities often do not have access to the same resources and support services as inner

metro councils to adequately respond to increased homelessness and people experiencing rough sleeping.

There was strong consensus from the CEOs that the local government sector must come together urgently to champion the issue of homelessness as a collective and work to find a solution. At the CEO Forum there was a consensus reached that adopting a Regional Charter with three clear leverage points for local government would create the power and pressure for systemic change.

The Charter recognises that housing is a human right for every person, that housing solves homelessness and that social housing is core infrastructure for local communities. The 13 metropolitan councils, representing more than 2 million residents, are united in seeking to influence the urgent need for increased social housing and a more effective, integrated and supported homelessness service system.

It is important to note that the agenda set by the coalition of councils elected not to focus on service and crisis response to homelessness and community education, whilst recognising the critical importance and value of these interventions. The focus of the Charter's agenda was to prioritise the most impactful strategic levers available to the local government sector to achieve large-scale change.

2.2 Social Housing

The emphasis on social housing in the Charter is informed by research that Monash City Council had commissioned through the Council to Homeless Persons in October 2019 "Making a Difference – effective local government responses to homelessness." (Refer Attachment 2).

The Council to Homeless Persons recommends that the most powerful action local governments can undertake to reduce homelessness is to support the delivery of homes that people can afford. For the lowest income households, most vulnerable to homelessness, this means the provision of social housing.

Social housing refers to housing owned either by the state government or by not-for-profit community housing providers that is rented to low income households at either 25% (public housing) or 30% (community housing) of household income. Social housing does not generally include crisis or rooming houses.

For further information on homelessness in Melbourne's East and South-East region, please refer to Attachment 3.

2.3 Regional Charter Working Group

Following the Forum in November 2019, the CEOs of all 13 councils nominated "Charter Champions" to represent the 13 Eastern & Southern Councils in a Working Group.

Since February 2020 the Working Group has met monthly to produce the draft Charter. The Working Group has received significant partnership support by the Eastern Region Group of Councils, Eastern Affordable Housing Alliance, Municipal Association of Victoria (MAV) and the Department of Health and Human Services.

For more information on the Terms of Reference of the Working Group, please refer to Attachment 4.

2.4 COVID-19

During the process of drafting the Charter, the COVID-19 Pandemic emerged. The Working Group has re-pivoted the Charter to ensure it captures the COVID-19 Pandemic and the 2019-20 bushfires impact on homelessness and social housing.

The economic and health and wellbeing implications of COVID-19 means that now, more than ever, the local government sector needs to be a powerful champion in advocating for permanent, safe and timely housing for the those experiencing homelessness or at-risk of homelessness.

The Charter will be used as a Local Government sector platform and partnership tool with federal and state governments, and public and private sector partners.

By endorsing the Charter, each of the 13 councils commit to implementing the three strategic commitments in their municipalities, guided by its core principles.

The Charter requires each Council to take on the challenge by ensuring their decisions align with the intent and the principles of the Charter.

The Working Group representing the Charter will re-convene at key intervals over the 12-month period following its endorsement to ensure the Charter is prioritised, progressed and implemented at a regional and local level.

Council will include the Charter's principles and strategic commitments in our relevant policies and plans associated with housing, human rights and health and wellbeing.

3. CONSULTATION

The Charter will be used as a Local Government sector platform and partnership tool with federal and state governments, and public and private sector partners.

4. ENVIRONMENTAL / AMENITY ISSUES

There are no environment or amenity issues associated with the Regional Charter Local Government Homelessness and Social Housing.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no financial or economic implications of the Regional Charter Local Government Homelessness and Social Housing.

6. SOCIAL IMPLICATIONS

The Charter seeks systemic change to increase the supply of permanent, safe, appropriate and timely housing for the most vulnerable members of our community and to embed "Housing First" as key foundational principle, fundamental to health, recovery and safety.

6.1 Human Rights Considerations

The Charter recognises that housing is a human right for every person and that housing solves homelessness. It adopts a 'Housing First' approach which is a strategic response that prioritises permanent and stable housing for people experiencing homelessness.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 2 – We have housing to meet our changing needs

Strategy 2.3 - Support the delivery of a range of housing that addresses housing and living affordability needs.

Goal 4 – We are safe and secure

Strategy 4.4 – Protect and promote public health, safety and amenity.

Goal 6 – We are healthy, happy and well

Strategy 6.2 – Support the community to enable positive physical and mental health.

8. CONFLICT OF INTEREST

Under Section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Manager Community Wellbeing, Petrina Dodds Buckley and Manager City Futures, Anthony Petherbridge – In providing this advice as the Authors, we have no disclosable interests in this report.

Officer Responsible – Director of Community Services, Tanya Scicluna and Director City Development – Interim Finance and Governance, Matt Kelleher – In providing this advice as the Officers Responsible, we have no disclosable interests in this report.

9. CONCLUSION

The Charter represents the commitment of 13 east and south-east councils to collectively act to address the urgent need for increased social housing and a more effective, integrated and supported homelessness service system. Endorsing the Charter is an important first step to advocate for regional issues and change.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Attachments

1. Attachment 1 - Regional Local Government Homelessness and Social Housing Charter - 2020 [9.1.1 - 2 pages]
2. Attachment 2 - Making a difference - effective local government responses to homelessness - 2020 [9.1.2 - 20 pages]
3. Attachment 3 - Homelessness in Eastern and Southern Melbourne - 2020 [9.1.3 - 2 pages]
4. Attachment 4 - Terms of Reference - Regional Local Government Charter Homelessness Social Housing - [9.1.4 - 3 pages]

Attachments 9.1.1 - 9.1.4 are available as a separate file

9.2 Bayswater Multipurpose Community Hub Needs Analysis Review 2020

SUMMARY: Coordinator Social and Community Infrastructure, Linda Merlino

In 2010, Knox City Council undertook a study of the existing and required community services in the Bayswater area. The needs analysis undertaken identified the potential opportunity for the creation of a high-quality, multipurpose community hub in the Bayswater Activity Centre. Investigation at the time identified the need for a variety of safe, accessible community meeting spaces, in particular those that service youth and older people, with the opportunity of co-locating with other services such as Early Years and the Bayswater library.

Currently Bayswater is an identified Major Activity Area in Plan Melbourne 2017-2050. This, in conjunction with the need for updated demographic information and considerations regarding the introduction of three year old kindergarten in Victoria, has created the opportunity to review the original needs analysis study to update the data and previous recommendations.

The 2020 review has confirmed that there is the demonstrated need for a Multipurpose Community Hub in Bayswater.

RECOMMENDATION

That Council endorse the Bayswater Multipurpose Community Hub Needs Analysis 2020 Review Report shown at Attachment 1.

1. INTRODUCTION

The need for a new Community Hub in Bayswater was identified ten years ago as part of a study commissioned by Council. The study identified the context and opportunities for the creation of a high-quality multipurpose community hub in the Bayswater Activity Centre. Since this time the need for a new facility has increased with the loss of the Bayswater Youth Hall, introduction of 3-year-old kindergarten, an increasing need for support for older people and changes to the library model.

The Bayswater Activity Centre is situated between the Wantirna Health Precinct and the Bayswater Business Precinct, in a corridor anticipated for economic transformation in the coming years. The role of the Activity Centre could change from predominantly retail to accommodate additional residential, community and commercial uses.

2. DISCUSSION

To understand the current level of provision and the likely future demand for facilities, a review of existing services and a demand analysis were undertaken for the Bayswater area in the 2020 review (refer to Attachment 1).

The following outlines some of the updated key demographic forecasted data :

- By 2026, forecast information suggests there will be a 5.9% increase in the 0-4 age group across Knox;
- The fastest growing age group in Bayswater are residents aged 85 years and over;

- Bayswater residents aged 15 to 24 years (considered youth) are disengaged, i.e. not employed or in education, the highest rate of all Knox suburbs; and
- Social isolation in Bayswater is particularly high in the youth and seniors age groups.
- Compared to all of the suburbs in Knox, Bayswater has the highest levels of socio-economic disadvantage, and a substantial percentage of the population who have household incomes in the lowest quartiles for Victoria.
- Bayswater has a higher crime rate than other Knox suburbs, including rates of reported family violence.
- Volunteering rates in Bayswater are also lower than in other Knox suburbs.

In addition to considering updated demographic data, the review has considered the role that libraries play in communities and the way that they operate and function. Modern libraries are moving away from the traditional bookshelf model and into creating opportunities for online services and providing safe meeting places for all groups such as seniors and youth to come together and interact. The opportunities that meeting spaces provide for community networking and capacity building are critical.

The Review (Attachment 1) establishes the functional model of the type of services which are required in a collocated and integrated model.

Bringing together the various spatial needs, it was recommended the facility takes the form of a multipurpose community centre and service hub to incorporate the following functions: library, flexible meeting spaces, early years, youth space, office/consulting rooms and informal meeting spaces.

A summary of this model is as follows:

| | |
|-------------------------|--|
| Early Years | Two licensed kindergarten spaces that could accommodate funded preschool for 3 and/or 4- year-olds. Associated staff office, storage, children and adult toilets, separated kitchenette space, bag area, outside space and storage. |
| Office/Consulting Room | For potential use by a part time Maternal and Child Health nurse. Assessment bench, waiting room, storage, staff desk. |
| Library | Relocation of the branch library should follow the community lounge model with a floor space of 450-550 m ² . |
| Flexible Meeting Spaces | The inclusion of internal and external spaces which enable formal and informal gatherings is essential with main users being youth and older people (including to facilitate intergenerational activity). Include indoor play and seating areas, indoor meeting areas for community groups' services and activities. Internal meeting spaces should be flexible in size, whilst ensuring a high degree of insulation so that multiple activities can take place concurrently. Spaces must be accessible, age friendly and designed and managed in such a way that they promote social inclusion. |
| Outdoor Space | Informal public outdoor space, targeted for youth but accessible to all. |

3. CONSULTATION

A number of Council Departments have contributed to this report and the background studies, including Community Wellbeing, Family and Children's Services, Active Ageing and Disability Services, City Futures, Sustainable Infrastructure, and Youth, Leisure and Cultural Services. As the Hub project progresses, community consultation will be undertaken in the Bayswater Activity Centre.

4. ENVIRONMENTAL / AMENITY ISSUES

Leveraging a Council-owned site will result in positive environmental and amenity impacts for the community. This is likely to be the result of improved access, better technology available in upgraded facilities, and energy efficiencies.

5. FINANCIAL & ECONOMIC IMPLICATIONS

With key strategic assets in the Bayswater Activity Centre, Council has the potential to realise significant financial and economic benefits, including revenue generation, a cost-effective multipurpose community facility, and improved economic impacts for the community.

6. SOCIAL IMPLICATIONS

The proposed Bayswater Multipurpose Community Hub outlined in this needs analysis is seen as a new facility that facilitates community group access to service, meeting and activity spaces and encourages programming of activities and services which respond to social isolation and socio-economic disadvantage, fostering community gathering and connections. The envisioned new community hub will be a flexible, multi-purpose centre which will fulfil the unique characteristics and needs of the Bayswater community including opportunities for volunteering, youth engagement, social inclusion for older people and life long learning. The hub will be used by all facets of the community and for both for community and private events.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 5 - We have a strong regional economy, local employment and learning opportunities

Strategy 5.4 - Increase and strengthen local opportunities for lifelong learning, formal education pathways and skills development to improve economic capacity of the community.

Goal 6 - We are healthy, happy and well

Strategy 6.2 - Support the community to enable positive physical and mental health.

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.2 - Celebrate our diverse community.

Strategy 7.3 - Strengthen community connections.

8. CONFLICT OF INTEREST

Under Section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Coordinator Social and Community Infrastructure, Linda Merlino – In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Community Services, Tanya Scicluna – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The Bayswater Multipurpose Community Hub Needs Analysis Review 2020 confirms the need for a Hub in the Bayswater Activity Centre. The report outlines potential uses, space requirements, development, policy context and site requirements. This updated analysis will enable the Hub project to proceed to site investigations, concept plans and consideration for inclusion into the Development Contribution Plan (currently in development by City Futures).

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Coordinator Social and Community Infrastructure, Linda Merlino

Report Authorised By: Director Community Services, Tanya Scicluna

Attachments

1. Attachment 1 - Bayswater Multipurpose Community Hub Needs Analysis Review 2020 [9.2.1 - 25 pages]

Bayswater

Multipurpose Community Hub

Needs

Analysis

Review 2020

Prepared By:
Community Wellbeing

(updated June 2020)



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Executive Summary

In 2010, Knox City Council undertook a needs analysis of existing and required community services in the Bayswater area. The report identified opportunities for the creation of a high-quality, multipurpose community hub in the Bayswater Activity Centre. The need for a variety of community meeting spaces was identified, in particular those that service youth and seniors, with the opportunity of co-locating with other services such as Early Years and the Bayswater library.

Fast forward 10 years and Bayswater is an identified Major Activity Area in *Plan Melbourne 2017-2050*. It will soon undergo a review by Council's City Futures Team to update the Strategic (Structure) Plan, which is due to expire in 2020.

This, in conjunction with updated demographic information and the introduction of three year old kinder has created the opportunity to review the original study and update the data and analysis accordingly.

This review has investigated the existing services available in Bayswater, and the demand that has arisen due to gaps in provision and changes to community demographics. The review has confirmed the need for a Multipurpose Community Hub in Bayswater.



Glossary of Terms

| | |
|--|---|
| Co-located Facility | The joint location of service providers within a facility, usually without integration of services, but involving shared premises and possibly shared administrative or other services. |
| Community Infrastructure | Assets that accommodate community services, including: health, individual, family and community support, education, arts and culture, information, community development, employment and training, open space and active and passive recreation opportunities. |
| Community Infrastructure Plan | <p>A plan which informs and guides the need for and development of community infrastructure for an area for a specified period into the future. It would:</p> <ul style="list-style-type: none"> - Identify and prioritise community services, facilities and infrastructure required to meet the future needs of the population, based upon detailed supply/demand and evidence-based research relevant to the area and service sectors; - Guide the development, timing, design and location of community infrastructure for the area; - Provide direction and timing on funding sources. <p>A Community Infrastructure Plan would both support and inform a strategic and integrated place-based planning approach to address future community needs for an area.</p> |
| Integrated Facility | The joint location of service providers within a facility (as per co-location) but with integration of services to provide a coordinated, one-stop-shop approach to case management and service delivery. |
| Multipurpose Community Facility | A facility providing a range of flexible, functional spaces to support access to services and participation in a range of active and passive lifestyle activities. |
| Multipurpose Community Hub | A collection of facilities clustered together on the same or adjoining sites. There may or may not be interaction between these facilities. Together, they create a focal point for community activity. A hub is often also a base for outreach services to other smaller facilities or surrounding communities. |
| Structure Plan | Bayswater Activity Centre Structure Plan, City of Knox, 2005 |

1. Introduction

Purpose

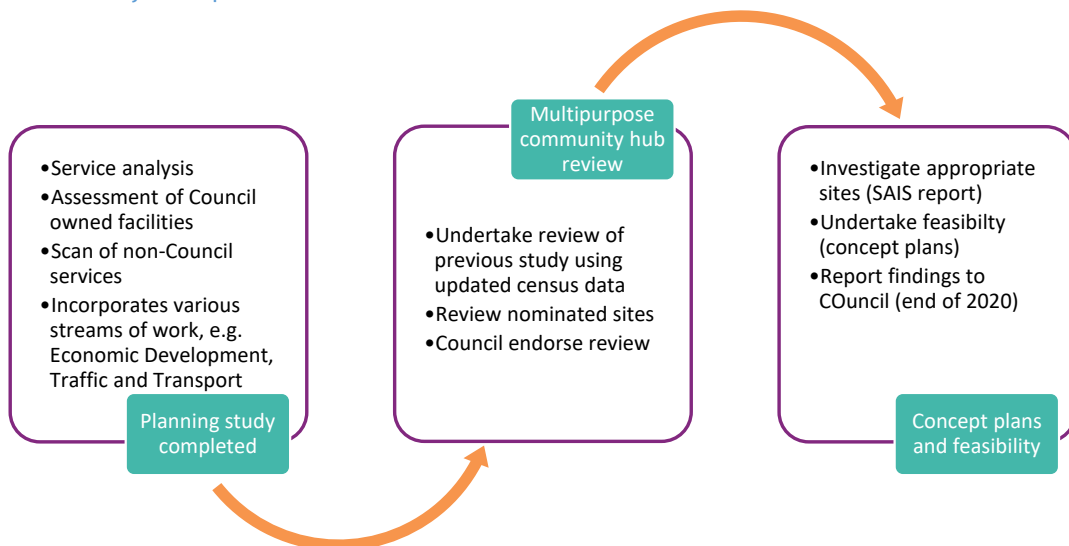
The purpose of this project is to identify the needs and opportunities of the community, for the creation of a high-quality multipurpose community hub. Multipurpose, co-located and integrated facilities are increasingly becoming the preferred approach to community service provision. This is considered to improve responsiveness, access, cost efficiencies, effective use of the land and maximise community infrastructure.

This report summarises the findings of a wide-ranging review of community services and facilities in Bayswater to inform the development of a multipurpose community hub. This report:

- *Reviews literature and Council policies and strategies relevant to community service and facility provision in Bayswater;*
- *Reviews relevant demographic profiles and socio-economic data for Bayswater, including projected population figures to 2036;*
- *Reviews available information regarding the supply and demand for community services and facilities in Bayswater;*
- *Identifies emerging needs for future community service and facility provision in Bayswater;*
- *Identifies key outcomes to meet emerging needs, in the form of recommended services for inclusion in the new multipurpose community facility.*

Project outputs

Table 1: Project outputs

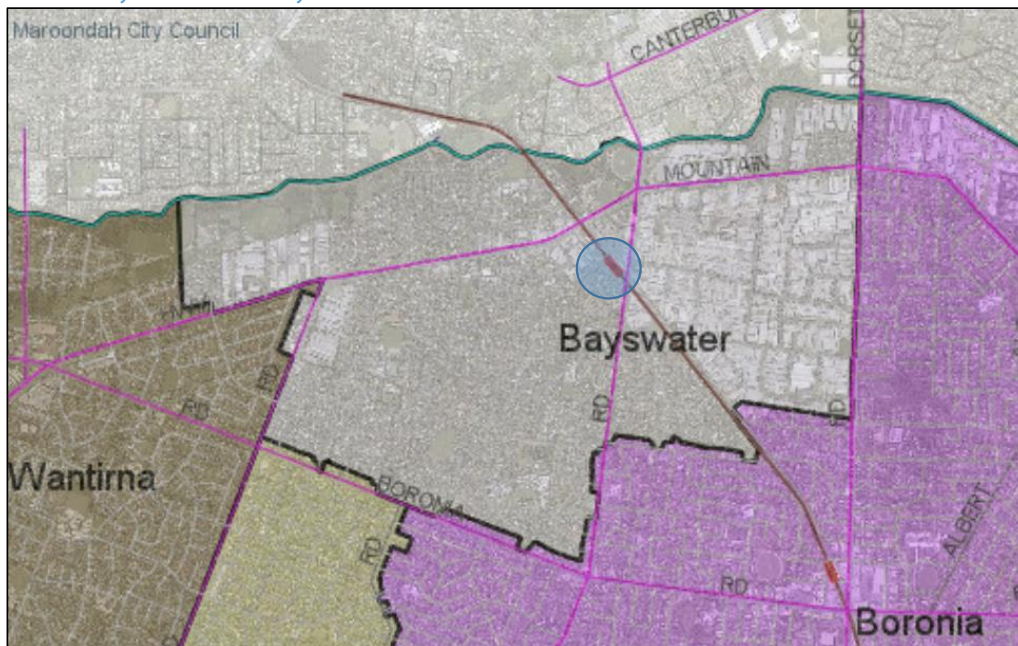


Project Boundaries

Bayswater is located approximately 27 kilometers from Melbourne City in Melbourne's eastern suburbs. Bayswater is an established area situated between the Dandenong Ranges on Melbourne's eastern fringe and the Eastlink Tollway. It is accessible to Melbourne City by heavy rail from Bayswater Station on the Belgrave train line.

This project will use the suburb boundary of Bayswater for the research analysis. Within this boundary also sits the Bayswater Activity Centre which is a 400m radius from the key points, being the railway station and the core of the centre (shown in Table 2 as the blue circle).

Table 2: Bayswater boundary



This report acknowledges that an analysis of community services and facility supply and demand is not restricted to suburb boundaries, and that Bayswater residents freely choose to use services and facilities in other areas. In addition, for many service sectors, regional or municipal services and facilities are located outside of Bayswater. This may be the most appropriate way to deliver that service and does not necessarily mean an under-provision of the service in Bayswater.

What is Community Infrastructure?

Community infrastructure encompasses the facilities and spaces provided to support identified social needs and objectives.

Well planned, high quality, accessible community infrastructure is an essential element of a vibrant, resilient and sustainable community. Community infrastructure should incorporate a wide range of facilities and spaces allowing everyone regardless of age, background or ability to participate in community activities and feel a sense of belonging.

Well designed and integrated community infrastructure is fit for purpose, and supports and facilitates the community's needs for life-long learning, education, leisure and recreation, social networking, connectivity, personal growth and support services. It also provides opportunities for local

communities to reinforce and express their local values, build strong social cohesion and community capacity and create a sense of place and civic pride.

Both Council and non-Council service providers and facilities are located within Bayswater. Non-Council service providers include a range of government, private sector, faith-based, not-for-profit and community agencies and groups. Together, Council and non-Council community infrastructure make an important contribution to the overall provision of community services in Bayswater.

The City of Knox's *Community Facilities Planning Policy*, adopted in June 2016, outlines Council's commitment to an integrated planning process for the planning, delivery and management of community facilities. It is vital to consider opportunities for multipurpose, co-located or integrated uses or community hubs when planning for new Council community facilities, and/or upgrades to or change of use of existing facilities.

The Community Facilities Planning Policy recognises that:

- Demand for a diverse and adaptable range of community spaces is growing, driven by population increases and the diverse needs of ageing, socially and culturally diverse communities.
- Consideration of multipurpose use and/or community hubs can address the growing challenge of meeting community expectations and changing needs for community infrastructure within a constrained financial environment.
- There is the potential to improve efficiencies for Council and the community by reducing the costs of building renewals and maintenance, enhancing accessibility, providing an efficient and effective response to ageing infrastructure and providing a sustainable and flexible approach to changing community needs over time.

2. Methodology

Review

Conduct literature review including previous report from SGS Economics and Planning, 'Bayswater Multipurpose Community Hub Planning Study' (2010).

Update

Assess the context within which a multipurpose community hub needs to be developed. This includes the analysis of the policy context, the updated socio-economic profile of the community and the current service and facility provision in the region.

Recommendations

Consolidation of all information to date to determine the philosophy and make-up of the proposed multipurpose community hub, including:

- Existing strategic council documents
- Expected uses and catchment areas
- Required spaces
- Site requirements

Project exclusions

This project does not include a review of:

- Traffic, transport, railway stations, trains and buses;
- Public Open Space, bike baths, footpaths or playgrounds;
- Sports grounds, sports clubs, leisure;
- Economic assessment.

Literature Review

A review of the following strategic plans and Council documents have informed this report:

- *Bayswater 2020: Activity Centre Structure Plan, Knox City Council, May 2005*
- *Bayswater Multipurpose Community Hub Planning Study, SGS Economics and Planning, Jan 2010*
- *Bayswater Social Profile, City of Knox, Dec 2018*
- *Bayswater Strategic Assets Study, SGS Economics and Planning, Nov 2019*
- *Bayswater Triangle Masterplan, The Planning Group, February 2011*

Council and State Plans

- [Knox Community Access and Equity Plan, 2017-2022](#)
- [Knox Community and Council Plan, 2017-2021](#)
- *Knox Arts and Cultural Plan, 2012-22*
- [Knox Integrated Transport Plan 2015, City of Knox, 2015;](#)
- [Knox Key Life Stages Plan, 2017-2021](#)
- [Knox Planning Scheme](#)
- [Plan Melbourne 2017-2050: Metropolitan Planning Strategy \(Department of Environment, Land, Water and Planning, 2017\)](#)

Bayswater 2020: Bayswater Activity Centre Structure Plan, 2005

The *Bayswater 2020: Bayswater Activity Centre Structure Plan* was adopted by Council in May 2005 after extensive community consultation. The plan contains initiatives to improve land use mix, built form, economic sustainability, accessibility, public open space and the wellbeing of the Bayswater

community.

Over the life of the Structure Plan, Bayswater saw improved streetscapes, a more compact centre, a greater mix of shops and services, increased housing within the activity centre to increase its vitality and sustainability, better public transport and accessibility for pedestrians, as well as improved public spaces and opportunity for community interaction. The Structure Plan applies to the shopping centre and surrounding residential land, Bayswater Park, Bayswater Primary and Secondary Schools and Knox Community Arts Centre and surrounds.

Key relevant points to the project include:

Investigation into the use of public spaces and the co-location of community services into the precinct. Identified an under supply of a number of facilities and services including libraries, community centres, neighbourhood houses, community health centre, parks and reserves for winter sports, childcare centre, public housing, accommodation for older adults and young people, youth centres and early intervention centres.

It is noted that Knox City Council will soon commence a review of the structure plan in 2020. This report will be incorporated for consideration.

Bayswater Multipurpose Community Hub Planning Study, SGS Economics and Planning, 2010

The purpose of this study was to identify opportunities for the creation of a high-quality multipurpose community facility in the Bayswater Activity Centre that incorporated the aspirations identified by Knox City Council and the Bayswater community. The study produced a design brief with the following community requirements identified:

| | |
|------------------------------|---------------|
| Library | 350sqm |
| Meeting and Activity Rooms | 200sqm |
| Offices and Consulting Rooms | 100sqm |
| Kitchen | 50sqm |
| Café | 50sqm |
| Other spaces | 100sqm |
| Total | 850sqm |

In order to accommodate Early Years, as well as play areas and outdoor learning areas off the library, it is envisaged that an additional 800-900sqm of external space would be required. This is discussed further along in the report.

Bayswater Strategic Assets Study, SGS Economics and Planning, Nov 2019

This study was undertaken to:

1. Review the current economic context and provide an economic narrative identifying future opportunities for the Centre and the corridor;
2. Provide advice on the highest and best use for five sites in the Centre; and
3. Assess the residual land value (RLV) for several development scenarios.

Highest and best use analysis

Highest and best use (HBU) analysis identifies the most profitable land use for a site. It considers market factors, legal requirements and physical constraints. A highest and best use (HBU) analysis will be undertaken for Council-owned sites within the Centre.

Bayswater Triangle Masterplan, The Planning Group, February 2011

The Masterplan covers the Bayswater triangle located north of the Bayswater train station and consists of Knox Community Arts Centre, senior citizens centre, scout hall and CFA. The triangle holds important existing community infrastructure and is an important connection to the station and future Hub. Whilst the Masterplan is soon to expire alongside the Bayswater Structure Plan, it is relevant to note outcomes identified included:

- Progress planning for the proposed Bayswater multi-purpose community facility
- Explore short term strategies which improve the amenity of the site including:
 - A connectivity strategy to improve physical and visual connectivity between the site and central Bayswater
 - A lighting strategy to bring about creative lighting scheme which not only improves amenity but also the safety within and around the site

3. Understanding the Community

The Bayswater Social Profile (Dec, 2018) was prepared by Knox City Council's Research and Mapping Services. The profile provides a summary of key trends and characteristics of Bayswater, including noteworthy differences between Bayswater and Knox as a whole. Key findings from the profile are set out in this chapter.

Demographic profile

Trends from the 2016 census

- The Bayswater population is forecast to increase at more than twice the rate of the Knox population between 2018 and 2028 (19.1% compared to 8.0%).
- Based on recent trends, this growth is likely to be accommodated largely in medium density housing, which is already more prevalent in Bayswater than elsewhere in Knox.
- The fastest growing age group in Bayswater is likely to be residents aged 85 years and over, with a forecast 68% growth over the next 10 years.
- The number of teenagers aged 12 to 17 is forecast to increase by nearly one quarter by 2026.
- The period between 2011 and 2016 saw an increase in the number and proportion of residents born in China and India and a decrease in residents born in the United Kingdom. If the trend currently evident continues, China and India will overtake the United Kingdom to become the top two countries of birth in Bayswater by 2021.
- There is some evidence of a socio-economic shift in the Bayswater community, with increasing tertiary qualification rates and increasing rates of employment in professional occupations.

Challenges for Bayswater

(2016 Census and Socio-Economic Indexes for Areas index):

- Compared to all of the suburbs in Knox, Bayswater has the highest levels of socio-economic disadvantage, and a substantial percentage of the population who have household incomes in the lowest quartiles for Victoria.
- The youth unemployment rate in Bayswater was 15.5%. This is the second highest youth unemployment rate of all Knox suburbs and slightly lower than the youth unemployment rate for Greater Melbourne (15.9%).
- Bayswater has a higher crime rate than other Knox suburbs, including rates of reported family violence.
- Volunteering rates in Bayswater are lower than in other Knox suburbs.
- Broadly speaking, Bayswater has a higher percentage of developmentally at risk or vulnerable children than Knox, while the percentage of disengaged youth is also higher.
- Bayswater has a higher prevalence of obesity than compared to other Knox suburbs.
- Bayswater generally scores slightly less favourably than Knox on a range of mental wellbeing indicators.

The Knox Socio-Economic Indexes for Areas (SEIFA) of Disadvantage measures the relative level of socio-economic based on a range of Census characteristics. The index is derived from attributes that reflect disadvantages such as low income, low educational attainment, high unemployment, and jobs in relatively unskilled occupations. A higher score on the index means a lower level of disadvantage. A lower score on the index means a higher level of disadvantage. The percentile column indicates the approximate position in a ranked list of Australia's suburbs and localities. Table 4 shows that pockets of disadvantage exist in Bayswater.

Table 3: City of Knox SEIFA

| Area | 2016 index | Percentile |
|----------------------|------------|------------|
| Lysterfield | 1,104.1 | 97 |
| Rowville | 1,077.2 | 90 |
| Wantirna South | 1,060.4 | 82 |
| The Basin | 1,056.5 | 80 |
| Wantirna | 1,053.3 | 78 |
| City of Knox | 1,048.0 | 75 |
| Knoxfield | 1,046.4 | 74 |
| Scoresby | 1,043.3 | 73 |
| Upper Ferntree Gully | 1,035.7 | 67 |
| Ferntree Gully | 1,032.6 | 66 |
| Boronia | 1,014.3 | 54 |
| Victoria | 1,010.0 | 51 |
| Bayswater | 1,004.0 | 47 |
| Australia | 1,001.9 | 46 |

This information is correlated by the Australian Early Development Census (AEDC) that places young children in Bayswater higher on the scale of vulnerability across emotional, social and physical domains than other young children in Knox.

Homelessness

The homeless count increased in all Knox suburbs between 2011 and 2016, with the exception of Wantirna and Wantirna South. In 2016, there was an estimated 36 people homeless in Bayswater, increasing from 22 people in 2011. These figures are likely to be an underestimate of homelessness as they are based on the Census and people who are homeless face a number of barriers to completing a Census form.

Crime

Crime is defined as “any criminal act or omission by a person or organisation for which a penalty could be imposed by the Victorian legal system”. In 2011 and 2016, Bayswater had the highest offence rate in Knox. The overall offence rate increased during this time period, but not for all crimes.

Family violence incidents

Family violence includes not only physical injury but direct or indirect threats, sexual assault, emotional and psychological torment, economic control, damage to property, social isolation and any behaviour which causes a person to live in fear.

In 2017-18 there were 277 callouts for family violence incidents in the 3153 postcode (Bayswater and Bayswater North), a rate of 13.5 per 1,000 population. This is 37% higher than the rate for Knox (9.84 per 1,000 population).

Volunteering

Volunteering rates can indicate the cohesiveness of the community and how readily individuals are able to contribute to that community. At the 2016 Census, 17.2% of Bayswater residents (1,650 people) aged 15 years and over reported that they had done voluntary work through an organisation or group during the previous 12 months. This is slightly lower than the volunteering rate for Knox (19.0%), and was the lowest volunteering rate among Knox suburbs. Nonetheless, 17.2% represents a small increase on the volunteering rate for Bayswater in 2011 (15.9%).

What does this tell us?

- Above average population increase;
- Ageing population – more/different services required for Seniors;
- Increase in youth population, youth unemployment also on the rise – more services required for youth;
- China, India and United Kingdom – multicultural services potentially targeted at migrant communities;
- More volunteering opportunities are required;
- Potential for family violence services;
- Potential for physical and mental wellbeing programs;
- Homelessness services provision required.

Key Infrastructure since 2010 study

Bayswater train station

The two level crossings at Mountain Highway and Scoresby Road in Bayswater have now been removed and the newly-built premium Bayswater Station is in full operation. Both crossings were removed in late 2016 by lowering the Belgrave/Lilydale rail line below Mountain Highway and Scoresby Road. A brand new, state of the art train station was also constructed that has improved the amenity of the area significantly.



Bayswater Early Years Hub

- Opened in April 2019
- 33 x 4 year old preschool places
- 105 Long Day Care places
- Kitchen and dining area
- 2 MCH Nurse offices
- 1 Playgroup room

- Office Space
- 1 Consulting suite – can be used by allied health and other consulting professionals who work with children and families. License agreements for this room will be managed by Family and Children’s Services.



4. Existing Services and Demand Analysis

In order to evaluate demand for new and/or additional community facilities in the Bayswater area, it is necessary to understand the current level of provision.

To determine the reach of a service, the following levels have been developed. Each level represents a catchment and level of service. This is used to measure the reach of existing services in Bayswater as outlined in Table 5 below.

Village Level

- No minimum population catchment;
- Local area planning well established;
- It is the network in which local residents undertake their daily lives and may revolve around a local group of shops, a community/local park;
- Walkable access, access to public transport;
- Neighbourhood scale;
- Supports local networks and community cohesion at the local level to provide a meeting place for the community

Local Level

- Minimum 3000 households;
- Local area planning well established;
- It is the network that supports a community to access local services and facilities and may revolve around a local school/community group;
- Co-location of complementary uses;
- Services and facilities that play a local role;
- Neighbourhood scale;
- Supports local networks and community cohesion at the local level in accessing local services and facilities

District Level

- Min 10,000 households;
- A district provides for higher order infrastructure catering to a wider catchment clustering a number of suburbs;
- It has infrastructure that residents relate to and access for destination driven activities;
- Good access to parking and public transport, co-located, integrated into retail centres;
- Multi-purpose destination

Municipal Level

- Population catchments not applicable – infrastructure may be provided to position the municipality in the region;
- These services and facilities are ones that may be state or federally funded or have a niche or specialised target group and are supported by Knox City Council or a private provider;
- Particular infrastructure may be provided to position the municipality in the region i.e. higher order sporting or cultural) often requiring support from a sub-regional catchment outside of the municipality to be sustainable;
- Multi modal transport access and good access to car parking, co-located, consideration of landmark sites to build community pride and identity;
- Creates a sense of destination

Table 4: Community Facilities in Bayswater

| Name | Address | Programs | Level | Ownership |
|---|--|---|----------|-----------|
| Blue Hills 1 | Bayswater West Primary School | MCH | Local | Council |
| Blue Hills 2 | 2 Birch Street (Bayswater Primary School) | MCH | Local | Council |
| BSPS Bilingual Playgroup | Bayswater South Primary School | Playgroup | Local | |
| Temple Society Playgroup | Temple Society Community Hall 51 Elizabeth St, Bayswater <small>German heritage and some bilingual aspects. Suitable for 0 to 5 year olds with parents attending and services of a Playgroup Coordinator.</small> | Playgroup | Local | |
| Knox Children and Family Centre Bayswater (Early Years Hub) | 41 Phyllis Street, Bayswater | MCH, 4yo kinder, Playgroups and long day care | District | Council |
| Coorie Avenue Children and Family Centre | 4 Coorie Avenue, Bayswater | Child Care Centre | Local | Council |
| Each | 2/254 Canterbury Road, Bayswater | Various | Local | NFP |
| Deafness Foundation | 3/653 Mountain Highway, Bayswater | | District | NFP |
| Knox Community Arts Centre | Cnr Mountain Hwy and Scoresby Road, Bayswater | Includes meeting spaces | District | Council |
| Rotary Club of Bayswater | 2 King Street, Bayswater | | Local | |
| Glen Parks Oaks Community Gardens | 30 Glen Park Road, Bayswater North | | Local | |
| Bayswater Senior Citizens' Centre | Bayswater Road, Bayswater | Meeting spaces | Local | Council |
| Bayswater CFA | 2a Scoresby Road, Bayswater | Emergency service | District | State |
| Bayswater Youth Hall | 58 Station Street, Bayswater | Inactive (Meeting space) | Local | Council |

To understand the extent of existing facilities and the likely future demand for facilities in Bayswater, a needs assessment was undertaken for community services requirements in Bayswater. The needs assessment applied locally appropriate and desired standards of service for facilities provision in Bayswater and for the future population of Knox. This assessment resulted in a list of facilities that are required in Bayswater now and in the future.

Early Years and Maternal Childhood Health

Information from the 2016 Census data identifies that the averaged population of Bayswater includes:

- 7% aged between 0-4
- 8% aged between 5-11
- 25% couples with children under 15 years
- 6% one parent families with children under 15 years

By 2026 it is forecast that there will be a 5.9% increase in the 0-4 age group across Knox.

The State Government's will introduce a second year of preschool education through 15 hours per week of subsidised funding for three-year-olds (to be phased in from 2022 and fully in place by 2029). Table 6 provides the projected supply and demand in Bayswater of 3 and 4 year old sessional Kindergarten, arising from the additional hours.

Table 5: Three and four year old sessional kindergarten projected supply and demand in Bayswater

| | 2019 | 2022 | 2026 | 2029 | 2034 | 2041 |
|--|------|------|------|------|------|------|
| Total sessional kindergarten places - Supply | 120 | 120 | 120 | 120 | 120 | 120 |
| 3yo sessional kindergarten places – Demand | 0 | 33 | 71 | 112 | 123 | 136 |
| 4yo sessional kindergarten places – Demand | 93 | 98 | 102 | 109 | 119 | 132 |
| Surplus/Deficit | 27 | -11 | -53 | -102 | -123 | -149 |

A shortfall has been identified in sessional kindergarten places by 2029, when subsidised 3 year old kindergarten will be fully established. An additional kindergarten consisting of 2 rooms will be required either in Bayswater, or as part of options involving facilities in adjoining suburbs, namely Boronia, Wantirna and Wantirna South. The facility may include MCH services depending on consolidation.

The required facility should include:

- 2 licensed rooms that could accommodate funded preschool for 3 year olds and/or 4 year olds (each room with capacity for up to 33 children). Staff office, storage, children and adult toilets, separate kitchenette space and outside play space.
- An office space that meets the requirements for use by a part time Maternal and Child Health nurse (dependent on birth rates in the area). Assessment bench, waiting room, storage, staff desk
- A room that could be utilised by a Community Playgroup – storage, children and adult toilets, separate kitchenette space, secure outside play space.

It is also possible that if preschool for 3 or 4 year-olds was offered in Bayswater that it may be operated by a non-Council service provider.

Seniors

As the latest census data has shown, Bayswater has an ageing population, therefore the requirement for senior activities is increasing.

Requirements:

- Facilities must be located centrally in the community and accessible (including adequate car parking).
- Focus on accessibility at entrance and within building.
- Programming, equipment and services are important. For example, a manned reception and

information on facilities and services makes for a better user experience, while computer and internet access in meeting rooms is beneficial.

- An information area to share events and knowledge about the area increases awareness and engagement.
- Shared areas must have provision for storage space.
- Safety is a key concern. It is important to ensure there is sufficient lighting and passive surveillance.
- There is demand for small, medium and large sized meeting and activity rooms which can be used for activities as well as group meetings.

Young People

Disengaged youth are defined as young people who feel alienated or disconnected, unvalued or unable to contribute in a meaningful way. They may lack knowledge and skills or face structural barriers that limit their engagement, such as prejudice or limited resources and opportunities.

Not being involved in either education or paid work is often considered indicative of disengagement among young people. As discussed in the demographics, for Bayswater as a whole, 11.4% (149) residents aged 15 to 24 years were not employed or in education at the time of the 2016 Census. This is the highest rate of all Knox suburbs, and higher than the rate for Greater Melbourne (7.5%). Bayswater's 2016 rate also represents an increase over the 2011 rate of 9.4% (121 young people).

Requirements:

- Youth friendly spaces rather than a specific youth centre or drop in area;
- Ensure right of access for youth to use meeting rooms and other facilities;
- Youth activities run by Council youth services or other providers to utilise available spaces;
- Technology is important, especially Wi-Fi internet access;
- Young people would like the opportunity to be involved in the development of the centre such as public art and mosaics. People are more likely to respect a building/service if they have been involved in it;
- Importance of short term lockers for bags, etc.;
- Quiet study spaces, including group rooms;
- Strong desire for informal public outdoor space where people can meet.

Arts and Culture

The Knox Arts and Culture Plan 2012- 22 identifies key outcomes for the Arts and Cultural wellbeing of Knox, focused on:

- increasing community participation in the arts,
- creating vibrant and interesting public spaces,
- improving relationships with the local arts and cultural community,
- improving Council's arts and cultural amenity, and
- raising the visibility of the range of arts and cultural activity in the city.

Art is an essential part of the community. It can create a sense of identity, ownership and improve amenity. As mentioned, youth like the opportunity of being involved in the development to assist with ownership.

Requirements:

- Community consultation specific to art;
- Consideration of many forms of mediums;
- A minimum of 3-5% of the overall construction budget;

- Youth involvement;
- Local artist receive first preference.

Libraries

There are a range of opportunities available through 21st century libraries. Modern libraries are moving away from the traditional bookshelf model and creating opportunities for online interaction and extended online services, wireless internet services offering access through personal laptops, and the inclusion of cafés and social spaces as some key attractors to libraries. Libraries are also crossing into the space of providing safe meeting places for all groups such as seniors and youth to come together as a group to study or interact.

The 2010 SGS study indicated the Bayswater library would require a minimum 350sqm. This consisted of the following spaces: collection space, five computer terminals, two study rooms, lending desk, general space and storage.

This model has since changed in the last ten years. Technology has taken over many of the functionalities and in some instances requires more space where as others can be reduced. The Eastern Regional Libraries service provided Council with the following review of the current Bayswater library service.

- Current Bayswater branch has 338m². in public space (this excludes lending and processing, back of house, etc.);
- Since the SGS Hub study, Council has funded an additional five computer terminals, for a total of 10;
- The collection is currently 20,000 items which is double that anticipated for a community lounge and in line with a small to medium library branch;
- Based on revised population figures for a population in Bayswater of 15,705 by 2031 and applying the principles set out in 'People places: A guide for public library buildings in NSW Sydney: Library Council of New South Wales, Third edition 2012', the space required for a standalone library would be 1,035m²;
- In relation to the back of house (which includes storage and staff amenities) and the lending process/reception, and given that the branch would be part of a Hub, these areas could be part of the greater facility rather than library specific;
- Many of the facilities that would normally be required for a new standalone library could be provided as part of the Hub, such as reception area, toilets, meeting rooms, etc.

Requirements:

- A minimum size of between 450m² and 600m² for the public area of the library would be recommended, having regard to:
 - back of house
 - lending/processing/reception
 - meeting rooms, lobby, toilets, etc.
- Ample on site car parking should be provided if not part of the shopping centre (approximately 30 visits per hour currently).

Community Meeting Spaces

With the loss of the Bayswater Youth Hall, community meeting spaces are lacking in Bayswater. The opportunities that meeting spaces provide for community networking and capacity building were identified as particularly important in Bayswater where social isolation amongst a range of demographic groups have been a key concern.

Consultation with community representatives, Council officers and community service providers was undertaken through a community visioning exercise. The results indicated a need for informal and formal

meeting spaces for the community in Bayswater. Currently Bayswater lacks any common and central meeting space (external or internal), and participants noted that a non-specific gathering place would provide a point of contact for social and service information.

Informal meeting spaces should include outside areas where people can meet and congregate, providing a focal point for Bayswater. This could incorporate children's play areas as well as tables and chairs. It is important that this is an interactive space. Participants noted that the neighbourhood houses and community centres located elsewhere in the LGA provided the opportunity for community members to meet and interact and this potential should be realised for the proposed facility.

Requirements:

- Informal/formal spaces;
- Centrally located;
- External and internal spaces;
- Culturally relevant;
- Children's play areas (indoor and outdoor);
- Range of sizes and spaces.

5. Functional model

It is recommended that the facility take the form of a multipurpose community centre and service hub and incorporate the following functions:

Early years:

- 2 licensed rooms preschool/kindergarten space (each room capacity for up to 33 children).
- Staff office, storage, children and adults toilets, separated kitchenette space, outside play space and storage.
- A room that could be utilised by a Community Playgroup – storage, children and adults toilets, separated kitchenette space, secure outside play area

Library:

- Follow the community lounge model.
- Previous studies have indicated that 350m² in size is sufficient, however changes since then have resulted in the need increasing to 450m² – 600m².

Flexible Meeting Spaces:

- The inclusion of internal and external spaces which allow formal and informal gatherings is essential.
- Internal meeting spaces should be flexible in size, whilst ensuring a high degree of insulation so that multiple activities can take place concurrently.
- Spaces must be accessible, and designed and managed in such a way that they promote social inclusion in particularly for our seniors and youth.

Office/consulting room:

- For potential use by a part time Maternal and Child Health nurse.
- Assessment bench, waiting room, storage, staff desk.

Informal spaces:

- Foyer, break out spaces and kids play areas, etc.
- Both indoor and outdoor.
- Can include landscaped features to enhance the public domain and encourage interaction.
- The space could also be used for events, the revival of the Bayswater community markets and a recognizable meeting space for the community.

Reception:

- A manned reception and information on facilities and services makes for a better user experience.

Table 6 provides a summary size of requirements. Please note, these figures are approximations only. When planning commences, a detailed functional brief will be created.

Table 6: Key features of the Bayswater Community Hub

| Function | Size (minimum) | Requirements | Summary of justification |
|------------------------------|--|--|---|
| Indoor | | | |
| Library | 550m ² | Space for essential library services. | Bayswater library branch has moved beyond the proposed Community Lounge model, as evidenced by its: collection; computer terminals; and programing for story times, author talks, events, school holiday programs, etc. |
| Community meeting spaces | 200m ² | A variety of sizes and spaces. | Flexible meeting spaces with access to a kitchen, storage, furniture storage and different sizes to accommodate different uses. |
| User group storage | 10m ² | To store equipment of various user groups | Community groups are always in need of storage spaces. There will be a focus on youth user groups. |
| Furniture storage | 13m ² | Store tables and chairs | Allows versatile use of meeting spaces. |
| Offices and consulting rooms | 22m ² | To provide a private area for meetings, confidential discussions, health practitioner consultations and mobile service delivery capacity To provide two consulting rooms for MCH staff | Used by both permanent tenants and visiting service providers. Includes storage space. |
| Commercial/community kitchen | 50m ² | May need to split into kitchenettes depending on the configuration of the meeting spaces. | Further investigation will be undertaken with Meals on Wheels utilising the kitchen to heat food. |
| Café | 50m ² | | Potential for commercial revenue or social enterprise. |
| Public toilets | As required by Building code | Consideration of gender neutral amenities. | |
| Early Years | 215m ² for kindergarten rooms, plus additional to meet other requirements | 2 x 33 kindergarten capacity rooms, a meeting room for staff/committee meetings/ sensory break out spaces/parent discussions, a shared kitchen and children's toilet facilities, storage and office and outdoor spaces | To assist with the increased need of 3 year old kinder. Kindergarten rooms are required to have 3.25m ² per child. |
| Licensed children bag area | 30m ² | To provide individual lockers to accommodate belongings for 33 children per room. | |

| | | | |
|--|----------------------------------|---|--|
| Entrance and Foyer | 50m ² | Allowance for a reception desk and informal break out spaces | Welcoming and inviting to all users and staff to the services available. Potential exhibition space Provide a central gathering and transitional space for all visitors Provide a safe area for people of all ages and abilities to connect and meet informally. Be a visually and physically engaging conduit to the entire building and showcase the centre's functions, opportunities and artwork |
| Shared office for all staff and staff room | 60m ² | Encourage integrated facility use where possible. | |
| Cleaners store | 5m ² | Provide safe storage for cleaning equipment and products Provide washing facilities for mops and other materials | |
| TOTAL | 1500m² approx. | | |
| Outdoor | | | |
| Early Years | 462m ² | | Outdoor play space to for sessional kindergarten. Outdoor space required is 7m ² per child. |
| Outdoor space | TBC | Can take the form of a town square | Focal point that incorporates children's playground, seating, public events. Contained informal, welcoming multi use space for outdoor informal meeting activities and social gathering activities |
| Car parking | TBC | Include Early Years parking | Car parking requirements: Library and community meeting spaces (Place of assembly): 0.3 to each patron Café: 4 per 100m ² Office: 3.5 per each 100m ² |

Site Requirements

It is essential for the Bayswater Hub to be located in the heart of the Bayswater Activity centre to compliment access to the train station and essential services. Key requirements for potential sites are:

- 400m to public transport and car parking area
- High visibility location to encourage maximum visitation
- Sufficient size – a minimum of 1500m²m
- Council owned

Further work is required to be undertaken to investigate potential sites in the Bayswater Activity Centre.

6. Conclusion

This report provides an updated summary of community services provision and need in Bayswater since the last report was undertaken in 2010. It revisited the needs and potential uses of a multipurpose hub in Bayswater and has updated the space requirements, site requirements and next steps.

Bayswater is the most disadvantaged suburb in the City of Knox, falling within the 47th SEIFA percentile Australia-wide. Between 2019 and 2041, its number of 3 and 4 year olds is expected to increase by 31% and 42% respectively, which is well above the increase forecast for the City of Knox (being 10% and 15%). Therefore there is likely to be a shortage of sessional kindergarten places once subsidised 3 year old kindergarten becomes available.

The proposed Bayswater Multipurpose Community Hub outlined in this report is seen as a new facility that facilitates community group access to service, meeting and activity spaces and encourages programming of activities and services which respond to social isolation and socio-economic disadvantage, fostering community gathering and connections.

The envisioned new community hub will be a flexible, multi-purpose centre which will fulfil the unique characteristics and needs of the Bayswater community. The hub will be used by all facets of the community and for both for community and private events.

9.3 Council's Festivals & Events Annual Report

SUMMARY: Team Leader Festivals and Events, Ellen Ramsay

This report provides an overview of the 2019-2020 Festivals and Events season, including attendance, community engagement, program partnerships, volunteer participation and program highlights for all major Council events, and the newly introduced Pop-Up Events and Community Event Support initiatives.

The report includes a review of the actions implemented as part of the July 2018 Council recommendations, an update on the three year Festivals and Events Plan, and a variety of recommendations related to ongoing improvements in this service area to effectively meet Council and Community interests and objectives.

RECOMMENDATION

That Council:

- 1. Acknowledge the positive Community and Council outcomes achieved through the 2019-2020 Festivals and Events Season, and the contribution made by volunteers through this program;**
- 2. Note the actions delivered during the 2019-2020 season in response to the recommendations made by Council at its 28 October 2019 meeting, detailed in Attachment 1;**
- 3. Note the proposed improvements to the service model for the 2020-2021 Festivals and Events season, detailed in Attachment 1; and**
- 4. Note the updated Festivals and Events Action Plan in Attachment 2.**

1. INTRODUCTION

This report provides an overview of the 2019-2020 Festivals and Events season, covering services provided by Council, including:

Major Events – Stringybark Festival, Knox Carols by Candlelight and Knox Festival.

New Pop-Up Events – launched in 2019-2020 with Kids Takeover Melbourne Street Eat, Wonders of the Arboretum and The Knox Easter Fun Festival; and

New Community Event Support Services – launched in 2019-2020 with community event training, best practice event kit resources, committee support, and guidance on legal and regulatory event compliance.

The key areas covered within this report include:

- Program Purpose and Objectives.
- Festivals and Events 2019-2020 Program Highlights.
- Stakeholder Engagement and Program Partnerships.
- Festivals and Events Improvement Plan 2019-2021 (Attachment 1).

- Festivals and Events Action Plan 2019-2021 (Attachment 2)
- Communications and Marketing Report (Attachment 3).
- Youth Engagement Strategies and Report (Attachment 4)

Overview

In July 2018, Council considered a series of recommendations including the production of a four-year Festivals and Events Improvement Plan, which were then reviewed at the Ordinary Meeting of Council on 28 October 2019. The recommendations were implemented through the 2019-2020 season, with positive outcomes, prompting a variety of continued improvements offered for future implementation.

Festivals and Events Improvement Plan 2019-2022 (Attachment 1)

The Festivals and Events Program has grown substantially this year following the implementation of new services and ongoing improvements to the major festivals and events. The Program addressed several gaps in previous services, and in doing so, supported the aspirations of our Community, that Council play a more prominent role in village place-based activations and supporting community led events. These initiatives directly contributed to the wellbeing of Knox residents through increasing opportunities for social connections, community participation, embracing diversity, supporting our unique local identity and building strong local partnerships. The continued commitment to major festivals, pop-up events and event support services has been mapped within an action plan, offering a timeline for event deliverables.

Festivals and Events Action Plan 2019-2022 (Attachment 2)

This year saw an increase in community program partnerships, which successfully delivered event content that was highly representative, relevant and engaging for Knox residents.

The year was an exceptional year for attendance at Council events, with an estimated attendance of 58,000, almost 20,000 up on last year. This can be attributed to the new Pop-Up Events portfolio and record attendances to the major festivals and events.

A continued focus on increased engagement of our culturally diverse community saw new and exciting cultural content across multiple performance and demonstration stages, workshops, sporting activations, arts projects and more, attracting and engaging community members from diverse demographics. A significant level of collaboration and input from the Communications and Marketing team has enabled considerable audience reach and engagement throughout 2019-2020.

Communications and Marketing Report 2019-2020 (Attachment 3)

The Festivals and Events team comprises of the Team Leader Festivals and Events, Events Officer and Community Events Officer, totaling 3.2 EFT. This team delivers the Festivals and Events Program with team support from the Social Media and Administration Officer, and Coordinator Arts and Cultural Services. The team works closely with many other internal departments including Communications, Youth Services, Parks Services, Business and Financial Services, Economic Development, Operations and Leisure Services.

The Festivals and Events Program would not be possible without the collaboration, support and partnerships offered by event students, community organisations, volunteers and staff volunteers.

This year saw the Holmesglen Event Management Student Placement Program return to Stringybark and Knox Festival, providing a formal learning module for students to practice their event management skills in real settings. With the improvement of more structured student position descriptions, mentoring structures and rotating rosters allowing a larger exposure to all facets of event management and improved learning outcomes more in line with the Holmesglen curriculum.

The Council staff volunteer recruitment process was also reviewed in partnership with Strategy, People and Culture, to encourage a greater presence from staff volunteers at the major festivals and events, with positive outcomes. Increased participation of staff was also seen through the “Knox Engagement Hub” a space dedicated for officers to interact directly with the community on key projects that had community consultation requirements.

The Festivals and Events Team continues to focus on the accessibility of events, collaborating with the Access and Equity Team to implement a range of measures to ensure events are accessible by the whole community. This year saw the completion of the Changing Places facility at Wally Tew Reserve, along with the installation of new sealed footpaths, providing a safe connection between carparks and activated spaces. Event accessibility information is also presented through an Access Key which supports an informed and planned approach for attendance at Council’s major festivals for those with accessibility considerations, further supported by an Access and Info Hub liaison point at major events.

The risk and emergency management practices implemented across the program reached new standards this year, beginning with the engagement of a new Operations Manager. This role expanded considerably in its responsibilities to support improved Emergency and Risk Management Planning, major contractor compliance, formal safety inductions, improved site accessibility, digital layout and mapping, clear production schedules and highly regulated bump in/out procedures. These initiatives saw Council events delivered to a best practice standard in meeting the ever-changing regulatory and legal environment for safely managing “Crowded Places”, with the improvements commended and welcomed by Emergency Services, Work Safety Australia and internal stakeholders.

2. DISCUSSION

2.1 Program Purpose and Objectives

The Festivals and Events Program’s purpose is to contribute to a vibrant, connected and healthy community, which is supported by the following key program objectives:

- Increase active participation in community life.
- Contribute to a strong sense of place and vibrant public spaces.
- Support community leadership and capacity building.
- Provide a platform to celebrate and showcase our unique and diverse community.
- Increase opportunities for youth engagement and participation.
- Encourage new partnerships and positive stakeholder relations.
- Support arts, cultural and economic development in Knox.
- Utilise placemaking events to activate village precincts.
- Benefiting from the arts as a means for positive community consultation and engagement.

- Supporting placemaking principles and neighbourhood renewal objectives.
- Increase support to community events.
- Encourage collaboration across Council teams.

Each of these objectives were realised through the 2019-2020 event season, using a strategic approach to event planning, community engagement, partnership building and program focus.

2.2 Council Recommendations

On 28 October 2019, Council endorsed a report that provided an updated range of service improvements to the Festivals and Events portfolio since the 2018 review of Council's Festivals and Events portfolio. These improvements were actioned during the 2019-2020 event season. This included the introduction of a range of smaller scale, neighborhood "Pop-Up Events", a variety of improvements to major festivals and events, and further development of the Community Events Support Service.

Building on the actions delivered through the 2019-2020 season, consideration has also been given to ongoing improvements in the service model for Festivals and Events, offering a range of suggestions relating to improvement opportunities and considerations for the 2020-2021 festivals and events season.

Council also adopted the proposed Festivals and Events Action Plan on 28 October 2019, which provides a schedule of the proposed major festival and event dates, alongside the schedule for Pop-Up Events in Knox and the introduction of key service steps as part of the new Community Event Support Service. This action plan has been updated to provide the 2020-2021 proposed activities and dates.

2.3 Festivals and Events 2019-2020 Program Highlights (Date Order)

2.3.1 Stringybark Festival 2019

| | 2019 Event | 2018 Event comparison |
|---|---|--|
| When | Sunday 20 October 10.00 am to 4.00 pm | Sunday 18 October 10.00am to 4.00pm |
| Where | Rowville Community Centre and the Stud Park Shopping Centre | Rowville Community Centre and the Stud Park Shopping Centre |
| Attendees (approx.) | 11,000 | 12,000 |
| Program Theme | Discover the wonders of our backyard | Make, Play, Do, Connect |
| Nett Cost of Event (not including staff) | \$93,279 (budget increase primarily due to the adoption of new crowded places safety measures, and no sponsorship income) | \$78,795 |
| No. of Volunteers and Event Students | 15 | 15 |

Stringybark 2019 Program highlights, delivered in partnership with the Knox community included:

- Animals Galore including farm animals, native creatures and educational presentations.

- Backyard Tucker Stage with cooking demonstrations from five presenters focusing on gourmet BBQs, jams, pickles and bush tucker with zero waste.
- Makers Market, with local artists, craft makers and clubs presenting their home grown, hand-made and up-cycled products for sale.
- Get Active Arena with backyard games, free active attractions and sports challenges including the Basketball Half court presented in partnership with Deakin Melbourne Boomers and MSF Sports.
- The Busker's Stage featured a jam packed program of local talent, with performances from six local singer songwriters.
- The Community Stage showcased ten performance groups including dance, cultural, vocal, theatre and more.
- DIY Fun Stuff featured creative arts, crafts and science play with a focus on interactive learning.
- Community Gardens where patrons could learn about sustainability with our local environmental groups, enabled through a partnership with the Knox Sustainability team.
- Nature Playground for the kids including cubby building, animal face-painting and costume making inspired by nature.
- Food Truck Feast where there was variety of healthy choices and festival favorites for purchase, and an improved creative layout offering an inviting cul-de-sac.
- The first ever DIY Stage where five local presenters ran workshops on gardening, floral art and making your own sustainable products at home.
- The Youth Yard presented in conjunction with the Youth Events Crew, included a Backyard Photo Booth and table tennis tournament.
- The Compost Community educated on how you can reduce the amount of food waste by composting food scraps in a compost bin or worm farm.
- Co-designed environmental activations and nature play in partnership with Stud Park Shopping Centre. Please refer Attachment 4 – Stud Park Shopping Centre Feedback.

Considerations

- Stringybark continues to retain positive audience numbers and group participation with the one-day model, with participant and stallholder feedback supporting this delivery mode as the preferred option
- The theme of “Discover the wonders of our backyard” enabled a clear message and program framework, allowing content to offer a local focus, broadening the concept of sustainability to encompass health and wellbeing, home-grown, home-made and locally sourced, backyard and nature play, DIY activities, and enjoying local community life.
- The commitment to only providing free, non-mechanical amusements allowed an increase in active play and partnerships with local sports clubs, far more synergised with the event theme and welcomed by the community.

- Improved waste services at the event inclusive of green and recycle options helped reinforce the event sustainability themes.
- The grounds upgrade to Rowville Community Centre and neighbouring Stud Park provided an improved layout and smoother pedestrian egress throughout the event site, with landscaping and infrastructure provisions providing much needed beautification to this event site.
- Whilst the Stud Park Shopping Centre program partnership offers a connection between the event and the adjacent shopping centre, the previous weeklong lead up activities at the centre were deemed unnecessary, with the event day activation being the optional model for future partnerships.
- Sponsorship continues to be a challenge for this portfolio. Until the new model is adopted, sponsorship for festivals and events will remain limited to the existing financial agreements, which at this stage, does not include sponsorship for Stringybark Festival.
- Stringybark 2020 will need to be delivered in line with the Covid-19 regulations at that time, and a proposal for an alternate model offering a combination of virtual and bookable activities is currently being considered.

2.3.2 Kids Takeover Melbourne Street Eatz 2019 (New Pop-Up Partnership Event)

| | |
|---|---|
| When | Friday 15 November 2019, 4.00 pm to 10.00 pm |
| Where | Lewis Park, Wantirna South |
| Attendees | 4,000 |
| Program Focus | Kids rule on Friday night at Melbourne Street Eatz Knox |
| Net Cost of Event (not including Staff) | \$4,225 |

Kids Takeover Melbourne Street Eatz 2019 program highlights, delivered in partnership with the Melbourne Street Eatz included:

- Kids Stage Entertainment featuring local singers and performers such Tigs Macallan, Andre Mini show, KADS Dance Studio, SLAMS Musical Theatre and Magic Show.
- Roving Performers including uni-cycler and clown performer.
- Free Kids Activities including face painting and kids activities presented by the Eastern Regional Libraries.
- Free Outdoor Cinema featuring “Dumbo” (2019, PG Rating) and free popcorn.
- Delicious snow cones and fairy floss available for purchase along with Melbourne Street Eatz Food and bars vendors.
- Family friendly giant outdoor games and live entertainment.

Considerations

- Whilst this event was a successful partnership for the introductory year, it was a challenging model to operate alongside a small business with financial objectives and entry fees.

- There was some public confusion as the event was perceived as a Council run event, which would be typified now by free entry.
- The preferred model is to move this event through the Community Event Support services, rather than as a partnership - meaning Council's role would simply be to support the safe, compliant and engaging delivery of the event.
- A commercial site fee under the new Local Law 2020 would apply to this event should it run again in Knox.

2.3.3 Carols by Candlelight 2019

| | 2019 Event | 2018 Event comparison |
|--|---|---|
| When | Saturday 7 December 4.00 pm to 10.00 pm | Saturday 1 December 4.00 pm - 10.00 pm |
| Where | Wally Tew Reserve, Ferntree Gully | Wally Tew Reserve, Ferntree Gully |
| Attendees | 21,000 | 17,000 |
| Program Focus | Pre-Show: Knox Factor Grand Final and local performers Main Show: Professional band and choir supported by headline performers and Knox Factor winner. | Pre-Show: Knox Factor grand-final, dance fusion local dance schools production, local performers; Main Show: Winner Knox Factor, headline artist, quality local acts and orchestra |
| Nett Cost of Event (not including staff) | \$179,730 (increased costs due to new risk and safety measures) | \$171,729 |
| No. of Volunteers and Event Students | 33 | 6 |

The Carols by Candlelight 2019 program highlights included:

Free Family Activities 4.00 pm – 8.00 pm

- Melbourne Stars Play Cricket Zone
- Jumping Castle
- Christmas Craft Activities

Pre-Show Entertainment 5.30 pm to 7.30 pm

- The Chime Choir
- Shanty Town
- Knox Factor Grand Final
- Dance Fusion

Main Carols Concert 8.00 pm – 10.00 pm

- Address by Mayor of Knox
- Welcome to Country with Wurundjeri Elder
- Craig Irvine, Master of Ceremony (MC)
- Karen Knowles, Principle Artist

- Tenori, Principle Artist
- Director of Music, Lieutenant David Coit leading The Royal Australian Navy Band - Melbourne
- Tracey Kennedy, vocalists for The Royal Australian Navy Band – Melbourne
- Urban Praise, Gospel Choir
- Knox Factor 2018 winner, Renee Taggart
- Christmas message by Father Jim Acreman
- Paper Moon performances including special guests: Santa and his mischievous elves
- Fireworks

Considerations

- Event industry regulations relating to the “Crowded Places” safety regulations and laws, saw an increased need for overhead signage, opening-up of contained fencing sections, increased lighting and improved site safety processes and assessments. Whilst these initiatives increased costs of the event, it was imperative that Council met industry standards, particularly given the scale and complex site build for Knox Carols.
- The role of Music Director has been undertaken for nearly a decade by Peter Grant, OAM. There has been interest from local musical directors in this role. An EOI process may be warranted and this would be a recommendation for the 2021/2022 season, as program planning has already commenced with Peter Grant at this stage for the 2020 Carols event.
- The style of Carols this year was more traditional than in previous years, and the feedback from the community was a preference to return to more “sing-a-long carols” in future. This will be taken into consideration in the 2020 program.
- The site relocation to the main oval at Wally Tew Reserve was a positive change, as the grass quality is better, the access is better, the fencing removable enabling the opening up of the rear end of the grounds for improved food truck layout. There was ideal proximity to the new change rooms as the back of house amenity for performers, reducing the costs of hiring back of house 12 x 12 m marquees and portable toilets.
- Fundraising opportunities at Carols has been addressed in a separate report to be presented to Council.
- Knox Factor Grand Finals continues to be well received as part of the pre-show entertainment at Carols. This program will feature some key improvements to registration, auditions and heats, and will feature increased mentoring of performers prior the grand final performance. A combined Carols song is also considered an important inclusion into the 2020 program, to ensure a synergy between this competition and the Christmas themes.
- Due to competing Carols events on the first weekend of December (Maroondah Carols), this year's Knox Carols by Candlelight will be more suitable for delivery on the second Saturday in December, Saturday 12 December 2020.

- Sponsorship for Carols continues to be solely reliant upon an existing arrangement with Biggin and Scott Knox Real Estate to the value of \$10,000. Further sponsorship for this event will be considered with the adoption of a new centralised sponsorship model.

2.3.4 Wonders of the Arboretum (New Pop-Up Event)

| | |
|---------------|---|
| When | Sunday 16 February 2020, 12.00 pm to 3.00 pm |
| Where | Tim Neville Arboretum, Dorset Road Ferntree Gully |
| Attendees | 3,500 |
| Program Focus | Expect the Unexpected |
| Budget | \$12,148 |

Wonders of the Arboretum 2020 program highlights included:

- Amphitheatre Stage Entertainment featuring local artists and performers, local dance group, local theatre group, comedy and magic show.
- Roving performers including Stilt Walkers, The Garden Gnomes, One-Man Band and Becky's Giant Bubbles.
- Free Kids activities including face painting, storytelling, caricatures and amazing chalk art.
- Live busking entertainment with Knox Factor Winner – James Cormack Brown.
- A delicious range of food options for all ages and tastes including sweet and savories, pizza, twisted potato and sausage sizzle supplied by the 4th Knox Scout group.
- Giant outdoor games hosted by the Boronia Scouts.

Considerations

This event was received positively by the Knox community, who expressed high levels of interest in the event becoming an annual offering. At this stage, offering the event annually is not viable due to limited budget and staffing resources, along with Councils commitment to offer pop-up events in all wards of Knox over a four-year period, as detailed in Attachment 2 – Festivals and Events Action Plan.

2.3.5 Knox Festival 2020

| | 2020 Event | 2019 Event Comparison |
|---------------|--|--|
| When | Saturday 29 February 10.00 am – 9.00 pm Sunday 1 March 10.00 am – 5.00 pm | Saturday 2 March 10.00 am - 8.00 pm Sunday 3 March 10.00 am – 5.00 pm |
| Where | Wally Tew Reserve, FTG | Wally Tew Reserve, FTG |
| Attendees | 20,000 | 11,000 (heat wave reduced patronage) |
| Program Focus | Celebrating Community Life in Knox | Celebrating Diversity and Community Life in Knox |

| | 2020 Event | 2019 Event Comparison |
|---|---|-----------------------|
| Nett Cost of Event (not including staff) | \$186,324 (increased costs due to new risk and safety measures) | \$156,055 |
| Number of Volunteers and Event Students | 28 | 14 |

Knox Festival 2020 Program highlights, delivered in partnership with the Knox community included:

- Food Court with Festival favorites and healthy options, complimented by an electric program on the Canopy stage with twenty of the best up and coming soloists, duos and bands.
- Global Kitchen where patrons were taken on a global culinary adventure with twelve of the best cooks from our local multicultural groups.
- The Kids Hub, including the fun filled Kids Stage which featured eighteen performances including kids dance, vocal and music groups.
- Kids Cooking and Composting educated little master chefs on how to prepare the healthy kind of food and reduce food waste by putting their scraps to work.
- Come and Try space featuring fun sporting inflatables and hosted by thirty-one of our local netball, cricket, tennis and football clubs over the weekend.
- Basketball Half Court featuring 3 x 3 comps, shoot outs, giveaways and player appearances presented in partnership with Deakin Melbourne Boomers and MSF Sports.
- Community Sites connecting festival patrons with a wide range of Knox community groups and clubs, provided a chance to get to know fellow community members.
- Arts play offered in the Ferntree Gully Community Arts Centre, along with amazing “Oceanic” masterpieces on display created by our local primary and secondary school students.
- Eastern Regional Libraries hosted a range of free activities at the Ferntree Gully Library including Fort Nite and the STEAM Program.
- The Sustainability Hub came to Knox Festival for the first year ever, presenting a series of educational and creative workshops on sustainability topics for adults and kids.
- The Youth Hub, presented in partnership with the Knox Events Crew featured bungee fun, VR and AR experiments, tie dye workshops and a dunk tank challenge. This new Youth Hub was a highlight of the festival for young people, and enabled a strong partnership with the Youth Events Crew. Please refer to Attachment 5 – Youth Events Crew Feedback.
- Saturday Evening Program from 5:00 pm to 9.00 pm, patrons were invited to stay on for dinner, music, amusements and to watch the sun set over the Canopy Stage, a feature enjoyed by approximately 4,000 people.

Considerations

- Event industry regulations relating to the “Crowded Places” safety regulations and laws, saw an increased need for improved signage, opening-up of contained fencing sections, increased lighting and improved site safety processes and assessments. Whilst these

initiatives increased costs of the event, it was imperative that Council met the industry standards, particularly given the scale and complex site build for Knox Festival.

- The biannual CFA Torchlight Parade was due to take place this year, but with Knox CFA volunteers still supporting fire-affected areas across Victoria, the CFA made the difficult decision to not proceed with the CFA Torchlight parade at this year’s Knox Festival. Council similarly chose to cancel the Saturday night fireworks display, in support of fire safety and reduce any further potential pressures on CFA personnel and resources at this time. The aim would be to deliver both the parade and fireworks as part of the 2021 event.
- Knox Festival stallholders and patrons were invited to provide feedback relating to the Knox Festival experience, programming, access and future improvements. Please refer to Attachment 6 and 7 – Knox Festival Patron and Stallholder Survey Reports.
- A theme emerging from the survey feedback was that some support exists for Knox Festival to move to a one-day event, a single day particularly by stallholders who note that participation is more viable for community groups who are fully resourced by volunteers, and they anticipate their outcomes to be the same on one day vs two days. This possibility will continue to be explored following the success of reformatting Stringybark to a one-day festival, with the 2021 event seeking further feedback from patrons and stallholders to consider this option in future.
- The site improvements to Wally Tew including new accessible footpaths, the changing places amenity and the opening up of the oval fencing provided significant improvements to site layout, patron egress through the site and public amenity, which will be retained for the 2021 event.
- Sponsorship for Knox Festival continues to be solely reliant upon an existing arrangement with Biggin and Scott Knox Real Estate to the value of \$10,000. Further sponsorship for this event will be only viable with the adoption of a new centralised sponsorship model, with EFT allowances currently sitting within Communications and Marketing for this role.

2.3.6 Easter Fun Festival 2020 - Virtual Event (Easter Fun Day cancelled due COVID19)

| | |
|---|--|
| When | Friday 3 April – Monday 6 April 2020 |
| Where | Knox Arts & Events Facebook |
| Attendees | 682 Facebook Event Attendees |
| Program Focus | Interactive Easter workshops and programs available online for adults and kids |
| Net Cost of Event (not including staff) | \$2,350 |

Due to the cancellation of the Easter Fun Day, the event and its program were reimagined and delivered as the first ever “Knox Events Go Virtual” event. The Easter Fun Festival took place over the Easter weekend using the Knox Arts & Events Facebook page as the main platform, and featured the following program highlights:

- Hot Cross Bun Cooking Demonstration (live stream)
- Interactive Fairy Storytelling Sessions (live stream)
- Easter Basket Making Workshop (recorded video)
- Easter Egg Blowing and Decorating Workshop (recorded video)

This online event saw excellent online engagement with the Facebook event reaching 12,000 people and attracting 682 respondents. It was a great insight into the possibility of delivering other events in a digital format, with large-scale public events under government restrictions for the near future.

Considerations

This event was received positively by the Knox community in 2019, and there was high anticipation for its delivery at Millers in 2020. The community are clearly enthusiastic for this event to be an annual offering. At this stage, offering the event annually is not viable due to limited budget and staffing resources, along with Councils commitment to offer pop-up events in all wards of Knox over a four-year period, as detailed in Attachment 2 – Festivals and Events Action Plan.

2.3.8 Pets in the Park 2020 – Cancelled Due to COVID-19

The 2018-2019 Council recommendation was to explore options for either moving the Pets in the Park event in-house, to be delivered by the Festivals and Events Team, after reviewing the contracts and delivery of the 2019 event under the existing contract with Fruit Bowl Productions, managed through Community Laws.

Arts and Cultural Services provided a comprehensive review of all contract documentation to ensure best practice in event management, local program deliverables and compliance.

Due to COVID-19 and the Federal and State Government restrictions implemented for public events and gatherings, the decision was made to cancel the March 2020 event.

Considerations

- In order to ensure this 2020/21 event operates alongside best practice in event management, a higher level of involvement by Council's Festivals and Events Team will enable a thorough review of event contracts, planning processes, programming, compliance, local engagement, communication campaign strategies and evaluation measures.
- The preferred model, would see the Festivals and Events team lead the review of the 2020/21 contracted event, and the Community Laws team move from being the event management liaison point, to being an actively engaged stakeholder and client, with primary influence over event themes, programs and Council stallholder presence at the event. This would provide a more suitable skills fit for the review and delivery of Pets in the Park from 2020, and for within the overall event service model.
- Attachment 2 recommends that Arts and Cultural Services are the lead unit for the review of the contracted Pets in the Park 2020/21 event, with results and future service model recommendations reported to Council in the annual Festivals and Events Report next year.

2.3.9 Community Event Support Services

As part of the new service development for community event support, a Community Events Officer was appointed in August 2019. Along with building the new Pop-Up Events portfolio, the priority for this role included supporting new community events in Knox and creating partnerships with existing Community and Civic Events.

A summary of the service developments in 2019-2020 for this portfolio is as follows:

- A new centralised support service was designed in 2019-2020 and offered the first phase of implementation following consultation with internal stakeholders including Customer Service, Community Laws, Building and Planning, Leisure Services and Parks Services.
- As part of this service, a total of 38 community event enquiries were received and assisted and a total of 16 community events took place with Council approval.
- A refreshed Events Guide and template event management documentation was made available to community and commercial event organisers in Knox. Draft content is finalised for the Community Events Info Hub to go live on the Council website in June 2020.
- Contributed to the draft Local Law 2020 which included a new Event Permit, along with adding definitions for both Busking and Events to the Local Law, empowering Council to hold event organisers accountable to event safety regulations and compliance requirements.
- In the early stages of identifying “event ready sites” through the introduction of the Pop-Up Events, which saw venues such as Lewis Park and Tim Neville Arboretum activated for the first time.
- Free community workshops on planning events are now taking place annually as part of the Community Training Program. Individual organisations or events have also been provided with additional training when requested, including the Ferntree Gully Rotary Club.
- The development of event partnerships with key community events commenced, including The Basin Music Festival and Ferntree Gully Village Fair. Initial introductions, assessments and training took place to prepare the events for the implementation of the new Event Permit.
- The Community Development Fund conditions were assessed and revised to include a condition ensuring all successful applications holding public events, are obliged to contact Council and receive approval from the Events Team before accessing the funds, thereby ensuring any event with Council support has been assessed to be safe and compliant.
- As part of the central support service, promotional support was given to community run events through the Knox Arts & Events Facebook page, along with general local marketing advice.
- Event support was also given to other Civic events ran by non-event units, these events included Diversity Week, 257 Dorset Road Community Consultation and Pets in the Park.
- Support and advice were provided to Communications regarding filming and photography activities taking place on Council land.

Considerations

With the introduction of the 2020 Local Law, inclusive of an event permit and filming permit, all event registrations will become moderated through a more formal process involving permit applications, assessment, training, support and compliance approvals process.

2.3.10 Pop-Up Events Trailer – New Capital Works Initiative

A budget of \$20,000 was approved in the 2019-2020 budget for the purchase of a Pop-Up Events Trailer. The Trailer includes a range of key event programming and infrastructure related equipment and will be available for use by the community and other Council departments. Some of the equipment purchased includes:

- Branded Knox Arts and Events Marquee, weights, sandbags and decorative bunting.
- Branded Teardrop Banner with stands, a-frame signage and core flute printed signs.
- Folded Trestle Tables and Colourful Stools.
- Giant Games including Skittles, Cornhole, Quits, Hookey, Checkers, Croquet, Badminton, Connect 4 and Jenga.
- Portable Battery-Operated PA System.
- Toolbox, first aid kit, fire extinguishers, traffic bollards and weighted sandbags.

Considerations

COVID-19 restrictions and regulations meant that the specialist trailer supplier was forced to close in March 2019, delaying the order of the custom built and branded trailer. The Trailer will be purchased as soon as regulations are lifted, to provide much needed storage and transport for the pop-up event gear.

2.4 Stakeholder Engagement and Partnerships

An ongoing focus for the 2019-2020 event season was to increase community engagement and program partnerships with local organisations, thereby supporting a program relevant to the Knox community. The Festivals and Events program continues to expand its network of local suppliers, artists and facilitators and increasing the level of Council and community collaboration.

The benefits for this approach include:

- Festivals and event programming is a true reflection of the diverse community that makes up the City of Knox and appeals to a range of diverse audiences and their interests.
- Provides professional working opportunities or experiences for Knox residents.
- Supports local organisations interested in delivering projects whilst providing an opportunity be involved in a large-scale community event.
- Develops meaningful relationships with local organisations, many of whom can positively contribute to the festivals and events program.
- Provides an opportunity for the community to engage with Council in a positive and contributory way.

2.4.1 Program Partnership Highlights 2019-2020:

- Local organisations were consulted and involved in Stringybark Festival programming, including the Kids Cooking activity delivered by the Rowville Community Kitchen and Floral Art workshops by the Neighbourhood Learning Centre.
- A range of new and returning multicultural groups joined the program of festivals and events including stage performances, cooking presentations and stallholders.

- Events Team collaborated closely with the Youth Events Crew to improve the “Youth Hub” at Knox Festival, this included the introduction of new concepts to help support the crew's contribution to the space and educate on paths into Event Management (Attachment 5).
- New program established with SEDA College, to offer sporting inflatables at Knox Carols hosted by the local cricket organisation, Ferntree Gully Cricket Club to build a better relationship with the club and promote their programs.
- Following the success of SEDA Inflatables at Carols, Knox Leisure Services and the Events Team overhauled the Come and Try space at Knox Festival, utilising the interactive sporting inflatables to improve engagement for local clubs, and attracting 31 Knox sporting organisations to the event, the biggest number yet.
- Following the review of the Primary School Banner Competition, an amendment was made to the project's timeline, making it available both in Term 4 and Term 1 prior to the festival. This decision led to 16 schools participating, four more than last year. The theme to the competition was “Ocean Mysteries”.
- The “Ocean Mysteries” concept was carried through to the Secondary School Art Project with five local secondary schools participating, and talented artist facilitator hosting lantern making workshops, and installing the finalised artworks at the event.
- An overwhelming number of community volunteers were involved at Knox Carols by Candlelight 2019 including 16 St Joseph’s College students who volunteered to hand out songbooks and participate in the annual Candle Lighting Ceremony.
- Ongoing support from ERL at both Pop-Up and major events inspired a more meaningful collaboration with ERL on Knox Festival 2020. Through early consultation and communication, ERL was able to develop a program in line with the festival theme and contribute ideas to improve the event.
- Knox Events Team partnered with City Futures to deliver the Knox Sustainability Festival as part of Knox Festival. The Sustainability Hub offered a program for kids and adults and featured a workshop co-hosted with KES Indigenous Nursey, driving over 100 people to visit the nursery over the festival weekend.
- The program partnership with Stud Park Shopping Centre took place for a third year as part of Stringybark Festival, with excellent levels of community engagement for the centre (Attachment 4).
- The first ever DIY Stage came to Stringybark 2019, featuring an interactive program presented by some of the best environmental and sustainability focused organisations and community groups.
- The fifth season of the Knox Factor saw the highest number of applicants since the program's inception and increasingly professional local talent involved.
- Holmesglen Institute Event Management Students enjoyed a more professional and organised placement experience through a range of event support roles at both Stringybark and Knox Festival.

- Half-court basketball activations featured at both Stringybark Festival and Knox Festival, hosted by the Deakin Melbourne Boomers and Knox Allstars and supported by MSF Sports.
- Knox Events Team partnered with the Access and Equity team to continue to improve the accessibility at events, including:
 - Updated Access Keys, providing detailed sensory information.
 - Improved accessible parking and pathways, creating a more seamless and safe experience.
 - Event Info Hub & Accessibility Hotline, making information ready and available.
 - Dedicated Access Support Crew at Carols, assisting patrons from the carpark to audience area.
 - Chill out space and accessible amenities including the new Changing Places facility at Wally Tew Reserve.

2.4.2 Summary of Total Stakeholder Engagement for 2019-2020 Festivals and Events Season

| Category | Description | 2018-2019 | 2019-2020 |
|-----------------------------|--|-----------------|------------------|
| Community Groups | Includes community groups, sporting clubs and special interest groups, not for profit organisations, churches and emergency services | 94 groups | 104 groups |
| Cultural Groups | Multicultural groups from a variety of backgrounds including Chinese, Greek, African, Maori, Italian and Polish participated in the program as performers, stallholders, food stalls and market sites. | 23 groups | 27 groups |
| Market Stallholders/ Makers | This includes commercial stallholders selling or promoting goods and services and hobbyists and craftspeople selling or promoting goods | 91 stallholders | 116 stallholders |
| Schools | This includes Primary and Secondary Schools, Kindergarten and Early Learning Centres, Tertiary Institutions and other learning centres | 28 schools | 37 schools |
| Food Vendors | This includes stallholders selling food made or prepared at the event, or to be consumed at the event | 40 vendors | 51 vendors |
| Internal partners | Various units supporting the planning and delivery of events | 12 units | 16 units |
| Sponsors | Commercial Sponsors (financial) | 1 sponsors | 1 sponsor |
| Suppliers | Engaged to provide service on site, equipment hire, materials | 61 suppliers | 95 suppliers |
| Universities | Student mentoring program with Holmesglen students | 21 students | 36 students |

| | | | |
|---------|---|------------|-------------|
| Artists | Performers, visual artists, workshop facilitators and programmers | 96 artists | 118 artists |
|---------|---|------------|-------------|

2.5 Communications and Marketing

In close partnership with the Communications Department, a specific brand and marketing campaign was designed for each of the events and programs that took place as part of the 2019-2020 season.

Digital and social media continues to grow and has become an increasingly bigger part of the overall marketing campaign. Community consultation confirmed that social media is still the most effective method of reaching our target audience, followed by word of mouth and roadside signage.

A full overview of the individual campaigns their social media engagement across the Festivals and Events program is outlined in Attachment 3. The appointment of the Digital Media and Administration Officer meant the digital and social media activity across all campaigns were designed strategically and with excellent online engagement.

Some key highlights from the campaigns included:

- Marketing campaigns designed for the three major festivals were well executed, reaching target audience numbers.
- Social media posts across the campaigns attracted excellent reach, with some posts reaching up to 10,000, the average reach on Knox City Council Facebook is 6,000.
- Pop-Up Events can be marketed predominantly on social media, with no need for print or roadside advertising. These campaigns need continued development to reach the much smaller target audiences.
- First virtual event was delivered successfully with great online engagement and feedback from the community, with an appetite for virtual programs given the current COVID-19 restrictions
- There was great public relations support in the lead up to Knox Festival with the cancellation of the CFA Torchlight Parade and planned fireworks. Some PR opportunities are available across the program including the Knox Factor competition and Knox Carols.

Please refer to Attachment 5 – Communications and Marketing Report – Events 2019-2020.

3. CONSULTATION

Community consultation took place to gather feedback on the Knox Festival 2020 to help future planning and identify potential improvements to both the major festivals and events and Pop-Up Events portfolio.

The following consultation activities took place, including:

- Festival and Event attendees (direct surveys).
- Festival and Event stallholders (online surveys).

The results of these activities are outlined in Attachments 6 and 7, which has been used as part of event debriefing and evaluation, along with forward planning for the 2020-2021 season.

4. ENVIRONMENTAL / AMENITY ISSUES

The Festivals and Events team worked with the Operations Manager to implement changes designed to improve sustainability practices at major festivals and events including the introduction of three stream waste, updated stallholder requirements and reduction in use of single use water bottles.

There has also been increased collaboration with the Parks Services team to prepare and protect the public spaces that host Council events.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The Festivals and Events are delivered according to their individual annual budgets. At this time, the only income is generated by stallholder fees and a single sponsorship arrangement.

6. SOCIAL IMPLICATIONS

Festivals and Events are much loved by the community and a critical opportunity to bring the community together and provide opportunities to be involved and connect. The underlying theme to Knox Festival and all events that make up the program is to celebrate community life in Knox.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 4 - We are safe and secure

Strategy 4.2 - Enhance community connectedness opportunities to improve perceptions of safety

Goal 6 - We are healthy, happy and well

Strategy 6.2 - Support the community to enable positive physical and mental health

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.2 - Celebrate our diverse community

Strategy 7.3 - Strengthen community connections

Strategy 7.4 - Promote and celebrate the contribution of our volunteers

Goal 8 - We have confidence in decision making

Strategy 8.2 - Enable the community to participate in a wide range of engagement activities

8. CONFLICT OF INTEREST

Under Section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Team Leader, Ellen Ramsay – In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director Community Services, Tanya Scicluna – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The 2019/2020 Festivals and Events program achieved a range of excellent outcomes for Council, providing opportunities for the community to participate and engage with one another, enjoy a diverse range of programs celebrating all those who make up Knox and creating positive experiences with Council. The program is attracting increasing numbers of attendees and diversifying its audience through the new Pop-Up Events portfolio and improved stakeholder relationships.

The Festivals Improvement Plan 2019-2022 has successfully been implemented for the second year and will continue to guide the future of the Festivals and Events program including major festivals and events, Pop-Up Events and the continued support for community run events.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Team Leader Festivals and Events, Ellen Ramsay

Report Authorised By: Director Community Services, Tanya Scicluna

Attachments

1. Attachment 1 - Festivals Improvement Plan - Festivals and Events Report 2019-20 [9.3.1 - 6 pages]
2. Attachment 2 - Festivals and Events Action Plan - Festivals and Events Report 2019-20 [9.3.2 - 2 pages]
3. Attachment 3 - Marketing Report [9.3.3 - 12 pages]
4. Attachment 4 - Stud Park Feedback [9.3.4 - 1 page]
5. Attachment 5 - Youth Events Crew Feedback [9.3.5 - 1 page]
6. Attachment 6 - Patron Feedback [9.3.6 - 10 pages]
7. Attachment 7 - Stallholder Feedback [9.3.7 - 8 pages]

Attachments 9.3.1 - 9.3.7 are available as a separate file

9.4 Leisure Minor Capital Works Grant Scheme 2020-21

SUMMARY: Coordinator Leisure Services, Bronwyn Commandeur

This report presents the recommendations of the Leisure Minor Capital Works Grant Scheme (LMCWGS) Committee to Council for funding. The annual LMCWGS supports community sporting and leisure organisations to undertake facility improvements on land owned or managed by Council.

RECOMMENDATION

That Council:

- 1. Approves a funding allocation of \$59,483.18 (excluding GST) from the 2020-2021 Leisure Minor Capital Works Grants; and**
- 2. Award the 2020-21 Leisure Minor Capital Works Grants as set out in Attachment 1, subject to the additional grant conditions in Attachment 2 where applicable.**

1. INTRODUCTION

The Leisure Minor Capital Works Grant Scheme (the Scheme) is an annually funded program that enables Council to financially assist community sporting and leisure organisations to undertake facility improvement projects on Council's recreation reserves, which they tenant.

The Leisure Minor Capital Works Grant Scheme Policy (the Policy) directs the type and level of financial contribution that Council will provide to community sporting and leisure organisations for improvements on Council's reserves.

The Policy enables organisations to apply for a contribution from Council of 50% of the total project cost. The maximum grant that Council will award under the Policy is \$10,000.

Applications submitted to the Scheme are assessed by the Leisure Minor Capital Works Grant Scheme Committee (the Committee). The Committee for 2020-2021 consisted of Councillor Marcia Timmers-Leitch, Councillor Tony Holland and community representative Faizan Lalani, a nominee of the Recreation and Leisure Committee. Following assessment by the Committee, projects recommended to receive a grant are presented to Council for consideration and approval.

2. DISCUSSION

2.1 Applications

Requests for applications from the community for the 2020-2021 Leisure Minor Capital Works Grant Scheme opened on 3 February 2020, with applications closing on 13 May 2020. An extensive campaign to advertise the Scheme was conducted reaching groups in all Council wards within the Knox municipality. All applicants were required to use the Smarty Grants online grant management system to submit their applications.

2.2 Assessment

A total of nine applications were received and were assessed by the Committee. The criteria applied to the applications as described in the Policy comprises:

| | |
|---|-----|
| The application clearly demonstrates the need for the project and the level of benefit to the community. | 30% |
| The application demonstrates alignment with Council's strategic priorities. | 30% |
| The project addresses a risk or safety issue. | 10% |
| The degree to which the applicant can demonstrate clear financial need. | 10% |
| The degree to which the applicant has provided the required project documentation and can demonstrate the ability to deliver the project. | 20% |

Table 1 – Assessment Criteria Breakdown

Following the assessment process, the Committee recommends funding all nine of the applications from the Leisure Minor Capital Works Grant Scheme budget.

All projects meet the current Sporting Reserve and Facility Development Guidelines (SRFDG) in line with the requirements of the Policy.

The projects recommended by the Committee to receive a Leisure Minor Capital Works Grant in 2020-2021 are detailed in Attachment 1.

2.3 Conditions

Conditions have been developed for eight of the applications to clarify project requirements that fall above and beyond the conditions of funding outlined within the LMCWGS Policy, including appropriate building, planning and environmental health permits, where applicable. These conditions are noted in Attachment 2.

2.4 Application by Sport

A wide range of activities were represented in the applications for the 2020-21 Scheme.

A breakdown of the types of activities represented within the submitted applications is set out below:

| Sport | Number of Applications |
|--------------|------------------------|
| AFL | 1 |
| Athletics | 1 |
| Cricket | 2 |
| Soccer | 1 |
| Tennis | 2 |
| Leisure | 2 |
| Total | 9 |

Table 2 – Applications by Type

An even spread was represented within applications of age ranges and genders participating in sport and leisure. Projects also supported different age cohorts in the community and were spread throughout the municipality. A breakdown of the number of applications received per Ward is outlined in Attachment 3.

2.5 Completion of the 2019-200 Leisure Minor Capital Works Grant Scheme

A total of 19 LMCWGS projects were supported throughout 2019-2020, including three projects carried over from 2018-2019 and one project from 2017-2018. Of these projects, 16 have been completed, with extensions requested by three clubs for completion of works in early 2020-2021.

2.6 Grant Scheme Evaluation

Grant recipients are required to provide an evaluation of the Scheme upon completion of the project. This evaluation outlines the level of importance and satisfaction rating by recipients of a grant. As shown in Table 3, 100% of clubs are extremely or very satisfied with the Scheme and 100% believe it to be extremely or very important.

| Satisfaction Rating | | Importance Rating | |
|-----------------------------|-----|---------------------|-----|
| Extremely Satisfied | 50% | Extremely Important | 82% |
| Very Satisfied | 50% | Very Important | 18% |
| Satisfied | 0% | Important | 0% |
| Opportunity for Improvement | 0% | Limited Importance | 0% |
| Not Satisfied | 0% | Not Important | 0% |

Table 3 – Grant Scheme Evaluation Summary

Successful clubs also provided written feedback, which showed that recipients highly value the support Council provides through these grants and that the Scheme is vital in assisting clubs to carry out minor improvements that may otherwise not have occurred.

3. CONSULTATION

All leisure and sporting clubs and organisations within Knox were advised of the 2020-21 Scheme through an awareness campaign over the period of 4 February to 13 March 2020. This included direct emails to all sporting and leisure clubs on the Leisure Services database and targeted emails to groups on Council's leases and licences database, inclusion in the fortnightly Leisure Newsletter and information on Council's website and social media pages. Advertisements were posted in the Knox Leader and the program was discussed at the Knox Community Grants Seminars conducted by the Community Wellbeing Department.

4. ENVIRONMENTAL / AMENITY ISSUES

The provision of the Leisure Minor Capital Works Grants allows local leisure and sporting clubs as tenants of Council's sporting reserves and leisure facilities to apply for a grant(s) to improve and/or address amenity issues at Council's facilities.

5. FINANCIAL & ECONOMIC IMPLICATIONS

The Committee recommends that grants totalling \$59,483.18 (ex GST) be awarded to local sporting and leisure organisations. This amount, along with a contingency provision of \$40,516.82 (ex GST) is provided within Councils LMCWGS 2020-21 budget of \$100,000 (ex GST).

6. SOCIAL IMPLICATIONS

The LMCWGS assists the local community to develop and improve facilities to participate in leisure and sporting pursuits. This contributes to the development of the social environment and health and wellbeing within Knox by developing community connections and facilitating and promoting active lifestyles.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 4 - We are safe and secure

Strategy 4.3 - Maintain and manage the safety of the natural and built environment

Goal 6 - We are healthy, happy and well

Strategy 6.2 - Support the community to enable positive physical and mental health

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.3 - Strengthen community connections

8. CONFLICT OF INTEREST

Under Section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Coordinator Leisure Services, Bronwyn Commandeur – In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Acting Manager Youth, Leisure and Cultural Services, Nicole Columbine – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The LMCWGS is an important resource to assist Council's role in encouraging community participation in the development of leisure and sporting activities in partnership with Knox City Council.

The projects recommended for funding in 2020-21 represent a range of leisure and sporting activities in Knox and will support a diverse cross-section of the Knox community.

Successful applicants are required to sign project specific service agreements and will be committed to the provision of relevant project reporting and acquittal forms.

10. CONFIDENTIALITY

There are no items of a confidential nature in this report.

Report Prepared By: Coordinator Leisure Services, Bronwyn Commandeur

Report Authorised By: Director Community Services, Tanya Scicluna

Attachments

1. Attachment 1 LMCWGS 2020 21 Applications [9.4.1 - 1 page]
2. Attachment 2 LMCWGS 2020 21 Grant conditions [9.4.2 - 1 page]
3. Attachment 3 LMCWGS 2020 21 Applications by Ward [9.4.3 - 1 page]

Attachment 1 - Leisure Minor Capital Works Grant Scheme 2020-21

| Organisation Name | Project Title | Facility/Reserve Name | Total Project Cost Inc GST | Total Grant Amount Requested Inc GST | Total Grant Amount Requested Ex GST |
|-------------------------------------|--|--|-----------------------------------|---|--|
| Wantirna South Cricket Club Inc | Synthetic carpet replacement | Lewis Park No 2 (South Wicket) | \$4,200.00 | \$2,100.00 | |
| Eildon Park Tennis Club | Bike Racks | Eildon Park Tennis Club | \$1,913.00 | \$956.50 | |
| Boronia Cricket Club | Tormore Social Rooms Airconditioning Upgrade | Tormore Reserve Social Rooms | \$21,798.00 | \$10,000.00 | |
| Knox Obedience Dog Club Inc. | Disabled toilet facilities | Knox Park | \$39,720.00 | \$10,000.00 | |
| Rowville Football Club | Seebeck Social Room Floor Replacement | Rowville Recreation Reserve | \$24,618.00 | \$10,000.00 | |
| Woodworkers Club Inc. (KDWC) | KDWC Solar Savings 2020 | Placemakers | \$24,237.00 | \$10,000.00 | |
| Ferntree Gully Tennis Club | Court Line Replacement | FerntreeGully Tennis Club Glenfern Reserve | \$4,950.00 | \$2,475.00 | |
| Board of Management Inc. | Junior High Jump Storage Shed Modification | Knox Park Athletic Track | \$19,800.00 | \$9,900.00 | |
| Cultural & Sporting Association Inc | Training Ground Light | Park Ridge Reserve | \$33,964.00 | \$10,000.00 | |
| Total | | | \$175,200.00 | \$65,431.50 | \$59,483.18 |
| Budget 2020-21 | | | | | \$100,000.00 |
| Contingency | | | | | \$40,516.82 |

Attachment 2 - Leisure Minor Capital Works Grant Scheme - Grant Conditions.

| Organisation Name | Project Title | Condition |
|--|---|--|
| Eildon Park Tennis Club | Bike Racks | Additional project documentation has been requested. Final inspection required upon completion. |
| Boronia Cricket Club | Tormore Social Rooms Airconditioning Upgrade | Additional project documentation has been requested. Final inspection required upon completion. |
| Knox Obedience Dog Club Inc. | Disabled toilet facilities | Building permit and final inspection required. |
| Rowville Football Club | Seebeck Social Room Floor Replacement | Additional project documentation has been requested. Final inspection required upon completion. |
| Knox and District Woodworkers Club Inc. (KDWC) | KDWC Solar Savings 2020 | Structural assessment of the PV system required before installation. Final inspection is required. |
| Ferntree Gully Tennis Club | Court Line Replacement | Final inspection required |
| Athletics Knox Board of Management Inc. | Junior High Jump Storage Shed Modification | Building permit and final inspection required. |
| Rowville Eagles Cultural & Sporting Association Inc | Training Ground Light | Lighting audit report required to ensure spillage does not compromise the main pitch. Final inspection required. |

Attachment 3 LMCWGS 2020-21 Applicants by Ward

A breakdown of the number of applications received per Ward is set out below:

| Ward | Number |
|-------------|---------------|
| Baird | 1 |
| Chandler | 0 |
| Collier | 0 |
| Dinsdale | 0 |
| Dobson | 2 |
| Friberg | 2 |
| Scott | 1 |
| Taylor | 2 |
| Tirhatuan | 1 |

9.5 Knox Disability Advisory Committee Membership Recruitment and Annual Report

SUMMARY: Municipal Disability Leadership Team Leader, Alison Treeby

The Knox Disability Advisory Committee provides advice to promote disability awareness within Council and the wider community and assists Council in the development of policy and planning about issues of access and inclusion.

During April to June 2020, an Expression of Interest and recruitment process was conducted for new Committee members to fill eight vacancies. This report seeks approval for the appointment of seven new Committee members for a two-year term from July 2020 to July 2022.

This report also provides an overview of the Committee’s achievements from December 2018 to June 2020.

RECOMMENDATION

That Council:

- 1. Appoint the following applicants to the Knox Disability Advisory Committee for the period July 2020 to July 2022 as presented in Confidential Attachment 2;**

| Name | Category |
|-------------|--|
| 1. | Community Representative |
| 2. | Community Representative |
| 3. | Community Representative |
| 4. | Community Representative |
| 5. | Community Representative |
| 6. | Community Representative |
| 7. | Service Provider/Industry Representative |

- 2. Note the achievements of the Committee over the past 18 months.**
- 3. Thank the following outgoing Committee members for their valuable contribution:**
 - **Leanne Watson – Community Representative;**
 - **Elizabeth Curran – Community Representative; and**
 - **Caterina Kasiaras – Service Provider Representative.**

1. INTRODUCTION

The Knox Disability Advisory Committee (KDAC) was established in 1999. The primary function of KDAC is to advise Council on strategic issues regarding Knox residents with disabilities and their carers. The Committee also has a role to monitor and provide advice on the implementation of specific actions and activities related to people with a disability, families and carers as articulated in the Knox Community Access and Equity Implementation Plan 2017-2021 and the Municipal Disability Leadership Plan 2020-2022, and includes advocacy and ensuring services and programs are accessible and inclusive for people with a disability in Knox.

The Advisory Committee also facilitates stakeholder engagement which supports quality decision making and in turn, the achievements of Council's goals and strategies in the Community and Council Plan 2017-2021.

1.1 Terms of Reference

The Terms of Reference for the Knox Multicultural Advisory Committee is aligned with the revised Committee structure adopted during 2017 and the Committee's Policy adopted by Council on 28 May 2018 (refer to Attachment 1).

The objectives of the Committee are to:

- Report to Council on its work and advise Council of strategic issues regarding Knox residents with disabilities, their families and carers;
- Assist Council in the development of policy and action planning about issues of access and inclusion;
- Work with Council officers to ensure that all of Council's policies, programs and protocols reflect the needs and rights of residents with disabilities, their families and carers;
- To provide a central point for Council and the Knox community for the identification of issues relevant to people with disabilities, their families and carers; and
- To promote disability awareness within Council and the wider Knox community.

The Committee is aligned with the Inclusive, Active and Creative Communities Group of Council Advisory Committees, as outlined in Council's Committees Policy 2018.

2. DISCUSSION

The selection and recruitment of new members for KDAC followed the process outlined in Section 3.1 of the Terms of Reference (Refer Attachment 1).

The seven Committee vacancies have occurred due to:

- Three Committee members (community representatives) resigning prior to the end of their time due to work/personal commitments; and
- Four Committee member vacancies ongoing from the 2018 KDAC recruitment process, as there was a limited number of suitable applicants through the Expression of Interest (EOI) process to fill positions.

2.1 Selection Process

The promotion of the EOI process occurred through Council's social media, electronic mail, and via various networks during April to May 2020.

Council received 13 EOI's, with all applications fully completed and eligible for assessment. Ten applications were received from community representatives and three application were received from service provider/industry professional representatives. The vacant Committee positions to be filled though the selection process included, six community representatives and one service provider/industry representative.

A Selection Panel was established to interview and assess the applicants in accordance with the Committee's Terms of Reference. The Selection Panel comprised Councillor Nicole Seymour and two Council officers from the Municipal Disability Leadership Team.

The following criteria was used when assessing the applicants:

1. Being a Knox resident, a Knox focused organisation, agency or business or have a specific set of professional skills and background that will help achieve the purpose and objectives of the Knox Disability Advisory Committee as articulated in the Terms of Reference;
2. Demonstration of involvement and efforts to promote disability inclusion within the Knox community;
3. Experience as a member of a Committee or other leadership role in a community organisation;
4. Capacity to communicate effectively with a wide range of individuals; and
5. Experience and/or expertise and demonstrated understanding of the issues facing people with disability and carers.

The Selection Panel met on 21 and 29 May 2020, to interview the 13 applicants. All interviews were conducted via Zoom and observed COVID-19 social distancing rules.

The selection process involved reviewing the application and applicant against selection criteria above and the applicant’s knowledge and experience of disability, as well as their motivation for wishing to join the Committee.

Recommendations and the assessment of applicants are provided in Confidential Attachment 2.

2.2 KDAC Achievements – December 2018 to June 2020

KDAC currently includes representatives who have a lived experience and a thorough working knowledge of the issues affecting people with disability and carers. There are a diverse range of abilities represented on this Committee. The Committee meets bi-monthly and the meetings are structured to seek feedback and advice on presentations regarding issues and activities aligned to priority areas in the Community Access and Equity Implementation Plan 2017-2022 and the Municipal Disability Leadership Plan 2020-2022. The Committee also provides advice and direction regarding new and emerging issues impacting people with disabilities in Knox.

During the reporting period, the Committee has maintained a particular focus on the issues and complexities associated with the establishment and development of the National Disability Insurance Scheme (NDIS). KDAC members have supported the distribution of information to members of the community and key service providers. The Committee also continues to discuss emerging community issues related to the NDIS program that supports advocacy initiatives.

In 2019, the Committee provided advice and direction to support the development of the revised Municipal Disability Leadership Plan 2020-2022. Focus areas of this Plan include: advocacy, community engagement, community capacity building and capacity building for parents/carers. The Plan also includes key initiatives and activities to support and raise community awareness of the complexities and impacts of mental health.

The following information provides an overview of the Committee activities and contribution to key Council projects during 2019 and 2020:

| Topic | Action | Outcome |
|--------------------------|--|---|
| Boronia Renewal Strategy | City Futures presented at KDAC meeting regarding the Boronia Renewal Strategy. | KDAC provided feedback regarding access to the train station, wheelchair access, safety, lighting and pedestrian signaling. This information has been considered in |

| Topic | Action | Outcome |
|---|--|--|
| | | the draft strategy. |
| Preventing Violence Against Women with Disability | Presentation from Women with Disability Victoria. Focus of the presentation was the impact of family violence on women with a disability. | KDAC Sub-Committee established and developed recommended actions for Council to incorporate in 16 Days of Activism that included a media communication initiatives, raising the profile of this issue. . |
| Knox Council Wheelie Bin Assistance Scheme | Wheelie Bin Assistance Scheme application form developed after consultation with Waste Management Team and KDAC. | Scheme now available for vulnerable members of community including frail aged, people with a disability, people with mobility challenges. The program is promoted via Accessing Knox e-newsletter. |
| Knox Council Guide to Accessible Parks | Following a recommendation from KDAC, Council commissioned Consultants to produce a Guide to Accessible Parks. The Guide was tested with the Council's Parks Design Team. The Guide provides information related to maintaining accessibility for all in parks and open space. | Knox Council Guide to Accessible Parks completed and available for use by Council staff. |
| Disability Employment | Presentation from Centre for Disability Employment Research and Practice on the challenges and opportunities in employment for people with a disability. | KDAC were provided with a comprehensive overview of the disability employment sector. The Municipal Disability Leadership Plan 2020-2022 includes actions that work towards increasing employment opportunities for people with disability in particular through social enterprises. |
| Opening Doors Program Overview | Opening Doors Project Officer and past graduates of the Program presented an overview of achievements. KDAC members were encouraged to apply and/or to promote program through their networks. | One KDAC member is currently participating in the Program. The 2019 Opening Doors Program included residents from Maroondah, Yarra Ranges and Knox are participating. Participants come from a range of backgrounds who are experiencing barriers to employment and want to build the capacity of leadership skills. The 2020 Program will |

| Topic | Action | Outcome |
|---|--|---|
| | | commence towards the end of the year. |
| Disability Housing | Eastern Disability Housing Network presented at KDAC on the challenges faced by people with a disability and their families when seeking housing options. | Council and KDAC members updated on nature and extent of disability housing issues, such as limited accessible housing stock and affordability. |
| Statewide Survey of Disability Advisory Committees | Municipal Association of Victoria (MAV) presented on a research project that focuses on outcomes achieved by Disability Advisory Committees (DAC) and participants individually. | The final report will be shared with KDAC once completed. The presentation and discussion demonstrated that KDAC members achievements include: <ul style="list-style-type: none"> • Current member sitting on the State Disability Advisory Committee; and • Participating in consumer testing for Council's website development. |
| Knox Traffic and Transport Update | Traffic and Transport team provided an overview of key traffic projects including: Wantirna Health Precinct, Suburban Rail Link, managing shared pathways and street lighting requests submission process. | Council and KDAC members provided feedback on many issues associated with the projects that present barriers to accessing the built environment. This information will be incorporated into relevant projects. |
| Carer Supports Available | VMCH Carer Supports provided an overview of the services and supports they are able to provide for Carers in Knox. | KDAC provided feedback regarding issues that Carers face in their caring role and with accessing other supports such as NDIS. |
| Knox Council Website Redevelopment | Communications team gave an update on the Council website redevelopment. | KDAC members provided feedback on the website usability and project objectives. |
| NDIS Update and Response to COVID-19 Pandemic | NDIA representative presented an update on the NDIS and current work being done to support the community in response to the COVID-19 Pandemic. | Council and KDAC members updated on NDIS progress, issues and initiatives designed to support the community during the COVID-19 Pandemic. Information shared with broader community via Accessing Knox e-Newsletter. |
| Resilience and Recovery – COVID-19 Community Recovery | Knox Council Emergency Management presented information regarding how Knox Council will be working with community to develop a Recovery Plan. | KDAC consulted on COVID-19 issues and barriers to return to community safely. Following this meeting further advocacy and discussion with Knox Westfield to improve access for people with low or no vision. |

3. CONSULTATION

Through the EOI process conducted during April to May 2020, Council officers invited community members, Government departments, industry associations and businesses relevant to the purpose of the Committee to nominate suitable representatives to participate in KDAC.

4. ENVIRONMENTAL / AMENITY ISSUES

KDAC provides advice to Council on matters relating to environmental and amenity issues to increase access to Council facilities, reserves and open space.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Council allocates \$5,000 per annum to KDAC and related activities within its annual operational budget. The Committee is supported by Council's Community Access, Equity and Safety Team within the Community Wellbeing Department.

6. SOCIAL IMPLICATIONS

The Committee input and advice to Council on matters relating to people with a disability, policies, programs and protocols to reflect the needs of residents with disabilities and their carers. The Committee also provides a central point for Council and the Knox community to identify issues relevant to people with disabilities and their carers.

The Committee considers social implications when providing advice to Council, aligned to goals and objectives within the Community and Council Plan 2017-2021.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

The establishment and operation of Council committees is a key enabler for the achievement of the goals and objectives contained in the Knox Community and Council Plan 2017-2021:

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.1 – Protect and preserve our local cultural heritage.

Strategy 7.2 – Celebrate our diverse community.

Strategy 7.3 – Strengthen community connections.

Strategy 7.4 – Promote and celebrate the contribution of our volunteers.

Goal 8 – We have confidence in decision making

Strategy 8.1 – Build, strengthen and promote good governance practices across Government and community organisations.

Strategy 8.2 – Enable community to participate in a wide range of engagement activities.

8. CONFLICT OF INTEREST

Under Section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Municipal Disability Leadership Team Leader, Alison Treeby – In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Community Services, Tanya Scicluna – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

KDAC continues to play an important governance role by advising Council on strategic issues regarding Knox residents with disabilities and their carers, providing a mechanism for community engagement and assisting with the monitoring and implementation of the Knox Community Access and Equity Implementation Plan 2017-2022 and the Municipal Disability Leadership Plan 2020-2022.

This report outlines the outcomes of the recent recruitment process and seeks approval for appointment of Committee members including eight new Committee members for a two-year term from July 2020 to July 2022.

10. CONFIDENTIALITY

Attachment 2 is included in the confidential agenda, having been declared confidential information pursuant to Section 77(2)(c) of the Local Government Act 1989, as the information relates to personal information, including names, addresses information that reveals a person's identity and the names and details of prospective committee members which would be unreasonable to disclose publicly, or to disclose before they are appointed.

The Selection Panel's recommendation for appointment are listed above under Recommendation.

Report Prepared By: Team Leader, Municipal Disability Leadership Team, Alison Treeby

Report Authorised By: Director, Community Services, Tanya Scicluna

Attachments

1. Attachment 1 - Terms of Reference - KDAC - 2020 [9.5.1 - 6 pages]

Confidential Attachment 2 is circulated under separate cover



Knox Disability Advisory Committee

| | | | |
|----------------|--------------------|----------------------|----------------------|
| Directorate: | Community Services | | |
| Approval by: | Council | Responsible Officer: | Metro Access Officer |
| Approval Date: | 24 September 2018 | Version Number: | 1 |
| Review Date: | October 2022 | | |

1. Purpose

The purpose of this Advisory Committee is to promote disability awareness within Council and the wider community and assist Council in the development of policy and planning about issues of access and inclusion.

2. Objectives

The objectives of the KDAC are:

- To report to Council on its work and advise Council of strategic issues regarding Knox residents with disabilities¹, their families and carers;
- To assist Council in the development of policy and action planning about issues of access and inclusion;
- To work with Council officers to ensure that all of Council's policies, programs and protocols reflect the needs and rights of residents with disabilities, their families and carers;
- To provide a central point for Council and the Knox community for the identification of issues relevant to people with disabilities, their families and carers; and
- To promote disability awareness within Council and the wider Knox community.

The Committee will be aligned to the Inclusive, Active and Creative Communities Group of Council Advisory Committees, as outlined in the Council Committees Policy. The other groups are the Life Stages Group, the Sustainable Development Group, and the Grants Evaluation Group.

Whilst the individual Committee will meet at the designated times within its Terms of Reference each 'group' will meet once annually, this will generally be between October to December each year. A designated Directorate will be responsible for coordinating group meetings. The purpose of these meetings will be to:

¹ KDAC adopts the Disability Discrimination Act (1992) definition of disability which encompasses physical, intellectual, psychiatric, neurological, sensory and learning disabilities and also include people with mental illness.



- Provide feedback to group on priorities for individual committees;
- Update group of progress of key issues; and
- Identify synergies between groups and links to progressing the Community and Council Plan.

In addition to group meetings, all committees will be provided with an opportunity to meet together annually. The “Annual Advisory Committee” sessions will generally be held between April and May each year and will be coordinated by the Governance team. The purpose of these meetings will be to:

- Report on progress by Council against Community and Council Plan;
- Provide overview of industry trends and Council priorities for the upcoming year;
- Consider synergies and opportunities for sharing information and collaboration; and
- Deliver training to support to committees.

3. Membership, Period of Membership and Method of Appointment

The Knox Disability Advisory Committee shall comprise the following:

- A maximum of seven positions for community members with a disability;
- A maximum of four positions available for an unpaid carer of a person with a disability;
- A maximum of four positions for a representative of a service provider for people with a disability. Each service provider may nominate a primary and secondary representative. The secondary representative will be properly inducted and attend meetings if the primary representative is unable to attend;
- All community representatives must live, work, study or recreate in the city of Knox; and
- 1-2 Councillors

3.1 Selection and Recruitment of Community and Professional Industry Representative Members

The process to appoint community members will be advertised in local newspapers, on Council’s internet site and through local networks. Applicants must make application via an expression of interest process.

Eligible community members will have an interest in and good working knowledge of the disability sector.

The approach and method for appointing representatives will include the following:

- Community and professional/ industry members will be selected by a panel comprising a Councillor and 2 Council Officers from the relevant service unit;
- The method of appointment will be via an expression of interest process;
- Members will be appointed for a two year term;
- All members will be eligible to re-apply for appointment, however continuous membership for longer than four years will not be considered;
- Council will be responsible for appointing all Councillor, community and professional/industry representative members; and



- Casual vacancies which occur due to community members being unable to complete the full term of their appointments may be filled by co-opting suitable candidates from a previous selection process for the remainder of the previous incumbents' terms. The selection panel will make a recommendation to the CEO, who will have the authority to appoint the recommended candidate to the Committee for the remainder of the previous incumbent's term.

Professional/industry representatives unable to attend a Committee meeting are able to nominate a proxy or alternate member from the organisation they represent. Any proxy attendance should be notified to Council's nominated officer at least 24 hours prior to the meeting. It is expected the appointed professional/industry representative will provide an appropriate briefing of the Committee purpose and objectives and relevant meeting notes to enable active participation and contribution of the proxy representation to the meeting.

The Committee may invite observers to meetings from time to time. This is at the discretion of the Committee.

Guests may also be invited to attend and participate at meetings, this would generally for a specific purpose and/or specified period of time. This is at the discretion of the Committee.

3.2 Councillors

Council will appoint Councillor representation annually.

Unless otherwise appointed to the Committee by Council, the Mayor is, by virtue of the Office, an ex officio member of the Committee. It is important that whilst the Mayor may not chair these meetings, appropriate recognition should be given to the presence of the Mayor if in attendance.

The role of Councillors is to participate in the meetings, listen to community and stakeholder views and keep the Council informed, through reports on committees by Councillors at Council meetings, on issues of community interest being considered at meetings.

3.3 Council Officers

Council officers will be nominated to support the Committee by the CEO as required to provide advice and administrative support to the Committee.

4. Delegated Authority and Decision Making

The Committee acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

5. Meeting Procedures

The Committee will meet on a bi-monthly basis and an annual schedule of meetings will be agreed upon at the first meeting of the Committee in each year. The Committee will also participate in the 6 monthly Group Meetings and the Annual Advisory Committee Forum.

The Committee is not required to give public notice of its meetings and its meetings are not open to the public.



At the commencement of each financial year, the Committee will develop a work plan for the upcoming year. This will generally be aligned with the Community and Council Plan. The Committee may also highlight any emerging issues which will also be documented. For efficiency purposes the business of the Committee throughout the ensuing year should align with the work plan and list of emerging issues.

Meetings will follow standard meeting procedure protocols, which are in summary:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member;
- Encourage fair and reasonable discussion, participation and respect for each other's views;
- Focus on the relevant issues at hand; and

Provide advice to Council as far as possible on a consensus basis.

6. Chair

The position of Chairperson shall be held by a Councillor and shall be reviewed annually immediately following Councillor appointments to committees. The position of Chairperson is to be agreed upon between Councillors. When this cannot be achieved, the Mayor of the day shall determine the Chair.

If the Chairperson is not present at a meeting, any other Councillor who has been appointed to the Committee shall be appointed Chairperson. In the absence of any other Councillor representative/s, a staff member appointed by the relevant Director may Chair the meeting.

7. Agendas and Minutes

Agendas and meeting notes must be prepared for each meeting.

The Agenda must be provided to members of the Committee not less than seven (7) days before the time fixed for the holding of the meeting.

Officer reports that fail to meet the timelines as detailed above, will then be considered supplementary reports and will only be permitted to be included in the relevant agenda with the approval of the Chair of the Committee.

The Chairperson must arrange for meeting notes of each meeting of the Committee to be kept.

The meeting notes of a Council Committee must:

- (a) contain details of the proceedings and recommendations made;
- (b) be clearly expressed;
- (c) be self-explanatory; and
- (d) incorporate relevant reports or a summary of the relevant reports considered by the Committee.

Draft meeting notes must be:

- (a) submitted to the Committee Chairperson for confirmation within 7 days of the meeting;



- (b) distributed to all Committee Members following confirmation from the Chairperson and within 14 days of the meeting; and
- (c) submitted to the next meeting of the Committee for information.

Agendas and notes from meetings are not required to be made available to the public.

8. Voting

As this is an Advisory Committee, voting on issues is not required. Any recommendations will generally be developed through consensus. Where a matter cannot be agreed the differing opinions should be clearly expressed in the notes of the meeting.

9. Conflict and Interest Provisions

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

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

Meetings of the Advisory Committee may potentially form an Assembly of Councillors. Councillors and officers are required to comply with the conflict of interest provisions as set down in the Act.

Where a meeting is identified as an Assembly of Councillors, staff must follow the designated procedure.

Where a community member has a Conflict of Interest or perceived conflict of interest in relation to a matter before the Committee, the community member must disclose the matter to the group before the matter is considered or discussed. Disclosure must include the nature of the interest and be recorded in the meeting notes. It will be at the discretion of the Chairperson if the community member remains or leaves the room whilst the matter is discussed, and this must also be recorded in the notes of the meeting.

10. Reporting

The Committee will prepare a formal report on an annual basis in line with their stated objectives. The report must be adopted by the Committee and should directly reflect the objectives and the performance measures of the Committee as set out in the Terms of Reference. Once adopted by the Committee the report will be presented to Council.

11. Administration Support

Administration support will be provided by the Community Services Directorate.



12. Personal Support

The provision of resources for the personal support of Committee members to attend KDAC meetings is provided by Council as required.

13. Contact with the Media

Contact with the Media by Advisory Committee members will be conducted in accordance with the Councillor and Staff Media Policies. Community members should defer any media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the Committee.

14. Review Date

The Committee will sunset after 4 years. If the Committee continues to have a relevant function, a report must be presented to Council prior to this date that includes a review of the Committee's Terms of Reference and seeking endorsement from Council to continue act in an advisory capacity.

15. Meals

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

9.6 Minor Grants Program 2020-21 Monthly Report

SUMMARY: Community Partnerships Officer, Deb Robert

This report summarises the grant applications recommended for approval in July 2020 for the 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 19 applications for a total of \$43,976.96 as detailed below:

| Applicant Name | Project Title | Amount Requested | Amount Recommended |
|---|--|------------------|--------------------|
| Wantirna Heights Girl Guides Group | Financial Assistance for Wantirna Girl Guides | \$3,000.00 | \$3,000.00 |
| Rowville Men's Shed | Opening Ceremony for Rowville Community Workshop | \$2,388.00 | \$2,388.00 |
| Ferntree Gully TOWN Weight Loss Club | Year of Change | \$1,425.00 | \$1,425.00 |
| Tamil Senior Citizens Fellowship (Victoria) Inc | Christmas Celebration by Tamil Seniors | \$2,500.00 | \$2,300.00 |
| Bayswater Senior Citizens Inc | Recovering Chairs for Hall | \$2,700.00 | \$2,200.00 |
| Fairhills Primary School | Defibrillator Enhancement | \$2,995.00 | \$2,995.00 |
| Cooida Preschool | Outdoor Sink and Outdoor Stove | \$1,095.72 | \$1,095.72 |
| The Salvation Army | Access Ramps | \$3,000.00 | \$3,000.00 |
| Goodwin Estate Preschool Committee | Indigenous Artwork | \$3,000.00 | \$3,000.00 |
| Ferntree Gully Netball Club | Maintain Inclusivity and Promote Young Women in Leadership | \$3,000.00 | \$3,000.00 |
| Bayswater CFA | Bayswater CFA Operational Technology (iPads) | \$2,979.00 | \$2,979.00 |
| Chinese Association of Victoria (CAV) | Getting CAV Ready to Re-Open After COVID-19 | \$1,975.00 | \$1,975.00 |
| Wantirna Primary School Council | Running Track | \$2,000.00 | \$2,000.00 |
| Melbourne Boomers | Two-Way Radios | \$2,744.50 | \$2,744.50 |
| Boronia Road Uniting Church | Emergency Relief Food Bank | \$987.00 | \$987.00 |

| Applicant Name | Project Title | Amount Requested | Amount Recommended |
|---|--|--------------------|--------------------|
| 2 nd and 3 rd Bayswater Scout Group | Electronic Sign-In for Hall and Recording Scout Group Activities | \$1,400.74 | \$1,400.74 |
| Johnson Park Cricket Club | Johnson Park – Move to Electronic Age | \$2,487.00 | \$2,487.00 |
| Knox Sporting Club | Basketball Venue Hire and Sanitation | \$2,000.00 | \$2,000.00 |
| Koorie Basketball Academy | Aboriginal and Torres Strait Islander Children's Day Basketball Academy Clinic | \$3,000.00 | \$3,000.00 |
| TOTAL | | \$44,676.96 | \$43,976.96 |

2. Note that the following three applications for under \$500 have been approved and will be paid under delegated authority in accordance with Cl.6.6 of the Minor Grants Policy, as detailed below:

| Applicant Name | Project Title | Amount Requested | Amount Recommended |
|---|---|-------------------|--------------------|
| Lions Club of Rowville | Venue Hire for Meeting Place | \$330.00 | \$330.00 |
| Upper Ferntree Gully Fire Brigade | Eflares – Emergency Service Personnel Safety While Working on Scene | \$365.86 | \$365.86 |
| 2 nd and 3 rd Bayswater Scout Group | Touch Free handwashing | \$422.50 | \$422.50 |
| TOTAL | | \$1,118.36 | \$1,118.36 |

3. Note that the above recommended grants total is \$45,095.32 for July under the 2020-2021 Minor Grants Program to support 22 community-based organisations and their programs.

1. INTRODUCTION

The Minor Grants Program provides a pool of grant funding that can respond on a monthly basis to requests for small amounts to assist with short term, one-off projects or initiatives that are relatively minor in nature.

The objective of the Minor Grants Program is to be an accessible and responsive funding source to assist a wide range of community led activities across the municipality and support volunteer effort and civic participation.

It operates under the principles of other Knox Council grants programs to ensure:

- Funded projects will provide benefit to the Knox community and help meet Council objectives;
- Co-operation and collaboration between groups will be encouraged;
- The grant process will be consistent, equitable and transparent; and

- The grant process will support and strengthen community groups in developing local solutions to local needs.

Applications are assessed against criteria specified in the Minor Grants Program Policy (as updated April 2020) to determine the eligibility of the applicant organisation and the eligibility of the grant application.

The Policy sets out an open and transparent grant program that meets the principles of good governance and is compliant with the requirements of the Local Government Act.

In accordance with the Policy, applications for funding have been assessed by the Chief Executive Officer, or delegate, for Council's approval.

2. DISCUSSION

This report presents to Council the recommendations for recent Minor Grant applications in accordance with the Policy.

A total of 22 complete grant applications were received since the Council Meeting held on 22 June 2020, requesting grants totalling \$45,795.32. The applications are included in Attachment 1.

It is the largest number of applications to the Minor Grants Program received in a single month to date. This may be attributable to increased promotion and awareness of Council grant programs generally, particularly as part of the COVID-19 response to support community groups.

This report is recommending all 19 of the applications over \$500 for Council's approval as they meet the eligibility requirements of the Minor Grants Program Policy. Documentation in support of each application has been sighted by Officers and meets eligibility requirements. Two of the applications are recommended for a less amount than requested – Tamil Senior Citizens' Fellowship and Bayswater Senior Citizens – as the full amount would take both their total allocations to over \$5000 within three years, in contravention of Cl 6.21 of the Policy.

Several of the recommended applications are requesting financial assistance for operational costs that cannot be covered by the organisation due to the impact of COVID-19 restrictions on their usual income and fund-raising efforts, notably Wantirna Girl Guides, Boronia Road Uniting Church and Knox Sporting Club.

Wantirna Primary School Council has applied for a grant to assist with costs of maintaining the school running track that is experiencing substantial increase in use by the local community during the COVID-19 situation.

There are applications for purchase of equipment/computers made more urgent by the COVID-19 restrictions – Bayswater Scouts, Ferntree Gully TOWN Club – and for materials/equipment for COVID-19 safety precautions – Bayswater Scouts, Chinese Association of Vic.

There are also several applications for events or activities that may now be impacted or delayed by the most recent Stage 3 lockdown. The Funding Agreements for these applications – Rowville Men's Shed, Knox Sporting Club, Koorie Basketball Academy (at Knox Basketball Centre) - will reflect the need to change dates as appropriate. If groups are not able to expend the allocated funds for the approved purpose within 12 months, they will be required to return funds to enable distribution by Council to other applicants.

Three other applications for amounts under \$500 – 2nd and 3rd Bayswater Scouts, Lions Club of Rowville and Upper Ferntree Gully Fire Brigade – also met the eligibility requirements of the Minor Grants Program and were approved under delegation.

All applications are assessed to be for the benefit of the Knox community and address the objectives of the Minor Grants program.

3. CONSULTATION

Consultation is undertaken with organisations in relation to their grant applications whenever possible and if necessary, to clarify details regarding their applications prior to Council's consideration.

Advice or information may be sought from officers across Council in relation to either the applying organisation or the proposed project, or both, if considered necessary.

The Policy specifies assessment can occur by the Chief Executive Officer, or delegate, and make recommendation for Council's determination.

4. ENVIRONMENTAL / AMENITY ISSUES

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

5. FINANCIAL & ECONOMIC IMPLICATIONS

The approval of Minor Grants is managed within Council's adopted budget. The 2020-2021 budget provides \$200,000 for the Minor Grants Program, plus an additional \$10,826.63 that was unallocated to Minor Grants in 2019-20 and has been carried forward.

Recommended applications for the July period total \$45,095.32. If approved as recommended, the remaining Minor Grants budget for 2020-21 will total \$165,731.31 before GST adjustments. Some applications are for purchases that include GST which is covered separately and, therefore, does not draw on the Minor Grants budget. The GST amounts are calculated once Council has made its decision on the amount to be funded.

6. SOCIAL IMPLICATIONS

The Minor Grants Program allows Council to respond promptly to requests from Knox- based community groups for small amounts of funding to assist a variety of community-based programs, projects or activities. The Minor Grants is a simple and streamlined source of funding that can make a significant difference for local community organisations in need of short-term, specific purpose assistance.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 4 - We are safe and secure

Strategy 4.1 - Encourage and support the community to take responsibility for their own safety, and the safety of others.

Goal 5 - We have a strong regional economy, local employment and learning opportunities

Strategy 5.4 - Increase and strengthen local opportunities for lifelong learning, formal education pathways and skills development to improve economic capacity of the community.

Goal 6 - We are healthy, happy and well

Strategy 6.1 - Mitigate lifestyle risks such as smoking, risky alcohol consumption and drug use, obesity, lack of physical activity and poor nutrition.

Strategy 6.2 - Support the community to enable positive physical and mental health.

Goal 7 - We are inclusive, feel a sense of belonging and value our identity

Strategy 7.3 - Strengthen community connections.

8. CONFLICT OF INTEREST

Under Section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Community Partnerships Officer, Deb Robert – In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Community Services, Tanya Scicluna – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

This report contains the monthly recommendations for funding through the Minor Grants program.

10. CONFIDENTIALITY

There is no information of a confidential nature in this report.

Personal information, including names and address information has been redacted from Attachment 1 to facilitate its inclusion in the public agenda.

Report Prepared By: Community Partnerships Officer, Deb Robert

Report Authorised By: Director Community Services, Tanya Scicluna

Attachments

1. Attachment 1 - Minor Grant Applications - July [9.6.1 - 126 pages]

Attachment 9.6.1 is available as a separate file

10 Corporate Services Officers' Reports for consideration

10.1 Microsoft Software License Enterprise Agreement 3 Year Renewal

SUMMARY: Vendor Manager/Business Analyst Project Manager , Therese Massoud

This report considers and recommends the appointment of Data #3 Limited for the Microsoft Software License Enterprise Agreement – 3 Year Renewal – Contract No 2677

RECOMMENDATION

That Council:

- 1. Award Contract No: 2677 – Microsoft Software License Enterprise Agreement – 3 Year Renewal contract to Data #3 Limited for a 3-year contract term from 1 July 2020 to 30 June 2023; and**
- 2. Note the estimated contract cost for the 3-year maximum renewal term is within budget expectations; and**
- 3. Note that expenditure under this contract in 2020/21 is in accordance with Council's adopted budget and expenditure in future years will be in accordance with the approved budget allocations; and**
- 4. Authorise the Chief Executive Officer to execute the contract renewal agreements with the above contractor.**

1. INTRODUCTION

The Microsoft suite of technologies forms the basis of Council's desktop operating environment and is core to its operations. Microsoft software licenses are purchased from Microsoft accredited Licensing Solution Partners (LSPs) and are done so through a public tender process.

The Municipal Association of Victoria (MAV) Procurement, on behalf of Councils in Victoria, issued a Request for Tender (RFT) for NPN 2.17-3, the refresh of NPN2.17-2, Microsoft Enterprise Agreement 3 Year Renewal 1 July 2020 to 30 June 2023.

The Recommendation Report from MAV Procurement provided details regarding the tender process, submissions received, and the methods undertaken by the Tender Evaluation Panel (TEP) in selecting the preferred suppliers. The evaluation panel consisted of representatives from four participating Councils together with two members from MAV Procurement.

After a thorough process, involving a qualitative assessment of tender submissions, pricing analysis and comparison and ongoing risk assessment, the MAV Panel agreed to recommend the following as the preferred supplier(s) for this contract.

- Winc Australia Pty Ltd
- Data#3 Limited
- SoftwareONE
- Insight Enterprise Australia Pty Ltd

- Rhipe Australia Pty Ltd

2. DISCUSSION

A tender process is conducted every three (3) years by the MAV for the provision of Microsoft software to Victorian Local Governments. This year there were five preferred suppliers with pricing negotiated by the MAV Panel.

Background of the Tender Process:

The basic aims of the tender process as outlined in the Request for Tender (RFT) Specifications were to engage Service Provider(s) to (where possible):

- Establish an agreement that will deliver value for money through a combined spend arrangement for Councils throughout Victoria
- Discounted pricing based on the total combined requirements of the participant Councils
- A Contractor or panel of Contractors to meet or exceed Councils' varying needs and requirements for the goods and services
- A continued streamlined, and end-to-end approach to the access and management of the Microsoft Arrangement
- Work with the MAV Procurement and participating Councils to continue to identify opportunities for improvement in the quality and level of service provided, for the mutual benefit of both Councils and the Service Provider
- Able to provide regular and tailored reporting
- Able to provide innovative solution.

Description of Tendered Services/Goods:

MAV Procurement Request for Tender No: 2.17-3

The Request for Tender (RFT) was for the Provision of Microsoft Arrangement on behalf of Victorian Councils.

The scope of this tender includes the following goods/services as described in the RFT Specifications: Enterprise Agreement, Open Licenses, Cloud Solution Providers, Microsoft Product and Services Agreement, and Academic License

Tender Evaluation

- **Evaluation Panel**

The Evaluation Panel, which was coordinated by MAV Procurement, consisted of a representative from Manningham City Council, Cardinia Shire Council, City of Melbourne, Northern Grampians Shire Council and two from MAV Procurement.

- **Qualitative Criteria Assessment**

A qualitative criteria assessment was carried out by the Tender Evaluation Panel (TEP), with the TEP scoring the tenders according to the evaluation matrix. All applicants were assessed against the qualitative selection criteria. The outcomes of the qualitative criteria assessment are detailed in Attachment 2.

Based on the TEP's qualitative and pricing evaluations assessment results; it is proposed to award the contract for Microsoft Software Licenses Enterprise Agreement – 3 Year Renewal to Data#3 Limited.

3. CONSULTATION

Consultation has occurred with internal corporate stakeholders, Information Technology Manager, and IT Technical Solutions Specialists to ensure that the Microsoft Licensing audit was completed and the license type and quantity required was verified by the IT Technical team with the current Microsoft supplier.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environment / amenity issues arising as a direct consequence of this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

All costs associated with the Microsoft Software License Enterprise Agreement - 3 Year Renewal has been included in the Information Technology operational budget (annualised over the three-year renewal period).

6. SOCIAL IMPLICATIONS

Nil.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 8 - We have confidence in decision making

Strategy 8.1 - Build, strengthen and promote good governance practices across government and community organisations.

8. CONFLICT OF INTEREST

Under section 80c of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Author – Vendor Manager/Business Analyst Project Manager, Therese Massoud - In providing this advice as the Author, I have no disclosable interests in this report.

Officer Responsible – Director, Executive Manager Strategy, People & Culture - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

9. CONCLUSION

The Microsoft suite of technologies are core to enabling the management of services that are provided by Council daily. The public tender and renewal of Microsoft software purchasing agreements ensures the ongoing provision of these technologies.

Following on from the MAV Procurement public tender evaluation process, it is recommended to award the contract for Microsoft Software License Enterprise Agreement – 3 Year Renewal to Data#3 Limited.

10. CONFIDENTIALITY

Attachment 1 and 2 are included in the confidential agenda, having been declared confidential information pursuant to Section 77(2)(c) of the Local Government Act 1989, as the information relates to:

- Council business information, that will prejudice Council's position when negotiation the price for contract if prematurely released.
- private commercial information, that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
- Contractual matters which are commercial in confidence.

Report Prepared By: Vendor Manager/Business Analyst Project Manager, Therese Massoud

Report Authorised By: Director, Executive Manager Strategy, People & Culture, Sam Stanton

Attachments

Confidential Attachments 1 and 2 are circulated under separate cover

11 Items for Information

11.1 Assemblies of Councillors

SUMMARY: Manager, Governance, Phil McQue

This report provides details of Assembly of Councillors as required under section 80A(2) of the Local Government Act.

RECOMMENDATION

That Council:

- 1. Note the written record of Assemblies of Councillors as attached to this report; and**
- 2. Incorporate the records of the Assemblies into the minutes of the meeting.**

1. INTRODUCTION

Under section 80A(2) of the Local Government Act, the Chief Executive Officer must present a written record of an Assembly of Councillors to an ordinary meeting of Council as soon as practicable after an Assembly occurs. This written record is required to be incorporated into the minutes of the meeting.

Report Prepared By: Manager Governance, Phil McQue

**Report Authorised By: Director, City Development – Interim Finance and Governance,
Matt Kelleher**

Attachments

- 1. Attachment 1 - Assemblies of Councillors [11.1.1 - 11 pages]**



Record of Assembly of Councillors
(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 27/5/2020

Name of Committee or Group (if applicable): Environment Advisory Committee

Time Meeting Commenced: 7.30pm

Name of Councillors Attending:

Cr John Mortimore

Name of Members of Council Staff Attending:

Matt Kelleher

Trish Winterling

Sam Sampanthar

Andrew Marshall

Tracie Armstrong

Matters Considered:

1. Building Community Resilience and Preparing for Recovery

2. Climate Response Plan

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Sam Sampanthar

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 9/6/2020

Name of Committee or Group (if applicable): Issues Briefing (conducted in person and online via zoom)

Time Meeting Commenced: 7.20pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Jake Keogh

Cr Marcia Timmers-Leitch, Deputy Mayor

Cr Tony Holland

Cr Peter Lockwood

Cr Lisa Cooper

Cr John Mortimore

Cr Darren Pearce

Cr Adam Gill

Name of Members of Council Staff Attending:

Tony Doyle

John Rashed (Item 1)

Matt Hanrahan

Emil Turudia (Item 1)

Matt Kelleher

Paul Reading (Item 3)

Sam Mazer

Nicole Columbine (Item 3)

Tanya Scicluna

Kathryn Holland (Item 4)

Sam Stanton

Carrie Hudson (Item 4)

Phil McQue

Petrina Dodds Buckley (Item 5)

Anthony Petherbridge (Item 5)

Matters Considered:

1. New Workplace Manslaughter Legislation
2. Knox COVID-19 Relief and Recovery Verbal Update
3. Hockey Community Consultation
4. Development of the New Community and Council Plan
5. Grants Governance Framework – Community and Business Support Package

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Andrew Dowling

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors
(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 16/6/2020

Name of Committee or Group (if applicable): Knox Multicultural Advisory Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Peter Lockwood

Name of Members of Council Staff Attending:

Petrina Dodds Buckley

Lisette Pine

Raini Nailer

Matters Considered:

1. Resilience and Recovery COVID-19
2. Reports from KMAC Members
3. Knox City Council and Community Response to Increased Incidents of Racism

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Melissa Roche

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

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Record of Assembly of Councillors
(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 16/6/2020

Name of Committee or Group (if applicable): Knox Youth Advisory Committee

Time Meeting Commenced: 7pm

Name of Councillors Attending:

Cr Jake Keogh

Name of Members of Council Staff Attending:

Katie Scott

Tony Justice

Nicole Columbine

Kathryn Holland

Michelle Clemow

Matters Considered:

Community and Council Plan Consultation

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Katie Scott

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

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Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 17/6/2020

Name of Committee or Group (if applicable): Knox Arts & Culture Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Marcia Timmers-Leitch, Deputy Mayor

Cr Peter Lockwood

Cr John Mortimore

Name of Members of Council Staff Attending:

Elissa Pachacz

Jo Herbig

Nicole Columbine

Lauren Norman

Rachel Cogdon

Andrew Marshall

Brit Josephs

Matters Considered:

1. Resilience & Recovery COVID-19 Presentation/Discussion – The Role of Arts in Recovery
2. Knox Community and Business Support Package Overview – Arts and Creative Industry Grant Stream
3. Future Plans for Arts and Cultural Services
4. Public Art Assessment Panel Membership Vacancy – Expression of Interest

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Elissa Pachacz

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

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Record of Assembly of Councillors
(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 18/6/2020

Name of Committee or Group (if applicable): Early Years Advisory Committee

Time Meeting Commenced: 6.30pm

Name of Councillors Attending:

Cr Adam Gill

Name of Members of Council Staff Attending:

Angela Morcos Andrew Marshall

Liz Stafford Petrina Dodds Buckley

Robyn Renkema Caroline Meier

Jennifer Richardson

Matters Considered:

1. Family Violence Commitment
2. Resilience and Recovery
3. Kindergarten Expansion Update

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Jennifer Richardson

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

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Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 23/6/2020

Name of Committee or Group (if applicable): ICT Governance Committee

Time Meeting Commenced: 5.30pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Peter Lockwood

Cr Darren Pearce

Name of Members of Council Staff Attending:

Tony Doyle

Samantha Stanton

Paul Barrett

Shona Richards

Raewyn Szelag

Damian Watson

Matters Considered:

1. Community Engagement Project – Project Initiation Document
2. Community Engagement Project – Project Scoping Document
3. ICT Portfolio Update
4. HR Systems Benefit Realisation (presentation)
5. HR Systems WP 2 & 3 Implementation Readiness (presentation)
6. Spatial Capabilities Project – GIS Systems Upgrade Implementation Readiness (presentation)

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Rachel Culpitt

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors
(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 24/6/2020

Name of Committee or Group (if applicable): Environment Advisory Committee

Time Meeting Commenced: 7.30pm

Name of Councillors Attending:

Cr John Mortimore

Name of Members of Council Staff Attending:

Matt Kelleher

Trish Winterling

Andrea Szymanski

Sam Sampanthar

Matters Considered:

1. Daylighting Blind Creek
2. DEPI Site Draft Master Plan
3. Sustainability Initiatives Budget for 2020/21

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Sam Sampanthar

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 25/6/2020

Name of Committee or Group (if applicable): Community Development Fund Evaluation Meeting

Time Meeting Commenced: 7pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Marcia Timmers-Letich, Deputy Mayor

Name of Members of Council Staff Attending:

Saskia Weerheim

Deb Robert

Cassie Wright

Jodie Heriot

Matters Considered:

Preliminary meeting to discuss the number of applications submitted to the 2020-21 Community Development Fund grant round.

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Cassie Wright

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 29/6/2020

Name of Committee or Group (if applicable): Issues Briefing (conducted in person and online via zoom)

Time Meeting Commenced: 6.38pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Jake Keogh

Cr Marcia Timmers-Leitch, Deputy Mayor

Cr Tony Holland

Cr Peter Lockwood

Cr Darren Pearce

Cr John Mortimore

Name of Members of Council Staff Attending:

Tony Doyle

Nadine Gaskell (Item 2)

Nicole Columbine

Andrea Szymanski (Item 2)

Matt Hanrahan

Elissa Pachacz (Item 3, 4, & 5)

Matt Kelleher

Ellen Ramsay (Item 3)

Sam Mazer

Saskia Weerheim (Item 4)

Sam Stanton

Steve Dickson (Item 5)

Phil McQue

Andrew Dowling (Item 5)

Damian Watson

Matters Considered:

1. Knox COVID-19 Relief and Recovery Verbal Update

2. Acquisition of Sites of Biological Significance - Vic Track Land

3. Council's Festivals and Events Annual Report

4. Review of Fundraising Opportunities at Knox Carols 2020

5. New Amenity Local Law 2020 Update

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Phil McQue

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.



Record of Assembly of Councillors

(Section 80A Local Government Act)

Complete this Section

Date of Assembly: 63/7/2020

Name of Committee or Group (if applicable): Issues Briefing (conducted online via zoom)

Time Meeting Commenced: 6.35pm

Name of Councillors Attending:

Cr Nicole Seymour, Mayor

Cr Jake Keogh

Cr Marcia Timmers-Leitch, Deputy Mayor

Cr Tony Holland

Cr Peter Lockwood

Cr Lisa Cooper

Cr John Mortimore

Cr Darren Pearce

Name of Members of Council Staff Attending:

Tony Doyle

Paul Dickie (Item 2)

Judy Chalkley

Jonathan Wright (Item 2)

Matt Hanrahan

Tanya Styles (Item 2)

Matt Kelleher

Misty Johannsen (Item 3)

Sam Mazer

Sam Stanton

Phil McQue

Sam Stanton

Matters Considered:

1. Knox COVID-19 Relief and Recovery Verbal Update
2. Housing Monitoring Program Report
3. Collaborative Procurement of Advanced Waste Processing
4. Human Resource Matter

Any conflict of interest disclosures made by a Councillor attending:* No

| Name | Disclosure | Relevant Matter | Left Assembly ** |
|------|------------|-----------------|------------------|
| | | | |

Name of Person Completing Record: Andrew Dowling

* Note: A Councillor making a disclosure must (80A(3)) make a disclosure under s79 and complete a Disclosure of Conflict of Interest Form.

** Councillor disclosing to an assembly that he or she has a conflict of interest must leave the assembly prior to the matter being discussed and not return until the item has been considered.

11.2 ICT Capital Works Report

SUMMARY: Acting Manager Information and Communications Technology, Paul Barrett

The ICT Works Report shows projects on Council's ICT Capital Works Program and indicates the status of each project as at 16 July 2020.

RECOMMENDATION

That Council receive and note the ICT Capital Works Report, as at 16 July 2020.

1. INTRODUCTION

This report summarises Councils ICT Capital Works Program for the 2019/2020 financial year. The aim of this report is to provide a regular and succinct status summary of each project over the last month. The Capital Works Report, as of 16 July 2020 is attached in Confidential Attachment 1.

Highlights of the Works Report as at 16 July 2020 include:

1242 - Digital Customer Channels Transformation (DCCT) - Phase 1 Website Development

The tender for a vendor to build the KCC website to the agreed design, opened Saturday May 23 and closed Tuesday 16 June. Tender evaluation is currently in progress with Council approval required to award contract. Business Case is currently underway to ascertain the return on investment.

812 - Asset Management System

Project implementation phase commenced on 1 May 2020. Continuing to work with Vendor to facilitate the high level solution design and integration workshops. Project implementation is forecast for May 2021, and although commencement was delayed, timelines are expected to be recovered.

1036 – HR System Enhancement

User Acceptance Testing for Humanforce is currently being finalised with integration with Chris21 being the remaining item. Parallel testing is commencing with two rounds planned during July. Planning for development of end user training material has commenced. Configuration, User Acceptance Testing and stakeholder testing is complete for PageUp Performance and Succession. The system is ready for rollout for the next performance period commencing September 2020.

1034 - Business Intelligence

Project implementation phase is underway. Project Sponsor and Project Manager are engaging with business representatives to choose the next candidate to move onto the Business Intelligence platform. Business Intelligence Analyst recruitment underway to build new reports when priority agreed with business.

1031 – ICT Spatial Capability

Existing GIS systems have all been successfully upgraded in June, with the business users now taking advantage of improved functionality for Intramaps and QGIS. As approved by Steering Committee 14 July 20, the project will now take a 3-month hiatus, before commencing the second stage of the delivery of additional spatial capabilities.

1369 – Master Data Management

Project is in scoping phase, with a tender underway for a vendor to run a Proof of Concept. The tender evaluation has been delayed with additional information from respondents required for panel member re-evaluation. Decision on preferred vendor expected in late July.

2. CONFIDENTIALITY

Confidential information is contained in Attachment 1 in the confidential agenda, in accordance with Section 89(2) of the Local Government Act 1989, as the information relates to contractual matters; and the premature disclosure of the information could be prejudicial to the interests of Council or other persons.

The information also meets the definition of confidential information under the Local Government Act 2020 on the basis that:

- the information includes Council business information the disclosure of which may prejudice the Council's position in commercial negotiations; and/or
- private commercial information that may unreasonably expose a business, commercial or financial undertaking to disadvantage if disclosed; and/or
- information which has been declared as confidential information for the purposes of Section 77 of the Local Government Act 1989.

Report Prepared By: **Acting Manager Information and Communications Technology,
Paul Barrett**

Report Authorised By: **Executive Manager Strategy, People & Culture, Interim Information
Technology and Change / Lean, Sam Stanton**

Attachments

1. ICT Status Report #9 [**11.2.1** - 3 pages]

Confidential Attachment 1 is circulated under separate cover

Knox City Council Project Status Report

16-Jul-2020

| Project Number | Project Name |
|-----------------------|---|
| 789 | Facilities Booking Solution |
| All Wards | Currently concluding system procurement activities. Slight project delay due to extended vendor and system due diligence checking. Contract signing in July followed by system implementation. |
| 812 | Asset Management Information System |
| All Wards | Project implementation phase commenced on 1 May 2020. Continuing to work with Vendor to facilitate the high level solution design and integration workshops. Project implementation is forecast for May 2021, and although commencement was delayed, timelines are expected to be recovered. |
| 827 | Digital Customer Channels Transformation (DCCT) - Phase 3 Cust Portal & Integration |
| All Wards | This phase will expand on earlier delivery of the program, with the implementation of a secure portal to Knox staff, a Knox business hub, and fully integrate with Knox systems. The phase will commence 2021. |
| 977 | Pathway Program |
| All Wards | Completed in June – Creation of three new Infringements modules for Building, Health Services and Emergency Management. Rates end of financial year rollover process also completed. In Progress – Snap Send Solve integration with Pathway, completed initial testing and training with Customer Service. Scheduled to go live in July pending a system fix to be applied in Pathway to enable processing of Snap Send Solve customer acknowledgement emails. Permit to Keep Additional Animals online (Community Laws) – readiness activities completed for go live in early July. Commenced online Election Signage Permit requirements gathering, and test build in progress. Further system development of Municipal Building Permit online applications completed, and awaiting sign off from business. Internal Building Maintenance Requests (Sports Clubs and Indoor Centres) – Minor changes to Pathway and Asset Management system tested and completed, to enable viewing of images in work orders. Training conducted for small indoor centre and Leisure Services staff, to commence using online system in July. Late with Low Impact - Online Property Information Certificates - further configuration of test system conducted in June, working with the system vendors to resolve in readiness to commence business unit testing in July. |
| 1031 | Spatial Capability |
| All Wards | Existing GIS systems have all been successfully upgraded in June, with the business users now taking advantage of improved functionality for Intramaps and QGIS. As approved by Steering Committee 14 July 20, the project will now take a 3-month hiatus, before commencing the second stage of the delivery of additional spatial capabilities. |
| 1034 | Business Intelligence |
| All Wards | Project implementation phase is underway. Project Sponsor and Project Manager are engaging with business representatives to choose the next candidate to move onto the Business Intelligence platform. Business Intelligence Analyst recruitment underway to build new reports when priority agreed with business. |

Knox City Council Project Status Report

16-Jul-2020

| Project Number | Project Name |
|-----------------------|--|
| 1036 | HR System |
| All Wards | User Acceptance Testing for Humanforce is currently being finalised with integration with Chris21 being the remaining item. Parallel testing is commencing with two rounds planned during July. Planning for development of end user training material has commenced. Configuration, User Acceptance Testing and stakeholder testing is complete for PageUp Performance and Succession. The system is ready for rollout for the next performance period commencing September 2020. |
| 1037 | Project Management Office - ICT Governance |
| All Wards | Tracking as planned |
| 1242 | Digital Customer Channels Transformation (DCCT) - Phase 1 Website Development |
| All Wards | The tender for a vendor to build the KCC website to the agreed design, opened Saturday May 23 and closed Tuesday 16 June. Tender evaluation is currently in progress with Council approval required to award contract. Business Case is currently underway to ascertain the return on investment. |
| 1245 | Corporate Reporting Solutions |
| All Wards | This project has been scheduled to commence in FY20/21 due to prioritisation of the Community Engagement Project. |
| 1250 | Point Fix - Storage System |
| All Wards | Project tracking to plan |
| 1255 | Server Infrastructure Upgrade |
| All Wards | Project tracking to plan |
| 1257 | Project Management Office |
| All Wards | Project tracking to plan |
| 1368 | Data Integration |
| All Wards | Project waiting to be scheduled |
| 1369 | Master Data Management |
| All Wards | Project is in Scoping phase, with a tender underway for a vendor to run a Proof of Concept. The tender evaluation has been delayed with additional information from respondents required for panel member re-evaluation. Decision on preferred vendor expected in late July. |
| 1370 | Data Integration Tools |
| All Wards | Project combined with #1368 Data Integration |

Knox City Council Project Status Report

16-Jul-2020

| Project Number | Project Name |
|-----------------------|---|
| 1371 | Participation Platform |
| All Wards | Steering Committee have endorsed the project initiation and scope documents in June, to set the baseline schedule and requirements of the project. An RFQ will run in July to secure a digital tool, which will support the newly developed framework for community engagement. |
| 1372 | Point Fix - M(Device)M |
| All Wards | Project tracking to plan |
| 1373 | Active Aging System Platform |
| All Wards | In consultation with the sponsoring business, this initiative has been re-prioritised on the ICT Roadmap V5 to commence in July 2021, and this decision has been endorsed by the March 2020 ICT Governance Committee. This decision reflects the business readiness to commence given competing priorities and operating decisions. |
| 1374 | Early Years Platform |
| | The Transformation team are currently working with Family & Children's Services to implement activities which will create the additional capacity required to commence the ICT project. Project commencement date is to be confirmed but now forecasting October 2020. |
| 1375 | Point Fix - Virtual Desktop |
| All Wards | Project waiting to be scheduled |
| 1376 | Digital Customer Channels Transformation - DCCT Ph2 |
| All Wards | Phase 2 - Deliver a new staff Intranet and a secure portal for residents within our new website, as well as continued rollout of services. Will commence end of 2020. |
| 1377 | Cloud Solutions |
| All Wards | Project waiting to be scheduled |
| 1378 | Point Fix - Single Sign-on (First Pass) |
| All Wards | Project completed. |
| 1379 | Customer Relationship Management (CRM) |
| All Wards | This project is due to commence in FY 20/21 |
| 1380 | EDRMS - KX INTEGRATION TO OTHER MODULES |
| | Tracking to plan |

12 Motions for Which Notice has Previously Been Given

13 Supplementary Items

14 Urgent Business

14.1 Urgent Business

14.2 Call Up Items

15 Questions Without Notice

16 Confidential Items