

REVISED AGENDA



Mid Month Meeting of Council

To be held at the Civic Centre

511 Burwood Highway Wantirna South

On

Monday 11 August 2025 at 7:00 PM

This meeting will be conducted as a hybrid meeting

Notes on revised agenda

- The original agenda for this meeting was published on 5 August 2025.
- The Supplementary Report foreshadowed in the original agenda (Item 6.1 Audit and Risk Committee - Independent Member Appointment) has now been issued and included in this revised agenda.
- Item 4.1 Minor Grants Program and Emergency Relief Fund 2025-26 Monthly Report, as contained in the original agenda has been withdrawn from the order of business and the matters contained will be presented instead to the Council meeting on 25 August 2025.

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Bruce Dobson

Chief Executive Officer

1 Apologies And Requests For Leaves Of Absence

2 Declarations Of Conflict Of Interest

3 Confirmation Of Minutes

Confirmation of Minutes of Mid Month Meeting of Council on Monday 14 July 2025.

4 Officer Reports

4.1 Minor Grants Program and Emergency Relief Fund 2025-26 Monthly Report

This Item as contained in the original agenda has been withdrawn from the order of business.

4.2 Proposed Motions to MAV State Council - October 2025

Final Report Destination:	Mid-Month Council
Paper Type:	For Decision
Author:	Coordinator Community Partnerships and Inclusion, Marni Ford
Manager:	Manager Community Strengthening, Kerryn Jansons
Executive:	Director Connected Communities, Judy Chalkley

SUMMARY

This report seeks Council's formal endorsement of three Motions for submission and consideration at the Municipal Association of Victoria (MAV) State Council Meeting in October 2025. The three motions have implications for the Knox community.

RECOMMENDATION

That Council resolve to:

1. Endorse the following three Motions and supporting rationales (as set out in this report) for submission to the MAV State Council Meeting in October 2025:
 - a. Motion 1: Victoria Police Resourcing
 - b. Motion 2: Advocacy for Department of Education School Focused Youth Service Funding
 - c. Motion 3: Emergency Services and Volunteer Fund – Cost Shifting
2. Note the Motions have been submitted in draft form to the Municipal Association of Victoria and authorise the Chief Executive Officer to amend the submitted motions, by making minor changes to improve the wording of the motion and/or supporting rationale, or to reflect changes to the issue that may come to light prior to the 20 August 2025 deadline for amendments.

1. DISCUSSION

The MAV is a membership association and the legislated peak body for Local Government in Victoria. Knox City Council is a member of the MAV and is represented at State Council Meetings by its appointed delegate, currently Councillor Peter Lockwood.

The next Municipal Association of Victoria (MAV) State Council Meeting will be held on Friday, 10 October 2025.

To be submitted to State Council, Motions must have been the subject of a Council Meeting and be submitted by midnight on 11 August 2025. The proposed Motions as set out in the report have been submitted as drafts to the MAV in line with MAV processes, noting they may be amended pending Council's consideration at its meeting on 11 August 2025. Motions submitted as drafts may be amended until 20 August 2025.

- Motions must also: Be submitted on issues of strategic relevance to the MAV or significance to the Local Government Sector, and are encouraged to align with the 10 enabling priorities in the MAV Strategy 2024-2027:
 1. Active Local Democracy
 2. Connected Places
 3. Health and Wellbeing
 4. Sustainable Economy
 5. Future Gen
 6. First People's Local Government Relations
 7. Climate and Regenerative Design
 8. Diversity, Equity and Inclusion
 9. Resilience and Recovery
 10. Intergenerational Infrastructure
- Not be repetitive in form or substance, of a motion or item considered at the most recently held meeting of the State Council.

Officers are proposing three motions be put forward to the MAV as set out below:

1.1 Motion 1: Victoria Police Resourcing

Knox City Council falls within the Eastern Region – Division 2 (ED2) for Victoria Police, alongside Maroondah City Council and Yarra Ranges Council. Of the three municipalities, Knox has the highest criminal incident rate per 100,000 population. Additionally, the 2025 Annual Community Satisfaction Survey highlighted that safety was the second highest priority of Knox residents, with the data also revealing a significant decline in perceptions of safety within the Knox community.

In May 2025, a Victoria Police decision was made to reduce the hours of the Crime Prevention Officer for the Knox LGA from 1.0 EFT to 0.4 EFT and to disperse the remaining hours to other members of the Proactive Prevention Unit (PPU) across ED2. Whilst the resourcing has remained within the PPU, this reallocation now serves a substantial geographic area, with distinctly different demographic profiles and priorities and presents clear limitations. Furthermore, Knox City Council has the lowest numbers of police per 10,000 across the three municipalities and was the only Local Government Area within ED2 to see a decrease in police numbers from 2024–2025.

Proactive and Responsive policing are both key elements to the prevention and reduction of crime and aid increased community perceptions of safety.

Motion: That the MAV call on the Victorian Government to allocate additional resourcing to Victoria Police to appropriately resource community policing to previous levels as a minimum, increasing both proactive and responsive policing.

Rationale: Knox City Council falls within the Eastern Region – Division 2 for Policing alongside Maroondah City Council and Yarra Ranges Council. Across the three municipalities, Knox criminal incidents rate is approximately 24.4% higher than Maroondah and 43.3% higher than Yarra Ranges. Despite this, Knox has the lowest number of Police Officers (full time FTE equivalent) across the three municipalities and was the only municipality to see a decrease in Police numbers from June 2024-2025.

Additionally, the 2025 Annual Community Satisfaction Survey highlighted that safety was the second highest priority for Knox residents. There has also been a significant decline in perceptions of safety within the Knox community, falling below both the metropolitan average and the Eastern Metro region. Perceptions of safety is measured by people's feelings of safety; during the day, at night, and in and around

your local activity centre. Knox residents score all indicators at a neutral to somewhat safe level.

While this is the experience of Knox City Council and the Eastern Region – Division 2 (ED2), we understand that other regions in the state may be similarly affected.

This Motion calls on the Victorian Government to increase Police resourcing for the Knox Municipality to accurately reflect the increased need within this municipality of the Eastern Region – Division 2 and commit to resourcing being allocated to both proactive and responsive Policing.

1.2 Motion 2: Advocacy for Department of Education School Focused Youth Service Funding

Motion: That the MAV advocate to the Victorian Government to maintain the Department of Education funding for School Focused Youth Services grant program.

Rationale: The Department of Education (DE) has provided the School Focused Youth Services (SFYS) grant program for more than 25 years. Approximately \$12M is allocated to the current grant program due to expire in December 2025. These funds support vulnerable young people across Victoria, delivered by no less than 12 local governments, including Knox City Council. SFYS funding is used to provide targeted interventions to students who are vulnerable to or showing signs of disengagement from school. The Department of Education specifies the schools within a catchment area for focus each calendar year. The SFYS Coordinators support identified schools to tailor the needs and interventions to their school students. Providing these programs helps to address current and emerging areas of need for young people within their municipality before they become entrenched.

In the current two-year funding period, 16 schools will have been supported (eight Primary, seven Secondary and one K-12 College); delivering 20 separate interventions that addressed barriers to educational engagement for 418 students; as well as building the capacity of 135 school staff, parents or carers to support young people.

Without such a program, vulnerable young people are likely not to receive the support to prevent disengagement from education. The rising incidence of youth crime may be further exacerbated without tailored support aiding educational engagement for young people most in need.

This motion calls on the Victorian Government to provide timely affirmation of the continuation of the School Focused Youth Service grant program to aid the most vulnerable and at risk young people in Knox, and across Victoria.

1.3 Motion 3: Emergency Services and Volunteer Fund – Cost Shifting

Motion: That the MAV advocates to and calls upon the Victorian Government to provide adequate and ongoing administrative funding to local governments for the collection and management of the Emergency Services and Volunteer Fund (ESVF), reflecting

the true cost of delivery and ensuring councils are not financially disadvantaged through cost shifting.

Rationale: In July 2025, Councils received confirmation from the Victorian State Government that it will receive a once-off increase in administrative funding for the 2025–26 financial year. While additional support is welcome, the amount provided falls significantly short of what is needed. Specifically, it represents a 65% shortfall for Knox compared to Council’s estimated cost to adequately administer the fund in its first year.

This funding gap places substantial pressure on Council resources and is a clear example of continued and unacceptable cost shifting from the State Government to local government. Councils are being asked to deliver increasingly complex programs and services without the necessary financial support to do so effectively.

Of further concern, the correspondence received contains no commitment to establishing a sustainable or adequate level of ongoing administrative funding beyond this once-off payment. Without clarity or assurance of future resourcing, councils are left with uncertainty and potential exposure to long-term budgetary risk.

We urge the State Government to recognise the true costs of program delivery at the local level and to commit to a transparent, adequately funded model moving forward. This is essential to ensure councils can continue to deliver services effectively and equitably in their communities.

This Motion calls on the Victorian Government to increase adequately and sustainably fund the collection of the Emergency Services and Volunteer Fund, without cost shifting burden to Local Government.

2. ENGAGEMENT

Council’s 2025 Annual Community Satisfaction Survey provides insight into perception of safety for Knox residents. The Annual Community Survey results can be found in full on Council’s website at www.knox.vic.gov.au/whats-happening/news in the article, “Community survey results are in” published on 26 June 2025.

At the conclusion of each calendar year, School Focused Youth Services reports are completed, detailing performance and achievement against agreed school interventions. The case studies captured through this reporting mechanism provide insight into the valuable engagement that has occurred.

3. SOCIAL IMPLICATIONS

The three motions have community and social implications and likelihood of undesirable outcomes for the Knox community.

3.1 Actual and perceived safety poses a significant impact to the health and wellbeing of our community, particularly for underrepresented groups. It is important that proactive policing is a key consideration to ensure further marginalisation does not occur. An increase in actual and

perceived safety leads to greater social cohesion, activation of spaces, greater health outcomes and positive financial outcomes.

3.2 Withdrawal of the DE School Focused Youth Services grant program removes a unique and targeted support mechanism for primary and secondary school aged students demonstrating disengagement with education. The absence of such a program will have far reaching consequences for both school and local communities and ultimately detrimental to health and wellbeing of most at risk students.

3.3 All local governments are expected to deliver services with increased complexity. Budgets remain under increased pressure. Ongoing cost shifting by other tiers of government reduces both the ability to meet the needs and expectation of local communities and financial sustainably for local government.

4. CLIMATE CHANGE CONSIDERATIONS

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council's Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

5. ENVIRONMENTAL IMPLICATIONS

There are no direct environmental or amenity implications for this report.

6. FINANCIAL AND RESOURCE IMPLICATIONS

There are no direct implications for this report.

7. RISKS

There are no major risks associated with this proposal.

8. COUNCIL AND HEALTH AND WELLBEING PLAN 2025-2029

Enhancing community connection to vital services and resources

Strategy 1.5 - Our community's health and wellbeing is improved through proactive planning, delivery, partnerships and advocacy that enable access to services, education and programs.

Leading, listening and governing responsibly

Strategy 4.5 - Council is financially sustainable through long-term strategic, financial and asset planning, and the responsible prioritisation, allocation and use of resources.

Being a strong voice for safety

Strategy 5.1 - Our community feels safer in public spaces and facilities through planning, maintenance, education, design and proactive program delivery for Council owned and managed spaces and via advocacy for others.

Strategy 5.3 - Our community is more secure, connected and feel less isolated through planning, partnerships, advocacy and targeted support for our most vulnerable.

9. CONFLICT OF INTEREST

The Officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

10. STATEMENT OF COMPATIBILITY

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

11. CONFIDENTIALITY

There is no content in this report that meets the definition of confidential information from the Local Government Act 2020.

ATTACHMENTS

Nil

4.3 Proposed Sale of 58-60 Station Street Bayswater

Final Report Destination:	Council
Paper Type:	For Decision
Author:	Manager Strategic Property & Procurement, Shelley Starrenburg
Manager:	Manager Strategic Property & Procurement, Shelley Starrenburg
Executive:	Chief Financial Officer, Navec Lorkin

SUMMARY

This report is to inform Council that the statutory procedures required for the sale of 58-60 Station Street, Bayswater, in accordance with Section 114 of the *Local Government Act 2020*, are now complete.

The site was identified as surplus to Council needs at the Council meeting on 20 December 2021. The significantly aged Hall previously located at this site was demolished in 2019 as it was no longer safe for community use; there are no plans for alternative uses of the site.

At its meeting of 9 September 2024, Council considered the officer proposal for divestment of the site at a subsidised rate to a Community Housing Organisation, following a 2-stage tender process that took nearly 3 years to undertake. The proposal was not supported. Council, however, did resolve to commence statutory processes to sell the property to the open market.

Community consultation to sell the site on open market was undertaken in accordance with Section 114 of the Local Government Act 2020 and a report was presented for consideration at the Council meeting on 12 May 2025. The decision was deferred to a future meeting. Since the deferral, Scenario 8, considering the protection of all but one tree (T4) has been considered and included in this report.

It is recommended that Council proceed with the sale of the property at full market value.

RECOMMENDATION

That Council:

1. Note the feedback received during the community consultation for the proposed sale of 58--60 Station Street, Bayswater at full market rate.
2. Having complied with the requirements of Section 114 of the Local Government Act 2020, resolve to sell 58-60 Station Street, Bayswater.
3. Authorises the Chief Executive Officer (or such person that the Chief Executive Officer appoints for the purpose of giving effect to this resolution) to proceed with the sale of the property at 58-60 Station Street, Bayswater (Lot 17 on Plan of Subdivision 003188 Certificate of Title Volume 08044 Folio 233),
 - a. Initially by public auction with the reserve price as set out in Confidential Attachment 1; and
 - b. If the land still remains unsold after auction, by negotiation to the highest bidder in accordance with Confidential Attachment 1; and/or
 - c. If the land still remains unsold, by private treaty until 3 February 2026 in accordance with Confidential Attachment 1.

4. Resolve to provide tree and habitat replacement planting within Councils Open Space areas within 2000 metres of this site to the value of the Tree Amenity Value in Table 4, in the event that high retention value trees are removed in the development of the site following its sale.
5. Authorises the Chief Executive Officer (or other such person that the Chief Executive Officer appoints for the purpose of giving effect to the resolution) to sign the Contract of Sale and all other necessary documents associated with the sale of 58-60 Station Street, Bayswater.
6. Pursuant to Section 125 of the Local Government Act 2020, to authorise the confidential information in the confidential attachments to be publicly available for the limited purpose of communicating the effect of this Resolution to the extent necessary to give effect to it.
7. To authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to communicate the content of the confidential attachments to the extent necessary at their discretion, including for the purpose of informing the community about the content of the report or Council's decision.

1. DISCUSSION

The subject site at 58-60 station Street, Bayswater, is about 981m² in size. It is a corner block located directly opposite the Pine Road car park and Mountain High Shopping Centre and has the Bayswater Train Station to the northeast (see Figure 1). The site is currently vacant of any buildings and has 15 mature trees along the fence boundary of Station Street and Pine Road (see Figure 2).



Figure 1 – Aerial image of Subject Site (yellow outline)



Figure 2 – View of Subject Site from Station Street, Bayswater (facing Southwest)

The site was rezoned to Residential Growth Zone Schedule 2 (RGZ2) prior to 1 July 2023; as such, it will not attract the windfall gains tax.

On 20 December 2021, Councillors approved the officer proposal to commence a 2-stage tender process: an Expression of Interest, followed by a Request for Proposal. The objective of the tender process was to identify an appropriate Community Housing Organisation (CHO) to develop social and affordable housing and suggest either to purchase or lease the land from Council.

The two-stage tender process was a comprehensive and resource-intensive endeavour, involving multiple resources across multiple departments such as Planning, Strategic Procurement, Strategic Planning, and Community Wellbeing. In addition, Council invested in the development of a bespoke contract, tailored to the specific needs of the project.

This tender identified a preferred proponent, and officers presented a report to the 9 September 2024 Council meeting, proposing to sell to a Community Housing Organisation at a subsidised price.

Council did not agree to the proposal, instead resolving the following (Figure 3):

That Council:

- 1. Note the feedback received during the recent community consultation and contained within the report for the proposed sale of 58-60 Station St, Bayswater.**
- 2. Having complied with the requirements of Section 114 of the Local Government Act 2020, resolve not to proceed with the sale of 58-60 Station Street Bayswater (Lot 17 on Plan of Subdivision 003188, Certificate of Title Volume 08044 Folio 233) as outlined in the officers' report.**
- 3. Re-affirm that the property known as 58-60 Station Street, Bayswater (Lot 17 on Plan of Subdivision 003188, Certificate of Title volume 08044 Folio 233) is not required to be retained, and resolve to:**
 - a. Commence the statutory process to sell the property as per Section 114 of the Local Government Act 2020, on the open market;**
 - b. Give public notice of the proposed sale of the property on the Council internet site, as per Section 114 of the Local Government Act 2020; and**
 - c. Undertake community consultation in accordance with Section 114(2)(b) of the Local Government Act 2020; and**
- 4. Note a further report will be presented to a future Council meeting to enable consideration of any submissions and for Council to make a determination on the matter.**

Figure 3 - Extract of Council Report Minutes 9 September 2024

In accordance with Section 114 of the Local Government Act, Council is required to consult the community on the changed conditions for the proposed sale of the site.

Community consultation ran from 11 November 2024 to 2 December 2024. Officers advertised the proposal and attended the nearby local library on Saturday, 23 November 2024, to receive feedback and generate discussion. Feedback has been collated and provided in this report for Council consideration. Should Council resolve to sell the property, the process can commence immediately.

The proceeds from the sale are expected to form part of the funding allocated to the capital works program within the Budget. Proceeds form a component of the budgeted cash position. Should the proceeds not be substantially realised, this will require consideration of additional borrowings, a reduction in the capital program or a combination of these.

When considering the site for divestment at its highest value, officers have taken into account several competing objectives. These include:

- The Policy for the Sale of Council Land and Buildings, which mandates that Council land and buildings be sold at 'best and highest' value unless a lower value can be justified based on specific circumstances.
- Council's commitment to retaining and increasing tree canopy coverage within the municipality.
- Meeting the housing targets of 43,000 recently set by the State Government for 2051.

These objectives have been carefully considered in forming the recommendation to proceed at full market value.

2. ENGAGEMENT

2.1 Community Consultation

Council officers conducted four weeks of community consultation from 11 November 2024 to 2 December 2024, providing an opportunity for residents and community stakeholders to comment on the proposed sale of the land at market value and noted that the site does not have protections in place for tree retention.

For this project, the community were engaged at the level of 'consult', in line with Councils Community Engagement Policy, providing Council the opportunity to consider the communities feedback in the final decision.

Neighbouring property owners and residents within a 200m radius of the site received a mailout advising of the consultation, the notification included a QR code to the 'Have Your Say' page of the website, Mailout totalled 242 letters.

Opportunities provided for the community to have their say included:

- Council's 'Have Your Say' website;
- in writing via post or email;
- via phone call;
- in person at the Civic Centre; or
- an in-person drop-in session at Bayswater Library.

At the conclusion of the consultation period, there were 65 online survey submissions from 61 contributors to the Have Your Say page and the page gained 10 project followers. The page was viewed 242 times, and 194 people visited the page.

Overall, the consultation collected 68 responses; more than double the 31 responses received during the previous engagement on selling the site for Social and Affordable Housing.

Below is a summary of the feedback channels and engagement from contributors:

- 60 page views, 48 active users, 19 seconds average engagement time
- 65 people completed the 'Have Your Say' survey;
- 2 people provided feedback at a from face-to face consultation; and
- 1 from direct email was received.

Refer to Table 1 for a summary of the feedback received.

Table 1: Community Consultation Summary

Supportive of Proposed Sale	22	32.35%
Supportive of Proposed Sale with conditions	10	14.71%
Opposed to Proposed Sale	35	51.47%
Neutral	1	1.47%
Total	68	100.00%

Based on the feedback received, 10 respondents conditionally supported the sale. These responses have been categorized as "Supportive of proposed sale with conditions," rather than simply "supportive" or "opposed." Full comments are available in Attachment 3.

Those supporting the sale with conditions emphasized retaining the existing trees was a common concern. The 'supportive with conditions' were categorised based on the feedback comments from the consultation process when asking the community their views on selling at full market value. While several respondents mention social housing, this is likely due to the previous engagement process which consulted on social and affordable housing, which Council determined not to pursue.

Respondents supporting the sale highlighted potential additional Council revenue and economic development as their primary reasons. They also supported the potential for additional housing (social or otherwise).

Opponents of the sale were worried about the removal of trees, the reduction of available open space, the potential impact on parking if the site is developed, utilising the space for social and affordable housing and noted a desire for further community facilities at the site.

The feedback on the proposed sale have been collated into themes within Table 2.

Community consultation is one factor in deliberations about selling surplus land. The community feedback needs to be weighed against competing policy goals - of which there are three in this instance.

Feedback from the consultation has helped shape the recommendation, particularly if high-retention trees are lost during development.

Table 2: Community Consultation Feedback

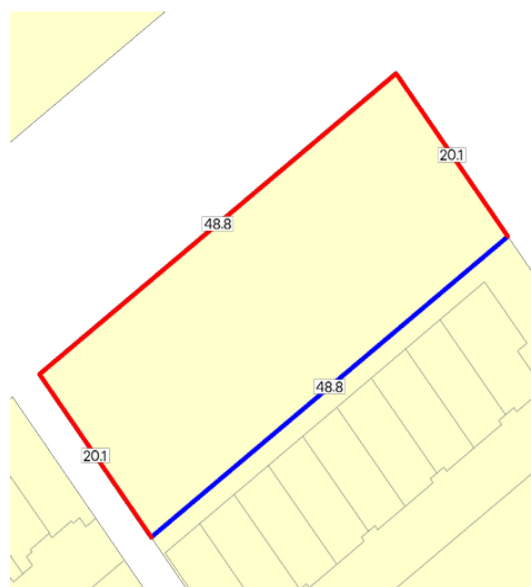
1. Environmental concerns regarding the trees on the site, including maximising the retention of trees through any development of the site.
<p>There are currently no protections available for these trees under the Knox Planning Scheme, and they do not require a permit for their removal.</p> <p>The site is in the Bayswater Activity Area and is zoned for high density development.</p>
<p><u>Further Information</u></p> <p>Planning Provisions</p> <p>Effective from 31 March 2025, the State Government’s recently implemented Townhouse and Low-rise Code requires sites under 1,000m² to achieve 10% canopy coverage. For this site of approximately 980m², this equates to 98m² of tree canopy area. This requirement can be met through a combination of new tree plantings and the retention of existing mature trees, provided they meet the definition of "canopy trees."</p> <p>A minimum of one canopy tree must be located in both the front and rear setbacks. Existing trees that have an appropriate canopy spread and meet the necessary size criteria may be counted toward fulfilling the canopy coverage requirement. However, these trees must also comply with setback and spacing provisions.</p> <p>The 6m setback from Station Street provides an area of 120.6m² (20.1m x 6m) within which the existing trees (8-15) reside. As long as these existing trees are at least 4 meters away from buildings, this assessment suggests the canopy tree requirements can be met, though final design details (building orientation, scale, and parking) remain unknown. Retention of some trees is possible.</p> <p>A landscaping plan must be submitted as part of the development application to demonstrate how the 98m² of canopy cover will be achieved. This plan should detail the location, type, and canopy spread of both proposed and retained trees, ensuring that all relevant provisions of the Knox Planning Scheme are met.</p>

Address: **58 STATION STREET BAYSWATER 3153**
 Lot and Plan Number: **Lot 17 LP3188**
 Standard Parcel Identifier (SPI): **17\LP3188**
 Local Government Area (Council): **KNOX**
 Council Property Number: **112481**
 Directory Reference: **Melway 64 G4**

www.knox.vic.gov.au

SITE DIMENSIONS

All dimensions and areas are approximate. They may not agree with those shown on a title or plan.



Area: 980 sq. m

Perimeter: 138 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

Figure 4: Lot Dimensions for 58 -60 Station Street, Bayswater

Section 173 Agreement

A Section 173 agreement in Victoria is a legal contract under the *Planning and Environment Act 1987 (Vic)*. It allows local councils to set conditions or restrictions on land use or development, binding future owners and occupiers to these terms to achieve specific planning objectives.

It is possible to protect the trees through a Section 173 agreement, this is discussed in further detail within the body of this report, including the financial impacts and development limitations (refer section 2.4, 'Section 173 Agreement')

Arboriculture Assessment

The 15 trees on the site are all *Eucalyptus sideroxylon* [Red Ironbark], which is a Victorian native species, however, this species is not endemic to the Bayswater area. The trees are assessed as being in "Good" to "Fair" health and "Fair" to "Poor" structure and the report from Melbourne Tree Care Pty Ltd states that "no trees were found to warrant an exceptional retention value," while seven trees were found to warrant a "high" retention value.

Whilst the trees are assessed as being in a generally "Fair" condition, the retention value is established on multiple factors, including the location; these trees are in a high-density urban area, which assesses these trees at a higher retention value overall.

The trees on this site grow in close proximity and exhibit co-dependency. This means their structural stability and health may be influenced by the presence of surrounding trees. For this reason, any decisions regarding retention or removal should consider the trees in

relation to their neighbouring specimens, rather than in isolation. This approach aligns with best practice in arboriculture, where tree groups are assessed collectively to understand shared root systems, canopy interactions, and mutual sheltering effects.

- Group 1: T1–T7
- Group 2: T8–T13
- Group 3: T14–T15

The arboriculture report at Attachment 4 states:

“If the subject site is to be developed, it is strongly recommended that an arboriculture impact assessment is undertaken to determine which trees can be retained or removed. It is worth noting that while seven trees were found to warrant a high retention value, no trees were found to warrant a significant retention value, and there are currently no vegetation controls for the subject site.”

2. Concerns regarding the availability of public open space in proximity of the subject site

The site is not required to be retained for open space, as there is open space of approximately 145,000 square meters is available within 10 minutes’ walk (Marie Wallace Bayswater Reserve).

Further Information

Parks are typically classified into a hierarchy for planning and management purposes.

Three levels of classification are recommended for parks for the purpose of play and social/family recreation in suburban settings. The different classifications of parks (for play) in Knox include:

- Local Parks;
- Neighbourhood Parks; and
- Municipal Parks.

All residents should ideally have access to a park (of any category) within an approximate 10- minute walk or up to approximately 500m, whichever is the lesser distance.

The gardens at the Knox Cultural Arts Centre are a popular open space option, and approximately 8 minute walk North over Mountain Highway is the Marie Wallace Bayswater Reserve, consisting of approximately 145,000 square meters. Access to the park is designed for bicycles and pedestrians alike, particularly after the removal of the level crossing in 2017.

The reserve joins the Dandenong creek walking tracks and trails, comprising gardens, extensive playground, ovals, picnic areas and a bicycle education training area.

3. There is a need for social housing in the area, to support those who are struggling in the cost-of-living crisis.

Sale of the property on the open market does not preclude the purchase of this site for the development of social housing.

Further Information

Knox City Council is committed to advocating for safe, secure and affordable housing for people in need. Council's "Social and Affordable Housing Strategy" identifies the significant shortfall in the amount of social housing in the municipality. The intention of the Strategy is "to increase the supply of high-quality social and affordable housing in Knox", and the commitment "Council will consider the use of under-utilised Council-owned land in appropriate locations for the purpose of developing social and affordable housing".

This site was considered by Council at its meeting of 9 September 2024, and the Council determined to sell the site to the open market.

The site may be purchased with the intention of developing social housing; however, it will be at a market value through an open process, such as an auction.

4. Availability of community services in the area

The hall on this site was demolished in 2019, and significant unbudgeted investment would be required to reactivate this space to provide community service.

Further Information

Officers had not identified a suitable current community need that could be easily accommodated at this site.

Council owns another community facility at 790 Mountain Highway, Bayswater, approximately 400 meters from this site. This facility is licenced to two community groups, and available for casual hire to the public.

This council facility is opposite the Marie Wallace Bayswater Reserve.

5. Negative impacts of social housing in the area

Sale of the site on the open market does not preclude the purchase of this for the development of social housing.

Further Information

While it is common to be concerned about crime and personal safety when social housing is a possibility, there is minimal evidence supporting a link between social housing and increased crime.

Any future development on this site, whether it was social housing or not, would need to meet the planning scheme requirements.

Council is not aware of any empirical evidence that social housing negatively impacts local economic development or land prices.

6. Parking availability concerns; current developments have created existing parking issues in the area, concerns this will exacerbate existing issues.

Potential traffic impacts from any proposed site development, including parking, will be considered within the planning permit application and evaluation process.

Further Information

Feedback received noted traffic in the area has increased as the housing density has increased, and that development of the site is likely to increase traffic and street parking.

This site is located on a bus route and near the Bayswater train station and is a high activity precinct with shops, public transport, and high-density developments.

Any potential impact on traffic would be considered by Council’s Traffic and Transport officers following the submission of a planning permit application with recommendations to be made accordingly at that time. Residents will have the opportunity to raise concerns about traffic impacts as part of the planning permit public consultation process.

2.2 Sale of Land and Buildings Policy Principles

Council’s Sale of Land and Buildings Policy requires the decision to sell Council owned land is made carefully, considering the current and future needs of the municipality, and maximizing public value (both financial and non-financial).

One of Council’s responsibilities is to manage its assets to optimise their value to the community. This responsibility includes evaluating any unused or redundant assets and releasing the funds tied up in them to acquire, develop or improve other assets. The subject land is an example of resources tied up in an asset which Council can deploy in other areas of priority.

The subject site is zoned Residential Growth Zone (RGZ) – Schedule 2 with the Design and Development Overlay – Schedule 6 (applies to the Bayswater Major Activity Centre boundary).

The site is in the heart of the Bayswater Activity Centre; directly across from Pine Road car park. The site was considered as part of the proposed Bayswater Multi-Purpose Hub Project, which acknowledged that, whilst the site is too small for a Hub, it is appropriate for medium-density and multi- story housing. This housing typology currently surrounds the site.

The site has previously been considered for sale to a Community Housing Organisation (CHO) at a subsidised value, for the purpose of building social housing – including the provision of support services for the residents of the proposed development. This proposal was heard by Council in September 2024 and was not supported by Council. Instead, it was determined that the site should progress to sale on the open market.

Council officers have assessed the proposed sale against the Policy Principles as listed in Councils Sale of Land and Buildings Policy, refer to Table 3.

Table 3: Assessment of 58-60 Station Street Bayswater, against the Sale of Land and Buildings Policy Principles

1. Economic	<p>Council evaluation of surplus property will consider the value of the land as well as the cost of retaining the land, utilities, and any foregone revenue, as well as any potential return available from sale for alternative purposes.</p>
	<p>Council currently maintains the site (as mown grass and gravel) and pays water fees to the site. There are no other costs associated with this site.</p> <p>Before 2019, the site housed a Hall that was demolished due to safety concerns. Since then, alternative uses of the site have been considered but found to be unsuitable. No alternative uses of the site have been identified. The site was considered as part of the proposed Bayswater Multi-Purpose Hub Project, which acknowledged while the site is too small for a Hub it is appropriate for medium-density and multi- story housing, housing typology that surrounds the site.</p> <p>This site is not subject to windfall gains tax as it was re-zoned prior to 1 July 2023. This is one of the few sites Council owns which is zoned residential.</p> <p>Most Council land is zoned for public use, requiring rezoning prior to sale. Rezoning of land results in a requirement to pay windfall gains tax.</p>
2. Change to Service Needs (Use)	<p>Council will consider the sale of surplus land and buildings where it does not or will not support, facilitate or contribute to current or future service delivery outcomes as identified in the Council Plan.</p>
	<p>This site has not been identified specifically in the Council and Health and Wellbeing Plan 2025 – 2029 and has not been actively used since 2019.</p>
3. Building Condition	<p>Council will consider the building asset condition, maintenance, renewal and upgrade considerations.</p>
	<p>Not applicable – the subject site is vacant land. The building has been demolished.</p>
4. Environment	<p>Council will sell surplus land where retention will not enhance or protect its environmental value.</p>
	<p><u>Planning Overlays</u></p> <p>There are no vegetation protection overlays or provision for tree protection currently applicable to the site.</p> <p>The site is zoned RGZ2, which prioritises high density development. From 31 March 2025, the State Government’s recently implemented Townhouse and Low-rise Code requires sites</p>

under 1,000m² to achieve 10% canopy coverage which equates to 98m² for this site.

Existing Trees on the Site

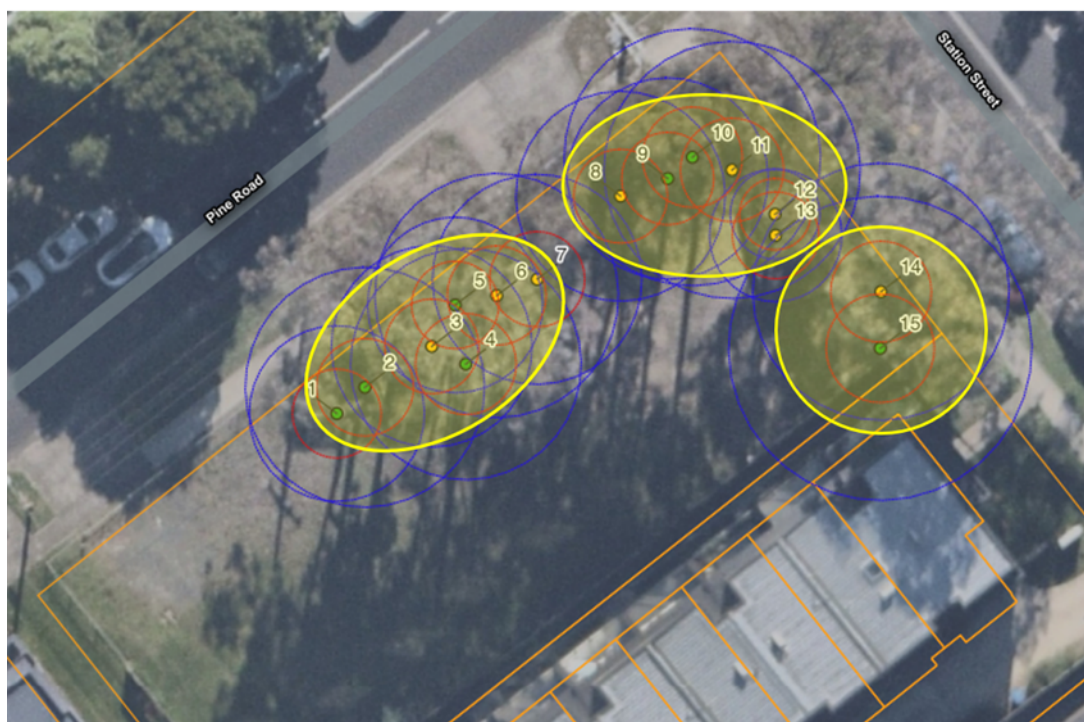
There are 15 *Eucalyptus sideroxylon* (Red Ironbark) trees on the site, which are mature or semi-mature, and located around the road boundary edges of the site. The majority of the Red Ironbark have 'fair' structure and health.

This species of tree, while native to Victoria, is not a species that is endemic to the Bayswater area.

The trees grow close together and to a certain extent are co-dependent on one another. For this reason, when considering retention and/or removal of the trees on this site, it is recommended that that are considered relative to the trees around them.

The image below from the arborists report at Attachment 4 shows the location of the trees. They are growing in three groups: T1-T7, T8-T13 and T14-T15. These groups are shaded yellow in the image in Figure 5.

Figure 5: Image Showing the Tree Protection Zone for Existing Trees at 58 Station Street



The report from Melbourne Tree Care Pty Ltd states that "no trees were found to warrant an exceptional retention value", while seven trees were found to warrant a 'high' retention value.

Whilst the trees are assessed as being in a 'Fair' condition, the retention value is established on multiple factors, including the area. These trees are in a high-density urban landscape, the context of which assesses these trees at a higher retention value overall.

It is noted T14 has been assessed with fair health and fair structure with observations noting wounds and previous failures.

Site valuation impacts and scenarios to protect the trees through the application of a Section 173, are considered further in section 2.4, below.

Alternatively, Council could consider the provision of tree and habitat replacement planting within Council's Open Space areas around the site, to the value calculated (Tree Amenity Value), should these trees be removed because of site development.

The Tree Amenity Value is calculated using the City of Melbourne tree valuation method, which is commonly used throughout metropolitan Melbourne (refer Table 4 for the tree amenity assessment of the 'high' retention value trees).

Planting would be prioritised within nearby road reserves and recreational reserves within 2000m of the subject site, as well as replacement planting for the area in the annual planting program. The nearby Marie Wallace Reserve contains areas of native revegetation.

Flora and Fauna Impact

A NatureKit assessment has been undertaken for this site and no endangered or critically endangered fauna have been recorded within the past 80 years in 1000m radius of the site (refer Attachment 5).

By focusing on endangered or critically endangered species, Council can address the most critical conservation concerns, ensuring the protection of biodiversity.

Council uses NatureKit to assess site flora and fauna because it is specifically developed for environmental planning and government use. Its validated, accurate data supports strategic decisions and compliance by government and public bodies with environmental regulations.

A search was also carried out on iNaturalist, an online platform where users share biodiversity information to support nature education. None of the flora or fauna listed in Attachment 5 have been recorded at this location.

Whilst there are no endangered or critically endangered flora or fauna identified, the mature tree's flowers are a significant source of nectar for bees, birds, and other pollinators.

5. Physical Works

Council will consider the sale of surplus land where it has not been identified in the Council Plan for the development of new assets or the improvement of existing assets.

This property has not been identified in the Council and Health and Wellbeing Plan 2025 – 2029 for the development of new assets, nor the improvement of existing assets. The site is currently vacant land and would require unbudgeted investment for the block to be anything more than its current state.

There is no known reason to retain this land for physical works.

6. Recreation

Council will sell surplus land where it is not required in the foreseeable future for recreational purposes.

The subject site has not been identified for recreational purposes, as there are a variety of alternative options nearby.

Ideally, residents should have access to a park (of any category) within an approximate 10-

minute walk or up to approximately 500m, whichever is the lesser distance.

Approximately 400m north of the subject site is the Marie Wallace Bayswater Reserve, consisting of approximately 145,000 square metres.

The reserve joins the Dandenong creek walking tracks and trails, comprising gardens, extensive playground, ovals, picnic areas and a bicycle education training area. A map of the available open space is provided at Attachment 6.

7. Land Use Planning

Council will sell surplus land where there are not compelling land use planning grounds for retention.

There are no known land use planning reasons to retain the site. The subject site has not been considered in the Council Plan 2021-2025, the Council and Health and Wellbeing Plan 2025 - 2029, or in any future plans or strategies.

The subject site is zoned RGZ2 in the Bayswater Activity Centre, which is a target for investment and changes in housing provision for the Knox Community.

The subject site is close to core employment areas and public transport interchange including a train station and multiple bus routes.

The Knox Planning Schemes strategic directions for the Bayswater Activity Centre include increasing the building scale.

8. Social

Council will sell surplus land where alternative social uses have not been identified.

Council has previously considered the divestment of the site at a reduced purchase price to a not-for-profit Community Housing Organisation but ultimately resolved progress the site for sale on open market; this does not preclude that the site may be purchased for social housing purposes.

Internal consultation has not identified any major alternative social benefits of retaining this site.

9. Intergenerational Needs (Future Needs)

Council will consider social, environmental, and economic future needs of the asset by considering how the land sale today benefits current and future generations in the municipality

In considering the site for the Bayswater Multi-Purpose Hub Project, the site was identified as too small to be value to the Plan, and more appropriate for medium-density and multi-story housing; the same housing typology that surrounds the site.

As such, selling the land and allowing for the reinvestment of funds into Councils activities represents the best outcome for current and future generations.

Current and future needs will also be met by the variety of amenities within the Bayswater Activity Center.

10. Heritage and Cultural Value

Council will consider the sale of surplus land where it has not been identified in the Council Plan for the development of new assets or the improvement of existing assets.

The land has no heritage or cultural values requiring protection. The site is not in an area of cultural heritage sensitivity.

11. Risk

Council will identify and assess risks associated with holding and disposing of the asset.

If Council were to retain the asset, Council would need to consider the financial impacts. The site is under-utilised and does not currently provide the best options for public use. There has been no budget allowance made to invest in this site.

Failing to dispose of the asset risks increased borrowings or reducing the capital works program or deferring capital projects to invest in this land parcel.

2.3 Competing policy objectives in considering site for divestment

There are competing objectives when considering the site for divestment at highest value:

- The Policy for the Sale of Council Land and Buildings which requires Council land and buildings be sold at 'best and highest' value, unless Council can justify a lower value based on the circumstances; and
- Council's commitment to retain and increase tree canopy coverage within the municipality.
- Meeting the housing targets of 43,000 by 2051 as recently set by the State Government.

The site at 58-60 Station Street Bayswater is surplus to Council requirements and is intended for divestment as per Council resolution to the open market for the highest value. An assessment against the Sale of Land and Buildings Policy Principles has not identified justification for disposing of this land at lower than market value.

Council's commitment to retain and increase tree canopy coverage within the municipality is an ongoing endeavor. The planning provisions, whilst allowing high density development, also consider the requirement for trees within the landscaping schedule. The development is required to achieve canopy coverage of 10%, or 98m² on the site.

The options available for Council to consider around the trees are:

1. No protection(s) for the 15 trees on the site, noting that based on the zoning there is no requirement for a permit to remove the trees and that the development of the site requires 4 canopy trees.
2. Placing a Section 173 Agreement on some or all trees, decreasing the expected market value that could be yielded for property. These scenarios are explored in section 2.4.
3. (Recommended option) Sell the site at full market value and if the high retention trees, according to Table 7, are lost during development, replacement planting should be carried out within 2000 meters of the site to the value listed in Table 4, to compensate for any vegetation loss.

The Victorian Government has set ambitious housing targets to address the growing demand for housing across the state. For Knox City Council, the target is to add 43,000 new homes by 2051.

This significant increase is proposed in anticipation of the expanding population and intends to provide affordable and accessible housing.

Table 5 illustrates the impact of each tree protection scenario on the developable area of the site and the resulting limitation on residential yield.

Prioritising residential development over tree protection can help meet these targets by maximizing the developable area, thus allowing for more homes to be built. This approach aligns with the state's broader objectives of improving housing affordability and providing diverse housing options in areas with existing infrastructure and services.

This site is zoned RGZ2 and is ideal for high-density housing due to its proximity to key amenities. Within walking distance is a key public transport hub consisting of both train and buses. Across the road is a shopping precinct, including a public library, and a short walk is the Knox Community Arts Centre (KCAC); altogether providing residents with convenient access to essential services, recreational activities, and educational resources.

2.4 Section 173 Agreement

A Section 173 agreement in Victorian planning law is a legal contract made under the *Planning and Environment Act 1987 (Vic)*. It allows a responsible authority, such as a local council, to enter into an agreement with a landowner to set conditions or restrictions on the use or development of the land. These agreements are recorded on the land title, ensuring that the obligations bind future owners and occupiers.

Section 173 agreements are used to achieve specific planning objectives that might not be possible through other statutory mechanisms. They can cover a range of issues, including land use, development, and even affordable housing. However, these can affect the value of the land when selling it; either because it limits the developable area, or because purchasers are wary to purchase encumbered assets.

Council can apply a Section 173 Agreement to retain some or all trees on the site.

Protecting the trees limits the developable area of the site. To protect the trees, developers are prohibited from impacting the Tree Protection Zone (TPZ). A TPZ is a designated area around a tree to safeguard its health and structural integrity during construction or other activities. The TPZ typically includes the tree's root zone and extends beyond it to ensure that the tree's roots, trunk, and canopy are protected from damage.

The trees are growing in three distinct groups, where each tree supports the structural and ecological integrity of the rest of the group. These groups are:

- Group 1: T1–T7
- Group 2: T8–T13
- Group 3: T14–T15

Although multiple scenarios have been considered, including preservation of whole and partial groups, removing part of a group can risk destabilising the remaining trees, increasing the likelihood of their failure. In other words, removing one tree within the group can jeopardise the health and stability of the remaining trees within the grouping. As such, while these scenarios have been considered, they are not recommended.

Several scenarios have been considered for the protection of the trees to the site, and the value impact for each is included in the Independent Valuation. (refer to the Confidential Attachment 2)

The Melbourne Tree Care Pty Ltd report (Attachment 4) identifies seven of the trees as high retention. The amenity value of these trees is shown in Table 4:

Table 4: Tree Amenity Value:

Tree No.	Amenity Value
1	\$ 11,570
2	\$ 17,500
4	\$ 18,079
5	\$ 11,570
9	\$ 14,644
10	\$ 21,875
15	\$ 28,347
Total	\$ 123,586

If the identified high retention trees were to be removed through the development of the site, consideration could be given to providing tree and habitat replacement planting within Council's Open Space areas within 2000 metres of this site to the value of the Tree Amenity Value contained in Table 4, above.

These scenarios, outlined in Confidential Attachment 2, consider and compare the financial impact of protecting the tree groups against the site's valuation without a Section 173 agreement. Table 5 summarises the impact of the tree protections against the number of residences achievable for the site (lot yield) and Table 6 summarises the financial impacts of tree protections.

Table 5: Impact to the Site's Developable Area When Applying the Tree Protection Zone (TPZ)

Scenario	Trees protected		Total TPZ (m2)	Developable Area Remaining (approx)		Possible Lot Yield	
m2	%	Qty	Each (m2)				
1	T1 - T15		430	551	56%	5	196
2	None		Nil	981	100%	9	109
3	T1 - T7		230	751	77%	6	164
4	T8 - T13		150	831	85%	8	123

Scenario	Trees protected		Total TPZ (m2)	Developable Area Remaining (approx)		Possible Lot Yield	
m2	%	Qty	Each (m2)				
5	T14 - T15		110	871	89%	8	123
6	T1 - T11		350	631	64%	6	164
7	T9 – T15		200	781	80%	8	123
8	T1-T3, T5-T15		360	621	63%	5	196

Table 6: Summary of the Financial Impacts of the Section 173 Tree Protection Scenarios

Scenario	Trees protected	Total TPZ (m2)	Developable Area Remaining (approx.)		Reduction in Site Value*
m2	%				
1	T1 - T15	430	551	56%	9%
2	None	Nil	981	100%	Nil
3	T1 - T7	230	751	77%	5%
4	T8 - T13	150	831	85%	2%
5	T14 - T15	110	871	89%	1%
6	T1 - T11	350	631	64%	6%
7	T9 – T15	200	781	80%	3%
8	T1-T3, T5-T15	360	621	63%	9%

*Compared to no Section 173 applied to the site for tree protections

Further information on the impacts to the TPZ and the assumptions from the valuation are included in the Independent Valuation report found at Confidential Attachment 2.

2.5 Assessment of Site Vegetation

In July 2024, an independent arborist, Melbourne Tree Care, was engaged to assess the trees on the site. This report is provided at Attachment 4. The independent report highlights that *“if the subject site is to be developed, it is strongly recommended that an arboricultural impact assessment is undertaken to determine which trees can be retained or removed.”*

Potential impacts to the trees will be considered as part of planning permit application and evaluation process.

Table 7: Summary Arboriculture Report 2024:

Tree No.	Health	Structure	Retention
1	Good	Fair	High
2	Good	Fair	High
3	Good	Poor	Medium

Tree No.	Health	Structure	Retention
4	Fair	Fair	High
5	Good	Fair	High
6	Good	Poor	Medium
7	Fair	Fair	Medium
8	Fair	Fair	Medium
9	Good	Fair	High
10	Fair	Fair	High
11	Fair	Fair	Medium
12	Good	Fair	Medium
13	Good	Fair	Medium
14	Fair	Fair	Medium
15	Good	Fair	High

The 15 trees on the site are all *Eucalyptus sideroxylon* [Red Ironbark], which is a Victorian native species however this species is not endemic to the Bayswater area.

The Melbourne Tree Care report assessed the 15 trees on the site as:

- No trees were found to warrant an exceptional retention value;
- Seven trees were found to warrant a high retention value; and
- Eight trees were found to warrant a medium retention value.

As this is not a 'patch' of native vegetation as defined under the Biodiversity Assessment Guidelines, and there are no significant hollows in the trees, an ecological assessment prepared by a qualified Ecologist is not recommended in this instance.

NatureKit is an online tool developed by the Victorian Department of Environment, Land, Water and Planning (DELWP). It integrates various biodiversity datasets to support decision-making and investment in biodiversity conservation. Data utilised in NatureKit includes information from the Victorian Biodiversity Atlas (VBA), Ecological Vegetation Classes (EVCs), and bioregions. It provides recorded sightings of species, particularly vulnerable ones, along with the most recent date a species was observed. A NatureKit report has been prepared and is provided at Attachment 5.

Financial values attributed to the high retention trees have been calculated in accordance with the City of Melbourne tree valuation method, which is used commonly through metropolitan Melbourne, and is provided in Table 4. This calculation is based on several factors such as the tree health, size, species, life expectancy, and removal cost. This standard practice helps determine the replacement value of a tree proposed for removal.

The Melbourne Tree Care Pty Ltd report (Attachment 4) identifies seven of the trees as high retention. The amenity value of these trees is listed in Table 4.

If high retention trees (as identified in table 7) are removed for the site development, it is recommended to undertake replacement planting in Council's Open Space areas within 2000m of the site. The value of the planting should be equivalent to the Tree Amenity Value listed for the high retention tree removed, as listed in Table 4.

In summary, as these trees are considered co-dependent on one another, any assessment for retention is recommended to be considered in three groups: T1 – T7, T8 – T13 and T14 - T15.

The retention value of the trees within these groups varies between medium and high.

3. SOCIAL IMPLICATIONS

3.1 Bayswater Renewal Strategy

Council endorsed the Bayswater Renewal Strategy in August 2024. A copy of the strategy is published on the Council website. The strategy states the following:

“The Bayswater MAC comprises a demographic that has lower incomes and a greater level of disadvantage than other areas in the City of Knox and Greater Melbourne (ABS 2021). The suburb is well placed as a location for affordable and social housing (and supported in the Knox Social and Affordable Housing Strategy and Action Plan 2023-2027) as it has good public transport access and there are a good range of community, retail and social services available within the centre. Key sites for this type of housing are Council and State Government owned land. State Planning Policy encourages additional housing to be supplied within activity centres such as Bayswater.”

This location is particularly ideal for high density housing due to the proximity to necessary amenities such as a public library, shops, and public transport.

The Renewal strategy and the appropriateness of this site for social or affordable housing was explored with the previous Council, an undertaking of approximately 3 years and considerable resources. As discussed in this report, the project was not supported and Council proposed selling this site on the open market. Please note, an open market sale does not preclude a Community Housing Organisation from purchasing this site for development, if desired.

4. CLIMATE CHANGE CONSIDERATIONS

The subject of this report has been considered in the context of climate change and its relevance to the Knox Climate Response Plan 2021-2031.

The Knox Climate Response Plan 2021-2031, action ‘Adapt and preserve our natural environment’ details investigating options to help retain tree canopy cover on private land as well as mechanisms that increase additional tree canopy cover. The proposed site is home to 15 trees of various maturity and retention value. Removing the trees with no consideration of replacement will have an unfavourable impact from a climate perspective.

5. ENVIRONMENTAL IMPLICATIONS

Application of the Design and Development Overlay – Schedule 6, will continue to be applied to protect the views to the Dandenong Ranges, whilst providing increased opportunities for higher density development in the heart of the Bayswater Major Activity Centre.

The subject site is zoned RGZ2. At least one canopy tree is required in both the front and rear setbacks. Existing trees with the appropriate canopy spread and size can count toward meeting the canopy coverage requirement, provided they comply with setback and spacing regulations.

The 6-meter setback from Station Street offers 120.6m² (20.1m x 6m) of space, where existing trees (8-15) are located. As long as these trees are at least 4 meters away from any buildings, it is possible to meet the canopy tree requirements, although the final design—including building orientation, scale, and parking—remains uncertain. Retention of some existing trees is feasible.

A landscaping plan must be included in the development application, showing how the 98m² canopy coverage will be achieved. This plan should specify the location, species, and canopy spread of both proposed and retained trees, ensuring compliance with the relevant provisions of the Knox Planning Scheme. Unless the Section 173 Agreement included the retention of specific trees as per the zoning, they could all be removed.

Any development proposals will be required to adhere to planning provisions and will be subject to community consultation through the planning permit process.

Habitat for Wildlife

Officers have examined the information available about endangered species recorded at the site and the surrounding area utilising the [NatureKit Victoria \(biodiversity.vic.gov.au\)](https://biodiversity.vic.gov.au) tool provided by the Victoria State Government.

The toolkit advises that within a 1000m radius of the subject site, there were sightings of endangered and critically endangered fauna – refer Attachment 5.

The search within a 500m radius of the subject site did not highlight any sightings of endangered or critically endangered fauna.

In a previous community consultation, residents alerted officers to the impact the trees would have on the Swift Parrot (*Lathamus discolor*). The list provided by NatureKit does not advise of any recorded sightings of the Swift Parrot in the 1000m radius of the subject site. A search of iNaturalist also did not identify any recorded sightings of the Swift Parrot near this location. Of the endangered and critically endangered fauna sighted and recorded in the radius reported, none of these sightings are within the past 80 years. The last sighting recorded of a Regent Honeyeater was in 1924.

The NatureKit report does not support recent sightings of any endangered or critically endangered fauna.

6. FINANCIAL AND RESOURCE IMPLICATIONS

The site known as 58-60 Station Street, Bayswater, has been assessed as surplus to Council's needs, in accordance with Council's Sale of Land and Buildings Policy.

The proceeds from the sale are expected to form part of the funding allocated to the capital works program within the Budget.

6.1 Land Valuation

A confidential valuation was completed in August 2025 (refer Confidential Attachment 2). The Certified Practising Valuer from Westlink Consulting has assessed the current market value of the subject property considering several Section 173 scenarios.

Table 8: Budget Impact Analysis for Trees Protection Scenarios under Section 173:

Scenario	Trees protected	Total TPZ (m2)	Developable Area Remaining (approx.)		Reduction in Site Value*
m2	%				
1	T1 - T15	430	551	56%	9%
2	None	Nil	981	100%	Nil
3	T1 - T7	230	751	77%	5%
4	T8 - T13	150	831	85%	2%
5	T14 - T15	110	871	89%	1%
6	T1 - T11	350	631	64%	6%
7	T9 – T15	200	781	80%	3%
8	T1-T3, T5-T15	360	621	63%	9%

*Compared to no Section 173 applied to the site for tree protections

6.2 Land Sales – 2025/26 Adopted Budget

The sale of this property is included within the proceeds in the 2025-26 Adopted Budget. Proceeds form a component of the budgeted cash position. Should the proceeds not be substantially realised, this will require consideration of either additional borrowings, a reduction in the capital program or a combination of these.

6.3 Windfall Gains Tax Implications

Windfall Gains Tax applies to all land rezoned by the same planning scheme amendment resulting in a value uplift to the land of more than \$100,000. The taxable value uplift is the difference in the capital improved value (CIV) of the land before and after the rezoning takes effect. The Valuer-General Victoria is responsible for determining the value of the land before and after a rezoning.

The site at 58-60 Station Street, Bayswater was rezoned prior to the Windfall Gains Tax, which came into effect 1 July 2023. This is one of Councils few sites where Windfall Gains Tax does not apply. Most Council land is zoned for public use and requires rezoning prior to sale.

7. RISKS

If the land fails to sell, it could result in insufficient funds for the capital program.

8. KNOX COUNCIL AND HEALTH AND WELLBEING PLAN 2025-2029

Leading, listening and governing responsibly

Strategy 4.1 - Council demonstrates its accountability through transparent and responsible decision-making and working together productively.

Strategy 4.4 - The changing needs of our community are met through informed policy and strategy that maximises value, collaboration and partnerships with other councils and local organisations.

Strategy 4.5 - Council is financially sustainable through long-term strategic, financial and asset planning, and the responsible prioritisation, allocation and use of resources.

Planning our future city

Strategy 6.1 - There is improved access to a diverse range of housing options through effective planning, advocacy, and identifying opportunities for social and affordable housing supply.

Strategy 6.3 - Our evolving neighbourhoods are liveable and sustainable through planning and design that responds to population growth and our community's changing needs.

9. CONFLICT OF INTEREST

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

10. STATEMENT OF COMPATIBILITY

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

11. CONFIDENTIALITY

Attachments 1 and 2 are included in the confidential agenda, as they contain confidential information pursuant to Council's Governance Rules and Section 66 of the Local Government Act 2020, as it relates to:

- Council business information, that will prejudice Council's position when negotiating a settlement price for the sale of 58-60 Station Street, Bayswater if prematurely released.

ATTACHMENTS

1. Attachment 3 - Community engagement [4.3.1 - 5 pages]
2. Attachment 4 - Arborist Report Melbourne Tree Care [4.3.2 - 22 pages]
3. Attachment 5 - NatureKit Assessment [4.3.3 - 2 pages]
4. Attachment 6 - Open Space Map [4.3.4 - 1 page]

Proposal To Sell 58-60 Station St Bayswater - Community Consultation Responses

		Do you support the proposal to sell 58-60 Station St, Bayswater at market value?			Council Officer Analysis				Share why you provided that answer
Date Submitted		Yes	No	Neutral	Yes	No	Neutral	Yes, Conditional	
1	Nov 30, 2024, 02:32 PM		1			1			
2	Nov 29, 2024, 04:50 PM		1			1			I think we will need more parking soon. It needs to look better.
3	Nov 29, 2024, 02:00 PM	1			1				The money can be used to reinvest into the Knox community
4	Nov 29, 2024, 11:45 AM	1			1				
5	Nov 28, 2024, 01:51 PM	1			1				
6	Nov 28, 2024, 09:29 AM		1			1			<p>The land is in a prime position to provide essential local community support services. It is located in very close proximity to essential community, public health, transport, retail and education services. These include the Bayswater library, the Scout hall, Maroondah Urgent Care Clinic, Bayswater, several pharmacies, Disability services, Bayswater Train Station, several supermarkets and a significant number of private medical and dental practices. This land provides a vital opportunity to build something like a community mental health service. Again, the land is perfectly situated to house a community service that is co-located with other important local services.</p> <p>In the past the land housed an important youth community support service. I understand that many years ago the land was actually privately donated to the people of the City of Knox for just that purpose. It should therefore be utilised, for the long term future, to provide much needed social support services. There is so much need for mental health support services in our community today, for example, particularly for young people. The long term impact of the Covid years on our mental and physical health and wellbeing cannot be understated. Many young people are still struggling today as a result.</p> <p>Why on earth would you want to sell this prime piece of land privately, knowing that it is going to be bought by developers and eventually become just more residential apartments or a commercial development?</p> <p>One of the problems with the way Melbourne in general is heading is this constant push by all tiers of government to build and build and build more residential apartments. This large scale residential development becomes unmanageably top heavy in comparison to the infrastructure and number of community support services needed to sustain and support the growing population that naturally occurs when you build so many multi-storey apartments.</p> <p>In Melbourne we are already rapidly heading towards a future where most people, and especially families with young children, will live all their lives in large multi-storey apartment blocks with little direct access to gardens, neighbours, nature, trees, birds...all the sorts of things that are so under-rated by local and state governments and not seen as terribly important to our wellbeing and mental health.</p> <p>I write with a sense of gloom, and with more than a little cynicism, knowing that this prime piece of land is probably already earmarked by Knox Council to be sold off for a prime monetary profit. Why must the dollar always be the main driver in government decision making, especially local governments? Where is the sense of responsibility to meeting our future local community needs?</p> <p>There already exists, within the City of Knox, plans and approvals for future large scale residential developments around all of the local train stations and in other areas such as on the corner of Burwood Highway and Scoresby Road. The increase to the local population will be significant and with that will naturally come a need for more social support services.</p> <p>The land was originally donated to the council by someone who clearly had a strong social conscience and wanted to help the local community and I hope Knox Council keeps that uppermost in mind in its final decision making about the future of this land.</p>
7	Nov 28, 2024, 08:40 AM		1			1			The council should keep the land and try to create small garden that public would enjoy.
8	Nov 28, 2024, 08:09 AM		1			1			The housing crisis is so bad, that I think council should sell the land below market value as long as the buyer will build more affordable rental housing for as many people as possible. And there should be adequate parking included too. Thank you.
9	Nov 28, 2024, 01:28 AM		1			1			With the amount of property being developed into apartments/ town houses it would be a great place for the people in those areas to have space in a community garden and park

10	Nov 27, 2024, 11:59 PM		1			1		Because there is no vegetation protection. Ferntree Gully has been denuded of large trees systematically since we arrived here to live 50 years ago. It saddens me to see the plant life disappearing as rapidly as it has. We had up to 55 different variety of birds in our garden back then and everything I planted was to encourage the birds and now 50 years later with the shrubs and trees disappearing fast we have only magpies and crows left and the odd Butcher Bird. We also have noisy miners which originally were only town birds living in Ferntree Gully at the Station, now in our garden because the area we live in has lost it's overlay and we are just suburbia. Ferntree Gully has been neglected so poorly, The further you get away from the Council heading towards the Hills...The Gateway to the Dandenongs the less trees are there are to be seen. The Burwood Highway from Mountain Gate onwards is just a concrete jungle and you should be ashamed of yourselves for allowing this to happen. We have recently lost 4 major Eucalypts. It's not possums, it's not CLIMATE change, it's the loss of the small insect eating birds that helped protect the trees that's caused this problem. Do something. Stop stuffing around. You are getting plenty of money each year from our increased Rates.....stop spending on rubbish, put Trees on this block and be proud that you have done something to protect our environment. ooops I can see there are specific areas where there has been planting but you are planting shrubs.....crappy shrubs.....we need trees. I come originally from "dirty old" Footscray.....well, they are running rings around you guys. They have no fear of trees and are planting them everywhere.....I used to be proud to come home to Ferntree Gully, but not now.....I grieve. I'm not leaving, I'm grieving.
11	Nov 27, 2024, 10:19 PM		1			1		Council should either turn it into a space the local community can use and enjoy, or use the proceeds to purchase a more appropriate piece of land to do that. Council shouldn't just be offloading assets to cover short term funding gaps in the budget.
12	Nov 27, 2024, 09:38 PM	1				1		You could sell the land to a developer for more housing.
13	Nov 27, 2024, 09:26 PM		1			1		The land is an asset of the people of the municipality. Its original use with its building was a community hall , with multiple funtions but principally for youth of the area. The building was demolished despite being in serviceable condition thereby removing its many uses for the community and the youth of Knox. I propose to restore a building to the site which can be used by a range of clubs societies and community groups with a focus on youth, on a non profit basis. In the process all trees on the site should be retained, and a small garden be established with permanent circular seating for community reflection.
14	Nov 27, 2024, 08:20 PM	1				1		Knox councillors have been putting Knox in more debt, and selling off too many properties. Would be better to sack half the councillors.
15	Nov 27, 2024, 05:47 PM	1				1		I support it, but would hope its development will provide some badly needed social housing. Please make sure that any development of this site provides enough parking off street. Too many of the existing townhouse and apartment complexes add to parking congestion in the streets. Examples of this are Elm Street and Alwyn Street.
16	Nov 27, 2024, 03:39 PM	1				1		Rate payers are finding the financial area tough at this time. Any extra income the Council may gain is great for all.
17	Nov 27, 2024, 03:36 PM		1			1		It is about time we had a large Theatre for musical theatre / plays, School theatre and bands/ single shows etc. Like Bungil in Berwick and "The Round" in Nunawadding. We have a pokey little puppy community place at present that is useless.
18	Nov 27, 2024, 03:29 PM		1			1		If sold at market value, the land will be used for more high rise units. The parking in the area around the station is already difficult without the increase caused by the deveopment of the land. It would be nice if a philanthropist purchased the land and created a small park/rest area there instead.
19	Nov 27, 2024, 03:28 PM	1				1		Use the land for smaller dwellings ...great need for housing.
20	Nov 27, 2024, 12:57 PM		1			1		Selling public assets to subsidise operational expenses is short sighted. I, as a resident, want this sale to be postponed and a better community use considered. I also found it strange and concerning that my submission in favour of the subsidised sale wasn't represented in the community feedback of the decision to reject it
21	Nov 26, 2024, 02:24 PM		1			1		It would like to see the land used as a mini-park, a place for people on foot to sit and relax. There is not enough of that in central Bayswater. This space is surrounded by buildings and car parks.
22	Nov 26, 2024, 11:41 AM	1					1	Selling the land is fine but it sounds like the purchaser is not obligated to keep the trees? This is the only concern. Mature trees provide shade, cool the environment and lock away carbon. High density new developments often have very little green space, just a little paved alfresco spot out back that bakes all summer. I would support the sale provided there is a provision to keep as many trees as possible (or replace with extra trees to compensate), and to add additional native planting wherever possible (rather than patches of lawn). New developments with dark roofs and tiny outdoor spaces are mini heat islands. We desperately need more housing but also need to be aware that this comes with a cost for all of us so we need to mitigate this wherever possible.
23	Nov 26, 2024, 10:10 AM		1			1		Put the hall back you knocked down lots of people where use the hall
24	Nov 25, 2024, 06:30 AM	1				1		To develop the site a planning permit will be required so Council will still have a degree of control over how it is developed.

25	Nov 24, 2024, 10:22 PM		1			1			The Knox Community will be better served by its elected representatives committing to redeveloping or renegotiating proposals for 58-60 Station St. Bayswater that deliver a direct and sustainable community benefit through a collaboration with a Community housing organisation(s). The returns to the community from a Council reduced sale price (at similar rate previously suggested) to a Community organisation can be both socially and economically advantageous in the longer term in comparison to a full priced, open market sale which may, at best, deliver a simple short term revenue spike and a minimum of social equity.
26	Nov 24, 2024, 09:37 PM	1						1	I firmly support selling this land at full market price. Council is not a charity, it has no obligation to provide social housing, it's the state government's job. The money obtained from selling this land can then be invested in improving council services to further benefit Knox residents. I'd also like to raise the issue regarding the native trees on site. There should be an effort made to retain as many trees as possible.
27	Nov 24, 2024, 05:47 PM		1			1			Sale of this land for development into housing is not appropriate especially considering there is already a stalled high density housing development in Bayswater on Mountain Hwy which is a similar distance to Bayswater train station from 58-60 Station St. Clearly there is not an urgent economic need for more high density housing in this area otherwise the Mountain Hwy development would not have stalled. The land should be retained for community benefit.
28	Nov 24, 2024, 11:58 AM		1			1			The reduction of treescape which provides habitat and shelter is unjust and deplorable - further, the justification is not in line with standards upheld for the constituents of Knox Shire and reeks of blatant hypocrisy and beurocratic manipulation.
29	Nov 23, 2024, 10:54 PM	1				1			no issues with selling the land at market value. Not support if use the land for social housing
30	Nov 23, 2024, 10:29 PM	1				1			
31	Nov 23, 2024, 07:52 PM	1				1			If there is a market for the property, it is not used and appears to serve no useful purpose THEN sell it and use the funds for a better purpose
32	Nov 23, 2024, 07:52 PM	1				1			The area is otherwise of no value tot eh community and would be great as local housing which is in which need, particularly being so close to the station and shops which will be highly sort after.
33	Nov 23, 2024, 09:14 AM	1						1	If the council will not receive the benefit of subsidised housing, public amenity etc then the developer should bear the market value.
34	Nov 22, 2024, 10:52 AM		1			1			It is however appalling that the council has decided against protecting the trees that are located on the property. Canopy coverage doesn't magically appear because you mandate it. To cut down such beautiful and advanced trees for no reason other than potential financial gain is disgusting. The double standards alone are astounding, let alone the idiocy in this climate crisis.
35	Nov 22, 2024, 10:35 AM		1			1			Should be turned into a park and playground. Don't chop down the trees.
									I don't believe this land should be sold at all.
									Instead it should be turned into a park and playground for the local community.
									There are beautiful trees there already which provide good shade coverage too and shouldn't be cut down.
									There isn't a local playground for young kids in the area.
36	Nov 20, 2024, 08:48 AM	1			1				There is already an abundance of Public Housing in Bayswater, far above the average in Knox LGA and the surrounding areas. Having full market priced properties on this site would be good for the other residential property values around this area, and would hopefully encourage more retailers / food outlets to open in the strip of shops across the road from the train station, on Station street. This block of land is ideally situated to influence (good or bad) the look and feel of this important area so close to the train station. If this property could not be sold at full market price, I would prefer that Council develop it into a small public green space, but not use it for more low cost housing.
37	Nov 16, 2024, 11:12 PM		1					1	Not unless 173 agreements,are in place to protect all existing canopy trees.
38	Nov 16, 2024, 01:08 PM		1			1			It's the only open space in this area and it contains some old trees.
39	Nov 16, 2024, 11:36 AM		1			1			I support the land being made available for community housing. This might mean further consultation and negotiation with the groups behind the submissions made. Why were none of the submissions deemed unsuitable?
40	Nov 14, 2024, 05:16 PM	1			1				Yes, as long as there are height restrictions because turning from Pine Road to Station Street is not a clear intersection especially when cars are parked in Station Street near the intersection of Pine Road.

		1			1				I think if council are unable to sell to a community group (and it's a pity the local Scout group weren't interested as the nearby parking for evening pickups and drop offs would be safer and have superior parking access), then full market value is reasonable. I would encourage council to not only consider this arborist site report in isolation, which looks very thorough, but also consider the wider area which has had many trees removed over the last decade or more with the increased housing density and train station upgrade, and strongly consider applying a new vegetation protection control over the site prior to sale. Given the current housing shortages but also the overall economic climate, I would also encourage council to carefully consider a buyer/developer's plan before agreeing to sale, and perhaps put criteria in for a high (say 70%+) social/affordable housing if it is purchased as a residential development site. Ideally with 100% tree retention for the residents and community to enjoy.
41	Nov 14, 2024, 11:38 AM		1					1	I do not support the selling of 58-60 Station Street if trees are removed. All trees are important and should be retained. Do we have a planet emergency or not?!!!!!!
42	Nov 14, 2024, 11:25 AM		1						Stick to proposal o building housing for community. This way you provid housing for elderly
43	Nov 14, 2024, 12:53 AM		1			1			
44	Nov 13, 2024, 07:30 PM		1			1			I do think if this land is sold it should be at market value, however I would prefer Council retain it and donate use or rent it at a discounted rate to a community or volunteer group. For example, a not-for-profit organisation that cares for wildlife. Or given proximity to the station, an RSL or seniors venue or similar. It is Council land, so it makes sense it is used for ratepayers' purposes. It would be good to see it used for a charitable cause. I would support my rate money being used in this way. It would also provide the opportunity to retain the trees. There is enough high-density housing in the area. Not only is it unattractive, but adds further congestion to already strained roads, transport, and services in Knox. Better it be used for a purpose that adds value for existing residents.
45	Nov 13, 2024, 04:37 PM		1			1			There is no parkland/playgrounds in that area of Bayswater. Sellig the land will most likely go to a developer who will remove all the trees and remove any potential large canopy plot of land near the center of Bayswater.
46	Nov 13, 2024, 04:05 PM		1					1	Any development would mean cutting down the established trees. Council can make extra parking facility instead. Thanks
47	Nov 13, 2024, 03:24 PM		1			1			
48	Nov 13, 2024, 03:23 PM		1			1			I feel that the land should have bee sold for under market value to a community house organisation as that is what is really needed at the moment.
49	Nov 13, 2024, 08:56 AM	1			1				Land has been vacant and not put to good use that benefits anyone. Community housing group can put this to good use that will benefit the community
50	Nov 12, 2024, 01:21 PM		1			1			Trees will be removed and the land will be used for development. We need to save our green open spaces and provide a space for the community.
51	Nov 12, 2024, 09:17 AM		1			1			why because there is never enough parking for units
52	Nov 12, 2024, 08:28 AM		1			1			Turn it into a park. The trees should not be cut down whether replanted or not. Keep it public rather than in council employees overfilled pockets.
53	Nov 11, 2024, 10:07 PM		1			1			If there is any possibility to remain as green space and usable for the community then that would be ideal.
54	Nov 11, 2024, 09:47 PM		1			1			Like everywhere else in Bayswater and Boronia, Council is facilitating the overdevelopment of town houses that only meet the housing needs of some people with little attention being paid to parking issues and how the increasing number of cars parked overnight and on weekends in local streets is impacting on the amenity of neighbourhoods and the community. The character of both suburbs is being destroyed systematically and in twenty years time will be like slums. Why do I say this? Because the majority of building projects owe little to good design and quality builds. They do not enhance the liveability of the area and recent councils have been a grand disappointment in this regard. I say the land should be retained by Council and turned into a public space for those existing in nearby townhouses and units as a place for recreation and leisure. Plant trees on the space. Knox Council used to boast it was the custodian of the gateway to the Dandenongs and its vistas. This kind of proposal is further proof Council has lost its soul.
55	Nov 11, 2024, 09:23 PM		1			1			Lack of transparency on what the land would be used for
56	Nov 11, 2024, 08:58 PM		1					1	Crime rate is already too high in this area. Community housing increases crime rate and prevalence of drugs and drug dealers (we previously lived in New St. Ringwood, and the high density of community housing at that location is notorious for housing low socio-economic individuals including drug users and drug dealers which led to major property damage for adjacent properties). We have recently purchased in this area and strongly reject the idea of decreasing the socio-economic makeup of the area by introducing community housing. We would be okay with this land being sold to a developer who will build and sell normal 2-3 bedroom townhouses.

57	Nov 11, 2024, 08:03 PM	1			1				Selling the land creates an opportunity for more housing therefore adding more customers to Bayswater's struggling shopping district but more importantly giving people the opportunity to enter the housing market.
58	Nov 11, 2024, 05:49 PM	1			1				Where Council property is sold, this should be at market rate, through a competitive open process and money from the sale be used to improve infrastructure.
59	Nov 11, 2024, 04:44 PM	1			1				For commercial and private use
60	Nov 11, 2024, 04:33 PM	1			1				For privatisation and commercial use..
61	Nov 11, 2024, 04:05 PM		1			1			I would like public or social housing built on that land instead.
62	Nov 11, 2024, 03:17 PM	1			1				This seems okay but I think the income from the sale should be donated to community projects and to towards planting a further 15 trees
63	Nov 11, 2024, 03:15 PM	1			1				Sell at an auction to a developer who'd build at least 8 units.
64	Nov 11, 2024, 03:08 PM		1					1	I do not support the sale of this land unless the 15 mature trees are protected and cannot be removed. It doesn't matter if they're not heritage or of rare value. They are mature trees, home to many birds and creatures, add shade and are part of the landscape of that area of Bayswater and have been for many many years. What is the use of having Greening Knox and KES, promoting the protection of the environment and all who inhabit it if we cannot save existing mature trees. It would take about 20 years for new trees to grow to this height and, probably, these trees would not be replaced anyway. That would be disgraceful!! If they were replaced, it would be with low lying shrubs and grasses - we need these trees to add to the "green" corridor and pathways to and from the Dandenong Creek trail. Please, City of Knox, do not allow these trees to be removed.
65	Nov 11, 2024, 02:52 PM		1			1			If this land is no longer to be considered for a community housing development, I would still like it to be used to build cheap social housing for those who are unable to purchase housing at the current rate. If the land could still be sold at 61% of its value to a builder who would construct inexpensive homes this would be fantastic for Bayswater.
66	email 10/11/2024	1						1	We believe the area would benefit from a small community park or additional retail spaces, which could enhance the vibrancy and accessibility of the neighborhood. Alternatively, if the decision is made to sell to a developer, we would support plans for residential apartment units that align with the character of the community. However, we would have concerns about any plans for commission housing on the site, as we feel it may impact the safety and security of the immediate area. Thank you again for engaging the community in this process. We look forward to seeing how this project develops and are hopeful for an outcome that positively contributes to the Bayswater
67	Drop in session	1						1	Development to the site should protect the trees, suggested a s173 would be great and doesn't want aspirations to protect the trees. Noted heat islands and north facing trees, life of the trees is 15-40 years. Doesn't want a net loss to Council, Council needs to think about it and engage planning to think through some creative options for development e.g. air rights, pine road easement cantilever, suggested looking at the setback - is there a possibility that on the western side (where there are no trees) that a development can be closer to the title boundary and possibly move the footpath (noted that there are powerpoles and infrastructure to adjust the setback into the council naturestrip/road reserve area Wanted to officers to pass on feedback that Council mowing is fantastic - short, neat, really great.
68	Drop in session			1			1		Considering moving to the area and looking to understand the proposal- neutral response

Preliminary Arboricultural Assessment



Site Address:

58-60 Station Street, Bayswater

Prepared for:

Knox City Council

Prepared by:

Lachlan J Egan

Melbourne Tree Care

DipArb

Melbourne
TREE CARE

Submitted

25/07/2024



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Introduction

Melbourne Tree Care was contracted by Knox City Council to undertake a preliminary arboricultural assessment for trees located within the boundaries of 58-60 Station Street, Bayswater.

Aim of report

The intention of this report is to:

- Assess trees located within the subject site.
- State the permit requirements for tree removal.
- State the retention value for each tree.
- State the Tree Protection Zones (TPZ) and Structural Root Zones (SRZ) of all trees.

Methodology

- Lachlan J Egan of Melbourne Tree Care attended site on the 23rd of July 2024.
- Data acquired is based on a Visual Tree Inspection (VTA) from the ground (Mattheck and Breloer, 1994).
- All trees with a mature height greater than five meters within the subject site were assessed.
- Data collected for each tree was their current size (DBH, DaB, crown spread, height), condition (health and structure), ULE (useful life expectancy), retention value, TPZ, and SRZ.
- DBH (Diameter at Breast Height) was measured at 1.4 metres using a diameter tape.
- DaB (Diameter at Base) was measure above the root flare using a diameter tape.
- Tree height and canopy spread were estimated.
- Tree locations are estimates based on aerial imagery.
- Data was recorded using Tree Plotter.
- TPZ's and SRZ's were calculated in accordance with Australian Standard 4970-2009 Protection of trees on development sites.



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Planning Controls

The subject site is located in the Knox City Council Residential Growth Zone 2 (RGZ1). One planning overlays is present:

- Design and Development Overlay – Schedule 6 (DDO6)

Vegetation Controls

There are currently no vegetation controls for the subject site (Table 1).

Table 1. Tree Permit Status

Location	Tree Id	Botanical Name	Permit Required
Onsite	1	<i>Eucalyptus sideroxylon</i>	No
Onsite	2	<i>Eucalyptus sideroxylon</i>	No
Onsite	3	<i>Eucalyptus sideroxylon</i>	No
Onsite	4	<i>Eucalyptus sideroxylon</i>	No
Onsite	5	<i>Eucalyptus sideroxylon</i>	No
Onsite	6	<i>Eucalyptus sideroxylon</i>	No
Onsite	7	<i>Eucalyptus sideroxylon</i>	No
Onsite	8	<i>Eucalyptus sideroxylon</i>	No
Onsite	9	<i>Eucalyptus sideroxylon</i>	No
Onsite	10	<i>Eucalyptus sideroxylon</i>	No
Onsite	11	<i>Eucalyptus sideroxylon</i>	No
Onsite	12	<i>Eucalyptus sideroxylon</i>	No
Onsite	13	<i>Eucalyptus sideroxylon</i>	No
Onsite	14	<i>Eucalyptus sideroxylon</i>	No
Onsite	15	<i>Eucalyptus sideroxylon</i>	No

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Observations

A total of 15 individual trees were assessed for this report. Detailed observations for individual trees are listed in **Appendix B** and see **Appendix C** for glossary of terms.



Figure 1. Site Overview and tree locations

Tree Population Overview

The trees assessed are mature (87% of the tree population) and semi mature (13%) in age. All of the trees are *Eucalyptus sideroxylon* (Red Ironbark), a Victorian native species. See **Appendix A** for individual tree locations and **Appendix B** for individual tree data.



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Health

The health of the trees is assessed as good (60%) and fair (40%). Most trees are presenting with good leaf size and colour, crown density, and branch elongation; all of which are indicators of fair vigour and vitality.

Structure

The structure of the trees is assessed as fair (87%) and poor (13%). Most trees present with strong branch and stem attachments and are generally free of any above-ground defects.

Tree Retention Value

No trees were found to have a exceptional retention value, seven trees were found with attributes that warrant a high retention value, while eight trees have a medium retention value (Table 2).

Table 2. Tree Retention Values

Retention Value	Tree Id
Exceptional	N/A
High	1, 2, 4, 5, 9, 10, 15
Medium	3, 6, 7, 8, 11, 12, 13, 14,
Low	N/A

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Tree Protection Zones

A Tree Protection Zone (TPZ), as stated by the Australian Standard AS4970-2009, Protection of trees on development sites, is the principal means of protection of trees on development site. The TPZ is a combination of the root area and crown area requiring protection. It is an area isolated from construction disturbance, so that the tree remains viable.

The Australian Standard AS4970-2009 is being used in assessing the protection areas for each tree as it describes the best practices for the planning and protection of trees on development sites.

Table 3. Individual TPZ's and SRZ's

Tree Id	Botanical Name	TPZ Radius (m)	SRZ Radius (m)	Retention Value
1	<i>Eucalyptus sideroxylon</i>	4.92	2.49	High
2	<i>Eucalyptus sideroxylon</i>	6.72	2.73	High
3	<i>Eucalyptus sideroxylon</i>	5.64	2.65	Medium
4	<i>Eucalyptus sideroxylon</i>	6.48	2.83	High
5	<i>Eucalyptus sideroxylon</i>	4.92	2.45	High
6	<i>Eucalyptus sideroxylon</i>	6.84	2.78	Medium
7	<i>Eucalyptus sideroxylon</i>	5.88	2.67	Medium
8	<i>Eucalyptus sideroxylon</i>	5.88	2.63	Medium
9	<i>Eucalyptus sideroxylon</i>	5.64	2.59	High
10	<i>Eucalyptus sideroxylon</i>	7.2	2.81	High
11	<i>Eucalyptus sideroxylon</i>	7.2	2.9	Medium
12	<i>Eucalyptus sideroxylon</i>	2.52	2	Medium
13	<i>Eucalyptus sideroxylon</i>	3.72	2.43	Medium
14	<i>Eucalyptus sideroxylon</i>	7.2	2.83	Medium
15	<i>Eucalyptus sideroxylon</i>	8.52	3.04	High

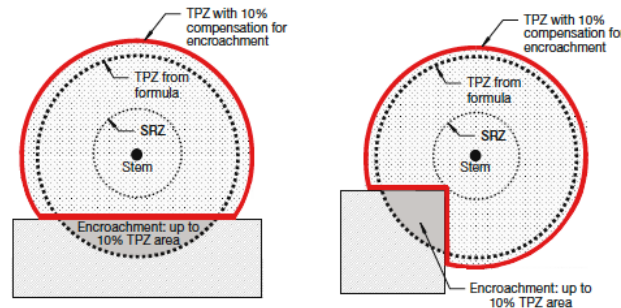
In calculating the radius for the Tree Protection Zones (TPZ), the DBH, measured at 1.4m from the ground, is multiplied by 12. The TPZ requirements are as follows:

- If the TPZ is encroached by less than 10%, the Australian Standard AS4970-2009 states: *detailed root investigations should not be required.*
- If the TPZ is encroached by more than 10%, the Australian Standard AS4970-2009 states: *the project Arborist must demonstrate that the tree(s) would remain viable. The area lost to this encroachment should be compensated for elsewhere and contiguous with the TPZ.*



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The Structural Root Zone (SRZ) is the area around the base of the tree required for stability in the ground. These roots are fundamental for the trees structure and health. The standard states:

"The area around the base of a tree required for the tree's stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold the tree upright. The SRZ is nominally circular with the trunk at its centre and is expressed by its radius in metres. This zone considers a tree's structural stability only, not the root zone required for a tree's vigour and long-term viability, which will usually be a much larger area." (AS4970)

To calculate the SRZ, the equation is $(D \times 50)^{0.42} \times 0.64$, where D is the Diameter at Base (DAB).

The effects of root loss or damage by any means could include:

- Loss of stability if structural woody roots or even lower order woody roots are cut
- Reduction in water and nutrient uptake
- An eventual loss of leaves, reduced photosynthesis and thus sugar production
- Decay as a result of wounding
- Predisposition to soil borne pathogens

Melbourne
TREE CARE



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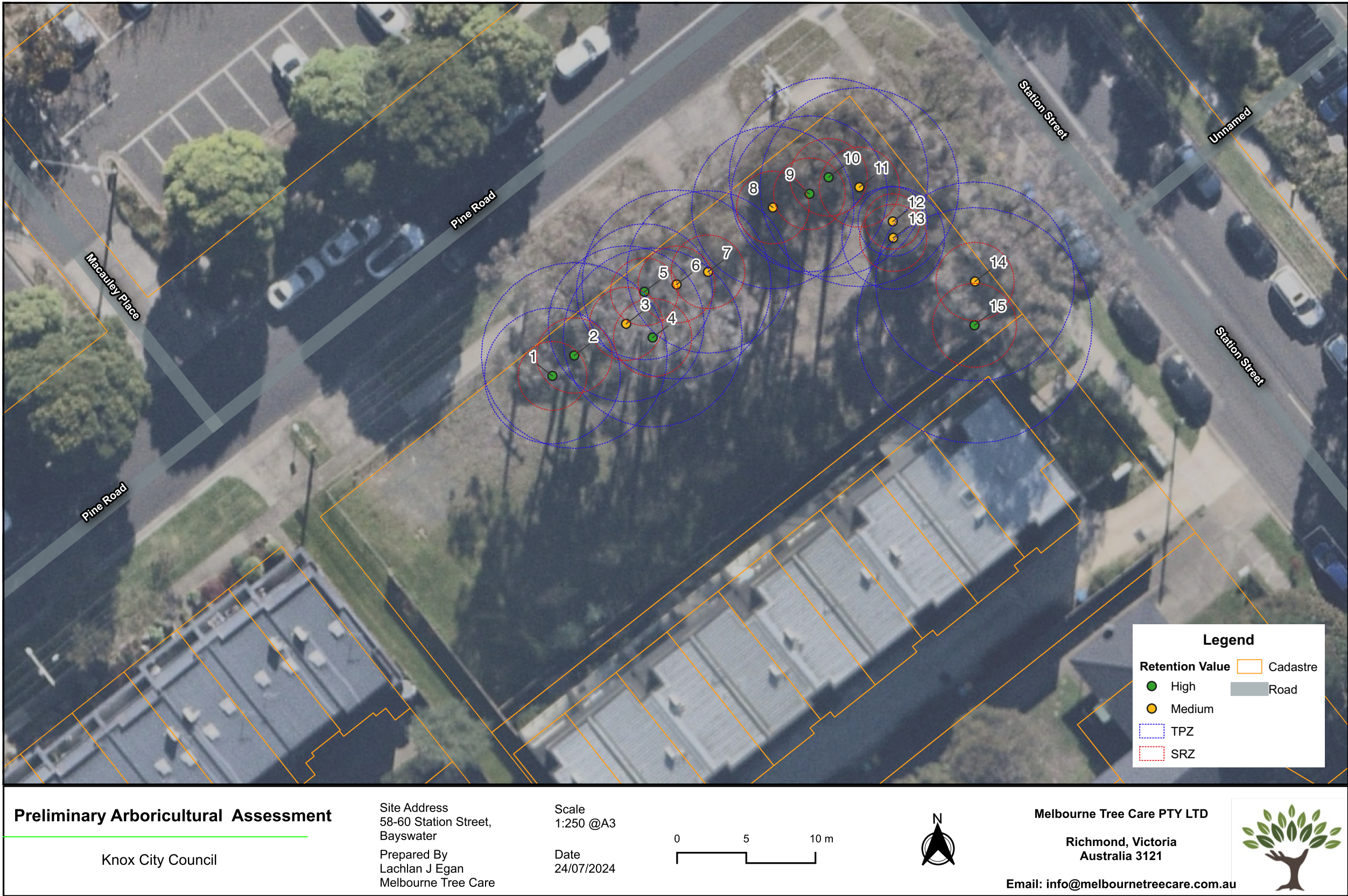
Conclusion and Recommendations

A total of 15 individual trees were assessed for this report. The main findings of the assessment were:

- The trees generally present with good to fair health.
- No trees were found to warrant a exceptional retention value.
- Seven trees were found to warrant a high retention value.
- Eight trees were found to warrant a medium retention value.

If the subject site is to be developed, it is strongly recommended that an arboricultural impact assessment is undertaken to determine which trees can be retained or removed. It is worth noting that while seven trees were found to warrant a high retention value, no trees were found to warrant a significant retention value, and there are currently no vegetation controls for the subject site.







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Appendix B: Individual Tree Data

Tree ID	1	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	41
Tree Height (m)	15	Canopy Spread (m)	8
Health	Good	Structure	Fair
ULE	Medium	Remove/Retain	Retain
Observations			

Retention Value	High	TPZ (m)	4.92
------------------------	------	----------------	------



Tree ID	2	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	56
Tree Height (m)	16	Canopy Spread (m)	11
Health	Good	Structure	Fair
ULE	Medium	Remove/Retain	Retain
Observations			

Retention Value	High	TPZ (m)	6.72
------------------------	------	----------------	------



Tree ID	3	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	47
Tree Height (m)	16	Canopy Spread (m)	12
Health	Good	Structure	Poor
ULE	Short	Remove/Retain	Retain
Observations	Included codominant stems		

Retention Value	Medium	TPZ (m)	5.64
------------------------	--------	----------------	------





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Tree ID	4	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	54
Tree Height (m)	20	Canopy Spread (m)	13
Health	Fair	Structure	Fair
ULE	Medium	Remove/Retain	Retain Onsite
Observations			

Retention Value	High	TPZ (m)	6.48
------------------------	------	----------------	------

Tree ID	5	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	41
Tree Height (m)	16	Canopy Spread (m)	9
Health	Good	Structure	Fair
ULE	Medium	Remove/Retain	Retain
Observations			

Retention Value	High	TPZ (m)	4.92
------------------------	------	----------------	------

Tree ID	6	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	57
Tree Height (m)	16	Canopy Spread (m)	10
Health	Good	Structure	Poor
ULE	Short	Remove/Retain	Retain
Observations	Included codominant stems		

Retention Value	Medium	TPZ (m)	6.84
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Tree ID	7	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	49
Tree Height (m)	16	Canopy Spread (m)	12
Health	Fair	Structure	Fair
ULE	Medium	Remove/Retain	Retain Onsite
Observations	Suppressed		

Retention Value	Medium	TPZ (m)	5.88
------------------------	--------	----------------	------

Tree ID	8	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	49
Tree Height (m)	15	Canopy Spread (m)	10
Health	Fair	Structure	Fair
ULE	Medium	Remove/Retain	Retain
Observations	Suppressed. Acute codominant stems		

Retention Value	Medium	TPZ (m)	5.88
------------------------	--------	----------------	------

Tree ID	9	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	47
Tree Height (m)	20	Canopy Spread (m)	13
Health	Good	Structure	Fair
ULE	Medium	Remove/Retain	Retain
Observations			

Retention Value	High	TPZ (m)	5.64
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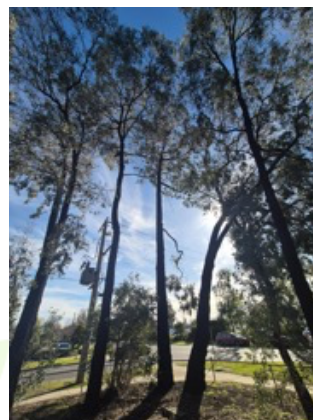
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Tree ID	10	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	60
Tree Height (m)	20	Canopy Spread (m)	12
Health	Fair	Structure	Fair
ULE	Medium	Remove/Retain	Retain Onsite
Observations			

Retention Value	High	TPZ (m)	7.2
------------------------	------	----------------	-----



Tree ID	11	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	60
Tree Height (m)	12	Canopy Spread (m)	14
Health	Fair	Structure	Fair
ULE	Medium	Remove/Retain	Retain
Observations	Suppressed		

Retention Value	Medium	TPZ (m)	7.2
------------------------	--------	----------------	-----



Tree ID	12	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Semi mature
Common Name	Red Ironbark	DBH (cm)	21
Tree Height (m)	9	Canopy Spread (m)	4
Health	Good	Structure	Fair
ULE	Medium	Remove/Retain	Retain
Observations			

Retention Value	Medium	TPZ (m)	2.52
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Tree ID	13	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Semi mature
Common Name	Red Ironbark	DBH (cm)	31
Tree Height (m)	13	Canopy Spread (m)	4
Health	Good	Structure	Fair
ULE	Medium	Remove/Retain	Retain Onsite
Observations			

Retention Value	Medium	TPZ (m)	3.72
------------------------	--------	----------------	------



Tree ID	14	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	60
Tree Height (m)	17	Canopy Spread (m)	15
Health	Fair	Structure	Fair
ULE	Medium	Remove/Retain	Retain
Observations	Wounds. Previous failures. Exudates.		

Retention Value	Medium	TPZ (m)	7.2
------------------------	--------	----------------	-----



Tree ID	15	Origin	Vic. Native
Botanical Name	<i>Eucalyptus sideroxylon</i>	Age	Mature
Common Name	Red Ironbark	DBH (cm)	71
Tree Height (m)	16	Canopy Spread (m)	12
Health	Good	Structure	Fair
ULE	Medium	Remove/Retain	Retain
Observations			

Retention Value	High	TPZ (m)	8.52
------------------------	------	----------------	------





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Appendix C: Glossary of Terms

Age

Juvenile	Juvenile or recently planted approximately 1-7 years.
Semi Mature	Tree actively growing.
Mature	Tree has reached expected size in situation.
Senescent	Tree is over mature and has started to decline.

Origin

Victorian native	Trees that are naturally occurring within Victoria
Australian native	Trees that are naturally occurring within Australia
Exotic	Trees that are not naturally occurring to any part of Australia

USEFUL LIFE EXPECTANCY – ULE

The useful life of a tree is an estimate of how long a tree is likely to remain in the landscape based on health, amenity and risk.

Long ULE Trees that appear to be retainable with an acceptable level of risk for more than 40 years.

1. Structurally sound trees located in positions that can accommodate future growth.
2. Storm damaged or defective trees that could be made suitable for retention in the long term by remedial tree surgery.
3. Trees of special significance for historical, commemorative or rarity reasons that would warrant extraordinary efforts to secure their long-term retention.

Medium ULE Trees that appear to be retainable with an acceptable level of risk for 15 to 40 years.

1. Trees that may only live between 15 and 40 years.
2. Trees that may live for more than 40 years but would be removed to allow the safe development of more suitable individuals.
3. Trees that may live for more than 40 years but would be removed during the course of normal management for safety and nuisance reasons.
4. Storm damage or defective trees that can be made suitable for retention in the medium term by remedial work.

Short ULE Trees that appear to be retainable with an acceptable level of risk for 5 to 15 years.

1. Trees that may live for 5 to 15 years.
2. Trees that may live for more than 15 years but would be removed to allow the safe development of more suitable individuals.



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3. Trees that may live for more than 15 years but would be removed during the course of normal management for safety and nuisance reasons.
4. Storm damaged or defective trees that require substantial remedial work to make safe and are only suitable for retention in the short term.

0-5 Years Trees with a high level of risk that would need removal within the next 5 years.

1. Dead trees.
2. Dying or suppressed and declining trees through disease or inhospitable conditions.
3. Dangerous trees through instability or recent loss of adjacent trees.
4. Dangerous trees through structural defects including cavities, decay, included bark, wounds or poor form.
5. Damaged trees that are considered unsafe to retain.
6. Trees that will become dangerous after removal of other trees for the above reasons.

Condition

This is a combined indicator of 'health' and 'structure' based on the following descriptors:

Health

Good Foliage of tree is entire, with good colour, very little sign of pathogens and of good density. Growth indicators are good ie. Extension growth of twigs and wound wood development. Minimal or no canopy die back (deadwood).

Fair Tree is showing one or more of the following symptoms; < 25% dead wood, minor canopy die back, foliage generally with good colour though some imperfections may be present. Minor pathogen damage present, with growth indicators such as leaf size, canopy density and twig extension growth typical for the species in this location.

Poor Tree is showing one or more of the following symptoms of tree decline; > 25% deadwood, canopy die back is observable, discoloured or distorted leaves. Pathogens present, stress symptoms are observable as reduced leaf size, extension growth and canopy density.

Dead Structure No vascular function.



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Good	Trunk and scaffold branches show good taper and attachment with minor or no structural defects. Tree is a good example of the species with a well-developed form showing no obvious root problems or pests and diseases.
Fair	Tree shows some minor structural defects or minor damage to trunk eg. bark missing, there could be cavities present. Minimal damage to structural roots. Tree could be seen as typical for this species.
Poor	There are major structural defects, damage to trunk or bark missing. Co-dominant stems could be present or poor structure with likely points of failure. Girdling or damaged roots obvious. Tree is structurally problematic.

Retention Value

- **Exceptional** - trees must be retained at all costs
 - A tree has horticultural, social, historical or cultural value.
 - A tree that has outstanding habitat value.
 - A tree that is an outstanding size for the species.
 - A tree that is remnant.
 - A tree species that is endangered.
- **High** - trees should be considered for retention wherever possible
 - A tree that is in good-fair health and structure with a long ULE.
 - A tree that is in good health, with good structure, is semi mature or mature, and with a medium ULE.
 - A tree that has cultural, botanical, or landscape significance.
- **Medium** - trees should be considered for retention wherever possible but should not pose a material constraint to site development
 - A tree that is in fair health and structure, is semi mature, and with a medium ULE.
 - A tree that is in poor health or poor structure, is mature, and with a medium or short ULE.
- **Low** - trees should be removed
 - A tree that is in poor health and structure with a short ULE.
 - Weed species.
- **Third Party** – trees are third party assets and must be retained at all costs.
 - A tree that is located on adjoining properties.



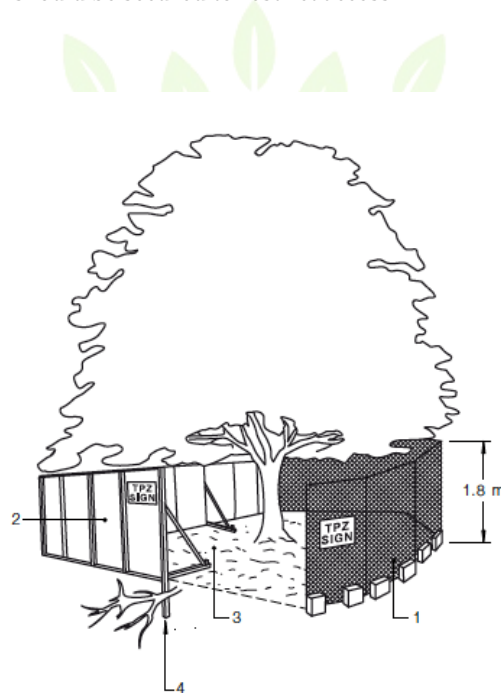
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- A tree that is located on a nature strip.

Appendix D: Tree Protection Measures

- Signs identifying the TPZ should be placed around the edge of the TPZ and be visible from within the development site.
- Fencing should be erected before any machinery or materials are brought onto the site and before the commencement of works including demolition. Once erected, protective fencing must not be removed or altered without approval by the project arborist. The TPZ should be secured to restrict access.



LEGEND:

- 1 Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
- 2 Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
- 3 Mulch installation across surface of TPZ (at the discretion of the project arborist). No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ.
- 4 Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.

Example of fencing (AS4970-2009)

- If the TPZ is to be encroached by construction, manual excavation of the roots is to be carried out under the supervision of the project arborist to identify roots critical to tree stability.
- No roots greater than 25mm are to be cut unless supervised by the project arborist.
- Roots should be pruned with sharp tools such as secateurs, handsaws or chainsaws.

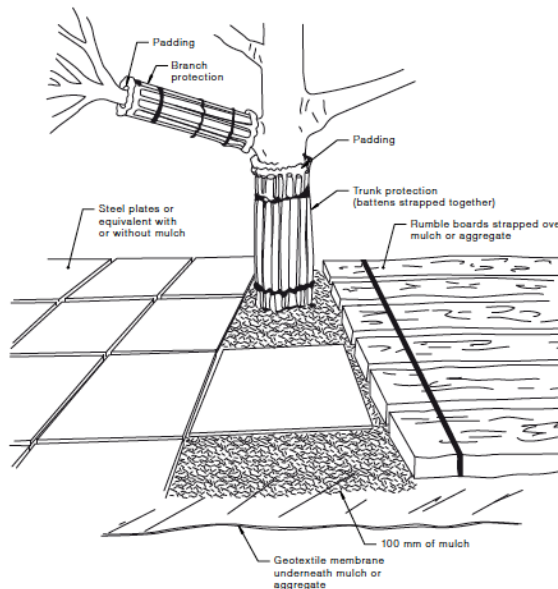


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- No roots within the TPZ are to be cut with machinery such as backhoes or excavators.
- Where roots are exposed, temporary root protection should be installed to prevent them drying out. Hessian sheeting as multiple layers on exposed roots would reduce the loss of moisture.
- All services should be routed outside the TPZ. If underground services are to be routed through the TPZ, they should be installed by directional drilling or manually excavated trenches. Directional boring should be at least 600mm deep.
- If temporary access for machinery is required within the TPZ ground protection measures will be required. The purpose of ground protection is to prevent root damage and soil compaction within the TPZ. Measures may include a permeable membrane such as geotextile fabric beneath a layer of mulch or crushed rock below rumble board.



Ground Protection (AS4970-2009)

- Activities generally excluded from the TPZ include but are not limited to:
 - Machine excavation including trenching
 - Excavation for silt fencing
 - Storage
 - Preparation of chemicals, including preparation of cement products
 - Parking of vehicles and plant
 - Refueling
 - Dumping of waste
 - Wash down and cleaning of equipment



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Appendix E: References

- Mattheck, C. and Breleor, H., 1994, *The body language of trees*, The Stationery Office, London, UK.
- Standards Australia 2009 SAI Global - *AS4970 Protection of Trees on Development Sites*

Appendix F: Qualifications and Experience

Lachlan J Egan has the following qualifications and experience:

Diploma of Arboriculture

QTRA (Quantified Risk Assessment) registered user

10+ Years industry experience





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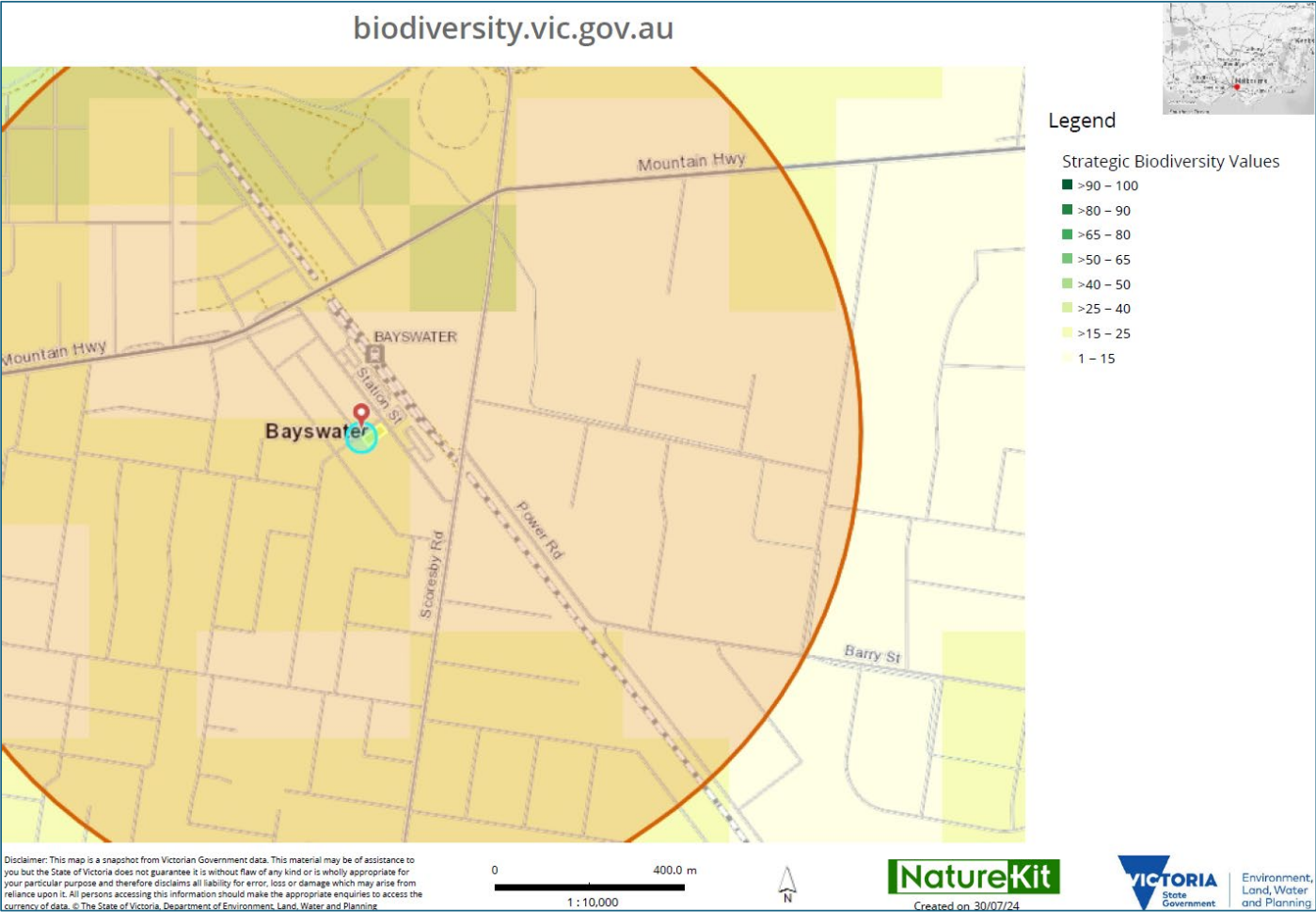
Appendix G: Report Limitations and Constraints

- The report is limited to the time of inspection.
- The report reflects the trees as found on the days of inspection. Any changes to site conditions or surroundings, such as construction works or landscape works may alter the findings of the report subject to conditions and recommendations as set out within the report.
- The report is based on the inspection and the material available at the time of inspection or that information further to the inspection found within the report.
- No soil samples were taken for laboratory analysis.
- Tree roots were not inspected below ground except where previously exposed and/or where otherwise stated within the report.
- Measurements may be approximates only and generally not to scale.
- All images supplied are interpretations only and should not be taken as true at time of inspection or indicative of tree condition or status at time of inspection or time of report release, inclusive of Google images if applicable

Appendix H: Disclaimer

Although MELBOURNRE TREE CARE P.L. uses all due care and skill in providing you the information made available in this report, to the extent permitted by law MELBOURNE TREE CARE P.L. otherwise excludes all warranties of any kind, either expressed or implied. To the extent permitted by law, you agree that MELBOURNE TREE CARE P.L. is not liable to you or any other person or entity for any loss or damage caused or alleged to have been caused (including loss or damage resulting from negligence), either directly or indirectly, by your use of the information (including by way of example, Arboricultural advice) made available to you in this report. Without limiting this disclaimer, in no event will MELBOURNE TREE CARE P.L. be liable to you for any lost revenue or profits, or for special, indirect, consequential or incidental damage (however caused and regardless of the theory of liability) arising out of or related to your use of that information, even if MELBOURNE TREE CARE P.L. has been advised of the possibility of such loss or damage.

NatureKit Assessment of the subject site, 58-60 Station Street, Bayswater – Image of area for data extract:



Fauna: List of Endangered and Critically Endangered Fauna within 1km of the subject site, 58-60 Station Street, Bayswater and the year they were last observed:

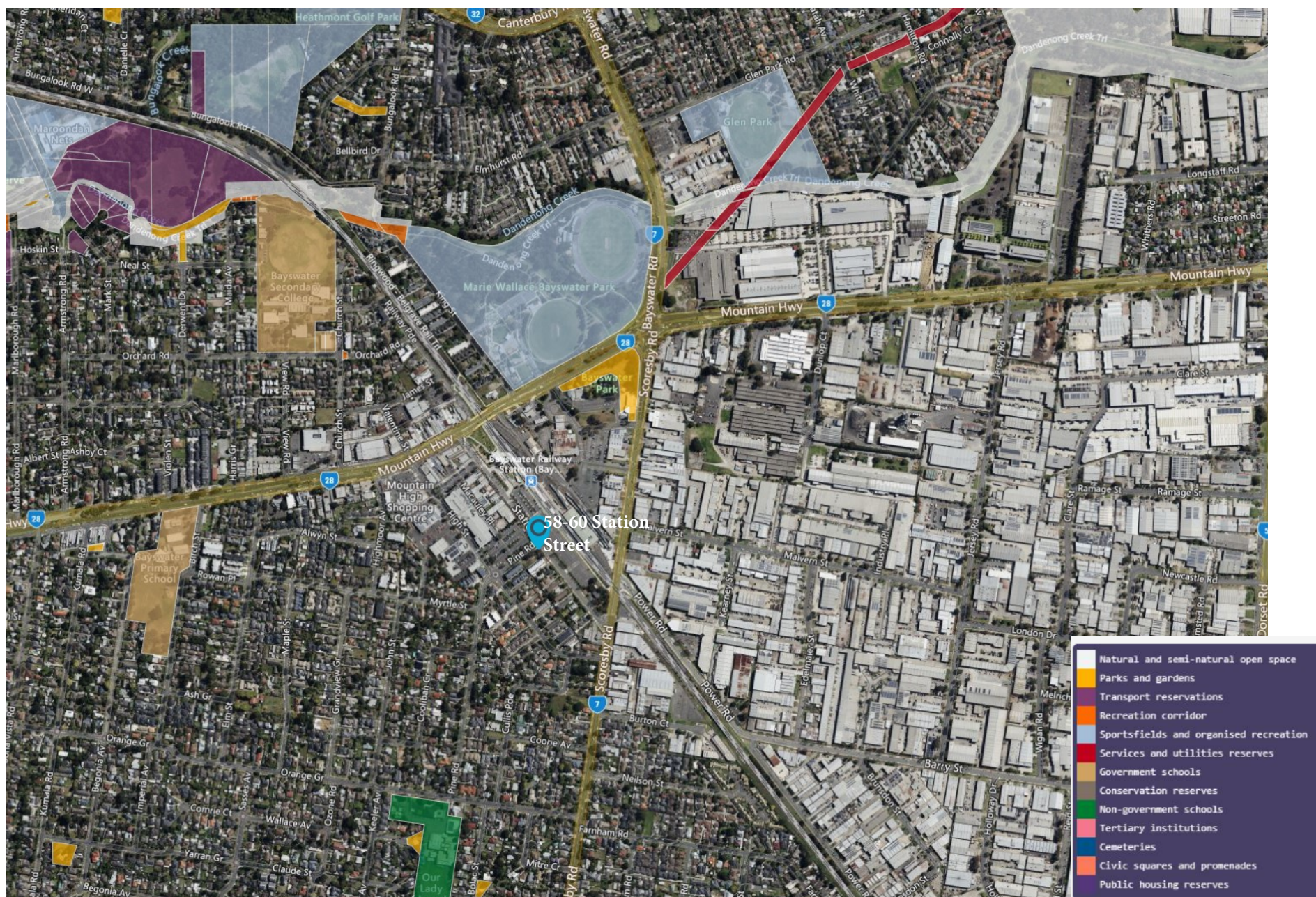
Scientific Name	Common Name	Origin	FFG Act	First Year Observed	Last Year Observed	Record Number	EPBC Act Status
<i>Acrodipsas myrmecophila</i>	Small Ant Blue Butterfly		Endangered	1942	1942	1	
<i>Anthochaera phrygia</i>	Regent Honeyeater		Critically Endangered	1924	1924	1	Critically Endangered
<i>Pyrrholaemus sagittatus</i>	Speckled Warbler		Endangered	1901	1901	1	

Flora: List of Endangered and Critically Endangered Flora within 1km of the subject site, 58-60 Station Street, Bayswater and the year they were last observed:

Scientific Name	Common Name	Origin	FFG Act	First Year Observed	Last Year Observed	Record Number	EPBC Act Status
<i>Diuris behrii</i>	Golden Cowslips		Endangered	1943	1943	1	
<i>Caladenia oenochila</i>	Wine-lipped Spider-orchid		Critically Endangered	1943	1943	1	
<i>Prasophyllum lindleyanum</i>	Green Leek-orchid		Endangered	1906	1926	3	
<i>Billardiera scandens</i> s.s.	Velvet Apple-berry		Endangered	1906	1906	1	
<i>Eucalyptus yarraensis</i>	Yarra Gum		Critically Endangered	2001	2001	1	
<i>Pterostylis X ingens</i>	Sharp Greenhood		Vulnerable	1927	1927	1	

Please note, none of these were identified within 500m of the subject site, so the search was expanded to 1000m (1km).

Open Space Map - Bayswater



5 Notices Of Motion

6 Supplementary Items

6.1 Audit and Risk Committee - Independent Member Appointment

As previously foreshadowed this supplementary report was issued on 8 August 2025 and is issued on the following page.

7 Urgent Business

8 Confidential Items

6 Supplementary Items

6.1 Audit and Risk Committee - Independent Member Appointment

Final Report Destination:	Council
Paper Type:	For Decision
Author:	Head of Risk & Assurance, Debbie Pulham
Manager:	Manager Governance & Risk, Andrew Dowling
Executive:	Acting Director, Customer & Performance, Liesl Westberry

SUMMARY

This report considers the outcome of the recruitment process for an Independent Member to the Audit and Risk Committee and recommends the appointment of the preferred candidate in accordance with the Audit and Risk Committee's Charter.

RECOMMENDATION

That Council resolve to:

1. Appoint the preferred candidate as set out in Confidential Attachment 1, to the Audit and Risk Committee for the period August 2025 to August 2028, in accordance with the Audit and Risk Committee Charter.
2. Pursuant to Section 125 of the Local Government Act 2020, to authorise the confidential information in the attachments to this report to be publicly available for the limited purpose of communicating the effect of this Resolution to the extent necessary to give effect to it.
3. To authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to communicate the effect of these resolutions to the extent necessary at their discretion, including for the purpose of informing the community about the content of the report or Council's decision.
4. Acknowledge and thank Mr Homi Burjorjee for his contribution to Knox over the past 6 years as an Independent Member and Chair of the Knox Audit and Risk Committee.

1. DISCUSSION

Knox City Council's Audit and Risk Committee (the Committee) is an independent Advisory Committee, established under section 53 of the Local Government Act 2020 (the Act) and operates in accordance with the Audit and Risk Committee Charter – May 2025 (the Charter).

The Charter provides that membership shall comprise three (3) Independent Members and two Councillors appointed by Council with:

- Councillor members appointed annually in November concurrently with the annual Mayoral elections (the current members are the Mayor, Councillor Lisa Cooper and Councillor Susan Pearce).
- Independent Members appointed for three-year terms. At the conclusion of their first term, Independent Members may be reappointed for one additional three-year term subject to satisfactory performance, to a maximum of six years' service in total.

Current independent Members are:

- Mr Geoff Harry - appointed in November 2020 and Independent Chairperson for 2024/25
- Mr Mick Jaensch – appointed as a Committee Member in May 2023.

Mr Homi Burjorjee's term as the third independent member concluded in June 2025, triggering the recruitment process for a new independent member.

A 'Recruitment and Selection Panel' was established in accordance with the Charter to recommend the preferred appointment to Council for consideration. The panel comprised Mayor Cooper, Cr Susan Pearce, the Chief Executive Officer Bruce Dobson, and Acting Independent Chairperson Mr Mick Jaensch (Independent Chairperson Geoff Harry was on leave and unable to participate). The Recruitment and Selection Panel was chaired by Mr Mick Jaensch.

The vacancy on the Committee was advertised on Council's Jobs portal and via:

- Australian Institute of Company Directors;
- Seek;
- Women on Boards; and
- LinkedIn

An Invitation for Expressions of Interest was released (Attachment 1) outlining the role and candidates required to address the following selection criteria:

- Have experience working in a complex organisation at a senior level. Prior experience on an Audit and Risk Committee in a local government environment would also be advantageous.
- Have relevant professional qualifications and experience, for example in business management, finance, accounting, legal, risk management, or audit and compliance. Organisational performance, and/or business transformation experience is also highly regarded.
- Be familiar with governance and operations in Victorian Local Government, the current and emerging risks, and control strategies relevant to the sector.
- Be able to provide external insight from beyond local government in relation to the audit function and risk and compliance management.
- Have strong ethical values, sense of integrity.
- Have strong interpersonal and communication skills including capacity for constructive enquiry and an ability to provide Councillors, the Chief Executive Officer and Management with well-rounded and professional advice concerning the adequacy of Council's administrative, operational, financial and accounting systems, practices and controls; performance reporting regimes; and risk management processes.
- Be able to attend meetings in person at Council's Civic Centre (Wantirna South, Victoria).

The Charter provides that Independent Members of the Committee must collectively have expertise in financial management, risk management and experience in public sector management. Advertising noted the selection of the successful applicant would also have regard to this objective.

A total of 73 applications were received and included a significant number of very high calibre applicants. The Recruitment and Selection Panel reviewed the applications, and shortlisted three applicants for interview.

Following the evaluation and interview process, the Recruitment and Selection Panel identified a preferred candidate for appointment as the Independent Member.

The preferred candidate has relevant qualifications, significant executive and relevant experience in State Government and the private sector, experience on Audit and Risk Committees for comparable local governments and other entities, experience on not-for-profit boards, and is considered a strong cultural and skills fit for the Committee.

The preferred candidate's application is included in Confidential Attachment 1. Applications from non-recommended shortlisted candidates are provided in Confidential Attachment 2 for Council's information.

2. ENGAGEMENT

Not Applicable.

3. SOCIAL IMPLICATIONS

Not Applicable.

4. CLIMATE CHANGE CONSIDERATIONS

Implementation of the recommendation is considered to have no direct implications or has no direct impacts upon Council's Net Zero 2030 target, the Community Net Zero 2040, exposure to climate risks or climate change adaptation.

5. ENVIRONMENTAL IMPLICATIONS

Not Applicable.

6. FINANCIAL AND RESOURCE IMPLICATIONS

Independent Members of Council's Audit and Risk Committee currently receive an annual remuneration of \$9,079.88, indexed annually in July by the Consumer Price Index which is provided for in the operational budget of the Governance and Risk Department.

7. RISKS

The selection criteria employed for the recruitment process supported a focus on identifying a preferred candidate who will contribute to a strong, well-balanced Audit and Risk Committee with the independence, financial expertise, and governance and risk experience needed for effective oversight. This enhances Council's capacity to manage risk proactively, uphold sound decision-making, and maintain public trust.

8. COUNCIL AND HEALTH AND WELLBEING PLAN 2025-2029

Leading, listening and governing responsibly

Strategy 4.1 - Council demonstrates its accountability through transparent and responsible decision-making and working together productively.

9. CONFLICT OF INTEREST

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

10. STATEMENT OF COMPATIBILITY

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

11. CONFIDENTIALITY

Confidential Attachments 1 and 2 are included in the confidential agenda, as they contain confidential information pursuant to Council's Governance Rules and Section 66 of the Local Government Act 2020, as it relates to: personal information, names, addresses and other personal and professional information regarding prospective committee members which would be unreasonable to disclose publicly, or to disclose before a Committee Member is appointed.

ATTACHMENTS

1. Attachment 1 - Invitation for Expressions of Interest [**6.1.1** - 2 pages]



Knox City Council Audit & Risk Committee

Knox City Council is seeking expressions of interest for an experienced and suitably qualified Independent Member to join our Audit and Risk Committee.

The Knox City Council Audit and Risk Committee is an independent statutory Advisory Committee to Council, made up of five members; two Councillors and three independent members (one of whom is the Chair).

The purpose of this role is to assist the Audit and Risk Committee to carrying out its roles and responsibilities as defined by the Local Government Act 2020 and Council's Audit and Risk Committee Charter (the Charter) as adopted by Council from time to time. The Charter is accessible from Council's website at [Audit and Risk Committee | Knox](#)

Term, remuneration and meeting details

Council is offering an initial term of 3 years. At the conclusion of their first term, independent members may be reappointed for one additional three-year term subject to satisfactory performance; to a maximum of six years' service in total.

The annual remuneration allowance for independent members is set by Council from time to time with annual CPI increases on July 1. Current annual remuneration is:

Independent Member	\$8,901.80
Independent Chairperson	\$11,234.36

Remuneration includes preparation for and attendance at meetings.

The committee meets quarterly with Council's executive management and internal and external auditors. (Additional meetings may be scheduled if required.) Meetings are held on weekdays (generally Thursdays) typically from 4.30pm with a duration of 2 to 3 hours.

How to apply:

Applications containing a resume and cover letter addressing the selection criteria must be received by 11.59pm on Sunday 22 June 2025 and should be emailed to Risk@knox.vic.gov.au to the attention of Bruce Dobson, Chief Executive Officer.

A shortlist of suitable applicants will be asked to progress to an interview. Interviews are scheduled to be conducted between Monday 21st to 25th July. Applicants should ensure their availability to attend during this time.

Candidates shortlisted for interview will be requested to provide 2 professional referees.



Selection Criteria

To be successful in this role applicants will:

- Have experience working in a complex organisation at a senior level. Prior experience on an Audit and Risk Committee in a local government environment would also be advantageous.
- Have relevant professional qualifications and experience, for example in business management, finance, accounting, legal, risk management, or audit and compliance. Organisational performance, and/or business transformation experience is also highly regarded.
- Be familiar with governance and operations in Victorian Local Government, the current and emerging risks, and control strategies relevant to the sector.
- Be able to provide external insight from beyond local government in relation to the audit function and risk and compliance management.
- Have strong ethical values, sense of integrity;
- Have strong interpersonal and communication skills including capacity for constructive enquiry and an ability to provide Councillors, the Chief Executive Officer and Management with well-rounded and professional advice concerning the adequacy of Council's administrative, operational, financial and accounting systems, practices and controls; performance reporting regimes; and risk management processes.
- Be able to attend meetings in person at Council's Civic Centre (Wantirna South, Victoria).

The Charter provides that independent members of the Committee must collectively have expertise in financial management, risk management and experience in public sector management and the selection of the successful applicant will also have regard to this objective.

The applicant must not:

- be a member of Knox City Council staff; or
- be an elected member of the Knox City Council.

Applicants may be subject to reference and pre-employment checks including but not limited to:

- Reference checks
- ID check
- Qualification check
- Police check

Knox City Council is a child safe organisation and is committed to the safety and wellbeing of all children and young people in our community.

For more information

Contact Head of Risk & Assurance Debbie Pulham at Debbie.pulham@knox.vic.gov.au or 0456 782 803.