

**TIRHATUAN WARD**

**13.1 AMENDMENT C142 - KINGSTON LINKS GOLF COURSE**

**SUMMARY:**            *Senior Project Manager – Strategic Planning  
(Jonathan Wright)*

*The future owners (the “Pask Group”) of the Kingston Links Golf Course site at 14 Corporate Avenue, Rowville have proposed the redevelopment of their site for a mix of residential, small-scale commercial, and public uses (the “Development”). The site is currently zoned Special Use Zone (SUZ1) and identified in the Knox Housing Strategy as a Strategic Investigation Site that could support a mix of residential and commercial uses pending a future rezoning process. A Land Subject to Inundation Overlay (LSIO) currently applies to the site, as it is part of the floodplain for the Corhanwarrabul Creek and Rowville Main Drain catchments.*

*Amendment C142 proposes to rezone the site for residential and public uses, remove the LSIO from areas that would be raised out of the floodplain, and apply a new Schedule 13 to the Development Plan Overlay that would set requirements for a detailed Development Plan to guide future development of the site. This report recommends that Council progress the rezoning proposal by seeking permission from Minister for Planning for the public exhibition of Amendment C142 subject to the signing of a Development Contributions Agreement (DCA), as described in the recommended resolutions.*

**RECOMMENDATION**

That Council:

1. Note the Concept Layout Plan (Appendix A) and Planning Report (Appendix B) for the proposed redevelopment of the Kingston Links Golf Course site (14 Corporate Avenue, Rowville) as prepared by Tract on behalf of the Pask Group;
2. Subject to proposed resolutions numbered 3 and 4, endorse the form of the:
  - a. proposed Planning Scheme Amendment C142 (Appendix C); and
  - b. the Terms Sheet for proposed Developer Contributions (Appendix D);
3. Recognise that Council has not yet resolved to sell the Council Land (part 889R Wellington Road, Rowville) that focuses part of this amendment and if this sale does not occur, Amendment C142 is likely to require modification;
4. Not send Amendment C142 to the Minister to approve exhibition until the Pask Group have signed the Development Contribution Agreement contemplated at proposed resolution 5;

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

5. Authorise the Chief Executive Officer of Council to finalise negotiations with the Pask Group and execute a Development Contribution Agreement (including in the form of a Section 173 Agreement) that gives effect to the Terms Sheet;
6. Seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C142 after the Development Contribution Section 173 Agreement is agreed to and signed by Council and the Pask Group;
7. Authorise the Director – City Development to make minor changes to Planning Scheme Amendment C142 documentation, where the changes do not affect the purpose or intent of the Amendment;
8. Confirms that the Terms Sheet (Appendix D) is a confidential item.

#### **1. INTRODUCTION**

The Kingston Links Golf Course at 14 Corporate Avenue, Rowville is identified in the *Knox Housing Strategy 2015* as a 'Strategic Investigation Site' that has the potential to accommodate a mix of residential and commercial uses. The Pask Group, a group of companies (it is understood in contract which is subject to the approval of Amendment C142), are acquiring the site and in July 2015 requested a planning scheme amendment rezoning the site primarily for residential uses and public open space with some small-scale commercial uses.

The proposed development includes approximately 800 new dwellings, new parks and public open spaces, new wetlands and other flood mitigation works, new multi-purpose community facilities, rehabilitation of ecological corridors along the Corhanwarrabul Creek, and the potential for small-scale commercial uses as part of a mixed-use neighbourhood centre. The area affected by Amendment C142 site also includes some Council Land, as described at Section 2.4 below.

Council officers have undertaken a collaborative approach to the review of the application, combining input across Council and State Government agencies with extensive discussions with Pask Group. An important goal of this process has been to reach broad consensus between all parties on the technical and planning requirements of the site. Key elements of this coordination process have included:

- Agreement in principle with Melbourne Water in May 2016 on the approach to flood management on the site and the future design of the Corhanwarrabul Creek corridor;
- Agreement in principle with Pask Group on a package of community infrastructure contributions, which includes new sporting fields and associated pavilion, a contribution to support the delivery of new social housing in Rowville, contribution towards a new Men's Shed and a new pedestrian crossing of the Corhanwarrabul Creek;

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

- Continuing coordination with VicRoads and ConnectEast on the approach to traffic management and noise mitigation, including a new road connection to Stud Road via Emmeline Row.

The main planning control that will guide the long-term development of the site is a proposed new Schedule 13 to the Development Plan Overlay (DPO13). This control sets out requirements for a Development Plan that will be used to assess subsequent permit applications for the development of the site. These requirements include the following documents:

- Masterplan – illustrating land uses (including open space), interface treatments, and road layout;
- Landscape Masterplan – showing a landscape concept design for streetscapes and public open spaces;
- Integrated Transport Plan – addressing access and movement to, from, and within the site;
- Integrated Water Management Plan – addressing a holistic approach to stormwater management within and beyond the site.

The Amendment also includes a rezoning of the site from Special Use Zone (SUZ1) to a mix of General Residential Zone (GRZ), Mixed Use Zone (MUZ), and Public Park and Recreation Zone (PPRZ).

This report recommends that Council progress the process by seeking authorisation from the Minister for Planning for the public exhibition of Amendment C142 to the Knox Planning Scheme (Appendix C).

## **2. DISCUSSION**

### **2.1 Site Description**

The Kingston Links Golf Course is a 65.572 ha site bounded to the northwest by the Corhanwarrabul Creek, to the west by EastLink, to the south by the commercial/industrial area north of Wellington Road, to the east by the existing residential neighbourhood west of Stud Road, and to the northeast by Council's parklands at Stamford Park. Maps of the site and surrounds can be found in the Concept Layout Plan (Appendix A) and Planning Report (Appendix B).

The only existing access to the site currently is from Wellington Road via Corporate Avenue. There are two small Council reserves to the south and southeast of the site. An easement for high-voltage power transmission lines runs along much of the south-western edge of the site.

### 13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

The site is part of the floodplain for the Corhanwarrabul Creek and Rowville Main Drain catchments and much of the site is subject to regular flooding. The site is characterised by undulating contours of the golf course, but generally slopes from east to west with water draining into the creek. There are a number of subsurface Stormwater drains on the site, including a significant pipe running from the southernmost corner of the boundary with the Council land at Stamford Park in a south-westerly direction towards the Corhanwarrabul Creek.

The current vegetation on site is predominantly introduced species associated with the golf course. There is some native vegetation along the Corhanwarrabul Creek corridor, though that area is also characterised by significant levels of weeds and invasive species. Most of the 3,000+ trees on site are located along the perimeter.

#### 2.2 Place and Policy Context

The area of Rowville in and around the Stud Park Shopping Centre (200-500m east of the site) is designated as an Activity Centre in the current *Plan Melbourne* regional planning framework, reflecting high levels of access to shopping, transport, schools, and community services. The *Rowville Plan 2015* serves as the structure plan for the area, which identifies current and future needs for the area and sets out a series of objectives and strategies to meet those needs over the next 20 years. That document, along with the *Knox Planning Scheme* and a wide range of other Council plans and strategies, provide the context for the issues described below.

##### Planning and Zoning

The *Knox Housing Strategy 2015* lists the Kingston Links Golf Course site as a 'Strategic Redevelopment Site' that could support future residential development.

*"A mix of commercial and residential uses is considered appropriate for this site. Commercial uses should be located in proximity to the adjoining commercial land to the south. Any future development potential for this site will be subject to satisfactorily addressing the constraints of the site including drainage/flooding issues; and the interface to existing residential areas." – Knox Housing Strategy 2015, page 28*

The site is currently zoned as Special Use Zone, Schedule 1 (SUZ1), which allows for "Community, recreation, education and religious purposes." Due to frequent flooding from the creek and main drain, the entire site is covered by a Land Subject to Inundation Overlay (LSIO), which places permit requirements on development and subdivision. An Environmental Significance Overlay (ESO2) applies to parts of the site along the Corhanwarrabul Creek corridor identified in a previous Council study as a Site of Biological Significance.

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

#### Housing

The *Knox Affordable Housing Action Plan 2015-2020* identifies the redevelopment of key strategic sites as an opportunity to secure new social housing in Knox. Action 2 under Strategy 3.3 of that document is to “*negotiate with developers (on a case-by-case basis) for a voluntary 5% contribution of social housing in larger-scale private land developments, including Strategic Investigation Sites.*” The strategy to increase the supply of social housing in appropriate locations is supported under objective 2 of clause 21.05 ‘Housing’ of the Knox Planning Scheme.

#### Open Space and Leisure

The *Knox Leisure Plan 2014-2019* and the *Eastern Region Soccer Strategy* identify a shortfall of active open space in Rowville. This includes playing fields and facilities to accommodate soccer in particular, amidst recent increases in demand that are attributed in part to growing female participation. The *Knox Leisure Plan 2014-2019* also notes that a number of facilities do not currently provide sufficient space overall and change facilities for females in particular.

Wellington Road Reserve, owned by Council, is an open area of around 3.0 ha with no road frontage and limited public access via the pocket park at Linnel Court. This site is the subject of a proposed land sale related to this development proposal, which is discussed in Section 2.4 of this report.

#### Transport

The *Rowville Plan 2015* and the *Knox Integrated Transport Plan 2015* both identify high levels of traffic congestion and a lack of transport choices as important issues to be addressed through future land use and infrastructure planning. These issues are present in Rowville, with heavy traffic and extensive delays along the Stud Road and Wellington Road corridors. This is particularly problematic due to the dependence of Rowville residents on car travel, which is reflected in some of the highest vehicle ownership rates in Knox.

Public transport options in the area are limited, with SmartBus services but no rail service and limited local bus services and Telebus services. An important policy goal set out in the *Knox Integrated Transport Plan 2015* is to ensure access to bus service within a 5-minute walk (400m) of every house in the municipality. With no local bus routes west of Stud Road, the neighbourhood immediately east of the Kingston Links Golf Course site is one of the few areas of Knox that does not currently meet this standard.

## **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

### Environment and Stormwater

There are identified Sites of Biological Significance along the Corhanwarrabul Creek corridor, which is covered by an Environmental Significance Overlay (ESO2). While the Corhanwarrabul Creek is not identified as a high-value waterway in the *Knox Water Sensitive Urban Design & Stormwater Management Strategy 2010*, stormwater problem areas of recent flooding have been identified adjacent to the Kingston Links Golf Course site. In particular, areas of Lakeview Avenue and Waradgery Drive near the northeast corner of the site have experienced heavy flooding in recent years.

## **2.3 Development Proposal**

### Development Overview

The proposed development is predominantly residential with a mix of small-scale retail and significant areas of new public open space. The anticipated size of the proposed development is approximately 800 dwellings. The development is expected to include mostly detached housing, with around 80 apartments and 160 townhouses near the centre of the site. The proposed planning controls allow for some flexibility in the exact number and mix of future dwellings to accommodate changes to the market demand for housing into the future. Specially, the total number of final dwellings will be linked to the carrying capacity of the surrounding transport network.

Appendix A is the proposed Concept Layout Plan prepared by Tract for Pask Group.

### Council Land Component

The proposed development also includes a proposal by the owner of the Kingston Links Golf Course site to purchase the Council land known as Part Wellington Road Reserve at the southeast corner of the site near the intersection of Stud Road and Wellington Road. This proposal is summarised in Section 2.4 of this report and discussed in detail in a separate report on this issue entitled "Proposed Sale of Council Property – Part Wellington Road Reserve, Rowville" under consideration at this meeting of Council.

### Stormwater

The site is proposed to be filled to bring the level of areas proposed for housing above the 1 in 100-year ARI flood levels as required by Melbourne Water. The proposed boundaries of the residential development have been set through an extensive flood modelling and site design process that has been undertaken by the developer in coordination with Melbourne Water and Council's Stormwater team.

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

Approximately 43.96 ha of the site will be made available for development through the filling of land, while the remaining 21.61 ha will remain as floodplain under the LSIO. Pask Group have advised Council officers that Melbourne Water has agreed in principle to take ownership of these future floodplain areas. However, confirmation of maintenance responsibilities will be required by Council as part of the assessment of a future Development Plan.

The proposed approach to stormwater management includes a widening of the Corhanwarrabul Creek corridor at the far north end of the site, which would reduce a significant overland flow path across the site that has caused flooding along Lakeview Avenue as recently as February 2011.

#### Transport

The development proposal includes a proposal for a new road link to the site from Stud Road via Emmeline Row. This potential future link was planned for and accommodated as part of the masterplanning and rezoning processes for the residential development at Stamford Park. This new road would be built by the developer as part of the proposed package of community infrastructure discussed in Section 2.5 below.

Preliminary traffic modelling has been undertaken by the developer in coordination with VicRoads and Council's Traffic & Transport team. This work estimates the demand for future travel based on the number of proposed new dwellings and current and future traffic patterns for people travelling to and from the site. Initial estimates show capacity for the existing roadway network to accommodate the number of estimated trips at Stud Road via Emmeline Row and at Wellington Road via Corporate Avenue. However, the assumptions underpinning this work are undergoing further review by VicRoads and Council and a more detailed analysis will be required as part of a future Development Plan.

Additional access for pedestrians and cyclists would be provided at existing Council-owned land near 4-6 Turnburry Court and 12 Linnel Court, which would supplement similar future access to the parklands at Stamford Park near 74-76 Lakeview Avenue. DPO13 requires that the road network be designed to accommodate buses should Public Transport Victoria (PTV) seek to extend its services to the neighbourhood in the future.

#### Open Space and Leisure

The Knox Planning Scheme requires that 8.5% of the area subdivided for residential uses be given over to public open space, which equates to 3.74 ha of this site (while the entire site is 65.6 ha, approximately 21.61 ha will remain in the future floodplain and is not considered in the open space calculation).

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

Approximately 2.54 ha will be used as active open space that would accommodate new sporting fields and a multi-use pavilion. These facilities would be built by the developer as part of the proposed package of community infrastructure discussed in Section 2.5 of this report. The remaining 1.20 ha of new public space would be delivered as neighbourhood-scale parks throughout the residential development. These would provide areas for playgrounds and other passive recreational facilities for new residents of the development as well as existing residents in the surrounding neighbourhoods.

While much of the area adjacent to the Corhanwarrabul Creek and the easement under the high-voltage power lines would be subject to periodic flooding as part of the flood plain, these areas would also provide walking and cycling trails along with other opportunities for passive recreation. The areas along the Corhanwarrabul Creek will connect to new Council parklands at Stamford Park. The area under the existing high-voltage power lines would also include new wetland areas, which would serve important flood storage and ecological functions.

#### **2.4 Council Land Component**

The area affected by Amendment C142 also includes particular Council Land (refer to Appendices A and B) of 2.311 hectares. Council has not yet decided to sell that Council Land, and before deciding must comply with section 189 (public notification) and section 223 (public submissions).

Pask Group have proposed to purchase a parcel of Council-owned land adjacent to the Kingston Links Golf Course site for the purpose of incorporating it into their proposed residential development. This proposal is subject to a separate Council report under consideration by Council. However since it is related to the development proposal it is also canvassed here.

The Council land that Pask Group are proposing to purchase is known as Wellington Road Reserve, located near Linnel Court at the southeast corner of the Kingston Links Golf Course site. It currently has no road access, but does have pedestrian access via the Council-owned lot at 12 Linnel Court. It is also part of the Rowville Main Drain floodplain, with much of the parcel currently below the 1 in 100-year ARI flood level. It floods periodically and is currently subject to the existing LSIO. There are a few isolated trees at the edge of the parcel, but it is most grassy vegetation that Council mows periodically. It is currently zoned Special Use Zone 1(SUZ1), the same as the Kingston Links site, and not currently used for formal public recreation.

The parcel is landlocked, but the development of the Kingston Links Golf Course site opens up the potential for future road access and therefore a change of use. The parcel was assessed for possible public open space uses as part of the coordination process around the rezoning and redevelopment application. However, this parcel is not large enough to accommodate two soccer pitches or oval with associated parking. Its location at the far end of the site would make access more difficult than other parts of the Kingston Links Golf Course site. Any intensive recreational uses of the site would have the potential to cause congestion, parking, and amenity impacts on Linnel Crescent.



### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

However, the potential sale of this land would help facilitate the development of active open space facilities at the far western edge of the Kingston Links Golf Course site as described in Section 2.3 of this report. This location on the current driving range area is large enough to accommodate two soccer pitches with an overlaid oval and a multi-use pavilion. It has high visibility to EastLink and is located closer to the Wellington Road entrance, which could allow direct access without sending additional traffic through the new neighbourhoods on the Kingston Links Golf Course site. It is also within easy walking distance to the proposed mixed-use areas, where small-scale commercial development could be complementary to new sports facilities. There is an existing car park adjacent to the proposed active open space site that could be repurposed for shared use by the sports precinct.

If Council decides not to sell the Council Land then this is likely to impact Amendment C142. It:

- may (but not necessarily) result in the removal of the Council Land from the area affected by the amendment; and
- would require renegotiation with the Pask Group of the level of Developer Contributions, open space, and a range of related elements in the Development Contribution Agreement and the amendment.

### **2.5 Proposed Community Infrastructure Contributions (“Development Contributions”)**

Pask Group and Council have negotiated a package of cash contributions and works in kind related to physical and community infrastructure that will support both the proposed development and address a range of existing Council priorities in the area. The terms have been set out and agreed to in a Term Sheet (Appendix D). The Term Sheet must be formalised as a Development Contribution Agreement (“DCA”) that will be executed by both parties prior to seeking the Minister’s approval to the exhibition of Amendment C142.

The DCA will also be a Section 173 Agreement and once Pask Group own the Kingston Links land it will be registered on the title(s) to that land to bind future owners if Pask Group sought to on-sell the whole or substantive parts of, the site.

The following is a list of the agreed contributions:

#### Proposed Contributions:

- Social Housing (Land for 20 dwellings plus cash to Council);
- Public Open Space (8.5% of the developable area);
- Sports Fields and Pavilion (In addition to the land component);
- Pedestrian Footbridge (Contribution to % of overall cost);

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

- Men's Shed (Contribution to % of overall cost);
- Stamford Park Road Link (To build it, plus cash contribution reflecting land value).

The DCA (and Terms Sheet) is to contain other important provisions including:

- If Council has not (by its choice or due to delaying factors) sought approval to adopt Amendment C142, by 30 November 2018, Pask Group may renegotiate the DCA: and
- If Council sells the Council Land to Pask Group that sale is conditional on the adoption of Amendment C142 by 30 June 2019; and
- Council will give a licence to Pask Group to undertake Earthworks (Cut and Fill) before Amendment C142 is adopted and before any sale of the Council Land is unconditional. This Licence to include:
  - the ability to progress the development works; and
  - if Pask Group starts the Earthworks they must also finish, regardless of approval of the Amendment C142 or the proposed sale of Council Land.

Finally the DCA will not deal with so called normal development requirements imposed through any future Development Plan and planning permit. For example, Melbourne Water's conditions regarding Earthworks and flood mitigation, or VicRoads' requirements at Wellington Road.

### **2.6 Proposed Amendment C142**

Amendment C142 proposes the following changes to the Knox Planning Scheme:

- Rezone the site to a mix of residential and public uses: General Residential Zone (GRZ), Mixed Use Zone (MUZ), Public Park and Recreation Zone (PPRZ);
- Apply a new Development Plan Overlay, Schedule 13 (DPO13);
- Remove the Land Subject to Inundation Overlay (LSIO) from part of the site;
- Include Wellington Road Reserve to Schedule 2 of Clause 52.02.

Amendment C142 would rezone the site from Special Use Zone (SUZ1) to a combination of General Residential Zone (GRZ), Mixed Use Zone (MUZ), and Public Park and Recreation Zone (PPRZ). The Land Subject to Inundation Overlay (LSIO) is proposed to be removed on areas that are proposed to be filled to a level above the 1 in 100-year ARI flood levels, as required by Melbourne Water.

### 13.1 Amendment C142 - Kingston Links Golf Course (cont'd)

Amendment C142 would also apply DPO13 to the entire site, including the Council land at Wellington Road Reserve and the Council land under the power lines near Corporate Avenue. This proposed overlay would set the requirements for a full Development Plan of the site that would guide future permits associated with the proposed development. DPO13 as proposed includes requirements for the following documents as part of the future Development Plan:

- **Masterplan** to guide future land use and built form, including developed areas public open space;
- **Landscape Masterplan** to guide amenity and ecology of future vegetation;
- **Integrated Transport Management Plan** to guide design of road and shared path networks as well as access by pedestrians, cyclists, and cars as well as future provision for public transport;
- **Integrated Water Management Plan** to guide the approach to stormwater management and flood mitigation, including implementation of water sensitive urban design (WSUD).

The proposed DPO13 would also require the following as Conditions and Requirements for Permits:

- Compliance with the DCA setting up the provision of community infrastructure delivery and contributions by the developer;
- Small Lots Code to guide permit approvals for any lots under 300 square meters;
- Environmental Management Plan to guide construction activities.

DPO13 would allow minor works to be completed prior to the completion of a Development Plan, including those related to rehabilitation of the creek corridor, site remediation works, maintenance or demolition of existing buildings, and certain minor subdivisions.

Amendment C142 would also remove the existing Land Subject to Inundation Overlay (LSIO) from parts of the site that would be filled as part of the development. The LSIO would remain for areas outside the development and active open space areas that remain within the 1 in 100-year ARI floodplain.

Amendment C142 would also add the Council land at Wellington Road Reserve to Schedule 2 of Clause 52.02, which would allow the reserve on title to be removed without a separate permit. This change would allow for residential development on the site in the future, and would facilitate the future proposed sale of land for that purpose. The proposed sale of land would only go through if the rezoning is approved and Council agrees to proceed with the sale after completing the required disposal of land process. That process is outlined in a separate report entitled "Proposed Sale of Council Property – Part Wellington Road Reserve, Rowville" for consideration by Council at this same meeting.

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

#### **3. CONSULTATION**

The scale of the development and the significant technical challenges related to access, flooding, biodiversity, and local amenity have required an extensive process of technical review and coordination. The review of the rezoning and redevelopment application has included input from multiple teams at Council as well as Melbourne Water, VicRoads, and ConnectEast (EastLink). This coordination process undertaken over the past two years has sought to address Council priorities related to housing diversity, social and affordable housing, flooding and stormwater infrastructure, access and transport infrastructure, public open space, sport and community facilities, environment and biodiversity, and neighbourhood amenity.

Melbourne Water have played a large role in the development of a proposed design that address the flooding and stormwater quality requirements of the Corhanwarrabul Creek and Rowville Main Drain catchments. They commissioned a third-party review of the stormwater and flooding proposal and provided agreement-in-principle for the purposes of exhibition of the proposed planning scheme amendment. Melbourne Water continue to be involved in the more detailed design work underway as an approval authority for a future Development Plan.

Pask Group held a community information session of their own on 9 December 2016, which was attended by approximately 50-60 residents. Council officers from the Strategic Planning team attended this session to answer community questions about a potential future amendment process, should Council decide to progress one. At that meeting, Pask Group and their consultants provided display boards describing various aspects of the proposed development, answered residents' questions about their proposed concept, and heard community concerns and ideas to guide their design process going forward.

For the purpose of public exhibition, all landowners and residents near to the Kingston Links Golf Course site and relevant authorities will be informed of the proposed Planning Scheme Amendment by mail. This is proposed to include all adjacent landowners, residential properties west of Stud Road between Wellington Road and Emmeline Row, properties within the Stamford Business Estate off Emmeline Row, and commercial properties to the south along Wellington Road.

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

The amount of technical and design work in the review of the application has produced a well-vetted planning scheme amendment as well as a draft Development Plan supported by over 20 reports by technical experts. These draft plans and reports will be made available by Pask Group during the exhibition of Amendment C142 and the public consultation for the proposed sale of Council land at Wellington Road Reserve. While they are not included in the formal Planning Scheme Amendment documents, they are expected to provide important context to the community members and expected Planning Panel who will be evaluating comments and recommendations to Council on the proposed development. The Development Plan and supporting materials will continue to be refined throughout the amendment process as public comments are received and considered.

The expectation is that a full Development Plan will be ready for Council review shortly after a decision on Amendment C142 is made by the Minister for Planning, should it reach that point in the process.

#### **4. ENVIRONMENTAL/AMENITY ISSUES**

The ecology of the Kingston Links Golf Course site is currently characterised by introduced landscapes and exotic vegetation. The redevelopment proposal maintains the Environmental Significance Overlay (ESO) along the Corhanwarrabul Creek corridor, and includes rehabilitation works and the planting of indigenous species on site. The approach seeks to extend and enhance the ecological corridors along the creek and in the parklands at Stamford Park upstream of the site.

The development adopts principles of Water Sensitive Urban Design (WSUD) to provide a best practice approach to the management of stormwater on site. That includes best practice for water quality with the introduction of new wetlands to filter runoff before it reaches the Corhanwarrabul Creek.

The addition of a new road link to the Kingston Links Golf Course site via Emmeline Row is required to support the development as proposed. It would result in additional traffic passing through the new residential estate at Stamford Park. The primary road through that estate has been designed to accommodate a volume of traffic that could be expected for a development of the size and scale as the current proposal. The details of these current traffic estimates are the subject of ongoing review by Council and VicRoads. Proposed DPO13 includes a requirement for an Integrated Transport Management Plan that demonstrates how access will be provided and how identified issues will be mitigated.

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

#### **5. FINANCIAL & ECONOMIC IMPLICATIONS**

A new development of residential, commercial, and community uses in Rowville could help provide homes and community assets for a part of Knox that is currently experiencing growth and changing community needs. The developer estimates the development would generate around \$435 million in capital investment that would create 2,610 construction-related jobs over the life of the project. These estimates also include 75 on-site jobs directly supported on an ongoing basis, with another 100 jobs indirectly created in the wider economy.

Council has reached agreement-in-principle with Pask on a voluntary package of community infrastructure contributions as outlined in Section 2.5. These include a mix of cash contributions and in-kind construction of stormwater infrastructure; transport infrastructure; active and passive open space; community facilities; and social housing.

#### **6. SOCIAL IMPLICATIONS**

The cash and land contribution to social housing would help address an important community need. The level of demand and relative shortfall of social housing has been established through Council's own research, and this proposal delivers on the opportunity identified in Council's *Affordable Housing Action Plan* to provide new social housing when Strategic Investigation Sites are rezoned for residential use.

The proposed development provides potential benefits for housing affordability and choice by providing a range of housing types that would add to the diversity of housing available locally. The smaller townhouse and apartments along with the standard detached housing proposed would provide different housing options at different price points than are widely available in Rowville today.

The development proposal includes significant amounts of new public open space for both passive recreation and active sporting uses. The delivery of new soccer pitches and an oval would address an identified shortage of sports fields in the area and help accommodate a growing demand for soccer, which has been driven in part by increasing female participation. The construction of a new multi-use pavilion with both male and female change rooms would provide an inclusive meeting space for sports and other community activities.

The proposed contribution toward a new Men's Shed in the area would provide another community facility in the area. While these types of facilities typically serve a wide section of the community, they have often provided particular benefits to those dealing with social isolation and mental health by bringing people of all ages together in a communal setting.

### **13.1 Amendment C142 - Kingston Links Golf Course (cont'd)**

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

A future redevelopment of the Kingston Links Golf Course site into a new residential neighbourhood, complete with community infrastructure and commercial areas serving the immediate area and surrounding neighbourhoods, could address a number of objectives of the City Plan across all five themes of the Knox Vision:

- Healthy, Connected Communities
- Prosperous, Advancing Economy
- Vibrant & Sustainable Built & Natural Environment
- Culturally Rich & Active Communities
- Democratic & Engaged Communities

#### **8. CONCLUSION**

The Kingston Links Golf Course is identified in the *Knox Housing Strategy 2015* as a 'Strategic Investigation Site' that could support future redevelopment pending a process to rezone the land for a mix of residential and commercial uses. The owners of the site have submitted a rezoning and redevelopment application to Council and have undertaken an extensive process of review and coordination with multiple Council teams, Melbourne Water, VicRoads, and ConnectEast. This process has sought to address identified Council priorities related to housing diversity, social and affordable housing, flooding and stormwater infrastructure, access and transport infrastructure, public open space, sport and community facilities, environment and biodiversity, and neighbourhood amenity.

The result of this coordination is Amendment C142 to the Knox Planning Scheme, which would rezone the site for residential, mixed use, and public open space and apply a new Schedule 13 to the Development Plan Overlay that would set requirements for a future Development Plan. This report supports the proposed rezoning as set out in Appendix C, and recommends that Council seek authorisation from the Minister for Planning to exhibit the amendment once the DCA (Section 173 Agreement) has been executed on the terms set out in the confidential Terms Sheet in Appendix D.









**13.1 Amendment C142 - Kingston Links Golf Course (cont'd)****9. CONFIDENTIALITY**

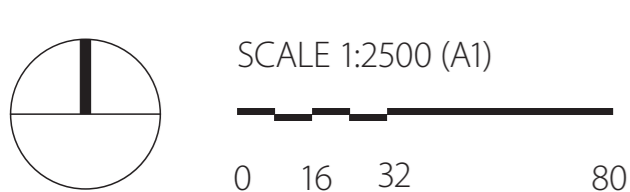
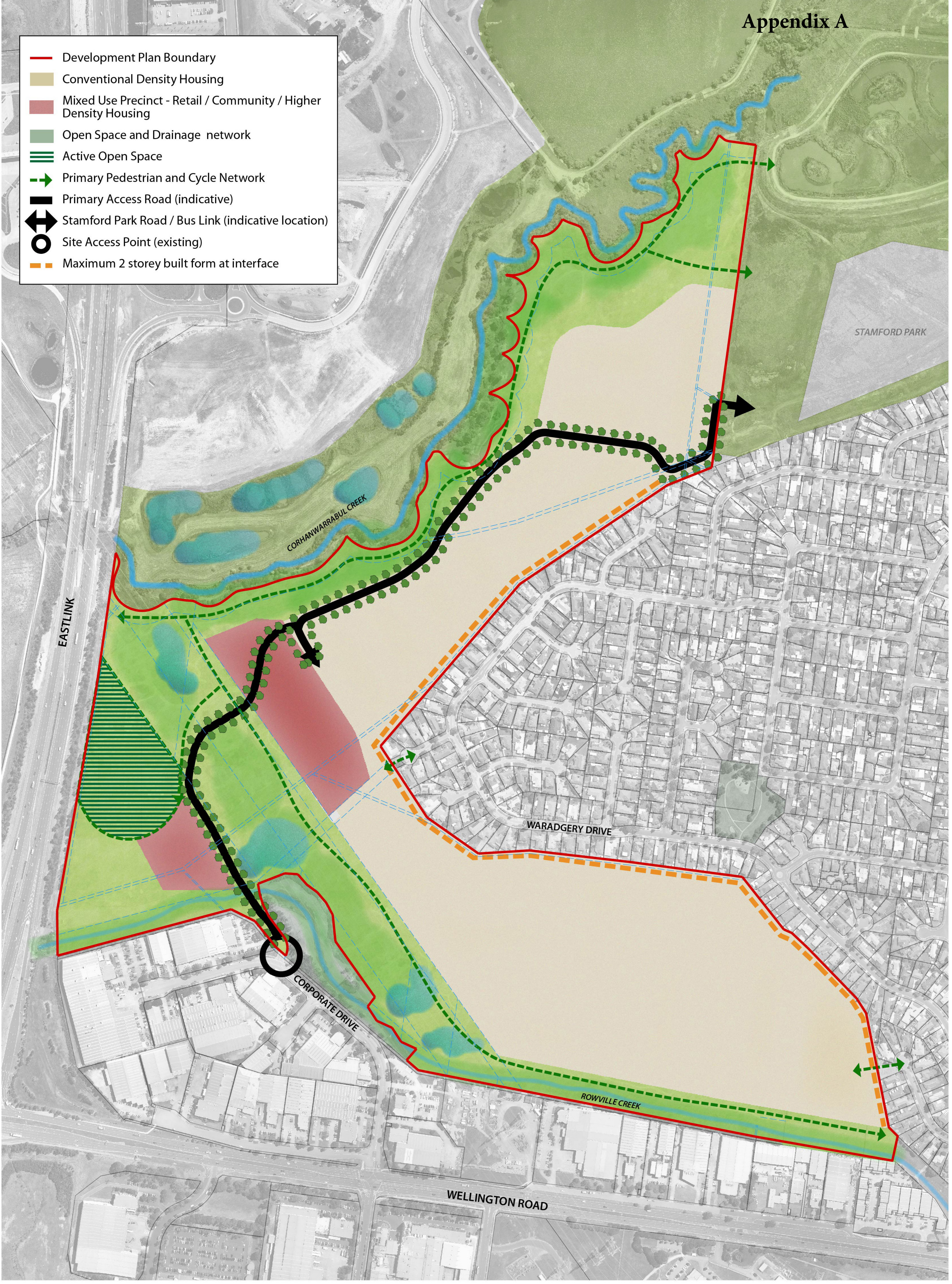
The Term Sheet describing proposed community infrastructure contributions (Appendix D) is considered commercial-in-confidence until such time as a DCA (Section 173 Agreement) is signed by both Pask and Council.

***Report Prepared By: Senior Project Manager – Strategic Planning  
(Jonathan Wright)***

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



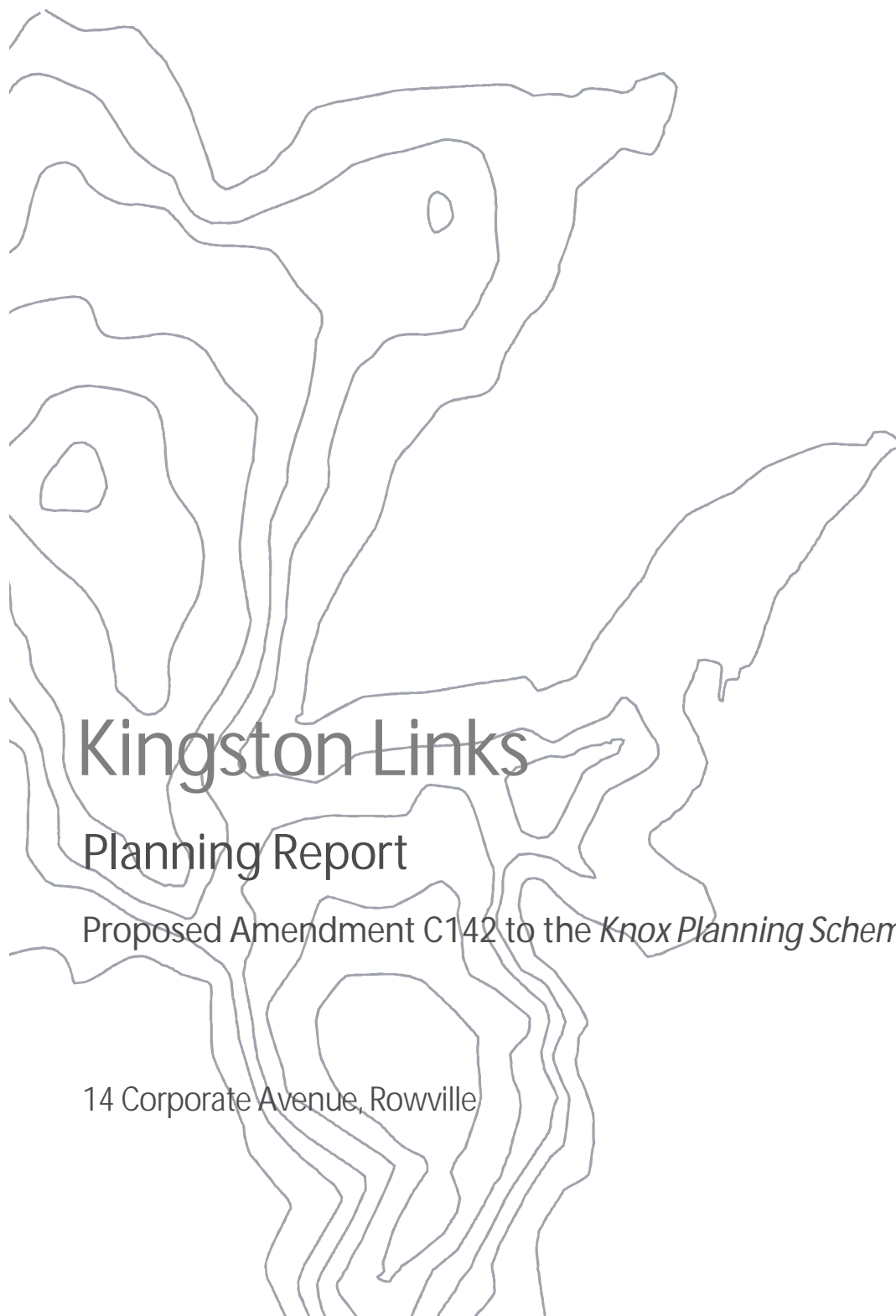
-  Development Plan Boundary
-  Conventional Density Housing
-  Mixed Use Precinct - Retail / Community / Higher Density Housing
-  Open Space and Drainage network
-  Active Open Space
-  Primary Pedestrian and Cycle Network
-  Primary Access Road (indicative)
-  Stamford Park Road / Bus Link (indicative location)
-  Site Access Point (existing)
-  Maximum 2 storey built form at interface



**Concept layout plan**  
Kingston Links

Tract  
Landscape Architects  
Urban Designers  
Town Planners

Tract



# Kingston Links

## Planning Report

Proposed Amendment C142 to the *Knox Planning Scheme*

14 Corporate Avenue, Rowville

Prepared by Tract Consultants  
for Pask Group

0314-0744 R01\_3 12 May 2017

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## Executive Summary

### Background

Applicant/Owner	Pask Group
Addresses	14 Corporate Avenue, Rowville (the 'Site')
Lot Description	Lot 1 on PS421343
Local Government Area	City of Knox
Existing Zone	Special Use Zone – Schedule 1 (SUZ1)
Existing Overlays	Environmental Significance Overlay – Schedule 2 (ESO2) Land Subject to Inundation Overlay (LSIO)
Current Use and Development	The Site is used and developed as the Kingston Links Golf Course.

### Planning Scheme Amendment

Proposal	<p>It is proposed to rezone the Site from the Special Use Zone – Schedule 1 predominantly to the General Residential Zone – Schedule 1. The proposal also applies the Public Park and Recreation Zone adjacent the Site's riparian (northern) boundary and the Mixed Use Zone to a small precinct within the Site.</p> <p>It is also proposed to delete part of the Site's Land Subject to Inundation Overlay and to apply the Development Plan Overlay – Schedule 13 to the Site. The proposal does not affect the Site's Environmental Significance Overlay – Schedule 2.</p>
Strategic Merit	The proposed amendment is consistent with Victorian planning objectives and in particular the <i>Knox Planning Scheme</i> and <i>Plan Melbourne</i> .
Recommendation	Council is respectfully requested to forward this Planning Scheme Amendment to the Minister for Planning pursuant to section 9(2) of the <i>Planning and Environment Act 1987</i> .

## Quality Assurance - Report Record

Project Name	Kingston Links
Document Number	R01
Revision (see below)	03
Prepared By	Ben Daly
Reviewed By	Luke Chamberlain
Approved By	Luke Chamberlain
Date of Issue	12 May 2017

### Revision Status- all revisions must be identified by the following information

Revision Number	03
Description of Revision	Edits following negotiated outcome with Council.
Prepared By	BD
Reviewed By	LC
Pages Revised	All

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# 1 INTRODUCTION

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## 1.1 Overview

This report has been prepared on behalf of Pask Group in respect of a planning scheme amendment request concerning the proposed rezoning of Kingston Links Golf Course (the 'Golf Course') located at 14 Corporate Avenue, Rowville (the 'Site'). The proposed rezoning also seeks to rezone the Site's contiguous Council-owned Special Use Zone properties which, together with the Site, form the broader 'Amendment Area'.

In summary, the planning scheme amendment request seeks to:

- Rezone the Amendment Area from the Special Use Zone – Schedule 1 predominantly to the General Residential Zone – Schedule 1 and also to the Public Park and Recreation Zone and the Mixed Use Zone.
- Delete of part of the Amendment Area's Land Subject to Inundation Overlay.
- Apply the Development Plan Overlay – Schedule 13 across the full extent of the Amendment Area.

## 1.2 Vision

The vision for the project is:

- *To create a vibrant and sustainable residential community with generous landscaping and open space, a central mixed use precinct, and seamless integration with the surrounding natural environment, community, and urban form.*

## 1.3 Report Structure

This report describes the Site and its context (Chapter 2) before detailing the planning scheme amendment request (Chapter 3).

The planning framework is then outlined (Chapter 4) before the proposal is assessed against these identified relevant Ministerial Directions, Practice Notes, and provisions of the *Knox Planning Scheme* (Chapter 5). The report concludes at Chapter 6.

Certificate of title are included at Appendix 1.

## 2 URBAN CONTEXT REVIEW

---

### 2.1 Site and Amendment Area Definition

The Site address is 14 Corporate Avenue, Rowville. The Site is known formally on Certificate of Title as Lot 1 on PS421343.

Discussed further at **Chapter 3 – Proposal**, the proposed rezoning also includes three Council-owned reserves which are each located within the Special Use Zone precinct and contiguous to the Site. These reserves are described at Section 2.4 below.

Refer **Figure 1 – Amendment Area and Cadastral Configuration**.

### 2.2 Site Locality

Located in the suburb of Rowville and approximately 30 kilometres south-east of Melbourne's CBD, the Site is positioned within the north-east quadrant of the intersection between Wellington Road and the Eastlink Freeway.

### 2.3 Site Interfaces

The Site's immediate interfaces are summarised as follows:

- **North:** Corhanwarrabul Creek forms the Golf Course's northern boundary. This is an environmentally sensitive landscape protected by the Environmental Significance Overlay (Schedule 2). This interface also has an important drainage and inundation function reflected by the application of the Urban Flood Zone immediately north of the Site.
- **North-east:** Stamford Park, further described below, forms the Site's north-eastern boundary.
- **East:** The Site wraps around residential development to the east which generally comprises conventional single dwelling form, with some minor infill townhouse development.
- **South:** Separating the Site from Wellington Road is a Council-owned tree reserve ('the Tree Reserve') and a Council-owned drainage reserve ('the Southern Drainage Reserve') described further below. South-adjacent to the tree reserve is a precinct of Commercial 2 Zone land which generally comprises lots larger than 3000sqm. This interface masks much of the view of the Site from Wellington Road with commercial-industrial buildings presenting to the Site as an inactive interface.
- **South-east:** The Site's south-east corner abuts a Council-owned drainage reserve ('the South-eastern Drainage Reserve') further described below.
- **West:** Eastlink Freeway forms the Site's western boundary.

### 2.4 Adjoining Reserves

The Site adjoins four Council-owned reserves each described below. This presents an opportunity to work with Council to integrate the proposed residential community with these public assets.

### Stamford Park

To the Site's north-east is the Stamford Park reserve which is owned and managed by the City of Knox.

Stamford Park is accessed from Stud Road (Category 1 Road Zone) via Enterprise Drive and includes the Council owned Stamford House heritage building.

Prepared on behalf of Council for this area, the *Stamford Park Master Plan* (July 2014) envisions that the historic homestead will be used for community uses, café, functions, and events.

Council's land includes recently zoned residential land that has not yet been developed.

### Tree Reserve

Formally known as Lot RES1 on PS421343, the Tree Reserve is a linear lot of approximately 5m in width which runs along the Site's southern boundary for a length of approximately 1,150m. The Tree Reserve has an area of 5,748sqm.

To its east is the South-eastern Drainage Reserve and to its west is the Eastlink Freeway road reserve. To the south is the Commercial 2 zoned employment precinct.

Located within the Special Use Zone, the Tree Reserve is owned by Knox City Council. On PS421343V, this lot is labelled as 'Reserve No 1' and is annotated as "Reserve for Drainage & Municipal Purposes."

### Southern Drainage Reserve

Known formally as Lot RES on PS325008, the Southern Drainage Reserve is an irregular shaped lot with an area of 1.728 ha. To its south this lot has a frontage to Corporate Avenue of approximately 185m and is otherwise enclosed by the Golf Course to its north, east, and west.

Located within the Special Use Zone, the Southern Drainage Reserve is owned by Knox City Council. On PS325008W this lot is labelled as 'Reserve No. 1' and is annotated as "Reserve for Drainage & Municipal Purposes."

### South-eastern Drainage Reserve

Located adjacent to the Site's south-east corner, the South-eastern Drainage Reserve is owned by Knox City Council, is located within the Special Use Zone, and comprises the following three lots:

- Lot RES1 on LP215334, being the west-most of the three lots. Located to the immediate east of the Golf Course, this lot shares a common boundary of approximately 330m with the Golf Course. Similarly, this lot is located to the immediate east of the Tree Reserve to which it shares a common boundary of approximately 5m. This lot has an area of 2.944 ha.
- Lot 1 on TP887516, being at the middle of three lots. This lot has an area of 8824sqm.
- Lot RES1 on PS331610, being the east-most of the three lots. This lot has an area of 548sqm and is annotated on PS331610A as "Reserve No 1 for use of Roads Corporation Part of Drainage Reserve. To its south-east, this lot has a frontage to Wellington Road of approximately 32m.

Collectively, the irregularly shaped South-eastern Drainage Reserve has an area of approximately 3.88 ha. The reserve's northern and eastern boundaries run along the backs of adjoining residential lots. To the South of the reserve is an employment precinct which fronts to Wellington Road and comprises Commercial 2 Zone land.

The South-eastern Drainage Reserve contains a drainage channel connecting overland flow paths from the Site to reticulated infrastructure within Wellington Road.

In its current form, the Drainage Reserve is an isolated pocket between the south-east corner of the golf course and a drain outlet under Wellington Road. Council has indicated that it is open to finding a way of integrating its holding into the proposed residential community as it currently has a limited population catchment and limited access.

Refer **Figure 1- Amendment Area and Cadastral Configuration**.



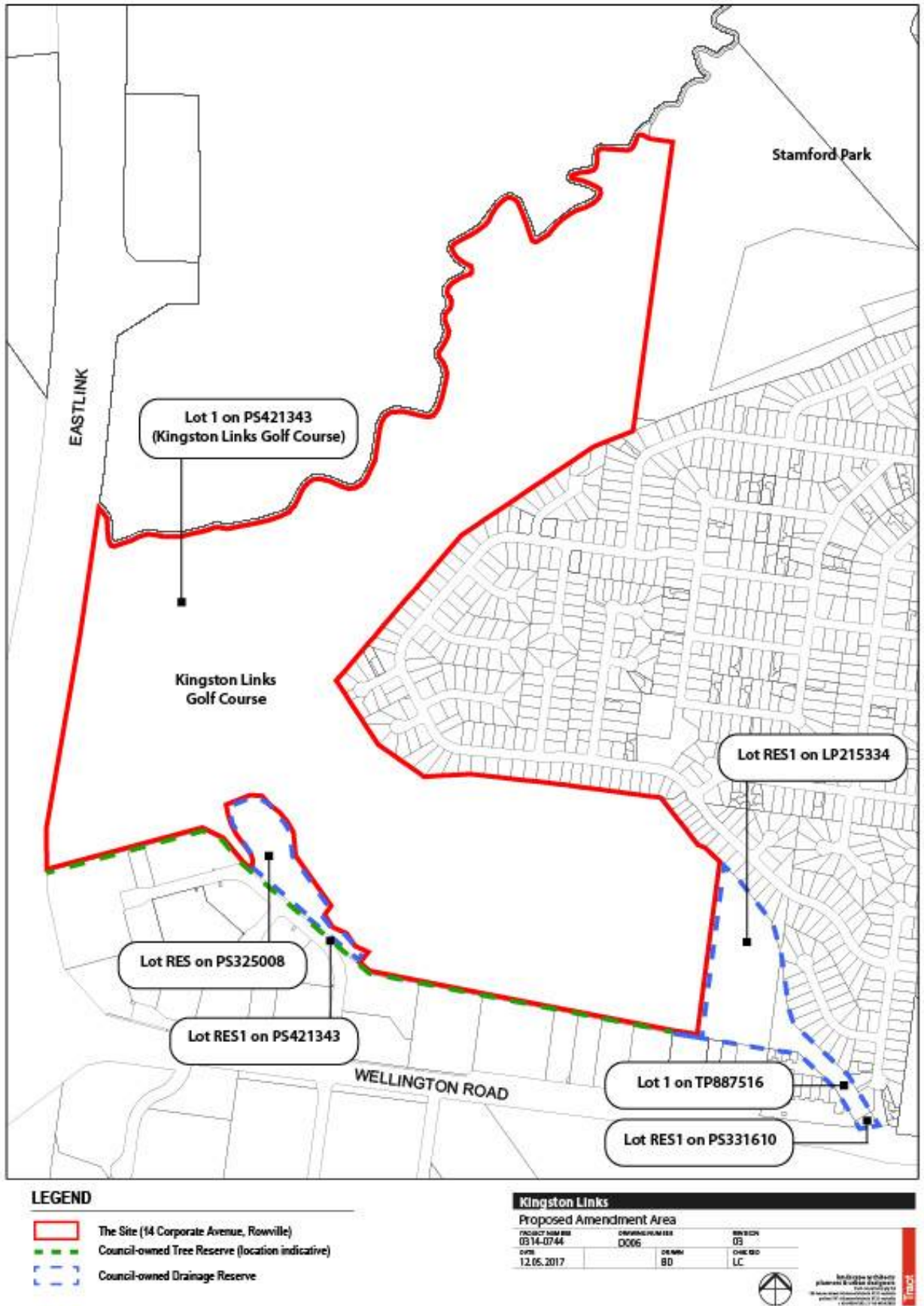


Figure 1 – Amendment Area (and Cadastral Configuration)

(Note: The Amendment Area includes the Site, the Tree Reserve, and the two Drainage Reserves).

## 2.5 Local Context

The Site sits in the well-located residential and mixed-use environs of Rowville.

To the north of the Site is the Carribean Business Park which, when fully complete, is expected to generate 20,000 jobs (Page 20, *Kingston Links Golf Course Demand Assessment*, Deep End).

To the Site's north-east is the Stamford Park reserve which is owned and managed by the City of Knox. Prepared on behalf of Council for the homestead, the *Stamford Park Master Plan* (July 2014) envisions that the historic homestead will be used for community uses, café, functions, and events. Council's land includes recently zoned residential land that has not yet been developed.

East of Stud Road is the Stud Park Shopping Centre. This is identified in Council documents as a Major Activity Centre which includes specialty retailing, supermarket and discount department store. A number of supporting businesses operate around the core retail centre.

Residential development to the east is generally conventional single dwelling form, with some minor infill townhouse development. A retirement village is located directly north east of the Stud Park Shopping Centre.

Commercial land use to the south along Wellington Road is generally warehouse and service industrial. There are no known industrial uses in this area that rely on significant buffers to meet EPA requirements.

Both industrial and residential form surrounding the Site present a 'garden suburban' feel, consistent with Council policies as discussed below.

Refer **Figure 2 – Site Context Plan**.



Figure 2 – Site Context Plan

## 2.6 Site Features

The following section outlines key features of the Site. Refer **Figure 3 – Site Features and Interfaces Plan** for a graphical representation of these features.

### 2.6.1 Built Form

While largely devoid of built form, the Site contains the following Golf Course associated buildings:

- A centrally located, single-storey 'club house' and separate 'health and fitness centre' which are both large format buildings of low architectural value. These buildings are surrounded by extensive at-grade car parking and are accessed via a public sealed road, being the continuation of Corporate Avenue.
- A single storey driving range structure and associated car parking area is located to the south-west of club house adjacent to the Site's western boundary.
- Several maintenance sheds are configured adjacent to the western boundary of the Site and north of the driving range.

### 2.6.2 Access

The current road access to the Site is provided from the south via Corporate Avenue, a sealed road which connects the Site to a signalised intersection with Wellington Road.

Wellington Road is a Road Zone – Category 1, being an east-west arterial road which connects the Site to the Eastlink, the Monash Freeway, and by extension Melbourne's CBD and the broader metropolitan area.

There is currently no access to the north of the Site. However, access is contemplated in the Stamford Park Master Plan by linking Emmeline Row with The Site at the Site's north-east corner. This is also supported in the Panel Report for Amendment C93 to the Knox Planning Scheme.

### 2.6.3 Topography and Inundation

The Site's natural topography has been significantly altered as a result of its development into a golf course. The Site's modified topography is gently undulating and inclusive of raised tees and greens, sand bunkers, ponds, and other features typical of golf courses.

In its current form, the land is partially subject to inundation. The Site contributes to water catchment storage including through a number of landscaped water features which act as part of its water retention system. The Site forms part of the broader drainage basin of the Corhanwarrabul Creek and Dandenong Creek catchments.

### 2.6.4 Landscape and Vegetation

Akin to its topography, the Site's natural landscape and vegetation have been significantly manipulated as a result of its development into a golf course.

Much of the eastern perimeter to adjoining residential land is vegetated with a tree reserve restricting views into the Site from the residential properties. Additionally, there is also planting along the southern easement line, shielding views of industrial development to the south and south west of the Site.

Whilst the Site is generally open, along the Corhanwarrabul Creek there is larger planting scattered along the drainage line.

The Site benefits from the borrowed landscapes of the Corhanwarrabul Creek corridor including, in particular, views of the Dandenong Ranges.

### 2.6.5 Flora and Fauna

Flora and Fauna analysis undertaken by Ecology & Heritage Partners has recorded the following account of biodiversity at the Site:

- Flora
  - 81 flora species (40 indigenous, 41 non-indigenous) are known to inhabit the Site, none of which are considered 'significant' species.
  - Vegetation on the Site does not meet the condition thresholds that define any significant ecological communities.
  - Having undergone intensive landscaping approximately 20 years ago, little remnant vegetation remains within the study area aside from an occasional scattered indigenous tree, with the exception being the land directly adjoining the Corhanwarrabul Creek Corridor which has not been subject to earthworks and therefore retains remnant riparian vegetation.

- Swampy Woodland (EVC 937), Swampy Riparian Woodland (EVC 83), and Floodplain Reedbed (EVC 863) vegetation communities were identified along the creek line in varying states of quality.
- Fauna
  - 45 fauna species are known to inhabit the Site. These comprise 35 birds (30 native, 5 introduced), three introduced mammals, one introduced fish, and six native frog species. Of these, one species (the Blue-billed Duck) is considered State significant.
  - Suitable foraging habitat for additional State-listed fauna species (Powerful Owl, Barking Owl, Sooty Owl, Musk Duck, Australasian Shoveler, Hardhead, Eastern Great Egret, Little Egret, and Baillon's Crane).
  - It is also considered that two additional fauna species of national significance (Grey-headed Flying Fox and Swift Parrot) are likely to visit the Site.
  - Targeted surveys were undertaken for the Growling Grass Frog during the 2012/13 and 2015/16. Despite optimal conditions, no Growling Grass Frogs were recorded during these targeted surveys.
  - Targeted surveys for Dwarf Galaxias did not detect presence of this species.
  - There are limited records of Platypus occurring within 10km of the study area, however, no evidence of this species was detected during field investigations.

Refer 'Detailed Flora and Fauna Assessment, Kingston Links Golf Course' (Ecology & Heritage Partners, July 2016).

### 2.6.6 Views

Views from the Site are generally localised to corridors along the Corhanwarrabul Creek. There are key views of the Dandenong Ranges, particularly when viewed from within the creek valley to the east. There are less dominant views west toward Waverley Park, notably the Sir Kenneth Luke Grandstand visible above the now residential form of the former VFL football ground. A more limited view of Wheelers Hill and the Police Academy training centre is also possible from parts of the Site.

Direct views into the Site are somewhat limited due to its low-lying location. However, the residential land to the east rises up from the Site, with some houses in this area having views across the Site toward Eastlink and the Dandenong Creek reserve west of Eastlink. This includes distant views to the grandstand of the former Waverley Park and the Police Academy tower at Wheelers Hill. However, this view is somewhat impeded by a significant planting of trees along the Site's eastern residential boundary which provide a visual barrier to the Site.

The north east peninsula of the Site sits beyond the currently defined view arc from Stamford Park. This view line, identified in DPO6 and DPO9 of the Knox Planning Scheme, currently assumes the Kingston Links land remains a golf course.

### 2.6.7 Easements and Encumbrances

A drainage easement and drainage line separates the Site from the commercial- industrial area to the south and south west.

The south west of the Site is encumbered with a high voltage power easement and power lines which dissects the land.

Refer **Figure 3 – Site Features and Interfaces Plan**.

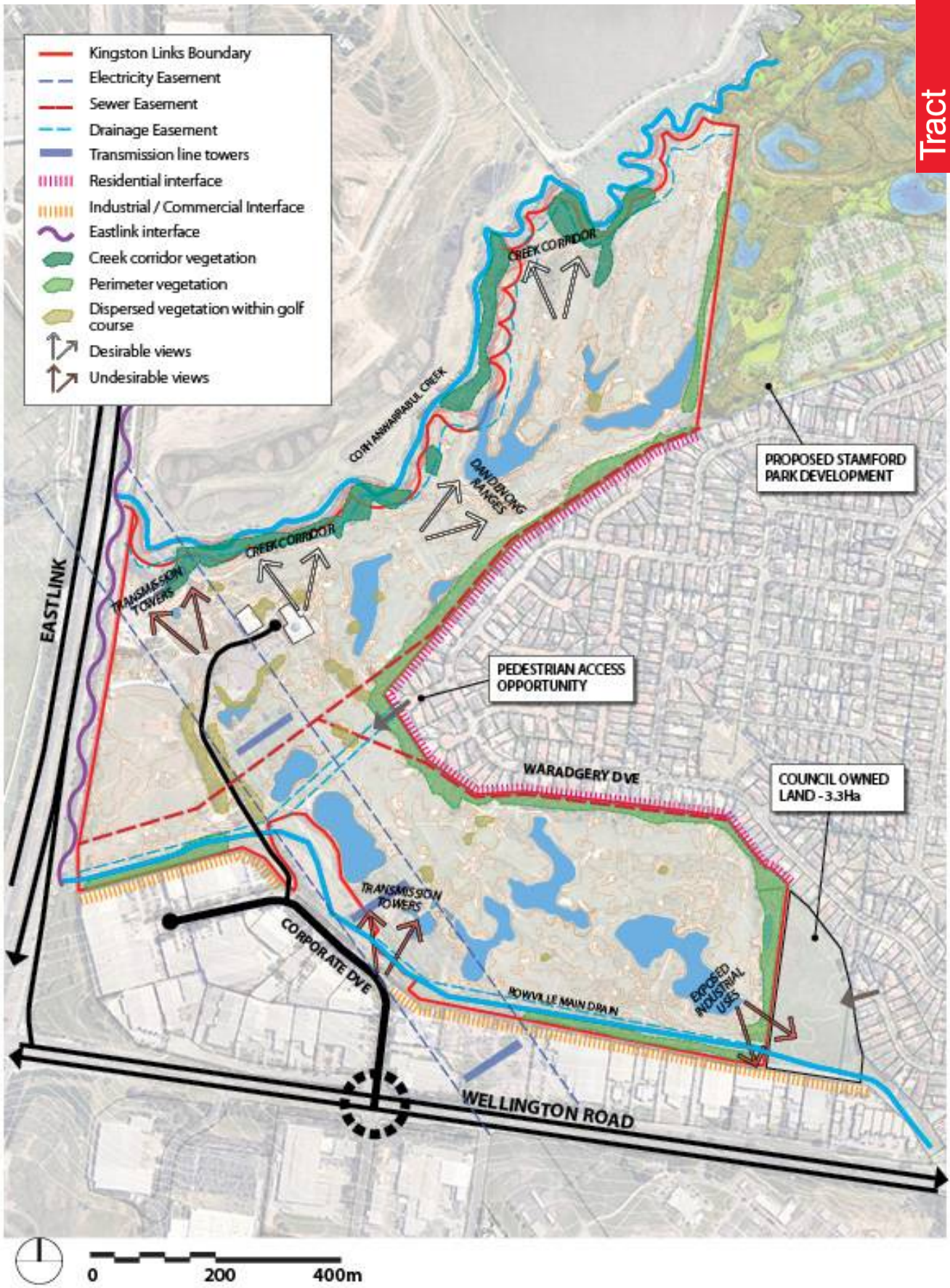


Figure 3 – Site features and Interface Plan

## 2.7 Site Controls

### 2.7.1 Zones

The entire Amendment Area is currently located within the Special Use Zone – Schedule 1 ('SUZ1').

The purpose of the SUZ1 is:

- *To recognise the use of private facilities including community, sporting leisure, recreation, education and religious facilities.*
- *To ensure that flood risk is taken into consideration for use or development of facilities on or near land subject to flooding.*

Refer Figure 4 – **Existing Zone Plan.**

### 2.7.2 Overlays

The Amendment Area is currently affected in part by the Land Subject to Inundation Overlay ('LSIO') and the Environmental Significance Overlay – Schedule 3 ('ESO3').

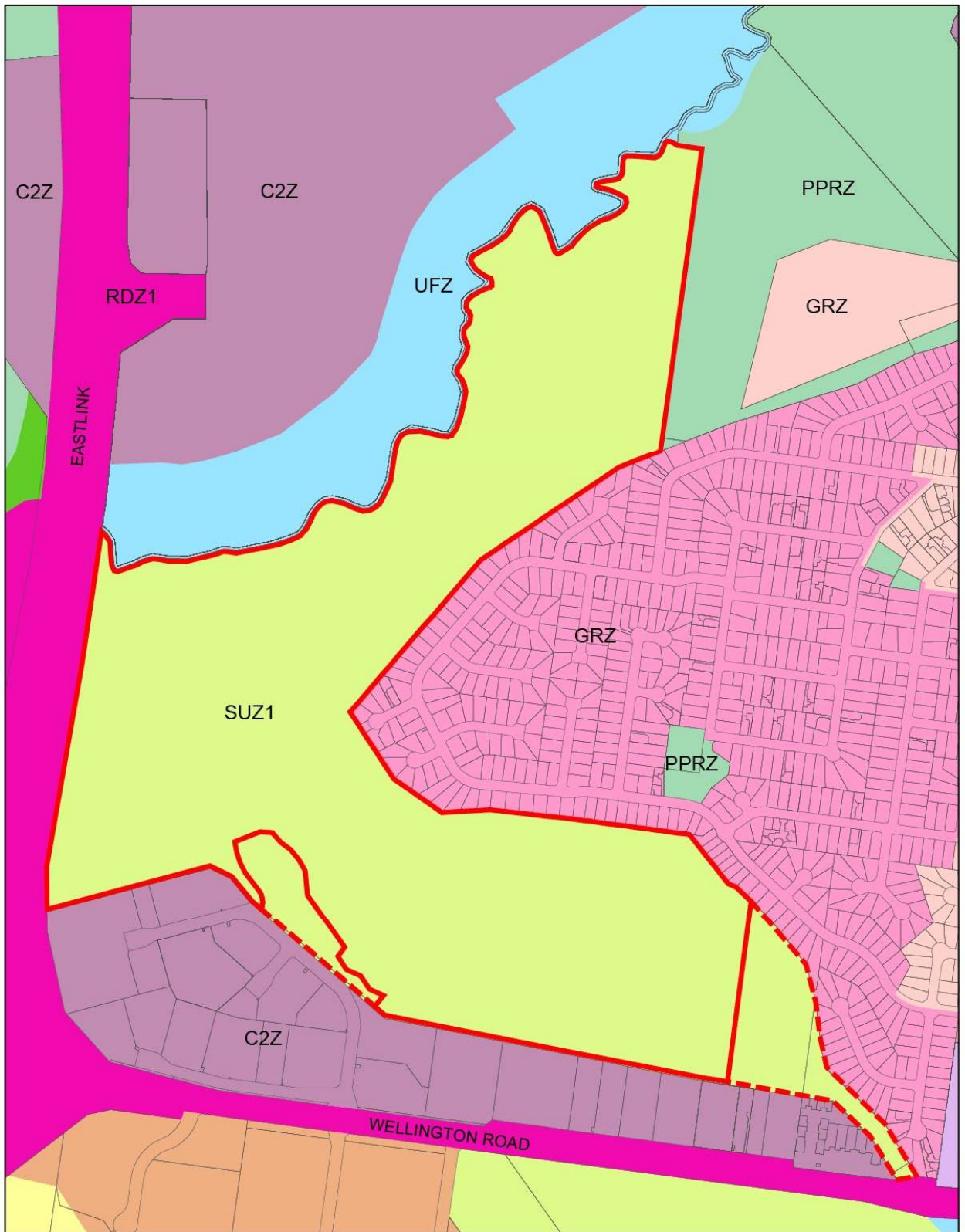
The purpose of the LSIO is:

- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
- *To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).*
- *To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.*

The purpose of the ESO is:

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Refer **Figure 5 – Existing Overlay Plan.**



**LEGEND**

- The Site
- Broader Amendment Area

**Kingston Links**

**Existing Zone Plan**

PROJECT NUMBER 0314-0744	DRAWING NUMBER D003	REVISION 03
DATE 12-05-2017	DRAWN BD	CHECKED LC



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Figure 4 – Existing Zone Plan

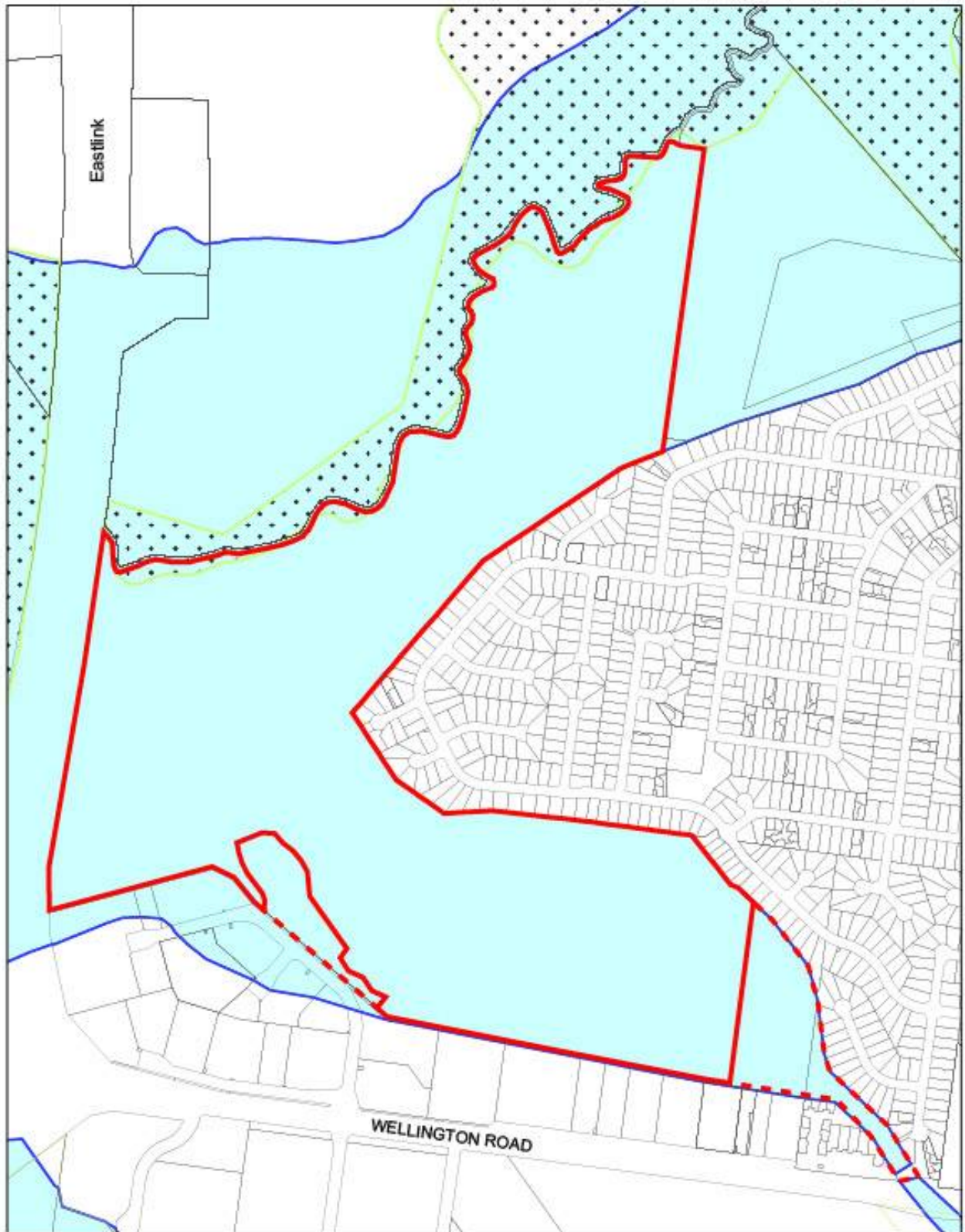


Figure 5 – Existing Overlay Plan  
(Note: Only overlays directly affecting the Amendment Area are depicted)



## 3 THE PROPOSAL

This chapter first describes the proposal to rezone the land at 14 Corporate Avenue, Rowville (the 'Site') before considering the broader precinct. In addition to the Site, the broader precinct comprises pockets of Council-owned SUZ land which would present a somewhat anomalous land use configuration if the Site was rezoned in isolation.

To avoid a potentially anomalous land use configuration, and to clearly unite the existing and proposed community at Rowville, this chapter proposes a 'precinct amendment' which includes the Site and all contiguous SUZ properties.

Refer **Figure 6 – Proposed Zone Plan** and **Figure 7 – Proposed Overlay Plan**.

### 3.1 The Site

It is proposed to rezone the Site from the Special Use Zone – Schedule 1 to the General Residential Zone – Schedule 1 ('GRZ1'). This GRZ is proposed to be complemented by the application of the Public Park and Recreation Zone ('PPRZ') to the Site's riparian (northern) boundary and by the Mixed Use Zone ('MUZ') to a centrally located precinct.

It is also proposed to apply the Development Plan Overlay – Schedule 13 to the Site and to delete part of the Site's Land Subject to Inundation Overlay. The Site's Environmental Significance Overlay – Schedule 2 is unaffected by the proposal.

#### 3.1.1 Site Rezoning

##### General Residential Zone (Schedule 1)

It is proposed to predominantly rezone the Site to the GRZ1. The General Residential Zone was introduced into the Victoria Planning Provisions (VPPs) on 1 July 2014 as part of the former State Government's residential zones reform. A new General Residential Zone was introduced into the VPPs by Amendment VC110 on 27 March 2017.

The General Residential Zone seeks:

- *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 nonresidential uses to serve local community needs in appropriate locations.*

Under the provisions of the General Residential Zone, use of the Site for residential purposes ('dwelling') is as of right, meaning a planning permit is not required for this use. A planning permit would be required for subdivision and for certain buildings and works triggers.

In its current form, Schedule 1 to the General Residential Zone does not specify any additional requirements. Accordingly, future residential use of the type intended within the GRZ could occur on the Site without a further planning permit.

### Mixed Use Zone

It is proposed to rezone part of the Site to the MUZ.

The Mixed Use Zone seeks:

- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

The MUZ would provide the flexibility for commercial, community and higher density residential forms and uses across a limited portion of the Site.

### Public Park and Recreation Zone

It is proposed to rezone part of the land south of the Site's riparian (northern) boundary to the PPRZ.

The Public Park and Recreation Zone seeks:

- *To recognise areas for public recreation and open space.*
- *To protect and conserve areas of significance where appropriate.*
- *To provide for commercial uses where appropriate.*

Application of the PPRZ to this portion of the Site would protect a number of important environmental features of the corridor identified by Ecology and Heritage Partners (refer **Section 2.4.5** above) and would create a logical and unbroken continuation of the existing PPRZ to the Site's north-east.

## 3.1.2 Site Overlay Changes

### Land Subject to Inundation Overlay

The LSIO currently covers the full extent of the Site. It is proposed to delete part of the LSIO consistent with stormwater modelling undertaken by Water Technology to the satisfaction of Melbourne Water.

The purpose of the LSIO is set out at Section 2.5 above.

Stormwater modelling has been undertaken by Water Technology which confirms that the loss of floodplain storage as a result of the development can be balanced by the proposed floodplain earthworks.

### Development Plan Overlay (Schedule 13)

It is proposed to apply the DPO – Schedule 13 across the full extent of the Site to guide its future residential and mixed use development.

The Development Plan Overlay seeks:

- *To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.*

Reflecting the provisions of local planning policies in the *Knox Planning Scheme*, the development plan process will establish a framework to guide the Site's development.

## 3.2 Council-Owned Land

In considering how the proposal would affect the coherence of its surrounding land use pattern, rezoning the Site in isolation of its contiguous SUZ land could create a potentially anomalous land use configuration.

Specifically, the Southern Drainage Reserve (Lot RES on PS325008), the Tree Reserve (Lot RES1 on PS421343), and the South-Eastern Drainage Reserve (Lot RES1 on LP215334; Lot 1 on TP887516; Lot RES1 on PS331610), each identified in **Figure 1 – Cadastral Configuration** above, would become somewhat isolated pockets of SUZ land.

While these properties would technically remain connected via the 5m wide Tree Reserve, consideration should be given to the role, function, and appropriate zoning of all three of these Council-owned reserves in the context of the proposal.

#### **South-eastern and Southern Drainage Reserves**

Following the proposed revision to the LSIO and the associated earthworks required to raise the level of the Site, the role of both the South-eastern and Southern drainage reserves in the storage and passage of stormwater will be significantly reduced.

It follows that the relevant purpose of its current zone, being "To ensure that flood risk is taken into consideration for use or development of facilities on or near land subject to flooding", would become less relevant to the land.

The other purpose of the SUZ1, being "To recognise the use of private facilities including community, sporting leisure, recreation, education and religious facilities" (our emphasis added), would become redundant given the land is publically owned.

#### **Tree Reserve**

The Tree Reserve has a width of 5m. Given the scale of the plan, this parcel is not clearly discernible on the Proposed Rezoning Plan. The Tree Reserve has no significant drainage function in its current state. In the proposed post-development scenario, the Tree Reserve's drainage function would be even less significant.

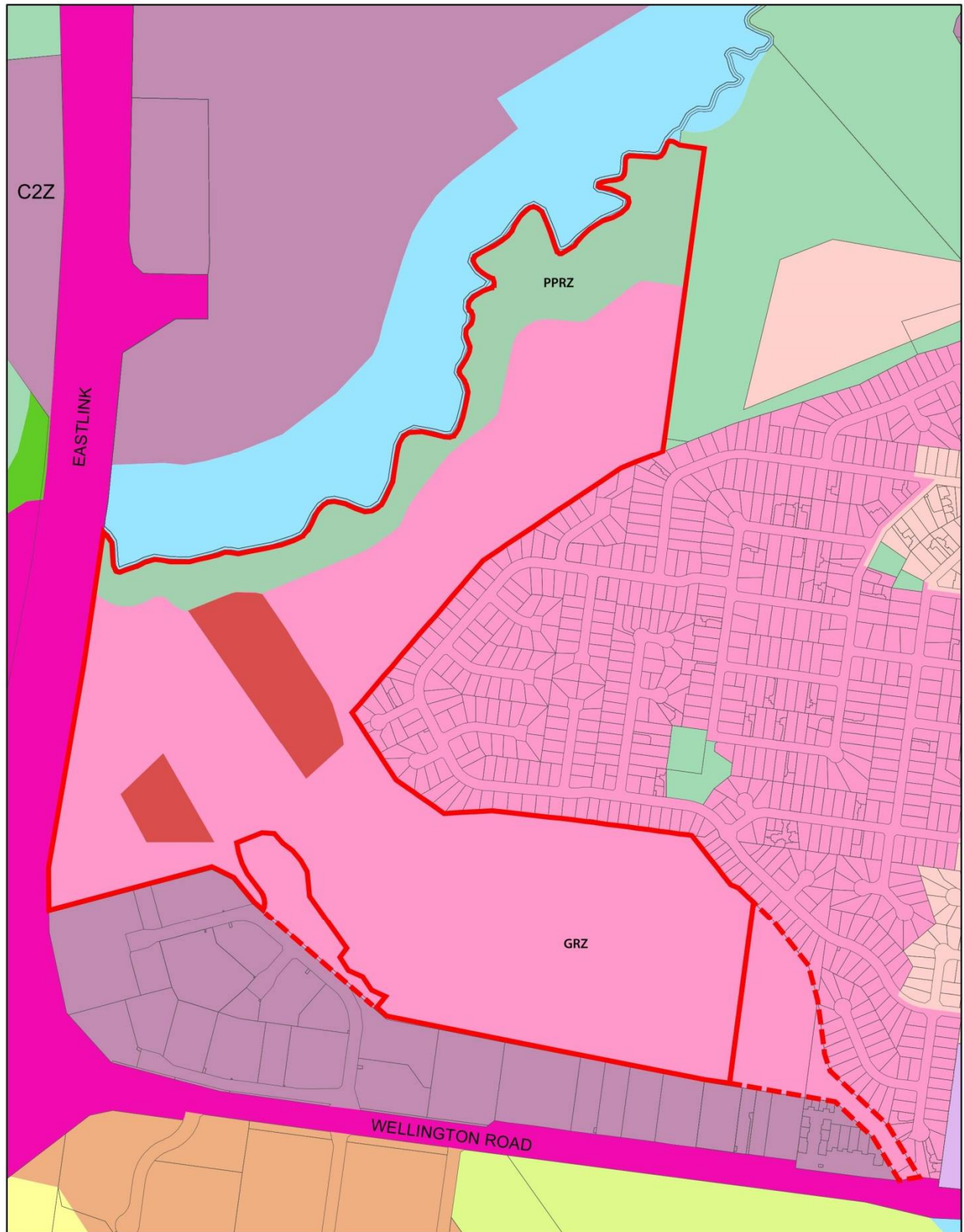
It follows that the use of the land as a public tree reserve appears inconsistent with the SUZ1's first purpose, being "To recognise the use of private facilities... ", with the SUZ1's second purpose, "To ensure that flood risk is taken into consideration... ", is also largely irrelevant.

### **3.2.1 Precinct Amendment**

Given the potentially anomalous land use configuration described above, it is understood that Council agrees that a rezoning at the precinct level, that is inclusive of the three Council owned reserves, would achieve a more logical and strategic land use configuration for the precinct. Namely, rezoning to the General Residential Zone would better reflect the general use of the Council reserves as a part of the existing and future residential community in Rowville.

Likewise, due to an agreed earthworks schedule which includes filling part of the Council-owned reserves, the extent of the LSIO on part of these reserves can also be reduced. It is proposed that this would also form part of the precinct amendment.

This consolidated approach to the amendment reduces the potential administrative burden on Council and the State Government by avoiding a second separate amendment process.



- The Site
- Broader Amendment Area
- General Residential Zone (GRZ)
- Mixed Use zone (MUZ)
- Public Park and Recreation Zone (PPRZ)
- Public Use Zone (PUZ)

**Kingston Links**  
Proposed Broader Precinct Zone Plan

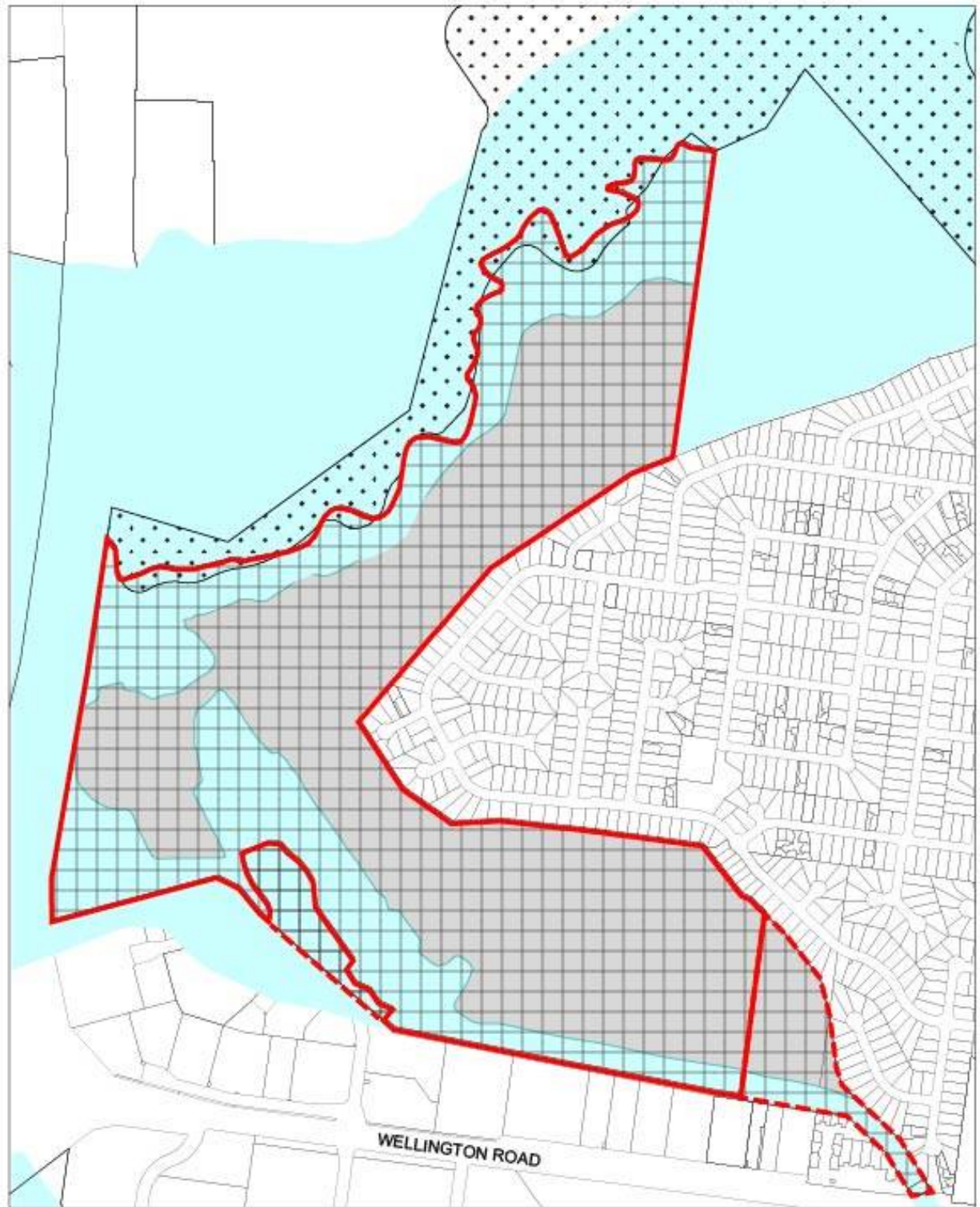
PROJECT NUMBER 0314-0744	DRAWING NUMBER D012	REVISION 02
DATE 10.05.2017	DRAWN CF	CHECKED BD



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Figure 6 – Proposed Rezoning Plan



**LEGEND**

- The Site
- Broader Amendment Area
- Land Subject to Inundation Overlay Deletion
- Land Subject to Inundation Overlay (revised)
- Environmental Significance Overlay (unchanged)
- Development Plan Overlay (new)

Kingston Links			
Proposed Broader Precinct Overlay Plan			
PROJECT NUMBER 03-14-07-44	OVERLAY NUMBER D013	REVISION 01	
DATE 10.05.2017	DRAWN CF	CHECKED BD	

Indicate whether  
planned to be  
deleted or  
revised

Tract

Figure 7 – Proposed Overlay Plan  
(Note: Only overlays affecting the Site are depicted)

## 4 PLANNING FRAMEWORK

### 4.1 Ministerial Directions

A Planning Scheme Amendment must respond to any relevant Ministerial Direction. The following Ministerial Directions are relevant to this amendment:

- Ministerial Direction No.1 – Potentially Contaminated Land
- Ministerial Direction No.9 – Metropolitan Strategy
- Ministerial Direction No.11 – Strategic Assessment of Amendments

#### 4.1.1 Ministerial Direction No.1 Potentially Contaminated Land

Ministerial Direction No.1 requires that during the preparation of an amendment which would have the effect of allowing potentially contaminated land for a sensitive use, a planning authority must satisfy itself that the environmental conditions of the land are or will be suitable for that use.

#### 4.1.2 Ministerial Direction No. 9—Metropolitan Strategy

Ministerial Direction No. 9 seeks to ensure that all planning scheme amendments have regard to the Metropolitan Strategy, which in this direction refers to '*Plan Melbourne: 2017-2050: Metropolitan Planning Strategy*'.

#### 4.1.3 Ministerial Direction No. 11 – Strategic Assessment of Amendments

The purpose of this direction is to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces is undertaken.

A range of strategic considerations are outlined as forming a part of the evaluation criteria. An assessment of the proposal against the requirements of this direction is provided within **Section 5.1** of this report.

### 4.2 State Planning Policy Framework

To ensure planning schemes further the objectives of planning in Victoria, planning authorities must take into account and give effect to the general principles and specific policies contained in the State Planning Policy Framework (SPPF).

The SPPF clauses that are most relevant to this proposed amendment are detailed below.

- **Clause 9** (Plan Melbourne) specifies that 'where relevant, planning and responsible authorities must consider and apply the strategy *Plan Melbourne 2017-2050: Metropolitan Planning Strategy*.
- **Clause 10** (Operation of the State Planning Policy Framework) sets out the purpose, objectives, application and structure for the State Planning Policy Framework.
  - **Clause 10.02** (Goal) directs that the objectives of planning in Victoria are:
    - To provide for the fair, orderly, economic and sustainable use, and development of land.
    - To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.

- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- To protect public utilities and other facilities for the benefit of the community.
- To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).
- To balance the present and future interests of all Victorians
- **Clause 11** (Settlement) has specific directions to consolidate urban form of Melbourne and maximise the efficient use of land. Specifically this includes:
  - Direction at **Clause 11.02-1** (Supply of urban land) that planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas
  - Direction at **Clause 11.03-1** (Open space planning) that open space planning should link open space networks and incorporate, where possible links between major parks, along waterways and connect places such as activity centres and areas of natural or cultural interest. This direction also seeks to ensure land use and development adjoining regional open space networks complements the open space in terms of visual and noise impacts, treatment of waste water and preservation of vegetation.
  - Direction at **Clause 11.04** (Metropolitan Melbourne). This includes particular direction to:
    - Integrate land use and transport.
    - Strengthen the competitiveness of Melbourne's employment land.
    - Enable an investment pipeline for transit-orientated development and urban renewal.
    - Provide a diversity of housing in defined locations. This includes reducing the cost of living by increasing housing supply near services and public transport.
    - Creating a city of 20 minute neighbourhoods.
    - Creating neighbourhoods that support safe communities and healthy lifestyles.
    - Protecting suburbs from inappropriate development.
  - Direction at **Clause 11.04-5** (Environment and Water) to protect natural assets and restore natural habitats. This direction also seeks to integrate whole of water cycle management to provide sustainable urban development.
- **Clause 12.01** (Biodiversity) seeks to assist the protection and conservation of Victoria's biodiversity including habitat for flora and fauna. It includes direction that decision making take into account the impacts of land use and development on high value biodiversity.
- **Clause 13.02** (Floodplain Management) sets out directions for managing the risk of flood and the function of floodplains.
- **Clause 13.04** (Noise and Air) directs the need to control the impacts of noise on sensitive land uses (including housing). It also seeks to protect and improve air quality.
- **Clause 14.02** (Water) seeks to manage water catchments, with relevant direction to consider the impacts of catchment management on downstream water quality.
- **Clause 15.01** (Urban Environment) seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. This includes directions to promote good urban design and reinforces the need to integrate land use planning, urban design and transport planning. The clause goes on (at Clauses 15.01-3 to 15.01-5 and Clause 15.02) to set out policy direction for the development and subdivision of residential areas to establish neighbourhoods that are sustainable and establish a sense of place.
- **Clause 15.02-1** (Energy and Resource Efficiency) encourages efficient land use and development which minimises greenhouse gas emissions.
- **Clause 15.03-2** (Aboriginal Cultural Heritage) aims to protect and conserves places of Aboriginal cultural heritage significance.
- **Clause 16.01** (Residential Development) promotes housing to meet community needs by:
  - Increasing the supply of housing in appropriate urban locations, including under-utilised urban land.
  - Encouraging higher density housing development on sites that are well located to activity centres, employment corridors and public transport.
  - Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.

- Identify opportunities for increased residential densities to help consolidate urban areas.
- Diversifying housing types to meet changes in population needs.
- Delivering affordable housing closer to jobs, transport and services.
- **Clause 18.01** (Integrated Transport) promotes the integration of land use planning and transport through concentrating key trip generators, including higher density residential development in and around activity centres and the Principal Public Transport Network. It also seeks to integrate opportunities for walking, cycling and public transport into new subdivisions.
- **Clause 18.02-3** (Principal Public Transport Network) has specific direction to “Improve the operation of the existing public transport network with faster, more reliable and efficient on-road and rail public transport.”
- **Clause 19.02** (Community infrastructure) and **clause 19.03** (Development infrastructure) seek to provide fair and timely infrastructure to communities, directing the use of development contributions toward the cost of infrastructure. Clause 19.03 also seeks to reduce the impact of stormwater on catchments through integrated planning of stormwater quality.

### 4.3 Local Planning Policy Framework

The City of Knox's Local Planning Policy Framework (the 'LPPF') correlates with State policy. The LPPF clauses of the *Knox Planning Scheme* which are most relevant to this proposal have been summarised as follows.

- **Clause 21.03** (Vision and Strategic Land Use Framework) reinforces that Council seeks to:
  - Maintain, enhance and protect the natural environment.
  - Continue Council's commitment to public transport and alternatives to car travel.
  - Encourage all new development to incorporate ecologically sustainable principles.
  - Encourage greater diversity in housing and direct new housing to preferred locations.
  - Continue to attract new investment, revitalise activity centres, commercial and business precincts.
- **Clause 21.04** (Urban Design) includes objective to enhance and protect the landscape qualities of the Dandenong Creek Valley, with strategic directions that include:
  - Protecting the landscape quality and role of the Dandenong Creek Valley as a wide, green pastoral break separating Knox from the suburban character of the balance of the eastern suburbs of Melbourne.
  - Protecting the rural views along the floodplain of the Dandenong Creek that include the remnant grazing and horticultural landscapes that once separated Melbourne from the Dandenong Ranges.
- **Clause 21.05** (Housing) and **clause 22.10** (Monitoring and review) set out Housing directions for the municipality. These clauses put particular emphasis on directing growth of housing stock away from the Dandenong Foothills by:
  - Promoting activity centre and key redevelopment sites as the preferred location for new housing.
  - Encouraging medium density development on sites with direct access to the Principal Public Transport network.
  - Encouraging a diversity of housing styles, types, forms and sizes to cater for changing needs in the community.
  - Supporting development that respects existing and preferred neighbourhood character.
- The **Housing Framework** plan included at clause 21.05 identifies 'Kingston Links Golf Club' as a 'Strategic Investigation Site'. Within this plan, the Site is shown as 'Non-residentially zoned land'. This plan also identifies part of Stamford Park as an 'Activity Area'.
  - Clause 21.05 defines 'Strategic Investigation Sites' as sites "where the current land use is likely to change in a short to mid-term timeframe, and *could* be suitable for future residential development (either entirely or in part)."
- **Clause 22.07** (Neighbourhood Character) and **clause 22.08** (Scoresby / Rowville Employment Precinct) direct urban character.
  - Neither of these clauses specifically applies to the Site, but each emphasise the 'garden suburban' character of Knox in both its residential and industrial form.
  - The Neighbourhood Character policy (clause 22.07) identifies the land to the direct east of the Site as part of a "Villa Court" precinct. Key characteristics of this area include large scale building form, eclectic styles and formal street tree arrangements. The preferred character statement for this area is to provide "predominantly large scale dwellings set within an open garden setting."



- Part of the residential land to the east (closer to Stud Road and Stamford Park) is identified as "Garden Suburban." This area has a preferred character to provide "Low scale dwellings within an open landscape with occasional large native trees and in some precincts large stands of native and exotic trees".
- Design for the employment land surrounding the Site is directed by clause 22.08 and applies to land to the north, south and north east. The policy has particular emphasis on ensuring development protects and enhances the environmental and heritage qualities of Stamford Park
- **Clause 21.06** (Environment) directs the municipality's environmental and cultural heritage strategies.
  - Protection and enhancement of creeks and waterways as key public, landscape and environmental assets, including the Dandenong Creek Valley and its tributaries, is directed by the clause.
  - Directions reinforce the need to manage storm water runoff to minimise impacts on water quality and changes in flow.
  - The protection of areas of cultural heritage is also directed. However, this is now addressed through the Cultural Heritage Management Act.

#### 4.4 Zone

- **Clause 32.08** (General Residential Zone) which seeks to respect neighbourhood character, provide for a diversity of housing types and moderate housing growth on well-serviced land, and to allow a limited range of non-residential uses.
- **Clause 32.04** (Mixed Use Zone) which seeks to provide a range of uses, housing at higher densities, and development which responds to neighbour character.
- **Clause 36.02** (Public Park and Recreation Zone) which seeks to recognise areas for public recreation and open space, protect and conserve areas of significance, and provide for commercial uses where appropriate.
- **Clause 37.01** (Special Use Zone – Schedule 1) is entitled 'Community, recreation, education and religious purposes' and purposes to recognise the use of private facilities (including community, sporting leisure, and recreation) and to ensure that flood risk is taken into consideration for use or development on applicable land.

#### 4.5 Overlay

- **Clause 42.01** (Environmental Significance Overlay – Schedule 2) is entitled 'Sites of Biological Significance' and functions to set out a statement of environmental significance for the Site and context as well as environmental objectives to be achieved.
- **Clause 43.04** (Development Plan Overlay) which acts to identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted.
- **Clause 44.04** (Land Subject to Inundation Overlay) acts to identify floor prone areas, maintain free passage and storage of flood waters, protect water quality, and ensure development maintains or improves river and wetland health.

#### 4.6 Particular and General Provisions

The following provisions will apply to a planning permit application for the subdivision of the Site:

- **Clause 52.01** (Public Open Space Contribution and Subdivision) requires that future subdivision of the land trigger a public open space contribution to Knox City Council. The amount specified in the schedule to this clause is 5% for lots of 725sqm or greater and 8.5% for lots smaller than 725sqm (being percentages of the land intended to be used for residential or commercial purposes, or a percentage of the site value of such land, or a combination of both).
- **Clause 52.02** (Easements, Restrictions and Reserves) enables the removal and variation of an easement to enable a use or development that complies with the planning scheme after the interests of affected people are considered.
- **Clause 52.06** (Car parking) seeks to ensure the provision of an appropriate number of car spaces having regard to the activities on the land and to support sustainable transport alternatives to the motor car.
- **Clause 52.17** (Native Vegetation) seeks to ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity.

- **Clause 52.29** (Land Adjacent to a Road Zone, Category 1) seeks to ensure appropriate access from, and subdivisions adjacent to, identified roads.
- **Clause 52.36** (Integrated Public Transport Planning) seeks to ensure that development supports public transport usage and that the new development can easily access a safe, attractive network and that new development does not adversely affect the efficiency of the existing network. Under this clause, any future application to subdivide the Site into a residential development comprising 60 or more lots would be referred to Public Transport Victoria in accordance with Section 55 of the *Planning and Environment Act 1987*.
- **Clause 56** (Residential Subdivision) applies to any future application to subdivide land in a residential zone that provides for residential development.
- **Clause 65** (Decision Guidelines) requires that the responsible authority must decide whether the proposal will produce acceptable outcomes in terms of a number of decision guidelines set-out within the clause.
- **Clause 66** (Referral and Notice Provisions) directs referrals to Melbourne Water, the relevant electricity supply authority, the relevant electricity transmission authority, and the relevant gas supply authority.

## 4.7 Plan Melbourne

*Plan Melbourne 2017-2050* is the Victorian Government's Metropolitan Planning Strategy to guide the city's growth to 2050. Plan Melbourne is supported by a 'Five-year Implementation Plan'.

The following directions of Plan Melbourne are of particular relevance to the proposal:

- 'Direction 1.3 – Create development opportunities at urban renewal precincts across Melbourne.'
- 'Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.'
- 'Direction 2.2 – Deliver more housing closer to jobs and public transport.'
- 'Direction 2.3 – Increase the supply of social and affordable housing.'
- 'Direction 2.5 – Provide greater choice and diversity of housing.'
- 'Direction 5.1 – Create a city of 20-minute neighbourhoods.'
- 'Direction 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities.'
- 'Direction 6.3 – Integrate urban development and water cycle management to support a resilient and liveable city.'
- 'Direction 6.5 – Protect and restore natural habitats.'

The following further policies of Plan Melbourne are relevant to the proposal:

- Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport including an aspirational housing distribution target of 70 per cent of new housing was to be provided within Melbourne's established areas (Policy 2.1.2).
- Plan for and facilitate the development of urban renewal precincts (Policy 1.3.1). Plan Melbourne states that these renewal areas should be developed as mixed-use neighbourhoods offering a range and choice of housing as well as other services. They should also offer high levels of amenity and connectivity and integrate into surrounding neighbourhoods.
- Protect and enhance the health of urban waterways (Policy 6.5.2) and seeks to adopt an integrated water management approach (Policy 6.3.2).

Additionally, Plan Melbourne's Implementation Plan acknowledges that the Eastern Subregion is expected to accommodate between 175,000 and 190,000 net dwelling additions to 2051 (Page 49). Further, the Implementation Plan includes Stud Park as a Major Activity Centre. Stud Park is located approximately 1.1km to the east of the Site and ensures that the Site's redevelopment is consistent with Plan Melbourne's direction for 20-minute neighbourhoods.

## 4.8 Local Planning Studies

### 4.8.1 Rowville Plan 2015

This plan was prepared by Council in 2013 to direct future development in and around the Stud Park Shopping Centre and the Rowville neighbourhood. Some maps within the plan include the Kingston Links land though the plan is generally silent on the Site's current and future use other than identifying the

land as existing "other open space". However, at Page 39 the plan acknowledges the Site's potential for redevelopment with direction to "Continue coordination with the owners of the Kingston Links Golf Course and Caribbean Gardens to ensure that any future redevelopment of these sites does not increase flood risk of nearby properties or negatively impact the Corhanwarrabul Creek".

The plan also advocates strongly for the Rowville Rail Link including provision for a future rail station at Stud Park Shopping Centre.

Elements of the Rowville Plan 2015 were introduced into the *Knox Planning Scheme* through Amendment C131 which was gazetted on 17 March 2016.

#### 4.8.2 Knox Housing Strategy and Planning Scheme Amendment C131

Prepared in parallel with the draft Rowville Plan, the draft Knox Housing Strategy also released in November 2013. These documents collectively formed Amendment C131 to the *Knox Planning Scheme*.

A Panel hearing into submissions about Amendment C131 was held in July-August 2014 and the Knox Housing Strategy, Knox Residential Design Guidelines, and Amendment C131 were adopted by Council on 27 January 2015.

The Housing strategy (at Page 23 and 26) identifies the Kingston Links Golf Club as a potential redevelopment site stating (at Page 26) that:

"A mix of commercial and residential uses is considered appropriate for this site. Commercial uses should be located in proximity to the adjoining commercial land to the south. Any future development potential for this site will be subject to satisfactorily addressing the constraints of the site including drainage/flooding issues; and the interface to existing residential areas."

This designation follows through to documents exhibited as part of Amendment C131. This includes a new Clause 21.05 that identifies the Kingston Links Golf Course site as a "strategic site" where future residential (and non-residential) development may be appropriate.

At Page 70 of the Panel Report for Amendment C131 and C133, 'Kingston Links Golf Club' is tabled alongside 13 other "Strategic Sites which could be suitable for future residential development" with possible future uses listed as 'Mix of commercial and residential'. Adopted from Council's submission to the Panel Hearing, the table lists Kingston Links Golf Club as receiving a 'Supporting submission'.

Amendment C131 to the *Knox Planning Scheme* was approved by the Minister for Planning in March 2016 and now forms part of the current planning scheme.

## 4.9 Practice Notes

### 4.9.1 PPN46- Strategic Assessment Guidelines, June 2015

Minister's Direction No. 11 Strategic Assessment Guidelines requires a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. This planning practice note explains what should be considered as part of the direction. A full assessment of the Planning Scheme Amendment against Ministerial Direction No. 11 is contained within **Section 5.1** below.

### 4.9.2 PPN78- Applying the Residential Zones, June 2015

This practice note provides information and guidance to councils about the purposes and features of the residential zones, how to apply the residential zones and the schedules to the residential zones.

The practice note specifies that applying the residential zones should be underpinned by clearly expressed planning policies in the planning scheme. The State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF) in the planning scheme should be the starting point for deciding whether the council's strategic objectives are still valid and sound, or whether new strategic work is required. Alternatively, a council may have undertaken relevant strategic planning for their residential areas.

Table 1 of PN78 has been prepared to assist Councils implementation of new residential zones when preparing a planning scheme amendment. Excerpts from Table 1 – those parts relevant to the General Residential Zone – are reproduced below.

Residential Zone			Principles in Applying Zones
Zone	Purpose	Likely Application	Principles can be deduced from the purposes of Zones (and should be considered together)*
GRZ	Respects and preserves neighbourhood character while allowing moderate housing growth and diversity	In most residential areas where moderate growth and diversity of housing that is consistent with existing neighbourhood character is to be provided	<ul style="list-style-type: none"> <li>■ Areas with a diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character</li> <li>■ Areas where moderate housing growth and housing diversity is encouraged</li> </ul>

Note: at the time this Planning Report was last revised (May 2017) a new practice note was being prepared to explain the operation of the new residential zones introduced by Amendment VC110 on 27 March 2017. Key changes to the General Residential Zone include the introduction of a minimum garden area and changes to the maximum dwelling heights.

## 5 PLANNING ASSESSMENT

### 5.1 Planning Scheme Amendment

This section of the planning report has been prepared in response to Section 3.1 of Ministerial Direction No. 11 under Section 12 (2)(a) of the *Planning and Environment Act 1987*. The purpose of the Strategic Assessment Guidelines is to provide a consistent framework for the evaluation of a proposed planning scheme amendment and the outcomes it produces. An assessment of the Planning Scheme Amendment against the Strategic Assessment Guidelines is provided below.

#### 5.1.1 Why is an amendment required?

The Site is currently used as a golf course under the Special Use Zone – Schedule 1. The amendment is required to rezone the land to enable its reuse as a residential community.

#### 5.1.2 How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria, contained in Section 4 of the *Planning and Environment Act 1987*, in the following ways:

- Objective A: the amendment provides for the fair, orderly, economic and sustainable use and development of land as it facilitates a coordinated rezoning which is consistent with surrounding land use patterns and which creates an economic opportunity for underutilized urban land.
- Objective B: the amendment facilitates an efficient use on inner-urban land, thereby reducing pressure on fringe development and its associated resource consumption.
- Objective C: the amendment will secure and provide a pleasant, amenable, and safe living environment.
- Objective D: the amendment does not compromise any places of known scientific, aesthetic, architectural, or historical interest, or otherwise of special cultural value.
- Objective F: the amendment will enable appropriate consolidation of the Site in accordance with State and local planning policy.
- Objective G: the amendment seeks to balance the present and future interests of all Victorians by facilitating capital investment in the Knox region and by enabling future use and development of the Site as a high quality residential community.

#### 5.1.3 How does the amendment address the environmental effects and any relevant social and economic effects?

The amendment positively addresses environmental effects by:

- Providing an assessment of the Site's biodiversity values (undertaken by Ecology and Heritage Partners and summarised at **Section 2.3.5** of this report);
- Protecting ecological values through the appropriate application and retention of Victorian Planning Provisions, including its introduction of a PPRZ to the Site's riparian interface with the Corhanwarrabul Creek coupled with its retention of the Site's existing ESO;
- Prioritising the management of stormwater runoff through its provision of a best practise stormwater storage and processing proposal; and

- Providing a landscape response which will retain a portion of established vegetation while also proposing a Site-wide revegetation strategy which will promote biodiverse habitats.

The amendment positively addresses social effects by:

- Contributing to housing diversity and affordability, particularly through its provision of MUZ land which is well-suited to future development of higher density housing and a small local commercial offer;
- Proposing to provide a generous provision of public open space which includes a network of pedestrian and bicycle paths to encourage active lifestyles; and
- Providing a Cultural Heritage Management Plan confirming that no archaeological Aboriginal cultural heritage is present at the Site (refer 'Proposed Residential Subdivision, Kingston Links, Rowville: Aboriginal Cultural Heritage Management Plan' by Ecology & Heritage Partners, May 2013).

With respect to economic effects, the amendment is expected to generate an estimated \$435M capital investment which would:

- Directly create a total of 2,610 construction-related jobs over the life of the project, representing a total of 370 full-time equivalent job-years over the whole of the seven year construction period.
- Another 1,230 job-years will be created indirectly throughout the local and wider economy;
- Create approximately 75 on-site jobs directly supported on an ongoing basis, with another 100 jobs indirectly created in the wider economy;
- Provide additional rates income conservatively valued at \$1.5m per annum; and
- Generate an additional expenditure of \$49m per annum on a wide range of non-retail goods and services, a share of which would be captured by local businesses in the City of Knox.

Further, the amendment will allow future housing in proximity to employment opportunities and to existing state and local infrastructure, thereby improving access and equity to services.

#### 5.1.4 Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the *Planning and Environment Act 1987*. It also meets the requirements of the following relevant Ministerial Directions, in the following ways:

- **Ministerial Direction No.1 – Potentially Contaminated Land** by providing a contamination report prepared by Greencap (June 2016) confirming that, "Based on the results of the assessment, the site would not be considered to meet the definition of "potentially contaminated land" in accordance with Ministerial Direction No. 1. As such, and in accordance with the guidance provided within the General Practice Note it was considered unlikely that a statutory environmental audit would be required for the site (Page 21, Soil Contamination Assessment, Greencap, June 2016)."
- **Ministerial Direction No.9 – Metropolitan Strategy** by discussing how the amendment addresses the following matters:
  - *What aspects, if any, of the Metropolitan Planning Strategy are relevant?*
    - *Plan Melbourne's* policies relating to urban renewal (Policy 1.3.1), 20-minute neighbourhoods and provision of housing within established urban areas (Policy 2.1.2), and protection of waterways (Policy 6.3.2) are of particular relevance to the proposal.
  - *How does the Metropolitan Planning Strategy affect the amendment?*
    - *Plan Melbourne* affects the amendment by providing strong State-level support for urban renewal, housing within established areas, creation of 20-minute neighbourhoods, and protection of waterways, all of which would be enabled by the proposed rezoning.
  - *Is the amendment consistent with any directions and policies in the Metropolitan Planning Strategy?*

The amendment is consistent with the following directions of Plan Melbourne:

    - 'Direction 1.3 –Create development opportunities at urban renewal precincts across Melbourne.'

- ‘Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.’
  - ‘Direction 2.2 – Deliver more housing closer to jobs and public transport.’
  - ‘Direction 2.3 – Increase the supply of social and affordable housing.’
  - ‘Direction 2.5 – Provide greater choice and diversity of housing.’
  - ‘Direction 5.1 – Create a city of 20-minute neighbourhoods.’
  - ‘Direction 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities.’
  - ‘Direction 6.3 – Integrate urban development and water cycle management to support a resilient and liveable city.’
  - ‘Direction 6.5 – Protect and restore natural habitats.’
- *Does the amendment support, give effect to or assist the implementation of the Metropolitan Planning Strategy or can it be reasonably modified to do so?*
    - Without modifying the Strategy, the amendment would give effect to each of the directions listed above.
  - *Will the amendment compromise the implementation of the Metropolitan Planning Strategy?*
    - No. The amendment is consistent with *Plan Melbourne*.

#### 5.1.5 How does the amendment support or implement the State Planning Policy Framework?

The amendment upholds the principles and objectives of the State Planning Policy Framework. The future residential development of the Site would make a significant contribution to the state economy and would enhance the offering of residential facilities within Knox.

In particular, the amendment implements key policy directions of the SPPF by:

- Applying the strategy *Plan Melbourne*.
- Facilitating urban renewal on underutilised and serviced land.
- Improving the social, economic and environmental performance of the land by activating the Site.
- Protecting and conserving biodiversity.
- Managing the risk of flood and the function of floodplains and water catchments.
- Providing serviced land for urban growth.
- Facilitating future development within an existing urban area as opposed to the metropolitan fringe.
- Increasing land use efficiency.
- Facilitating the supply of land to optimise affordability of housing.
- Facilitating supply of social housing.
- Contributing towards meeting the community's future housing needs.
- Reducing the cost of living by increasing housing supply near services and transport options.
- Enabling future residential development that can contribute to community and cultural life by improving safety, diversity and choice, the quality of living environments, accessibility and inclusiveness, and environmental sustainability.
- Coordinating improvements to walking and cycling networks.

#### 5.1.6 Does the amendment support or implement the LPPF? If not, how is the LPPF proposed to change?

The amendment upholds the objectives and strategies of the Local Planning Policy Framework. No changes are required to the LPPF to facilitate the rezoning of the Site for residential purposes.

In particular, the amendment implements the following key policy directions of the LPPF by:

- Protecting ecological values through the proposed application of the PPRZ and retention of the ESO across the Site's riparian interface with the Corhanwarrabul Creek;
- Utilising the Corhanwarrabul Creek corridor as a central focus of public space;
- Creating a network of shared paths which support active modes of transport;
- Applying the General Residential Zone to ensure the character of existing residential development to the east is respected;
- Proposing a DPO across the Site and the formation of a Development Plan which is consistent with the *Knox Planning Scheme*;
- Contributing to future potential for housing diversity and well-designed housing stock;

- Providing a Cultural Heritage Management Plan to ensure any cultural heritage is understood and managed;
- Prioritising the management of stormwater runoff through a best practise storage and processing proposal;
- Providing a modest amount of additional employment land which does not compromise Knox's existing activity centre hierarchy;
- Supporting sustainable and resource efficient principles by unlocking underutilised urban land identified as a 'Strategic Investigation Site'; and
- Supporting and strengthening the local economy through the creation of short-term and long-term job creation and population spending in the area.

#### 5.1.7 Does the amendment make proper use of the Victorian Planning Provisions?

The amendment makes proper use of the VPPs by applying three zones to the Site, being the GRZ, the PPRZ, and the MUZ, to allow for the use and development of a sustainable residential community.

Further, the amendment proposes to apply the Development Plan Overlay to guide the Site's future development and to revise its existing Land Subject to Inundation Overlay.

#### 5.1.8 How does the amendment address the views of any relevant agency?

##### Melbourne Water

Melbourne Water has been consulted extensively throughout the design and modelling of hydrology effects on the Site.

Having reviewed the initial design and landscape plans that were submitted for the Corhanwarrabul Creek floodplain, Melbourne Water outlined a number of concerns that they had with the proposal. The issues that were raised mainly related to the design of the floodway reserve, i.e. the area between the edge of the development and the buffer offset line located 30m from Corhanwarrabul Creek.

Melbourne Water's initial major concerns and requirements for the proposed floodway reserve, and the overall floodplain, are outlined below:

- Erosion risks: Melbourne Water had concerns that the proposed floodplain modifications could have geomorphic risks (erosion and channel avulsion risks) for the system. To help inform their review, Melbourne Water engaged Alluvium Consulting to undertake a peer review of the proposed design and the flood modelling completed, and to provide advice throughout the review process. Alluvium suggested that the proposed design should better connect flood levels across the entire floodplain, by lowering the existing high areas/mounds within the golf course. These high areas/mounds currently form flood barriers in large flood events;
- Ability of the floodway reserve to drain: Melbourne Water raised concerns that sections of the floodway reserve were below the invert of the creek, which may cause waterlogging issues. The need for complete feature survey of the creek, to accurately inform the design, was also raised; and
- Appearance of the floodway reserve: Melbourne Water requested that the overall batters for the floodway reserve should be no steeper than 1 vertical to 10 horizontal, as this land is within the floodplain of a major creek system. This was requested to improve the amenity of the floodway reserve.

In light of the issues raised, a number of technical discussions were held and a range of design options were trialled to come up with a design that addressed Melbourne Water's concerns. The design changes were informed by input from Melbourne Water, Alluvium, Water Technology, Tract, Calibre Group and Ecology & Heritage Partners.

More than 30 design iterations were considered. Ultimately, an option which satisfactorily addressed the erosion issues was found which is summarised as follows:

- The development line was shifted back by approximately 45m to provide a larger offset from the creek where the highest erosion risks were present;
- The bed of the proposed floodway reserve was raised to improve the amenity and to allow the proposed floodway to drain away effectively;
- The high mounds through the golf course and the design levels of the proposed shared path on the creek side were lowered to better connect the broader floodplain; and
- The low lying area between Kingston Links and Stamford Park is proposed to be left as existing aside from the agreed allowance for a raised roadway connection between the two sites.



The proposed concept design that was finalised in May 2016 has been resolved to the satisfaction of Melbourne Water.

#### Other Authorities

The exhibition of this amendment will provide a formal opportunity for all relevant stakeholders to provide comment on the proposal. The views of relevant agencies will be sought during the public exhibition process.

#### **5.1.9 Does the amendment address the requirements of the Transport Integration Act 2010?**

The amendment complies with the relevant requirements of the *Transport Integration Act 2010*, specifically Part 2, Division 2, 11 (Integration of transport and land use).

#### **5.1.10 What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

Consideration of a future planning permit application will place the usual additional demand on the responsible authority associated with planning scheme amendments.

## 6 CONCLUSION

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This report has detailed a planning scheme amendment request concerning the proposed rezoning of the Kingston Links Golf Course at 14 Corporate Avenue, Rowville and its contiguous Special Use Zone properties.

The planning scheme amendment proposes to:

- Rezone the Amendment Area from the Special Use Zone – Schedule 1 predominantly to the General Residential Zone – Schedule 1 and also to the Mixed Use Zone and the Public Park and Recreation Zone;
- Delete part of the Amendment Area's Land Subject to Inundation Overlay; and
- Apply the Development Plan Overlay – Schedule 13 across the full extent of the Amendment Area.

This report has described the Site and its context, detailed the proposal, provided an overview of the planning framework, and assessed the planning merits of the proposal against relevant planning policy.

It is the report's conclusion that the proposed rezoning is consistent with planning objectives in Victoria and in particular the *Knox Planning Scheme* and *Plan Melbourne*.

This report is supported by the following specialist assessments:

- 'Proposed Residential Subdivision, Kingston Links, Rowville: Aboriginal Cultural Heritage Management Plan' (E&HP, May 2013)
- 'Soil Contamination Assessment: Kingston Links Golf Club' (*Greencap*, May 2017)
- 'Detailed Flora & Fauna Assessment, Kingston Links Golf Course' (E&HP, May 2017)
- 'Kingston Links Golf Course Development Stormwater Management Plan and Flooding Assessment' (Water Technology, May 2017)
- 'Kingston Links Golf Course Development: Preliminary Services Report' (Calibre Consulting, May 2017).
- 'Kingston Links Golf Course Economic Assessment' (*Deep End Services*, May 2017)
- 'Acoustic Assessment of Road Traffic Noise' (*SLR Consulting Australia*, June 2016)
- 'Traffic Engineering Assessment' (Traffix Group, May 2017)

Pursuant to Section 35 of the *Planning and Environment Act 1987*, Council is respectfully requested to seek authorisation to formally prepare and exhibit the amendment.

*Planning and Environment Act 1987*

## KNOX PLANNING SCHEME

### DRAFT AMENDMENT C142

### EXPLANATORY REPORT

#### Who is the planning authority?

~~Amendment C142~~ (~~the Amendment~~ This amendment) has been prepared by the Knox City Council which is the planning authority for the Amendment.

The Amendment has been made at the request of Pask Group C/- Tract Consultants.

#### Land affected by the Amendment

The land affected by the Amendment comprises Kingston Links Golf Course located at 14 Corporate Avenue, Rowville (~~Lot 1 on PS421343 the Site~~), as shown in ~~the map below~~ Figure 1. The Site is situated east-adjacent of the Eastlink Freeway road reserve, north of Wellington Road, south of the Corhanwarrabul Creek, south-west of Stamford Park, and west of adjoining residential development.



#### What the Amendment does

Figure 1: The Subject Site

The Amendment proposes to rezone the current Kingston Links Golf Course land from a Special Use Zone – Schedule 1 (SUZ1) to facilitate a future residential development.

~~the General Residential Zone – Schedule 1, the Mixed Use Zone, and the Public Park and Recreation Zone. The Amendment also proposes to introduce the Development Plan Overlay – Schedule 13 across the Site and to delete part of the Site’s existing Land Subject to Inundation Overlay.~~

Specifically the Amendment:

- Rezones 14 Corporate Avenue, Rowville (Lot 1 on PS421343) from a Special Use Zone s part of the Site from the Special Use Zone – Schedule 1 (SUZ1) to part General Residential Zone – Schedule 1 (GRZ1), the Mixed Use Zone (MUZ), and the Public Park and Recreation Zone (PPRZ the General Residential Zone – Schedule 1.
- ~~Rezones part of the Site from the Special Use Zone – Schedule 1 to the Mixed Use Zone.~~
- ~~Rezones part of the Site from the Special Use Zone – Schedule 1 to the Public Park and Recreation Zone.~~
- Inserts a new Development Plan Overlay – Schedule 13 (DPO13)
- Amends Maps 5LSIO and 8LSIO to remove the Land Subject to Inundation Overlay (LSIO) from part of the site
- Amends Planning Scheme Map 5 and 8, and 5DPO
- Amends the Schedule to Clause 61.03 to include a new planning scheme map 8DPO in the Knox Planning Scheme
- ~~Deletes part of the Site’s existing Land Subject to Inundation Overlay.~~
- ~~Applies the Development Plan Overlay – Schedule 13 to the Site.~~
- ~~Amends the following Knox Planning Scheme Maps to reflect changes (1) – (5) above:~~
  - ~~Zones Map No 5 and 8~~
  - ~~Land Subject to Inundation Overlay Map No 5LSIO and No 8LSIO~~
  - ~~Development Plan Overlay Map No 5DPO~~
- ~~Inserts the following map into the Knox Planning Scheme:~~
  - ~~Development Plan Overlay Map No 8DPO~~

## Strategic assessment of the Amendment

### Why is the Amendment required?

~~The Site is currently used as a golf course under the Special Use Zone – Schedule 1. The Amendment is required to rezone the current Kingston Links Golf Course land to enable its reuse as a residential community.~~

### How does the Amendment implement the objectives of planning in Victoria?

The Amendment implements the objectives of planning in Victoria, contained in Section 4 of the Planning and Environment Act 1987, in the following ways:

- ~~Objective (a)A: the Amendment provides for the fair, orderly, economic and sustainable use and development of land as it facilitates a coordinated rezoning which is consistent with surrounding land use patterns and which creates an economic opportunity for underutilized urban land.~~

- 
- Objective ~~(b)B~~: the Amendment facilitates an efficient use of urban land, thereby reducing pressure on fringe development and its associated resource consumption.
- 
- Objective ~~(c)C~~: the Amendment will secure and provide a pleasant, amenable, and safe living environment.
- 
- Objective ~~(d)D~~: the Amendment does not compromise any places of known scientific, aesthetic, architectural, or historical interest, or otherwise of special cultural value.
- 
- Objective ~~(f)F~~: the Amendment will enable appropriate consolidation of the sSite in accordance with State and local planning policy.
- 
- Objective ~~(g)G~~: the Amendment seeks to balance the present and future interests of all Victorians by facilitating ~~capital~~ investment in the Knox region and by enabling future use and development of the sSite as a high quality residential community.

### How does the Amendment address any the environmental effects and any relevant social and economic effects?

~~The Amendment addresses environmental effects by:~~

~~Providing an assessment of the Site's biodiversity values (undertaken by Ecology and Heritage Partners over 2014-2016 and presented in its May 2017 report);~~

~~The amendment will protecting and enhance existing biological and ecological values through the appropriate application and retention of the Victoria Planning Provisions, including its introduction of a PPRZ to the for the Site's riparian interface with the Corhanwarrabul Creek coupled with its retention of the Site's existing Environmental Significance Overlay - Schedule 2 (ESO2) which applies to Sites of Biological Significance.~~

~~The proposed development will SO; provide a landscape response which will retain a portion of established vegetation while also proposing a sSite-wide revegetation strategy which will promote biodiverse habitats.~~

~~The amendment will also Prioritising prioritise the management of stormwater runoff through its provision of a best practice stormwater storage and processing proposal ; and~~

The Amendment addresses social effects by contributing to :

~~Contributing to housing diversity and affordability, including the particularly through its provision of a MUZ precinct for which is well suited to the future development of medium density housing and housing in proximity to employment opportunities and to existing state and local infrastructure, thereby improving access and equity to services.~~

~~The amendment also proposes to provide a generous provision of public open space which includes a network of pedestrian and bicycle paths to encourage active lifestyles; and~~

~~Proposing to provide a generous provision of public open space which includes a network of pedestrian and bicycle paths to encourage active lifestyles; and~~

~~Providing a Cultural Heritage Management Plan (Ecology & Heritage Partners, May 2013) confirming that no archaeological Aboriginal cultural heritage is present within the Site.~~

With respect to economic effects, the Amendment is expected to generate positive benefits with new job creation and other local investment opportunities. ~~an~~

~~estimated \$435M capital investment which would:~~

- ~~• Directly create a total of 2,610 construction-related jobs over the life of the project, representing a total of 370 full-time equivalent job-years over the whole of the seven-year construction period.~~
- ~~• Another 1,230 job-years will be created indirectly throughout the local and wider economy;~~
- ~~• Create approximately 75 on-site jobs directly supported on an ongoing basis, with another 100 jobs indirectly created in the wider economy;~~
- ~~• Provide additional rates income conservatively valued at \$1.5m per annum; and~~
- ~~• Generate an additional expenditure of \$49m per annum on a wide range of non-retail goods and services, a share of which would be captured by local businesses in the City of Knox.~~

~~Further, the Amendment will allow future housing in proximity to employment opportunities and to existing state and local infrastructure, thereby improving access and equity to services.~~

### **Does the Amendment address relevant bushfire risk?**

The Site is not subject to a Wildfire Management Overlay and is not located on land designated as a 'Bushfire Prone Area' under the Victoria Planning Provisions. A local policy for bushfire risk management is not required to support the Amendment.

### **Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987.

~~The amendment is also consistent with Ministerial Direction 11 – Strategic Assessment of Amendments under Section 12 (2) of the Act. The requirements of this direction have been followed in the course of preparing this Amendment and are embodied in this report. It also meets the requirements of the following relevant Ministerial Directions, in the following ways:~~

~~The Amendment satisfies Ministerial Direction No.1 – Potentially Contaminated Land – by providing a contamination report prepared by prepared by Greencap (May 2017) confirming that “contaminant concentrations in soil were considered unlikely to pose an unacceptable risk to future occupiers of the site, construction workers involved in the site development and/or site/surrounding ecosystems (Page ii).”~~

~~The Amendment is consistent with Ministerial Direction No.9 – Metropolitan Strategy – by implementing the following aspects of Plan Melbourne 2017-2030 and gives effect to, or does not compromise the implementation of, the strategy. –considering how the Amendment addresses the following matters:~~

Plan Melbourne affects the amendment by providing strong State-level support for urban renewal, housing within established areas, creation of 20-minute neighbourhoods, and protection of waterways, all of which would be enabled by the proposed rezoning.

~~The amendment addresses Plan Melbourne's policies relating to urban renewal (Policy 1.3.1), 20-minute neighbourhoods and provision of housing within established urban areas (Policy 2.1.2), and protection of waterways (Policy 6.3.2).~~

~~What aspects, if any, of the Metropolitan Planning Strategy are relevant?~~

~~Plan Melbourne's policies relating to urban renewal (Policy 1.3.1), 20-minute neighbourhoods and provision of housing within established urban areas (Policy 2.1.2), and protection of waterways (Policy 6.3.2) are of particular relevance to the proposal.~~

~~How does the Metropolitan Planning Strategy affect the Amendment?~~

~~Is the Amendment consistent with any directions and policies in the Metropolitan Planning Strategy?~~

The amendment is consistent with the following directions of Plan Melbourne:

- 'Direction 1.3 – Create development opportunities at urban renewal precincts across Melbourne.'
- 'Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.'
- 'Direction 2.2 – Deliver more housing closer to jobs and public transport.'
- 'Direction 2.3 – Increase the supply of social and affordable housing.'
- 'Direction 2.5 – Provide greater choice and diversity of housing.'
- 'Direction 3.2 - Improve transport in Melbourne's outer suburbs'
- 'Direction 4.3 - Achieve and promote design excellence'
- 'Direction 4.4 - Respect Melbourne's heritage as we build for the future'
- 'Direction 4.6 - Strengthen community participation in the planning of our city'
- 'Direction 5.1 – Create a city of 20-minute neighbourhoods.'
- 'Direction 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities.'
- 'Direction 6.3 – Integrate urban development and water cycle management to support a resilient and liveable city.'
- 'Direction 6.5 – Protect and restore natural habitats.'

~~Does the Amendment support, give effect to or assist the implementation of the Metropolitan Planning Strategy or can it be reasonably modified to do so?~~

~~— Without modifying the Strategy, the amendment would give effect to each of the directions listed above.~~

~~Will the Amendment compromise the implementation of the Metropolitan Planning Strategy?~~

~~— No. The Amendment is consistent with *Plan Melbourne*.~~

**How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The Amendment upholds the principles and objectives of the State Planning Policy Framework. The future residential development of the Ssite would make a significant contribution to the state economy and would enhance the offering of residential facilities within Knox.

In particular, the Amendment implements key policy directions of the SPPF by:

- Applying ~~the strategy~~ Plan Melbourne (Clause 11, 11.06);
- Facilitating urban renewal on underutilised and serviced urban land (Cause 11.06);
- Improving the social, economic and environmental performance of the land by activating the Ssite (Clause 11.06);
- Protecting and conserving biodiversity (Clause 12.01);
- Managing the risk of flood and the function of floodplains and water catchments (Clause 13.02);
- Providing serviced land for urban growth (Clause 11.02);
- Facilitating future development within an existing urban area as opposed to the metropolitan fringe (Clause 16.01);
- Increasing land use efficiency (Clause 16.01);
- Facilitating the supply of land to optimise affordability of housing (Clause 16.01);
- Facilitating supply of social housing (Clause 16.01);
- Contributing towards meeting the community's future housing needs (Clause 16.01);
- Reducing the cost of living by increasing housing supply near services and transport options (Clause 16.01);
- Enabling future residential development that can contribute to community and cultural life by improving safety, diversity and choice, the quality of living environments, accessibility and inclusiveness, and environmental sustainability (Clause 16.01); and
- Coordinating improvements to walking and cycling networks (Clause 18.02).

### **How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The Amendment upholds the objectives and strategies of the Local Planning Policy Framework. No changes are required to the LPPF to facilitate the rezoning of the Ssite for residential purposes.

In particular, the Amendment implements the following key policy directions of the LPPF by:

- ~~Protecting ecological values through the proposed application of the PPRZ and retention of the ESO across the Site's riparian interface with the Corhanwarrabul Creek;~~
- Utilising the Corhanwarrabul Creek corridor as a central focus of public space;
- Creating a network of shared paths which support active modes of transport;
- ~~Applying the General Residential Zone to ensure the character of existing residential development to the east is respected;~~
- ~~Proposing a DPO across the Site and the formation of a Development Plan which is consistent with the Knox Planning Scheme;~~
- Contributing to future potential for housing diversity and well-designed housing stock;
- Providing a Cultural Heritage Management Plan to ensure any cultural heritage is understood and managed;



- Prioritising the management of stormwater runoff through a best practise storage and processing proposal;
- Providing a modest amount of additional employment land which does not compromise Knox's existing activity centre hierarchy;
- Supporting sustainable and resource efficient principles by unlocking underutilised urban land identified as a 'Strategic Investigation Site'; and
- Supporting and strengthening the local economy through the creation of short-term and long-term job creation and population spending in the area.

### **Does the Amendment make proper use of the Victoria Planning Provisions?**

The Amendment makes proper use of the VPPs by applying three zones to the Site, being the GRZ, the PPRZ, and the MUZ, to allow for the use and development of a sustainable residential community.

Further, the Amendment proposes to apply the Development Plan Overlay to guide the Site's future development and to delete what would become a superfluous extent of the Land Subject to Inundation Overlay.

Additionally, the amendment will protect ecological values through the proposed application of the PPRZ and retention of the ESO across the Site's riparian interface with the Corhanwarrabul Creek;

### **How does the Amendment address the views of any relevant agency?**

#### Melbourne Water

Melbourne Water has been consulted extensively throughout the design and modelling of hydrology effects on the site. Their concerns in relation to -geomorphic risks, drainage, and amenity of the floodway reserve were included in the proposed concept design that was finalised in May 2016 and approved by Melbourne Water

#### Other Authorities

The exhibition of the Amendment will provide a formal opportunity for all relevant stakeholders to provide comment on the proposal.

The views of relevant agencies will be sought during the public exhibition process.

#### Site.

~~Having reviewed the initial design and landscape plans that were submitted for the Corhanwarrabul Creek floodplain, Melbourne Water outlined a number of concerns that they had with the proposal. Melbourne Water's major concerns related to:~~

- ~~• Erosion risks: Melbourne Water raised concerns that the proposed floodplain modifications could have geomorphic risks (erosion and channel avulsion risks) for the system.~~
- ~~• Ability of the floodway reserve to drain: Melbourne Water raised concerns that sections of the floodway reserve were below the invert of the creek, which may cause waterlogging issues.~~
- ~~• Appearance of the floodway reserve: Melbourne Water requested that the overall batters for the floodway reserve should be no steeper than 1 vertical to 10 horizontal to improve the amenity of the floodway reserve.~~

~~In light of the issues raised, a number of technical discussions were held and a range of design options were trialled to come up with a design that addressed Melbourne Water's~~

concerns. More than 30 design iterations were considered. Ultimately, an option which satisfactorily addressed the erosion issues was found which is summarised as follows:

- The development line was shifted back by approximately 45m to provide a larger offset from the creek where the highest erosion risks were present;
- The bed of the proposed floodway reserve was raised to improve the amenity and to allow the proposed floodway to drain away effectively;
- The high mounds through the golf course and the design levels of the proposed shared path on the creek side were lowered to better connect the broader floodplain; and
- The low lying area between Kingston Links and Stamford Park is proposed to be left as existing aside from the agreed allowance for a raised roadway connection between the two sites.

Melbourne Water is satisfied with the proposed concept design that was finalised in May 2016.

### **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The Amendment complies with the relevant requirements of the *Transport Integration Act 2010*, specifically Part 2, Division 2, 11 (Integration of transport and land use).

### **Resource and administrative costs**

#### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

Consideration of a future planning permit application will place the usual additional demand on the responsible authority associated with planning scheme amendments. The amendment will not result in any significant impact on the resource and administrative costs of Council.

### **Where you may inspect the Amendment**

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Knox City Council, Civic Centre

511 Burwood Highway, Wantirna South

Operating hours: Monday, Wednesday, Thursday and Friday: 8.30am-5:00pm; Tuesday: 8.30am-8:00pm

#### **Knox City Council**

511 Burwood Highway

Wantirna South VIC 3152.

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection), [www.dtpli.vic.gov.au/publicinspection](http://www.dtpli.vic.gov.au/publicinspection).

### **Submissions**

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by

Email: [psamendments@knox.vic.gov.au](mailto:psamendments@knox.vic.gov.au)

Attention: Submission to Amendment C142

OR by post (no stamp required):

City Futures, Knox City Council

Reply Paid 70243

WANTIRNA SOUTH VIC 3152

~~TBC~~

~~A submission must be sent to: TBC~~

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for the Amendment:

- directions hearing: **TBC**
- panel hearing: **TBC**

XX/XX/2017  
C142**SCHEDULE 13 TO THE DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO13**.

This schedule applies to the Kingston Links Golf Course site at 14 Corporate Drive, Rowville and the lots to the south and southeast of the site that contain the Rowville Main Drain.

The purpose of this schedule is to facilitate the development of the land as a residential community including a mixed use precinct. This schedule sets out requirements to ensure the use and development occurs in an integrated and orderly manner and provides a high quality and sustainable urban form.

**1.0 Requirements before a planning permit is granted**XX/XX/2017  
C142

A permit may be granted before a Development Plan has been prepared to the satisfaction of the Responsible Authority to:

- construct or carry out works relating to the maintenance or demolition of existing buildings;
- rehabilitation works to the creek corridor
- minor works;
- any works required to satisfy a Statement of Environmental Audit under the *Environment Protection Act 1970*
- subdivision of the land to realign property boundaries, or to create or remove easements or restrictions.

Any application for a planning permit lodged before the Development Plan has been prepared must be accompanied by a report demonstrating that approval will not, to the satisfaction of the Responsible Authority, prejudice the long term future of the land as set out in this Schedule.

**Requirement for a Pre-Development Section 173 Agreement**

Prior to the approval of a Development Plan or the granting of a planning permit, an agreement between the owner of the land and the Responsible Authority, including under Section 173 of the *Planning and Environment Act 1987* must be entered into in a form to the satisfaction of the Responsible Authority, executed and registered on the owner's land. The provisions of that agreement must include:

- requirements in relation to any earthworks to be conducted;
- provision of public open space at 8.5% of the net developable area;
- requirements for the conduct of active open space works;
- the provision of both a cash contribution and land in respect of social housing;
- a requirement for the owner of the land to enter into a further Section 173 Agreement to secure the future use of the social housing land for social housing purposes;
- a financial contribution towards a footbridge;
- a financial contribution towards a men's shed;
- the construction of the Stamford Park Link roadworks;
- a contribution to the cost of land set aside by Council for the Stamford Park link road; and
- the construction of the Corporate Drive link roadworks.

## 2.0 Conditions and requirements for permits

### Requirement for Infrastructure

- The construction of intersection upgrades or improvements in accordance with the requirements of VicRoads and at the cost of the land owner.
- All other agreed road network and intersection upgrades, mitigation works, and reinstatement of existing assets at the cost of the land owner.
- All agreed stormwater infrastructure works within the site to be at the cost of the land owner.
- Acoustic attenuation measures (including any acoustic barriers) be provided on the boundary with the EastLink Freeway reserve (or within the reserve as appropriate) which comply with VicRoads' Traffic Noise Reduction Policy (or any subsequent publication) and the EastLink Concession Deed (or as updated), at the owner's cost.

The costs of preparation and registration of the section 173 agreement are to be borne by the land owner.

### Requirement for a small lot housing code

Prior to the granting of a planning permit for the construction of a dwelling on a lot less than 300 square metres, a small lot housing code must be prepared to the satisfaction of the Responsible Authority.

If appropriate, the Responsible Authority may include a permit condition on a planning permit allowing the construction of a dwelling on a lot with an area less than 300 square metres that requires compliance with the small lot housing code.

### Requirement for an Environmental Management Plan

Prior to the granting of a permit for subdivision into lots to be used for dwellings and which do not require further subdivision for that purpose, an Environmental Management Plan addressing the construction activities proposed on the land must be prepared to the satisfaction of the Responsible Authority.

The Environmental Management Plan must include:

- Soil erosion and sediment control provisions to protect existing local stormwater infrastructure, Cohanwarrabul Creek and the Stamford Park wetlands from erosion product and sediment transport by minimising erosion of lands during work.
- Hydraulics and hydrology provisions to protect and improve the floodplain, manage water quality and quantity, and protect the habitat value of Corhanwarrabul Creek and the Stamford Park wetlands (measures used should include the installation of a perimeter fence to protect the waterway prior to the commencement of works).
- Protection measures to ensure that disturbance to native flora and fauna habitat is avoided in the first instance, minimised where avoidance is not possible with appropriate contingencies incorporated to prevent the potential for the introduction of exotic flora and fauna species is abated.
- Dust suppression measures to be provided during works to minimise dust impact to EastLink.
- Measures to prevent construction fill encroaching on or being placed within the EastLink Freeway reserve.

### 3.0 Requirements for the Development Plan

XX/XX/2017  
C142

The Development Plan must include the following documents:

- A Masterplan – that illustrates land uses (including open space), interface treatments, and an indicative road layout across the site.
- A Landscape Masterplan – that shows the landscape design concept for the site, including all streetscapes and public open space (active and passive recreation areas, natural areas, other public realm).
- An Integrated Transport Management Plan – that addresses access and movement within and to and from the site.
- An Integrated Water Management Plan – that addresses holistic stormwater management within the site and those water-related interfaces beyond the site.

In deciding whether the documents listed above are to its satisfaction, the Responsible Authority will take into account the views of Melbourne Water and VicRoads as relevant.

#### Masterplan

The Masterplan must include:

- The distribution of land uses throughout the site including public open space, generally in accordance with **Figure 1**.
- Detail reflecting public open space, infrastructure and other elements consistent with the Pre-Development 173 Agreement.
- A description of the indicative siting, lot configuration and land uses within the mixed use precinct.
- A hierarchy of public open spaces.
- A description of the road network and hierarchy throughout the site, including function and cross sections.
- A description of the distribution of height and massing of built form across the site, generally in accordance with **Figure 1**.
- Details of the treatment to interfaces, including a minimum rear setback to existing adjoining dwellings, generally in accordance with **Figure 1**.
- Details of the staging of future land use and development throughout the site.
- A notation that the intensity of land uses and the number of dwellings must not exceed that adopted for the traffic generation development scenario that forms part of the approved Integrated Transport Management Plan, unless otherwise agreed in writing by the Responsible Authority.
- A statement that no major promotional signage will be visible from EastLink.
- Detail on how noise attenuation measures will meet the noise level objectives in VicRoads Traffic Noise Reduction Policy (or any subsequent publication) and the Traffic Noise Criteria set out in the EastLink Concession Deed (which specifies performance criteria in relation to traffic noise) or as updated at the boundary of the EastLink Freeway reserve. All noise attenuation measures required to satisfy these objectives must be met by the relevant land owner/developer.
- Details on the fencing on the boundary of the EastLink Freeway reserve. Fencing to the EastLink Freeway reserve must complement the urban design treatment and landscaping of the EastLink corridor, restrict access to the EastLink Freeway, prevent unauthorised dumping of materials or rubbish blowing onto the EastLink Freeway reserve and prevent or minimise graffiti and vandalism.

### **Landscape Masterplan**

The Landscape Masterplan must include:

- A statement explaining how landscape design addresses the strategic directions within the *Knox Open Space Plan 2012-2022* (or as amended).
- A statement explaining how landscape design addresses the strategic directions within the *Knox Liveable Streets Plan 2012-2022* (or as amended).
- Details of key landscape design principles and species selected throughout road reserves, along the site's key external interfaces, and within public open space.
- A planting theme that enhances local habitat values and demonstrates compatibility with the inclusion of water sensitive urban design objectives. The planting theme on the eastern boundary must respond to the landscaping and urban design of EastLink.
- How any development will address sensitive interfaces as shown in **Figure 1**, including maximum building heights and the retention of existing trees and vegetation.
- Details of the removal of vegetation not suitable for retention.

### **Integrated Transport Management Plan**

The Integrated Transport Management Plan must include:

- An assessment of the expected impact of traffic generated by the development on the existing road network and any mitigation measures required to address identified issues.
- A statement explaining how the integrated transport network addresses the strategic directions within the *Knox Liveable Streets Plan 2012-2022* (or as amended).
- An indicative road, bicycle, and pedestrian network plan showing:
  - vehicular access from Corporate Drive to the proposed internal road network;
  - vehicular access from Stamford Park to the proposed internal road network;
  - pedestrian and bicycle access from surrounding areas, including both on-street and dedicated off-street facilities connecting to Stamford Park, Caribbean Gardens, and adjacent residential areas;
  - a street network that (a) makes provision for a vehicular link between Kingston Links and Stamford Park, and (b) discourages non-local through-traffic;
  - layout of internal roads, including a hierarchy of the roads that specifies the purpose, function, cross sections, and widths of the road reserves for each road type;
  - provision for bus movement through the site;
  - provision of emergency services and waste collection services through the site;
  - a pedestrian and cycle shared path network both throughout the site and to the existing network at Stamford Park and the Eastlink Trail with any access to the Eastlink Trail to be controlled and maintained by Council;
  - connected footpath network both throughout the site and to the existing network on Corporate Drive.

### **Integrated Water Management Plan**

The Integrated Water Management Plan must include:

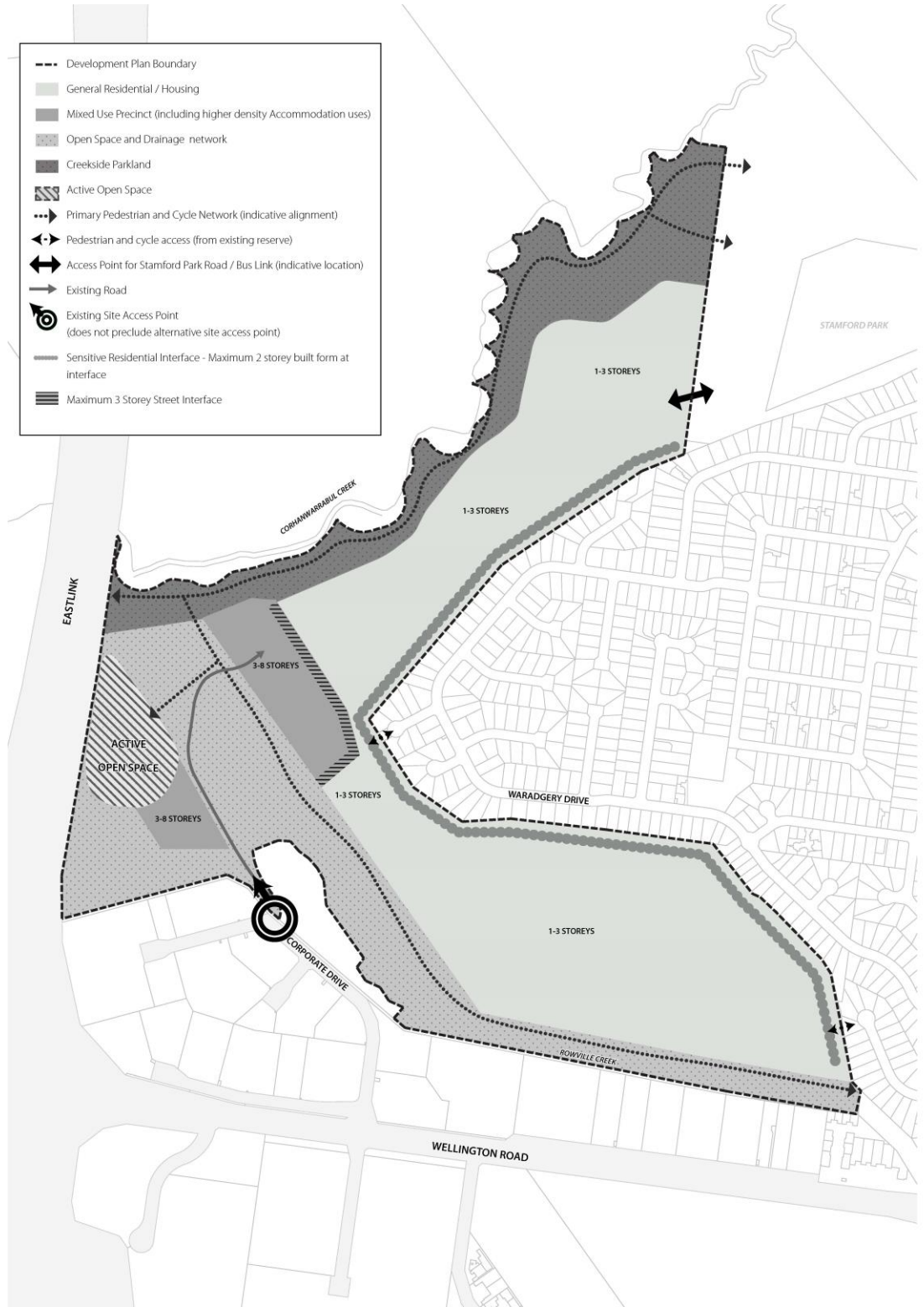
- Detailed information on how stormwater will be managed in an holistic manner.
- An assessment of the pre-development and expected post-development stormwater conditions.
- Details of how stormwater can be efficiently filtered, infiltrated and harvested on site to limit off-site discharge and meet all relevant State Government water quality targets, including:
  - Total Suspended Solids (TSS)
  - Total Nitrogen (TN)
  - Total Phosphorus (TP)
  - Total flows
- Details of how the the proposed development will either maintain or increase overall stormwater storage capacity of the site.
- Details of how the proposed development will limit avulsion to minimise the risk of:
  - erosion of the creek channel or floodplain;
  - transportation of sediment downstream;
  - damage to or destruction of natural habitat and stream ecology;
  - damage to or destruction of built assets; and
  - changes in the course of the Corhanwarrabul Creek.
- Details of remediation works along the riparian zone of the Corhanwarrabul Creek.
- Details of any proposed modifications to the Corhanwarrabul Creek, and how these modifications will protect and enhance stream ecology.
- Details of how the proposed development will accommodate a 1 in 100 year ARI storm event.
- Details of how the Rowville Main Drain will be modified and how modifications will maintain and/or enhance hydraulic performance and flood protection of the local area.
- Necessary site control measures during the course of construction of any drainage works.
- Details of wetlands and stormwater maintenance works, including the removal of associated sediment to be undertaken by the land owner, for a period of two years after the completion of all works including roadworks, construction of the wetlands and inground infrastructure works.
- A statement that:
  - all surface water (up to the 1 in 100 year ARI storm event) and underground drainage will be directed away from the EastLink Freeway reserve; and
  - any works and fillings on the site must have no detrimental effect on the flood levels and drainage paths in and around the EastLink Freeway reserve.
- Notation of the requirement for a Wetlands Maintenance and Operation Plan, to the satisfaction of the Responsible Authority, prior to hand over to the public land manager of the ownership and management of stormwater infrastructure.
- Arrangements for handover to the public land manager of the ownership and management of stormwater infrastructure subsequent to the maintenance period.



4.0

Figure 1: Concept Plan

XX/XX/2017  
C142



19/01/2006  
VC37

## SCHEDULE TO CLAUSE 52.02

### 1.0

19/01/2006  
VC37

#### Under Section 23 of the Subdivision Act 1988

Land	Easement or restriction	Requirement
None specified		

### 2.0

19/01/2006  
VC37

#### Under Section 24A of the Subdivision Act 1988

Land	Person	Action
None specified		

### 3.0

XX/XX/2017  
C142

#### Under Section 36 of the Subdivision Act 1988

Land	Easement or right of way	Requirement
RESERVE, Wellington Road, Rowville	Reserve	

XX/XX/2017  
C42

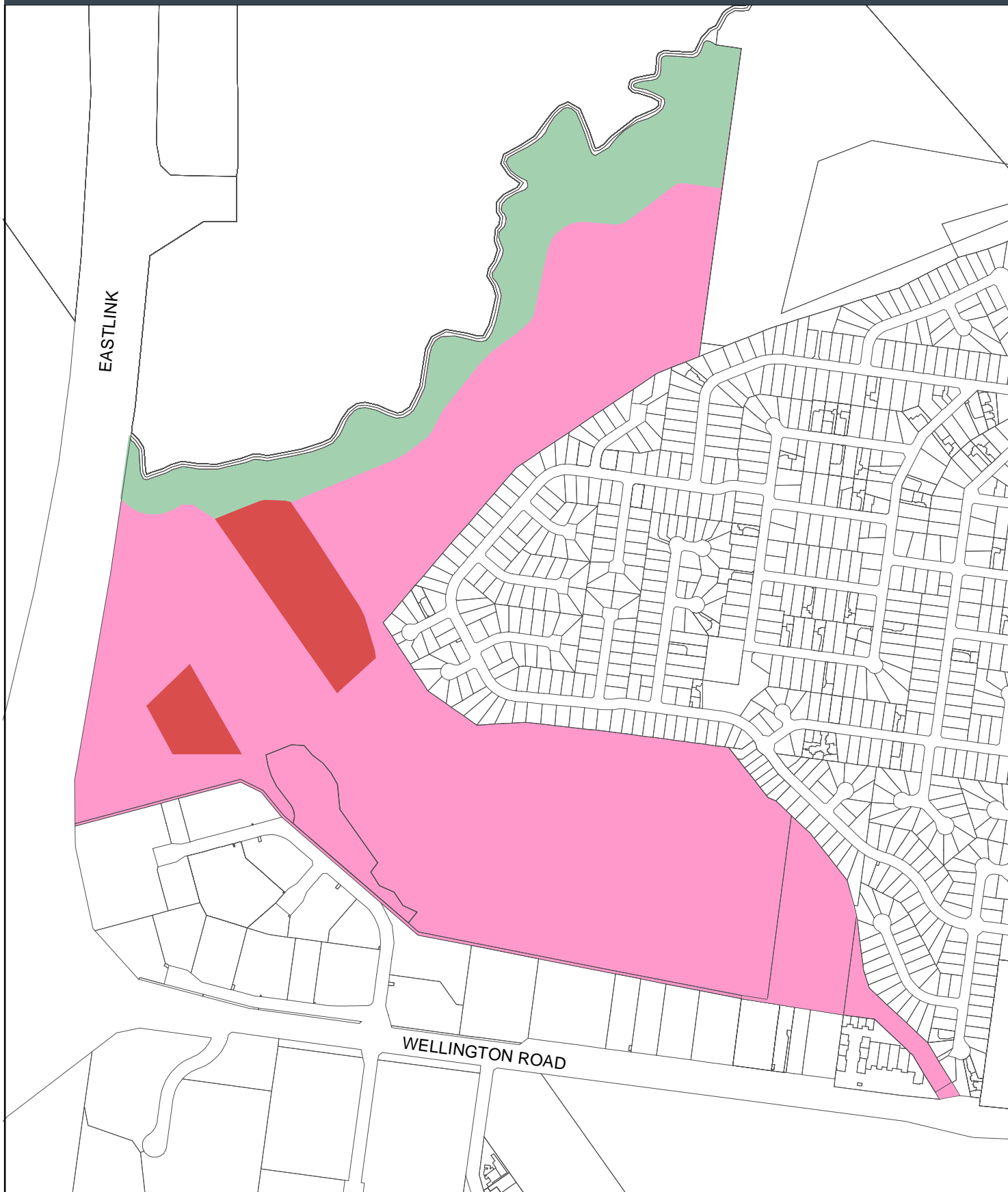
## **SCHEDULE TO CLAUSE 61.03**

### **Maps comprising part of this scheme**

Zoning and overlay maps:

- 1, 1DPO, 1EAO, 1ESO2, 1HO, 1LSIO, 1PAO, 1SBO, 1VPO1, 1VPO2, 1VPO4
- 2, 2DDO, 2DPO, 2ESO2, 2HO, 2LSIO, 2PAO, 2SBO, 2VPO1, 2VPO2, 2VPO3, 2VPO4
- 3, 3DDO, 3EAO, 3ESO2, 3ESO3, 3HO, 3PAO, 3SBO, 3FO, 3RXO, 3SLO, 3VPO1, 3VPO2, 3VPO3, 3WMO, 3VPO4
- 4, 4DDO, 4ESO2, 4ESO3, 4FO, 4RXO, 4SLO, 4WMO
- 5, 5DDO, 5DPO, 5EAO, 5ESO2, 5HO, 5LSIO, 5PAO, 5SBO, 5VPO1, 5VPO2, 5VPO4
- 6, 6DDO, 6DPO, 6EAO, 6ESO2, 6HO, 6LSIO, 6SBO, 6SLO, 6VPO1, 6VPO2, 6VPO3, 6VPO4
- 7, 7DDO, 7DPO, 7EAO, 7ESO2, 7ESO3, 7HO, 7LSIO, 7PAO, 7SBO, 7FO, 7RO, 7RXO, 7SLO, 7VPO1, 7VPO2, 7VPO3, 7WMO, 7VPO4
- 8, 8DPO, 8ESO2, 8HO, 8LSIO, 8VPO1, 8VPO3, 8VPO4
- 9, 9DDO, 9DPO, 9EAO, 9ESO, 9ESO2, 9HO, 9LSIO, 9PAO, 9SBO, 9SLO, 9VPO1, 9VPO2, 9VPO4, 9WMO
- 10, 10DDO, 10DPO, 10ESO2, 10HO, 10PAO, 10SLO, 10VPO4, 10WMO

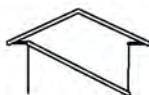
# KNOX PLANNING SCHEME

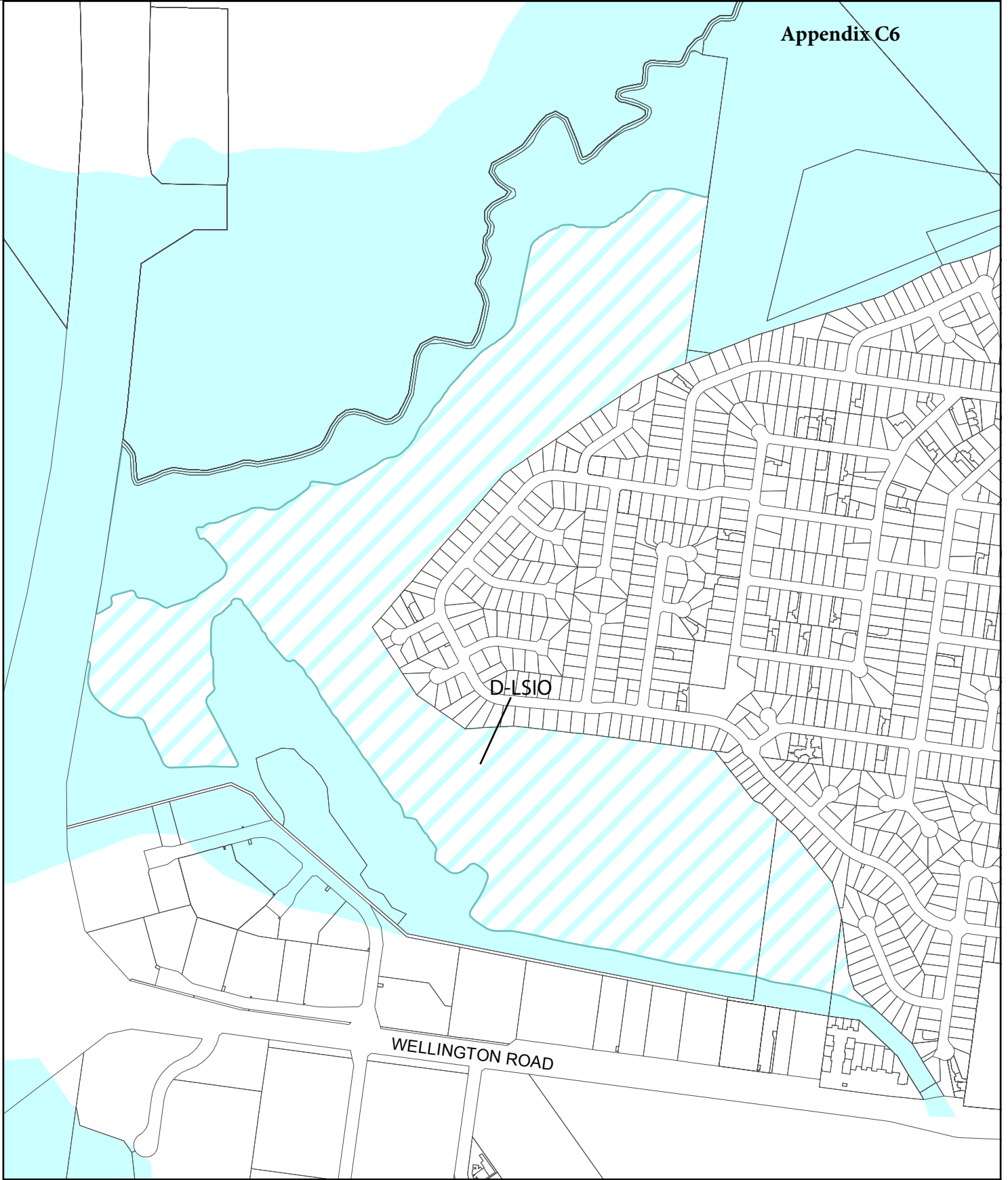


## LEGEND

- GRZ GENERAL RESIDENTIAL ZONE 1
- MUZ MIXED USE ZONE
- PPRZ PUBLIC PARK AND RECREATION ZONE

# AMENDMENT C142

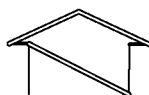


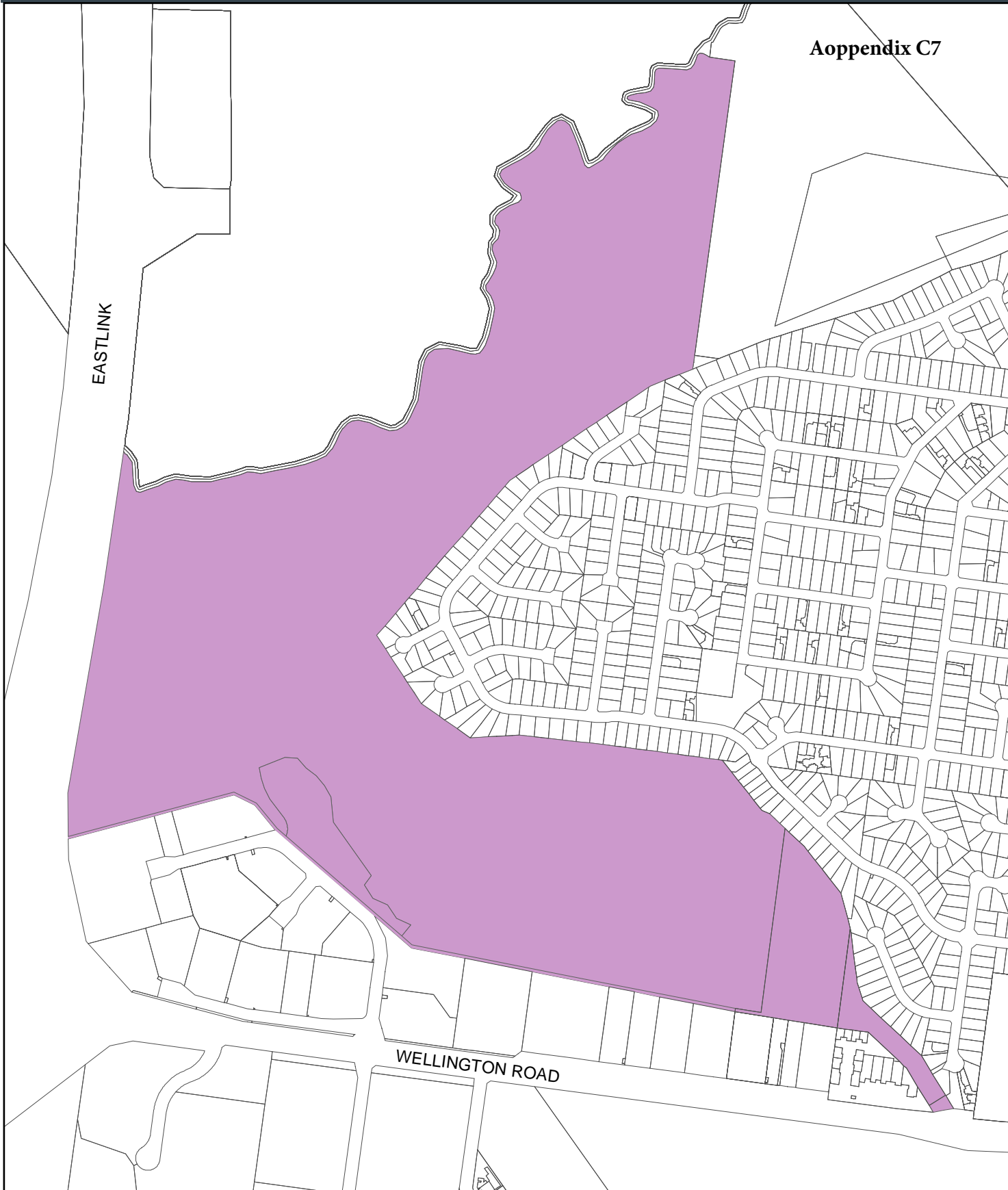


LEGEND

- LSIO LAND SUBJECT TO INUNDATION OVERLAY
- D-LSIO AREA TO BE DELETED FROM A LAND SUBJECT TO INUNDATION OVERLAY (D-LSIO)

AMENDMENT C142





LEGEND

DPO13 Development Plan Overlay - Schedule 13

AMENDMENT C142



Confidential Appendix D is circulated under separate cover